

VICTORIA.



MINUTES
OF THE
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL

SESSION

1891.

COUNCIL
CHAMBER.



VICTORIA.



MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

SESSION 1891.

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

By Authority:

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| Provinces and Members. | Elected at— | | Dates of Retirement. | Remarks. |
|---------------------------------------|--------------|---------------|----------------------|--|
| | Nomination. | Polling. | | |
| MELBOURNE PROVINCE : | | | | |
| The Honorables— | | | | |
| Sir Benjamin Benjamin | ... | 11 Sept. 1890 | 1896 | Retired by rotation, and re-elected. |
| George Selth Coppin | 30 Aug. 1889 | ... | 1895 | Elected under Act No. 995. |
| James Service | 31 Aug. 1888 | ... | 1894 | Retired by rotation, and re-elected. |
| Cornelius Job Ham | 27 Aug. 1886 | ... | 1892 | Retired by rotation, and re-elected. |
| NORTH YARRA PROVINCE : | | | | |
| The Honorables— | | | | |
| James George Beaney | 29 Aug. 1890 | ... | 1896 | Retired by rotation, and re-elected. |
| William Pitt | ... | 1 Aug. 1891 | 1896 | Elected in place of Hon. J. G. Beaney, deceased. |
| George Le Fevre | 31 Aug. 1889 | ... | 1894 | Resigned his seat, and was re-elected. |
| Frederick Sheppard Grimwade | 7 Nov. 1891 | ... | 1894 | Elected in place of Hon. G. Le Fevre deceased. |
| William Henry Roberts | ... | 9 Sept. 1886 | 1892 | Elected in place of Hon. G. Meares, C.M.G., who retired by rotation. |
| SOUTH YARRA PROVINCE : | | | | |
| The Honorables— | | | | |
| Sir Frederick Thomas Sargood | 18 Nov. 1890 | ... | 1896 | Accepted an office of profit, and was re-elected. |
| John Mark Davies | 18 Nov. 1890 | ... | 1895 | Accepted an office of profit, and was re-elected. |
| Sir James MacBain | 31 Aug. 1888 | ... | 1894 | Retired by rotation, and re-elected. |
| Simon Fraser | 27 Aug. 1886 | ... | 1892 | Retired by rotation, and re-elected. |
| SOUTHERN PROVINCE : | | | | |
| The Honorables— | | | | |
| Thomas Brunton | ... | 11 Sept. 1890 | 1896 | Elected in place of Hon. C. H. James, who retired by rotation. |
| Sir William John Clarke, Bart. | 31 Aug. 1888 | ... | 1894 | Retired by rotation, and re-elected. |
| Donald Melville | 27 Aug. 1886 | ... | 1892 | Retired by rotation, and re-elected. |
| SOUTH-EASTERN PROVINCE : | | | | |
| The Honorables— | | | | |
| James Balfour | 29 Aug. 1890 | ... | 1896 | Retired by rotation, and re-elected. |
| Frank Stanley Dobson | 31 Aug. 1888 | ... | 1894 | Retired by rotation, and re-elected. |
| James Buchanan... .. | ... | 9 Sept. 1886 | 1892 | Retired by rotation, and re-elected. |
| NELSON PROVINCE : | | | | |
| The Honorables— | | | | |
| James Phillip MacPherson | 29 Aug. 1890 | ... | 1896 | Retired by rotation, and re-elected. |
| Samuel Williamson | ... | 25 Sept. 1891 | 1896 | Elected in place of Hon. J. P. MacPherson, deceased. |
| William Henry Seville Osmand | ... | 13 Sept. 1888 | 1894 | Elected in place of Hon. Jas. Williamson, who retired by rotation. |
| Thomas Dowling | ... | 9 Sept. 1886 | 1892 | Elected in place of Hon. H. H. Wettenhall, who retired by rotation. |
| WESTERN PROVINCE : | | | | |
| The Honorables— | | | | |
| Agar Wynne | 29 Aug. 1890 | ... | 1896 | Retired by rotation, and re-elected. |
| Samuel Winter Cooke | 31 Aug. 1888 | ... | 1894 | Elected in place of Hon. W. Ross, who retired by rotation. |
| Nathan Thornley | 27 Aug. 1886 | ... | 1892 | Retired by rotation, and re-elected. |
| WELLINGTON PROVINCE : | | | | |
| The Honorables— | | | | |
| Henry Cuthbert | 29 Aug. 1890 | ... | 1896 | Retired by rotation, and re-elected. |
| Edward Morey | 30 Aug. 1889 | ... | 1895 | Elected under Act No. 995. |
| David Ham | 31 Aug. 1888 | ... | 1894 | Retired by rotation, and re-elected. |
| Henry Gore | ... | 9 Sept. 1886 | 1892 | Elected in place of Hon. G. F. Belcher, who retired by rotation. |
| SOUTH-WESTERN PROVINCE : | | | | |
| The Honorables— | | | | |
| Joseph Henry Connor | 29 Aug. 1890 | ... | 1896 | Retired by rotation, and re-elected. |
| Sidney Austin | 31 Aug. 1888 | ... | 1894 | Elected in place of Hon. W. Robertson, who retired by rotation. |
| Donald Smith Wallace | ... | 20 June 1889 | 1892 | Elected in place of Hon. F. Ormond, deceased. |

MEMBERS OF THE LEGISLATIVE COUNCIL—*continued.*

| Provinces and Members. | Elected at— | | Dates of Retirement. | Remarks. |
|-------------------------------------|---------------|---------------|----------------------|--|
| | Nomination. | Polling. | | |
| NORTH-EASTERN PROVINCE : | | | | |
| The Honorables— | | | | |
| John Alston Wallace | 29 Aug. 1890 | ... | 1896 | Retired by rotation, and re-elected. |
| James Stewart Butters | 14 Aug. 1889 | ... | 1894 | Unseated on petition, and re-elected. |
| Frederick Brown | 27 Aug. 1886 | ... | 1892 | Retired by rotation, and re-elected. |
| GIPPSLAND PROVINCE : | | | | |
| The Honorables— | | | | |
| William McCulloch | 29 Aug. 1890 | ... | 1896 | Retired by rotation, and re-elected. |
| Charles Sargeant | ... | 12 Sept. 1889 | 1895 | Elected under Act No. 995. |
| George Davis | ... | 13 Sept. 1888 | 1894 | Elected in place of Hon. J. G. Dougharty, who retired by rotation. |
| William Pearson... .. | ... | 9 Sept. 1886 | 1892 | Retired by rotation, and re-elected. |
| NORTH CENTRAL PROVINCE : | | | | |
| The Honorables— | | | | |
| Nicholas FitzGerald | 29 Aug. 1890 | ... | 1896 | Retired by rotation, and re-elected. |
| William Austin Zeal | 31 Aug. 1888 | ... | 1894 | Retired by rotation, and re-elected. |
| William Edward Stanbridge | ... | 9 Sept. 1886 | 1892 | Retired by rotation, and re-elected. |
| NORTHERN PROVINCE : | | | | |
| The Honorables— | | | | |
| William Irving Winter-Irving | 29 Aug. 1890 | ... | 1896 | Retired by rotation, and re-elected. |
| George Simmie | ... | 12 Sept. 1889 | 1895 | Elected under Act No. 995. |
| Frederick Illingworth | ... | 16 July 1889 | 1894 | Elected in place of Hon. W. P. Simpson, resigned. |
| Joseph Sternberg | 24 April 1891 | ... | 1894 | Elected in place of Hon. F. Illingworth, resigned. |
| Joseph Henry Abbott | 4 April 1889 | ... | 1892 | Elected in place of Hon. D. C. Sterry, resigned. |
| NORTH-WESTERN PROVINCE : | | | | |
| The Honorables— | | | | |
| George Young | 29 Aug. 1890 | ... | 1896 | Retired by rotation, and re-elected. |
| Duncan Elphinstone McBryde | ... | 19 Dec. 1891 | 1896 | Elected in place of Hon. G. Young, deceased. |
| Joseph Major Pratt | ... | 12 Sept. 1889 | 1895 | Elected under Act No. 995. |
| James Bell | 28 Sept. 1889 | ... | 1894 | Accepted an office of profit, and was re-elected. |
| David Coutts | 27 Aug. 1886 | ... | 1892 | Retired by rotation, and re-elected. |

GEORGE H. JENKINS,
Clerk of the Parliaments.

Legislative Council,
Melbourne, 31st December, 1891.

I N D E X .

LEGISLATIVE COUNCIL OF VICTORIA.

THIRD SESSION.

FOURTEENTH PARLIAMENT.

I N D E X.

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(2) To facilitate reference to any Paper ordered to be printed, the Cypher (as A 1) at the bottom of the title-page of each Paper is shown in this Index.

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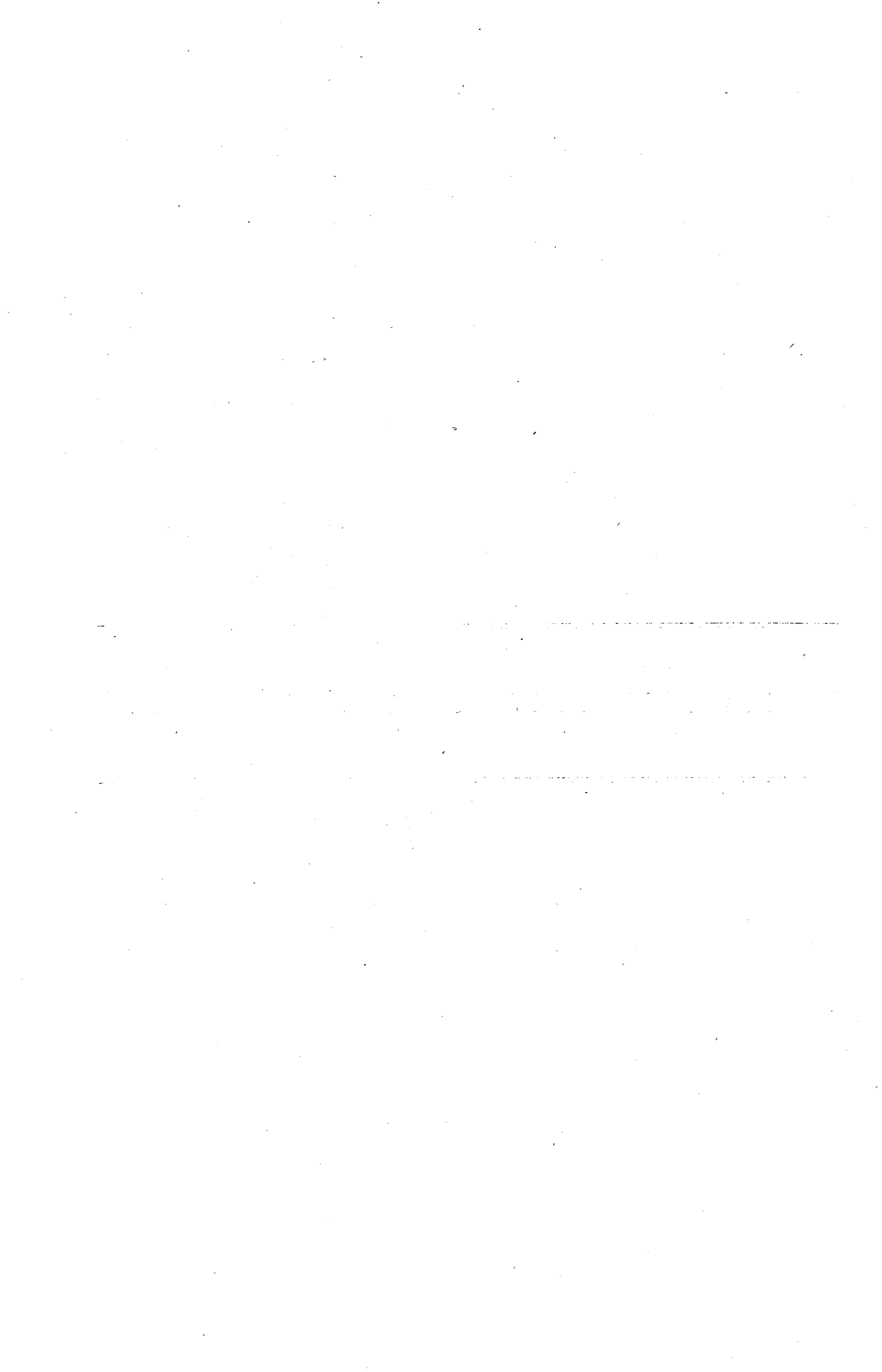
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ACTS CORRECTION BILL.—Bill intituled “*An Act to correct certain Errors in Acts.*”—(Hon. J. M. Davies.)—Brought from the Legislative Assembly and read a first time, 18th December, 1891, p. 159.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 21st December, p. 170. (*Assented to 23rd December. Act No. 1236.*)

ADMINISTRATION AND PROBATE ACT 1890 AMENDMENT BILL.—Bill intituled “*An Act to amend the ‘Administration and Probate Act 1890.’*”—(Hon. J. M. Davies.)—Brought from the Legislative Assembly and read a first time, 18th December, 1891, p. 159.

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AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL.—Bill to enable a portion of the Lands vested under the *Agricultural Colleges Act 1890* to be leased for mining purposes.—(Hon. Lieut.-Col. Sir F. T. Sargood.)—Initiated and read a first time, 8th September, 1891, p. 63.

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AGRICULTURAL COLLEGES LANDS MINING BILL.—Bill to enable Lands vested under the *Agricultural Colleges Act 1890* to be leased for mining purposes.—(Hon. S. Fraser.)—Initiated and read a first time, 27th October 1891, p. 98.

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AGRICULTURAL GRANTS BILL.—Bill intituled “*An Act to alter the amounts of certain Agricultural and other Grants.*”—(Hon. Lieut.-Col. Sir F. T. Sargood.)—Brought from the Legislative Assembly and read a first time, 18th December, 1891, p. 159.

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APPROPRIATION BILL.—Bill intituled “*An Act to apply a Sum out of the Consolidated Revenue to the service of the Year ending on the thirtieth day of June One thousand eight hundred and ninety-two and to appropriate the Supplies granted in this Session of Parliament.*”—(Hon. Lieut.-Col. Sir F. T. Sargood.)—Brought from the Legislative Assembly and read a first time, 15th December, 1891, p. 144.

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Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 18th December, p. 157. (*Assented to 29th December. Act No. 1247.*)

BENDIGO ART GALLERY SITE BILL.—Bill to authorize the Council of Defence to transfer certain Land to the Trustees of the Bendigo Art Gallery. (Hon. Lieut.-Col. Sir F. T. Sargood.)—Initiated and read a first time, 13th October, 1891, p. 85.

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Further considered in Committee and reported without amendment; report considered and adopted, 28th October, p. 103.

Read the third time and passed, 17th November, p. 113.

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BILLS OF SALE LAW AMENDMENT BILL.—Bill to amend the Law relating to Bills of Sale.—(Hon. W. A. Zeal.)—Initiated and read a first time, 24th June, 1891, p. 16.

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Further considered in Committee and reported with amendments, 14th October, p. 89.

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Message from the Legislative Assembly notifying their agreement to the Bill with amendments; Assembly's amendments considered and agreed to, 10th December, p. 139. (*Assented to 14th December. Act No. 1223.*)

BURRUMBEET LANDS BILL.—Bill intituled “*An Act for the resumption by the Crown of certain Land in the parishes of Burrumbeet and Brewster.*”—(Hon. A. Wynne.)—Brought from the Legislative Assembly and read a first time; read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 24th December, 1891, pp. 188–89.

Message from the Legislative Assembly transmitting a communication from the Clerk of the Parliaments calling attention to a clerical error in the Bill, which error had been corrected by the Legislative Assembly; amendment considered and agreed to, 29th December, p. 197. (*Assented to 29th December. Act No. 1249.*)

COMPANIES ACT 1890 AMENDMENT BILL.—Bill to amend the *Companies Act 1890*.—(*Hon. J. Service*.)—Initiated and read a first time, 8th July, 1891, p. 24.

Order for second reading discharged and Bill withdrawn, 9th December, p. 137.

COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—Bill to amend the *Companies Act 1890*.—(*Hon. A. Wynne*.)—Initiated and read a first time 22nd September, 1891, p. 74.

Motion—That this Bill be now read a second time—debate adjourned, 28th October, p. 102; debate resumed; Bill read a second time and committed; considered in Committee 11th November, p. 110.

Further considered in Committee, 25th November, p. 122; 2nd December, p. 129.

Reported with amendments, 2nd December, p. 129.

Recommitted for the reconsideration of clause 12; reconsidered in Committee and re-reported with further amendments, 2nd December, p. 129.

Report considered and adopted; Bill read the third time, further amended, and passed, 3rd December, p. 132. Bill not returned from the Legislative Assembly.

COMPANIES VOLUNTARY LIQUIDATION BILL.—Bill intitled "*An Act to amend the 'Companies Act 1890.'*"—(*Hon. J. M. Davies*.)—Brought from the Legislative Assembly and read a first time; read a second time and committed; considered in Committee and reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 3rd December, 1891, p. 132.

Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 3rd December, p. 133. (*Assented to 7th December. Act No. 1220.*)

CONSOLIDATED REVENUE BILL (No. 1).—Bill intitled "*An Act to apply out of the Consolidated Revenue the Sum of One hundred and ninety-four thousand nine hundred and eighty-six pounds to the service of the Year One thousand eight hundred and ninety and ninety-one.*"—(*Hon. Lieut.-Col. Sir F. T. Sargood*.)—Brought from the Legislative Assembly and read a first time; read a second time and committed; considered in Committee, 8th July, 1891, p. 22.

Further considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 8th July, p. 24. (*Assented to 9th July. Act No. 1205.*)

CONSOLIDATED REVENUE BILL (No. 2).—Bill intitled "*An Act to apply out of the Consolidated Revenue the Sum of One million eight hundred and sixty-two thousand nine hundred and fourteen pounds to the service of the Year One thousand eight hundred and ninety-one and ninety-two.*"—(*Hon. Lieut.-Col. Sir F. T. Sargood*.)—Brought from the Legislative Assembly and read a first time; read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 28th July, 1891, pp. 37-8. (*Assented to 29th July. Act No. 1206.*)

CONSOLIDATED REVENUE BILL (No. 3).—Bill intitled "*An Act to apply out of the Consolidated Revenue the Sum of One million thirteen thousand two hundred and thirty-two pounds to the service of the Year One thousand eight hundred and ninety-one and ninety-two.*"—(*Hon. Lieut.-Col.*

CONSOLIDATED REVENUE BILL (No. 3)—*continued.*

Sir F. T. Sargood.)—Brought from the Legislative Assembly and read a first time; read a second time and committed; considered in Committee, 7th October, 1891, p. 81.

Further considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 7th October, p. 82. (*Assented to 12th October. Act No. 1210.*)

CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Bill intitled "*An Act to amend 'The Constitution Act Amendment Act 1890.'*"—(*Hon. Lieut.-Col. Sir F. T. Sargood*.)—Brought from the Legislative Assembly and read a first time, 14th October, 1891, p. 89.

Motion—That this Bill be now read a second time—debate adjourned, 27th October, p. 98; debate resumed; Bill read a second time and committed; considered in Committee, 11th November, p. 110.

Further considered in Committee and reported with amendments, 17th November, p. 114.

Order for consideration of report discharged.

Motion for recommittal for the reconsideration of clause 2 and new clause B; amendment proposed to add—"and for the consideration of certain proposed new clauses"; question, That this Bill be recommitted to a Committee of the whole Council for the reconsideration of clause 2 and new clause B—on division, resolved in the affirmative; question—That the following words be added to the motion, "and for the consideration of certain proposed new clauses"—on division, negatived; Bill recommitted; reconsidered in Committee and re-reported with further amendments, 18th November, pp. 115-16.

Motion—That the Council adopt the report from the Committee of the whole on this Bill; amendment proposed to discharge the order of the day, and recommit the Bill on clause A, but not made; report considered and adopted; Bill read the third time, further amended, and passed, 26th November, p. 123.

Message from the Legislative Assembly notifying their disagreement with the amendments of the Legislative Council, 9th December, p. 137.

Amendments disagreed with by the Legislative Assembly considered; Legislative Council insist on their amendments; Motion affirming that a Free Conference be desired with the Legislative Assembly on the Bill, on division, resolved in the affirmative, 18th December, p. 161.

Motion for the appointment of the Hon. W. A. Zeal, the Hon. Dr. Dobson, the Hon. F. Brown, the Hon. W. McCulloch, and the Hon. G. Davis as Managers of the Free Conference on the Bill, on division, negatived. Motion—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council do insist on their amendments, on division, resolved in the affirmative, 22nd December, p. 174-75.

Message from Legislative Assembly insisting on disagreeing with the amendments insisted on by the Legislative Council, 22nd December, p. 178. Bill lapsed.

CONTRACTORS PROTECTION BILL.—Bill intitled "*An Act to enable Contractors to discover the Title of Lands on which they are to perform Contracts.*"—(*Hon. D. Melville*.)—Brought from the Legislative Assembly and read a first time, 22nd September, 1891, p. 74.

Motion for second reading, by leave, withdrawn, and Bill withdrawn, 24th December, p. 189.

COUNCILS OF CONCILIATION BILL.—Bill intituled "*An Act to provide for the establishment of Councils of Conciliation.*"—(*Hon. D. Melville.*)—Brought from the Legislative Assembly and read a first time, 22nd September, 1891, p. 74.

Motion—That this Bill be now read a second time—debate adjourned, 7th October, p. 82; debate resumed and further adjourned, 14th October, p. 90; debate resumed; Bill read a second time and committed; considered in Committee, 28th October, p. 103.

Further considered in Committee, 26th November, p. 125; 2nd December, p. 130.

Reported without amendment, 2nd December, p. 130.

Report considered and adopted, 9th December, p. 137.

Read the third time and passed, 16th December, p. 147. (*Assented to 22nd December. Act No. 1226.*)

CRIMES ACT 1890 AMENDMENT BILL.—Bill to amend the *Crimes Act 1890.*—(*Hon. J. M. Davies.*)—Initiated and read a first time, 23rd June, 1891, p. 11.

Order for second reading discharged and Bill withdrawn, 16th July, p. 33.

CRIMES ACT 1890 AMENDMENT BILL (No. 2).—Bill to amend the *Crimes Act 1890.*—(*Hon. J. M. Davies.*)—Initiated and read a first time, 16th July, 1891, p. 33.

Read a second time and committed; considered in Committee, 28th July, p. 38.

Further considered in Committee, 4th August, p. 41; 11th August, p. 48; 18th August, p. 51; 1st September, p. 60.

Reported with amendments, and with an amended title, viz.:—"A Bill to amend the *Crimes Act 1890*, and for other purposes," 1st September, p. 60.

Recommitted for the reconsideration of clause 36, and proposed new clauses; reconsidered in Committee, 1st September, p. 60.

Further reconsidered in Committee and re-reported with further amendments, 8th September, p. 64.

Recommitted for the reconsideration of clauses 1, 11, D, A, and B; reconsidered in Committee, and re-reported with further amendments, 8th September, p. 64.

Report considered and adopted; Bill read the third time and passed, 15th September, p. 69.

Message from the Legislative Assembly notifying their agreement to the Bill with amendments; Assembly's amendments considered and agreed to, 17th December, pp. 152-3.

Message from His Excellency the Governor recommending certain amendments in the Bill; His Excellency's amendments agreed to, 22nd December, p. 173.

Message from Legislative Assembly notifying their agreement to His Excellency's amendments, 23rd December, p. 180. (*Assented to 23rd December. Act No. 1231.*)

DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—Bill to amend the *Defences and Discipline Act 1890.*—(*Hon. Lieut.-Col. Sir. F. T. Sargood.*)—Initiated and read a first time, 23rd June, 1891, p. 11.

Read a second time and committed; considered in Committee, 2nd September, p. 62.

Further considered in Committee and reported without amendment, 8th September, p. 64.

DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL—continued.

Order for third reading discharged and Bill recommitted for the reconsideration of clause 16; reconsidered in Committee and reported with an amendment; report, by leave, considered and adopted; Bill read the third time and passed, 15th September, p. 69.

Message from the Legislative Assembly notifying their agreement to the Bill with amendments, 24th December, p. 185.

Assembly's amendments considered and agreed to, 24th December, pp. 187-8. (*Assented to 29th December. Act No. 1248.*)

DIRECTORS' LIABILITY BILL.—Bill to amend the Law relating to the liability of Directors and others for statements in prospectuses and other documents soliciting applications for shares or debentures.—(*Hon. W. A. Zeal.*)—Initiated and read a first time, 8th September, 1891, p. 63.

Read a second time and committed; considered in Committee, 7th October, p. 82.

Further considered in Committee and reported without amendment, 14th October, p. 90.

Order for consideration of report discharged and Bill recommitted for reconsideration of clause 3; reconsidered in Committee; re-reported with an amendment; report, by leave, considered and adopted; Bill read the third time and passed, 21st October, p. 96. Bill not returned from the Legislative Assembly.

ELECTORAL ROLLS PURIFICATION BILL.—Bill intituled "*An Act to provide for the Purification of the Electoral Rolls for the Legislative Assembly and for other purposes.*"—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Brought from the Legislative Assembly and read a first time, 16th December, 1891, pp. 148-49.

Read a second time and committed; considered in Committee, 18th December, p. 162.

Further considered in Committee and reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 22nd December, pp. 173-4.

Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 22nd December, p. 177. (*Assented to 29th December. Act No. 1242.*)

EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Employers and Employés Act 1890' and for other purposes.*"—(*Hon. H. Cuthbert.*)—Brought from the Legislative Assembly and read a first time, 21st October, 1891, p. 93.

Read a second time and committed; considered in Committee, 28th October, p. 102.

Further considered in Committee, 11th November, p. 111; 25th November, p. 122; 26th November, p. 124.

Reported with amendments, 26th November, p. 124.

Bill recommitted for the consideration of a proposed new clause; reconsidered in Committee and re-reported without further amendment, 26th November, p. 124.

Motion—That the Council adopt the report from the Committee of the whole on this Bill; amendment proposed, to discharge the order of the day and recommit the Bill on clause 17, but not made; report considered and adopted; Bill read the third time and passed, 1st December, p. 128.

Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 3rd December, p. 131. (*Assented to 7th December. Act No. 1219.*)

FIRE BRIGADES ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Fire Brigades Act 1890.'*"—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Brought from the Legislative Assembly and read a first time, 11th August, 1891, pp. 47-8.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 18th August, p. 51. (*Assented to 24th August. Act No. 1207.*)

FRIENDLY SOCIETIES ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Friendly Societies Act 1890.'*"—(*Hon. A. Wynne.*)—Brought from the Legislative Assembly and read a first time, 8th December, 1891, p. 135.

Read a second time and committed; considered in Committee and reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 17th December, p. 154.

Message from the Legislative Assembly, notifying that they have agreed to some of the amendments of the Legislative Council, and have agreed to one of the amendments with an amendment; Assembly's amendment considered and agreed to, 18th December, p. 158.

Message from the Legislative Assembly, transmitting Message from His Excellency the Governor, recommending certain amendments in the Bill to which the Legislative Assembly had agreed; His Excellency's amendments agreed to, 22nd December, p. 177. (*Assented to 23rd December. Act No. 1232.*)

IRRIGATION AND WATER SUPPLY LOANS BILL.—Bill intituled "*An Act to sanction the issue and application of certain sums of Money as Loans for Irrigation Works and Water Supply in the Country Districts and for other purposes.*"—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Brought from the Legislative Assembly and read a first time; read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 23rd December, 1891, p. 183. (*Assented to 29th December. Act No. 1245.*)

JURIES ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to relieve Justices of the Peace from being compelled to act upon Juries.*"—(*Hon. J. H. Abbott.*)—Brought from the Legislative Assembly and read a first time, 10th December, 1891, p. 139.

Motion—That this Bill be now read a second time, on division, negatived, 16th December, p. 147.

KYNETON MARKET RESERVE BILL.—Bill intituled "*An Act to authorize the Sale of part of the Kyneton Market Reserve and for other purposes.*"—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Brought from the Legislative Assembly and read a first time, 18th December, 1891, p. 160.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 21st December, p. 171. (*Assented to 23rd December. Act No. 1239.*)

LAND ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Land Act 1890.'*"—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Brought from the Legislative Assembly and read a first time, 16th December, 1891, p. 149.

LAND ACT 1890 AMENDMENT BILL—continued.

Read a second time and committed; considered in Committee and reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 23rd December, p. 180.

Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 23rd December, p. 183.

Message from the Legislative Assembly transmitting a communication from the Clerk of the Parliaments, calling attention to clerical errors in the Bill, which errors had been corrected by the Legislative Assembly; amendments considered and agreed to, 29th December, p. 197. (*Assented to 29th December. Act No. 1246.*)

LAND SALES BY AUCTION FUND BILL.—Bill intituled "*An Act to establish a Land Sales by Auction Fund.*"—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Brought from the Legislative Assembly and read a first time, 9th September, 1891, p. 65.

Motion—That this Bill be now read a second time—debate adjourned, 13th October, p. 88; debate resumed and further adjourned 21st October, p. 96; debate resumed. Question—That this Bill be now read a second time, on division, resolved in the affirmative; Bill read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 27th October, pp. 98-9. (*Assented to 2nd November. Act No. 1213.*)

LAW OF PARTNERSHIP AMENDMENT BILL.—Bill to declare and amend the Law of Partnership.—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Initiated and read a first time, 23rd June, 1891, p. 11.

Read a second time and committed; considered in Committee, 21st July, p. 36.

Further considered in Committee, 28th July, p. 37, and p. 38.

Reported with amendments, 28th July, p. 38.

Order for consideration of report discharged and Bill recommitted for the reconsideration of clauses 7, 37, 40, 41, and 46; reconsidered in Committee and re-reported with further amendments, 4th August, pp. 40-41.

Report considered and adopted; Bill read the third time and passed, 11th August, p. 48.

Message from the Legislative Assembly notifying their agreement to the Bill, 9th December, p. 138. (*Assented to 14th December. Act No. 1222.*)

LEGAL PROFESSION PRACTICE BILL.—Bill intituled "*An Act to regulate the Practice of the Legal Profession.*"—(*Hon. G. Young.*)—Brought from the Legislative Assembly and read a first time, 14th July, 1891, p. 31.

Petitions presented and referred to the Committee on the Bill, 4th August, pp. 39-40; 18th August, p. 50; 19th August, p. 53.

Motion to defer second reading agreed to, 4th August, p. 41.

Motion for call of the Council to consider the Bill, resolved in the affirmative, 5th August, p. 44; Council called, 19th August, p. 53.

Motion—That this Bill be now read a second time—debate adjourned, 19th August, p. 53; debate resumed and further adjourned, 26th August, p. 58; debate resumed. Question—That this Bill be now read a second time—on division, resolved in the affirmative; Bill read a second time and committed; considered in Committee, 2nd September, pp. 61-2.

Further considered in Committee, 9th September, p. 65; 16th September, p. 71; 30th September, p. 77; 6th October, p. 80.

LEGAL PROFESSION PRACTICE BILL—continued.

Reported with amendments, 6th October, p. 80.
 Motion for recommittal for the reconsideration of clause 1, and new clause I, on division, resolved in the affirmative; Bill recommitted; reconsidered in Committee and re-reported with further amendments, 6th October, p. 80.
 Order for consideration of report discharged, and Bill recommitted for the consideration of certain new clauses; reconsidered in Committee, 7th October, p. 83.
 Further considered in Committee and re-reported with further amendments, 13th October, p. 87.
 Order for consideration of report discharged and Bill recommitted for the consideration of a new clause; reconsidered in Committee and re-reported with a further amendment; report, by leave, considered and adopted, 14th October, p. 90.
 Read the third time, further amended and passed, 21st October, p. 94.
 Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 11th November, p. 109. (*Assented to 23rd November. Act No. 1216.*)

LEGAL PROFESSION PRACTICE ACT 1891 AMENDMENT BILL.—Bill to amend the *Legal Profession Practice Act 1891.*—(Hon. J. M. Davies.)—Initiated and read a first time, 15th December, 1891, p. 143.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 17th December, pp. 153-54.
 Message from the Legislative Assembly notifying their agreement to the Bill, with an amendment; Assembly's amendment considered and agreed to, 18th December, p. 160. (*Assented to 22nd December. Act No. 1229.*)

LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—Bill to amend the Law relating to Electors and Elections of Members to serve in the Legislative Council.—(Hon. C. Sargeant.)—Initiated and read a first time, 5th August, 1891, p. 44.

Second reading put off for six months, 9th September, p. 65.

LIBRARIES ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Libraries Act 1890.'*"—(Hon. J. Bell.)—Brought from the Legislative Assembly and read a first time, 26th August, 1891, p. 58.

Read a second time and committed; considered in Committee, 9th September, p. 66.
 Further considered in Committee, 16th September, p. 71; 6th October, p. 80.
 Reported with amendments, 6th October, p. 80.
 Report considered and adopted; Bill read the third time and passed, 7th October, p. 83.
 Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 14th October, p. 89. (*Assented to 19th October. Act No. 1212.*)

LICENSING ACT 1890 AMENDMENT Bill.—Bill intituled "*An Act to amend the 'Licensing Act 1890.'*"—(Hon. C. J. Ham.)—Brought from the Legislative Assembly and read a first time, 8th December, 1891, p. 136.

Petition presented and referred to the Committee on the Bill, 16th December, p. 147.
 Read a second time and committed; considered in Committee and reported with amendments, 16th December, p. 148.

LICENSING ACT 1890 AMENDMENT BILL—continued.

Report considered and adopted; Bill read the third time and passed, 18th December, p. 161.
 Bill not returned from the Legislative Assembly.

LICENSING ARBITRATIONS BILL.—Bill intituled "*An Act relating to Arbitrations under the Licensing Act 1890.*"—(Hon. C. J. Ham.)—Brought from the Legislative Assembly and read a first time, 2nd December, 1891, pp. 129-30.

Read a second time and committed; considered in Committee and reported with an amendment; report by leave, considered and adopted; Bill read the third time and passed; title amended and agreed to, 10th December, p. 140.

Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 15th December, p. 144. (*Assented to 22nd December. Act No. 1225.*)

LIFE ASSURANCE COMPANIES Bill.—Bill to amend the Law relating to Life Assurance Companies.—(Hon. S. Fraser.)—Initiated and read a first time, 13th October, 1891, p. 86.

Order for second reading discharged and Bill withdrawn, 24th December, p. 189.

LOAN BILL.—Bill intituled "*An Act to authorize the raising of Money for Railways and Irrigation Works.*"—(Hon. Lieut.-Col. Sir F. T. Sargood.)—Brought from the Legislative Assembly and read a first time, 10th November, 1891, pp. 106-7.

Motion—That this Bill be now read a second time; motion for the adjournment of the debate made and, by leave, withdrawn; Bill read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 17th November, p. 114. (*Assented to 23rd November. Act No. 1217.*)

LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Local Government Act 1890.'*"—(Hon. Lieut.-Col. Sir F. T. Sargood.)—Brought from the Legislative Assembly and read a first time, 26th November, 1891, p. 124.

Petitions presented and referred to the Committee on the Bill, 1st December, p. 127.

Read a second time and committed; considered in Committee, 1st December, p. 128.

Further considered in Committee, 2nd December, p. 130; 3rd December, p. 132; 8th December, p. 136; 9th December, p. 138; 10th December, p. 140.

Reported with amendments, 10th December, p. 140.

Recommitted for the reconsideration of clauses 33, 39, 40, 52, 59, 61, 64, 65, 66, 68, 69, 89, 90, 95, and 103; reconsidered in Committee and re-reported with further amendments, 10th December, p. 140.

Recommitted for the reconsideration of clause 70 and a new clause; reconsidered in Committee and re-reported with a further amendment, 10th December, p. 140.

Order for consideration of report discharged; motion for recommittal for the reconsideration of clause 28, three new clauses, and certain consequential amendments; amendment proposed to insert "clause 106" after "clause 28," but, on division, not made; Bill recommitted; reconsidered in Committee and re-reported with further amendments, 15th December, pp. 143-44.

LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL—
continued.

Report considered and adopted; Bill read the third time and passed, 16th December, p. 148.

Message from the Legislative Assembly notifying that they have agreed to some of the amendments of the Legislative Council, have disagreed with others, and have agreed to some of said amendments with amendments, 18th December, p. 161.

Amendments considered; Legislative Council do not insist on some of their amendments, insist on others, agree to some and disagree with others of the amendments of the Legislative Assembly on the amendments of the Legislative Council, 21st December, pp. 163-68.

Message from the Legislative Assembly notifying that they do not insist on disagreeing with some of the amendments of the Legislative Council, they do insist on disagreeing with other amendments, and insist on their amendments in new clause K; amendments considered; Legislative Council do not now insist on their amendments disagreed with by the Legislative Assembly, and do not now insist on disagreeing with the amendments insisted on by the Legislative Assembly on amendments of the Legislative Council, 22nd December, pp. 175-7.

Message from the Legislative Assembly transmitting Message from His Excellency the Governor recommending certain amendments in the Bill to which the Legislative Assembly had agreed; His Excellency's amendments agreed to, 29th December, p. 196. (*Assented to 29th December. Act No. 1243.*)

MARRIAGE ACT 1890 AMENDMENT BILL.—Bill to amend the *Marriage Act 1890.*—(*Hon. C. J. Ham.*)—Initiated and read a first time, 23rd June, 1891, p. 10.

Read a second time and committed; considered in Committee, 18th August, p. 51.

Further considered in Committee and reported with an amendment, 8th September, p. 64.

Report considered and adopted; Bill read the third time and passed, 15th September, p. 69. Bill not returned from the Legislative Assembly.

MEDICAL PRACTITIONERS BILL.—Bill relating to Medical Practitioners.—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Initiated and read a first time, 23rd June, 1891, p. 11.

Read a second time and committed; considered in Committee, 15th September, p. 69.

Further considered in Committee, 14th October, p. 90; 28th October, p. 103. 26th November, p. 123.

Reported with amendments, 26th November, p. 123.

Recommitted for the reconsideration of clause 39; reconsidered in Committee and re-reported with a further amendment, 26th November, p. 123.

Order for consideration of report discharged and Bill recommitted for the reconsideration of clause 45; reconsidered in Committee and re-reported with a further amendment; report, by leave, considered and adopted; Bill read the third time and passed, 1st December, p. 127. Bill not returned from the Legislative Assembly.

MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—Bill intituled "*An Act to authorize The Austral-Anglo Tramway and General Agency Company to construct Tramways in the City of South Melbourne the Borough of Port Melbourne and*

MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL—
continued.

Town of Williamstown and for other purposes."

—(*Hon. W. Pitt*)—Brought from the Legislative Assembly; motion—That a Message be transmitted to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee of that House to which this Bill was referred during the present Session of Parliament—resolved in the affirmative, 10th November, 1891, p. 107.

Message from the Legislative Assembly transmitting copies of the Report, &c., 11th November, p. 110.

Receipt produced showing that the sum of £20 had been paid into the hands of the Treasurer of the colony, and Bill read a first time, 17th November, p. 113.

Read a second time and committed; considered in Committee, 26th November, p. 125.

Further considered in Committee and reported with an amendment, 2nd December, p. 130.

Report considered and adopted; Bill read the third time and passed, 3rd December, p. 133.

Message from the Legislative Assembly notifying their agreement to the amendment of the Legislative Council, 8th December, p. 136.

Message from the Legislative Assembly transmitting Message from His Excellency the Governor, recommending certain amendments in the Bill to which the Legislative Assembly had agreed; His Excellency's amendments agreed to, 9th December, p. 138. (*Assented to 14th December. Act No. 1221.*)

MILITARY RESERVES BILL.—Bill relating to certain Military Reserves.—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Initiated and read a first time, 23rd June, 1891, p. 10.

Motion, That this Bill be now read a second time—debate adjourned, 21st July, p. 36.

Motion, That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the question be referred to the Standing Orders Committee for inquiry and report.

Mr. President said—

Before I submit this motion to honorable members, I think it is incumbent on me to make a few remarks on the subject. My recollection of the remarks I intended to have made on this question when the matter was previously before the House has certainly been very much affected by the attack of influenza from which I have suffered for the last three weeks; but honorable members will no doubt remember the debate that took place on the second reading of the Military Reserves Bill to which Sir Frederick Sargood has just drawn their attention. At the time Mr. Service was criticising the Bill from a policy point of view, with which, of course, as President, I had nothing to do, I felt very deeply impressed with the importance which the honorable member attached to the Bill from a constitutional point of view, and I thought the honorable member's remarks really bore as much upon the constitutional aspect of the Bill as upon the policy of the Bill. Immediately Mr. Service had expressed his opinion upon the point, Mr. Roberts, in a few remarks which he addressed to the House, put the question as to how many clauses in the Bill could be brought before the House, and Sir Frederick Sargood, who had charge of the Bill, interjected—"We can

MILITARY RESERVES BILL—*continued.*

deal with all the clauses up to clause 3." Mr. Roberts said he doubted whether the House could go beyond clause 2, because clause 3 had reference to the leasing of lands, and, therefore, to the payment of rent, and Sir Frederick Sargood replied—"Oh, yes, we can; we have passed such provisions over and over again." Mr. Roberts expressed the opinion that the House could not go beyond clause 2, and he thought, therefore, that the Bill was one that should have been initiated in another place. Deeply impressed with the remarks of Mr. Service, which I thought bore on the constitutional question, although the honorable member intended them to bear more particularly on the question of policy, I came to the decision that the Bill was a Bill which should not be introduced into this House, but which should be first introduced in another place. Honorable members are of course aware that in the House of Lords a certain expedient has been adopted to obviate difficulties of this kind. When a Bill is introduced into the House of Lords, their lordships very often have to insert incidental money clauses to enable the Government to carry out that Bill, but those clauses form only a very small portion of the Bill, whereas, in the case of this Bill, it is not a question of introducing a money clause here and there to enable the Government to carry out the object of the Bill if passed into law, but as honorable members are aware, the major portion of the Military Reserves Bill consists of money clauses, and nothing else. That being the case, I felt it incumbent upon me—not to direct the House or lay down the rule that this Bill cannot be introduced into this House, but I felt at the time that it devolved upon me, as the President, to communicate to honorable members what my opinion is in regard to the Bill, so far as the legal rights and constitutional privileges of this House are concerned. I feel that I am bound, if I know what are those legal rights and constitutional privileges, and so far as I know them, to indicate the same to the House, so that the House may decide whether or not my views coincide with the previous practice of Parliament, and with what honorable members consider the legal rights and constitutional privileges of this House; and at the same time I consider it to be also my duty to point out what we should respect as the rights and privileges of another place. That is the reason why I drew attention to this question. In 1885 the Minister of Defence introduced into this House a very important Bill, called the Explosives Bill, and, in order to enable the Bill to be carried out after it was passed into law by another place, the honorable member had two or three small money clauses introduced, which were recognised as being of the character of incidental money clauses. When the Bill was before this House, I think on the third reading, the honorable member referred to these clauses, and said that he would move that they be struck out. The late Dr. Hearn, who was much esteemed and respected in this House for his constitutional knowledge, rose and objected to these clauses being struck out, and said he thought that this Chamber had an absolute right to pass incidental money clauses of the kind, and to send them down to another place. When I was asked for my opinion on the matter, I gave it in favour of

MILITARY RESERVES BILL—*continued.*

the clauses being struck out, on the ground that they were money clauses, and that they were beyond the jurisdiction of this House—that they belonged essentially to another place, as they required to be introduced by a resolution, and Message from His Excellency the Governor. That case was very different from the case of the present Bill. The present Bill appears to me to be essentially a Money Bill. It is not for me, as President, to traverse the Bill, but I will draw honorable members' attention to this fact, that already the lands with which it deals are permanently reserved from sale for the Defence Department. Clause 2 provides—

"(1) The lands described in the schedule to this Act, and which have been permanently reserved from sale, are hereby vested in the Minister for the time being administering the *Defences and Discipline Act 1890*.

"(2) With the sanction of the Governor in Council such lands may at any time be sold, transferred, and conveyed by the said Minister upon such terms and conditions as he may think fit."

Clause 3 provides—

"The Minister may let or lease for any term not exceeding twenty-one years, and subject to such exceptions, reservations, covenants, and conditions as he may think fit, any of the lands vested in him."

Power is there given to the Minister of Defence to do whatever he chooses in the directions stated with these lands. It would afford me very much pleasure, as one of the representatives of the South Yarra Province and a colleague of the Minister of Defence, to do what I could to enable the land in South Melbourne to be transferred for the purposes of a court-house, because I take an interest in that district, and I think that if the land were so transferred it would serve a good purpose. It was not against the transfer of the land that I felt called upon to raise objection, but I took the view that, in matters of procedure, we should respect the privileges of another place, and not interfere with their jurisdiction so far as it is set out in sections 56 and 57 of the Constitution Act. I think I am right in saying—at least I give it as my opinion—that clauses 2 and 3 run into clauses 4, 5, and 6. As I have shown, clause 3 gives the Minister of Defence power to let or lease the land, not with the consent of the Governor in Council, but as he may think fit. Then clause 4 provides that all moneys derived from any sale or lease or letting of any of the lands vested in the Minister, or of any buildings thereon, shall be paid into the public account, and shall be placed to the credit of an account to be kept in the Treasury, to be called the "Military Sites Trust Account." Then clause 5 gives the Minister absolute power with regard to the application of all moneys to the credit of the Military Sites Trust Account for certain specified purposes. Clause 6 is as follows:—

"Any moneys standing to the credit of the Military Sites Trust Account shall be legally available for any of the purposes aforesaid whenever and so often as the Governor in Council makes any order directing that such moneys may be applied to such purpose to the extent mentioned in such order."

MILITARY RESERVES BILL—*continued.*

This is, of course, a matter for the House to decide. Constitutional questions of this kind have been discussed in this House by some of the ablest men we have had, including the late Dr. Hearn, the late Sir Charles Sladen, and other notable public men. There was always a difference of opinion amongst them, and it would not be for me to dictate to the House, because the House would not be dictated to by me. I simply express my opinion, and it is for the House to decide whether I am right or wrong. I state what I believe to be the rule, and I have no desire that we should sacrifice any one of the rights and privileges of this Chamber. I have come to the conclusion that this is essentially a Money Bill, and that the only clauses which we could properly pass are clauses 1 and 2; and if we were to send the Bill with only those two clauses to another place it would be little better than a piece of waste paper. This Bill does not compare in any way with any Bill that I have ever seen passed in this House with italicised clauses; but the Minister of Defence informed honorable members that certain of the clauses were money clauses, and would have to be struck out. The principle that has always guided me in my conduct as President is this: that although there may be, as there has been, contention between the two Houses, it is not for me to raise contention in any way. I should rather try to avoid it as much as I possibly can, and it has always been my desire to do so. I will say to honorable members, do not give any cause to another place to raise a constitutional question like this, which might lead to difficulty. If our rights are attacked, then we will fight for our rights, but in this instance we can accomplish all that the Minister of Defence desires by allowing this Bill to be introduced in another place. If I thought that the object sought to be accomplished by the Bill was a desirable one, then I would ask, which is the easiest way to attain it? The easiest way is to proceed with the Bill in such a manner as not to interfere in any degree with the rights and privileges of another place. I do not know that this question is one of so much importance as to deserve so many remarks from me. If it is the wish of honorable members that this question should be referred to the Standing Orders Committee, I can have no objection to such a course. At the same time I felt it to be my duty to state my reasons for the statements I made on a former occasion, and I hope that in doing so I have not gone beyond the privileges which the House has always accorded to me since I took my seat in this Chair.

Question—That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the question be referred to the Standing Orders Committee for inquiry and report—resolved in the affirmative, 15th September, pp. 67-8.

Order for adjourned debate on second reading discharged and Bill withdrawn, 24th December, p. 189.

Report of the Standing Orders Committee with reference to the Bill brought up, 24th December, p. 191.

MINERS' RIGHT TITLES BILL.—Bill intitled "*An Act relating to Miners' Right Titles.*"—(Hon. H. Cuthbert.)—Brought from the Legislative Assembly and read a first time, 8th December, 1891, p. 136.

MINERS' RIGHT TITLES BILL—*continued.*

Read a second time and committed; considered in Committee, 16th December, p. 147.

Further considered in Committee, 24th December, p. 189.—Bill lapsed.

MINES ACT 1890 AMENDMENT BILL.—Bill intitled "*An Act to amend the Mines Act 1890.*"—(Hon. J. Sternberg.)—Brought from the Legislative Assembly and read a first time, 11th August, 1891, p. 48.

Read a second time and committed; considered in Committee, 7th October, p. 83.

Further considered in Committee and reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 28th October, p. 102.

Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 28th October, p. 103. (Assented to 2nd November. Act No. 1215.)

MINES BILL.—Bill intitled "*An Act to amend the Mines Act 1890.*"—(Hon. Lieut.-Col. Sir F. T. Sargood.)—Brought from the Legislative Assembly and read a first time, 16th December, 1891, p. 149.

Read a second time and committed; considered in Committee, 23rd December, p. 184.

Further considered in Committee and reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 24th December, p. 188.

Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 24th December, p. 190.

Message from the Legislative Assembly transmitting Message from His Excellency the Governor, recommending certain amendments in the Bill to which the Legislative Assembly had agreed; His Excellency's amendments agreed to, 29th December, pp. 196-97. (Assented to 29th December. Act No. 1251.)

MUNICIPAL OVERDRAFTS INDEMNITY BILL.—Bill intitled "*An Act to Indemnify the Councillors of various Municipalities for Borrowing Moneys by Overdrafts on Bankers for the purposes of their Municipalities contrary to the provisions of the Local Government Act 1890 and for other purposes.*"—(Hon. Lieut.-Col. Sir F. T. Sargood.)—Brought from the Legislative Assembly and read a first time, 26th November, 1891, p. 125.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 10th December, p. 141. (Assented to 14th December. Act No. 1224.)

OPIUM BILL.—Bill intitled "*An Act to restrict and regulate the Importation, Sale and Use of Opium.*"—(Hon. C. J. Ham.)—Brought from the Legislative Assembly and read a first time, 3rd December, 1891, pp. 131-32.

Read a second time and committed; considered in Committee, 10th December, p. 140.

Petition presented and referred to the Committee on the Bill, 15th December, p. 143.

Further considered in Committee, 24th December, p. 188.—Bill lapsed.

PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—Bill intitled "*An Act to provide for the Remuneration of the Parliamentary Standing Committee on Railways.*"—(Hon. Lieut.-Col. Sir F. T. Sargood.)—Brought from the Legislative Assembly and read a first time, 25th November, 1891, p. 122.

PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL—continued.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 18th December, p. 161. (*Assented to 22nd December. Act No. 1230.*)

POLICE OFFENCES ACT 1890 AMENDMENT BILL.—

Bill to amend the *Police Offences Act 1890.*—(*Hon. J. M. Davies.*)—Initiated and read a first time, 23rd June, 1891, p. 11.

Read a second time and committed; considered in Committee, 21st July, p. 36.

Further considered in Committee, 28th July, p. 37; 4th August, p. 40; 11th August, p. 48.

Reported with amendments, 11th August, p. 48.

Order for consideration of report discharged, and Bill recommitted for the reconsideration of clause 6 and new clause E; reconsidered in Committee and re-reported with further amendments, 18th August, p. 50.

Order for consideration of report discharged, and Bill recommitted for reconsideration of a new clause; reconsidered in Committee and re-reported with further amendments, 1st September, p. 59.

Report considered and adopted; Bill read the third time, further amended, and passed, 8th September, pp. 63-4.

Message from the Legislative Assembly notifying their agreement to the Bill with an amendment; Assembly's amendment considered and disagreed with, 17th December, p. 153.

Message from the Legislative Assembly insisting on their amendment; Assembly's amendment considered; Legislative Council still insist on disagreeing with such amendment, 18th December, p. 160.

Message from the Legislative Assembly notifying that they do not now insist on their amendment disagreed with by the Legislative Council, 22nd December, p. 177.

Message from His Excellency the Governor recommending an amendment in the Bill; His Excellency's amendment agreed to, 23rd December, p. 180.

Message from the Legislative Assembly notifying their agreement to His Excellency's amendment, 23rd December, p. 184. (*Assented to 29th December. Act No. 1241.*)

PORTLAND BOROUGH LANDS BILL.—Bill intitled "*An Act to enable the Mayor, Councillors, and Burgesses of the Borough of Portland to sell and convey certain Lands at Portland and to apply the proceeds of such Sale towards the cost of erecting a Town Hall and Municipal Offices elsewhere within the said Borough.*"—(*Hon. S. W. Cooke.*)—Brought from the Legislative Assembly and read a first time, 22nd September, 1891, p. 74.

Read a second time and committed; considered in Committee and reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 7th October, p. 82.

Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 7th October, p. 83. (*Assented to 12th October. Act No. 1211.*)

PUBLIC SERVICE ACT 1890 AMENDMENT BILL.—Bill to amend the *Public Service Act 1890.*—(*Hon. J. M. Davies.*)—Initiated and read a first time, 23rd June, 1891, p. 10.

Order for second reading discharged and Bill withdrawn, 8th July, p. 25.

PUBLIC SERVICE ACT 1890 AMENDMENT BILL (No. 2.)—Bill to amend the *Public Service Act 1890.*

—(*Hon. J. M. Davies.*)—Initiated and read a first time, 8th July, 1891, p. 25.

Read a second time and committed; considered in Committee, 4th August, p. 40.

Petitions presented and referred to the Committee on the Bill, 11th August, p. 47; 26th August, p. 57.

Further considered in Committee, 11th August, p. 48; 18th August, p. 51; 1st September, p. 59.

Reported with amendments, 1st September, p. 59.

Report considered and adopted; Bill read the third time, further amended, and passed, 8th September, p. 64. Bill not returned from the Legislative Assembly.

RAILWAY LOAN APPLICATION BILL.—Bill intitled "*An Act to apply out of 'The Victorian Stock Act 1891 Account' or temporarily out of 'The Public Account' certain sums of Money for Railway Works and other purposes.*"—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Brought from the Legislative Assembly and read a first time, 18th December, 1891, p. 158.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 21st December, p. 169. (*Assented to 23rd December. Act No. 1234.*)

RAILWAYS ACT 1890 AMENDMENT BILL.—Bill intitled "*An Act to amend the 'Railways Act 1890' and for other purposes.*"—(*Hon. J. M. Davies.*)—Brought from the Legislative Assembly and read a first time, 2nd December, 1891, p. 129.

Motion—That this Bill be now read a second time—debate adjourned, 10th December, p. 140; debate resumed and further adjourned, 15th December, p. 145; debate resumed; Motion—That the debate be now adjourned—on division, negatived. Motion for the adjournment of the House made, and, by leave, withdrawn; debate on motion for second reading of the Bill continued and further adjourned, 16th December, p. 148; debate resumed; Bill read a second time and ordered to be committed, 17th December, p. 151.

Motion—That it be an instruction to the Committee that they have power to examine the Railways Commissioners and call for papers, on division, resolved in the affirmative; Motion—That it be an instruction to the Committee that they have power to examine other witnesses, resolved in the affirmative, 17th December, pp. 151-52.

Committed, and considered in Committee, 17th December, p. 152.

Further considered in Committee, 17th December, p. 154; 18th December, p. 158.

Motion—That a Message be transmitted to the Legislative Assembly, requesting that they will give leave to the Hon. the Minister of Railways to attend in order to his being examined by a Committee of the Legislative Council on the *Railways Act 1890 Amendment Bill*, resolved in the affirmative; like motion regarding the Hon. Duncan Gillies, agreed to, 18th December, p. 158.

Further considered in Committee, 18th December, p. 160, and p. 162; 21st December, p. 171; 22nd December, p. 174, and p. 175.

Reported with amendments, 22nd December, p. 175.

RAILWAYS ACT 1890 AMENDMENT BILL—*continued.*

Recommitted for the reconsideration of clauses 5, 6, 24, and 51; reconsidered in Committee and re-reported with further amendments; report, by leave, considered and adopted; Bill read the third time and passed, 22nd December, p. 175.

Message from the Legislative Assembly notifying that they have agreed to some of the amendments of the Legislative Council, disagreed with others of the said amendments, have agreed with one amendment with an amendment, and have agreed to the amendment of the Legislative Council in clause 22 with consequential amendments; amendments considered; the Legislative Council do not insist on some of their amendments; insist on others, and agree to the amendments of the Legislative Assembly on the amendments of the Legislative Council, 23rd December, pp. 181-83.

Message from the Legislative Assembly notifying that they do not insist on disagreeing with one of the amendments of the Legislative Council, and insist on disagreeing with other amendments; also desiring a Free Conference on the subject-matter of the said amendments, and notifying that they have appointed seven Members of the Legislative Assembly to be Managers of the said Conference; seven Members of the Legislative Council appointed Managers of the Conference to confer with the Committee of the Legislative Assembly, the Conference to meet immediately in the South Library, 23rd December, p. 184.

The Hon. J. Service reported, on behalf of the Managers, that they had met the Managers for the Legislative Assembly on the subject-matter of the amendments made and insisted on by the Legislative Council in the *Railways Act 1890 Amendment Bill*, and with which the Legislative Assembly had disagreed; and had, after discussion, mutually agreed to deal with such amendments as follows:—

Amendment to omit clause 34—Not to be insisted on by the Legislative Council.

Amendment in clause 48, line 35, to omit "four" and insert "seven"—To be amended by inserting "not exceeding" before "seven."

Amendment in clause 48 (p. 17), line 3 to omit "of four" and insert "not exceeding seven"—To be agreed to by the Legislative Assembly.

Amendments in clause 49—To be amended so as to provide for the continuance of the existing law relating to the power of removal or suspension of any Railways Commissioner.

Amendment in clause 52, line 22, to omit "to put himself into direct communication with all branches of the railway service and all officers and employés and also"—Not to be insisted on by the Legislative Council.—24th December, p. 184.

Amendments considered; the Legislative Council do not now insist on some of their amendments, still insist on others, and amend one of their amendments, 24th December, p. 187.

Message from the Legislative Assembly notifying that they do not now insist on disagreeing with the amendments still insisted on by the Legislative Council; that they agree to the amendment in clause 48, line 35, as further amended, and that they now agree to the amendment in clause 49, line 45, with an amendment; and acquainting the Legislative Council that the Legislative Assembly have

RAILWAYS ACT 1890 AMENDMENT BILL—*continued.*

resolved that an amendment of the Legislative Assembly on an amendment of the Legislative Council in clause 53, and agreed to by the Council, be not now made, but that instead thereof a new clause should be added to the Bill; Assembly's amendments considered and agreed to, 24th December, p. 190.

Message from the Legislative Assembly transmitting Message from His Excellency the Governor, recommending certain amendments in the Bill to which the Legislative Assembly had agreed; His Excellency's amendments agreed to, 29th December, pp. 195-96. (*Assented to 29th December. Act No. 1250.*)

RAILWAYS CONSTRUCTION (KORUMBURRA COAL MINES) BILL.—Bill intituled "*An Act to authorize the construction of Lines of Railway from Korumburra on the Great Southern Line to Coal Creek, Strezlecki, and Jumburra Coal Mines respectively.*"—(*Hon. S. Fraser.*)—Brought from the Legislative Assembly and read a first time, 17th December, 1891, pp. 154-55.

Read a second time and committed; considered in Committee, 18th December, p. 162.

Further considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 22nd December, p. 174. (*Assented to 23rd December. Act No. 1240.*)

REGISTRATION OF FIRMS BILL.—Bill for the registration of Firms.—(*Hon. S. Fraser.*)—Initiated and read a first time, 23rd June, 1891, p. 11.

Order for second reading discharged and Bill withdrawn, 24th December, p. 189.

SCOTS' CHURCH PROPERTIES BILL.—Bill intituled "*An Act to convert the existing Trusts relating to the Scots' Church Properties into one General Trust.*"—(*Hon. J. Bell.*)—Brought from the Legislative Assembly. Motion—That a Message be transmitted to the Legislative Assembly, requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee of that House to which this Bill was referred during the present Session of Parliament—resolved in the affirmative, 27th October, 1891, p. 97.

Message from the Legislative Assembly transmitting copies of the Report, &c.; receipt produced showing that the sum of £20 had been paid into the hands of the Treasurer of the colony, and Bill read a first time, 27th October, p. 99.

Read a second time and committed; considered in Committee and reported without amendment; Standing Orders suspended and report considered and adopted; Bill read the third time and passed, 28th October, p. 102. (*Assented to 2nd November. Act No. 1214.*)

ST. ARNAUD SCHOOL OF MINES SITE BILL.—Bill intituled "*An Act to authorize a portion of the Market Reserve at St. Arnaud being reserved as a Site for a School of Mines.*"—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)—Brought from the Legislative Assembly and read a first time, 18th December, 1891, p. 159.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 21st December, p. 170. (*Assented to 23rd December. Act No. 1237.*)

ST. JAMES' CHURCH LANDS BILL.—Bill intituled "*An Act to alter Trusts and Limitations in respect of portion of the Lands in the City of Melbourne, generally known as St. James' Church Lands and for other purposes.*"—(Hon. H. Cuthbert.)—Brought from the Legislative Assembly. Motion—That a Message be transmitted to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee of that House to which this Bill was referred during the present Session of Parliament—resolved in the affirmative, 1st September, 1891, p. 59.

Message from the Legislative Assembly transmitting copies of the Report, &c.; receipt produced showing that the sum of £20 had been paid into the hands of the Treasurer of the colony, and Bill read a first time, 1st September, p. 60.

Read a second time and committed; considered in Committee, 9th September, p. 66.

Further considered in Committee and reported without amendment, 16th September, p. 71.

Read the third time and passed, 6th October, p. 80. (*Assented to 12th October. Act No. 1209.*)

SUPREME COURT (BAILIWICKS) BILL.—Bill intituled "*An Act to transfer a portion of the Western Bailiwick to the Midland Bailiwick.*"—(Hon. J. M. Davies.)—Brought from the Legislative Assembly and read a first time, 21st July, 1891, pp. 35-6.

Read a second time and committed; considered in Committee and reported with amendments, and with an amended title, viz., "*An Act to amend the 'Supreme Court Act 1890,'*" 1st September, p. 60.

Report considered and adopted; Bill read the third time and passed, 8th September, p. 64.

Message from the Legislative Assembly notifying their agreement to the amendments of the Legislative Council, 30th September, p. 77. (*Assented to 1st October. Act No. 1208.*)

THISTLES LAW AMENDMENT BILL.—Bill intituled "*An Act to amend the Law relating to Thistles.*"—(Hon. Lieut.-Col. Sir F. T. Sargood.)—

Brought from the Legislative Assembly and read a first time, 18th December, 1891, p. 160.

Read a second time and committed; considered in Committee and reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 21st December, pp. 169-70.

Message from the Legislative Assembly notifying that they have agreed to one of the amendments of the Legislative Council, and have disagreed with another of said amendments; amendment disagreed with considered; Legislative Council insist on their amendment to omit clause 4, 22nd December, p. 177.

Message from the Legislative Assembly notifying that they do not insist on disagreeing with the amendment made and insisted on by the Legislative Council, 23rd December, p. 180. (*Assented to 29th December. Act No. 1244.*)

TRAMWAYS ACT 1890 AMENDMENT BILL.—Bill intituled "*An Act to amend the 'Tramways Act 1890' and to extend the provisions thereof to the Corporation of the City of Melbourne and the Councils of the Municipalities of Prahran and Saint Kilda within certain limits.*"—(Hon. Lieut.-Col. Sir F. T. Sargood.)—Brought from

TRAMWAYS ACT 1890 AMENDMENT BILL—continued. the Legislative Assembly; Motion—That a Message be transmitted to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee of that House to which this Bill was referred during the present Session of Parliament—resolved in the affirmative, 27th October, 1891, pp. 97-8.

Message from the Legislative Assembly transmitting copies of the Report, &c., 27th October, p. 99.

Receipt produced showing that the sum of £20 had been paid into the hands of the Treasurer of the colony, and Bill read a first time, 11th November, p. 110.

Read a second time and committed; considered in Committee and reported without amendment; Standing Orders suspended and report considered and adopted; Bill read the third time and passed, 25th November, pp. 121-22. (*Assented to 7th December. Act No. 1218.*)

TREASURY BONDS BILL.—Bill intituled "*An Act to authorize the issue of Treasury Bonds.*"—(Hon. J. M. Davies.)—Brought from the Legislative Assembly and read a first time, 17th December, 1891, p. 154.

Read a second time and committed; considered in Committee, 18th December, p. 162.

Further considered in Committee and reported without amendment; report considered and adopted; Bill read the third time and passed, 21st December, pp. 168-69. (*Assented to 23rd December. Act No. 1233.*)

TRUSTS ACT 1890 AMENDMENT BILL.—Bill to amend the *Trusts Act 1890* and for other purposes.—(Hon. J. M. Davies.)—Initiated and read a first time, 28th October, 1891, p. 101.

Read a second time and committed; considered in Committee and reported without amendment; report considered and adopted, 26th November, p. 124.

Order for third reading discharged and Bill recommitted for consideration of a proposed new clause; reconsidered in Committee and re-reported with an amendment; report, by leave, considered and adopted; Bill read the third time and passed, 3rd December, p. 131.

Message from the Legislative Assembly notifying their agreement to the Bill, with amendments; Assembly's amendments considered and agreed to, 18th December, pp. 158-59. (*Assented to 22nd December. Act No. 1228.*)

WATERWORKS CONSTRUCTION ENCOURAGEMENT ACT 1886 FURTHER AMENDMENT BILL.—Bill intituled "*An Act to further amend 'The Waterworks Construction Encouragement Act 1886.'*"—(Hon. J. Bell.)—Brought from the Legislative Assembly and read a first time; read a second time and committed; considered in Committee, 24th December, 1891, p. 189.

Further considered in Committee and reported with amendments; report, by leave, considered and adopted; Bill read the third time and passed, 24th December, p. 190.

Message from the Legislative Assembly, notifying that they have agreed to the amendments of the Legislative Council, and have made a consequential amendment; Assembly's amendment considered and agreed to, 24th December, p. 191. (*Assented to 29th December. Act No. 1252.*)

MINUTES OF THE PROCEEDINGS, ETC.

No. 1.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 23RD JUNE, 1891.

1. The Council met pursuant to the Proclamation of His Excellency the Governor, bearing date the twenty-first day of May, 1891, which Proclamation was read by the Clerk, and is as follows:—

FURTHER PROROGUING PARLIAMENT AND FIXING THE TIME FOR HOLDING THE THIRD SESSION OF THE FOURTEENTH PARLIAMENT.

PROCLAMATION

By His Excellency the Right Honorable JOHN ADRIAN LOUIS, Earl of Hopetoun, Viscount Aithrie, and Baron Hope in the Peerage of Scotland; Baron Hopetoun of Hopetoun, and Baron Niddry of Niddry Castle in the Peerage of the United Kingdom; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

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

Given under my Hand and the Seal of the Colony, at Melbourne, this twenty-first day of May, in the year of our Lord One thousand eight hundred and ninety-one, and in the fifty-fourth year of Her Majesty's reign.

(L.S.)

HOPETOUN.

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

GOD SAVE THE QUEEN!

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

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

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

I am deeply gratified to be able to announce to you that the National Australasian Convention, held in Sydney in March last, has happily concluded its labours by framing a Federal Constitution, the result of the practical experience, earnest deliberation, and mutual concession of

many of the foremost public men of Australia. This Constitution will, in accordance with the resolutions appointing the delegates, be forthwith submitted for your approval, and you will be asked to determine the best means of ascertaining the people's views on its purpose and its provisions.

A Session of the Federal Council has been held at Hobart, at which delegates of Victoria attended, and submitted the resolutions passed by Parliament last Session dealing with the question of Titles to Land and Trade in the New Hebrides. An Address to the Queen on these subjects was adopted by the Council, which I trust will lead to an improvement in the position of English settlers and traders in those islands.

A Postal Conference assembled at Sydney, attended for the first time by Ministers from all the colonies of Australia and from New Zealand, at which, amongst other matters, it was decided that the various colonies of Australasia should join the Postal Union, and an agreement with the Eastern Extension Telegraph Company was entered into by the Colonies almost unanimously, whereby the price of cablegrams to Europe was reduced by one-half.

The Parliamentary Standing Committee on Railways has fully justified your action in making the appointment by the energy and ability it has shown in carrying out its functions. The First General Report of its Proceedings, which it has furnished to me in accordance with law, will be immediately laid before you, and will, I trust, result in beneficial legislation.

The Metropolitan Board of Works, brought into existence during the recess, has commenced operations under favorable auspices, and I confidently look forward to the vast improvements in the sanitation and comfort of the city and suburbs which it will be able to effect.

A Census of the Colony has been taken under the provisions of an Act passed by you last Session, and has shown, I am rejoiced to find, that a material and continuous increase of population and resources has been steadily taking place in Victoria during the last decade.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

You will be asked to consider Supplementary Estimates for the year 1890-91.

The Estimates for 1891-92 will shortly be laid before you. While providing efficiently for the requirements of the Public Service, they will be framed with the utmost regard to economy.

My Advisers will submit to you a proposal for the creation of a Committee of Public Accounts, with a view to your having a more careful supervision and accurate knowledge of the finances.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

In accordance with the promise made at the close of last Session, a Bill will be submitted to you without delay to amend the Railways Commissioners Act. Experience has disclosed in the Act itself some serious defects which need a remedy, and its working has signally failed, in many important directions, to satisfy public expectations.

It has long been felt that it would be advisable that the railway accounts, which show the financial condition of a great trading enterprise carried on by the State, should be presented separately from the accounts of the ordinary revenue and expenditure of the country. My Advisers will, as early as practicable, arrange that this shall be carried into effect.

Your approval will be invited at an early date to a Bill to amend the Electoral Law. In it provision will be made for remedying the system whereby a plurality of votes for the Legislative Assembly is conferred on certain ratepayers, and for conferring the franchise upon women. Bills will also be submitted to you with the object of purging the Electoral Rolls of voters' names improperly appearing thereon, and of limiting the cost of elections, so as to minimize to the utmost the undue advantage possessed by wealth in securing seats in the Legislature.

You will also be invited to consider a Bill dealing comprehensively with the question of Local Government, liberalising many of the provisions of the present law, remedying defects which have been found to hamper its operation, and making provision for the more equitable distribution of the generous sum allotted by you for Municipal Endowment.

As an instalment of the proposed Codification of our Laws, you will be asked to deal with a Bill relating to Partnership, which will contain a code of a portion of our law of special importance to the industrial and mercantile community.

A Bill will be submitted to you making a permanent endowment of certain lands for the benefit of the State System of Education. You will further be asked to consider a Bill to abolish the system of payment by results, and provide a more satisfactory method of remuneration for the teachers.

Your consideration will be invited to a measure to amend the Criminal Law, one of the principal objects of which will be to provide more effective machinery for the punishment of crimes against young girls and women generally.

Several Bills relating to Mining will be brought under your consideration, in order to further this great industry, which has done so much in the past to establish the credit and hasten the development of the colony.

A Bill will be submitted to you making such changes in regard to Water Conservation and Irrigation as experience has shown to be necessary.

My Advisers are carefully considering the question of providing an adequate water supply for the north-western mallee country, which, a few years ago, was a desolate waste, but is now a splendid wheat-growing country, settled by a thrifty agricultural population.

A Bill relating to Medical Practitioners will be again submitted to you. You will also be asked to consider Bills to effect necessary amendments of the Public Service Act, of the Land Act, of the Defences and Discipline Act, of the Health Act, of the Post Office Act, and of the Law relating to Apprentices.

Several other measures will be brought before you, designed to meet the further requirements of the community for liberal and practical legislation on sound lines. These measures will

include Bills relating to Bailiwicks, Military Reserves, Registration of Firms, Police Offences, Thistles, Religious and Charitable Trusts, Insects, Life Assurance Companies, Carriers, Fences, Factories and Shops, Boilers, and Cemeteries.

I congratulate you on the spirit shown by the people whilst passing through a trying time, and on the marvellous recuperative resources of the country. I hope and believe that a more prosperous era is about to set in.

I trust that your deliberations may, under Divine Providence, conduce to this end, and to the advancement of the happiness and welfare of the community.

Which being concluded, a copy of the Speech was delivered to the President, and a copy to Mr. Speaker, and His Excellency the Governor left the Chamber.

The Legislative Assembly then withdrew.

3. The President took the Chair, and read the Prayer.
4. **ISSUE OF AND RETURN TO WRIT.**—The President announced that during the recess he had issued a Writ for the election of a Member to serve for the Northern Province in place of the Honorable Frederick Illingworth resigned, and that he had received a return thereto from which it appeared that Joseph Sternberg had been duly returned in pursuance thereof.
5. **NEW MEMBER.**—The Honorable Joseph Sternberg, being introduced, took and subscribed the oath required by law, and delivered to the Clerk the Declaration required by the thirty-seventh section of the Act No. 1075, as hereunder set forth:—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOSEPH STERNBERG, of Sandhurst, in the colony of Victoria, auctioneer, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and ten pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Echuca, and are known as—firstly, Crown allotments 91, 92, 93, and 133, parish of Kyabram, county of Rodney; secondly, Crown allotments 4 and 5, section 1A, township and parish of Rochester, county of Bendigo; thirdly, allotment 64, parish of Rochester West, county of Bendigo.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Echuca, and are firstly above described, are rated in the rate-book of such district upon a yearly value of Sixty pounds; and that such of the said lands or tenements as are situate in the municipal district of Echuca, and are secondly above described, are rated in the rate-book of such district upon a yearly value of Forty pounds; and that such of the said lands or tenements as are situate in the municipal district of Echuca, and are thirdly above described, are rated in the rate-book of such district upon a yearly value of Ten pounds.

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

“JOSEPH STERNBERG.”

6. **DECLARATIONS OF MEMBERS.**—The Honorables The President, J. H. Abbott, S. Austin, J. Bell, Sir B. Benjamin, J. Buchanan, J. S. Butters, Sir W. J. Clarke, J. H. Connor, S. W. Cooke, G. S. Coppin, D. Coutts, H. Cuthbert, J. M. Davies, G. Davis, Dr. Dobson, S. Fraser, H. Gore, C. J. Ham, D. Ham, J. P. MacPherson, D. Melville, W. Pearson, J. M. Pratt, W. H. Roberts, Lieut.-Col. Sir F. T. Sargood, G. Simmie, D. S. Wallace, J. A. Wallace, G. Young, and W. A. Zeal severally delivered to the Clerk the Declaration required by the thirty-seventh section of the Act 54 Victoria, No. 1075, as hereunder set forth:—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JAMES MACBAIN, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One thousand two hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as land containing seven acres two roods and five perches or thereabouts, part of Crown portion 27, in parish of Prahran, county of Bourke, with dwelling-house, out-houses, stable, &c., &c., erected thereon, in my own occupation.

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

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

“JAS. MACBAIN.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOSEPH HENRY ABBOTT, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Four hundred and twenty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Sandhurst, Echuca, and Strathfieldsaye, and are known as—

“Firstly, part of Crown allotment five, section thirty-one C, Barkly-place, city and parish of Sandhurst, county of Bendigo.

“Secondly, Crown allotment six and six A of section sixty-eight C, Olinda and Gladstone streets, city and parish of Sandhurst, county of Bendigo.

“Thirdly, part of Crown allotment three, section six, town of Echuca, parish of Echuca North, county of Rodney, particularly described in certificate of title entered in the Register Book, vol. 1786, fol. 357001.

“Fourthly, Crown allotments one, two, and three, section nineteen, parish of Mandurang, county of Bendigo.

“Fifthly, part of allotment thirteen, section one, and part of Crown allotment six of section three, parish of Mandurang, county of Bendigo, particularly described in certificate of title entered in the Register Book, vol. 1353, fol. 270462.

“Sixthly, part of Crown allotment seventeen, section one, parish of Mandurang, county of Bendigo, particularly described in certificate of title entered in the Register Book, vol. 1140, fol. 227959.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Sandhurst are rated in the rate-book of such district upon a yearly value of One hundred and twenty-three pounds; and that such of the said lands or tenements as are situate in the municipal district of Echuca are rated in the rate-book of such district upon a yearly value of Eighty-six pounds; and that such of the said lands or tenements as are situate in the municipal district of Strathfieldsaye are rated in the rate-book of such district upon a yearly value of Two hundred and fifteen pounds.

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

“JOSEPH HY. ABBOTT.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, SIDNEY AUSTIN, of Geelong, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and sixty-eight pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Winchelsea, and are known as ‘Karngun Paddocks.’

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

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

“SIDNEY AUSTIN.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JAMES BELL, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and twenty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Dunolly, and are known as my property, being allotments 4, 5, 6, 7, and 9 of section 26, town of Dunolly.

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

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

“JAMES BELL.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, SIR BENJAMIN BENJAMIN, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Three hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of the city of Melbourne, and are known as ‘Salisbury buildings,’ corner of Queen and Bourke streets, Lonsdale Ward, in the city of Melbourne, and as to which I am the owner of one undivided fourth part or share, the said land being part of Crown section thirteen, city and parish of Melbourne, county of Bourke, particularly described in certificate of title entered in the Register Book, volume 1346, folio 269105.

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

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

“B. BENJAMIN.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JAMES BUCHANAN, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and ten pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Berwick, and are known as ‘Burr Hill,’ Berwick, in my own occupation.

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

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

“JAMES BUCHANAN.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JAMES STEWART BUTTERS, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and eleven pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Romsey and Bendigo, and are known as—Lot 2 of Crown allotment 107, parish of Kerrie, county of Bourke; lot 1 of Crown allotment 108, parish of Kerrie, county of Bourke; lots 131, 132, 133, 134 of Crown allotment 110, parish of Kerrie, county of Bourke; lots 105, 106, 146, 147, 148, 149, 159, 161, 162 of Crown allotment 112, parish of Kerrie, county of Bourke; Crown allotment 101, section E, city and parish of Bendigo.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Romsey are rated in the rate-book of such district upon a yearly value of Ninety-five pounds, and that such of the said lands or tenements as are situate in the municipal district of Bendigo are rated in the rate-book of such district upon a yearly value of Sixteen pounds.

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

“JAS. S. BUTTERS.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, SIR WILLIAM JOHN CLARKE, Bart., do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One thousand and fifty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Merriang, and are known as—Three thousand four hundred and sixty-one acres, in the parishes of Kalkallo and Mickleham, No. 4 in the rate-book.

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

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

“W. J. CLARKE.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOSEPH HENRY CONNOR, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of over One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Colac, shire of Colac, parish of Cundare, county of Grenville, and are known as—

| Allotments | area | ... | A. | R. | P. |
|------------|------|-----|-------|----|----|
| 57A, | ... | ... | 79 | 0 | 32 |
| ” 57B, | ” | ... | 79 | 0 | 32 |
| ” 75A | ” | ... | 80 | 0 | 0 |
| ” 57A B, | ” | ... | 80 | 0 | 0 |
| | | | <hr/> | | |
| | | | 318 | 1 | 24 |

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Colac, shire of Colac, parish of Cundare, county of Grenville, are rated in the rate-book of such district upon a yearly value of One hundred and twenty pounds seven shillings and sixpence.

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

“JOS. H. CONNOR.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, SAMUEL WINTER COOKE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Dundas, and are known as ‘Murndal.’

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

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

“SAML. WINTER COOKE.”

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, GEORGE SELTH COPPIN, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of city of Richmond and shire of Flinders and Kangerong, and are known as 'Pine Grove,' Lennox-street, Richmond, and 'The Anchorage,' Sorrento.

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

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

"GEO. COPPIN."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, DAVID COURTS, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of over One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Korong and East Loddon, and are known as 'The Salisbury Estate,' municipal district of Korong, and 'The Elmswood Estate,' municipal district of East Loddon.

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

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

"DAVID COURTS."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, HENRY CUTHBERT, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of the city of Ballarat and shire of Ballarat, and are known as—

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

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

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

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

"HENRY CUTHBERT."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOHN MARK DAVIES, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Five hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as 'Valentines,' and are situated on the Kooyong-road, and are part of Crown portion twenty-seven, parish of Prahran, and contain three acres three roods and a few perches.

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

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

"JNO. M. DAVIES."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, GEORGE DAVIS, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Maffra and Essendon, and are known as 'Riversdale,' in the parish of Tinamba, in the municipality of Maffra, and a piece of land, allotment 64, Bagotville Estate, in the parish of Essendon.

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

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

"GEO. DAVIS."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, FRANK STANLEY DOBSON, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as—

"No. 52 Darling-street.

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

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

"F. STANLEY DOBSON."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, SIMON FRASER, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Four hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as 'Norla,' Irving-road, Toorak.

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

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

"SIMON FRASER."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, HENRY GORE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and sixty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Korong, Creswick, and the city of Ballarat; and are known as 'Richmond Plains pre-emptive right,' and land adjoining same, in shire of Korong; land, &c., at Kingston, shire of Creswick; house, land, &c., city of Ballarat.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Korong are rated in the rate-book of such district upon a yearly value of Seventy-five pounds, and that such of the said lands or tenements as are situate in the municipal district of shire of Creswick are rated in the rate-book of such district upon a yearly value of Eighty pounds, and that such of the lands or tenements as are situate in the municipal district of the city of Ballarat are rated in the rate-book of such district upon a yearly value of One hundred and five pounds.

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

"HENRY GORE."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, CORNELIUS JOB HAM, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Nine hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as—

"Dwelling-house and premises (known as 'Lalbert') situated at Orrong-road, Prahran, with about ten acres, in my occupation.

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

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

"C. J. HAM."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, DAVID HAM, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Three hundred pounds above all charges and incumbrances affecting the same, other than any public or

parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Ballarat East, and are known as houses and land in Victoria-street.

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

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

"DAVID HAM."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JAMES PHILLIP MACPHERSON, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and twenty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Brunswick, and are known as part of portion 125 at Brunswick aforesaid, containing twenty-six acres fourteen perches and seven-tenths of a perch; and part of portion 126 at Brunswick aforesaid, containing twenty-one acres two roods and twenty-six perches and eight-tenths of a perch.

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

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

"JAMES P. MAC PHERSON."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, DONALD MELVILLE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Three hundred and twenty-eight pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Brunswick, Pyalong, and McIvor, and are known as—

"My residence, situated in Albion-street, West Brunswick, with thirty acres of land; two hundred and six acres of land within the shire of Pyalong; one hundred and forty acres of land within the shire of McIvor.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Brunswick are rated in the rate-book of such district upon a yearly value of Two hundred and eighty pounds, and that such of the said lands or tenements as are situate in the municipal district of Pyalong are rated in the rate-book of such district upon a yearly value of Twenty-eight pounds, and that within the municipal district of McIvor at Twenty pounds.

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

"D. MELVILLE."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, WILLIAM PEARSON, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two thousand nine hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Rosedale, and are known as 'Kilmany Park,' near Sale, containing fourteen thousand seven hundred and forty-one acres, more or less, of freehold land.

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

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

"WM. PEARSON."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOSEPH MAJOR PRATT, gentleman, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Melbourne, and are known as all that piece of land containing thirty-six perches and three-tenths of a perch or thereabouts, being part of Crown allotment four, section fourteen, city of Melbourne, parish of North Melbourne, at East Melbourne, county of Bourke.

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

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

"JOSEPH M. PRATT."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, WILLIAM HENRY ROBERTS, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Five hundred and five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment, and further, that such lands or tenements are situated in the municipal districts of Melbourne and Williamstown, and are known as Nos. 467 and 469 Chancery-lane, Melbourne, and 'Tudor House,' Williamstown.

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

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

"WM. H. ROBERTS."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, FREDERICK THOMAS SARGOOD, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two thousand one hundred and forty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Caulfield, and are known as 'Rippon Lea'—

"Forty-six acres of land, with dwelling-house thereon.

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

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

"F. T. SARGOOD."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, GEORGE SIMMIE, of Cornelia Creek, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Echuca Shire, and are known as 'Cornelia Creek.'

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

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

"G. SIMMIE."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, DONALD SMITH WALLACE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of shire of Ballan, and are known as 'Ballark Homestead,' with about one thousand acres of land adjoining.

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

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

"D. S. WALLACE."

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOHN ALSTON WALLACE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and eighty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Towong and Port Melbourne, and are known as—

"No. 1. Lands and tenements situate near Bethanga, parish of Berringa, electoral district of Benambra, shire of Towong, area six hundred and thirty-nine acres.

"No. 2. Lands and tenements—the Bay View Hotel, situate Beach-street, Port Melbourne.

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

One hundred pounds, and that such of the said lands or tenements as are situate in the municipal district of Port Melbourne are rated in the rate-book of such district upon a yearly value of One hundred and eighty pounds.

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

“JOHN A. WALLACE.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, GEORGE YOUNG, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and seventy-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Horsham, and are known as land and premises situated in Wilson-street, Horsham.

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

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

“GEO. YOUNG.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, WILLIAM AUSTIN ZEAL, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One thousand two hundred and thirty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Prahran and South Melbourne, and are known as—

“Parts of Crown portions 14, 17, 18, and 29, parish of Prahran (at Toorak); and parts of Crown allotment 3, section I, and Crown allotment 4, section I, city of South Melbourne, all in the county of Bourke.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of Eight hundred and twenty-four pounds; and that such of the said lands or tenements as are situate in the municipal district of South Melbourne are rated in the rate-book of such district upon a yearly value of Four hundred and eleven pounds, or a total rating of One thousand two hundred and thirty-five pounds.

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

“W. A. ZEAL.”

7. PETITION.—The Honorable Lieut.-Col. Sir F. T. Sargood presented a Petition from certain Members of the Church of England, residing at Balaclava, in the colony of Victoria, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours.

Petition read, and ordered to lie on the Table.

8. MILITARY RESERVES BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That he have leave to bring in a Bill relating to certain Military Reserves.

Question—put and resolved in the affirmative.

Ordered—That the Honorable Lieut.-Col. Sir F. T. Sargood do prepare and bring in the Bill.

The Honorable Lieut.-Col. Sir F. T. Sargood then brought up a Bill intituled “*A Bill relating to Military Reserves,*” and moved, That it be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 30th instant.

9. PUBLIC SERVICE ACT 1890 AMENDMENT BILL.—The Honorable J. M. Davies moved, That he have leave to bring in a Bill to amend the *Public Service Act 1890*.

Question—put and resolved in the affirmative.

Ordered—That the Honorable J. M. Davies do prepare and bring in the Bill.

The Honorable J. M. Davies then brought up a Bill intituled “*A Bill to amend the Public Service Act 1890,*” and moved, That it be now read a first time.

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

10. MARRIAGE ACT 1890 AMENDMENT BILL.—The Honorable C. J. Ham moved, That he have leave to bring in a Bill to amend the *Marriage Act 1890*.

Question—put and resolved in the affirmative.

Ordered—That the Honorable C. J. Ham do prepare and bring in the Bill.

The Honorable C. J. Ham then brought up a Bill intituled “*A Bill to amend the Marriage Act 1890,*” and moved, That it be now read a first time.

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

- 11. **LAW OF PARTNERSHIP AMENDMENT BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That he have leave to bring in a Bill to declare and amend the Law of Partnership.
Question—put and resolved in the affirmative.
Ordered—That the Honorable Lieut.-Col. Sir F. T. Sargood do prepare and bring in the Bill.
The Honorable Lieut.-Col. Sir F. T. Sargood then brought up a Bill intituled “*A Bill to declare and amend the Law of Partnership,*” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 7th July next.
- 12. **POLICE OFFENCES ACT 1890 AMENDMENT BILL.**—The Honorable J. M. Davies moved, That he have leave to bring in a Bill to amend the *Police Offences Act 1890*.
Question—put and resolved in the affirmative.
Ordered—That the Honorable J. M. Davies do prepare and bring in the Bill.
The Honorable J. M. Davies then brought up a Bill intituled “*A Bill to amend the Police Offences Act 1890,*” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 7th July next.
- 13. **REGISTRATION OF FIRMS BILL.**—The Honorable S. Fraser moved, That he have leave to bring in a Bill for the Registration of Firms.
Question—put and resolved in the affirmative.
Ordered—That the Honorable S. Fraser do prepare and bring in the Bill.
The Honorable S. Fraser then brought up a Bill intituled “*A Bill for the Registration of Firms,*” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 7th July next.
- 14. **DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That he have leave to bring in a Bill to amend the *Defences and Discipline Act 1890*.
Question—put and resolved in the affirmative.
Ordered—That the Honorable Lieut.-Col. Sir F. T. Sargood do prepare and bring in the Bill.
The Honorable Lieut.-Col. Sir F. T. Sargood then brought up a Bill intituled “*A Bill to amend the Defences and Discipline Act 1890,*” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 7th July next.
- 15. **CRIMES ACT 1890 AMENDMENT BILL.**—The Honorable J. M. Davies moved, That he have leave to bring in a Bill to amend the *Crimes Act 1890*.
Question—put and resolved in the affirmative.
Ordered—That the Honorable J. M. Davies do prepare and bring in the Bill.
The Honorable J. M. Davies then brought up a Bill intituled “*A Bill to amend the Crimes Act 1890,*” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 7th July next.
- 16. **MEDICAL PRACTITIONERS BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That he have leave to bring in a Bill relating to Medical Practitioners.
Question—put and resolved in the affirmative.
Ordered—That the Honorable Lieut.-Col. Sir F. T. Sargood do prepare and bring in the Bill.
The Honorable Lieut.-Col. Sir F. T. Sargood then brought up a Bill intituled “*A Bill relating to Medical Practitioners,*” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time Tuesday, 7th July next.
- 17. **AUSTRALASIAN FEDERATION.**—The Honorable H. Cuthbert brought up the Report of the Delegates appointed by the Legislative Council to represent the Colony of Victoria at the National Australasian Convention held in Sydney during the months of March and April, 1891, and moved, That it be laid on the Table.
Question—put and resolved in the affirmative.
- 18. **CLERK OF THE PARLIAMENTS.—RESIGNATION OF JOHN BARKER, ESQ.**—The Honorable the President said:—

It devolves upon me, in the position I occupy, to draw the attention of Honorable Members to the loss which has been sustained by Parliament, and I may also say by the country, owing to the accident which has happened to, and the consequent retirement of, the late Clerk of Parliaments, Mr. John Barker. Perhaps there has been no public officer connected with the Parliament of the colony, since the inauguration of constitutional government, whose name has been more deservedly respected and whose services have been more appreciated than those of Mr. Barker. Amongst the many gentlemen who have been associated with the history of the Parliament of Victoria there are few who will not deeply regret the circumstances which have compelled Mr. Barker to retire. In 1851 Mr. Barker was appointed the first Clerk of the Legislative Council, and he continued to occupy that position until 1856, when he became Clerk of the Legislative Assembly, in which position he remained until June, 1882, when he was appointed Clerk of the Parliaments. I am sure that Honorable Members have all a kindly recollection of the deep interest which Mr. Barker took in the conduct of the parliamentary business of the colony. There is one thing that peculiarly characterized Mr. Barker in the discharge of his delicate duties, and that was his disinterestedness and total want of partiality. He never interfered with the different party political views held by Honorable Members in the Assembly or the Council. It is not necessary that I should say anything more on the subject. It remains for Honorable Members to take whatever course they may think proper, and I am sure that they cannot do too much to mark their regret that Mr. Barker's connexion with the Council has ceased owing to a very serious accident.

19. CLERK OF THE PARLIAMENTS.—APPOINTMENT OF GEORGE HENRY JENKINS, Esq., C.M.G.—The Honorable the President said :—

I have to announce to the Council that, by virtue of the powers conferred upon me by *The Constitution Act Amendment Act 1890*, I have nominated George Henry Jenkins, Esq., C.M.G., for the office of Clerk of the Parliaments, and His Excellency the Governor has been pleased to confirm that nomination. I desire at the same time to say that Honorable Members have cause to be grateful for my having been successful in securing the services of an officer of such very large experience to fill the position of Clerk of this House. Honorable Members will, I feel sure, all welcome Mr. Jenkins, who may be relied upon to efficiently discharge the duties of his important office. Mr. Jenkins has been in the service of the Legislative Assembly for more than a quarter of a century, and he is thoroughly well acquainted with the law and practice of Parliament. I am certain he will give every satisfaction to Honorable Members.

20. VOTE OF THANKS TO JOHN BARKER, Esq.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this House thinks it right to record the just sense it entertains of the zeal, ability, and integrity with which John Barker, Esquire, executed the important duties of his office during the period he was connected with the Legislative Council of this colony.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Clerk do enter on the Journal of the Council that the foregoing resolution was carried unanimously.

21. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read :—

HOPETOUN,
Governor.

Message.

The Governor informs the Legislative Council that he has caused an Act intituled "*An Act to amend the Law relating to Marriage*," which was reserved on the 20th December last for the signification of Her Majesty's pleasure thereon, and which received Her Majesty's assent on the 20th March ulto., to be proclaimed in the *Victoria Government Gazette*, a copy of which is transmitted herewith.

Government Offices,
Melbourne, 23rd June, 1891.

THE ROYAL ASSENT TO THE ACT INTITULED "AN ACT TO AMEND THE
LAW RELATING TO MARRIAGE."

PROCLAMATION

By His Excellency the Right Honorable JOHN ADRIAN LOUIS, Earl of Hopetoun, Viscount Aithrie, and Baron Hope in the Peerage of Scotland; Baron Hopetoun of Hopetoun, and Baron Niddry of Niddry Castle in the Peerage of the United Kingdom; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

WHEREAS by the *Constitution Statute* it was amongst other things enacted that the provisions of the Act of the fourteenth year of Her Majesty, chapter fifty-nine, and of the Act of the fifth and sixth years of Her Majesty, chapter seventy-six, *For the Government of New South Wales and Van Diemen's Land*, which relate to the giving and withholding of Her Majesty's assent to Bills, and the reservation of Bills for the signification of Her Majesty's pleasure thereon, and the instructions to be conveyed to governors for their guidance in relation to the matters aforesaid, and the disallowance of Bills by Her Majesty, should apply to Bills to be passed by the Legislative Council and Assembly constituted under the *Constitution Act of Victoria* and the now reciting Statute, and by any other legislative body or bodies which may at any time hereafter be substituted for the present Legislative Council and Assembly: And whereas the Bill hereinafter mentioned was reserved for the signification of Her Majesty's pleasure thereon: And whereas by an Order of the Queen in Council, made on the twentieth day of March, One thousand eight hundred and ninety-one, a copy whereof is hereto appended, Her Majesty has been pleased to assent to the said Bill: Now therefore I, the Governor of Victoria, in pursuance of the provisions of the aforesaid Acts, do by this my Proclamation signify that the Bill intituled *An Act to amend the Law relating to Marriage*, which was reserved for the signification of Her Majesty's pleasure thereon upon the twentieth day of December, in the year One thousand eight hundred and ninety, has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same.

Given under my Hand and the Seal of the Colony, at Melbourne, this twenty-third day of May, in the year of our Lord One thousand eight hundred and ninety-one, and in the fifty-fourth year of Her Majesty's reign.

(L.S.)

HOPETOUN.

By His Excellency's Command,

WM. SHIELS.

GOD SAVE THE QUEEN!

At the Court at Windsor, the 20th day of March, 1891.

PRESENT :

The Queen's Most Excellent Majesty.

Lord President,
Duke of Rutland,

Lord Chamberlain.

WHEREAS by an Act passed in the fifth and sixth years of Her Majesty's reign, entitled *An Act for the Government of New South Wales and Van Diemen's Land*, it is amongst other things enacted that no Bill which shall be reserved for the signification of Her Majesty's pleasure thereon shall have any force or authority within the Colony of New South Wales until the Governor of the said Colony shall signify, either by speech or message to the Legislative Council of the said Colony or by proclamation as therein aforesaid, that such Bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same :

And whereas by another Act passed in the thirteenth and fourteenth years of Her Majesty's reign, entitled *An Act for the better Government of Her Majesty's Australian Colonies*, it was provided, among other things, that the provisions of the said former Act concerning the reservation of Bills for the signification of Her Majesty's pleasure thereon should apply to and be in force in the Colony of Victoria :

And whereas the said provisions were maintained in force, as regards Bills passed by the Legislative Council and Legislative Assembly of the said Colony, by a subsequent Act passed in the eighteenth and nineteenth years of the reign of Her said Majesty, entitled *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* :

And whereas on the twentieth of December last, the Governor of the said colony of Victoria reserved a certain Bill, passed by the Legislative Council and Legislative Assembly of the said Colony, entitled *An Act to amend the Law relating to Marriage*, for the signification of Her Majesty's pleasure thereon :

And whereas the said Bill so reserved as aforesaid has been laid before Her Majesty in Council, and it is expedient that the said Bill should be assented to by Her Majesty :

Now therefore Her Majesty, in pursuance of the said Acts, and in exercise of the powers thereby reserved to Her Majesty as aforesaid, doth by this present Order, by and with the advice of Her Majesty's Privy Council, declare Her assent of the said Bill.

C. L. PEEL.

22. PAPERS.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—

Progress Report of the Royal Commission on Gold Mining.

First General Report on Recognition of Melbourne University Degrees ; Mr. Mansergh's Scheme for the Drainage of Melbourne ; Necessity for Re-survey of Melbourne ; The Metropolitan Board of Works ; Sewerage Works and Disposal of Sewage, by Professor H. B. Allen, M.D.

Melbourne Mint.—Report of the Deputy-Master of the Royal Mint, London, on the Weight and Fineness of Gold Coins struck at the Melbourne Branch.

Professor Koch's Remedy for Tuberculosis.—Report by Professor H. B. Allen.

Official Record of the Proceedings and Debates of the National Australasian Convention, held in the Parliament House, Sydney, New South Wales, in the months of March and April, 1891.

Second Progress Report of the Royal Commission on Gold Mining.

Post Office Savings Bank.—Statement of Accounts of the Post Office Savings Bank in Victoria for the Year ended 31st December, 1890.

Severally ordered to lie upon the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Boundaries of certain Mining Districts and Divisions.—Alteration revoked.

Mines Act 1890.—Alteration of Regulations.

Boundaries of certain Mining Districts and Divisions altered.

Mines Act 1890, Part II.—Mining on Private Property.—Regulations altered.

Public Service Act No. 1133.—Regulations.

Marriage Act 1890.—Fees of Court.

Insolvency Act 1890.—Rules of Court.

Trade Marks Act 1890 (No. 2).—General Rules.

The Parliamentary Standing Committee on Railways.—First General Report ; together with the Proceedings of the Committee and of Sectional Committees.

Public Service Act 1890.—Alterations of Regulations.

Bank Liabilities and Assets.—Summary of Sworn Returns for the Quarter ended 31st December, 1890.

Bank Liabilities and Assets.—Summary of Sworn Returns for the Quarter ended 31st March, 1891.

General Regulations respecting Public Accounts.

23. SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The President reported the Speech of His Excellency the Governor.

The Honorable J. Sternberg moved, That a Committee be appointed to prepare an Address to His Excellency the Governor in reply to His Excellency's Opening Speech.

Question—put and resolved in the affirmative.

The Honorable J. Sternberg moved, That the Committee consist of the Honorables J. M. Pratt, G. Davis, S. W. Cooke, N. Thornley, H. Cuthbert, Lieut.-Col. Sir F. T. Sargood, D. Ham, D. Melville, and the Mover.

Question—put and resolved in the affirmative.

The Committee retired to prepare the Address.

The Honorable J. Sternberg presented the Address which had been adopted by the Committee, and the same was read by the Clerk, and is as follows :—

To His Excellency the Right Honorable JOHN ADRIAN LOUIS, Earl of Hopetoun, Viscount Aithrie, and Baron Hope in the Peerage of Scotland; Baron Hopetoun of Hopetoun, and Baron Niddry of Niddry Castle in the Peerage of the United Kingdom; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

We, the Legislative Council of Victoria, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the gracious speech which you have been pleased to address to Parliament.

The Honorable J. Sternberg moved, That the Council agree with the Committee in the said Address. Debate ensued.

The Honorable W. A. Zeal moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until to-morrow.

24. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until to-morrow, at half-past four o'clock.

Question—put and resolved in the affirmative.

And then the Council, at fifteen minutes past five o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

WEDNESDAY, 24TH JUNE, 1891.

NOTICES OF MOTION:—

1. The Hon. D. MELVILLE: To move, That leave of absence be granted to the Honorable T. Brunton for the remainder of the Session.
2. The Hon. W. A. ZEAL: To move, That leave of absence, during the remainder of the Session, be granted to the Honorable William McCulloch.
3. The Hon. J. BELL: To move, That leave of absence be granted for the remainder of the Session to the Honorable Dr. Le Fevre.
4. The Hon. J. M. DAVIES: To move, That leave of absence be granted for the remainder of the Session to the Honorable James Balfour.
5. The Hon. LIEUT.-COL. SIR F. T. SARGOOD: To move, That the Honorables the President, J. Bell, H. Cuthbert, Dr. Dobson, J. Service, W. A. Zeal, N. FitzGerald, S. W. Cooke, J. M. Davies, A. Wynne, and the Mover be appointed a Select Committee on the Standing Orders of the House; three to form a quorum.
6. The Hon. S. FRASER: To move, That the Honorables the President, D. Melville, F. Brown, G. Young, and the Mover be Members of the Joint Committee of both Houses to manage the Library.
7. The Hon. C. J. HAM: To move, That the Honorables the President, C. Sargeant, N. Thornley, J. M. Pratt, and the Mover be Members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.
8. The Hon. J. M. DAVIES: To move, That the Honorables J. A. Wallace, J. Buchanan, J. P. MacPherson, W. I. Winter-Irving, and J. H. Abbott be Members of the Joint Committee of both Houses to manage the Refreshment Rooms.
9. The Hon. LIEUT.-COL. SIR F. T. SARGOOD: To move, That the Honorables the President, D. Coutts, D. Ham, S. Austin, J. Sternberg, H. Gore, G. Davis, E. Morey, and G. S. Coppin be appointed a Printing Committee; five to form a quorum.
10. The Hon. LIEUT.-COL. SIR F. T. SARGOOD: To move, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for despatch of business during the present Session, and that half-past Four o'clock be the hour of meeting on each day; and that on Tuesday and Thursday in each week the transaction of Government business shall take precedence of all other business.
11. The Hon. LIEUT.-COL. SIR F. T. SARGOOD: To move, That the Honorable Dr. Dobson be Chairman of Committees of the Council.

ORDER OF THE DAY:—

1. ADDRESS IN REPLY TO HIS EXCELLENCY THE GOVERNOR'S SPEECH.—Adjourned debate.
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TUESDAY, 30TH JUNE.

ORDER OF THE DAY:—

1. MILITARY RESERVES BILL.—To be read a second time.

[1]

(200 copies.)

TUESDAY, 7TH JULY.

NOTICES OF MOTION:—

1. The Hon. H. CUTHBERT: To move, That this House approves generally of the "Draft Bill to Constitute the Commonwealth of Australia," adopted by the National Australasian Convention, 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891.

(Contingent on the foregoing being carried)—

2. The Hon. H. CUTHBERT: To move, That this House do now resolve itself into a Committee of the whole to consider the provisions of the said "Draft Bill."

ORDERS OF THE DAY:—

1. PUBLIC SERVICE ACT AMENDMENT BILL.—To be read a second time.
2. MARRIAGE ACT AMENDMENT BILL.—To be read a second time.
3. LAW OF PARTNERSHIP AMENDMENT BILL.—To be read a second time.
4. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—To be read a second time.
5. REGISTRATION OF FIRMS BILL.—To be read a second time.
6. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
7. CRIMES ACT 1890 AMENDMENT BILL.—To be read a second time.
8. MEDICAL PRACTITIONERS BILL.—To be read a second time.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

 PARLIAMENTARY PAPERS ISSUED 23RD JUNE, 1891.

Notices of Motion and Orders of the Day. No. 1.

Police Offences Amendment Bill—[3]

Public Service Amendment Bill—[4]

Military Reserves Bill—[9]

Partnership Bill—[14]

Medical Practitioners Bill—[20]

Crimes Bill—[27]

Notices of Motion and Orders of the Day. No. 1.

Supreme Court Bill—[18]

VICTORIA.

No. 2.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 24TH JUNE, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. DECLARATIONS OF MEMBERS.—The Honorables E. Morey and J. Service severally delivered to the Clerk the Declaration required by the thirty-seventh section of the Act 54 Victoria, No. 1075, as hereunder set forth:—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, EDWARD MOREY, of Ballarat, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and forty-three pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of the city of Ballarat, and are known as assessment 89, Lydiard-street, Eighty pounds; assessment 1493, Armstrong-street, Sixty-three pounds, and are allotments six and nineteen, section nine, city and parish of Ballarat, county of Grenville.

“And I further declare that the said lands or tenements are situate in the municipal district of the city of Ballarat, and are rated in the rate-book of such district upon a yearly value of One hundred and forty-three pounds.

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

“E. MOREY.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JAMES SERVICE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Caulfield, and are known as ‘Kilwinning,’ being the house and lands occupied as a residence for myself in Balaclava-road, corner of Hotham-street.

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

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

“JAMES SERVICE.”

5. LEAVE OF ABSENCE.—The Honorable D. Melville moved, That leave of absence be granted to the Honorable T. Brunton for the remainder of the Session.
Question—put and resolved in the affirmative.
6. LEAVE OF ABSENCE.—The Honorable W. A. Zeal moved, That leave of absence, during the remainder of the Session, be granted to the Honorable William McCulloch.
Question—put and resolved in the affirmative.
7. LEAVE OF ABSENCE.—The Honorable J. Bell moved, That leave of absence be granted for the remainder of the Session to the Honorable Dr. Le Fevre.
Question—put and resolved in the affirmative.

8. LEAVE OF ABSENCE.—The Honorable J. M. Davies moved, That leave of absence be granted for the remainder of the Session to the Honorable ~~James Balfour~~.
Question—put and resolved in the affirmative.
9. BILLS OF SALE LAW AMENDMENT BILL.—The Honorable W. A. Zeal moved, by leave, That he have leave to bring in a Bill to amend the Law relating to Bills of Sale.
Question—put and resolved in the affirmative.
Ordered—That the Honorable W. A. Zeal do prepare and bring in the Bill.
The Honorable W. A. Zeal then brought up a Bill intituled “A Bill to amend the Law relating to Bills of Sale,” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Wednesday, 8th July next.
10. PETITION.—The Honorable J. S. Butters presented a Petition from the Members of the Church of England residing at Yarrawonga, Tungamah, and Boomahnoomoonah, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours.
Ordered to lie on the Table.
11. STANDING ORDERS COMMITTEE.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, pursuant to amended notice, That the Honorables the President, H. Cuthbert, Dr. Dobson, J. Service, W. A. Zeal, N. FitzGerald, S. W. Cooke, J. M. Davies, A. Wynne, and the Mover be appointed a Select Committee on the Standing Orders of the House; three to form a quorum, and that the Committee have leave to sit on days on which the Council does not meet.
Question—put and resolved in the affirmative.
12. LIBRARY COMMITTEE.—The Honorable S. Fraser moved, That the Honorables the President, D. Melville, F. Brown, G. Young, and the Mover be Members of the Joint Committee of both Houses to manage the Library.
Question—put and resolved in the affirmative.
13. PARLIAMENT BUILDINGS COMMITTEE.—The Honorable C. J. Ham moved, That the Honorables the President, C. Sargeant, N. Thornley, J. M. Pratt, and the Mover be Members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.
Question—put and resolved in the affirmative.
14. REFRESHMENT ROOMS COMMITTEE.—The Honorable J. M. Davies moved, That the Honorables J. A. Wallace, J. Buchanan, J. P. MacPherson, W. I. Winter-Irving, and J. H. Abbott be Members of the Joint Committee of both Houses to manage the Refreshment Rooms.
Question—put and resolved in the affirmative.
15. PRINTING COMMITTEE.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Honorables the President, D. Coutts, D. Ham, S. Austin, J. Sternberg, H. Gore, G. Davis, E. Morey, and G. S. Coppin be appointed a Printing Committee; five to form a quorum.
Question—put and resolved in the affirmative.
16. DAYS OF BUSINESS.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for despatch of business during the present Session, and that half-past Four o'clock be the hour of meeting on each day; that on Tuesday and Thursday in each week the transaction of Government business shall take precedence of all other business.
The Honorable W. A. Zeal moved, as an amendment, That the following words be added after the words “other business”—“and that on Wednesday in each week Private Members’ business shall take precedence of Government business.”
Debate ensued.
Question—That the words proposed to be added be so added—put and resolved in the affirmative.
Question—That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for despatch of business during the present Session, and that half-past Four o'clock be the hour of meeting on each day; that on Tuesday and Thursday in each week the transaction of Government business shall take precedence of all other business, and that on Wednesday in each week Private Members’ business shall take precedence of Government business—put and resolved in the affirmative.
17. CHAIRMAN OF COMMITTEES.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Honorable Dr. Dobson be Chairman of Committees of the Council.
Question—put and resolved in the affirmative.
Whereupon the Honorable Dr. Dobson was congratulated by the Honorable the President and other Members on his again securing the confidence of Honorable Members, and returned his thanks for his re-election to the office of Chairman of Committees.
18. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read:—

HOPETOUN,

Governor.

Message.

In return to the Address from the Legislative Council requesting that the Governor will cause to be laid upon the Table of the House copies of Despatches relative to the status of Members of the Executive Council of this colony, the Governor informs the Council that there are no public Despatches respecting the subject in his possession.

Government Offices,

Melbourne, 23rd June, 1891.

19. PAPERS.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—

Statistical Register of the Colony of Victoria for the Year 1889—Compiled from Official Records in the Office of the Government Statist.—Part IX. Social Condition.

Statistical Register of the Colony of Victoria for the Year 1890—Compiled from Official Records in the Office of the Government Statist.—Part I. Blue Book.

Statistical Register of the Colony of Victoria for the Year 1890—Compiled from Official Records in the Office of the Government Statist.—Part II. Finance, &c.

A General Summary of the Import, Export, Transhipment, and Shipping Returns, with an Abstract of Customs Revenue, for the Year 1890; also Abstract Comparative Table, Years 1886-90, and copy of the Victorian Tariff, &c., &c.

Severally ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Shire of Lowan Waterworks Trust.—Application for Additional Loan of £5,664.—Detailed Statement and Report.

Kyabram Waterworks Trust.—Application for Additional Loan of £82.—Detailed Statement and Report.

Boort Waterworks Trust.—Application for Additional Loan of £500.—Detailed Statement and Report.

East Boort Irrigation and Water Supply Trust.—Application for a Further Loan of £10,500.—Detailed Statement (prepared in compliance with Section 305, Act 1156).

Twelfth Annual Report of the Proceedings of the Government Statist in connexion with Friendly Societies.—Report for the Year 1889, to which are appended Valuations of Friendly Societies, Statistics of Friendly Societies, &c.

20. ADDRESS IN REPLY TO OPENING SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The Order of the Day for the resumption of the debate on the question, That the Council agree with the Committee in the Address in reply to His Excellency's Opening Speech, having been read, Debate resumed.

Question—put and resolved in the affirmative.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Address be presented to His Excellency the Governor by the President and such Members of the Council as may wish to accompany him.

Question—put and resolved in the affirmative.

21. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Council, at its rising, adjourn until Tuesday, 7th July next.

Question—put and resolved in the affirmative.

And then the Council adjourned, at twenty-five minutes past 9 o'clock, until Tuesday, 7th July next.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

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LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

TUESDAY, 7TH JULY, 1891.

NOTICES OF MOTION :—

1. The Hon. H. CUTHBERT : To move, That this House approves generally of the "Draft Bill to Constitute the Commonwealth of Australia," adopted by the National Australasian Convention, 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891.

Contingent on the foregoing being carried—

2. The Hon. H. CUTHBERT : To move, That this House do now resolve itself into a Committee of the whole to consider the provisions of the said "Draft Bill."
3. The Hon. LIEUT.-COL. SIR F. T. SARGOOD : To move, That the question of the revision of the Standing Orders be referred to the Standing Orders Committee for consideration and report.
4. The Hon. J. M. DAVIES : To move, That, in pursuance of the Act of Parliament No. 1105, section 177, an Address be presented to His Excellency the Governor, praying that Courts of General Sessions may cease to be held at the following places, viz., Alexandra, Clunes, Dunolly, Heathcote, Inglewood, Walhalla, and Wood's Point.
5. The Hon. LIEUT.-COL. SIR F. T. SARGOOD : To move, That in view of the recent consolidation of the Victorian Statutes, and of the importance of devising a plan by which such consolidation shall be systematically continued, the Standing Orders Committee be instructed to report as to the desirability of this House requesting the Legislative Assembly to concur in passing a Joint Standing Order authorizing a suitable plan.

ORDERS OF THE DAY :—

1. PUBLIC SERVICE ACT AMENDMENT BILL.—To be read a second time.
2. MARRIAGE ACT AMENDMENT BILL.—To be read a second time.
3. LAW OF PARTNERSHIP AMENDMENT BILL.—To be read a second time.
4. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—To be read a second time.
5. REGISTRATION OF FIRMS BILL.—To be read a second time.
6. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
7. CRIMES ACT 1890 AMENDMENT BILL.—To be read a second time.
8. MEDICAL PRACTITIONERS BILL.—To be read a second time.
9. MILITARY RESERVES BILL.—To be read a second time.

WEDNESDAY, 8TH JULY.

NOTICE OF MOTION :—

1. The Hon. J. SERVICE : To move for leave to bring in a Bill to amend the *Companies Act* 1890.

ORDER OF THE DAY :—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 24TH JUNE, 1891.

Notices of Motion and Orders of the Day. No. 2.
Police Offences Amendment Bill—[3] (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 2.
Progress Report of the Royal Commission on Gold Mining. No. 2.
Public Service Act No. 1133.—Regulations. No. 6.

By Authority: ROBT. S. BRAIN, Government Printer, Melbourne.

VICTORIA.

No. 3.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 7TH JULY, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—The President announced that His Excellency would receive the Address that had been agreed to by the Council in reply to the Governor's opening Speech, at the Government Offices, at half-past three o'clock to-morrow.
5. PETITIONS.—The Honorable Sir W. J. Clarke presented a Petition from certain Members of the Church of England residing at Broadmeadows, Bulla, Greenvale, Keilor, and Glenroy, in the Colony of Victoria, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours.

Similar Petitions were also presented—

- By the Honorable Sir W. J. Clarke—
From Members of the Church of England residing at Heidelberg.
- By the Honorable Sir B. Benjamin—
From Members of the Church of England residing at West Melbourne.
- By the Honorable W. H. Roberts—
From Members of the Church of England residing at Williamstown.
- By the Honorable Lieut.-Col. Sir F. T. Sargood—
From Members of the Church of England residing at Prahran.
- By the Honorable D. Melville—
From Members of the Church of England residing at Moreland, near Melbourne.

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

6. ISSUE OF WRIT.—The President announced to the Council that he had this day issued a Writ for the election of a Member to serve for the North Yarra Province, in the place of the late Honorable James George Beaney, M.D.
7. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

And then the Council, at fifty-five minutes past four o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

1888

RECORD

The following is a list of the names of the persons who have been elected to the office of Justice of the Peace for the year 1888. The names are given in alphabetical order of their surnames.

Adams, J. M.
 Adams, W. H.
 Adams, W. J.
 Adams, W. L.
 Adams, W. M.
 Adams, W. N.
 Adams, W. O.
 Adams, W. P.
 Adams, W. Q.
 Adams, W. R.
 Adams, W. S.
 Adams, W. T.
 Adams, W. U.
 Adams, W. V.
 Adams, W. W.
 Adams, W. X.
 Adams, W. Y.
 Adams, W. Z.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

WEDNESDAY, 8TH JULY, 1891.

General Business.

NOTICES OF MOTION:—

1. The Hon. J. SERVICE: To move for leave to bring in a Bill to amend the *Companies Act* 1890.
2. The Hon. J. SERVICE: To move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to communicate with the Right Honorable the Secretary of State for the Colonies, requesting permission to present to this House a copy of all Confidential Despatches in the possession of the Governor of this colony in reference to the status of Members of the Executive Council of Victoria.

ORDER OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.

Government Business.

NOTICES OF MOTION:—

1. The Hon. H. CUTHBERT: To move, That this House approves generally of the "Draft Bill to Constitute the Commonwealth of Australia," adopted by the National Australasian Convention, 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891.

Contingent on the foregoing being carried—

2. The Hon. H. CUTHBERT: To move, That this House do now resolve itself into a Committee of the whole to consider the provisions of the said "Draft Bill."
3. The Hon. LIEUT.-COL. SIR F. T. SARGOOD: To move, That the question of the revision of the Standing Orders be referred to the Standing Orders Committee for consideration and report.
4. The Hon. J. M. DAVIES: To move, That, in pursuance of the Act of Parliament No. 1105, section 177, an Address be presented to His Excellency the Governor, praying that Courts of General Sessions may cease to be held at the following places, viz., Alexandra, Clunes, Dunolly, Heathcote, Inglewood, Walhalla, and Wood's Point.
5. The Hon. LIEUT.-COL. SIR F. T. SARGOOD: To move, That in view of the recent consolidation of the Victorian Statutes, and of the importance of devising a plan by which such consolidation shall be systematically continued, the Standing Orders Committee be instructed to report as to the desirability of this House requesting the Legislative Assembly to concur in passing a Joint Standing Order authorizing a suitable plan.

ORDERS OF THE DAY:—

1. PUBLIC SERVICE ACT AMENDMENT BILL.—To be read a second time.
2. MARRIAGE ACT AMENDMENT BILL.—To be read a second time.
3. LAW OF PARTNERSHIP AMENDMENT BILL.—To be read a second time.
4. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—To be read a second time.
5. REGISTRATION OF FIRMS BILL.—To be read a second time.
6. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
7. CRIMES ACT 1890 AMENDMENT BILL.—To be read a second time.
8. MEDICAL PRACTITIONERS BILL.—To be read a second time.
9. MILITARY RESERVES BILL.—To be read a second time.

WEDNESDAY, 15TH JULY.

NOTICES OF MOTION:—

1. The Hon. W. A. ZEAL: To move, That an Address be presented to His Excellency the Governor, praying that there be laid before this Council a copy of any Orders or Regulations of the Imperial Government whereby the precedence of Members of Parliament, and particularly of this Council, is determined.

Contingent on the foregoing resolution being passed—

That the following Members be appointed a Committee to forthwith prepare an Address:—The Honorables J. H. Abbott, J. Buchanan, J. H. Connor, H. Gore, D. Melville, J. M. Pratt, A. Wynne, G. Young, and the Mover.

2. The Hon. W. A. ZEAL: To move, That there be laid on the Table of this House a copy of all correspondence between the Mover and the Railway Department with reference to the alleged misconduct of the conductor of an express carriage at Spencer-street, Melbourne, on the evening of Thursday, 26th March last. The names of all persons (other than railway officials) in such correspondence to be described by initial letters only.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 2ND JULY, 1891.

Notices of Motion and Orders of the Day. No. 3.

Bills of Sale Bill—[39]

Votes and Proceedings of the Legislative Assembly. Nos. 3, 4, and 5.

Notices of Motion and Orders of the Day. No. 6.

Thistle Law Amendment Bill—[5]

A. U. Alcock Electric Light Company's Bill—[25]

Contractors' Protection Bill—[45]

Public Library (Sundays Poll) Bill—[47]

Mines Bill—[49]

Licensing Amendment Bill—[50]

Legal Profession Practice Bill—New Clause by Mr. Wrixon. (To Members only.)

Report of the Chief Inspector of Factories, Work-rooms, and Shops for the Year ended 31st December, 1890. No. 18.

Twelfth Annual Report of the Proceedings of the Government Statist in connexion with Friendly Societies. No. 43.

Penal Establishments and Gaols.—Report of the Inspector-General for the Year 1890. No. 44.

VICTORIA.

No. 4.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 8TH JULY, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. DECLARATIONS OF MEMBERS.—The Honorables N. Fitz Gerald, C. Sargeant, and A. Wynne severally delivered to the Clerk the Declaration required by the thirty-seventh section of the Act 54 Victoria, No. 1075, as hereunder set forth :—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, NICHOLAS FITZ GERALD, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of St. Kilda, and are known as—

“Dwelling-house, ‘Moir,’ Alma-road, St. Kilda, county of Bourke.

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

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

“N. FITZ GERALD.”

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, CHARLES SARGEANT, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and thirteen pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Warragul, Woorayl, and Grenville, and are known as to the said municipal district of Warragul as allotment twenty-one, township of Warragul, parish of Drouin East, county of Buln Buln, containing five acres two roods eleven perches; and as to the said municipal district of Woorayl, allotment seventy-one, parish Mirboo, county of Buln Buln, containing three hundred and nineteen acres two roods twenty-one perches; and as to the said municipal district of Grenville, Crown allotment six, section one, township of Rokewood, parish of Corindhap, county of Grenville, containing one rood or thereabouts.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Warragul are rated in the rate-book of such district upon a yearly value of Fifteen pounds; and that such of the said lands or tenements as are situate in the municipal district of Woorayl are rated in the rate-book of such district upon a yearly value of Seventy-eight pounds; and that such of the said lands or tenements as are situate in the municipal district of Grenville are rated in the rate-book of such district upon a yearly value of Twenty pounds.

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

“CHARLES SARGEANT.”

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, AGAR WYNNE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One thousand pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of the shire of Mortlake and shire of Hampden, and are known as 'Terinallum.'

"And I further declare that such of the said lands or tenements as are situate in the municipal district of the shire of Mortlake are rated in the rate-book of such district upon a yearly value of Three thousand one hundred and forty-seven pounds, and that such of the said lands or tenements as are situate in the municipal district of the shire of Hampden are rated in the rate-book of such district upon a yearly value of Three thousand two hundred and twenty-seven pounds.

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

"AGAR WYNNE."

5. PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—The President reported that he had that day waited upon His Excellency the Governor, and had presented to him the Address of the Legislative Council, agreed to on the 24th June last, and that His Excellency had been pleased to make the following reply :—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL—

I thank you in the name of Her Majesty the Queen for the expression of loyalty to our Most Gracious Sovereign conveyed in the Address which you have just presented to me, and I fervently hope that the outcome of your deliberations may result in general benefit to this community.

HOPETOUN.

Government Offices,
Melbourne, 8th July, 1891.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of One hundred and ninety-four thousand nine hundred and eighty-six pounds to the service of the Year One thousand eight hundred and ninety and ninety-one,*" with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 2nd July, 1891.

7. CONSOLIDATED REVENUE BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the above Message, intituled "*An Act to apply out of the Consolidated Revenue the sum of One hundred and ninety-four thousand nine hundred and eighty-six pounds to the service of the Year One thousand eight hundred and ninety and ninety-one,*" be now read a first time.

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

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

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

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, this day, again resolve itself into the said Committee.

8. PAPERS.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—

The Proposed Coining of Silver at the Melbourne Mint.—Further Correspondence (in continuation of Parliamentary Paper No. 208 of 1890).

Penal Establishments and Gaols.—Report of the Inspector-General for the Year 1890.

Report of Proceedings taken under the provisions of *The Land Act 1884*, *The Mallee Pastoral Leases Act 1883*, the *Land Act 1890*, and the *Wattles Act 1890*, during the Year ending 31st December, 1890.

Severally ordered to lie on the Table.

The President presented, pursuant to the directions of an Act of Parliament—

The Constitution Act Amendment Act 1890, Part IX.—Statement of Appointments made in the Department of the Library under the authority of this Act during the Year ending 30th June, 1891.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

The Water Act 1890—

- Shire of Yarrawonga Waterworks Trust.—Application for Additional Loan of £1,750.—Detailed Statement and Report.
- Shepparton Urban Waterworks Trust.—Application for Additional Loan of £1,671.—Detailed Statement and Report.
- East Boort Irrigation and Water Supply Trust.—Regulation.
- Kerang East Irrigation and Water Supply Trust.—Rating Regulation.
- Twelve-mile Irrigation and Water Supply Trust.—Loan.
- Tragowel Plains Irrigation and Water Supply Trust.—Regulation No. 6.
- Bairnsdale Irrigation and Water Supply Trust.—Quorum of Commissioners.
- Bacchus Marsh Irrigation and Water Supply Trust.—Rating Regulation for 1891.
- Emu Valley Irrigation and Water Supply Trust.—Further Loan.
- Emu Valley Irrigation and Water Supply Trust.—Further Loan.
- Bairnsdale Irrigation and Water Supply Trust.—Regulation No. 2.
- Kerang East Irrigation and Water Supply Trust.—Loan.
- Rodney Irrigation and Water Supply Trust.—Regulation No. 4.
- Tragowel Plains Irrigation and Water Supply Trust.—District Divided into Divisions.
- Swan Hill Irrigation and Water Supply Trust.—Rating Regulation.
- Municipality of Bairnsdale.—Sale of Waterworks to the Bairnsdale Irrigation and Water Supply Trust.
- Wandella Irrigation and Water Supply Trust.—Loan.
- East Boort Irrigation and Water Supply Trust.—Loan.
- Koondrook Irrigation and Water Supply Trust.—Further Loan.
- Koondrook Irrigation and Water Supply Trust.—Loan.
- Rodney Irrigation and Water Supply Trust.—District Divided into Divisions.
- Bacchus Marsh Irrigation and Water Supply Trust.—Rating Regulation No. 2.
- East Boort Irrigation and Water Supply Trust.—Further Loan.
- Bairnsdale Irrigation and Water Supply Trust.—Commissioner for the Urban Division.
- Bairnsdale Irrigation and Water Supply Trust.—Order Constituting Trust Amended.
- Bairnsdale Irrigation and Water Supply Trust.—Regulations for the Election of a Commissioner for the Urban Division.
- Rodney Irrigation and Water Supply Trust.—Regulation.
- Millewa Irrigation and Water Supply Trust.—Loan.
- Bairnsdale Irrigation and Water Supply Trust.—Urban Division Proclaimed.
- Swan Hill Irrigation and Water Supply Trust.—Loan.
- Lerderberg Irrigation and Water Supply Trust.—Water Right Increased.
- Carrum Irrigation and Water Supply Trust.—Date for Election of Two Commissioners.
- The Millewa Irrigation and Water Supply Trust.—Regulations for the Conduct of the Proceedings of the Trust and its Officers.
- Myall Irrigation and Water Supply Trust.—Application for a Further Loan of £3,300.—Detailed Statement (prepared in compliance with Section 305, Act 1156).
- Agricultural Education.—Accounts of the Trustees of Agricultural Colleges and the Council of Agricultural Education from 1st July, 1890, to 31st December, 1890.
- Victorian Mining Accident Relief Fund.—Statement of Accounts rendered by the Trustees to the Fund.
- Mines Act 1890—
- Boundaries of certain Mining Districts and Divisions Altered.
- Boundaries of certain Mining Districts and Divisions.—Alteration Revoked.
- Alteration of Regulations.
- Mining on Private Property.—Regulations Altered.
- Regulations for Travelling Allowances to be drawn by Officers and Men Regularly Employed under the *Defences and Discipline Act* 1890, and for Pay of Warrant, Non-Commissioned Officers, and Men of Victorian Artillery.
- Report of the Chief Inspector of Factories, Work-Rooms, and Shops for the Year ended 31st December, 1890.
- Centennial International Exhibition, Melbourne, 1888.—Report of the Executive Commissioners for the Centennial International Exhibition of 1888, together with an Account of Income and Expenditure.
- Explosives Act 1890—
- Inspector of Explosives.
- Rent and Charges for Storage of Explosives in Powder-magazines, &c.
- Rent and Charges for Storage of Explosives.
- Regulations and Orders.
- General Regulations for Powder-magazines.
- Fisheries Act 1890.—Notice of Proposed Variation of Proclamation.
- Customs Act 1890—
- Importation of Barley and Exportation of Manufactured Barley.
- Grinding of Oats in Bond for Exportation.
- Drawback Regulations Amended.—Table Jellies.
- Drawback Regulations Amended.—Timber.
- Drawback Regulations Amended.—Fruits. (Order of 17th March, 1891.)
- Drawback Regulations Amended.—Fruits. (Order of 23rd December, 1890.)

Customs and Excise Duties Act 1890.—Duty on “Crushed Seal.”

Minor Articles used in Manufacture—

Hooks for Saddlers, &c.

Stove Screws.

Apparel and Slops, Bags, &c.

Apparel, Boots, &c.

Carriages.—Whiffle-tree Ferrules.

Ferrules and Counters, &c.

9. COMPANIES ACT 1890 AMENDMENT BILL.—The Honorable J. Service moved, That he have leave to bring in a Bill to amend the *Companies Act 1890*.

Question—put and resolved in the affirmative.

Ordered—That the Honorable J. Service do prepare and bring in the Bill.

The Honorable J. Service then brought up a Bill intituled “*A Bill to amend the ‘Companies Act 1890,’*” and moved that it be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Wednesday, 22nd July inst.

10. STATUS OF MEMBERS OF THE EXECUTIVE COUNCIL.—The Honorable J. Service moved, That an Address be presented to His Excellency the Governor, praying that he will be pleased to communicate with the Right Honorable the Secretary of State for the Colonies, requesting permission to present to this House a copy of all Confidential Despatches in the possession of the Governor of this colony in reference to the status of Members of the Executive Council of Victoria.

Question—put and resolved in the affirmative.

11. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday next:—

Bills of Sale Law Amendment Bill—To be read a second time.

12. NATIONAL AUSTRALASIAN FEDERATION.—The Honorable H. Cuthbert moved, That this House approves generally of the “Draft Bill to Constitute the Commonwealth of Australia” adopted by the National Australasian Convention, 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891.

Debate ensued.

The Honorable W. H. Roberts moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Tuesday next.

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

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

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

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill:—

“An Act to apply out of the Consolidated Revenue the sum of One hundred and ninety-four thousand nine hundred and eighty-six pounds to the service of the Year One thousand eight hundred and ninety and ninety-one.”

Question—put and resolved in the affirmative.

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

14. REVISION OF STANDING ORDERS.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the question of the revision of the Standing Orders be referred to the Standing Orders Committee for consideration and report.

Question—put and resolved in the affirmative.

15. GENERAL SESSIONS OF THE PEACE.—The Honorable J. M. Davies moved, That, in pursuance of the Act of Parliament No. 1105, section 177, an Address be presented to His Excellency the Governor, praying that Courts of General Sessions may cease to be held at the following places, viz., Alexandra, Clunes, Dunolly, Heathcote, Inglewood, Walhalla, and Wood’s Point.

Question—put and resolved in the affirmative.

The Honorable J. M. Davies moved, That the following be the Address:—

To His Excellency the Right Honorable JOHN ADRIAN LOUIS, Earl of Hopetoun, Viscount Athrie, and Baron Hope in the Peerage of Scotland; Baron Hopetoun of Hopetoun, and Baron Niddry of Niddry Castle in the Peerage of the United Kingdom; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY—

We, the Legislative Council of Victoria, in Parliament assembled, pray that Courts of General Sessions may cease to be held at the following places, viz., Alexandra, Clunes, Dunolly, Heathcote, Inglewood, Walhalla, and Wood’s Point.

Question—put and resolved in the affirmative.

The Honorable J. M. Davies moved, That the Address be transmitted to the Legislative Assembly, with a Message desiring their concurrence therewith.

Question—put and resolved in the affirmative.

16. **BILLS AMENDING CONSOLIDATING ACTS.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That in view of the recent consolidation of the Victorian Statutes, and of the importance of devising a plan by which such consolidation shall be systematically continued, the Standing Orders Committee be instructed to report as to the desirability of this House requesting the Legislative Assembly to concur in passing a Joint Standing Order authorizing a suitable plan.

Debate ensued.

Question—put and resolved in the affirmative.

17. **DISCHARGE OF ORDER OF THE DAY.**—On the motion of the Honorable J. M. Davies, the following Order of the Day was read and discharged :—

Public Service Act Amendment Bill.—To be read a second time.

Ordered—That the said Bill be withdrawn.

18. **PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).**—The Honorable J. M. Davies moved, by leave, That he have leave to bring in a Bill to amend the *Public Service Act 1890*.

Question—put and resolved in the affirmative.

Ordered—That the Honorable J. M. Davies do prepare and bring in the Bill.

The Honorable J. M. Davies then brought up a Bill intituled “*A Bill to amend the ‘Public Service Act 1890,’*” and moved, That it be now read a first time.

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

19. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—

Marriage Act 1890 Amendment Bill—To be read a second time.

Law of Partnership Amendment Bill—To be read a second time.

Police Offences Act 1890 Amendment Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Defences and Discipline Act 1890 Amendment Bill—To be read a second time.

Crimes Act 1890 Amendment Bill—To be read a second time.

Medical Practitioners Bill—To be read a second time.

Military Reserves Bill—To be read a second time.

And then the Council, at forty-three minutes past nine o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

THURSDAY, 9TH JULY, 1891.

Government Business.

ORDERS OF THE DAY:—

1. MEDICAL PRACTITIONERS BILL.—To be read a second time.
 2. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—To be read a second time.
 3. LAW OF PARTNERSHIP AMENDMENT BILL.—To be read a second time.
 4. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be read a second time.
 5. MARRIAGE ACT AMENDMENT BILL.—To be read a second time.
 6. REGISTRATION OF FIRMS BILL.—To be read a second time.
 7. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
 8. CRIMES ACT 1890 AMENDMENT BILL.—To be read a second time.
 9. MILITARY RESERVES BILL.—To be read a second time.
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TUESDAY, 14TH JULY.

Government Business.

ORDER OF THE DAY:—

1. NATIONAL AUSTRALASIAN CONVENTION—*Adjourned debate on the question*—That this House approves generally of the “Draft Bill to Constitute the Commonwealth of Australia,” adopted by the National Australasian Convention, 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891.

Contingent on the foregoing being carried—

The Hon. H. CUTHBERT: To move, That this House do now resolve itself into a Committee of the whole to consider the provisions of the said “Draft Bill.”

WEDNESDAY, 15TH JULY.

General Business.

NOTICES OF MOTION:—

1. The Hon. W. A. ZEAL: To move, That an Address be presented to His Excellency the Governor, praying that there be laid before this Council a copy of any Orders or Regulations of the Imperial Government whereby the precedence of Members of Parliament, and particularly of this Council, is determined.

Contingent on the foregoing resolution being passed—

That the following Members be appointed a Committee to forthwith prepare an Address:—The Honorables J. H. Abbott, J. Buchanan, J. H. Connor, H. Gore, D. Melville, J. M. Pratt, A. Wynne, G. Young, and the Mover.

2. The Hon. W. A. ZEAL: To move, That there be laid on the Table of this House a copy of all correspondence between the Mover and the Railway Department with reference to the alleged misconduct of the conductor of an express carriage at Spencer-street, Melbourne, on the evening of Thursday, 26th March last. The names of all persons (other than railway officials) in such correspondence to be described by initial letters only.
3. The Hon. C. SARGEANT: To move, That he have leave to bring in a Bill to amend the laws relating to electors and the election of Members to serve in the Legislative Council.

ORDER OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.

WEDNESDAY, 22ND JULY.

General Business.

ORDER OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.*Tuesday, 14th July.*LIBRARY—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED 8TH JULY, 1891.Notices of Motion and Orders of the Day. No. 4.

Votes and Proceedings of the Legislative Assembly. No. 6.

Notices of Motion and Orders of the Day. No. 7.

Supplementary Estimates, 1890-91. B.—No. 6.

Railways Act 1890 Amendment Bill.—Message. B.—No. 7.

Loan Correspondence. C.—No. 1.

General Summary of the Import, Export, Transhipment, and Shipping Returns, &c. No. 58.

VICTORIA.

No. 5.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 9TH JULY, 1891.

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

There being no quorum of Members present at the expiration of half-an-hour after the time appointed for the meeting of the Council, the President took the Chair, and without question put, adjourned the Council to the next sitting day.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

TUESDAY, 14TH JULY, 1891.

Government Business.

ORDERS OF THE DAY:—

1. NATIONAL AUSTRALASIAN CONVENTION—*Adjourned debate on the question*—That this House approves generally of the “Draft Bill to Constitute the Commonwealth of Australia,” adopted by the National Australasian Convention, 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891.

Contingent on the foregoing being carried—

The Hon. H. CUTHBERT: To move, That this House do now resolve itself into a Committee of the whole to consider the provisions of the said “Draft Bill.”

2. MILITARY RESERVES BILL.—To be read a second time.
3. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—To be read a second time.
4. LAW OF PARTNERSHIP AMENDMENT BILL.—To be read a second time.
5. MEDICAL PRACTITIONERS BILL.—To be read a second time.
6. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be read a second time.
7. MARRIAGE ACT AMENDMENT BILL.—To be read a second time.
8. REGISTRATION OF FIRMS BILL.—To be read a second time.
9. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
10. CRIMES ACT 1890 AMENDMENT BILL.—To be read a second time.

WEDNESDAY, 15TH JULY.

General Business.

NOTICES OF MOTION:—

1. The Hon. W. A. ZEAL: To move, That an Address be presented to His Excellency the Governor, praying that there be laid before this Council a copy of any Orders or Regulations of the Imperial Government whereby the precedence of Members of Parliament, and particularly of this Council, is determined.

Contingent on the foregoing resolution being passed—

That the following Members be appointed a Committee to forthwith prepare an Address:—The Honorables J. H. Abbott, J. Buchanan, J. H. Connor, H. Gore, D. Melville, J. M. Pratt, A. Wynne, G. Young, and the Mover.

2. The Hon. W. A. ZEAL: To move, That there be laid on the Table of this House a copy of all correspondence between the Mover and the Railway Department with reference to the alleged misconduct of the conductor of an express carriage at Spencer-street, Melbourne, on the evening of Thursday, 26th March last. The names of all persons (other than railway officials) in such correspondence to be described by initial letters only.
3. The Hon. C. SARGEANT: To move, That he have leave to bring in a Bill to amend the laws relating to electors and the election of Members to serve in the Legislative Council.

ORDER OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.

WEDNESDAY, 22ND JULY.

General Business.

ORDER OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 14th July.

LIBRARY—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED 9TH JULY, 1891.

Notices of Motion and Orders of the Day. No. 5.

Notices of Motion and Orders of the Day. No. 8.

East Boort Irrigation and Water Supply Trust.—Application for a Further Loan of £10,500. No. 4.
 Myall Irrigation and Water Supply Trust.—Application for a Further Loan of £3,300. No. 5.
 Carrum Irrigation and Water Supply Trust.—Date for Election of Two Commissioners. No. 8.
 Lerderberg Irrigation and Water Supply Trust.—Water Right increased. No. 11.
 Swan Hill Irrigation and Water Supply Trust.—Loan. No. 13.
 Melbourne Mint.—Report of the Deputy-Master, &c. No. 24.
 Boort Waterworks Trust.—Application for Additional Loan of £500. No. 45.

VICTORIA

No. 6.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 14TH JULY, 1891.

- 1. The Council met in accordance with adjournment.
- 2. The President took the Chair.
- 3. The President read the Prayer.
- 4. DECLARATION OF MEMBERS.—The Honorables T. Dowling and N. Thornley severally delivered to the Clerk the Declaration required by the thirty-seventh section of the Act 54 Victoria, No. 1075, as hereunder set forth :—

“ In compliance with the provisions of the Act 54 Victoria, No. 1075, I, THOMAS DOWLING, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Hampden and Mortlake, and are known as ‘Jellalabad,’ situated on Mount Emu Creek, and bounded on the south by township of Darlington, on the east by lands belonging to Messrs. Cole and Dodds, on the north by station known as ‘Terrinallum,’ and on the west by station known as ‘Mount Fyans.’

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Mortlake are rated in the rate-book of such district upon a yearly value of One thousand seven hundred pounds, and that such of the said lands or tenements as are situate in the municipal district of Hampden are rated in the rate-book of such district upon a yearly value of Five hundred and forty-six pounds.

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

“ THOMAS DOWLING.”

“ In compliance with the provisions of the Act 54 Victoria, No. 1075, I, NATHAN THORNLEY, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One thousand five hundred and twenty-four pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment, and further, that such lands or tenements are situated in the municipal district of Minhamite, and are known as ‘Kangatong,’ containing about 8,000 acres.

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

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

“ N. THORNLEY.”

5. PETITION.—The Honorable S. W. Cooke presented a Petition from the Church of England Assembly of the Diocese of Ballarat, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours.

Ordered to lie on the Table.

6. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read :—

HOPETOUN,

Governor.

Message No. 3.

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

“An Act to apply out of the Consolidated Revenue the sum of One hundred and ninety-four thousand nine hundred and eighty-six pounds to the service of the Year One thousand eight hundred and ninety and ninety-one.”

Government Offices,
Melbourne, 9th July, 1891.

7. PAPERS.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—

Second General Report on Metropolitan Water Supply ; Pollution of Rivers ; Unhealthy Areas and Dwellings ; Results obtained by Sanitary Works ; The Great Avoidable Mortalities ; Isolation of Infectious Disease ; Disinfection ; Milk Supply ; Preparation and Conservation of Calf Lymph ; Abattoirs and Noxious Trades ; Health Officers and Inspectors ; Hygienic Museum ; Institute of Preventive Medicine—by Professor H. B. Allen, M.D.

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Education Act 1890—

Alteration of Regulations.—Drill and Gymnastics (17th February, 1891).

Alteration of Regulations.—Drill and Gymnastics (14th May, 1891).

The Wattles Act 1890.—Issue of Leases.—Order in Council.

The Water Act 1890—

Loddon United Waterworks Trust.—Additional Loan for £1,000.—Detailed Statement and Report.

Marquis Hill Irrigation and Water Supply Trust.—Minimum Amount of Annual Rates.

Wandella Irrigation and Water Supply Trust.—Rating Regulation.

Yatchaw Irrigation and Water Supply Trust.—Rating Regulation.

Bacchus Marsh Irrigation and Water Supply Trust.—Further Loan of £1,500.

Bacchus Marsh Irrigation and Water Supply Trust.—Further Loan of £1,500.

Marquis Hill Irrigation and Water Supply Trust.—Rating Regulation.

8. NATIONAL AUSTRALASIAN CONVENTION.—The Order of the Day for the resumption of the debate on the question, That this House approves generally of the “Draft Bill to Constitute the Commonwealth of Australia” adopted by the National Australasian Convention, 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891, having been read—

Debate resumed.

The Honorable W. A. Zeal moved, That the debate be now adjourned.

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

Ordered—That the debate be adjourned until Thursday next.

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

MR. PRESIDENT—

The Legislative Assembly acquaint the Legislative Council that they concur with the Legislative Council in adopting the accompanying Address to His Excellency the Governor, praying that Courts of General Sessions may cease to be held at the following places, viz., Alexandra, Clunes, Dunolly, Heathcote, Inglewood, Walhalla, and Wood's Point ; and that the Legislative Assembly have filled up the blank with the words “and the Legislative Assembly.”

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 14th July, 1891.

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

MR. PRESIDENT—

The Legislative Assembly acquaint the Legislative Council that they have agreed to the accompanying Address to His Excellency the Governor, praying that a Court of General Sessions of the Peace in and for the Eastern Bailiwick may be held at Omeo, with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 9th July, 1891.

And the said Address was read, and is as follows :—

To His Excellency the Right Honorable JOHN ADRIAN LOUIS, Earl of Hopetoun, Viscount Aithrie, and Baron Hope in the Peerage of Scotland; Baron Hopetoun of Hopetoun and Baron Niddry of Niddry Castle in the Peerage of the United Kingdom; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY—

We, the Legislative Assembly of Victoria, in Parliament assembled, pray that a Court of General Sessions of the Peace in and for the Eastern Bailiwick may be held at Omeo.

M. H. DAVIES,
Speaker.

Ordered—That the same be taken into consideration on Thursday next.

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

MR. PRESIDENT—

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

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 8th July, 1891.

12. LEGAL PROFESSION PRACTICE BILL.—The Honorable G. Young moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to regulate the Practice of the Legal Profession,*” be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday, 28th July inst.

13. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Thursday next :—

Military Reserves Bill—To be read a second time.

Police Offences Act 1890 Amendment Bill—To be read a second time.

Law of Partnership Amendment Bill—To be read a second time.

Medical Practitioners Bill—To be read a second time.

Public Service Act Amendment Bill (No. 2)—To be read a second time.

Marriage Act Amendment Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Defences and Discipline Act 1890 Amendment Bill—To be read a second time.

Crimes Act 1890 Amendment Bill—To be read a second time.

And then the Council, at five minutes past ten o'clock, adjourned until Thursday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

THURSDAY, 16TH JULY, 1891.

Questions.

1. The Hon. G. S. COPPIN : To direct the attention of the Honorable the Minister of Justice to a public statement, that it is intended to send the Russian Jews to the Argentine Republic, Canada, and Australia; and to ask if the Government has power to prevent assisted emigrants from landing in great numbers in this colony, no matter from what part of the world they may be sent.
2. The Hon. J. H. CONNOR : To ask the Honorable the Minister of Education and Defence if it is the intention of the Government to bring in a Bill to amend *The Agricultural Colleges Act 1884*.
3. The Hon. S. AUSTIN : To ask whether it was not the expressed intention of the Land Tax Act to burst up large estates, and, if this was so, whether it is not the present policy of the colony to carry out this intention. If these questions are answered in the affirmative, to ask whether the Registrar of Land Tax is acting in accordance with such intention in refusing to remove the names of owners now on the register in respect of properties divided amongst children, and *bonâ fide* occupied by the latter.

Government Business.

ORDERS OF THE DAY:—

1. NATIONAL AUSTRALASIAN CONVENTION—*Adjourned debate on the question*—That this House approves generally of the “Draft Bill to Constitute the Commonwealth of Australia,” adopted by the National Australasian Convention, 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891.

Contingent on the foregoing being carried—

The Hon. H. CUTHBERT : To move, That this House do now resolve itself into a Committee of the whole to consider the provisions of the said “Draft Bill.”

2. MILITARY RESERVES BILL.—To be read a second time.
3. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—To be read a second time.
4. LAW OF PARTNERSHIP AMENDMENT BILL.—To be read a second time.
5. MEDICAL PRACTITIONERS BILL.—To be read a second time.
6. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be read a second time.
7. MARRIAGE ACT 1890 AMENDMENT BILL.—To be read a second time.
8. REGISTRATION OF FIRMS BILL.—To be read a second time.
9. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
10. CRIMES ACT 1890 AMENDMENT BILL.—To be read a second time.

General Business.

NOTICES OF MOTION:—

1. The Hon. W. A. ZEAL : To move, That an Address be presented to His Excellency the Governor, praying that there be laid before this Council a copy of any Orders or Regulations of the Imperial Government whereby the precedence of Members of Parliament, and particularly of this Council, is determined.

Contingent on the foregoing resolution being passed—

That the following Members be appointed a Committee to forthwith prepare an Address:—The Honorables J. H. Abbott, J. Buchanan, J. H. Connor, H. Gore, D. Melville, J. M. Pratt, A. Wynne, G. Young, and the Mover.

2. The Hon. W. A. ZEAL : To move, That there be laid on the Table of this House a copy of all correspondence between the Mover and the Railway Department with reference to the alleged misconduct of the conductor of an express carriage at Spencer-street, Melbourne, on the evening of Thursday, 26th March last. The names of all persons (other than railway officials) in such correspondence to be described by initial letters only.
3. The Hon. C. SARGEANT : To move, That he have leave to bring in a Bill to amend the laws relating to electors and the election of Members to serve in the Legislative Council.

ORDERS OF THE DAY :—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
2. OMEO COURT OF GENERAL SESSIONS.—Consideration of Message from Legislative Assembly.

TUESDAY, 21ST JULY.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That there be laid upon the Table of the Council the correspondence *re* the Geelong and Ballarat railway contract which has passed between Mr. William Robert Merry and the Government of Victoria during the last six months, relative to the attested copy deed, dated the 28th March, 1860, said to have been executed by the said William Robert Merry, but denied by him.

WEDNESDAY, 22ND JULY.

General Business.

ORDER OF THE DAY :—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.

TUESDAY, 28TH JULY.

General Business.

ORDER OF THE DAY :—

1. LEGAL PROFESSION PRACTICE BILL.—To be read a second time.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 9TH JULY, 1891.

Minutes of the Proceedings of the Legislative Council. Nos. 1, 2, 3, 4, and 5.

Notices of Motion and Orders of the Day. No. 6.

Public Service Amendment Bill—[4]

Legal Profession Practice Bill—[40] (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 7 and 8.

Notices of Motion and Orders of the Day. No. 9.

Mines Bill—[49] (To Members only.)

Fire Brigades Act 1890 Amendment Bill.—Message. B.—No. 9.

Bank Liabilities and Assets—

Summary of Sworn Returns for the Quarter ended 31st December, 1890. No. 26.

Summary of Sworn Returns for the Quarter ended 31st March, 1891. No. 61.

Statistical Register of the Colony of Victoria for the Year 1890.—Part I.—Blue Book. No. 28.

Second Progress Report of the Royal Commission on Gold Mining. No. 41.

The Water Act 1890—

Bairnsdale Irrigation and Water Supply Trust.—Quorum of Commissioners. No. 64.

Tragowel Plains Irrigation and Water Supply Trust.—Regulation No. 6. No. 65.

Twelve-mile Irrigation and Water Supply Trust.—Loan. No. 70.

Kerang East Irrigation and Water Supply Trust.—Rating Regulation. No. 71.

East Boort Irrigation and Water Supply Trust.—Regulation. No. 72.

Shire of Yarrawonga Waterworks Trust.—Application for Additional Loan of £1,750. No. 78.

Shepparton Urban Waterworks Trust.—Application for Additional Loan of £1,671. No. 79.

VICTORIA.

No. 7.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 16TH JULY, 1891.

1. The Council met in accordance with adjournment.
 2. The President took the Chair.
 3. The President read the Prayer.
 4. NATIONAL AUSTRALASIAN CONVENTION.—The Order of the Day for the resumption of the debate on the question, That this House approves generally of the “Draft Bill to Constitute the Commonwealth of Australia” adopted by the National Australasian Convention, 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891, having been read—
Debate resumed.
Question—put and resolved in the affirmative..
 5. NATIONAL AUSTRALASIAN CONVENTION.—The Honorable H. Cuthbert moved, That this House do now resolve itself into a Committee of the whole to consider the provisions of the said Draft Bill.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into a Committee of the whole.
The President resumed the Chair; and the Chairman of Committees reported that the Committee had made progress, and that he was directed to move that the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday the 29th July inst., again resolve itself into the said Committee.
 6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Military Reserves Bill—To be read a second time.
Police Offences Act 1890 Amendment Bill—To be read a second time.
Law of Partnership Amendment Bill—To be read a second time.
Medical Practitioners Bill—To be read a second time.
Public Service Act Amendment Bill (No. 2)—To be read a second time.
Marriage Act 1890 Amendment Bill—To be read a second time.
Registration of Firms Bill—To be read a second time.
Defences and Discipline Act 1890 Amendment Bill—To be read a second time.
 7. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable J. M. Davies, the following Order of the Day was read and discharged :—
Crimes Act 1890 Amendment Bill—To be read a second time.
Ordered—That the said Bill be withdrawn.
 8. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—The Honorable J. M. Davies moved, by leave, That he have leave to bring in a Bill to amend the *Crimes Act 1890*.
Question—put and resolved in the affirmative.
Ordered—That the Honorable J. M. Davies do prepare and bring in the Bill.
The Honorable J. M. Davies then brought up a Bill intituled “A Bill to amend the ‘Crimes Act 1890,’” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday next.
 9. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday, 29th July inst.:—
Bills of Sale Law Amendment Bill—To be read a second time.
 10. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday next :—
Omeo Court of General Sessions—Consideration of Message from the Legislative Assembly.
- And then the Council, at thirty-five minutes past nine o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

TUESDAY, 21ST JULY, 1891.

Questions.

1. The Hon. N. THORNLEY: To ask the Honorable the Minister of Defence—
 1. What floating plant belonging to the Government was moored above the Queen's Bridge on Saturday the 11th inst.
 2. How much of this parted from its moorings during the late flood in the Yarra.
 3. What loss and damage has occurred thereby.
 4. Why steps were not taken at the proper time to secure and moor this plant.
2. The Hon. S. AUSTIN: To ask whether it was not the expressed intention of the Land Tax Act to burst up large estates, and, if this was so, whether it is not the present policy of the colony to carry out this intention. If these questions are answered in the affirmative, to ask whether the Registrar of Land Tax is acting in accordance with such intention in refusing to remove the names of owners now on the register in respect of properties divided amongst children, and *bonâ fide* occupied by the latter.

Government Business.

ORDERS OF THE DAY:—

1. MILITARY RESERVES BILL.—To be read a second time.
2. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. LAW OF PARTNERSHIP AMENDMENT BILL.—To be read a second time.
4. MEDICAL PRACTITIONERS BILL.—To be read a second time.
5. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be read a second time.
6. MARRIAGE ACT 1890 AMENDMENT BILL.—To be read a second time.
7. REGISTRATION OF FIRMS BILL.—To be read a second time.
8. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
9. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.

General Business.

NOTICES OF MOTION:—

1. The Hon. J. S. BUTTERS: To move, That there be laid upon the Table of the Council the correspondence *re* the Geelong and Ballarat railway contract which has passed between Mr. William Robert Merry and the Government of Victoria during the last six months, relative to the attested copy deed, dated the 28th March, 1860, said to have been executed by the said William Robert Merry, but denied by him.
2. The Hon. C. SARGEANT: To move, That he have leave to bring in a Bill to amend the Laws relating to Electors and the Election of Members to serve in the Legislative Council.

ORDER OF THE DAY:—

1. OMEO COURT OF GENERAL SESSIONS.—Consideration of Message from Legislative Assembly.

WEDNESDAY, 22ND JULY.

General Business.

ORDER OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.

TUESDAY, 28TH JULY.

Government Business.

ORDER OF THE DAY:—

1. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.

General Business.

ORDER OF THE DAY:—

1. LEGAL PROFESSION PRACTICE BILL.—To be read a second time.

WEDNESDAY, 29TH JULY.

Question.

1. The Hon. W. A. ZEAL: To ask the Honorable the Minister of Defence when it is intended to remove the wooden buildings (formerly used as offices and committee-rooms) adjoining the north-east angle of Parliament House, such buildings constituting a standing menace to the main building from the danger by fire.

General Business.

NOTICES OF MOTION:—

1. The Hon. W. A. ZEAL: To move, That in the opinion of this House any future appointment to the County Court Bench should be on the condition that the gentleman selected to fill the vacant office reside in some portion of the district to which he is appointed and over which he will have jurisdiction.
2. The Hon. W. A. ZEAL: To move, That an Address be presented to His Excellency the Governor praying that there be laid before this Council a copy of any Orders or Regulations of the Imperial Government whereby the precedence of Members of Parliament, and particularly of this Council, is determined.

Contingent on the foregoing resolution being passed—

That the following Members be appointed a Committee to forthwith prepare an Address:—The Honorables J. H. Abbott, J. Buchanan, J. H. Connor, H. Gore, D. Melville, J. M. Pratt, A. Wynne, G. Young, and the Mover.

3. The Hon. W. A. ZEAL: To move, That there be laid on the Table of this House a copy of all correspondence between the Mover and the Railway Department with reference to the alleged misconduct of the conductor of an express carriage at Spencer-street, Melbourne, on the evening of Thursday, 26th March last. The names of all persons (other than railway officials) in such correspondence to be described by initial letters only.

ORDER OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 21st July.

PARLIAMENT BUILDINGS—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 14TH JULY, 1891.

Minutes of the Proceedings of the Legislative Council. No. 6.
 Notices of Motion and Orders of the Day. No. 7.

Notices of Motion and Orders of the Day. No. 10.
 Austral-Anglo Tramway Company Bill—[32]
 Portland Borough Lands Bill.—Message. B.—No. 10.
 The Water Act 1890—

Municipality of Bairnsdale.—Sale of Waterworks to the Bairnsdale Irrigation and Water Supply Trust. No. 47.

Swan Hill Irrigation and Water Supply Trust.—Rating Regulation. No. 48.

Tragowel Plains Irrigation and Water Supply Trust.—District divided into Divisions. No. 49.

Rodney Irrigation and Water Supply Trust.—Regulation No. 4. No. 50.

Kerang East Irrigation and Water Supply Trust.—Loan. No. 51.

Bairnsdale Irrigation and Water Supply Trust.—Regulation No. 2. No. 52.

Emu Valley Irrigation and Water Supply Trust.—Further Loan. Nos. 55 and 56.

Bacchus Marsh Irrigation and Water Supply Trust.—Rating Regulation for 1891. No. 63.

Second General Report on Metropolitan Water Supply, &c., by Professor H. B. Allen, M.D. No. 76.

VICTORIA.

No. 8.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 21ST JULY, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **DECLARATION OF MEMBER.**—The Honorable F. Brown delivered to the Clerk the Declaration required by the thirty-seventh section of the Act 54 Victoria, No. 1075, as hereunder set forth:—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, FREDERICK BROWN, of Beechworth, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and nine pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Beechworth, and are known as ‘Shrublands’—Allotments 2, 3, and 4 of section F, with dwelling-house and out-houses, occupied by me; also allotments 8 of section P^{one}, 17 of section 4, and part of allotment 3 of section D, all in the town and parish of Beechworth.

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

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

“FREDK. BROWN.”

5. **PAPERS.**—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—

Report upon the Affairs of the Post Office and Telegraph Department for the Year 1890.

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Mines Act 1890—

Fees in Courts of Mines.

General Rules.

Customs and Excise Duties Act 1890—

Minor Articles used in Manufacture.—Boots and Shoes, &c.

Minor Articles used in Manufacture.—Carriages.

Explosives Act 1890.—List of Explosives authorized for Importation into and Manufacture in Victoria.

Reports of the Inspectors of Explosives to the Honorable the Commissioner for Trade and Customs on the working of the Explosives Act during the Year 1890.

Regulations for Victorian Volunteer Cadet Corps (Revised).

Regulations for the Victorian Military Forces.—Alterations and Additions.

Melbourne Harbor Trust.—The Accounts of the Melbourne Harbor Trust for the Year ended 31st December, 1890.

Marine Board of Victoria.—Statement of Pilotage Receipts and Disbursements for the Year ended 31st December, 1890; together with the Audit Commissioners' Certificate thereon.

The Water Act 1890—

Western Wimmera Irrigation and Water Supply Trust.—Order in Council arranging Liabilities.

Swan Hill Irrigation and Water Supply Trust.—Further Loan.

Koondrook Irrigation and Water Supply Trust.—Application for a Further Loan of £1,904.—Detailed Statement (prepared in compliance with Section 305, Act 1156).

The Western Wimmera Irrigation and Water Supply Trust.—Regulation.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to transfer a portion of the Western Bailiwick to the Midland Bailiwick,*” with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 16th July, 1891.

7. SUPREME COURT (BAILIWICKS) BILL.—The Honorable J. M. Davies moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to transfer a portion of the Western Bailiwick to the Midland Bailiwick*,” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday next.
8. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the Orders of the Day, Government Business, be postponed until after the consideration of the Order of the Day, General Business.
9. OMEO COURT OF GENERAL SESSIONS.—The Order of the Day for the consideration of the Message from the Legislative Assembly, requesting concurrence with an Address, having been read, the Honorable C. Sargeant moved, That the blank in the said Address be filled up by the insertion of the words “Legislative Council and the.”
Debate ensued.
Question—put and resolved in the affirmative.
The Honorable C. Sargeant moved, That this House agree with the Legislative Assembly in the said Address.
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Address, and have filled up the blank therein by the insertion of the words “Legislative Council and the.”
10. MILITARY RESERVES BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.
Debate ensued.
The Honorable S. Fraser moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
11. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—The Honorable J. M. Davies moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable J. M. Davies moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable J. M. Davies, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
12. LAW OF PARTNERSHIP AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
13. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next:—
Medical Practitioners Bill—To be read a second time.
Public Service Act Amendment Bill (No. 2)—To be read a second time.
Marriage Act 1890 Amendment Bill—To be read a second time.
Registration of Firms Bill—To be read a second time.
Defences and Discipline Act 1890 Amendment Bill—To be read a second time.
Crimes Act 1890 Amendment Bill (No. 2)—To be read a second time.

And then the Council, at five minutes past nine o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

TUESDAY, 28TH JULY, 1891.

Question.

1. The Hon. G. COPPIN: To ask the Honorable the Minister of Education if it is his intention to introduce a Bill during the present Session for the registration of juvenile vendors of newspapers, matches, and other goods, and for the punishment of truant children.

Government Business.

ORDERS OF THE DAY:—

1. MILITARY RESERVES BILL.—Adjourned debate on second reading.
2. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
3. LAW OF PARTNERSHIP AMENDMENT BILL.—To be further considered in Committee.
4. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be read a second time.
5. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
6. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.
7. SUPREME COURT (BAILIWICKS) BILL.—To be read a second time.
8. MEDICAL PRACTITIONERS BILL.—To be read a second time.
9. MARRIAGE ACT 1890 AMENDMENT BILL.—To be read a second time.
10. REGISTRATION OF FIRMS BILL.—To be read a second time.
11. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.

General Business.

ORDERS OF THE DAY:—

1. LEGAL PROFESSION PRACTICE BILL.—To be read a second time.
2. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.

WEDNESDAY, 29TH JULY.

Question.

1. The Hon. W. A. ZEAL: To ask the Honorable the Minister of Defence when it is intended to remove the wooden buildings (formerly used as offices and committee-rooms) adjoining the north-east angle of Parliament House, such buildings constituting a standing menace to the main building from the danger by fire.

General Business.

NOTICES OF MOTION:—

1. The Hon. W. A. ZEAL: To move, That in the opinion of this House any future appointment to the County Court Bench should be on the condition that the gentleman selected to fill the vacant office reside in some portion of the district to which he is appointed and over which he will have jurisdiction.
2. The Hon. W. A. ZEAL: To move, That an Address be presented to His Excellency the Governor, praying that there be laid before this Council a copy of any Orders or Regulations of the Imperial Government whereby the precedence of Members of Parliament, and particularly of this Council, is determined.

Contingent on the foregoing resolution being passed—

That the following Members be appointed a Committee to forthwith prepare an Address:—The Honorables J. H. Abbott, J. Buchanan, J. H. Connor, H. Gore, D. Melville, J. M. Pratt, A. Wynne, G. Young, and the Mover.

3. The Hon. W. A. ZEAL: To move, That there be laid on the Table of this House a copy of all correspondence between the Mover and the Railway Department with reference to the alleged misconduct of the conductor of an express carriage at Spencer-street, Melbourne, on the evening of Thursday, 26th March last. The names of all persons (other than railway officials) in such correspondence to be described by initial letters only.
4. The Hon. C. SARGEANT: To move, That he have leave to bring in a Bill to amend the Laws relating to Electors and the Election of Members to serve in the Legislative Council.

ORDER OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 28th July.

PARLIAMENT BUILDINGS—at three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 16TH JULY, 1891.

Minutes of the Proceedings of the Legislative Council. No. 7.

Notices of Motion and Orders of the Day. No. 8.

Police Offences Act 1890 Amendment Bill.—New Clause by the Hon. W. A. Zeal. (To Members of Council only.)

Supreme Court (Balliwicks) Bill—[18] (To Members of Council only.)

Crimes Bill—[27]

Votes and Proceedings of the Legislative Assembly. Nos. 9 and 10.

Notices of Motion and Orders of the Day. No. 11.

Portland Town Hall Bill—[44]

Friendly Societies Amendment Bill—[55]

Railway Construction and Finance.—Return to an Order of the House. C.—No. 3.

First Report from the Select Committee upon Standing Orders. D.—No. 1.

The Water Act 1890—

The Millewa Irrigation and Water Supply Trust.—Regulations for the Conduct of the Proceedings of the Trust and its Officers. No. 7.

Bairnsdale Irrigation and Water Supply Trust.—Urban Division Proclaimed. No. 14.

Millewa Irrigation and Water Supply Trust.—Loan. No. 15.

Rodney Irrigation and Water Supply Trust.—Regulation. No. 16.

Bairnsdale Irrigation and Water Supply Trust—

Regulations for the Election of a Commissioner for the Urban Division. No. 19.

Order Constituting Trust Amended. No. 20.

Commissioner for the Urban Division. No. 21.

East Boort Irrigation and Water Supply Trust.—Further Loan. No. 30.

Bacchus Marsh Irrigation and Water Supply Trust.—Rating Regulation No. 2. No. 31.

Rodney Irrigation and Water Supply Trust.—District divided into Divisions. No. 32.

Koondrook Irrigation and Water Supply Trust.—Loan. No. 33.

East Boort Irrigation and Water Supply Trust.—Loan. No. 35.

Wandella Irrigation and Water Supply Trust.—Loan. No. 42.

Koondrook Irrigation and Water Supply Trust.—Application for a Further Loan of £1,904. No. 54.

The Constitution Act Amendment Act 1890.—Part IX.—Statement of Appointments made. No. 128.

VICTORIA.

No. 9.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 28TH JULY, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPER.—The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk :—
Agricultural Education.—Accounts of the Trustees of Agricultural Colleges and the Council of Agricultural Education from 1st January, 1890, to 30th June, 1890.
5. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday next :—
Military Reserves Bill—Adjourned debate on second reading.
6. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
7. LAW OF PARTNERSHIP AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The President resumed the Chair, and the Honorable J. Bell reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, this day, again resolve itself into the said Committee.
8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to apply out of the Consolidated Revenue the sum of One million eight hundred and sixty-two thousand nine hundred and fourteen pounds to the service of the Year One thousand eight hundred and ninety-one and ninety-two,*” with which they desire the concurrence of the Legislative Council.
M. H. DAVIES,
Speaker.
Legislative Assembly,
Melbourne, 28th July, 1891.
9. CONSOLIDATED REVENUE BILL (No. 2).—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to apply out of the Consolidated Revenue the sum of One million eight hundred and sixty-two thousand nine hundred and fourteen pounds to the service of the Year One thousand eight hundred and ninety-one and ninety-two,*” be now read a first time. Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time this day.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time. Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council. Debate ensued.
Question—put and resolved in the affirmative.

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

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

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

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill:—

“An Act to apply out of the Consolidated Revenue the sum of One million eight hundred and sixty-two thousand nine hundred and fourteen pounds to the service of the Year One thousand eight hundred and ninety-one and ninety-two.”

Question—put and resolved in the affirmative.

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

10. PETITION.—The Honorable N. FitzGerald presented a Petition from certain Members of the Church of England residing at Maldon, in the colony of Victoria, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours.

Ordered to lie on the Table.

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

The President resumed the Chair, and the Honorable J. Bell having reported that the Committee had agreed to the Bill with amendments, the Council ordered the Report to be taken into consideration on Tuesday next.—Bill, as amended, to be printed.

12. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next:—

Public Service Act Amendment Bill (No. 2)—To be read a second time.

Defences and Discipline Act 1890 Amendment Bill—To be read a second time.

13. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—The Honorable J. M. Davies moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

14. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next.

Supreme Court (Bailiwicks) Bill—To be read a second time.

Medical Practitioners Bill—To be read a second time.

Marriage Act 1890 Amendment Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

National Australasian Convention—To be further considered in Committee.

Legal Profession Practice Bill—To be read a second time.

Companies Act 1890 Amendment Bill—To be read a second time.

And then the Council, at forty-five minutes past nine o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

TUESDAY, 4TH AUGUST, 1891.

Question.

1. The Hon. W. A. ZEAL: To ask the Honorable the Minister of Defence when it is intended to remove the wooden buildings (formerly used as offices and committee-rooms) adjoining the north-east angle of Parliament House, such buildings constituting a standing menace to the main building from the danger by fire.

Government Business.

ORDERS OF THE DAY:—

1. MILITARY RESERVES BILL.—Adjourned debate on second reading.
2. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be read a second time.
3. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
4. LAW OF PARTNERSHIP AMENDMENT BILL.—Consideration of report.
5. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
6. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
7. SUPREME COURT (BAILIWICKS) BILL.—To be read a second time.
8. MEDICAL PRACTITIONERS BILL.—To be read a second time.
9. MARRIAGE ACT 1890 AMENDMENT BILL.—To be read a second time.
10. REGISTRATION OF FIRMS BILL.—To be read a second time.
11. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.

General Business.

NOTICES OF MOTION:—

1. The Hon. W. A. ZEAL: To move, That in the opinion of this House any future appointment to the County Court Bench should be on the condition that the gentleman selected to fill the vacant office reside in some portion of the district to which he is appointed and over which he will have jurisdiction.
2. The Hon. W. A. ZEAL: To move, That an Address be presented to His Excellency the Governor, praying that there be laid before this Council a copy of any Orders or Regulations of the Imperial Government whereby the precedence of Members of Parliament, and particularly of this Council, is determined.

Contingent on the foregoing resolution being passed—

That the following Members be appointed a Committee to forthwith prepare an Address:—The Honorables J. H. Abbott, J. Buchanan, J. H. Connor, H. Gore, D. Melville, J. M. Pratt, A. Wynne, G. Young, and the Mover.

3. The Hon. W. A. ZEAL: To move, That there be laid on the Table of this House a copy of all correspondence between the Mover and the Railway Department with reference to the alleged misconduct of the conductor of an express carriage at Spencer-street, Melbourne, on the evening of Thursday, 26th March last. The names of all persons (other than railway officials) in such correspondence to be described by initial letters only.
4. The Hon. C. SARGEANT: To move, That he have leave to bring in a Bill to amend the Laws relating to Electors and the Election of Members to serve in the Legislative Council.

ORDERS OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
2. LEGAL PROFESSION PRACTICE BILL.—To be read a second time.
3. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 23RD JULY, 1891.

Minutes of the Proceedings of the Legislative Council. No. 8.
 Notices of Motion and Orders of the Day. No. 9.
 Police Offences Act 1890 Amendment Bill.—New Clause by the Hon. W. A. Zeal. (To Members of Council only.)
 Police Offences Statute.—Clause proposed by the Hon. W. A. Zeal. (To Members of Council only.)
 Partnership Bill—[14] (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. No. 12.
 Notices of Motion and Orders of the Day. No. 13.
 Division in Committee of the whole. No. 1.
 Tramways Act Amendment Bill—[10]
 Pensions and Compensation.—Return to an Order of the House. C.—No. 4.
 Refrigerating Cars.—Return to an Order of the House. C.—No. 5.
 First Report of the Printing Committee. D.—No. 2.
 Report upon the Affairs of the Post Office and Telegraph Department for the Year 1890. No. 53.
 Explosives Act 1890—
 Rent and Charges for Storage of Explosives in Powder Magazines, &c. No. 84.
 Rent and Charges for Storage of Explosives. No. 85.
 Inspector of Explosives. No. 86.
 Minor Articles used in Manufacture. Nos. 87, 88, 89, 90, and 91.
 Customs and Excise Duties Act 1890.—Duty on "Crushed Seal." No. 96.
 Fisheries Act 1890.—Notice of Proposed Variation of Proclamation. No. 98.
 Explosives Act 1890.—General Regulations for Powder Magazines. No. 100.
 Education Act 1890.—Alteration of Regulations. Nos. 119 and 120.

VICTORIA.

No. 10.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 4TH AUGUST, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **DECLARATION OF MEMBER.**—The Honorable William Irving Winter-Irving delivered to the Clerk the Declaration required by the thirty-seventh section of the Act 54 Victoria, No. 1075, as hereunder set forth:—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, WILLIAM IRVING WINTER-IRVING, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Five thousand pounds and upwards above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts as hereunder named, and are known as—

| | |
|-------------------------------------|---------------------|
| “Noorilim, in the shire of Waranga. | |
| “Carpenteit, ” | Hampden. |
| “Tirrengower, ” | Colac. |
| “Allotments, ” | Tambo. |
| “Stanhope, ” | Echuca and Waranga. |

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Waranga are rated in the rate-book of such district upon a yearly value of Six thousand three hundred and eighty-one pounds; and that such of the said lands or tenements as are situate in the municipal district of Hampden are rated in the rate-book of such district upon a yearly value of Four hundred and ninety-three pounds; and that such of the said lands or tenements as are situate in the municipal district of Colac are rated in the rate-book of such district upon a yearly value of Three hundred and sixty-three pounds nine shillings; and that such of the said lands or tenements as are situate in the municipal district of Tambo are rated in the rate-book of such district upon a yearly value of Six pounds; and that such of the said lands or tenements as are situate in the municipal district of Echuca and Waranga are rated in the rate-book of such district upon a yearly value of Three thousand one hundred and fifty-seven pounds.

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

“WM. I. WINTER-IRVING.”

5. **PETITIONS.**—The Honorable D. Melville presented a Petition from certain persons praying that the Council would amend the Crimes Act Amendment Bill so as to raise the age of consent for the protection of young girls from fifteen to sixteen years.

Petition read, and ordered to lie on the Table.

The Honorable J. Sternberg presented a Petition from certain members of the Church of England residing at Rushworth and Murchison, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours.

Ordered to lie on the Table.

The Honorable Henry Gore presented a Petition from certain articled clerks of the city of Ballarat, praying that the Council would take steps to prevent the passing of the Legal Profession Practice Bill.

The Honorable James Service presented a Petition from the President, Vice-Presidents, and Members of the Council of the Melbourne Chamber of Commerce, praying that the Council would pass the Legal Profession Practice Bill into law.

The Honorable W. H. Roberts presented a Petition from certain persons, on behalf of members of the Articled Law Clerks' Society of Melbourne in meeting assembled, praying that the Council would reject the Legal Profession Practice Bill.

The Honorable W. A. Zeal presented a Petition from certain attorneys and solicitors of the Supreme Court, praying that the Council would take steps to prevent the passing of the Legal Profession Practice Bill.

The Honorable N. FitzGerald presented a Petition from certain barristers-at-law of the Supreme Court practising in Victoria, praying that the Council would reject the Legal Profession Practice Bill, or refer it to a Committee of the Council, in order that evidence may be heard as to the effect of similar legislation elsewhere.

Severally ordered to lie on the Table, and referred to the Committee of the whole on the Legal Profession Practice Bill.

6. RETURN TO WRIT.—The President announced that he had received a Return to the Writ he had issued for the election of a Member to serve for the North Yarra Province, in the place of the late Honorable James George Beaney, M.D., by which it appeared that William Pitt, Esquire, had been duly returned in pursuance thereof.

7. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read:—

HOPETOUN,

Governor.

Message No. 4.

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

“An Act to apply out of the Consolidated Revenue the sum of One million eight hundred and sixty-two thousand nine hundred and fourteen pounds to the service of the Year One thousand eight hundred and ninety-one and ninety-two.”

Government Offices,
Melbourne, 29th July, 1891.

8. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

The Water Act 1890—

Western Wimmera Irrigation and Water Supply Trust, Wimmera United Waterworks Trust, and proposed Eastern Wimmera Irrigation and Water Supply Trust.—Rights and powers in the waters of the Little Wimmera River and the Yarriambiack Creek specified and set forth.

The Wimmera Shire Council and the Western Wimmera Irrigation and Water Supply Trust.—Application of Municipal Funds for the purpose of paying interest on the liabilities of the Western Wimmera Irrigation and Water Supply Trust.

Friendly Societies—Report of the Registrar of, for the Year 1890.

Mining Surveyors' Fees in portion of Beechworth Mining District.

Fire Brigades Act 1890.—Regulations made by the Governor in Council from the commencement of the Act to the 31st July, 1891.

9. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Tuesday, 18th August inst.:—

Military Reserves Bill.—Adjourned debate on second reading.

10. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—The Honorable J. M. Davies moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

11. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

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

Law of Partnership Amendment Bill—Consideration of Report.

13. LAW OF PARTNERSHIP AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for the reconsideration of clauses 7, 37, 40, 41, and 46.

Question—put and resolved in the affirmative.

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

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

14. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

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

15. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—

Defences and Discipline Act 1890 Amendment Bill—To be read a second time.

Supreme Court (Bailiwicks) Bill—To be read a second time.

Medical Practitioners Bill—To be read a second time.

Marriage Act 1890 Amendment Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

National Australasian Convention—To be further considered in Committee.

Bills of Sale Law Amendment Bill—To be read a second time.

16. POSTPONEMENT OF ORDER OF THE DAY.—The Honorable G. Young moved, That the Order of the Day for the second reading of the Legal Profession Practice Bill be postponed until Wednesday, 12th August inst.

Debate ensued.

Question—put and resolved in the affirmative.

17. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until to-morrow :—

Companies Act 1890 Amendment Bill—To be read a second time.

And then the Council, at ten o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

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LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

WEDNESDAY, 5TH AUGUST, 1891.

General Business.

NOTICES OF MOTION :—

1. The Hon. N. FITZGERALD : To move, That there be laid on the Table of this House a return of all the postmasters who had residences free prior to passing of Act No. 773, Public Service Act, with names and amounts stopped yearly from their salaries by way of rent, and the total sum in each case since that Act came into operation up to 30th June last.
2. The Hon. W. A. ZEAL : To move, That in the opinion of this House any future appointment to the County Court Bench should be on the condition that the gentleman selected to fill the vacant office reside in some portion of the district to which he is appointed and over which he will have jurisdiction.
3. The Hon. W. A. ZEAL : To move, That an Address be presented to His Excellency the Governor, praying that there be laid before this Council a copy of any Orders or Regulations of the Imperial Government whereby the precedence of Members of Parliament, and particularly of this Council, is determined.

Contingent on the foregoing resolution being passed—

That the following Members be appointed a Committee to forthwith prepare an Address :—The Honorables J. H. Abbott, J. Buchanan, J. H. Connor, H. Gore, D. Melville, J. M. Pratt, A. Wynne, G. Young, and the Mover.

4. The Hon. W. A. ZEAL : To move, That there be laid on the Table of this House a copy of all correspondence between the Mover and the Railway Department with reference to the alleged misconduct of the conductor of an express carriage at Spencer-street, Melbourne, on the evening of Thursday, 26th March last. The names of all persons (other than railway officials) in such correspondence to be described by initial letters only.
5. The Hon. C. SARGEANT : To move, That he have leave to bring in a Bill to amend the Laws relating to Electors and the Election of Members to serve in the Legislative Council.
6. The Hon. H. CUTHBERT : To move, That the Council be called on Wednesday next to consider the Legal Profession Practice Bill.

ORDERS OF THE DAY :—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
2. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.

Government Business.

NOTICE OF MOTION :—

1. The Hon. J. M. DAVIES : To move, That in pursuance of the Act of Parliament No. 1105, section 177, an Address be presented to His Excellency the Governor, praying that a Court of General Sessions of the Peace may be held at Mildura.

ORDERS OF THE DAY :—

1. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
2. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
3. SUPREME COURT (BAILIWICKS) BILL.—To be read a second time.
4. MEDICAL PRACTITIONERS BILL.—To be read a second time.
5. MARRIAGE ACT 1890 AMENDMENT BILL.—To be read a second time.
6. REGISTRATION OF FIRMS BILL.—To be read a second time.
7. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.

TUESDAY, 11TH AUGUST.

Government Business.

ORDERS OF THE DAY :—

1. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be further considered in Committee.
2. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
3. LAW OF PARTNERSHIP AMENDMENT BILL.—Consideration of Report.

WEDNESDAY, 12TH AUGUST.

General Business.

ORDER OF THE DAY:—

1. LEGAL PROFESSION PRACTICE BILL.—To be read a second time.

TUESDAY, 18TH AUGUST.

Government Business.

ORDER OF THE DAY:—

1. MILITARY RESERVES BILL.—Adjourned debate on second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 30TH JULY, 1891.

Minutes of the Proceedings of the Legislative Council. No. 9.

Notices of Motion and Orders of the Day. No. 10.

Partnership Bill—[14] (To Members of Council only.)

Companies Bill—[42]

Crimes Act 1890 Amendment Bill.—New Clause by the Hon. D. Melville. (To Members of Council only.)

Legal Profession Practice Bill—

New Clauses by the Hon. J. H. Abbott. (To Members of Council only.)

New Clause by the Hon. W. A. Zeal. (To Members of Council only.)

Law of Partnership Amendment Bill.—New Clause by the Hon. A. Wynne. (To Members of Council only.)

Police Offences Act 1890 Amendment Bill.—New Clause by the Hon. J. Bell. (To Members of Council only.)

Public Service Amendment Bill.—Amendment by the Hon. H. Cuthbert. (To Members of Council only.)

 Votes and Proceedings of the Legislative Assembly. Nos. 14 and 15.

Notices of Motion and Orders of the Day. No. 16.

Land Sales Fund Bill—[54]

Estimates of the Revenue and Expenditure for the Year ending 30th June, 1892. B.—No. 11. (Issue completed.)

The Water Act 1890—

The Western Wimmera Irrigation and Water Supply Trust.—Regulation. No. 3.

Swan Hill Irrigation and Water Supply Trust.—Further Loan. No. 12.

Regulations for the Victorian Military Forces.—Alterations and Additions. No. 23.

Mines Act 1890.—General Rules. No. 29.

The Water Act 1890.—Koondrook Irrigation and Water Supply Trust.—Further Loan. No. 34.

Mines Act 1890.—Fees in Courts of Mines. No. 36.

Regulations for Victorian Volunteer Cadet Corps (Revised). No. 46.

Melbourne Harbor Trust.—The Accounts for the Year ended 31st December, 1890. No. 67.

Reports of the Inspectors of Explosives on the working of the Explosives Act during the Year 1890. No. 77.

Explosives Act 1890.—List of Explosives authorized for Importation into and Manufacture in Victoria. No. 122.

The Water Act 1890.—Western Wimmera Irrigation and Water Supply Trust.—Order in Council arranging Liabilities. No. 123.

VICTORIA.

No. 11.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 5TH AUGUST, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **NEW MEMBER.**—The Honorable William Pitt, being introduced, took and subscribed the oath required by law, and delivered to the Clerk the Declaration required by the thirty-seventh section of the Act No. 1075, as hereunder set forth :—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, WILLIAM PITT, of Trenerly-crescent, Collingwood, in the colony of Victoria, architect, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Collingwood, Williamstown, and Berwick, and are known as land, Trenerly-crescent, Collingwood, aforesaid, and land, High-street, Newport, in the municipal district of Williamstown.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Collingwood are rated in the rate-book of such district upon a yearly value of One hundred pounds, and that such of the said lands or tenements as are situate in the municipal district of Williamstown are rated in the rate-book of such district upon a yearly value of Thirty-three pounds, and that such of the said lands or tenements as are situate in the municipal district of Berwick are rated in the rate-book of such district upon a yearly value of Thirty-two pounds.

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

“WILLIAM PITT.”

5. **PAPERS.**—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—

Statistical Register of the Colony of Victoria for the Year 1890.—Part III.—Interchange.

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

The Wattles Act 1890.—Issue of Leases under Section 10.

Fisheries Act 1890.—Notice of Intention to Vary Proclamation defining the mouth of the River Barwon.

Customs and Excise Duties Act 1890.—Minor Articles used in Manufacture.—Tughooks and Gas-fittings.

6. **PETITIONS.**—The following Petitions, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours, were presented as under :—

By the Honorable Dr. Dobson—

From certain members of the Church of England residing at Balwyn or Canterbury.

By the Honorable J. M. Davies—

From certain adult members of the Church of England residing at East Kew.

By the Honorable W. A. Zeal—

From certain members of the Church of England residing at Taradale.

Severally ordered to lie on the Table.

7. APPOINTMENTS TO COUNTY COURT BENCH.—The Honorable W. A. Zeal moved, That in the opinion of this House any future appointment to the County Court Bench should be on the condition that the gentleman selected to fill the vacant office reside in some portion of the district to which he is appointed and over which he will have jurisdiction.
Debate ensued.
Question—put and resolved in the affirmative.
8. POSTMASTERS.—The Honorable N. FitzGerald moved, pursuant to amended notice, That there be laid on the Table of this House a Return of all the postmasters who had residences free prior to passing of Act No. 773, Public Service Act, with the salaries received by each on the 31st December, 1884; the salaries fixed under Act No. 773 by the Public Service Board on the 1st February, 1885; the amount deducted for rent; the net salaries received after such deductions each year from that date to June 30, 1891; and the effect of the system under Act 773 upon the classification of the offices.
Debate ensued.
Question—put and resolved in the affirmative.
9. PRECEDENCE OF MEMBERS OF PARLIAMENT.—The Honorable W. A. Zeal moved, That an Address be presented to His Excellency the Governor, praying that there be laid before this Council a copy of any Orders or Regulations of the Imperial Government whereby the precedence of Members of Parliament, and particularly of this Council, is determined.
Debate ensued.
Question—put and resolved in the affirmative.
10. MISCONDUCT OF CONDUCTOR IN RAILWAY DEPARTMENT.—The Honorable W. A. Zeal moved, That there be laid on the Table of this House a copy of all Correspondence between the Mover and the Railway Department with reference to the alleged misconduct of the conductor of an express carriage at Spencer-street, Melbourne, on the evening of Thursday, 26th March last. The names of all persons (other than railway officials) in such correspondence to be described by initial letters only.
Debate ensued.
Question—put and resolved in the affirmative.
11. LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—The Honorable C. Sargeant moved, That he have leave to bring in a Bill to amend the Law relating to Electors and elections of Members to serve in the Legislative Council.
Question—put and resolved in the affirmative.
Ordered—That the Honorable C. Sargeant do prepare and bring in the Bill.
The Honorable C. Sargeant then brought up a Bill intituled "*A Bill to amend the Law relating to Electors and elections of Members to serve in the Legislative Council,*" and moved that it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Wednesday next.
12. CALL OF THE HOUSE.—The Honorable H. Cuthbert moved, pursuant to amended notice, That the Council be called on Wednesday the 19th August instant, to consider the Legal Profession Practice Bill.
Debate ensued.
Question—put and resolved in the affirmative.
13. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday next:—
Bills of Sale Law Amendment Bill—To be read a second time.
14. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday, 19th August inst.:—
Companies Act 1890 Amendment Bill—To be read a second time.
15. GENERAL SESSIONS OF THE PEACE, MILDURA.—The Honorable J. M. Davies moved, That in pursuance of the Act of Parliament No. 1105, section 177, an Address be presented to His Excellency the Governor, praying that a Court of General Sessions of the Peace may be held at Mildura.
Question—put and resolved in the affirmative.
The Honorable J. M. Davies moved, That the following be the Address:—
To His Excellency the Right Honorable JOHN ADRIAN LOUIS, Earl of Hopetoun, Viscount Aithrie, and Baron Hope in the Peerage of Scotland; Baron Hopetoun of Hopetoun, and Baron Niddry of Niddry Castle in the Peerage of the United Kingdom; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.
- MAY IT PLEASE YOUR EXCELLENCY—
We, the Legislative Council of Victoria, in Parliament assembled, pray that a Court of General Sessions of the Peace may be held at Mildura.
Question—put and resolved in the affirmative.
The Honorable J. M. Davies moved, That the Address be transmitted to the Legislative Assembly with a Message desiring their concurrence therewith.
Question—put and resolved in the affirmative.

16. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next:—

Crimes Act 1890 Amendment Bill (No. 2)—To be further considered in Committee.

Defences and Discipline Act 1890 Amendment Bill—To be read a second time.

Supreme Court (Bailiwicks) Bill—To be read a second time.

Medical Practitioners Bill—To be read a second time.

Marriage Act 1890 Amendment Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

National Australasian Convention—To be further considered in Committee.

17. **ADJOURNMENT.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at fifty-four minutes past nine o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author outlines the various methods used to collect and analyze the data. This includes both primary and secondary data collection techniques. The primary data was gathered through direct observation and interviews, while secondary data was obtained from existing reports and databases.

The third part of the document details the statistical analysis performed on the collected data. Various statistical tests were used to determine the significance of the findings. The results indicate a strong correlation between the variables being studied, which supports the hypothesis of the research.

Finally, the document concludes with a summary of the key findings and their implications. It suggests that the current findings have important implications for the field and provides recommendations for further research. The author also acknowledges the limitations of the study and offers suggestions for how these can be addressed in future work.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

TUESDAY, 11TH AUGUST, 1891.

Government Business.

ORDERS OF THE DAY:—

1. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be further considered in Committee.
 2. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
 3. LAW OF PARTNERSHIP AMENDMENT BILL.—Consideration of Report.
 4. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
 5. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
 6. SUPREME COURT (BAILIWICKS) BILL.—To be read a second time.
 7. MEDICAL PRACTITIONERS BILL.—To be read a second time.
 8. MARRIAGE ACT 1890 AMENDMENT BILL.—To be read a second time.
 9. REGISTRATION OF FIRMS BILL.—To be read a second time.
 10. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
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WEDNESDAY, 12TH AUGUST.

General Business.

ORDERS OF THE DAY:—

1. LEGAL PROFESSION PRACTICE BILL.—To be read a second time.
 2. LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—To be read a second time.
 3. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
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TUESDAY, 18TH AUGUST.

Government Business.

ORDER OF THE DAY:—

1. MILITARY RESERVES BILL.—Adjourned debate on second reading.
-

WEDNESDAY, 19TH AUGUST.

General Business.

ORDERS OF THE DAY:—

1. THE COUNCIL TO BE CALLED.
2. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 5TH AUGUST, 1891.

Notices of Motion and Orders of the Day. No. 11.

Votes and Proceedings of the Legislative Assembly. No. 16.

Notices of Motion and Orders of the Day. No. 17.

Centennial International Exhibition, Melbourne, 1888.—Report of the Executive Commissioners, &c.
No. 102.

Report of the Registrar of Friendly Societies for the year 1890. No. 109.

Loddon United Waterworks Trust.—Additional Loan for £1,000. No. 117.

Customs and Excise Duties Act 1890.—Minor Articles used in Manufacture. Nos. 125 and 127.

Factors of Labor and Capital of the Firm

[The following text is extremely faint and illegible, appearing to be a list or table of factors.]

VICTORIA.

No. 12.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 11TH AUGUST, 1891.

- 1. The Council met in accordance with adjournment.
- 2. The President took the Chair.
- 3. The President read the Prayer.
- 4. DECLARATION OF MEMBER.—The Honorable William Edward Stanbridge delivered to the Clerk the Declaration required by the thirty-seventh section of the Act 54 Victoria, No. 1075, as hereunder set forth :—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, WILLIAM EDWARD STANBRIDGE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and forty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situated in the municipal district of Daylesford, and are known as allotment 4 of section 6, township of Daylesford.

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

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

“W. E. STANBRIDGE.”

- 5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Department for Neglected Children and Reformatory Schools.—Report of the Secretary for the Year 1890.
 - Trade Unions—Fifth Annual Report of the Proceedings of the Government Statist in connexion with.—Report for the Year 1890, with an Appendix.
 - The Constitution Act Amendment Act 1890, Part IX.—Statement of Appointments or Transfers to Offices of Parliament, and of Alterations of Classification made between the 31st July, 1890, and the 30th June, 1891, under the authority of this Act.
- 6. PETITION.—The Honorable N. Thornley presented a Petition signed by William Crooke, styling himself chairman, and William J. Casey, styling himself secretary, for and on behalf of seven teachers under the Education Department registered for transfer to the Clerical division of the Public Service, praying that the House, in dealing with the Public Service Act Amendment Bill, would not destroy the rights of the petitioners as set forth in clause 49 of the *Public Service Act* 1890. Ordered to lie on the Table, and to be referred to the Committee of the whole House on the Public Service Act Amendment Bill.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the ‘Fire Brigades Act 1890,’*” with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

8. **FIRE BRIGADES ACT 1890 AMENDMENT BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to amend the ‘Fire Brigades Act 1890,’*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday next.
9. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the ‘Mines Act 1890,’*” with which they desire the concurrence of the Legislative Council.
M. H. DAVIES,
Speaker.
Legislative Assembly,
Melbourne, 11th August, 1891.
10. **MINES ACT 1890 AMENDMENT BILL.**—The Honorable J. Sternberg moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to amend the ‘Mines Act 1890,’*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Wednesday, 19th August inst.
11. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until this day :—
Public Service Act Amendment Bill (No. 2)—To be further considered in Committee.
Police Offences Act 1890 Amendment Bill—To be further considered in Committee.
12. **LAW OF PARTNERSHIP AMENDMENT BILL.**—On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, read a third time and passed.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—
“*An Act to declare and amend the Law of Partnership.*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therein.
13. **PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
14. **POLICE OFFENCES ACT 1890 AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with amendments, the Council ordered the same to be taken into consideration on Tuesday next.—Bill, as amended, to be printed.
15. **CRIMES ACT 1890 AMENDMENT BILL (No. 2).**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
16. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Defences and Discipline Act 1890 Amendment Bill—To be read a second time.
Supreme Court (Bailiwicks) Bill—To be read a second time.
Medical Practitioners Bill—To be read a second time.
Marriage Act 1890 Amendment Bill—To be read a second time.
Registration of Firms Bill—To be read a second time.
National Australasian Convention—To be further considered in Committee.
17. **ADJOURNMENT.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.

And then the Council, at fifty-nine minutes past nine o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

TUESDAY, 18TH AUGUST, 1891.

Government Business.

ORDERS OF THE DAY:—

1. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. FIRE BRIGADES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be further considered in Committee.
4. MARRIAGE ACT 1890 AMENDMENT BILL.—To be read a second time.
5. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
6. MEDICAL PRACTITIONERS BILL.—To be read a second time.
7. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
8. SUPREME COURT (BAILLIWICKS) BILL.—To be read a second time.
9. REGISTRATION OF FIRMS BILL.—To be read a second time.
10. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
11. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

NOTICE OF MOTION:—

1. The Hon. H. CUTHBERT: To move, That a Return be laid on the Table of the House of all officers in the Public Service appointed under Act No. 160 who have retired from the service since the passing of *The Public Service Act 1883* to 1st May 1891 on a superannuation allowance, giving their names, date of retiring, amount of salary, amount of superannuation allowance, and setting forth the basis on which the allowance has been calculated in each case. If the basis of calculation has not been uniform, distinguish those cases where the allowance has been fixed on the gross salary, and those where a deduction has been made for quarters.

ORDERS OF THE DAY:—

1. LEGAL PROFESSION PRACTICE BILL.—To be read a second time.
 2. LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—To be read a second time.
 3. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
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WEDNESDAY, 19TH AUGUST.

General Business.

ORDERS OF THE DAY:—

1. THE COUNCIL TO BE CALLED.
2. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 6TH AUGUST, 1891.

Minutes of the Proceedings of the Legislative Council. No. 11.
 Notices of Motion and Orders of the Day. No. 12.
 Mines Bill—[49] (To Members of Council only.)
 Fire Brigades Bill—[51] (To Members of Council only.)
 Legislative Council Elections Bill—[62]
 Crimes Act 1890 Amendment Bill (No. 2).—New Clauses by the Hon. D. Melville. (To Members of Council only.)
 Public Service Act Amendment Bill (No. 2).—Amendment by the Hon. J. M. Davies. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 17 and 18.
 Notices of Motion and Orders of the Day. No. 19.
 Division in Committee of the whole. No. 2.
 Thistles Law Amendment Bill.—Amendment to be proposed by Mr. L. L. Smith. (To Members only.)
 Dismissal of Employés from the Railway Workshops.—Return to an Order of the House. C.—No. 6.
 Statistical Register of the Colony of Victoria for the Year 1890.—Part III.—Interchange. No. 68.
 Fire Brigades Act 1890.—Regulations made by the Governor in Council. No. 103.
 The Water Act 1890—
 Marquis Hill Irrigation and Water Supply Trust.—Minimum Amount of Annual Rates. No. 116.
 Western Wimmera Irrigation and Water Supply Trust, Wimmera United Waterworks Trust, and proposed Eastern Wimmera Irrigation and Water Supply Trust.—Rights and Powers in the waters of the Little Wimmera River and the Yarriambiack Creek specified and set forth. No. 131.
 Fisheries Act 1890.—Notice of Intention to vary Proclamation. No. 133.
 Customs and Excise Duties Act 1890.—Minor Articles used in Manufacture. No. 134.
 The Water Act 1890.—The Wimmera Shire Council and the Western Wimmera Irrigation and Water Supply Trust.—Application of Municipal Funds, &c. No. 136.
 Mining Surveyors' Fees. No. 137.

VICTORIA.

No. 13.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 18TH AUGUST, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **SUBSTITUTED DECLARATION OF MEMBER.**—The Honorable J. M. Davies delivered to the Clerk the following Declaration, viz.:—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, JOHN MARK DAVIES, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Two hundred and forty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Lilydale, and are known as Crown allotments fifty-six, fifty-seven, and fifty-eight, parish of Wandin Yallock, county of Evelyn, containing six hundred and twenty-five acres and twenty perches or thereabouts.

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

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

“JNO. M. DAVIES.”

5. **PAPERS.**—The Honorable Lieut.-Col. Sir F. T. Sargood presented—

Postmasters.—Return to an Order of the Legislative Council, dated 5th August instant, for a Return of all the Postmasters who had residences free prior to passing of Act No. 773, Public Service Act, with the salaries received by each on the 31st December, 1884; the salaries fixed under Act No. 773 by the Public Service Board on the 1st February, 1885; the amount deducted for rent; the net salaries received after such deductions each year from that date to June 30, 1891; and the effect of the system under Act 773 upon the Classification of the offices.

Misconduct of Conductor in Railway Department.—Return to an Order of the Legislative Council, dated 5th August instant, for a copy of all Correspondence between the Mover and the Railway Department with reference to the alleged misconduct of the conductor of an express carriage at Spencer-street, Melbourne, on the evening of Thursday, 26th March last. The names of all persons (other than railway officials) in such correspondence to be described by initial letters only.

Severally ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

Mines Act 1890.—Alteration of Regulations.

Water Act 1890—

Euroa Waterworks Trust.—Application for Additional Loan of £122.—Detailed Statement and Report.

Murchison Waterworks Trust.—Application for Additional Loan of £400.—Detailed Statement and Report.

Campaspe Irrigation and Water Supply Trust.—Loan of £21,000.

North Boort Irrigation and Water Supply Trust.—Loan of £1,600.

Public Service Act 1890.—Alterations of Regulations.

The Constitution Act Amendment Act 1890—Part IX.—Statement of Appointment made in the Department of the Legislative Council.

6. PETITIONS.—The Honorable Sir W. J. Clarke, Bart., presented a Petition from the Council of the University of Melbourne, under the common seal of the said University, praying that the Council would reject the Legal Profession Practice Bill.

Petition read, ordered to lie on the Table, and referred to the Committee of the whole Council on the Legal Profession Practice Bill.

The Honorable D. Melville presented a Petition from certain persons, praying that the Council would amend the Crimes Act Amendment Bill so as to raise the age of consent for the protection of young girls to sixteen years.

The following Petitions, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours, were presented as under :—

By the Honorable S. Austin—

From certain members of the Church of England residing at Portarlington.

From certain members of the Church of England residing at Inverleigh and Murgheboluc.

Severally ordered to lie on the Table.

The Honorable Lieut.-Col. Sir F. T. Sargood presented a Petition from B. Sniders, styling himself President, on behalf of the office-bearers and members of council of "The Victorian Chamber of Manufactures," in favour of the Legal Profession Practice Bill.

Petition read, ordered to lie on the Table, and referred to the Committee of the whole Council on the Legal Profession Practice Bill.

7. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read :—

STATUS OF MEMBERS OF THE EXECUTIVE COUNCIL—CORRESPONDENCE RELATIVE TO.

HOPETOUN,

Governor.

Message No. 5.

In reply to the Address from the Legislative Council of Victoria, the Governor transmits a copy of all confidential Despatches in his possession having reference to the Status of Members of the Executive Council of Victoria.

Government House,

Melbourne, 17th August, 1891.

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

8. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read :—

HOPETOUN,

Governor.

Message No. 6.

In reply to the Address requesting "a copy of any Orders or Regulations of the Imperial Government whereby the precedence of Members of Parliament, and particularly of this Council, is determined," the Governor begs to inform the Legislative Council of Victoria that there are no rules or regulations upon the subject further than what is mentioned in the Governor's replies to the Addresses which have been presented to him from the Council upon the questions of precedence (see Parliamentary Paper B.—No. 38 of 1890) and Status of Executive Councillors—the reply to which bears date the 17th August, 1891.

Government House,

Melbourne, 17th August, 1891.

Ordered to lie on the Table.

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

Police Offences Act 1890 Amendment Bill.—Consideration of Report.

10. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—The Honorable J. M. Davies moved, That this Bill be re-committed to a Committee of the whole Council for the re-consideration of clause 6 and new clause E.

Question—put and resolved in the affirmative.

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

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

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

MR. PRESIDENT—

The Legislative Assembly acquaint the Legislative Council that they concur with the Legislative Council in adopting the accompanying Address to His Excellency the Governor, praying that a Court of General Sessions of the Peace may be held at Mildura ; and that the Legislative Assembly have filled up the blank with the words "and the Legislative Assembly."

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 18th August, 1891.

12. FIRE BRIGADES ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable Dr. Dobson, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the same to be taken into consideration this day.
 On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, read a third time and passed.
 The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill:—
 “An Act to amend the ‘Fire Brigades Act 1890.’”
 Question—put and resolved in the affirmative.
 Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
13. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until this day:—
Public Service Act Amendment Bill (No. 2)—To be further considered in Committee.
14. MARRIAGE ACT 1890 AMENDMENT BILL.—The Honorable C. J. Ham moved, That this Bill be now read a second time.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable C. J. Ham moved, That this Bill be now committed to a Committee of the whole Council.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable C. J. Ham, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
 Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
15. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
 Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
16. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
 Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
17. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next:—
Medical Practitioners Bill—To be read a second time.
Defences and Discipline Act 1890 Amendment Bill—To be read a second time.
Supreme Court (Bailiwicks) Bill—To be read a second time.
Registration of Firms Bill—To be read a second time.
National Australasian Convention—To be further considered in Committee.
Military Reserves Bill—Adjourned debate on second reading.
18. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow:—
Legal Profession Practice Bill—To be read a second time.
Legislative Council Election Laws Amendment Bill—To be read a second time.
Bills of Sale Law Amendment Bill—To be read a second time.

And then the Council, at five minutes past ten o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
 Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

WEDNESDAY, 19TH AUGUST, 1891.

Question.

1. The Hon. J. H. CONNOR: To ask the Honorable the Minister of Defence if it is the intention of the Government to prospect the forest country between Colac and Apollo Bay for coal and other minerals by boring with diamond drills; and if so, when.

General Business.

ORDERS OF THE DAY:—

1. THE COUNCIL TO BE CALLED.
2. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.
4. LEGAL PROFESSION PRACTICE BILL.—To be read a second time.
5. LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—To be read a second time.
6. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.

TUESDAY, 25TH AUGUST.

Question.

1. The Hon. D. MELVILLE: To call the attention of the Honorable the Minister of Defence to the alarming development of the "Free pass" system on the Victorian Railways.

Government Business.

NOTICE OF MOTION:—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD: To move, That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the whole question be referred to the Standing Orders Committee for inquiry and report.

ORDERS OF THE DAY:—

1. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be further considered in Committee.
3. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
4. SUPREME COURT (BAILIWICKS) BILL.—To be read a second time.
5. MARRIAGE ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
6. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
7. MEDICAL PRACTITIONERS BILL.—To be read a second time.
8. REGISTRATION OF FIRMS BILL.—To be read a second time.
9. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
10. MILITARY RESERVES BILL.—Adjourned debate on second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 12TH AUGUST, 1891.

Minutes of the Proceedings of the Legislative Council. No. 12.
 Notices of Motion and Orders of the Day. No. 13.
 Police Offences Amendment Bill—[3]
 As reported 11th August, 1891. (To Members of Council only.)
 As re-reported 18th August, 1891. (To Members of Council only.)
 Defences and Discipline Bill—[16]
 Crimes Act 1890 Amendment Bill.—Clause proposed by the Hon. H. Cuthbert. (To Members of Council only.)
 Legal Profession Practice Bill.—Petitions. E 1, E 2, E 3, E 4, E 5, E 6, and E 7.

Votes and Proceedings of the Legislative Assembly. Nos. 18, 19, and 20.
 Notices of Motion and Orders of the Day. No. 21.
 Division in Committee of the whole. No. 3.
 Libraries Amendment Bill—[46]
 The A. U. Alcock Electric Light and Motive Power Company's Bill—
 Petition of the Metropolitan Gas Company. (To Members of Assembly only.)
 Petition of the City Corporation. (To Members of Assembly only.)
 The Constitution Act Amendment Act 1890—Part IX.—Statement of Appointments, &c. No. 118.
 Department for Neglected Children and Reformatory Schools.—Report of the Secretary for the Year 1890, No. 121.

VICTORIA.

No. 14.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 19TH AUGUST, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITION.—The Honorable J. Service presented a Petition from certain merchants and traders of the City of Melbourne, praying that the Council would assist in passing the Legal Profession Practice Bill into law.
Petition read, ordered to lie on the Table, and referred to the Committee of the whole Council on the Legal Profession Practice Bill.
5. PAPER.—The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk :—
Bank Liabilities and Assets.—Summary of Sworn Returns for the Quarter ended 30th June, 1891.
6. CALL OF THE COUNCIL.—The Order of the Day—The Council to be called—having been read, the names of the Members were called over by the Clerk, when all the Members answered with the exception of the Honorables Henry Gore, David Ham, William Henry Seville Osmand, William Pearson, William Edward Stanbridge; and these Members having been severally called a second time, were excused from attending the Council this day.
7. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Wednesday, 2nd September next :—
Companies Act 1890 Amendment Bill—To be read a second time.
Mines Act 1890 Amendment Bill—To be read a second time.
8. LEGAL PROFESSION PRACTICE BILL.—The Honorable G. Young moved, That this Bill be now read a second time.
Debate ensued.
9. ABSENCE OF THE PRESIDENT.—The Clerk having informed the Council that the Honorable the President was unavoidably absent—the Honorable Dr. Dobson, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, was chosen to fill, temporarily, the office of President.
The Honorable Dr. Dobson took the Chair.
10. LEGAL PROFESSION PRACTICE BILL.—Debate resumed on the question—That this Bill be now read a second time.
The Honorable W. A. Zeal moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Wednesday next.
11. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.

And then the Council, at fifty-five minutes past nine o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

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LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

TUESDAY, 25TH AUGUST, 1891.

Question.

1. The Hon. D. MELVILLE: To call the attention of the Honorable the Minister of Defence to the alarming development of the "Free pass" system on the Victorian Railways.

Government Business.

NOTICE OF MOTION:—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD: To move, That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the whole question be referred to the Standing Orders Committee for inquiry and report.

ORDERS OF THE DAY:—

1. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be further considered in Committee.
3. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
4. SUPREME COURT (BAILIWICKS) BILL.—To be read a second time.
5. MARRIAGE ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
6. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
7. MEDICAL PRACTITIONERS BILL.—To be read a second time.
8. REGISTRATION OF FIRMS BILL.—To be read a second time.
9. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
10. MILITARY RESERVES BILL.—Adjourned debate on second reading.

WEDNESDAY, 26TH AUGUST.

General Business.

ORDERS OF THE DAY:—

1. LEGAL PROFESSION PRACTICE BILL.—Adjourned debate on second reading.
2. LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—To be read a second time.
3. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.

WEDNESDAY, 2ND SEPTEMBER.

General Business.

ORDERS OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
2. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 19TH AUGUST, 1891.

Notices of Motion and Orders of the Day. No. 14.

Public Service Amendment Bill.—New Clause to be proposed by the Hon. A. Wynne. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 22.

Partnership Bill—[14] (To Members only.)

Murchison Waterworks Trust.—Application for Additional Loan of £400. No. 126.

Euroa Waterworks Trust.—Application for Additional Loan of £122. No. 130.

Mines Act 1890.—Alteration of Regulations. No. 140.

The Water Act 1890—

North Boort Irrigation and Water Supply Trust.—Loan of £1,600. No. 141.

Campaspe Irrigation and Water Supply Trust.—Loan of £21,000. No. 142.

By Authority: ROBT. S. BRAIN, Government Printer, Melbourne.

VICTORIA.

No. 15.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 25TH AUGUST, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do now adjourn.
Question—put and resolved in the affirmative.

And then the Council, at thirty-five minutes past four o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

WEDNESDAY, 26TH AUGUST, 1891.

Question.

1. The Hon. D. MELVILLE: To call the attention of the Honorable the Minister of Defence to the alarming development of the "Free pass" system on the Victorian Railways.

General Business.

ORDERS OF THE DAY:—

1. LEGAL PROFESSION PRACTICE BILL.—Adjourned debate on second reading.
2. LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—To be read a second time.
3. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.

Government Business.

NOTICE OF MOTION:—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD: To move, That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the whole question be referred to the Standing Orders Committee for inquiry and report.

ORDERS OF THE DAY:—

1. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be further considered in Committee.
3. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
4. SUPREME COURT (BAILIWICKS) BILL.—To be read a second time.
5. MARRIAGE ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
6. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
7. MEDICAL PRACTITIONERS BILL.—To be read a second time.
8. REGISTRATION OF FIRMS BILL.—To be read a second time.
9. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
10. MILITARY RESERVES BILL.—Adjourned debate on second reading.

WEDNESDAY, 2ND SEPTEMBER.

General Business.

ORDERS OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
2. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Wednesday, 26th August.

REFRESHMENT ROOMS (JOINT)—at three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 20TH AUGUST, 1891.

Minutes of the Proceedings of the Legislative Council. No. 14.

Notices of Motion and Orders of the Day. No. 15.

Postmasters.—Return to an Order of the Legislative Council. C 1.

Votes and Proceedings of the Legislative Assembly. No. 23.

Notices of Motion and Orders of the Day. No. 24.

Divisions in Committee of the whole. No. 4.

Australasian Federation.—“Draft of a Bill to Constitute the Commonwealth of Australia”—

Amendments to be proposed by Captain Taylor. (To Members only.)

Amendments to be proposed by Sir B. O’Loughlen. (To Members only.)

Report from the Select Committee of the Legislative Assembly upon the St. James’ Church Lands Bill.
(To Members of Assembly only.)

Fifth Annual Report of the Proceedings of the Government Statist in connexion with Trade Unions.
No. 129.

Public Service Act 1890.—Alterations of Regulations. No. 138.

Customs and Excise Duties Act 1890.—Minor Articles used in Manufacture. Nos. 143 and 144.

VICTORIA.

No. 16.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 26TH AUGUST, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **DECLARATION OF MEMBER.**—The Honorable Thomas Brunton delivered to the Clerk the Declaration required by the thirty-seventh section of the Act 54 Victoria, No. 1075, as hereunder set forth:—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, THOMAS BRUNTON, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Seven hundred and seventy-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Essendon, and are known as—

“Roxburgh, Ascot Vale,

“Bloomfield-road,

“St. Leonard’s-road,

“Roxburgh-street.

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

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

“THOMAS BRUNTON.”

5. **PETITIONS.**—The following Petitions, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours, were presented as under:—

By the Honorable S. Austin—

From certain members of the Church of England residing at Geelong.

From certain members of the Church of England residing at All Saints’, Geelong.

From certain members of the Church of England residing at St. Paul’s, Geelong.

Severally ordered to lie on the Table.

The Honorable Sir B. Benjamin presented a Petition from John Peacock, styling himself chairman of a meeting of State school teachers held on the 22nd August instant, against the Public Service Act Amendment Bill so far as regards the provisions of clause 19 and new clause A.

Ordered to lie on the Table, and referred to the Committee of the whole Council on the Public Service Act Amendment Bill.

6. **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.**—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read:—

HOPETOUN,

Governor.

Message No. 7.

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

“An Act to amend the ‘Fire Brigades Act 1890.’”

Government Offices,

Melbourne, 24th August, 1891.

7. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Water Act 1890—

Bacchus Marsh Irrigation and Water Supply Trust.—Application for a Further Loan of £3,000.—Detailed Statement.

Harcourt Irrigation and Water Supply Trust.—Loan of £400.

Customs and Excise Duties Act 1890—

Minor Articles used in Manufacture.—Castors.

Minor Articles used in Manufacture.—Hat Linings when sewn together.

Report of the Council of Defence.

Report of the Trustees of the Public Library, Museums, and National Gallery of Victoria for 1890, with a Statement of Income and Expenditure for the Financial Year 1889–90.

8. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time—having been read,
Debate resumed.

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

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

Ordered—That the debate be adjourned until Wednesday next.

9. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the following Orders of the Day be postponed until Wednesday next :—

Legislative Council Election Laws Amendment Bill—To be read a second time.

Bills of Sale Law Amendment Bill—To be read a second time.

10. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the following Orders of the Day be postponed until Tuesday next :—

Police Offences Act 1890 Amendment Bill—Consideration of Report.

Public Service Act Amendment Bill (No. 2)—To be further considered in Committee.

Crimes Act 1890 Amendment Bill (No. 2)—To be further considered in Committee.

Supreme Court (Bailiwicks) Bill—To be read a second time.

Marriage Act 1890 Amendment Bill—To be further considered in Committee.

Defences and Discipline Act 1890 Amendment Bill—To be read a second time.

Medical Practitioners Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

National Australasian Convention—To be further considered in Committee.

Military Reserves Bill—Adjourned debate on second reading.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the ‘Libraries Act 1890,’*” with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,

Speaker.

Legislative Assembly,

Melbourne, 25th August, 1891.

12. LIBRARIES ACT 1890 AMENDMENT BILL.—The Honorable J. Bell moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to amend the ‘Libraries Act 1890,’*” be now read a first time.

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

13. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at forty-eight minutes past nine o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 16.

TUESDAY, 1ST SEPTEMBER, 1891.

Government Business.

NOTICE OF MOTION:—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD: To move, That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the whole question be referred to the Standing Orders Committee for inquiry and report.

ORDERS OF THE DAY:—

1. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—To be further considered in Committee.
3. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
4. SUPREME COURT (BAILIWICKS) BILL.—To be read a second time.
5. MARRIAGE ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
6. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
7. MEDICAL PRACTITIONERS BILL.—To be read a second time.
8. REGISTRATION OF FIRMS BILL.—To be read a second time.
9. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
10. MILITARY RESERVES BILL.—Adjourned debate on second reading.

WEDNESDAY, 2ND SEPTEMBER.

General Business.

ORDERS OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
2. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. LEGAL PROFESSION PRACTICE BILL.—Adjourned debate on second reading.
4. LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—To be read a second time.
5. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
6. LIBRARIES ACT 1890 AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 26TH AUGUST, 1891.

Minutes of the Proceedings of the Legislative Council. No. 15.
Notices of Motion and Orders of the Day. No. 16.
Libraries Amendment Bill—[46] (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. No. 24.
Notices of Motion and Orders of the Day. No. 25.
Licensing Act Amendment Bill.—New Clauses to be proposed by Mr. Sterry. (To Members only.)
Australasian Federation.—“Draft of a Bill to Constitute the Commonwealth of Australia”—
Amendment to be proposed by Mr. Mountain. (To Members only.)
Report from the Select Committee of the Legislative Assembly upon the St. James' Church Lands Bill.
(Issue completed.)
Bacchus Marsh Irrigation and Water Supply Trust.—Application for a Further Loan of £3,000. No. 139.

VICTORIA.

No. 17.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 1ST SEPTEMBER, 1891.

1. The Council met in accordance with adjournment.
2. **ABSENCE OF THE PRESIDENT.**—The Clerk having announced that, owing to indisposition, the Honorable the President was unavoidably absent—the Honorable Dr. Dobson, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, was chosen to fill, temporarily, the office of President.
3. The Honorable Dr. Dobson took the Chair.
4. The Acting-President read the Prayer.
5. **DISCHARGE OF ORDER OF THE DAY.**—On the motion of the Honorable J. M. Davies, the following Order of the Day was read and discharged :—
Police Offences Act 1890 Amendment Bill—Consideration of Report.
6. **POLICE OFFENCES ACT 1890 AMENDMENT BILL.**—The Honorable J. M. Davies moved, That this Bill be re-committed to a Committee of the whole Council for the re-consideration of a new clause.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable J. M. Davies, the Acting President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The Acting President resumed the Chair, and the Honorable F. Brown having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration to-morrow.—Bill, as further amended, to be printed.
7. **ISSUE OF WRIT.**—The Acting-President announced that since the adjournment of the Council the Honorable the President had issued a Writ for the election of a Member to serve for the Nelson Province, in the place of the Honorable J. P. MacPherson, deceased.
8. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The Acting President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to alter Trusts and Limitations in respect of portion of the Lands in the City of Melbourne generally known as St. James' Church Lands, and for other purposes,*" with which they desire the concurrence of the Legislative Council.
M. H. DAVIES,
Speaker.
- Legislative Assembly,
Melbourne, 1st Sepr., 1891.
9. **ST. JAMES' CHURCH LANDS BILL.**—The Honorable H. Cuthbert moved, That a Message be transmitted to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee of that House to which this Bill was referred during the present Session of Parliament.
Question—put and resolved in the affirmative.
10. **PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Acting President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Acting President resumed the Chair, and the Honorable F. Brown having reported that the Committee had agreed to the Bill with amendments, the Council ordered the same to be taken into consideration to-morrow.—Bill, as amended, to be printed.

11. **CRIMES ACT 1890 AMENDMENT BILL (No. 2).**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Acting President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Acting President resumed the Chair, and the Honorable F. Brown, reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which title is as follows :—

“ A Bill to amend the ‘ Crimes Act 1890,’ and for other purposes.”

The Honorable J. M. Davies moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of clause 36 and proposed new clauses.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable J. M. Davies, the Acting President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 36 and proposed new clauses.

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

Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copies of the Report and Evidence of the Select Committee of the Legislative Assembly on the Bill intituled “ *An Act to alter Trusts and Limitations in respect of portion of the Lands in the City of Melbourne generally known as St. James’ Church Lands, and for other purposes,*” in accordance with the request of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 1st Sepr., 1891.

13. **ST. JAMES’ CHURCH LANDS BILL.**—The Honorable J. Bell having produced a receipt that the sum of £20 had been paid into the hands of the Treasurer of the colony, moved, That the Bill intituled “ *An Act to alter Trusts and Limitations in respect of portion of the Lands in the City of Melbourne generally known as St. James’ Church Lands, and for other purposes* ” be now read a first time.

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

14. **SUPREME COURT (BAILIWICKS) BILL.**—The Honorable J. M. Davies moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

The Acting President resumed the Chair ; and the Honorable F. Brown reported that the Committee had gone through the Bill, and agreed to the same with amendments, and had amended the title thereof, which title is as follows :—

“ An Act to amend the ‘ Supreme Court Act 1890.’ ”

Ordered, That the Bill, as amended, be printed, and taken into consideration to-morrow.

15. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the following Orders of the Day be postponed until to-morrow :—

Marriage Act 1890 Amendment Bill—To be further considered in Committee.

Defences and Discipline Act 1890 Amendment Bill—To be read a second time.

Medical Practitioners Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

National Australasian Convention—To be further considered in Committee.

Military Reserves Bill—Adjourned debate on second reading.

And then the Council, at five minutes past ten o’clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 17.

WEDNESDAY, 2ND SEPTEMBER, 1891.

General Business.

ORDERS OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
2. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. LEGAL PROFESSION PRACTICE BILL.—Adjourned debate on second reading.
4. LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—To be read a second time.
5. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
6. LIBRARIES ACT 1890 AMENDMENT BILL.—To be read a second time.
7. ST. JAMES' CHURCH LANDS BILL.—To be read a second time.

Government Business.

ORDERS OF THE DAY:—

1. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—Consideration of Report.
3. SUPREME COURT (BAILIWICKS) BILL.—Consideration of Report.
4. MARRIAGE ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
5. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a second time.
6. MEDICAL PRACTITIONERS BILL.—To be read a second time.
7. REGISTRATION OF FIRMS BILL.—To be read a second time.
8. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
9. MILITARY RESERVES BILL.—Adjourned debate on second reading.

TUESDAY, 8TH SEPTEMBER.

Question.

1. The Hon. J. H. CONNOR: To direct the attention of the Honorable the Minister of Public Instruction to the desirability of provision being made by the Education Department to have the girls attending the State schools taught the art of cookery.

Government Business.

NOTICE OF MOTION:—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD: To move, That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the whole question be referred to the Standing Orders Committee for inquiry and report.

ORDER OF THE DAY:—

1. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 27TH AUGUST, 1891.

Minutes of the Proceedings of the Legislative Council. No. 16.

Notices of Motion and Orders of the Day. No. 17.

Police Offences Amendment Bill—[3] (To Members of Council only.)

Public Service Amendment Bill—[4] (To Members of Council only.)

Legal Profession Practice Bill.—New Clause to be proposed by the Hon. W. A. Zeal. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. No. 26.

Notices of Motion and Orders of the Day. No. 27.

Divisions in Committee of the whole. No. 5.

Local Government Bill—[29]

Licensing Act Amendment Bill 1891—

Amendments by Mr. Bailes. (To Members only.)

Amendment by Mr. G. Downes Carter. (To Members only.)

New Clauses by Mr. G. D. Carter, Mr. Bennett, and Mr. Bailes. (To Members only.)

Land Sales by Auction Fund Bill.—Amendments by Mr. Madden and Mr. Dow. (To Members only.)

Australasian Federation.—“Draft of a Bill to Constitute the Commonwealth of Australia”—

Amendments by Mr. Deakin. (To Members only.)

Amendments made in Committee of the whole House. (To Members of Assembly only.)

Railway Revenue and Cost of Coal.—Further Return to an Order of the House. C.—No. 2*.

Alexander Moncrieff.—Petition. E.—No. 1.

VICTORIA.

No. 18.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 2ND SEPTEMBER, 1891.

1. The Council met in accordance with adjournment.
2. ABSENCE OF THE PRESIDENT.—The Clerk having announced that, owing to indisposition, the Honorable the President was unavoidably absent—the Honorable Dr. Dobson, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, was chosen to fill temporarily the office, and perform all the duties of the President during his absence.
3. The Honorable Dr. Dobson took the Chair.
4. The Acting-President read the Prayer.
5. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The Acting-President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—
 The Legislative Assembly transmit to the Legislative Council the amendments agreed to by the Legislative Assembly in the “Draft of a Bill to Constitute the Commonwealth of Australia, adopted by the National Australasian Convention on the 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891,” with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 2nd September, 1891.
6. PAPER.—The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk :—

Fisheries Act 1890.—Notice of Intention to vary Proclamation respecting fishing in Lake Tyers.
7. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the following Orders of the Day be postponed until Wednesday next :—

Companies Act 1890 Amendment Bill—To be read a second time.
Mines Act 1890 Amendment Bill—To be read a second time.
8. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time—having been read,
 Debate resumed.
 Question, That the Bill be now read a second time—put.
 The Council divided.

Ayes, 14.

The Hon. T. Brunton
 J. Buchanan
 J. S. Butters
 D. Coutts
 G. Davis
 J. M. Pratt
 C. Sargeant
 Lt.-Col. Sir F. T. Sargood
 J. Service
 G. Simmie
 J. Sternberg
 A. Wynne
 G. Young
 J. Bell (*Teller*).

Noes, 8.

The Hon. J. M. Davies
 N. FitzGerald
 D. Melville
 E. Morey
 W. Pitt
 W. H. Roberts
 D. S. Wallace
 Sir B. Benjamin (*Teller*).

And so it was resolved in the affirmative.—Bill read a second time.

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

Debate ensued.

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.

9. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the following Orders of the Day be postponed until Wednesday next:—

Legislative Council Election Laws Amendment Bill—To be read a second time.

Libraries Act 1890 Amendment Bill—To be read a second time.

St. James' Church Lands Bill—To be read a second time.

10. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the following Order of the Day be postponed until Wednesday, 16th September instant:—

Bills of Sale Law Amendment Bill—To be read a second time.

11. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the following Orders of the Day be postponed until Tuesday next:—

Police Offences Act 1890 Amendment Bill—Consideration of Report.

Public Service Act Amendment Bill (No. 2)—Consideration of Report.

Supreme Court (Bailiwicks) Bill—Consideration of Report.

Marriage Act 1890 Amendment Bill—To be further considered in Committee.

12. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

13. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

14. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the following Orders of the Day be postponed until Tuesday next:—

Medical Practitioners Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

National Australasian Convention—To be further considered in Committee.

Military Reserves Bill—Adjourned debate on second reading.

And then the Council, at fourteen minutes past nine o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 18.

TUESDAY, 8TH SEPTEMBER, 1891.

Question.

1. The Hon. J. H. CONNOR: To direct the attention of the Honorable the Minister of Public Instruction to the desirability of provision being made by the Education Department to have the girls attending the State schools taught the art of cookery.

Government Business.

NOTICE OF MOTION:—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD: To move, That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the whole question be referred to the Standing Orders Committee for inquiry and report.

ORDERS OF THE DAY:—

1. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—Consideration of Report.
3. SUPREME COURT (BAILIWICKS) BILL.—Consideration of Report.
4. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
5. MARRIAGE ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
6. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
7. MEDICAL PRACTITIONERS BILL.—To be read a second time.
8. REGISTRATION OF FIRMS BILL.—To be read a second time.
9. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
10. MILITARY RESERVES BILL.—Adjourned debate on second reading.

WEDNESDAY, 9TH SEPTEMBER.

Question.

1. The Hon. J. STERNBERG: To ask the Honorable the Minister of Defence why it is that the Railways Commissioners have not provided a siding at the cattle sale-yards, near Bendigo railway station.

General Business.

ORDERS OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
2. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. LEGAL PROFESSION PRACTICE BILL.—To be further considered in Committee.
4. LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—To be read a second time.
5. LIBRARIES ACT 1890 AMENDMENT BILL.—To be read a second time.
6. ST. JAMES' CHURCH LANDS BILL.—To be read a second time.

WEDNESDAY, 16TH SEPTEMBER.

General Business.

ORDER OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 2ND SEPTEMBER, 1891.

Notices of Motion and Orders of the Day. No. 18.

Notices of Motion and Orders of the Day. No. 28.

Railways Act Amendment Bill—[7]

Public Accounts Standing Committee Bill—[35]

Report of the Council of Defence. No. 132.

The Water Act 1890.—Harcourt Irrigation and Water Supply Trust.—Loan of £400. No. 150.

VICTORIA.

No. 19.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 8TH SEPTEMBER, 1891.

- 1. The Council met in accordance with adjournment.
- 2. The Acting-President took the Chair.
- 3. The Acting-President read the Prayer.
- 4. LETTER FROM THE PRESIDENT.—The Acting-President announced that he had received the following letter from the Clerk :—

Toorak, 7th September, 1891.

Geo. H. Jenkins, Esq., C.M.G.,
Clerk of the Legislative Council.

DEAR SIR,

I am instructed by the Honorable Sir James MacBain to ask you to inform Honorable Members that, owing to an attack of influenza, he is confined to bed, and regrets very much his being unable to resume his duties this week.

I have the honour to be,
Your obedient servant,

THOS. H. STEEL, M.D.

- 5. PETITION.—The Honorable G. S. Coppin presented a Petition from certain members of the Church of England residing at North Carlton, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours.
Ordered to lie on the Table.
- 6. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Education Act 1890.—Regulations.—X. Scholarships.
Public Service Act 1890, Part III.—Regulations.—Candidates for Appointment as Pupil Teachers.
Fire Brigades Act 1890.—Regulations made by the Governor in Council during the month of August, 1891.
Fisheries Act 1890.—The Mouth of the River Barwon.
Marine Act 1890.—Rates of Pilotage.
- 7. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That he have leave to bring in a Bill to enable a portion of the lands vested under the *Agricultural Colleges Act 1890* to be leased for mining purposes.
Question—put and resolved in the affirmative.
Ordered—That the Honorable Lieut.-Col. Sir F. T. Sargood do prepare and bring in the Bill.
The Honorable Lieut.-Col. Sir F. T. Sargood then brought up a Bill intituled "*A Bill to enable a portion of the Lands vested under the 'Agricultural Colleges Act 1890' to be leased for mining purposes,*" and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday next.
- 8. DIRECTORS' LIABILITY BILL.—The Honorable W. A. Zeal moved, by leave, That he have leave to bring in a Bill to amend the law relating to the liability of directors and others for statements in prospectuses and other documents soliciting applications for shares or debentures.
Question—put and resolved in the affirmative.
Ordered—That the Honorable W. A. Zeal do prepare and bring in the Bill.
The Honorable W. A. Zeal then brought up a Bill intituled "*A Bill to amend the Law relating to the Liability of Directors and others for statements in prospectuses and other documents soliciting applications for shares or debentures,*" and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Wednesday, 16th September instant.
- 9. POLICE OFFENCES ACT 1890 AMENDMENT BILL.—On the motion of the Honorable J. M. Davies, the Council adopted the Report from the Committee of the whole on this Bill.
The Acting-President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. M. Davies, read a third time.

On the motion of the Honorable J. M. Davies, the word "*Statute*," in new clause F, was omitted and the word "*Act*" inserted in place thereof.

The Honorable J. M. Davies moved, That this Bill do pass.

Question—put and resolved in the affirmative.

The Honorable J. M. Davies moved, That the following be the title of the Bill:—

"*An Act to amend the 'Police Offences Act 1890.'*"

Question—put and resolved in the affirmative.

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

10. PUBLIC SERVICE ACT AMENDMENT BILL (No. 2).—On the motion of the Honorable J. M. Davies, the Council adopted the Report from the Committee of the whole on this Bill.

The Acting-President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. M. Davies, read a third time.

On the motion of the Honorable J. M. Davies, clauses 15, 16, and 17 were omitted from the Bill.

The Honorable J. M. Davies moved, That this Bill do pass.

Question—put and resolved in the affirmative.

The Honorable J. M. Davies moved, That the following be the title of the Bill:—

"*An Act to amend the 'Public Service Act 1890.'*"

Question—put and resolved in the affirmative.

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

11. SUPREME COURT (BAILLWICKS) BILL.—On the motion of the Honorable J. M. Davies, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. M. Davies moved, That the following be the title of the Bill:—

"*An Act to amend the 'Supreme Court Act 1890.'*"

Question—put and resolved in the affirmative.

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

12. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Acting-President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Acting-President resumed the Chair, and the Honorable J. Bell reported that the Committee had agreed to the Bill with further amendments.

The Honorable J. M. Davies moved, That this Bill be re-committed to a Committee of the whole Council for re-consideration of clauses 1, 11, D, A, and B.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable J. M. Davies, the Acting-President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clauses 1, 11, D, A, and B.

The Acting-President resumed the Chair, and the Honorable J. Bell having reported that the Committee had agreed to the Bill with further amendments, the Council ordered the same to be taken into consideration on Tuesday next.—Bill, as amended, to be printed.

13. MARRIAGE ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Acting-President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Acting-President resumed the Chair, and the Honorable J. Bell having reported that the Committee had agreed to the Bill with an amendment, the Council ordered the same to be taken into consideration on Tuesday next.—Bill, as amended, to be printed.

14. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Acting-President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Acting-President resumed the Chair, and the Honorable J. Bell reported that the Committee had agreed to the Bill without amendment.

Ordered—That the Bill be read a third time on Tuesday next.

15. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the following Orders of the Day be postponed until Tuesday next:—

Medical Practitioners Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

National Australasian Convention—To be further considered in Committee.

Military Reserves Bill—Adjourned debate on second reading.

And then the Council, at twenty-two minutes past six o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 19.

WEDNESDAY, 9TH SEPTEMBER, 1891.

Questions.

1. The Hon. J. STERNBERG: To ask the Honorable the Minister of Defence why it is that the Railways Commissioners have not provided a siding at the cattle sale-yards, near Bendigo railway station.
2. The Hon. J. H. CONNOR: To direct the attention of the Honorable the Minister of Public Instruction to the necessity for increased life-saving appliances along the coast-line between Queenscliff and Warrnambool.

General Business.

ORDERS OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
2. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. LEGAL PROFESSION PRACTICE BILL.—To be further considered in Committee.
4. LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—To be read a second time.
5. LIBRARIES ACT 1890 AMENDMENT BILL.—To be read a second time.
6. ST. JAMES' CHURCH LANDS BILL.—To be read a second time.

TUESDAY, 15TH SEPTEMBER.

Government Business.

NOTICE OF MOTION:—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD: To move, That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the whole question be referred to the Standing Orders Committee for inquiry and report.

ORDERS OF THE DAY:—

1. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—Consideration of Report.
2. MARRIAGE ACT 1890 AMENDMENT BILL.—Consideration of Report.
3. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a third time.
4. MEDICAL PRACTITIONERS BILL.—To be read a second time.
5. REGISTRATION OF FIRMS BILL.—To be read a second time.
6. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
7. MILITARY RESERVES BILL.—Adjourned debate on second reading.
8. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL.—To be read a second time.

WEDNESDAY, 16TH SEPTEMBER.

General Business.

ORDERS OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
2. DIRECTORS' LIABILITY BILL.—To be read a second time.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 3RD SEPTEMBER, 1891.

Notices of Motion and Orders of the Day. No. 19.
Legal Practitioners Bill of New South Wales. (To Members only.)

Notes and Proceedings of the Legislative Assembly. No. 29.
Notices of Motion and Orders of the Day. No. 30.
Report of the Trustees of the Public Library, Museums, and National Gallery of Victoria for 1890. No. 110.

VICTORIA.

of the said Council... No. 20.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 9TH SEPTEMBER, 1891.

- 1. The Council met in accordance with adjournment.
2. The Acting-President took the Chair.
3. The Acting-President read the Prayer.
4. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The Acting-President announced to the Council the receipt of the following Message from the Legislative Assembly:—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled "An Act to establish a Land Sales by Auction Fund," with which they desire the concurrence of the Legislative Council.
M. H. DAVIES, Speaker.
Legislative Assembly, Melbourne, 9th September, 1891.
5. LAND SALES BY AUCTION FUND BILL.—The Honorable-Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled "An Act to establish a Land Sales by Auction Fund," be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday next.
6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the following Orders of the Day be postponed until Wednesday, 23rd September instant:—
Companies Act 1890 Amendment Bill—To be read a second time.
Mines Act 1890 Amendment Bill—To be read a second time.
7. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Acting-President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Acting-President resumed the Chair, and the Honorable W. A. Zeal reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.
8. LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.—The Honorable C. Sargeant moved, That this Bill be now read a second time.
Debate ensued.
The Honorable S. Fraser moved, That the word "now" be omitted and the words "this day six months" be added after the word "time."
Debate continued.
Question—That the word "now" proposed to be omitted stand part of the question—put and negatived.
Question—That the words "this day six months" be added after the word "time"—put and resolved in the affirmative.
Question—That this Bill be read a second time this day six months—put and resolved in the affirmative.

9. LIBRARIES ACT 1890 AMENDMENT BILL.—The Honorable H. Cuthbert moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.

10. ST. JAMES' CHURCH LANDS BILL.—The Honorable H. Cuthbert moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.

11. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at fifty minutes past nine o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 20.

TUESDAY, 15TH SEPTEMBER, 1891.

Question.

1. The Hon. J. H. CONNOR: To direct the attention of the Honorable the Minister of Defence to the want of sufficient telegraphic communication along the coast-line between Queenscliff and Warrnambool; and to ask what action, if any, the Government propose to take in the matter.

Government Business.

NOTICE OF MOTION:—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD: To move, That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the whole question be referred to the Standing Orders Committee for inquiry and report.

ORDERS OF THE DAY:—

1. CRIMES ACT 1890 AMENDMENT BILL (No. 2).—Consideration of Report.
 2. MARRIAGE ACT 1890 AMENDMENT BILL.—Consideration of Report.
 3. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—To be read a third time.
 4. MEDICAL PRACTITIONERS BILL.—To be read a second time.
 5. REGISTRATION OF FIRMS BILL.—To be read a second time.
 6. MILITARY RESERVES BILL.—Adjourned debate on second reading.
 7. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL.—To be read a second time.
 8. LAND SALES BY AUCTION FUND BILL.—To be read a second time.
 9. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
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WEDNESDAY, 16TH SEPTEMBER.

Question.

1. The Hon. J. STERNBERG: To ask the Honorable the Minister of Defence why it is that the Railways Commissioners have not provided a siding at the cattle sale-yards, near Bendigo railway station.

General Business.

ORDERS OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
 2. DIRECTORS' LIABILITY BILL.—To be read a second time.
 3. LEGAL PROFESSION PRACTICE BILL.—To be further considered in Committee.
 4. LIBRARIES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
 5. ST. JAMES' CHURCH LANDS BILL.—To be further considered in Committee.
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WEDNESDAY, 23RD SEPTEMBER.

General Business.

ORDERS OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
2. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 9TH SEPTEMBER, 1891.

Notices of Motion and Orders of the Day. No. 20.

Land Sales Fund Bill—[54] (To Members of Council only.)

Directors' Liability Bill—[74]

Legal Profession Practice Bill.—New Clauses to be proposed by the Hon. G. Young. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. No. 30.

Notices of Motion and Orders of the Day. No. 31.

Education Endowment Bill—[21]

Second Report from the Select Committee upon Standing Orders. D.—No. 3.

VICTORIA.

No. 21.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 15TH SEPTEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
The Water Act 1890.—Seymour Waterworks Trust.—Application for Additional Loan of £8,000.—Detailed Statement and Report.
5. MILITARY RESERVES BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, pursuant to amended notice, That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the question be referred to the Standing Orders Committee for inquiry and report.

Mr. President said—

Before I submit this motion to honorable members, I think it is incumbent on me to make a few remarks on the subject. My recollection of the remarks I intended to have made on this question when the matter was previously before the House has certainly been very much affected by the attack of influenza from which I have suffered for the last three weeks; but honorable members will no doubt remember the debate that took place on the second reading of the Military Reserves Bill to which Sir Frederick Sargood has just drawn their attention. At the time Mr. Service was criticising the Bill from a policy point of view, with which, of course, as President, I had nothing to do, I felt very deeply impressed with the importance which the honorable member attached to the Bill from a constitutional point of view, and I thought the honorable member's remarks really bore as much upon the constitutional aspect of the Bill as upon the policy of the Bill. Immediately Mr. Service had expressed his opinion upon the point, Mr. Roberts, in a few remarks which he addressed to the House, put the question as to how many clauses in the Bill could be brought before the House, and Sir Frederick Sargood, who had charge of the Bill, interjected—“We can deal with all the clauses up to clause 3.” Mr. Roberts said he doubted whether the House could go beyond clause 2, because clause 3 had reference to the leasing of lands, and, therefore, to the payment of rent, and Sir Frederick Sargood replied—“Oh, yes, we can; we have passed such provisions over and over again.” Mr. Roberts expressed the opinion that the House could not go beyond clause 2, and he thought, therefore, that the Bill was one that should have been initiated in another place. Deeply impressed with the remarks of Mr. Service, which I thought bore on the constitutional question, although the honorable member intended them to bear more particularly on the question of policy, I came to the decision that the Bill was a Bill which should not be introduced into this House, but which should be first introduced in another place. Honorable members are of course aware that in the House of Lords a certain expedient has been adopted to obviate difficulties of this kind. When a Bill is introduced into the House of Lords, their lordships very often have to insert incidental money clauses to enable the Government to carry out that Bill, but those clauses form only a very small portion of the Bill, whereas, in the case of this Bill, it is not a question of introducing a money clause here and there to enable the Government to carry out the object of the Bill if passed into law, but as honorable members are aware, the major portion of the Military Reserves Bill consists of money clauses, and nothing else. That being the case, I felt it incumbent upon me—not to direct the House or lay down the rule that this Bill cannot be introduced into this House, but I felt at the time that it devolved upon me, as the President, to communicate to honorable members what my opinion is in regard to the Bill, so far as the legal rights and constitutional privileges of this House are concerned. I feel that I am bound, if I know what are those legal rights and constitutional privileges, and so far as I know them to indicate the same to the House, so that the House may decide whether or not my views coincide with the previous practice of Parliament, and with what honorable members consider the legal rights and constitutional privileges of this House; and at the same time I consider it to be also my duty to point out what we should respect as the rights and privileges of another place. That is the reason why I drew attention to this question. In 1885 the Minister of Defence introduced into this House a very important Bill, called the Explosives Bill, and, in order to enable the Bill to be carried out after it was passed into law by another place, the honorable member had two or three small money clauses introduced, which were recognised as being of the character of

incidental money clauses. When the Bill was before this House, I think on the third reading, the honorable member referred to these clauses, and said that he would move that they be struck out. The late Dr. Hearn, who was much esteemed and respected in this House for his constitutional knowledge, rose and objected to these clauses being struck out, and said he thought that this Chamber had an absolute right to pass incidental money clauses of the kind and to send them down to another place. When I was asked for my opinion on the matter, I gave it in favour of the clauses being struck out, on the ground that they were money clauses and that they were beyond the jurisdiction of this House—that they belonged essentially to another place, as they required to be introduced by a resolution and message from His Excellency the Governor. That case was very different from the case of the present Bill. The present Bill appears to me to be essentially a Money Bill. It is not for me, as President, to traverse the Bill, but I will draw honorable members' attention to this fact, that already the lands with which it deals are permanently reserved from sale for the Defence Department. Clause 2 provides—

- “(1) The lands described in the schedule to this Act, and which have been permanently reserved from sale, are hereby vested in the Minister for the time being administering the *Defence and Discipline Act 1890*.
- “(2) With the sanction of the Governor in Council such lands may at any time be sold, transferred, and conveyed by the said Minister upon such terms and conditions as he may think fit.”

Clause 3 provides—

- “The Minister may let or lease for any term not exceeding twenty-one years, and subject to such exceptions, reservations, covenants, and conditions as he may think fit, any of the lands vested in him.”

Power is there given to the Minister of Defence to do whatever he chooses in the directions stated with these lands. It would afford me very much pleasure, as one of the representatives of the South Yarra Province and a colleague of the Minister of Defence, to do what I could to enable the land in South Melbourne to be transferred for the purposes of a court-house, because I take an interest in that district, and I think that if the land were so transferred it would serve a good purpose. It was not against the transfer of the land that I felt called upon to raise objection, but I took the view that, in matters of procedure, we should respect the privileges of another place, and not interfere with their jurisdiction so far as it is set out in sections 56 and 57 of the Constitution Act. I think I am right in saying—at least I give it as my opinion—that clauses 2 and 3 run into clauses 4, 5, and 6. As I have shown, clause 3 gives the Minister of Defence power to let or lease the land, not with the consent of the Governor in Council, but as he may think fit. Then clause 4 provides that all moneys derived from any sale or lease or letting of any of the lands vested in the Minister, or of any buildings thereon, shall be paid into the public account, and shall be placed to the credit of an account to be kept in the Treasury, to be called the Military Sites Trust Account. Then clause 5 gives the Minister absolute power with regard to the application of all moneys to the credit of the Military Sites Trust Account for certain specified purposes. Clause 6 is as follows:—

- “Any moneys standing to the credit of the Military Sites Trust Account shall be legally available for any of the purposes aforesaid whenever and so often as the Governor in Council makes any order directing that such moneys may be applied to such purpose to the extent mentioned in such order.”

This is, of course, a matter for the House to decide. Constitutional questions of this kind have been discussed in this House by some of the ablest men we have had, including the late Dr. Hearn, the late Sir Charles Sladen, and other notable public men. There was always a difference of opinion amongst them, and it would not be for me to dictate to the House, because the House would not be dictated to by me. I simply express my opinion, and it is for the House to decide whether I am right or wrong. I state what I believe to be the rule, and I have no desire that we should sacrifice any one of the rights and privileges of this Chamber. I have come to the conclusion that this is essentially a Money Bill, and that the only clauses which we could properly pass are clauses 1 and 2; and if we were to send the Bill with only those two clauses to another place it would be little better than a piece of waste paper. This Bill does not compare in any way with any Bill that I have ever seen passed in this House with italicised clauses; but the Minister of Defence informed honorable members that certain of the clauses were money clauses, and would have to be struck out. The principle that has always guided me in my conduct as President is this: that although there may be, as there has been, contention between the two Houses, it is not for me to raise contention in any way. I should rather try to avoid it as much as I possibly can, and it has always been my desire to do so. I will say to honorable members, do not give any cause to another place to raise a constitutional question like this, which might lead to difficulty. If our rights are attacked, then we will fight for our rights, but in this instance we can accomplish all that the Minister of Defence desires by allowing this Bill to be introduced in another place. If I thought that the object sought to be accomplished by the Bill was a desirable one, then I would ask which is the easiest way to attain it? The easiest way is to proceed with the Bill in such a manner as not to interfere in any degree with the rights and privileges of another place. I do not know that this question is one of so much importance as to deserve so many remarks from me. If it is the wish of honorable members that this question should be referred to the Standing Orders Committee, I can have no objection to such a course. At the same time I felt it to be my duty to state my reasons for the statements I made on a former occasion, and I hope that in doing so I have not gone beyond the privileges which the House has always accorded to me since I took my seat in this Chair.

Debate ensued.

Question—That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the question be referred to, the Standing Orders Committee for inquiry and report—put and resolved in the affirmative.

6. **CRIMES ACT 1890 AMENDMENT BILL.**—On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill. The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, read a third time and passed. The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—
“An Act to amend the ‘Crimes Act 1890’ and for other purposes.”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
7. **MARRIAGE ACT 1890 AMENDMENT BILL.**—On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill. The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, read a third time and passed. The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—
“An Act to amend the ‘Marriage Act 1890.’”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
8. **DISCHARGE OF ORDER OF THE DAY.**—On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the following Order of the Day was read and discharged :—
Defences and Discipline Act 1890 Amendment Bill—To be read a third time.
9. **DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be re-committed to a Committee of the whole Council for the re-consideration of clause 16.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 16. The President resumed the Chair, and the Honorable J. Bell reported that the Committee had agreed to the Bill with an amendment.
 The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Report from the Committee of the whole Council on this Bill be taken into consideration this day.
 Question—put and resolved in the affirmative.
 On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, read a third time and passed.
 The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—
“An Act to amend the ‘Defences and Discipline Act 1890.’”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
10. **MEDICAL PRACTITIONERS BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The President resumed the Chair; and the Honorable J. Bell reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
 Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
11. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Registration of Firms Bill—To be read a second time.
Military Reserves Bill—Adjourned debate on second reading.
Agricultural Colleges Act 1890 Amendment Bill—To be read a second time.
Land Sales by Auction Fund Bill—To be read a second time.
National Australasian Convention—To be further considered in Committee.

And then the Council, at thirty-one minutes past six o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
 Clerk of the Legislative Council.

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LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 21.

WEDNESDAY, 16TH SEPTEMBER, 1891.

Question.

1. The Hon. J. STERNBERG: To ask the Honorable the Minister of Defence why it is that the Railways Commissioners have not provided a siding at the cattle sale-yards, near Bendigo railway station.

General Business.

ORDERS OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
 2. DIRECTORS' LIABILITY BILL.—To be read a second time.
 3. LEGAL PROFESSION PRACTICE BILL.—To be further considered in Committee.
 4. LIBRARIES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
 5. ST. JAMES' CHURCH LANDS BILL.—To be further considered in Committee.
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TUESDAY, 22ND SEPTEMBER.

Government Business.

ORDERS OF THE DAY:—

1. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
 2. REGISTRATION OF FIRMS BILL.—To be read a second time.
 3. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL.—To be read a second time.
 4. LAND SALES BY AUCTION FUND BILL.—To be read a second time.
 5. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
 6. MILITARY RESERVES BILL.—Adjourned debate on second reading.
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WEDNESDAY, 23RD SEPTEMBER.

General Business.

ORDERS OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
2. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 10TH SEPTEMBER, 1891.

Minutes of the Proceedings of the Legislative Council. Nos. 19 and 20.
 Notices of Motion and Orders of the Day. No. 21.
 Leasing of Vested Lands Bill—[26]
 Crimes Bill—[27] (To Members of Council only.)
 Marriage Law Amendment Bill—[34] (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. No. 32.
 Notices of Motion and Orders of the Day. No. 33.
 Divisions in Committee of the whole. No. 6.
 Police Offences Amendment Bill—[3] (To Members only.)
 Public Service Amendment Bill—[4] (To Members only.)
 Supreme Court (Bailiwicks) Bill.—Amendments made by the Legislative Council. (To Members only.)
 Fisheries Act 1890—
 Notice of Intention to vary Proclamation. No. 10.
 The Mouth of the River Barwon. No. 39.
 Public Service Act 1890, Part III.—Regulations. Order in Council. No. 152.
 Education Act 1890.—Regulations. Order in Council. No. 153.
 Marine Act 1890.—Rates of Pilotage. No. 155.

VICTORIA.

No. 22.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 16TH SEPTEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Explosives Act 1890—
 - Regulations regarding "Rackarock."
 - General Regulations for Powder-magazines.
 - Addition to "The Explosives Regulations and Orders 1891."
 - The Land Act 1890—
 - Part I.—Alteration of Regulations.
 - Part II.—Alteration of Regulations.
5. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Wednesday, 30th September instant.
 - Bills of Sale Law Amendment Bill—To be read a second time.*
 - Directors' Liability Bill—To be read a second time.*
6. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.
7. LIBRARIES ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.
8. ST. JAMES' CHURCH LANDS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill without amendment.

Ordered that the Bill be read a third time on Wednesday next.
9. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at three minutes past six o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 22.

TUESDAY, 22ND SEPTEMBER, 1891.

Government Business.

ORDERS OF THE DAY :—

1. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
 2. REGISTRATION OF FIRMS BILL.—To be read a second time.
 3. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL.—To be read a second time.
 4. LAND SALES BY AUCTION FUND BILL.—To be read a second time.
 5. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
 6. MILITARY RESERVES BILL.—Adjourned debate on second reading.
-

WEDNESDAY, 23RD SEPTEMBER.

General Business.

ORDERS OF THE DAY :—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
 2. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.
 3. LEGAL PROFESSION PRACTICE BILL.—To be further considered in Committee.
 4. LIBRARIES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
 5. ST. JAMES' CHURCH LANDS BILL.—To be read a third time.
-

WEDNESDAY, 30TH SEPTEMBER.

Question.

1. The Hon. J. STERNBERG: To ask the Honorable the Minister of Defence why it is that the Railways Commissioners have not provided a siding at the cattle sale-yards, near Bendigo railway station.

General Business.

ORDERS OF THE DAY :—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
2. DIRECTORS' LIABILITY BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 16TH SEPTEMBER, 1891.

Notices of Motion and Orders of the Day. No. 22.

Votes and Proceedings of the Legislative Assembly. No. 33.

Notices of Motion and Orders of the Day. No. 34.

Public Service Act 1890 Amendment Bill.—New Clauses to be proposed in Committee by Mr. Peacock.
(To Members only.)

Sharebrokers Bill.—Message. B.—No. 17.

Railway Trains reduced and Lines opened during the Strike.—Return to an Order of the House.
C.—No. 7.

Seymour Waterworks Trust.—Application for Additional Loan of £8,000. No. 154.

VICTORIA.

No. 23.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 22ND SEPTEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. JOHN BARKER, ESQUIRE.—The President announced that he had received the following letter from John Barker, Esquire, which he read :—

SIR,

124 Grey-street, East Melbourne,
17th September, 1891.

With feelings of great pride and much pleasure I have the honour to acknowledge the receipt of the extract from the Minutes of the Proceedings of the Legislative Council of 23rd June last recording the sense entertained by the Council of the manner in which I had executed the important duties of my office whilst Clerk ; and to express my gratification at finding my efforts had met with the unanimous approval of members. The receipt of this splendid testimonial is more gratifying inasmuch as it follows a similar one presented to me on retiring from the office of Clerk of the Legislative Assembly, after holding that office upwards of 25 years; and I need hardly assure you that these testimonials will, with great pride, be handed down by me as heirlooms in my family. As this will, perforce, be my final official communication, I trust you will allow me to sincerely thank you, and that you will be good enough to convey to members my sincere thanks for the uniform courtesy and kindness I received from all during the period I filled the office of Clerk of the Council.

I have the honour to be, Sir,

Your obedient servant,

JOHN BARKER.

The Hon. Sir J. MacBain, M.L.C., President, &c.

5. PAPERS.—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:—
 - Regulations for the Victorian Naval Forces.—Alterations and Additions—Permanent Naval Forces and Naval Brigade.
 - Regulations for the Victorian Military Forces.—Alterations and Additions.
6. PETITION.—The Honorable S. Fraser presented a Petition from certain members of the Church of England residing at Kew, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours.
Ordered to lie on the Table.
7. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the following Orders of the Day be postponed until Tuesday next :—
 - Medical Practitioners Bill—To be further considered in Committee.*
 - Registration of Firms Bill—To be read a second time.*
 - Agricultural Colleges Act 1890 Amendment Bill—To be read a second time.*
 - Land Sales by Auction Fund Bill—To be read a second time.*
 - National Australasian Convention—To be further considered in Committee.*
 - Military Reserves Bill—Adjourned debate on second reading.*

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to enable Contractors to discover the Title of Lands on which they are to perform Contracts,*" with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 22nd September, 1891.

9. CONTRACTORS PROTECTION BILL.—The Honorable D. Melville moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to enable Contractors to discover the Title of Lands on which they are to perform Contracts,*" be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Wednesday, 30th September instant.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to enable the Mayor Councillors and Burgesses of the Borough of Portland to sell and convey certain Lands at Portland and to apply the proceeds of such sale towards the cost of erecting a Town Hall and Municipal Offices elsewhere within the said Borough,*" with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 22nd September, 1891.

11. PORTLAND BOROUGH LANDS BILL.—The Honorable S. W. Cooke moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to enable the Mayor Councillors and Burgesses of the Borough of Portland to sell and convey certain Lands at Portland and to apply the proceeds of such sale towards the cost of erecting a Town Hall and Municipal Offices elsewhere within the said Borough,*" be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Wednesday, 30th September instant.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the establishment of Councils of Conciliation,*" with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 22nd September, 1891.

13. COUNCILS OF CONCILIATION BILL.—The Honorable D. Melville moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to provide for the establishment of Councils of Conciliation,*" be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Wednesday, 30th September instant.

14. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—The Honorable A. Wynne moved, by leave, That he have leave to bring in a Bill to amend the *Companies Act 1890*.

Question—put and resolved in the affirmative.

Ordered—That the Honorable A. Wynne do prepare and bring in the Bill.

The Honorable A. Wynne then brought up a Bill intituled "*A Bill to amend the 'Companies Act 1890,'*" and moved, That it be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Wednesday, 30th September instant.

15. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at ten minutes past five o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 23.

TUESDAY, 29TH SEPTEMBER, 1891.

Government Business.

ORDERS OF THE DAY:—

1. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
2. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
3. REGISTRATION OF FIRMS BILL.—To be read a second time.
4. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL.—To be read a second time.
5. LAND SALES BY AUCTION FUND BILL.—To be read a second time.
6. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

NOTICE OF MOTION:—

1. The Hon. J. STERNBERG: To move—That there be laid upon the table of the Council a Return of all death cases registered during the last five years certified by other than duly qualified medical practitioners, coroners, or magistrates; with copies of the register of each case.

ORDERS OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
2. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. LEGAL PROFESSION PRACTICE BILL.—To be further considered in Committee.
4. LIBRARIES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
5. ST. JAMES' CHURCH LANDS BILL.—To be read a third time.

WEDNESDAY, 30TH SEPTEMBER.

Question.

1. The Hon. J. STERNBERG: To ask the Honorable the Minister of Defence why it is that the Railways Commissioners have not provided a siding at the cattle sale-yards, near Bendigo railway station.

General Business.

ORDERS OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
2. DIRECTORS' LIABILITY BILL.—To be read a second time.
3. CONTRACTORS' PROTECTION BILL.—To be read a second time.
4. PORTLAND BOROUGH LANDS BILL.—To be read a second time.
5. COUNCILS OF CONCILIATION BILL.—To be read a second time.
6. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

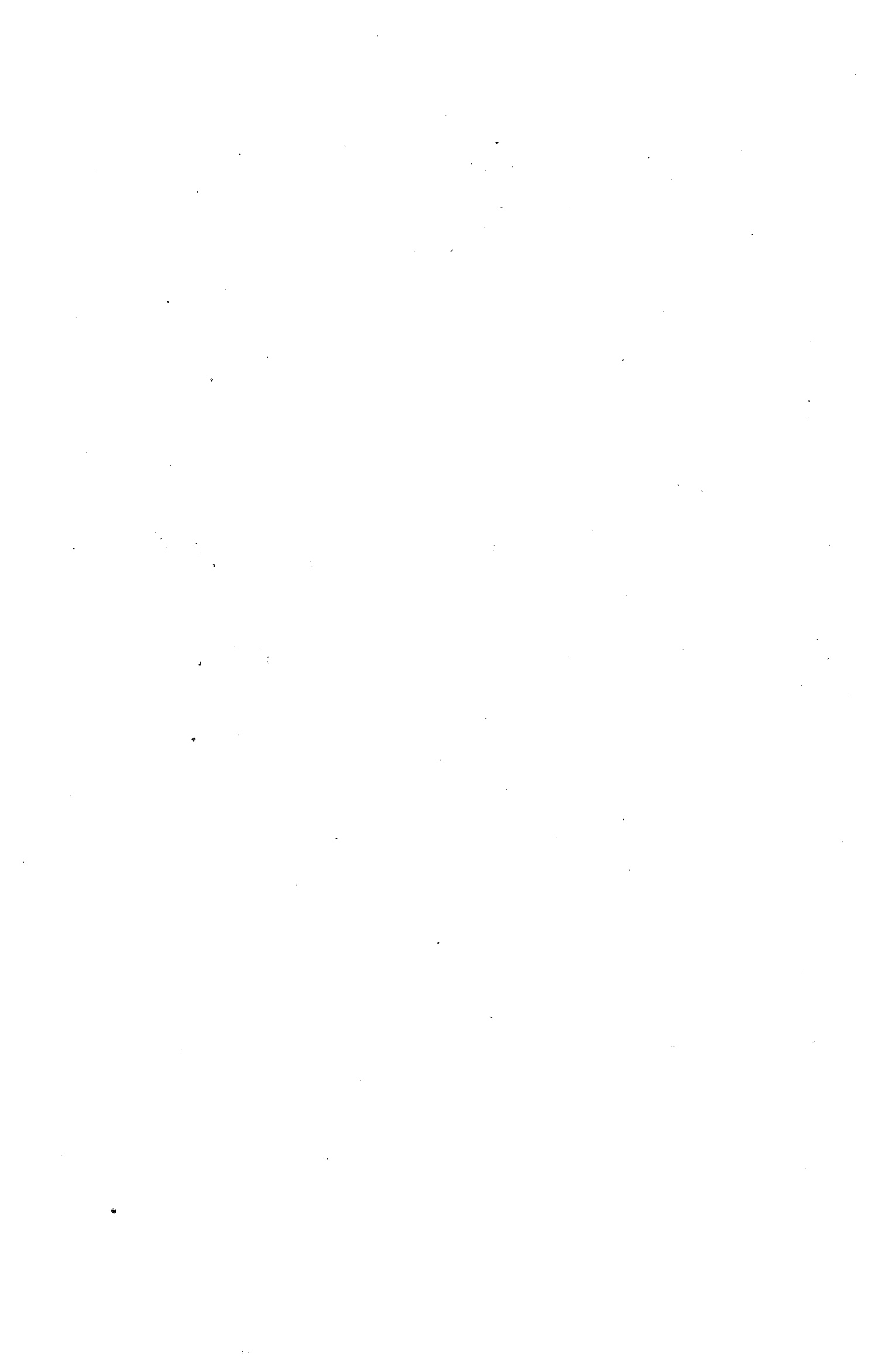
PARLIAMENTARY PAPERS ISSUED SINCE 16TH SEPTEMBER, 1891.

Notices of Motion and Orders of the Day. No. 23.

Votes and Proceedings of the Legislative Assembly. Nos. 34 and 35.
Notices of Motion and Orders of the Day. No. 36.
Railway Working Expenditure.—Return to an Order of the House. C.—No. 8.
The Land Act 1890.—Alteration of Regulations. No. 157.
The Land Act 1890.—Alteration of Regulations. No. 158.
Explosives Act 1890.—Regulations regarding "Rackarock." No. 159.
Explosives Act 1890.—Addition to "The Explosives Regulations and Orders 1891." No. 160.
Explosives Act 1890.—General Regulations for Powder Magazines. No. 161.
Regulations for the Victorian Military Forces.—Alterations and Additions. No. 162.
Regulations for the Victorian Naval Forces.—Alterations and Additions. No. 163.

By Authority: ROBT. S. BRAIN, Government Printer, Melbourne.

(240 copies.)



VICTORIA.

No. 24.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 29TH SEPTEMBER, 1891.

- 1. The Council met in accordance with adjournment.
- 2. The President took the Chair.
- 3. The President read the Prayer.
- 4. PETITION.—The Honorable Lieut.-Col. Sir F. T. Sargood presented a Petition from certain members of the Church of England residing at Camberwell, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours.
Ordered to lie on the Table.
- 5. PAPERS.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—
Transmission of Sunday Telegrams—Rates between Victoria and Queensland.
Transmission of Sunday Telegrams—Rates between Victoria and Western Australia.
Severally ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—

- Water Act 1890—
Bacchus Marsh Irrigation and Water Supply Trust.—Loan of £500.
Bacchus Marsh Irrigation and Water Supply Trust.—Further Loan of £1,500.
Emu Valley Irrigation and Water Supply Trust.—District increased in Extent.
- Education Act 1890—Regulations.—School Hours and Time-table.
- Defence Department.—Statement of Expenditure, Financial Year 1890-91.
- Marine Act 1890.—Amendment of Pilot Regulations.

6. NATIONAL AUSTRALASIAN CONVENTION.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the amendments agreed to by the Legislative Assembly in the "Draft of a Bill to constitute the Commonwealth of Australia," adopted by the National Australasian Convention, and transmitted by Message to this House on the 2nd September instant, be referred to the Committee of the whole Council on the said Bill.
Question—put and resolved in the affirmative.

7. NATIONAL AUSTRALASIAN CONVENTION.—The Order of the Day for the further consideration of the "Draft of a Bill to constitute the Commonwealth of Australia" in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

8. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow:—
- Medical Practitioners Bill—To be further considered in Committee.*
 - Registration of Firms Bill—To be read a second time.*
 - Agricultural Colleges Act 1890 Amendment Bill—To be read a second time.*
 - Land Sales by Auction Fund Bill—To be read a second time.*
 - Military Reserves Bill—Adjourned debate on second reading.*
 - Companies Act 1890 Amendment Bill—To be read a second time.*
 - Mines Act 1890 Amendment Bill—To be read a second time.*
 - Legal Profession Practice Bill—To be further considered in Committee.*
 - Libraries Act 1890 Amendment Bill—To be further considered in Committee.*
 - St. James' Church Lands Bill—To be read a third time.*

And then the Council, at one minute past ten o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 24.

WEDNESDAY, 30TH SEPTEMBER, 1891.

Question.

1. The Hon. J. STERNBERG: To ask the Honorable the Minister of Defence why it is that the Railways Commissioners have not provided a siding at the cattle sale-yards, near Bendigo railway station.

General Business.

NOTICE OF MOTION:—

1. The Hon. J. STERNBERG: To move, That there be laid upon the table of the Council a Return of all death cases registered during the last five years certified by other than duly qualified medical practitioners, coroners, or magistrates; with copies of the register of each case.

ORDERS OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
2. DIRECTORS' LIABILITY BILL.—To be read a second time.
3. CONTRACTORS' PROTECTION BILL.—To be read a second time.
4. PORTLAND BOROUGH LANDS BILL.—To be read a second time.
5. COUNCILS OF CONCILIATION BILL.—To be read a second time.
6. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.
7. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
8. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.
9. LEGAL PROFESSION PRACTICE BILL.—To be further considered in Committee.
10. LIBRARIES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
11. ST. JAMES' CHURCH LANDS BILL.—To be read a third time.

Government Business.

ORDERS OF THE DAY:—

1. LAND SALES BY AUCTION FUND BILL.—To be read a second time.
2. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
3. REGISTRATION OF FIRMS BILL.—To be read a second time.
4. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL.—To be read a second time.
5. MILITARY RESERVES BILL.—Adjourned debate on second reading.

TUESDAY, 6TH OCTOBER.

Government Business.

ORDER OF THE DAY:—

1. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.

WEDNESDAY, 7TH OCTOBER.

Question.

1. The Hon. J. H. CONNOR: To call the attention of the Honorable the Minister of Justice to the present system of allowing the private quarantining of imported dogs at the residence of the owner or the importer instead of at the Government quarantine grounds as formerly, and to ask—
 - (1.) What are the reasons that have induced the Government to make the change.
 - (2.) What safeguards are now taken to prevent the introduction and spread of hydrophobia.
 - (3.) Is the present system to be extended to other parts of the colony outside of Melbourne.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 24TH SEPTEMBER, 1891.

Minutes of Proceedings of the Legislative Council. Nos. 21, 22, and 23.

Notices of Motion and Orders of the Day. No. 24.

Councils of Conciliation Bill—[43] (To Members of Council only.)

Portland Town Hall Bill—[44] (To Members of Council only.)

Contractors' Protection Bill—[45] (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. No. 38.

Notices of Motion and Orders of the Day. No. 39.

Memorandum on the Distribution of Federal Revenue. (To Members only.)

Transfers in the Public Service. (To Members only.)

Railways Standing Committee Bill—[33]

Licensing Act 1890 Amendment Bill—[50] New Clauses to be proposed in Committee by Mr. Turner.
(To Members only.)

Licensing Act 1890 Amendment Bill—[50] New Clauses to be proposed in Committee by Mr. Anderson.
(To Members only.)

Water Act 1890—

Emu Valley Irrigation and Water Supply Trust.—District Increased in Extent. No. 165.

Bacchus Marsh Irrigation and Water Supply Trust.—Loan of £500. No. 166.

Bacchus Marsh Irrigation and Water Supply Trust.—Further Loan of £1,500. No. 167.

Education Act 1890.—Regulations. Order in Council. No. 168.

VICTORIA.

No. 25.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 30TH SEPTEMBER, 1891.

- 1. The Council met in accordance with adjournment.
- 2. The President took the Chair.
- 3. The President read the Prayer.
- 4. PAPER.—The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk :—
Victorian Railways—Report of the Victorian Railways Commissioners for the Year ending 30th June, 1891.

- 5. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Wednesday next :—
Bills of Sale Law Amendment Bill—To be read a second time.
Directors' Liability Bill—To be read a second time.
Contractors' Protection Bill—To be read a second time.
Portland Borough Lands Bill—To be read a second time.
Councils of Conciliation Bill—To be read a second time.
Companies Act 1890 Amendment Bill (No. 2)—To be read a second time.
Companies Act 1890 Amendment Bill—To be read a second time.
Mines Act 1890 Amendment Bill—To be read a second time.

- 6. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to transfer a portion of the Western Bailiwick to the Midland Bailiwick,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 30th September, 1891.

- 8. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Libraries Act 1890 Amendment Bill—To be further considered in Committee.
St. James' Church Lands Bill—To be read a third time.
Land Sales by Auction Fund Bill—To be read a second time.
Medical Practitioners Bill—To be further considered in Committee.
Registration of Firms Bill—To be read a second time.
Agricultural Colleges Act 1890 Amendment Bill—To be read a second time.
Military Reserves Bill—Adjourned debate on second reading.

- 9. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at six minutes past ten o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.



LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 25.

TUESDAY, 6TH OCTOBER, 1891.

Question.

1. The Hon. J. SERVICE : To ask the Honorable the Minister of Defence whether the Government have received lately any information of importance concerning the state of affairs in the New Hebrides ; and, if so, will they communicate the same to this Council.

Government Business.

ORDERS OF THE DAY :—

1. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
2. LAND SALES BY AUCTION FUND BILL.—To be read a second time.
3. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
4. REGISTRATION OF FIRMS BILL.—To be read a second time.
5. AGRICULTURAL COLLEGES ACT 1890 AMENDMENT BILL.—To be read a second time.
6. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

ORDERS OF THE DAY :—

1. LEGAL PROFESSION PRACTICE BILL.—To be further considered in Committee.
2. LIBRARIES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
3. ST. JAMES' CHURCH LANDS BILL.—To be read a third time.

WEDNESDAY, 7TH OCTOBER.

Question.

1. The Hon. J. H. CONNOR : To call the attention of the Honorable the Minister of Justice to the present system of allowing the private quarantining of imported dogs at the residence of the owner or the importer instead of at the Government quarantine grounds as formerly, and to ask—
 - (1.) What are the reasons that have induced the Government to make the change.
 - (2.) What safeguards are now taken to prevent the introduction and spread of hydrophobia.
 - (3.) Is the present system to be extended to other parts of the colony outside of Melbourne.

General Business.

ORDERS OF THE DAY :—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
2. DIRECTORS' LIABILITY BILL.—To be read a second time.
3. CONTRACTORS' PROTECTION BILL.—To be read a second time.
4. PORTLAND BOROUGH LANDS BILL.—To be read a second time.
5. COUNCILS OF CONCILIATION BILL.—To be read a second time.
6. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.
7. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
8. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Wednesday, 7th October.

STANDING ORDERS—at three o'clock.

(240 copies.)

PARLIAMENTARY PAPERS ISSUED 30TH SEPTEMBER, 1891.

Notices of Motion and Orders of the Day. No. 25.

Medical Practitioners Bill—[20] Amendments to be proposed by the Hon. Sir F. T. Sargood. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. No. 39.

Notices of Motion and Orders of the Day. No. 40.

Defences and Discipline Bill—[16] (To Members only.)

Post Office Act 1890 Amendment Bill—[23]

Crimes Bill—[27] (To Members only.)

Marriage Law Amendment Bill—[34] (To Members only.)

Transmission of Sunday Telegrams.—Orders in Council—

Rates on Telegraphic Messages transmitted on Sundays between Victoria and Queensland. No. 171.

Rates on Telegraphic Messages transmitted on Sundays between Victoria and Western Australia. No. 172.

Marine Act 1890.—Amendment of Pilot Regulations. No. 173.

VICTORIA.

No. 26.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 6TH OCTOBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. RETURN TO WRIT.—The President announced that he had received a Return to the Writ he had issued for the election of a Member to serve for the Nelson Province, in the place of the late Honorable James Phillip MacPherson, by which it appeared that Samuel Williamson, Esquire, had been duly returned in pursuance thereof.

5. NEW MEMBER.—The Honorable Samuel Williamson, being introduced, took and subscribed the oath required by law, and delivered to the Clerk the Declaration required by the thirty-seventh section of the Act No. 1075, as hereunder set forth:—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, SAMUEL WILLIAMSON, of Allan Vale, Great Western, county of Borung, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Stawell, and are known as Allanvale Estate, and consisting of 6,009 acres or thereabouts, in the parishes of Concongella and Bulgana, counties of Borung and Ripon, in the colony of Victoria.

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

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

“SAML. WILLIAMSON.”

6. PAPERS.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—

Borough of Clunes—Report by Dr. Gresswell on the Sanitary Condition and Sanitary Administration of the.

Statistical Register of the Colony of Victoria for the Year 1890—

Part IV.—Vital Statistics, &c.

Part V.—Accumulation.

Severally ordered to lie on the Table.

7. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read:—

HOPETOUN,

Governor.

Message No. 8.

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

“An Act to amend the ‘Supreme Court Act 1890.’”

Government Offices,

Melbourne, 1st October, 1891.

8. NATIONAL AUSTRALASIAN CONVENTION.—The Order of the Day for the further consideration of the “Draft of a Bill to constitute the Commonwealth of Australia” in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress, and that he was directed to move, That the Committee may have leave to sit again. Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

9. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until this day :—

Land Sales by Auction Fund Bill—To be read a second time.

Medical Practitioners Bill—To be further considered in Committee.

Registration of Firms Bill—To be read a second time.

Agricultural Colleges Act 1890 Amendment Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

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

The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with amendments.

The Honorable G. Young moved, That this Bill be re-committed to a Committee of the whole Council for the re-consideration of clause 1 and new clause I.

Question—put.

The Council divided.

Ayes, 17.

The Hon. J. H. Abbott
J. Bell
T. Brunton
J. Buchanan
Sir W. J. Clarke, Bart.
S. W. Cooke
J. M. Davies
G. Davis
S. Fraser
H. Gore
C. J. Ham
Lieut.-Col. Sir F. T. Sargood
J. Service
N. Thornley
A. Wynne
G. Young
F. S. Dobson, LL.D. (*Teller*).

Noes, 8.

The Hon. H. Cuthbert
T. Dowling
N. FitzGerald
D. Ham
D. Melville
W. H. Roberts
J. A. Wallace
W. I. Winter-Irving (*Teller*).

And so it was resolved in the affirmative.

And, on the further motion of the Honorable G. Young, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 1 and new clause I.

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

11. LIBRARIES ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

12. ST. JAMES' CHURCH LANDS BILL.—The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable H. Cuthbert, read a third time and passed.

The Honorable J. Bell moved, That the following be the title of the Bill :—

“An Act to alter Trusts and Limitations in respect of portion of the Lands in the City of Melbourne generally known as St. James' Church Lands and for other purposes.”

Question—put and resolved in the affirmative.

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

13. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—

Land Sales by Auction Fund Bill—To be read a second time.

Medical Practitioners Bill—To be further considered in Committee.

Registration of Firms Bill—To be read a second time.

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

Agricultural Colleges Act 1890 Amendment Bill—To be read a second time.

Ordered—That the said Bill be withdrawn.

15. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until to-morrow :—

Military Reserves Bill—Adjourned debate on second reading.

And then the Council, at fifty-three minutes past nine o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 26.

WEDNESDAY, 7TH OCTOBER, 1891.

Question.

1. The Hon. J. H. CONNOR: To call the attention of the Honorable the Minister of Justice to the present system of allowing the private quarantining of imported dogs at the residence of the owner or the importer instead of at the Government quarantine grounds as formerly, and to ask—
 - (1.) What are the reasons that have induced the Government to make the change.
 - (2.) What safeguards are now taken to prevent the introduction and spread of hydrophobia.
 - (3.) Is the present system to be extended to other parts of the colony outside of Melbourne.

General Business.

ORDERS OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be read a second time.
2. DIRECTORS' LIABILITY BILL.—To be read a second time.
3. CONTRACTORS' PROTECTION BILL.—To be read a second time.
4. PORTLAND BOROUGH LANDS BILL.—To be read a second time.
5. COUNCILS OF CONCILIATION BILL.—To be read a second time.
6. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.
7. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
8. MINES ACT 1890 AMENDMENT BILL.—To be read a second time.
9. LEGAL PROFESSION PRACTICE BILL.—Consideration of Report.
10. LIBRARIES ACT 1890 AMENDMENT BILL.—Consideration of Report.

Government Business.

ORDERS OF THE DAY:—

1. LAND SALES BY AUCTION FUND BILL.—To be read a second time.
2. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
3. REGISTRATION OF FIRMS BILL.—To be read a second time.
4. MILITARY RESERVES BILL.—Adjourned debate on second reading.

TUESDAY, 13TH OCTOBER.

Government Business.

NOTICE OF MOTION:—

1. The Hon. S. FRASER: To move, That he have leave to bring in a Bill to amend the law relating to Life Assurance companies.

ORDER OF THE DAY:—

1. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Wednesday, 7th October.

STANDING ORDERS—at three o'clock.

(200 copies.)

PARLIAMENTARY PAPERS ISSUED SINCE 1ST OCTOBER, 1891.

Minutes of the Proceedings of the Legislative Council. Nos. 24 and 25.

Notices of Motion and Orders of the Day. No. 26.

Draft of Bill to Constitute the Commonwealth of Australia—

Amendment proposed by Hon. Jas. Bell. (To Members of Council only.)

Amendment proposed by Hon. Jas. Service. (To Members of Council only.)

Legal Profession Practice Bill—[40] (To Members of Council only.)

Legal Profession Practice Bill—

Amendment proposed by Hon. W. A. Zeal. (To Members of Council only.)

New Clause proposed by Hon. N. Thornley. (To Members of Council only.)

New Clause K proposed by Hon. N. Thornley. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. No. 41.

Notices of Motion and Orders of the Day. No. 42.

Division in Committee of the whole. No. 7.

Report from the Select Committee of the Legislative Assembly upon the Tramways Act 1890 Amendment Bill, &c. (To Members only.)

VICTORIA.

No. 27.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

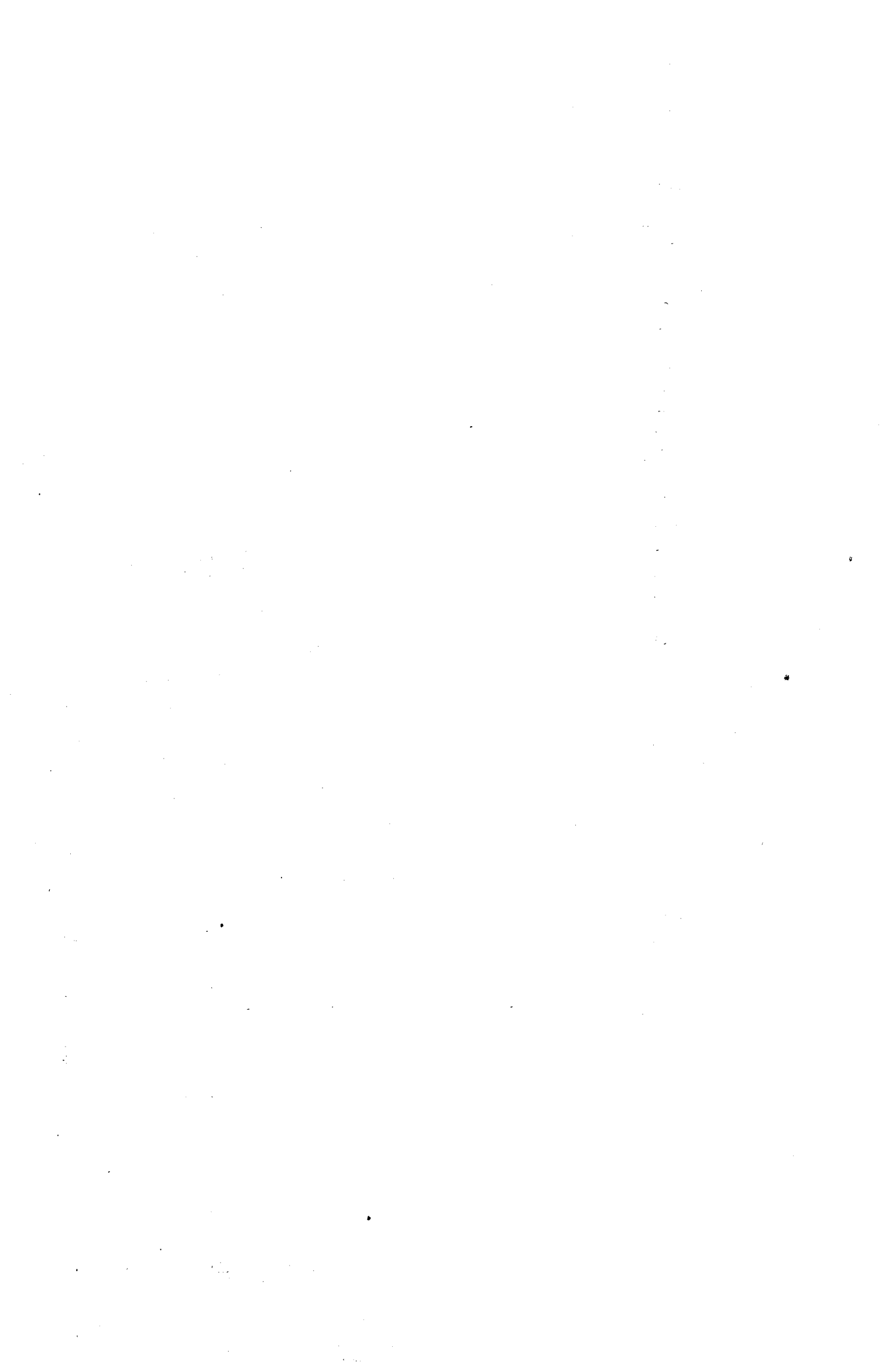
WEDNESDAY, 7TH OCTOBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **BILLS OF SALE LAW AMENDMENT BILL.**—The Honorable W. A. Zeal moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable W. A. Zeal moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable W. A. Zeal, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.
5. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to apply out of the Consolidated Revenue the sum of One million thirteen thousand two hundred and thirty-two pounds to the service of the Year One thousand eight hundred and ninety-one and ninety-two,*” with which they desire the concurrence of the Legislative Council.
M. H. DAVIES,
Speaker.
Legislative Assembly,
Melbourne, 7th October, 1891.
6. **CONSOLIDATED REVENUE BILL (No. 3).**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “ *An Act to apply out of the Consolidated Revenue the sum of One million thirteen thousand two hundred and thirty-two pounds to the service of the Year One thousand eight hundred and ninety-one and ninety-two,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time this day.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, this day, again resolve itself into the said Committee.

7. **DIRECTORS' LIABILITY BILL.**—The Honorable W. A. Zeal moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable W. A. Zeal moved, That this Bill be now committed to a Committee of the whole Council.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable W. A. Zeal, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
 Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.
8. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday, 21st October instant :—
Contractors' Protection Bill—To be read a second time.
9. **PORTLAND BOROUGH LANDS BILL.**—The Honorable N. Thornley moved, That this Bill be now read a second time.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable N. Thornley moved, That this Bill be now committed to a Committee of the whole Council.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable N. Thornley, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with amendments.
 The Honorable N. Thornley moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.
 Question—put and resolved in the affirmative.
 On the motion of the Honorable N. Thornley, the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable N. Thornley, read a third time and passed.
 The Honorable N. Thornley moved, That the following be the title of the Bill :—
“ An Act to enable the Mayor Councillors and Burgesses of the Borough of Portland to sell and convey certain Lands at Portland and to apply the proceeds of such sale towards the cost of erecting a Town Hall and Municipal Offices elsewhere within the said borough.”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.
10. **COUNCILS OF CONCILIATION BILL.**—The Honorable D. Melville moved, That this Bill be now read a second time.
 The Honorable J. Service moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until Wednesday next.
11. **CONSOLIDATED REVENUE BILL (No. 3).**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the report to be taken into consideration this day.
 On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, read a third time and passed.
 The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—
“ An Act to apply out of the Consolidated Revenue the sum of One million thirteen thousand two hundred and thirty-two pounds to the service of the Year One thousand eight hundred and ninety-one and ninety-two.”
 Question—put and resolved in the affirmative.
 Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.
12. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Wednesday, 21st October instant :—
Companies Act 1890 Amendment Bill (No. 2)—To be read a second time.
Companies Act 1890 Amendment Bill—To be read a second time.

13. MINES ACT 1890 AMENDMENT BILL.—The Honorable J. H. Abbott moved, That this Bill be now read a second time.
 Debate ensued.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable J. H. Abbott moved, That this Bill be now committed to a Committee of the whole Council.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable J. H. Abbott, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
 Resolved—That the Council will, on Wednesday, 21st October instant, again resolve itself into the said Committee.
14. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until this day :—
Legal Profession Practice Bill—Consideration of Report.
15. LIBRARIES ACT 1890 AMENDMENT BILL.—On the motion of the Honorable J. Bell, the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Bell, read a third time and passed.
 The Honorable J. Bell moved, That the following be the title of the Bill :—
 “*An Act to amend the ‘Libraries Act 1890.’*”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.
16. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable G. Young, the following Order of the Day was read and discharged :—
Legal Profession Practice Bill—Consideration of Report.
17. LEGAL PROFESSION PRACTICE BILL.—The Honorable G. Young moved, That this Bill be re-committed to a Committee of the whole Council for the consideration of certain new clauses.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable G. Young, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of certain new clauses.
 The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
 Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
18. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Land Sales by Auction Fund Bill—To be read a second time.
Medical Practitioners Bill—To be further considered in Committee.
Registration of Firms Bill—To be read a second time.
Military Reserves Bill—Adjourned debate on second reading.
19. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
 MR. PRESIDENT—
 The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to enable the Mayor Councillors and Burgesses of the Borough of Portland to sell and convey certain Lands at Portland and to apply the proceeds of such sale towards the cost of erecting a Town Hall and Municipal Offices elsewhere within the said borough,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.
 M. H. DAVIES,
 Speaker.
- Legislative Assembly,
 Melbourne, 7th October, 1891.
20. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.
 Question—put and resolved in the affirmative.
 And then the Council, at five minutes past ten o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
 Clerk of the Legislative Council.



LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 27.

TUESDAY, 13TH OCTOBER, 1891.

Government Business.

NOTICE OF MOTION :—

1. The Hon. S. FRASER : To move, That he have leave to bring in a Bill to amend the law relating to Life Assurance companies.

ORDERS OF THE DAY :—

1. NATIONAL AUSTRALASIAN CONVENTION.—To be further considered in Committee.
2. LAND SALES BY AUCTION FUND BILL.—To be read a second time.
3. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
4. REGISTRATION OF FIRMS BILL.—To be read a second time.
5. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

ORDER OF THE DAY :—

1. LEGAL PROFESSION PRACTICE BILL.—To be further considered in Committee.
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WEDNESDAY, 14TH OCTOBER.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. H. CONNOR : To move, That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory.

ORDERS OF THE DAY :—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be further considered in Committee.
 2. DIRECTORS' LIABILITY BILL.—To be further considered in Committee.
 3. COUNCILS OF CONCILIATION BILL.—Adjourned debate on second reading.
-

WEDNESDAY, 21ST OCTOBER.

General Business.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
 2. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.
 3. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
 4. MINES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
-

WEDNESDAY, 28TH OCTOBER.

General Business.

NOTICE OF MOTION :—

1. The Hon. N. THORNLEY : To move, That there be laid on the Table of this House a Return showing—
 1. The names of all persons who have died since the 1st July, 1887, to the 1st July, 1891, having property in the colony outside of cities, towns, or boroughs of the value of £5,000 and upwards.
 2. The amount of the valuation made in each case for the purposes of probate or succession duty by the representatives of the deceased person and by the Government valuer, and the amount of his valuation, his name and the amount of his fee in each case, and also the amount of duty paid on each estate.
 3. Whether in some, if not in all cases, the amount of the valuation made by the representatives of the deceased person for the above purposes is disclosed to the Government valuer before he makes his valuation.
 4. Whether the valuer appointed by the Crown visits the estate he is instructed to value; and if so, whether he makes a statutory declaration to that effect.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 15th October.

STANDING ORDERS—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED 7TH OCTOBER, 1891.

Notices of Motion and Orders of the Day. No. 27.

Companies Act 1890 Amendment Bill—[79]

Votes and Proceedings of the Legislative Assembly. No. 42.

Notices of Motion and Orders of the Day. No. 43.

Kyneton Market Reserve Bill—[8]

St. Arnaud School of Mines Site Bill—[19]

Statistical Register of the Colony of Victoria for the Year 1890—

Part IV.—Vital Statistics, &c. No. 147.

Part V.—Accumulation. No. 148.

Defence Department.—Statement of Expenditure. No. 170.

Report by Dr. Gresswell on the Sanitary Condition and Sanitary Administration of the Borough of Clunes.
No. 174.

VICTORIA.

No. 28.

MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

TUESDAY, 13TH OCTOBER, 1891.

- 1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. CLERK OF THE COUNCIL—ABSENCE OF.—The President having announced that the Clerk was unavoidably absent owing to illness, the Honorable Lieut.-Col. Sir F. T. Sargood, with leave of the Council, moved, without notice, That the Clerk-Assistant do perform the duties of the Clerk of the Council during his absence, and do take the Chair at the Table.
Question—put and resolved in the affirmative.

5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read :—

HOPETOUN, Governor.

Message No. 9.

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

- “An Act to alter Trusts and Limitations in respect of portion of the Lands in the City of Melbourne generally known as St. James’ Church Lands and for other purposes.”
“An Act to apply out of the Consolidated Revenue the sum of One million thirteen thousand two hundred and thirty-two pounds to the service of the year One thousand eight hundred and ninety-one and ninety-two.”
“An Act to enable the Mayor Councillors and Burgesses of the Borough of Portland to sell and convey certain Lands at Portland and to apply the proceeds of such sale towards the cost of erecting a Town Hall and Municipal Offices elsewhere within the said borough.”

Government Offices, Melbourne, 12th October, 1891.

- 6. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk Assistant:—
Constitution Statute.—Statement of Expenditure under Schedule D to Act 18 & 19 Vict., cap. 55, during the Year 1890-91.
The Wattles Act 1890.—Issue of Lease.
Minor Articles used in Manufacture—Boots and Shoes. Miscellaneous.
Explosives Act 1890.—Amended Explosives Regulations.

7. BENDIGO ART GALLERY SITE BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That he have leave to bring in a Bill to authorize the Council of Defence to transfer certain land to the Trustees of the Bendigo Art Gallery.

Question—put and resolved in the affirmative.
Ordered—That the Honorable Lieut.-Col. Sir F. T. Sargood do prepare and bring in the Bill.
The Honorable Lieut.-Col. Sir F. T. Sargood then brought up a Bill intituled “A Bill to authorize the Council of Defence to transfer certain Land to the Trustees of the Bendigo Art Gallery,” and moved that it be now read a first time.

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

8. LIFE ASSURANCE COMPANIES BILL.—The Honorable S. Fraser moved, That he have leave to bring in a Bill to amend the law relating to Life Assurance Companies.

Question—put and resolved in the affirmative.

Ordered—That the Honorable S. Fraser do prepare and bring in the Bill.

The Honorable S. Fraser then brought up a Bill intituled “A Bill to amend the Law relating to Life Assurance Companies,” and moved that it be now read a first time.

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

9. NATIONAL AUSTRALASIAN CONVENTION.—The Order of the Day for the further consideration of the “Draft of a Bill to Constitute the Commonwealth of Australia” in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the provisions of the Draft Bill, and had agreed to the same with amendments, and had referred back the amendments of the Legislative Assembly to the Council for further consideration.

The Honorable H. Cuthbert moved, That the “Draft of a Bill to Constitute the Commonwealth of Australia” be re-committed to a Committee of the whole Council for the re-consideration of Chapter VIII.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of Chapter VIII. of the said Draft Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had agreed to the Draft Bill with a further amendment.

The Honorable H. Cuthbert moved, by leave, That the amendments made by the Committee of the whole Council be now taken into consideration.

Question—put and resolved in the affirmative.

And the said amendments are as follow:—

In the title “Draft of a Bill to Constitute the Commonwealth of Australia”—omit “Commonwealth” and insert “Dominion,” and throughout the Draft Bill omit the word “Commonwealth” wherever it occurs and insert the word “Dominion”; and omit the words “Federal Commonwealth” wherever they occur and insert the word “Dominion.”

CHAPTER I.

PART I.

Clause 2, add to the clause—“Provided always that the Queen may from time to time appoint some person to act as Governor-General on the death or illness or absence of the Governor-General for the time being.”

PART IV.

Clause 51, page 10, line 6, omit “his” and insert “The Queen’s.”

CHAPTER II.

Clause 9, add to the clause—“acting with the advice of the Dominion Executive Council.”

CHAPTER III.

Clause 4, page 14, line 3, after “determine” insert “whether or not any Act of the Dominion Parliament or in the case of any Act of any State Parliament relating to any of the matters in which the Dominion Parliament has authority under this Act to make laws is void wholly or in part on account of such Parliament not having authority to make such Act, and also to hear and determine.”

Clause 4, page 14, line 8, after “conclusive” insert “except in the case of any appeal to such court which is allowed wholly or in part, in which event the respondent may appeal to Her Majesty in Her Privy Council in such manner within such time and subject to such rules regulations and limitations as are prescribed for the time being in regard to appeals to Her Majesty in Her Privy Council.”

Clause 5, page 15, omit this clause.

Clause 6, page 15, line 1, omit “two;” line 2, omit “sections, or of any law made by the Parliament of the Commonwealth in pursuance thereof” and insert “section.”

CHAPTER V.

Clause 5, omit this clause.

Clause 8, omit this clause.

CHAPTER VIII.

Clause 1, add to the clause—“and any law for the alteration of any amendment of this Constitution must be passed and dealt with in the same manner as a law for the alteration of this Constitution.”

On the motion of the Honorable H. Cuthbert, the Council agreed to the amendments made by the Committee of the whole Council in the Draft Bill.

Ordered—That the Draft Bill be read a third time on Tuesday next.

10. NATIONAL AUSTRALASIAN CONVENTION.—AMENDMENTS OF THE LEGISLATIVE ASSEMBLY.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the amendments made by the Legislative Assembly in the "Draft of a Bill to Constitute the Commonwealth of Australia" be now taken into consideration.

Question—put and resolved in the affirmative.
And the said amendments were read and are as follow:—

(1) In the title "Draft of a Bill to Constitute the Commonwealth of Australia" omit "Commonwealth" and insert "Federation," and throughout the Draft Bill omit the word "Commonwealth" wherever it occurs and insert the word "Federation"; and omit the words "Federal Commonwealth" wherever they occur and insert the word "Federation."

(2) Page 2, clause 5, line 2, omit "New Zealand."

(3) Page 2, clause 7, add to the clause—"Provided always that the Supreme Court of Australia shall have the power to decide on the validity or otherwise of any Act of the Parliament of the Federation."

CHAPTER I.—PART I.

(4) Clause 2, add to the clause—"Provided always that the Queen may from time to time appoint some person to act as Governor-General on the death or illness or absence of the Governor-General for the time being."

(5) Clause 3, line 2, omit "less" and insert "more."

(6) Clause 3, line 5, after "be" insert "raised or."

(7) Clause 6, line 5, after "dissolve" insert "the Senate and."

CHAPTER I.—PART III.

(8) Clause 24, line 2, after "chosen" insert "at least."

(9) Clause 25, add to the clause—"Notwithstanding anything contained in this Act it shall not be lawful for any person on any one day to vote in more than one electoral district at any election or elections, and when any person has once voted in any electoral district at any election on any day it shall not be lawful for him to vote again in any electoral district at any poll adjourned from such day."

CHAPTER I.—PART V.

(10) Clause 55, omit sub-section 5.

CHAPTER II.

(11) Clause 4, add to the clause—"and responsible to Parliament."

CHAPTER IV.

(12) Clause 8, add the following proviso:—"Provided always that notwithstanding anything contained in any part of this Act or in any law to be made by the Parliament of the Federation any law or regulation now in force in any State whereby any person or any body whether corporate or unincorporated, has power to demand or levy tolls or rates in respect of goods or chattels landed at a wharf or other place within such State shall remain in full force unless and until repealed or annulled by the Legislature of such State or the authority by which such regulation was made, and such Legislature or authority shall have the same power of altering any such law or regulation as it now has."

(13) Clause 13, lines 1 and 2, omit "may with the consent of the Parliaments of all the States," and insert "shall with the consent of the Parliaments of all the States."

CHAPTER V.

(14) Clause 8, omit this clause.

CHAPTER VI.

(15) Clause 1, lines 1 and 2, omit "of [name the existing colonies which have not adopted the Constitution]," and insert "except New Zealand."

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council disagreed with Nos. 1, 2, and 3 of the foregoing amendments, agreed to No. 4, disagreed with Nos. 5, 6, 7, 8, 9, and 10, agreed to No. 11, postponed the consideration of No. 12, disagreed with No. 13, agreed to No. 14, and disagreed with No. 15.

Ordered—That the further consideration of amendment No. 12 be postponed until Tuesday next.

11. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until after the consideration of Order of the Day No. 1 General Business:—

Land Sales by Auction Fund Bill—To be read a second time.

Medical Practitioners Bill—To be further considered in Committee.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

12. LEGAL PROFESSION PRACTICE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—

The President left the Chair; and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

13. LAND SALES BY AUCTION FUND BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

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

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

Ordered—That the debate be adjourned until Tuesday next.

14. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following [Orders of the Day be postponed until to-morrow:—

Medical Practitioners Bill—To be further considered in Committee.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

And then the Council, at fifty-five minutes past nine o'clock, adjourned until to-morrow.

CHARLES L. COMYNS,

Clerk-Assistant of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 28.

WEDNESDAY, 14TH OCTOBER, 1891.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. H. CONNOR : To move, That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory.

ORDERS OF THE DAY :—

1. BILLS OF SALE LAW AMENDMENT BILL.—To be further considered in Committee.
2. DIRECTORS' LIABILITY BILL.—To be further considered in Committee.
3. COUNCILS OF CONCILIATION BILL.—Adjourned debate on second reading.
4. LEGAL PROFESSION PRACTICE BILL.—Consideration of Report.

Government Business.

ORDERS OF THE DAY :—

1. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
2. REGISTRATION OF FIRMS BILL.—To be read a second time.
3. MILITARY RESERVES BILL.—Adjourned debate on second reading.

TUESDAY, 20TH OCTOBER.

Government Business.

ORDERS OF THE DAY :—

1. BENDIGO ART GALLERY SITE BILL.—To be read a second time.
2. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
3. NATIONAL AUSTRALASIAN CONVENTION.—To be read a third time.
4. NATIONAL AUSTRALASIAN CONVENTION.—Amendments of the Legislative Assembly to be further considered.
5. LAND SALES BY AUCTION FUND BILL.—Adjourned debate on second reading.

WEDNESDAY, 21ST OCTOBER.

General Business.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
2. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.
3. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
4. MINES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.

WEDNESDAY, 28TH OCTOBER.

General Business.

NOTICE OF MOTION :—

1. The Hon. N. THORNLEY : To move, That there be laid on the Table of this House a Return showing—
 1. The names of all persons who have died since the 1st July, 1887, to the 1st July, 1891, having property in the colony outside of cities, towns, or boroughs of the value of £5,000 and upwards.
 2. The amount of the valuation made in each case for the purposes of probate or succession duty by the representatives of the deceased person and by the Government valuer, and the amount of his valuation, his name and the amount of his fee in each case, and also the amount of duty paid on each estate.
 3. Whether in some, if not in all cases, the amount of the valuation made by the representatives of the deceased person for the above purposes is disclosed to the Government valuer before he makes his valuation.
 4. Whether the valuer appointed by the Crown visits the estate he is instructed to value; and if so, whether he makes a statutory declaration to that effect.

CHARLES L. COMYNS,

Clerk-Assistant of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 8TH OCTOBER, 1891.

Minutes of the Proceedings of the Legislative Council. No. 27.

Notices of Motion and Orders of the Day. No. 28.

Weekly Report of Divisions in Committee of the whole Council. Nos. 1 and 2.

Legal Profession Practice Bill—[40] (To Members of Council only.)

Bendigo Art Gallery Site Bill—[69]

Legal Profession Practice Bill.—New Clause to be proposed by Hon. N. Thornley. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 43 and 44.

Notices of Motion and Orders of the Day. No. 45.

Divisions in Committee of the whole. No. 8.

Constitution Amendment Bill—[12] (To Members only.)

Juries Act 1890 Amendment Bill—[84]

Railways Act 1890 Amendment Bill—

New Clauses to be proposed in Committee. (To Members only.)

Amendment and New Clause to be proposed in Committee by Mr. T. Smith. (To Members only.)

Local Government Act 1890 Amendment Bill.—Amendments to be proposed in Committee. (To Members only.)

Parliamentary Standing Committee on Railways Remuneration Bill—

Amendments to be proposed in Committee by Dr. Maloney. (To Members only.)

Amendments to be proposed in Committee by Mr. Patterson. (To Members only.)

Public Service Act 1890 Amendment Bill.—New Clause to be proposed in Committee by Mr. Peacock. (To Members only.)

Committee of Public Accounts.—Return to an Order of the House. C.—No. 9.

VICTORIA.

No. 29.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 14TH OCTOBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. QUARANTINE OF DOGS.—The Honorable J. H. Connor moved, pursuant to amended notice, That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.
Debate ensued.
The Honorable N. Thornley moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Wednesday, 28th October instant.
5. BILLS OF 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 President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with amendments.
The Honorable W. A. Zeal moved, That this Bill be recommitted to a Committee of the whole Council for the re-consideration of clause 1.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable W. A. Zeal, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 1.
The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with a further amendment, the Council ordered the same to be taken into consideration on Tuesday next.—Bill, as further amended, to be printed.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend ‘The Constitution Act Amendment Act 1890,’*” with which they desire the concurrence of the Legislative Council.
M. H. DAVIES,
Speaker.
Legislative Assembly,
Melbourne, 14th October, 1891.
7. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to amend ‘The Constitution Act Amendment Act 1890,’*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday, 27th October instant.
8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—
MR. PRESIDENT—
The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the ‘Libraries Act 1890,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.
M. H. DAVIES,
Speaker.
Legislative Assembly,
Melbourne, 14th October, 1891.

9. **DIRECTORS' LIABILITY BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill without amendment, the Council ordered the same to be taken into consideration on Wednesday next.
10. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until after the consideration of Order of the Day No. 4.
Councils of Conciliation Bill—Adjourned debate on second reading.
11. **DISCHARGE OF ORDER OF THE DAY.**—On the motion of the Honorable G. Young, the following Order of the Day was read and discharged :—
Legal Profession Practice Bill—Consideration of Report.
12. **LEGAL PROFESSION PRACTICE BILL.**—The Honorable G. Young moved, That this Bill be recommended to a Committee of the whole Council for the consideration of a new clause.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable G. Young, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of a new clause.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with a further amendment.
The Honorable G. Young moved, by leave, That the Report from the Committee of the whole Council on this Bill be taken into consideration this day.
Question—put and resolved in the affirmative.
On the motion of the Honorable G. Young, the Council adopted the Report from the Committee of the whole on this Bill.
Ordered—That the Bill be read a third time on Tuesday next.
13. **COUNCILS OF CONCILIATION BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
Debate resumed.
The Honorable H. Gore moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned till Wednesday next.
14. **MEDICAL PRACTITIONERS BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
15. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Registration of Firms Bill—To be read a second time.
Military Reserves Bill—Adjourned debate on second reading.
16. **ADJOURNMENT.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.

And then the Council, at ten o'clock, adjourned until Tuesday next.

CHARLES L. COMYNS,

Clerk-Assistant of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 29.

TUESDAY, 20TH OCTOBER, 1891.

Government Business.

ORDERS OF THE DAY:—

1. NATIONAL AUSTRALASIAN CONVENTION.—To be read a third time.
2. NATIONAL AUSTRALASIAN CONVENTION.—Amendments of the Legislative Assembly to be further considered.
3. LAND SALES BY AUCTION FUND BILL.—Adjourned debate on second reading.
4. BENDIGO ART GALLERY SITE BILL.—To be read a second time.
5. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
6. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
7. REGISTRATION OF FIRMS BILL.—To be read a second time.
8. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

ORDERS OF THE DAY:—

1. BILLS OF SALE LAW AMENDMENT BILL.—Consideration of Report.
2. LEGAL PROFESSION PRACTICE BILL.—To be read a third time.

WEDNESDAY, 21ST OCTOBER.

General Business.

ORDERS OF THE DAY:—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
2. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.
3. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
4. MINES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
5. DIRECTORS' LIABILITY BILL.—Consideration of Report.
6. COUNCILS OF CONCILIATION BILL.—Adjourned debate on second reading.

TUESDAY, 27TH OCTOBER.

Government Business.

ORDER OF THE DAY:—

1. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—To be read a second time.

WEDNESDAY, 28TH OCTOBER.

General Business.

NOTICE OF MOTION:—

1. The Hon. N. THORNLEY: To move, That there be laid on the Table of this House a Return showing—
 1. The names of all persons who have died since the 1st July, 1887, to the 1st July, 1891, having property in the colony outside of cities, towns, or boroughs of the value of £5,000 and upwards.
 2. The amount of the valuation made in each case for the purposes of probate or succession duty by the representatives of the deceased person and by the Government valuer, and the amount of his valuation, his name and the amount of his fee in each case, and also the amount of duty paid on each estate.
 3. Whether in some, if not in all cases, the amount of the valuation made by the representatives of the deceased person for the above purposes is disclosed to the Government valuer before he makes his valuation.
 4. Whether the valuer appointed by the Crown visits the estate he is instructed to value; and if so, whether he makes a statutory declaration to that effect.

ORDER OF THE DAY:—

1. QUARANTINE OF DOGS.—*Resumption of debate on the question*—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.

CHARLES L. COMYNS,

Clerk-Assistant of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 14TH OCTOBER, 1891.

Notices of Motion and Orders of the Day. No. 29.

Status of Members of the Executive Council: Correspondence relative to. B 5.

Legal Profession Practice Bill—[40] (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 46.

Opium Importation Restriction Bill—[71]

Education Endowment Bill.—Amendments to be proposed in Committee by Mr. T. Smith. (To Members only.)

Local Government Act 1890 Amendment Bill.—Amendments to be proposed in Committee by Mr. Murphy. (To Members only.)

Agricultural Grants Bill.—Message. B.—No. 20.

Constitution Statute.—Statement of Expenditure, &c., during the year 1890–91. No. 169.

Minor Articles used in Manufacture. No. 181.

Explosives Act 1890.—Amended Explosive Regulations. No. 182.

VICTORIA.

No. 30.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 20TH OCTOBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do now adjourn.
Question—put and resolved in the affirmative.

And then the Council, at forty-five minutes past four o'clock, adjourned until to-morrow.

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



LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 30.

WEDNESDAY, 21ST OCTOBER, 1891.

General Business.

ORDERS OF THE DAY:—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
2. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.
3. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
4. MINES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
5. DIRECTORS' LIABILITY BILL.—Consideration of Report.
6. COUNCILS OF CONCILIATION BILL.—Adjourned debate on second reading.
7. BILLS OF SALE LAW AMENDMENT BILL.—Consideration of Report.
8. LEGAL PROFESSION PRACTICE BILL.—To be read a third time.

Government Business.

ORDERS OF THE DAY:—

1. NATIONAL AUSTRALASIAN CONVENTION.—To be read a third time.
2. NATIONAL AUSTRALASIAN CONVENTION.—Amendments of the Legislative Assembly to be further considered.
3. LAND SALES BY AUCTION FUND BILL.—Adjourned debate on second reading.
4. BENDIGO ART GALLERY SITE BILL.—To be read a second time.
5. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
6. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
7. REGISTRATION OF FIRMS BILL.—To be read a second time.
8. MILITARY RESERVES BILL.—Adjourned debate on second reading.

TUESDAY, 27TH OCTOBER.

Government Business.

ORDER OF THE DAY:—

1. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—To be read a second time.

WEDNESDAY, 28TH OCTOBER.

General Business.

NOTICE OF MOTION:—

1. The Hon. N. THORNLEY: To move, That there be laid on the Table of this House a Return showing—
 1. The names of all persons who have died since the 1st July, 1887, to the 1st July, 1891, having property in the colony outside of cities, towns, or boroughs of the value of £5,000 and upwards.
 2. The amount of the valuation made in each case for the purposes of probate or succession duty by the representatives of the deceased person and by the Government valuer, and the amount of his valuation, his name and the amount of his fee in each case, and also the amount of duty paid on each estate.
 3. Whether in some, if not in all cases, the amount of the valuation made by the representatives of the deceased person for the above purposes is disclosed to the Government valuer before he makes his valuation.
 4. Whether the valuer appointed by the Crown visits the estate he is instructed to value; and if so, whether he makes a statutory declaration to that effect.

ORDER OF THE DAY:—

1. QUARANTINE OF DOGS.—*Resumption of debate on the question*—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.

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

PARLIAMENTARY PAPERS ISSUED SINCE 15TH OCTOBER, 1891.

Minutes of the Proceedings of the Legislative Council. Nos. 28 and 29.

Notices of Motion and Orders of the Day. No. 30.

Directors' Liability Bill.—Amendment to be proposed by the Hon. J. M. Davies. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 45, 46, and 47.

Notices of Motion and Orders of the Day. No. 48.

Division in Committee of the whole. No. 9.

Austral-Anglo Tramway Company Bill—[32] (To Members only.)

Local Government Act 1890 Amendment Bill—

New clauses to be proposed in Committee by Mr. Best. (To Members only.)

Amendments and new clauses. (To Members only.)

Report from the Select Committee of the Legislative Assembly upon the Scots' Church Properties Bill, &c.

Report from the Select Committee upon the Settlement of the Mallee Country, &c. D.—No. 4.

VICTORIA.

No. 31.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 21st OCTOBER, 1891.

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

HOPETOUN,
Governor.

Message No. 10.

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

“An Act to amend the ‘Libraries Act 1890.’”

Government Offices,
Melbourne, 19th October, 1891.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “An Act to amend the ‘Employers and Employés Act 1890’ and for other purposes,” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 20th October, 1891.

M. H. DAVIES,
Speaker.

6. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled “An Act to amend the ‘Employers and Employés Act 1890’ and for other purposes,” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Wednesday next.

7. DEATH OF THE LATE HONORABLE DR. LE FEVRE.—The President announced that in reply to a cablegram forwarded by the Honorable the Minister of Defence respecting the reported death of the late Honorable Dr. Le Fevre, the following had been received from the Agent-General, which he read:—

“London, 20 October, 1891.

“Le Fevre died 17 October, typhoid fever, at Glasgow. Certificate will be forwarded.

“(Signed) GRAHAM BERRY.”

8. PETITIONS.—The following Petitions, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours, were presented as under:—

By the Honorable S. Austin—

From the Assembly of the Bishop, Clergy, and Laity of the Church of England within the Diocese of Melbourne.

By the Honorable S. Fraser—

From certain members of the Church of England residing at Hawthorn.

From certain members of the Church of England residing at Hawthorn.

The Honorable D. Coutts presented a Petition from the President, Councillors, and Ratepayers of the Shire of East Loddon, under the corporate seal of the said shire, against the provision of the Constitution Act Amendment Act 1890 Amendment Bill relating to the abolition of plural voting.

Severally ordered to lie on the Table.

9. PAPERS.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—

Gold Mining—Report of the Royal Commission on.

Victorian Water Supply.—Fifth Annual General Report by the Minister of Water Supply.

Statistical Register of the Colony of Victoria for the Year 1890.—Part VI.—Population.

The Honorable J. M. Davies presented, by command of His Excellency the Governor—

Report of the Council of Judges under section 33 of the *Supreme Court Act* 1890.

Severally ordered to lie on the Table.

The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk Assistant :—

Savings Banks.—Statements and Returns for the Year ended 30th June, 1891.

10. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until after the consideration of Orders of the Day, General Business, Nos. 7 and 8, and the Orders of the Day, Government Business, Nos. 1 and 2 :—

Contractors' Protection Bill—To be read a second time.

Companies Act 1890 Amendment Bill (No. 2)—To be read a second time.

Companies Act 1890 Amendment Bill—To be read a second time.

Mines Act 1890 Amendment Bill—To be further considered in Committee.

Directors' Liability Bill—Consideration of Report.

Councils of Conciliation Bill—Adjourned debate on second reading.

11. LEGAL PROFESSION PRACTICE BILL.—The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Bell, read a third time.

The Honorable J. M. Davies moved, That the word "examination" in Clause I (last line but one), be omitted, with a view to insert in place thereof the word "examinations."

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

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

The Honorable J. M. Davies moved, That the word "passing," in Clause J, line 3, be omitted, with a view to insert in place thereof the word "commencement."

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

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

The Honorable J. Bell moved, That this Bill do pass.

Question—put and resolved in the affirmative.

The Honorable J. Bell moved, That the following be the title of the Bill :—

"An Act to regulate the Practice of the Legal Profession."

Question—put and resolved in the affirmative.

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

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

Bills of Sale Law Amendment Bill—Consideration of Report.

13. BILLS OF SALE LAW AMENDMENT BILL.—The Honorable J. Service moved, That this Bill be recommitted to a Committee of the whole Council for re-consideration.

Question—put and resolved in the affirmative.

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

The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with further amendments.

The Honorable W. A. Zeal moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable W. A. Zeal, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable W. A. Zeal moved, That the following be the title of the Bill :—

"An Act to amend the Law relating to Bills of Sale."

Question—put and resolved in the affirmative.

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

14. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable H. Cuthbert, the following Order of the Day was read and discharged :—

National Australasian Convention—To be read a third time.

15. NATIONAL AUSTRALASIAN CONVENTION.—The Honorable H. Cuthbert moved, That the "Draft of a Bill to Constitute the Commonwealth of Australia" be recommitted to a Committee of the whole Council for the re-consideration of clause 5 (page 2) and clause 8 (page 17).

Debate ensued.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 5 (page 2) and clause 8 (page 17) of the said Draft Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had agreed to the Draft Bill with a further amendment.

The Honorable H. Cuthbert moved, That the "Draft of a Bill to Constitute the Commonwealth of Australia" be again recommitted to a Committee of the whole Council for the re-consideration of Clause 1 of Chapter VI.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of Clause 1 of Chapter VI. of the said Draft Bill.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had agreed to the Draft Bill with a further amendment.

The Honorable H. Cuthbert moved, by leave, That the further amendments made by the Committee of the whole Council be now taken into consideration.

Question—put and resolved in the affirmative.

And the said amendments are as follow :—

CHAPTER IV.

Clause 8 (page 17), add the following proviso :—"Provided always that notwithstanding anything contained in any part of this Act or in any law to be made by the Parliament of the Federation any law or regulation now in force in any State whereby any person or any body, whether corporate or unincorporated, has power to demand or levy tolls or rates in respect of goods or chattels landed at a wharf or other place within such State shall remain in full force unless and until repealed or annulled by the Legislature of such State or the authority by which such regulation was made, and such Legislature or authority shall have the same power of altering any such law or regulation as it now has, but shall not have the power of increasing any such tolls or rates to a greater amount than those existing at the time of the passing of this Act."

CHAPTER VI.

Clause 1 (page 20), line 3, after "Constitution" insert "within two years from the passing of this Act."

On the motion of the Honorable H. Cuthbert, the Council agreed to the further amendments made by the Committee of the whole Council in the Draft Bill.

Ordered—That the amendments agreed to by the Legislative Council in the "Draft of a Bill to Constitute the Commonwealth of Australia," adopted by the National Australasian Convention on the 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891, be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.

16. NATIONAL AUSTRALASIAN CONVENTION.—The Order of the Day for the further consideration of the following amendment made by the Legislative Assembly in the "Draft of a Bill to Constitute the Commonwealth of Australia"—having been read—

CHAPTER IV.

(12) Clause 8, add the following proviso :—"Provided always that notwithstanding anything contained in any part of this Act or in any law to be made by the Parliament of the Federation any law or regulation now in force in any State whereby any person or any body, whether corporate or unincorporated, has power to demand or levy tolls or rates in respect of goods or chattels landed at a wharf or other place within such State shall remain in full force unless and until repealed or annulled by the Legislature of such State or the authority by which such regulation was made, and such Legislature or authority shall have the same power of altering any such law or regulation as it now has."

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council agree to the said amendment with the addition of the following words :—"but shall not have the power of increasing any such tolls or rates to a greater amount than those existing at the time of the passing of this Act."

Question—put and resolved in the affirmative.

Ordered—That the amendments of the Legislative Assembly in the "Draft of a Bill to Constitute the Commonwealth of Australia," adopted by the National Australasian Convention on the 9th April, 1891, and laid before the Parliament of Victoria on the 23rd June, 1891, be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to some, disagreed with others, and agreed to one of such amendments with an amendment, with which they desire the concurrence of the Legislative Assembly.

17. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until after the consideration of Order of the Day, General Business, No. 5 :—

Contractors' Protection Bill—To be read a second time.

Companies Act 1890 Amendment Bill (No. 2)—To be read a second time.

Companies Act 1890 Amendment Bill—To be read a second time.

Mines Act 1890 Amendment Bill—To be further considered in Committee.

18. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable W. A. Zeal, the following Order of the Day was read and discharged :—

Directors' Liability Bill—Consideration of Report.

19. **DIRECTORS' LIABILITY BILL.**—The Honorable W. A. Zeal moved, That this Bill be recommitted to a Committee of the whole Council for re-consideration of clause 3.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable W. A. Zeal, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 3.
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with an amendment.
 The Honorable W. A. Zeal moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.
 Question—put and resolved in the affirmative.
 On the motion of the Honorable W. A. Zeal, the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable W. A. Zeal, read a third time and passed.
 The Honorable W. A. Zeal moved, That the following be the title of the Bill :—
“An Act to amend the Law relating to the liability of Directors and others for statements in Prospectuses and other documents soliciting applications for Shares or Debentures.”
 Question—put and resolved in the affirmative.
 Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
20. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday, 4th November next :—
Contractors' Protection Bill—To be read a second time.
21. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Wednesday next :—
Companies Act 1890 Amendment Bill (No. 2)—To be read a second time.
Companies Act 1890 Amendment Bill—To be read a second time.
22. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until after the consideration of Order of the Day Government Business, No. 3 :—
Mines Act 1890 Amendment Bill—To be further considered in Committee.
Councils of Conciliation Bill—Adjourned debate on second reading.
23. **LAND SALES BY AUCTION FUND BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
 Debate resumed.
 The Honorable D. Melville moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until Tuesday next.
24. **ADJOURNMENT.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.
 Debate ensued.
 Question—put and resolved in the affirmative.
25. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday next :—
Mines Act 1890 Amendment Bill—To be further considered in Committee.
26. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Councils of Conciliation Bill—Adjourned debate on second reading.
Bendigo Art Gallery Site Bill—To be read a second time.
Life Assurance Companies Bill—To be read a second time.
Medical Practitioners Bill—To be further considered in Committee.
Registration of Firms Bill—To be read a second time.
Military Reserves Bill—Adjourned debate on second reading.

And then the Council, at two minutes past ten o'clock, adjourned until Tuesday next.

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

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 31.

TUESDAY, 27TH OCTOBER, 1891.

Question.

1. The Hon. T. DOWLING: To ask the Honorable the Minister of Justice if it is the intention of the Government to introduce this Session an amendment of the Fencing Statute, making it compulsory on owners of adjacent lands to pay half the cost of erecting rabbit-proof fencing.

Government Business.

ORDERS OF THE DAY:—

1. LAND SALES BY AUCTION FUND BILL.—Adjourned debate on second reading.
2. BENDIGO ART GALLERY SITE BILL.—To be read a second time.
3. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
4. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—To be read a second time.
5. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
6. REGISTRATION OF FIRMS BILL.—To be read a second time.
7. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

NOTICES OF MOTION:—

1. The Hon. J. S. BUTTERS: To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.
2. The Hon. C. SARGEANT: To move, That in the opinion of this House it is desirable that a valuation of the whole of the licensed houses in any licensing district shall be made where it has been determined by a poll or otherwise to reduce the number of licensed houses, and prior to a selection of the houses to be closed, and that a record of such valuation shall be kept. And if at any time a further determination is made to reduce the number of licensed houses in such licensing district, the compensation to be paid shall be on the basis of the valuation made at the first determination.

ORDER OF THE DAY:—

1. COUNCILS OF CONCILIATION BILL.—Adjourned debate on second reading.

WEDNESDAY, 28TH OCTOBER.

General Business.

NOTICE OF MOTION:—

1. The Hon. N. THORNLEY: To move, That there be laid on the Table of this House a Return showing—
 1. The names of all persons who have died since the 1st July, 1887, to the 1st July, 1891, having property in the colony outside of cities, towns, or boroughs of the value of £5,000 and upwards.
 2. The amount of the valuation made in each case for the purposes of probate or succession duty by the representatives of the deceased person and by the Government valuer, and the amount of his valuation, his name and the amount of his fee in each case, and also the amount of duty paid on each estate.
 3. Whether in some, if not in all cases, the amount of the valuation made by the representatives of the deceased person for the above purposes is disclosed to the Government valuer before he makes his valuation.
 4. Whether the valuer appointed by the Crown visits the estate he is instructed to value; and if so, whether he makes a statutory declaration to that effect.

ORDERS OF THE DAY:—

1. QUARANTINE OF DOGS.—*Resumption of debate on the question*—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.
2. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—To be read a second time.
3. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.
4. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
5. MINES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.

WEDNESDAY, 4TH NOVEMBER.

General Business.

ORDER OF THE DAY:—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.

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

PARLIAMENTARY PAPERS ISSUED 21ST OCTOBER, 1891.

Minutes of the Proceedings of the Legislative Council. No. 30.
 Notices of Motion and Orders of the Day. No. 31.
 Employers and Employés Bill—[53] (To Members of Council only.)
 Companies Act 1890 Amendment Bill (No. 2).—Amendments to be proposed by the Hon. J. H. Abbott.
 (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. No. 48.
 Notices of Motion and Orders of the Day. No. 49.
 Local Government Act 1890 Amendment Bill.—Amendments and new clauses. (To Members only.)
 Report from the Select Committee of the Legislative Assembly upon the Melbourne and Williamstown
 Tramway Bill, &c.
 Statistical Register of the Colony of Victoria for the Year 1890.—Part VI.—Population. No. 149.
 Report of the Council of Judges under Section 33 of the Supreme Court Act 1890. No. 183.

VICTORIA.

No. 32.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 27TH OCTOBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITIONS.—The Honorable J. Buchanan presented a Petition from the President, Councillors, and Ratepayers of the Shire of Moorabbin, under the common seal of the said Corporation, praying that the House would reject the Constitution Act Amendment Act 1890 Amendment Bill.
Petition read, and ordered to lie on the Table.
The Honorable J. H. Connor presented a Petition from the Mayor, Aldermen, Councillors, and Burgesses of Geelong, under the common seal of the said Corporation, praying that the House would prevent the Constitution Act Amendment Act 1890 Amendment Bill from becoming law.
Petition read, and ordered to lie on the Table.
The Honorable J. S. Butters presented a Petition from the Mayor and Councillors of the Borough of Wangaratta, under the common seal of the said Corporation, praying that the House would reject the Constitution Act Amendment Act 1890 Amendment Bill.
Ordered to lie on the Table.
5. PAPERS.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—
Public Service Board.—Report.
The Land Act 1890.—Alteration of Regulations.
Education.—Report of the Minister of Public Instruction for the Year 1890-91.
Severally ordered to lie on the Table.
The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk :—
The Water Act 1890.—Cohuna Irrigation and Water Supply Trust.—Rating Regulations.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to convert the existing Trusts relating to the Scots' Church Properties into one General Trust,*" with which they desire the concurrence of the Legislative Council.
M. H. DAVIES,
Speaker.
Legislative Assembly,
Melbourne, 27th October, 1891.
7. SCOTS' CHURCH PROPERTIES BILL.—The Honorable J. Bell moved, That a Message be transmitted to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee of that House to which this Bill was referred during the present Session of Parliament.
Question—put and resolved in the affirmative.
8. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Tramways Act 1890' and to extend the provisions thereof to the Corporation of the City of Melbourne and the Councils of the Municipalities of Prahran and Saint Kilda within certain limits,*" with which they desire the concurrence of the Legislative Council.
M. H. DAVIES,
Speaker.
Legislative Assembly,
Melbourne, 27th October, 1891.

9. **TRAMWAYS ACT 1890 AMENDMENT BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That a Message be transmitted to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee of that House to which this Bill was referred during the present Session of Parliament.
Question—put and resolved in the affirmative.
10. **AGRICULTURAL COLLEGES LANDS MINING BILL.**—The Honorable S. Fraser moved, by leave, That he have leave to bring in a Bill to enable Lands vested under the *Agricultural Colleges Act 1890* to be leased for mining purposes.
Question—put and resolved in the affirmative.
Ordered—That the Honorable S. Fraser do prepare and bring in the Bill.
The Honorable S. Fraser then brought up a Bill intituled “*A Bill to enable Lands vested under the ‘Agricultural Colleges Act 1890’ to be leased for mining purposes,*” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday, 10th November next.
11. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until this day :—
Land Sales by Auction Fund Bill—Adjourned debate on second reading.
Bendigo Art Gallery Site Bill—To be read a second time.
Medical Practitioners Bill—To be further considered in Committee.
12. **CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.
Debate ensued.
The Honorable T. Dowling moved, That the debate be now adjourned.
Debate continued.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday, 10th November next.
13. **LAND SALES BY AUCTION FUND BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
Debate resumed.
Question—That this Bill be now read a second time—put.
The Council divided.

Ayes, 25.

The Hon. J. H. Abbott
S. Austin
J. Bell
Sir B. Benjamin
T. Brunton
J. Buchanan
S. W. Cooke
H. Cuthbert
J. M. Davies
F. S. Dobson, LL.D.
T. Dowling
N. FitzGerald
S. Fraser
H. Gore
C. J. Ham
D. Ham
E. Morey
W. Pitt
J. M. Pratt
W. H. Roberts
J. Service
J. Sternberg
N. Thornley
W. I. Winter-Irving
Lieut.-Col. Sir F. T. Sargood
(Teller).

Noes, 8.

The Hon. J. H. Connor
G. Davis
D. Melville
C. Sargeant
D. S. Wallace
J. A. Wallace
W. A. Zeal
J. S. Butters (Teller).

And so it was resolved in the affirmative.—Bill read a second time.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill. The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—

“ An Act to establish a Land Sales by Auction Fund.”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copies of the Report and Evidence of the Select Committee of the Legislative Assembly on the Bill intituled “ *An Act to convert the existing Trusts relating to the Scots’ Church Properties into one General Trust,*” in accordance with the request of the Legislative Council.

Legislative Assembly,
Melbourne, 27th October, 1891.

M. H. DAVIES,
Speaker.

15. SCOTS’ CHURCH PROPERTIES BILL.—The Honorable J. Bell having produced a receipt that the sum of £20 had been paid into the hands of the Treasurer of the colony, moved, That the Bill intituled “ *An Act to convert the existing Trusts relating to the Scots’ Church Properties into one General Trust*” be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copies of the Report and Evidence of the Select Committee of the Legislative Assembly on the Bill intituled “ *An Act to amend the ‘ Tramways Act 1890 ’ and to extend the provisions thereof to the Corporation of the City of Melbourne and the Councils of the Municipalities of Prahran and Saint Kilda within certain limits,*” in accordance with the request of the Legislative Council.

Legislative Assembly,
Melbourne, 27th October, 1891.

M. H. DAVIES,
Speaker.

17. BENDIGO ART GALLERY SITE BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

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

18. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—

Medical Practitioners Bill—To be further considered in Committee.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

Councils of Conciliation Bill—Adjourned debate on second reading.

And then the Council, at eight minutes past ten o’clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 32.

WEDNESDAY, 28TH OCTOBER, 1891.

Question.

1. The Hon. J. H. CONNOR: To ask the Honorable the Minister of Defence if he will lay the correspondence between this and the other colonies in respect to private quarantine for imported dogs upon the Table of the Council.

General Business.

NOTICES OF MOTION :—

1. The Hon. N. THORNLEY: To move, That there be laid on the Table of this House a Return showing—
 1. The names of all persons who have died since the 1st July, 1887, to the 1st July, 1891, having property in the colony outside of cities, towns, or boroughs of the value of £5,000 and upwards.
 2. The amount of the valuation made in each case for the purposes of probate or succession duty by the representatives of the deceased person and by the Government valuer, and the amount of his valuation, his name and the amount of his fee in each case, and also the amount of duty paid on each estate.
 3. Whether in some, if not in all cases, the amount of the valuation made by the representatives of the deceased person for the above purposes is disclosed to the Government valuer before he makes his valuation.
 4. Whether the valuer appointed by the Crown visits the estate he is instructed to value; and if so, whether he makes a statutory declaration to that effect.
2. The Hon. J. S. BUTTERS: To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.
3. The Hon. C. SARGEANT: To move, That in the opinion of this Council it is desirable that a valuation of the whole of the licensed houses in any licensing district shall be made where it has been determined by a poll or otherwise to reduce the number of licensed houses, and prior to a selection of the houses to be closed, and that a record of such valuation shall be kept. And if at any time a further determination is made to reduce the number of licensed houses in such licensing district, the compensation to be paid shall be on the basis of the valuation made at the first determination.

ORDERS OF THE DAY :—

1. QUARANTINE OF DOGS.—*Resumption of debate on the question*—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.
2. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—To be read a second time.
3. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be read a second time.
4. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
5. MINES ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
6. COUNCILS OF CONCILIATION BILL.—Adjourned debate on second reading.
7. SCOTS' CHURCH PROPERTIES BILL.—To be read a second time.

Government Business.

ORDERS OF THE DAY :—

1. BENDIGO ART GALLERY SITE BILL.—To be further considered in Committee.
2. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
3. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
4. REGISTRATION OF FIRMS BILL.—To be read a second time.
5. MILITARY RESERVES BILL.—Adjourned debate on second reading.

WEDNESDAY, 4TH NOVEMBER.

General Business.

ORDER OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.

TUESDAY, 10TH NOVEMBER.

Question.

1. The Hon. T. DOWLING : To ask the Honorable the Minister of Justice if it is the intention of the Government to introduce this Session an amendment of the Fencing Statute, making it compulsory on owners of adjacent lands to pay half the cost of erecting rabbit-proof fencing.

Government Business.

ORDERS OF THE DAY :—

1. AGRICULTURAL COLLEGES LANDS MINING BILL.—To be read a second time.
2. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Adjourned debate on second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 22ND OCTOBER, 1891.

Notices of Motion and Orders of the Day. No. 32.
 Agricultural Colleges Lands Mining Bill—[83]

Votes and Proceedings of the Legislative Assembly. No. 50.
 Notices of Motion and Orders of the Day. No. 51.
 Divisions in Committee of the whole. No. 10.
 Bills of Sale Bill—[39] (To Members only.)
 Directors' Liability Bill—[74] (To Members only.)
 University Fees Abolition Bill—[87]
 Legal Profession Practice Bill.—Amendments made by the Legislative Council. (To Members only.)
 Local Government Act 1890 Amendment Bill—
 Amendments to be proposed in Committee by Mr. Bent. (To Members only.)
 Amendments and new clauses to be proposed in Committee. (To Members only.)
 Licensing Act 1890 Amendment Bill—
 Amendments and new clauses to be proposed in Committee by Mr. Turner. (To Members only.)
 New clauses to be proposed in Committee. (To Members only.)
 Amendment to be proposed in Committee by Mr. Mason. (To Members only.)
 Report from the Select Committee upon the claims of Mr. Bechervaise, &c. D.—No. 5.
 Public Service Board.—Report. No. 176.
 The Water Act 1890.—Cohuna Irrigation and Water Supply Trust.—Rating Regulations. No. 184.
 The Land Act 1890.—Alteration of Regulations. No. 186.

VICTORIA.

No. 33.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 28TH OCTOBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President laid upon the Table the following Warrant appointing the Committee of Elections and Qualifications:—

VICTORIA.

Pursuant to the provisions of *The Constitution Act Amendment Act 1890*,
I do hereby appoint—

The Honorable Sir Benjamin Benjamin,
The Honorable Henry Cuthbert,
The Honorable John Mark Davies,
The Honorable Nicholas FitzGerald,
The Honorable Donald Melville,
The Honorable James Service,
and

The Honorable George Young

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

Given under my hand this twenty-eighth day of October, One thousand eight hundred and ninety-one.

JAS. MACBAIN,
President of the Legislative Council.

5. ISSUE OF WRIT.—The President announced that he had this day issued a Writ for the election of a Member to serve for the North Yarra Province, in the place of the late Honorable George Le Fevre, M.D.
6. TRUSTS ACT 1890 AMENDMENT BILL.—The Honorable J. M. Davies moved, by leave, That he have leave to bring in a Bill to amend the *Trusts Act 1890* and for other purposes.
Question—put and resolved in the affirmative.
Ordered.—That the Honorable J. M. Davies do prepare and bring in the Bill.
The Honorable J. M. Davies then brought up a Bill intituled "*A Bill to amend the 'Trusts Act 1890' and for other purposes*," and moved that it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday, 10th November next.
7. VALUATION OF ESTATES OF DECEASED PERSONS.—The Honorable N. Thornley moved, That there be laid on the Table of this House a Return showing—
 1. The names of all persons who have died since the 1st July, 1887, to the 1st July, 1891, having property in the colony outside of cities, towns, or boroughs of the value of £5,000 and upwards.
 2. The amount of the valuation made in each case for the purposes of probate or succession duty by the representatives of the deceased person and by the Government valuer, and the amount of his valuation, his name and the amount of his fee in each case, and also the amount of duty paid on each estate.
 3. Whether in some, if not in all cases, the amount of the valuation made by the representatives of the deceased person for the above purposes is disclosed to the Government valuer before he makes his valuation.
 4. Whether the valuer appointed by the Crown visits the estate he is instructed to value; and if so, whether he makes a statutory declaration to that effect.
 Question—put and resolved in the affirmative.

8. QUARANTINE OF DOGS.—The Order of the Day for the resumption of the debate on the question—
That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted—having been read—
Debate resumed.
The Honorable J. M. Davies moved, That the debate be now adjourned.
Debate continued.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Wednesday, 11th November next.
9. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—The Honorable H. Cuthbert moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Cuthbert moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Cuthbert, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.
10. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—The Honorable A. Wynne moved, That this Bill be now read a second time.
Debate ensued.
The Honorable J. Bell moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Wednesday, 11th November next.
11. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday next :—
Companies Act 1890 Amendment Bill—To be read a second time.
12. MINES ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with amendments.
The Honorable J. H. Abbott moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.
Question—put and resolved in the affirmative.
On the motion of the Honorable J. H. Abbott, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. H. Abbott, read a third time and passed.
The Honorable J. H. Abbott moved, That the following be the title of the Bill :—
“*An Act to amend the ‘Mines Act 1890.’*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.
13. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until this day :—
Councils of Conciliation Bill—Adjourned debate on second reading.
14. SCOTS’ CHURCH PROPERTIES BILL.—The Honorable J. Bell moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable J. Bell moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable J. Bell, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council suspended the Standing Orders and ordered the Report to be taken into consideration this day.
On the motion of the Honorable J. Bell, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. Bell, read a third time and passed.
The Honorable J. Bell moved, That the following be the title of the Bill :—
“*An Act to convert the existing Trusts relating to the Scots’ Church Properties into one General Trust.*”
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have agreed to the Bill without amendment.

15. COUNCILS OF CONCILIATION BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
Debate resumed.
Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time.
The Honorable D. Melville moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable D. Melville, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.
16. BENDIGO ART GALLERY SITE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill without amendment, the Council ordered the same to be taken into consideration this day.
On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
Ordered—That the Bill be read a third time on Tuesday, 10th November next.
17. MEDICAL PRACTITIONERS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 10th November next, again resolve itself into the said Committee.
18. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday, 10th November next :—
Life Assurance Companies Bill—To be read a second time.
Registration of Firms Bill—To be read a second time.
Military Reserves Bill—Adjourned debate on second reading.
19. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly return to the Legislative Council a Bill intituled “*An Act to amend the ‘Mines Act 1890,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.
M. H. DAVIES,
Speaker.
Legislative Assembly,
Melbourne, 28th October, 1891.
20. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday, 10th November next.
Question—put and resolved in the affirmative.
- And then the Council, at fifty minutes past nine o'clock, adjourned until Tuesday the 10th November next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 33.

TUESDAY, 10TH NOVEMBER, 1891.

Question.

1. The Hon. T. DOWLING : To ask the Honorable the Minister of Justice if it is the intention of the Government to introduce this Session an amendment of the Fencing Statute, making it compulsory on owners of adjacent lands to pay half the cost of erecting rabbit-proof fencing.

Government Business.

ORDERS OF THE DAY :—

1. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Adjourned debate on second reading.
2. AGRICULTURAL COLLEGES LANDS MINING BILL.—To be read a second time.
3. TRUSTS ACT 1890 AMENDMENT BILL.—To be read a second time.
4. BENDIGO ART GALLERY SITE BILL.—To be read a third time.
5. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
6. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
7. REGISTRATION OF FIRMS BILL.—To be read a second time.
8. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
2. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
3. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
4. COUNCILS OF CONCILIATION BILL.—To be further considered in Committee.

WEDNESDAY, 11TH NOVEMBER.

General Business.

NOTICES OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.
2. The Hon. C. SARGEANT : To move, That in the opinion of this Council it is desirable that a valuation of the whole of the licensed houses in any licensing district shall be made where it has been determined by a poll or otherwise to reduce the number of licensed houses, and prior to a selection of the houses to be closed, and that a record of such valuation shall be kept. And if at any time a further determination is made to reduce the number of licensed houses in such licensing district, the compensation to be paid shall be on the basis of the valuation made at the first determination.

ORDERS OF THE DAY :—

1. QUARANTINE OF DOGS.—*Resumption of debate on the question*—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.
2. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—Adjourned debate on second reading.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 28TH OCTOBER, 1891.

Notices of Motion and Orders of the Day. No. 33.

Votes and Proceedings of the Legislative Assembly. No. 51.

Notices of Motion and Orders of the Day. No. 52.

Loan Bill.—Message. B.—No. 22.

Victorian Stock Bill—[86]

Victorian Water Supply.—Fifth Annual General Report by the Minister of Water Supply. No. 135.

VICTORIA.

No. 34.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 10TH NOVEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. RETURN TO WRIT.—The President announced that he had received a Return to the Writ he had issued for the election of a Member to serve for the North Yarra Province, in the place of the late Honorable George Le Fevre, M.D., by which it appeared that Frederick Sheppard Grimwade, Esquire, had been duly returned in pursuance thereof.

5. NEW MEMBER.—The Honorable Frederick Sheppard Grimwade, being introduced, took and subscribed the oath required by law, and delivered to the Clerk the Declaration required by the thirty-seventh section of the Act No. 1075, as hereunder set forth :—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, FREDERICK SHEPPARD GRIMWADE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Four hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Caulfield, and are known as ‘Harleston,’ situate and being at the corner of Balaclava and Orrong roads, Caulfield.

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

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

“F. S. GRIMWADE.”

6. DECLARATIONS OF MEMBERS.—The Honorables W. H. S. Osmand and W. McCulloch severally delivered to the Clerk the Declaration required by the thirty-seventh section of the Act 54 Victoria No. 1075, as hereunder set forth :—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, WILLIAM HENRY SEVILLE OSMAND, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Four hundred and sixty-six pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Shire of Stawell, and are known as ‘The Sycamores’ and ‘Concongella Station.’

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

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

“W. H. S. OSMAND.”

"In compliance with the provisions of the Act 54 Victoria, No. 1075, I, WILLIAM McCULLOCH, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of Three hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Colac, and are known as 'Mertoun Park.'

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

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

"W. McCULLOCH."

7. PETITIONS.—The following Petitions, praying that the Council would reject the Constitution Act Amendment Act 1890 Amendment Bill, were presented as under:—

By the Honorable J. H. Connor, from the President, Councillors, and Ratepayers of the Shire of Colac, under the common seal of the said corporation.

By the Honorable J. Buchanan, from the President, Councillors, and Ratepayers of the Shire of Doncaster, under the common seal of the said corporation.

By the Honorable J. A. Wallace, from Charles Martin, styling himself President, and J. B. Williamson, styling himself Secretary, on behalf of the Shire of Chiltern, under the common seal of the said corporation.

Severally ordered to lie on the Table.

The Honorable N. Thornley presented a Petition from the Council of the Borough of Hamilton, under the common seal of the said borough, praying that the House would prevent the Constitution Act Amendment Act 1890 Amendment Bill from becoming law.

Petition read, and ordered to lie on the Table.

The following Petitions, praying that the House would prevent the Constitution Act Amendment Act 1890 Amendment Bill from becoming law, were presented as under:—

By the Honorable G. Davis—From the Members of the Omeo Shire Council, under the common seal of the said shire.

By the Honorable J. Bell—From the President and Councillors of the United Shire of Mount Alexander.

The Honorable J. Bell presented a Petition from John Parkin, styling himself President, and W. H. Gore, styling himself Acting-Secretary, on behalf of the Creswick Shire Council, under the common seal of the said corporation, praying that the Council would either reject the Constitution Act Amendment Act 1890 Amendment Bill, or amend it in such a way as to be acceptable to the honest and industrious section of the community.

The Honorable J. S. Butters presented a Petition from the President and Councillors of the Shire of Yarrawonga, under the common seal of the said corporation, praying that the Council would throw out the Constitution Act Amendment Act 1890 Amendment Bill, or so far amend it as to recognize the claims of the honest and industrious, and provide for the protection of their interests.

The Honorable G. Davis presented a Petition from certain persons praying that the Council would reject the one-man-one-vote clause of the Constitution Act Amendment Act 1890 Amendment Bill, and so amend it as to give one vote for manhood suffrage and one vote for property.

Severally ordered to lie on the Table.

8. THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President's Warrant appointing "The Committee of Elections and Qualifications" was again laid upon the Table by the President.

9. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read:—

HOPETOUN,

Governor.

Message No. 11.

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

"An Act to establish a Land Sales by Auction Fund."

"An Act to convert the existing Trusts relating to the Scots' Church Properties into one general Trust."

"An Act to amend the 'Mines Act 1890.'"

Government Offices,

Melbourne, 2nd November, 1891.

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

MR. PRESIDENT—

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

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 10th November, 1891.

11. **LOAN BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to authorize the raising of Money for Railways and Irrigation Works,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time to-morrow.
12. **PAPERS.**—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor:—
Charitable Institutions.—Report of Inspector for the Year ended 30th June, 1891.
Ordered to lie on the Table.
The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
Hospitals for the Insane.—Report of the Inspector of Lunatic Asylums for the Year ended 31st December, 1890.
Education Act 1890.—Regulations.—Temporary Unclassified Schools.
13. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to authorize The Austral-Anglo Tramway and General Agency Company to construct Tramways in the City of South Melbourne the Borough of Port Melbourne and Town of Williamstown and for other purposes,*” with which they desire the concurrence of the Legislative Council.
M. H. DAVIES,
Speaker.
Legislative Assembly,
Melbourne, 10th November, 1891.
14. **MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.**—The Honorable W. Pitt moved, That a Message be transmitted to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee of that House to which this Bill was referred during the present Session of Parliament.
Question—put and resolved in the affirmative.
15. **ADJOURNMENT.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House do now adjourn.
Question—put and resolved in the affirmative.

And then the Council, at thirteen minutes past five o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 34.

WEDNESDAY, 11TH NOVEMBER, 1891.

Question.

1. The Hon. T. DOWLING : To ask the Honorable the Minister of Justice if it is the intention of the Government to introduce this Session an amendment of the Fencing Statute, making it compulsory on owners of adjacent lands to pay half the cost of erecting rabbit-proof fencing.

General Business.

NOTICES OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.
2. The Hon. C. SARGEANT : To move, That in the opinion of this Council it is desirable that a valuation of the whole of the licensed houses in any licensing district shall be made where it has been determined by a poll or otherwise to reduce the number of licensed houses, and prior to a selection of the houses to be closed, and that a record of such valuation shall be kept. And if at any time a further determination is made to reduce the number of licensed houses in such licensing district, the compensation to be paid shall be on the basis of the valuation made at the first determination.

ORDERS OF THE DAY :—

1. QUARANTINE OF DOGS.—*Resumption of debate on the question*—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.
2. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—Adjourned debate on second reading.
3. CONTRACTORS' PROTECTION BILL.—To be read a second time.
4. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
5. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
6. COUNCILS OF CONCILIATION BILL.—To be further considered in Committee.

Government Business.

ORDERS OF THE DAY :—

1. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Adjourned debate on second reading.
2. LOAN BILL.—To be read a second time.
3. AGRICULTURAL COLLEGES LANDS MINING BILL.—To be read a second time.
4. TRUSTS ACT 1890 AMENDMENT BILL.—To be read a second time.
5. BENDIGO ART GALLERY SITE BILL.—To be read a third time.
6. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
7. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
8. REGISTRATION OF FIRMS BILL.—To be read a second time.
9. MILITARY RESERVES BILL.—Adjourned debate on second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Wednesday, 11th November.

STANDING ORDERS—at half-past three o'clock.

(200 copies.)

PARLIAMENTARY PAPERS ISSUED SINCE 5TH NOVEMBER, 1891.

Notices of Motion and Orders of the Day. No. 34.

Victorian Stock Bill—[86] (To Members of Council only.)

Medical Practitioners Bill.—New clause to be proposed by the Hon. W. H. Roberts. (To Members of Council only.)

Companies Act 1890 Amendment Bill (No. 2).—Amendments to be proposed by the Hon. J. Sternberg. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 54 and 55.

Notices of Motion and Orders of the Day. No. 56.

Divisions in Committee of the whole. No. 11.

Local Government Bill—[29] (To Members only.)

Municipal Overdrafts Indemnity Bill—[77]

Melbourne and Metropolitan Board of Works Bill—[89]

Licensing Act 1890 Amendment Bill.—New clause to be proposed in Committee by Mr. Turner. (To Members only.)

VICTORIA.

No. 35.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 11TH NOVEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. **CLERK OF THE COUNCIL—ABSENCE OF.**—The Honorable Lieut.-Col. Sir F. T. Sargood, with leave of the Council, moved, without notice, That, in consequence of the absence of the Clerk through illness, the Clerk-Assistant do perform the duties of the Clerk of the Council during his absence, and do take the Chair at the Table.
Question—put and resolved in the affirmative.
5. **THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS.**—The President's Warrant appointing "The Committee of Elections and Qualifications" was again laid upon the Table by the President.
6. **PETITIONS.**—The Honorable D. Melville presented a Petition from the Shire Council of Broadmeadows, under the common seal of the said corporation, praying that the House would reject the Constitution Act Amendment Act 1890 Amendment Bill.
Petition read, and ordered to lie on the Table.
The Honorable N. Thornley presented a Petition from the Council of the Shire of Boroondara, under the common seal of the said corporation, praying that the House would reject the Constitution Act Amendment Act 1890 Amendment Bill.
The following Petitions, praying that the House would prevent the Constitution Act Amendment Act 1890 Amendment Bill from becoming law, were presented as under :—
By the Honorable N. Thornley—
From the Municipal Council of the Shire of Nunawading, under the common seal of the said corporation.
From the President and Councillors of the Shire of Lillydale, under the common seal of the said corporation.
Severally ordered to lie on the Table.
7. **MESSAGE FROM THE LEGISLATIVE ASSEMBLY.**—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly return to the Legislative Council a Bill intituled "*An Act to regulate the Practice of the Legal Profession*," and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 11th Novr., 1891.
8. **PAPERS.**—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—
New Hebrides—Correspondence respecting affairs in the.
Statistical Register of the Colony of Victoria for the Year 1890.—Part VII.—Law, Crime, &c.
The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk-Assistant :—
Companies Act 1890.—Summary of Statements for the Year 1890 made by Companies transacting Life Assurance business in Victoria.
The Constitution Act Amendment Act 1890, Part IX.—
Statement of Appointments and Transfers to offices of Parliament and of alterations of classification made between the 1st July, 1891, and the 31st October, 1891, in the Department of the Legislative Assembly under the authority of Part IX. of *The Constitution Act Amendment Act 1890*.
Statement showing the names, remuneration, duties, &c., of all persons temporarily employed in the Department of the Legislative Assembly under the authority of Part IX. of *The Constitution Act Amendment Act 1890*.
Benalla Waterworks Trust.—Application for Additional Loan of £500.—Detailed Statement and Report.

9. **TRAMWAYS ACT 1890 AMENDMENT BILL.**—The Honorable W. A. Zeal having produced a receipt that the sum of £20 had been paid into the hands of the Treasurer of the colony, moved, That the Bill intituled "*An Act to amend the 'Tramways Act 1890' and to extend the provisions thereof to the Corporation of the City of Melbourne and the Councils of the Municipalities of Prahran and Saint Kilda within certain limits*" be now read a first time.

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

10. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until after the consideration of the Order of the Day, Government Business, No. 1, viz.:—

Quarantine of Dogs—Resumption of debate on the question—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.

Companies Act 1890 Amendment Bill (No. 2)—Adjourned debate on second reading.

Contractors' Protection Bill—To be read a second time.

Employers and Employés Act 1890 Amendment Bill—To be further considered in Committee.

Companies Act 1890 Amendment Bill—To be read a second time.

Councils of Conciliation Bill—To be further considered in Committee.

11. **CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

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

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copies of the Report and Evidence of the Select Committee of the Legislative Assembly on the Bill intituled "*An Act to authorize The Austral-Anglo Tramway and General Agency Company to construct Tramways in the City of South Melbourne the Borough of Port Melbourne and Town of Williamstown and for other purposes,*" in accordance with the request of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 11th November, 1891.

13. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday next:—

Quarantine of Dogs.—Resumption of debate on the question—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.

14. **COMPANIES ACT 1890 AMENDMENT BILL (No. 2).**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

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

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.

15. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday next:—

Contractors' Protection Bill—To be read a second time.

16. **EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.

17. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Wednesday next :—

Companies Act 1890 Amendment Bill—To be read a second time.

Councils of Conciliation Bill—To be further considered in Committee.

18. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Loan Bill—To be read a second time.

Agricultural Colleges Lands Mining Bill—To be read a second time.

Trusts Act 1890 Amendment Bill—To be read a second time.

Bendigo Art Gallery Site Bill—To be read a third time.

Medical Practitioners Bill—To be further considered in Committee.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

19. **ADJOURNMENT.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at fifty-five minutes past nine o'clock, adjourned until Tuesday next.

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

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 35.

TUESDAY, 17TH NOVEMBER, 1891.

Question.

1. The Hon. T. DOWLING : To ask the Honorable the Minister of Justice if it is the intention of the Government to introduce this Session an amendment of the Fencing Statute, making it compulsory on owners of adjacent lands to pay half the cost of erecting rabbit-proof fencing.

Government Business.

ORDERS OF THE DAY :—

1. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
2. LOAN BILL.—To be read a second time.
3. AGRICULTURAL COLLEGES LANDS MINING BILL.—To be read a second time.
4. TRUSTS ACT 1890 AMENDMENT BILL.—To be read a second time.
5. BENDIGO ART GALLERY SITE BILL.—To be read a third time.
6. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
7. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
8. REGISTRATION OF FIRMS BILL.—To be read a second time.
9. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

NOTICES OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.
2. The Hon. C. SARGEANT : To move, That in the opinion of this Council it is desirable that a valuation of the whole of the licensed houses in any licensing district shall be made where it has been determined by a poll or otherwise to reduce the number of licensed houses, and prior to a selection of the houses to be closed, and that a record of such valuation shall be kept. And if at any time a further determination is made to reduce the number of licensed houses in such licensing district, the compensation to be paid shall be on the basis of the valuation made at the first determination.

WEDNESDAY, 18TH NOVEMBER.

General Business.

ORDERS OF THE DAY :—

1. TRAMWAYS ACT 1890 AMENDMENT BILL.—To be read a second time.
2. QUARANTINE OF DOGS.—*Resumption of debate on the question*—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.
3. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
4. CONTRACTORS' PROTECTION BILL.—To be read a second time.
5. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
6. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
7. COUNCILS OF CONCILIATION BILL.—To be further considered in Committee.

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

MEETING OF SELECT COMMITTEE.

Tuesday, 17th November.

STANDING ORDERS—at half-past three o'clock.

PARLIAMENTARY PAPERS ISSUED 11TH NOVEMBER, 1891.

Notices of Motion and Orders of the Day. No. 35.

Constitution Act Amendment Act 1890 Amendment Bill.—Amendments to be proposed by the Hon. G. Davis. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 57.

“Draft of a Bill to constitute the Commonwealth of Australia”—

Amendments agreed to by the Legislative Assembly and how dealt with by the Legislative Council.
(To Members only.)

Amendments made by the Legislative Council. (To Members only.)

VICTORIA.

No. 36.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 17TH NOVEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITIONS.—The following Petitions, praying that the House would reject the Constitution Act Amendment Act 1890 Amendment Bill, were presented as under:—
 - By the Honorable N. Thornley—From the Shire of Dundas, under the common seal of the said corporation.
 - By the Honorable T. Dowling—From the President, Councillors, and Ratepayers of the Shire of Ripon, under the common seal of the said corporation.
 - By the Honorable D. Melville—From the Lancefield Shire Council under the common seal of the said corporation.
 - By the Honorable D. Coutts—From the President, Council, and Ratepayers of the Shire of Korong, under the common seal of the said corporation.
 - By the Honorable T. Brunton—From the Romsey Shire Council, under the common seal of the said corporation.

The Honorable D. Coutts presented a Petition from the Mayor and Councillors of the Borough of Inglewood, under the common seal of the said corporation, against the provisions of the Constitution Act Amendment Act 1890 Amendment Bill relating to the abolition of plural voting.
Severally ordered to lie on the Table.
5. MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—The Honorable W. H. Roberts, having produced a receipt that the sum of £20 had been paid into the hands of the Treasurer of the colony, moved, That the Bill intituled "*An Act to authorize The Austral-Anglo Tramway and General Agency Company to construct Tramways in the City of South Melbourne the Borough of Port Melbourne and Town of Williamstown and for other purposes*" be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time to-morrow.
6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until after the consideration of the Order of the Day No. 5:—
 - Constitution Act Amendment Act 1890 Amendment Bill—To be further considered in Committee.*
 - Loan Bill—To be read a second time.*
 - Agricultural Colleges Lands Mining Bill—To be read a second time.*
 - Trusts Act 1890 Amendment Bill—To be read a second time.*
7. BENDIGO ART GALLERY SITE BILL.—The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, read a third time and passed.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill:—
 - "An Act to authorize the Council of Defence to transfer certain Land to the Trustees of the Bendigo Art Gallery."*

Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.
8. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until after the consideration of the Order of the Day No. 2:—
 - Constitution Act Amendment Act 1890 Amendment Bill—To be further considered in Committee.*

9. LOAN BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

The Honorable A. Wynne moved, That the debate be now adjourned.

Debate continued.

Motion for the adjournment of the debate, by leave, withdrawn.

Debate resumed.

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

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

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill. The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.

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

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill:—

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

Question—put and resolved in the affirmative.

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

10. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

11. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow:—

Agricultural Colleges Lands Mining Bill—To be read a second time.

Trusts Act 1890 Amendment Bill.—To be read a second time.

Medical Practitioners Bill—To be further considered in Committee.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

And then the Council, at twenty-seven minutes past eleven o'clock, adjourned until to-morrow.

CHARLES L. COMYNS,

Clerk-Assistant of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 36.

WEDNESDAY, 18TH NOVEMBER, 1891.

Question.

- *1. The Hon. J. SERVICE: To call the attention of the House to certain telegraphic reports which appeared in the newspapers of 16th inst. of a speech purporting to have been made in Bristol by Lord Carrington; and to ask the Honorable Sir Frederick Sargood, representing the present Government, and the Honorable Mr. Cuthbert, who represented the late Government (the joint terms of office of the two Governments covering the whole period of Lord Knutsford's administration of the Colonial Office), whether, in the opinion of their respective Governments, or either of them, the sentiments attributed in said telegraphic reports to the people of Australia in regard to Lord Knutsford's administration now exist, or ever have existed so far as Victoria is concerned.

General Business.

NOTICES OF MOTION :—

1. The Hon. J. S. BUTTERS: To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.
2. The Hon. C. SARGEANT: To move, That in the opinion of this Council it is desirable that a valuation of the whole of the licensed houses in any licensing district shall be made where it has been determined by a poll or otherwise to reduce the number of licensed houses, and prior to a selection of the houses to be closed, and that a record of such valuation shall be kept. And if at any time a further determination is made to reduce the number of licensed houses in such licensing district, the compensation to be paid shall be on the basis of the valuation made at the first determination.

ORDERS OF THE DAY :—

1. TRAMWAYS ACT 1890 AMENDMENT BILL.—To be read a second time.
2. QUARANTINE OF DOGS.—*Resumption of debate on the question*—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.
3. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
4. CONTRACTORS' PROTECTION BILL.—To be read a second time.
5. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
6. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
7. COUNCILS OF CONCILIATION BILL.—To be further considered in Committee.
8. MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—To be read a second time.

Government Business.

ORDERS OF THE DAY :—

1. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. AGRICULTURAL COLLEGES LANDS MINING BILL.—To be read a second time.
3. TRUSTS ACT 1890 AMENDMENT BILL.—To be read a second time.
4. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
5. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
6. REGISTRATION OF FIRMS BILL.—To be read a second time.
7. MILITARY RESERVES BILL.—Adjourned debate on second reading.

CHARLES L. COMYNS,

Clerk-Assistant of the Legislative Council.

The notifications to which an asterisk () is prefixed appear for the first time.*

PARLIAMENTARY PAPERS ISSUED SINCE 12TH NOVEMBER, 1891.

Minutes of the Proceedings of the Legislative Council. Nos. 34 and 35.
 Notices of Motion and Orders of the Day. No. 36.
 Tramways Act Amendment Bill—[10] (To Members of Council only.)
 Constitution Amendment Bill—[12] (To Members of Council only.)
 Austral-Anglo Tramway Company Bill—[32] (To Members of Council only.)
 Constitution Amendment Bill.—Amendments and new clauses. (To Members only.)
 Quarantine of Imported Dogs.—Correspondence. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. No. 58.
 Notices of Motion and Orders of the Day. No. 59.
 Divisions in Committee of the whole. No. 12.
 Sharebrokers Bill.—Petition. E.—No. 2.
 Railways Standing Committee Bill—[33] (To Members only.)
 Report from the Parliamentary Standing Committee on Railways on the Proposed Railways from Korumburra to Coal Creek, Strezlecki, and Jumbunna Coal Mines, &c.
 The Constitution Act Amendment Act 1890.—Part IX.—
 Statement of Appointments and Transfers to Offices of Parliament, &c. No. 189.
 Statement showing the Names, Remuneration, Duties, &c., of all Persons temporarily employed in the Department of the Legislative Assembly, &c. No. 190.
 Benalla Waterworks Trust.—Application for Additional Loan of £500. No. 192.

VICTORIA.

No. 37.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 18TH NOVEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITION.—The Honorable W. A. Zeal presented a Petition from the President and Councillors of the Shire of Glenlyon, under the common seal of the said corporation, in favour of amending the Constitution Act Amendment Act 1890 Amendment Bill, so as to give each man one vote for his property and one for his manhood.
Ordered to lie on the Table.
5. PAPER.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor:—
Transmission of Telegrams by Telephone.—Order in Council.
Ordered to lie on the Table.
6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the Notices of Motion and the following Orders of the Day be postponed until after the consideration of the Order of the Day, Government Business, No. 1:—
Tramways Act 1890 Amendment Bill—To be read a second time.
Quarantine of Dogs—Resumption of debate on the question—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.
Companies Act 1890 Amendment Bill (No. 2)—To be further considered in Committee.
Contractors' Protection Bill—To be read a second time.
Employers and Employés Act 1890 Amendment Bill—To be further considered in Committee.
Companies Act 1890 Amendment Bill—To be read a second time.
Councils of Conciliation Bill—To be further considered in Committee.
Melbourne and Williamstown Tramway Bill—To be read a second time.
7. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the following Order of the Day was read and discharged:—
Constitution Act Amendment Act 1890 Amendment Bill—Consideration of Report.
8. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be recommitted to a Committee of the whole Council for the re-consideration of clause 2 and new clause B.
Debate ensued.
The Honorable D. Melville moved, That the following words be added to the motion:—"and for the consideration of certain proposed new clauses."
Debate continued.

Question—That this Bill be recommitted to a Committee of the whole Council for the re-consideration of clause 2 and new clause B—put.

Council divided.

Ayes, 25.

The Hon. J. H. Abbott
 Sir W. J. Clarke, Bart.
 J. H. Connor
 G. S. Coppin
 D. Coutts
 H. Cuthbert
 J. M. Davies
 F. S. Dobson, LL.D.
 T. Dowling
 N. FitzGerald
 H. Gore
 F. S. Grimwade
 D. Ham
 E. Morey
 W. H. S. Osmand
 W. Pitt
 W. H. Roberts
 Lieut.-Col. Sir F. T. Sargood
 J. Service
 G. Simmie
 J. Sternberg
 N. Thornley
 D. S. Wallace
 S. Williamson
 J. S. Butters (*Teller*).

Noes, 8.

The Hon. T. Brunton
 J. Buchanan
 S. W. Cooke
 G. Davis
 D. Melville
 J. A. Wallace
 A. Wynne
 W. A. Zeal (*Teller*).

And so it was resolved in the affirmative.

Question—That the following words be added to the motion :—“and for the consideration of certain proposed new clauses”—put.

Council divided.

Ayes, 9.

The Hon. J. Buchanan
 J. H. Connor
 H. Gore
 D. Ham
 D. Melville
 J. M. Pratt
 J. A. Wallace
 A. Wynne
 W. A. Zeal (*Teller*).

Noes, 24.

The Hon. J. H. Abbott
 T. Brunton
 Sir W. J. Clarke, Bart.
 S. W. Cooke
 G. S. Coppin
 D. Coutts
 H. Cuthbert
 J. M. Davies
 G. Davis
 F. S. Dobson, LL.D.
 T. Dowling
 N. FitzGerald
 F. S. Grimwade
 E. Morey
 W. H. S. Osmand
 W. H. Roberts
 Lieut.-Col. Sir F. T. Sargood
 J. Service
 G. Simmie
 J. Sternberg
 N. Thornley
 D. S. Wallace
 S. Williamson
 J. S. Butters (*Teller*).

And so it passed in the negative.

And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 2 and new clause B.

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

9. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Wednesday next :—

Tramways Act 1890 Amendment Bill—To be read a second time.

Quarantine of Dogs.—Resumption of debate on the question—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.

Companies Act 1890 Amendment Bill (No. 2)—To be further considered in Committee.

Contractors' Protection Bill—To be read a second time.

Employers and Employés Act 1890 Amendment Bill—To be further considered in Committee.

Companies Act 1890 Amendment Bill—To be read a second time.

Councils of Conciliation Bill—To be further considered in Committee.

Melbourne and Williamstown Tramway Bill—To be read a second time.

10. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Agricultural Colleges Lands Mining Bill—To be read a second time.

Trusts Act 1890 Amendment Bill—To be read a second time.

Medical Practitioners Bill—To be further considered in Committee.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

11. **ADJOURNMENT.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the House, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at thirty minutes past ten o'clock, adjourned until Tuesday next.

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

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 37.

TUESDAY, 24TH NOVEMBER, 1891.

Government Business.

ORDERS OF THE DAY :—

1. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Consideration of Report.
 2. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
 3. AGRICULTURAL COLLEGES LANDS MINING BILL.—To be read a second time.
 4. TRUSTS ACT 1890 AMENDMENT BILL.—To be read a second time.
 5. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
 6. REGISTRATION OF FIRMS BILL.—To be read a second time.
 7. MILITARY RESERVES BILL.—Adjourned debate on second reading.
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WEDNESDAY, 25TH NOVEMBER.

General Business.

NOTICES OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.
2. The Hon. C. SARGEANT : To move, That in the opinion of this Council it is desirable that a valuation of the whole of the licensed houses in any licensing district shall be made where it has been determined by a poll or otherwise to reduce the number of licensed houses, and prior to a selection of the houses to be closed, and that a record of such valuation shall be kept. And if at any time a further determination is made to reduce the number of licensed houses in such licensing district, the compensation to be paid shall be on the basis of the valuation made at the first determination.

ORDERS OF THE DAY :—

1. TRAMWAYS ACT 1890 AMENDMENT BILL.—To be read a second time.
2. QUARANTINE OF DOGS.—*Resumption of debate on the question*—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.
3. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
4. CONTRACTORS' PROTECTION BILL.—To be read a second time.
5. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
6. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
7. COUNCILS OF CONCILIATION BILL.—To be further considered in Committee.
8. MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—To be read a second time.

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

PARLIAMENTARY PAPERS ISSUED 18TH NOVEMBER, 1891.

Notices of Motion and Orders of the Day. No. 37.

Constitution Amendment Bill—[12] (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. No. 59.

Notices of Motion and Orders of the Day. No. 60.

Schools of Mines and Technical Schools.—Return to an Order of the House. C.—No. 11.

Bendigo Art Gallery Site Bill—[69] (To Members only.)

Transmission of Telegrams by Telephone. No. 194.

VICTORIA.

No. 38.

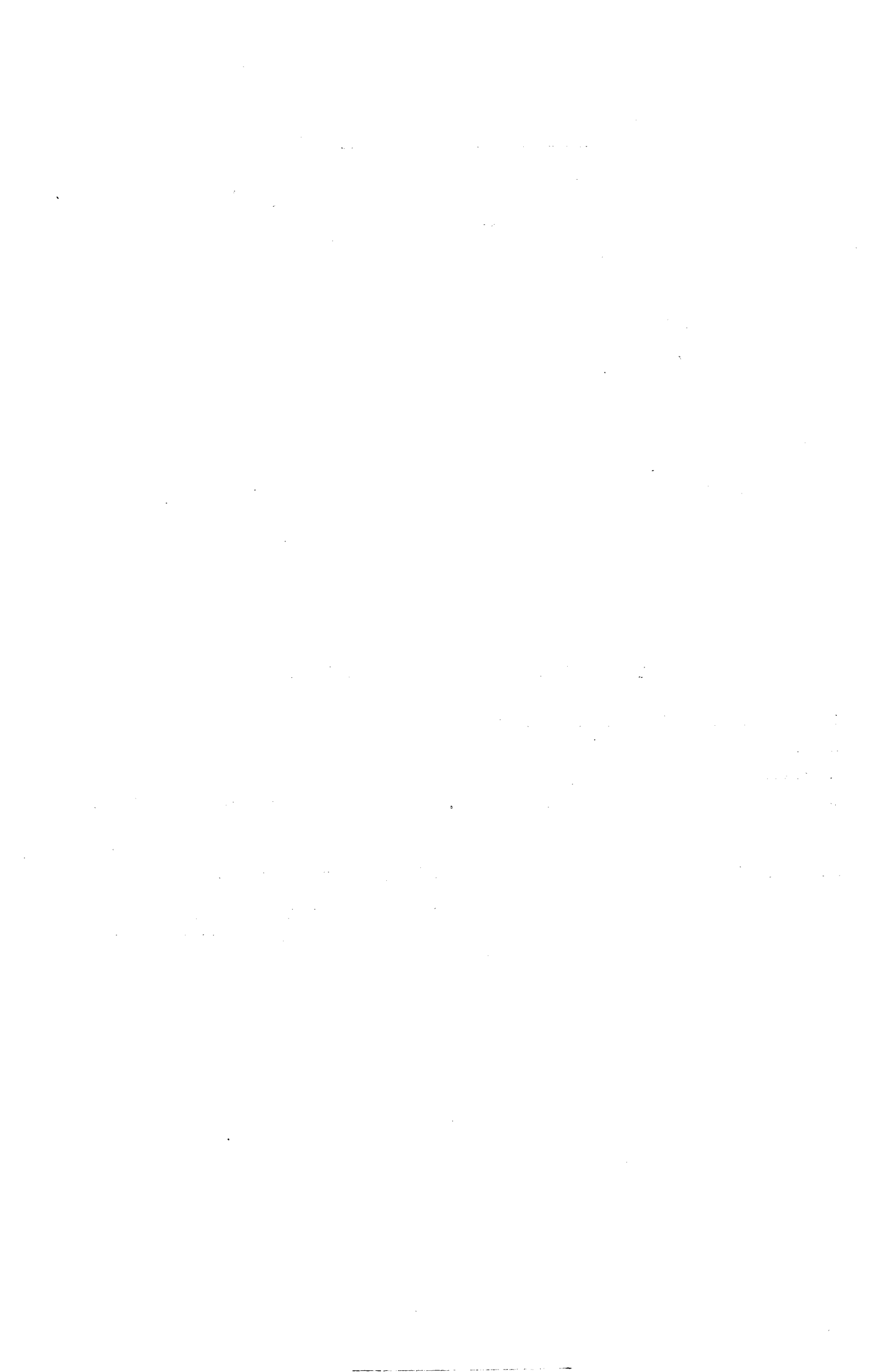
MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 24TH NOVEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

And then the Council, at forty-four minutes past four o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.



LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 38.

WEDNESDAY, 25TH NOVEMBER, 1891.

General Business.

NOTICES OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.
2. The Hon. C. SARGEANT : To move, That in the opinion of this Council it is desirable that a valuation of the whole of the licensed houses in any licensing district shall be made where it has been determined by a poll or otherwise to reduce the number of licensed houses, and prior to a selection of the houses to be closed, and that a record of such valuation shall be kept. And if at any time a further determination is made to reduce the number of licensed houses in such licensing district, the compensation to be paid shall be on the basis of the valuation made at the first determination.

ORDERS OF THE DAY :—

1. TRAMWAYS ACT 1890 AMENDMENT BILL.—To be read a second time.
2. QUARANTINE OF DOGS.—*Resumption of debate on the question*—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted.
3. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
4. CONTRACTORS' PROTECTION BILL.—To be read a second time.
5. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
6. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
7. COUNCILS OF CONCILIATION BILL.—To be further considered in Committee.
8. MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—To be read a second time.

Government Business.

ORDERS OF THE DAY :—

1. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
3. AGRICULTURAL COLLEGES LANDS MINING BILL.—To be read a second time.
4. TRUSTS ACT 1890 AMENDMENT BILL.—To be read a second time.
5. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
6. REGISTRATION OF FIRMS BILL.—To be read a second time.
7. MILITARY RESERVES BILL.—Adjourned debate on second reading.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETINGS OF SELECT COMMITTEES.

Wednesday, 25th November.

REFRESHMENT ROOMS—at two o'clock.

Tuesday, 1st December.

STANDING ORDERS—at three o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 19TH NOVEMBER, 1891.

Minutes of the Proceedings of the Legislative Council. Nos. 36 and 37.

Notices of Motion and Orders of the Day. No. 38.

Weekly Report of Divisions in Committee. No. 3.

Trusts Act 1890 Amendment Bill—[52]

Votes and Proceedings of the Legislative Assembly. No. 61.

Notices of Motion and Orders of the Day. No. 62.

Divisions in Committee of the whole. No. 13.

Railways Act Amendment Bill—[7] (To Members only.)

Local Government Act 1890 Amendment Bill—

Amendments to be proposed on consideration of Report. (To Members only.)

Amendment to be proposed by Sir B. O'Loghlen on the Third Reading. (To Members only.)

Miners' Right Titles Bill.—New Clauses and Schedules to be proposed in Committee by Mr. Outtrim.
(To Members only.)

Licensing Act 1890 Amendment Bill—

New Clause and Schedules to be proposed by Mr. Turner. (To Members only.)

New Clause to be proposed in Committee by Mr. Turner. (To Members only.)

Hospitals for the Insane.—Report of the Inspector of Lunatic Asylums for the year ended 31st December, 1890. No. 164.

Companies Act 1890.—Summary of Statements for the year 1890 made by companies transacting Life Assurance business in Victoria. No. 188.

The Parliamentary Standing Committee on Railways—

Report on the proposed railway from Flemington-bridge to Pascoe Vale, &c.

Report on the proposed railways to the Northern Suburbs, &c. (To Members only.)

Report on various Country lines. (To Members only.)

VICTORIA.

No. 39.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 25TH NOVEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITIONS.—The Honorable S. Williamson presented a Petition from the Council of the Shire of Stawell, under the common seal of the said corporation, praying that the House would so modify the proposals of the Bill to amend *The Constitution Act Amendment Act 1890* as to recognize the claims of those who, by their thrift, build up the permanent prosperity of the country to a larger share of representation than that covered by a claim under simple manhood suffrage.
The Honorable S. W. Cooke presented a Petition from the Council of the Shire of Minhamite, under the common seal of the said corporation, praying that the House would reject the "one-man-one-vote" principle in the Constitution Act Amendment Act 1890 Amendment Bill, and introduce the dual vote.
Severally ordered to lie on the Table.
The Honorable C. Sargeant presented a Petition from the President, Councillors, and Ratepayers of the Shire of Woorayl, under the common seal of the said corporation, praying that the House would reject the Constitution Act Amendment Act 1890 Amendment Bill.
Petition read, and ordered to lie on the Table.
5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
Bank Liabilities and Assets.—Summary of Sworn Returns for the Quarter ended 30th September, 1891.
Exhibition Trustees.—Report of Proceedings and Statement of Income and Expenditure for the Year ended 30th June, 1891.
The Water Act 1890.—Western Wimmera Irrigation and Water Supply Trust.—Regulation No. 11.
6. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read:—
HOPETOUN,
Governor. *Message No. 12.*
The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz.:—
"An Act to regulate the Practice of the Legal Profession."
"An Act to authorize the raising of Money for Railways and Irrigation Works."
Government Offices,
Melbourne, 23rd November, 1891.
7. TRAMWAYS ACT 1890 AMENDMENT BILL.—The Honorable W. A. Zeal moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable W. A. Zeal moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable W. A. Zeal, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill and agreed to the same without amendment, the Council suspended the Standing Orders and ordered the Report to be taken into consideration this day.
On the motion of the Honorable W. A. Zeal, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable W. A. Zeal moved, That the following be the title of the Bill:—

“An Act to amend the ‘Tramways Act 1890’ and to extend the provisions thereof to the Corporation of the City of Melbourne and the Councils of the Municipalities of Prahran and Saint Kilda within certain limits.”

Question—put and resolved in the affirmative.

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

8. QUARANTINE OF DOGS.—The Order of the Day for the resumption of the debate on the question—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted—having been read—

Debate resumed.

Question—That in the opinion of this House the present system of private quarantine in respect to imported dogs is not satisfactory, and ought not to be permitted—put and resolved in the affirmative.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to provide for the remuneration of the Parliamentary Standing Committee on Railways,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 25th November, 1891.

M. H. DAVIES,
Speaker.

10. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL. — The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to provide for the remuneration of the Parliamentary Standing Committee on Railways,*” be now read a first time.

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

11. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.

12. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday next:—

Contractors’ Protection Bill—To be read a second time.

13. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

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

14. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow:—

Companies Act 1890 Amendment Bill—To be read a second time.

Councils of Conciliation Bill—To be further considered in Committee.

Melbourne and Williamstown Tramway Bill—To be read a second time.

Constitution Act Amendment Act 1890 Amendment Bill—Consideration of Report.

Medical Practitioners Bill—To be further considered in Committee.

Agricultural Colleges Lands Mining Bill—To be read a second time.

Trusts Act 1890 Amendment Bill—To be read a second time.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

And then the Council, at ten o’clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 39.

THURSDAY, 26TH NOVEMBER, 1891.

Government Business.

ORDERS OF THE DAY :—

1. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. MEDICAL PRACTITIONERS BILL.—To be further considered in Committee.
3. AGRICULTURAL COLLEGES LANDS MINING BILL.—To be read a second time.
4. TRUSTS ACT 1890 AMENDMENT BILL.—To be read a second time.
5. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
6. REGISTRATION OF FIRMS BILL.—To be read a second time.
7. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

ORDERS OF THE DAY :—

1. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
 2. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
 3. COUNCILS OF CONCILIATION BILL.—To be further considered in Committee.
 4. MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—To be read a second time.
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TUESDAY, 1ST DECEMBER.

Government Business.

ORDER OF THE DAY :—

1. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—To be read a second time.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.
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WEDNESDAY, 2ND DECEMBER.

General Business.

ORDERS OF THE DAY :—

1. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
2. CONTRACTORS' PROTECTION BILL.—To be read a second time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 1st December.

STANDING ORDERS—at three o'clock.

PARLIAMENTARY PAPERS ISSUED 25TH NOVEMBER, 1891.

Minutes of the Proceedings of the Legislative Council. No. 38.

Notices of Motion and Orders of the Day. No. 39.

Railways Standing Committee Bill—[33] (To Members of Council only.)

Employers and Employés Bill.—Amendments to be proposed by the Hon. J. M. Davies. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 63.

Bank Liabilities and Assets.—Summary of Sworn Returns for the quarter ended 30th September, 1891.
No. 200.

VICTORIA.

No. 40.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 26TH NOVEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council adopt the Report from the Committee of the whole on this Bill. The Honorable D. Melville moved, as an amendment, That all the words after the word "That" be omitted, with a view to insert in place thereof the words "the Order of the Day for the consideration of the Report be discharged, with a view to the Bill being recommitted on Clause A."
Debate ensued.
Question—That the words proposed to be omitted stand part of the question—put and resolved in the affirmative.
Question—That the Council adopt the Report from the Committee of the whole on this Bill—put and resolved in the affirmative.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, read a third time.
On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the words "Abolition of Plural Voting," page 1, line 12, were omitted from the Bill.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill do pass.
Question—put and resolved in the affirmative.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—
" *An Act to amend 'The Constitution Act Amendment Act 1890.'*"
Question—put and resolved in the affirmative.
Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.
5. MEDICAL PRACTITIONERS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with amendments.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be recommitted to a Committee of the whole Council for the re-consideration of clause 39.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 39.
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with a further amendment, the Council ordered the same to be taken into consideration on Tuesday next.—Bill, as amended, to be printed.

6. AGRICULTURAL COLLEGES LANDS MINING BILL.—The Honorable S. Fraser moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

On the motion of the Honorable S. Fraser, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable S. Fraser moved, That the following be the title of the Bill :—

“ An Act to enable Lands vested under the ‘Agricultural Colleges Act 1890’ to be leased for mining purposes.”

Question—put and resolved in the affirmative.

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

7. TRUSTS ACT 1890 AMENDMENT BILL.—The Honorable J. M. Davies moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

On the motion of the Honorable J. M. Davies, the Council adopted the Report from the Committee of the whole on this Bill.

Ordered—That the Bill be read a third time on Tuesday next.

8. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

9. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with amendments.

The Honorable J. A. Wallace moved, That this Bill be recommitted to a Committee of the whole Council for the consideration of a proposed new clause.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable J. A. Wallace, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of a proposed new clause.

The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill without further amendment, the Council ordered the same to be taken into consideration on Tuesday next.—Bill, as amended, to be printed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the ‘Local Government Act 1890,’*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 26th November, 1891.

M. H. DAVIES,
Speaker.

11. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to amend the ‘Local Government Act 1890,’*” be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to indemnify the Councillors of various Municipalities for Borrowing Moneys by Overdrafts on Bankers for the purposes of their Municipalities contrary to the provisions of the ‘ Local Government Act 1890’ and for other purposes,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 26th November, 1891.

M. H. DAVIES,
Speaker.

13. MUNICIPAL OVERDRAFTS INDEMNITY BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “ *An Act to indemnify the Councillors of various Municipalities for Borrowing Moneys by Overdrafts on Bankers for the purposes of their Municipalities contrary to the provisions of the ‘ Local Government Act 1890’ and for other purposes,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday next.
14. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday next :—
Companies Act 1890 Amendment Bill—To be read a second time.
15. COUNCILS OF CONCILIATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.
16. MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—The Honorable W. H. Roberts moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable W. H. Roberts moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable W. H. Roberts, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.

And then the Council, at thirty minutes past nine o’clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 40.

TUESDAY, 1ST DECEMBER, 1891.

Government Business.

ORDERS OF THE DAY :—

1. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—To be read a second time.
2. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—To be read a second time.
3. MEDICAL PRACTITIONERS BILL.—Consideration of Report.
4. TRUSTS ACT 1890 AMENDMENT BILL.—To be read a third time.
5. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
6. REGISTRATION OF FIRMS BILL.—To be read a second time.
7. MILITARY RESERVES BILL.—Adjourned debate on second reading.
8. MUNICIPAL OVERDRAFTS INDEMNITY BILL.—To be read a second time.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

ORDER OF THE DAY :—

1. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—Consideration of Report.
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WEDNESDAY, 2ND DECEMBER.

General Business.

ORDERS OF THE DAY :—

1. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
2. CONTRACTORS' PROTECTION BILL.—To be read a second time.
3. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
4. COUNCILS OF CONCILIATION BILL.—To be further considered in Committee.
5. MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Tuesday, 1st December.

STANDING ORDERS—at three o'clock.

PARLIAMENTARY PAPERS ISSUED 26TH NOVEMBER, 1891.

Notices of Motion and Orders of the Day. No. 40.

Local Government Bill—[29] (To Members of Council only.)

Municipal Overdrafts Indemnity Bill—[77] (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 64.

Central Australian Wine Association of Victoria.—Petition. E.—No. 3.

Statistical Register of the Colony of Victoria for the year 1890.—Part VII.—Law, Crime, &c. No. 180.

Exhibition Trustees.—Report of Proceedings and Statement of Income and Expenditure for the year ended 30th June, 1891. No. 193.

Correspondence respecting Affairs in the New Hebrides. No. 195.

VICTORIA.

No. 41.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 1ST DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITIONS.—The Honorable W. A. Zeal presented a Petition from the Chairman and Directors of the Geelong Gas Company, under the common seal of the said corporation, praying that the clause inserted in the Local Government Act 1890 Amendment Bill giving power to the Geelong Town Council to construct gas works may not be passed into law until the Town Council have exercised their statutory right to purchase the existing works.
The Honorable J. H. Connor presented a Petition from the Mayor, Aldermen, Councillors, and Burgesses of the Town of Geelong, under the common seal of the said corporation, praying that the House would support the insertion of a clause in the Local Government Act 1890 Amendment Bill similar to that enjoyed by other municipal authorities, which will give to the corporation of Geelong power to construct gas works and charge for gas supplied.
Severally ordered to lie on the Table, and to be referred to the Committee of the whole Council on the Local Government Act 1890 Amendment Bill.
5. PAPER.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor:—
Board of Public Health—Report of, 1890-91.
6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until this day:—
Local Government Act 1890 Amendment Bill—To be read a second time.
Parliamentary Standing Committee on Railways Remuneration Bill—To be read a second time.
7. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the following Order of the Day was read and discharged:—
Medical Practitioners Bill—Consideration of Report.
8. MEDICAL PRACTITIONERS BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be recommitted to a Committee of the whole Council for the re-consideration of clause 45.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 45.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with a further amendment.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.
Question—put and resolved in the affirmative.
On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, read a third time and passed.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill:—
“An Act relating to Medical Practitioners.”
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.

9. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Thursday next :—

Trusts Act 1890 Amendment Bill—To be read a third time.

10. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until this day:—

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

Municipal Overdrafts Indemnity Bill—To be read a second time.

11. EMPLOYERS AND EMPLOYÉS ACT 1890 AMENDMENT BILL.—The Honorable H. Cuthbert moved, That the Council adopt the Report from the Committee of the whole on this Bill. Debate ensued.

The Honorable W. McCulloch moved, as an amendment, That all the words after the word "That" be omitted, with a view to insert in place thereof the words "the Order of the Day for the consideration of the Report be discharged, with a view to the Bill being recommitted on clause 17."

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

Question—That the Council adopt the Report from the Committee of the whole on this Bill—put and resolved in the affirmative.

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

The Honorable H. Cuthbert moved, That the following be the title of the Bill :—

"An Act to amend the 'Employers and Employés Act 1890' and for other purposes."

Question—put and resolved in the affirmative.

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

12. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

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

13. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Honorable Joseph Henry Abbott be appointed a Member of the Parliamentary Standing Committee on Railways in the place of the late Honorable George Young.

Question—put and resolved in the affirmative.

14. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.

Question—put and resolved in the affirmative.

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

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

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

15. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow:—

Parliamentary Standing Committee on Railways Remuneration Bill—To be read a second time.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

Municipal Overdrafts Indemnity Bill—To be read a second time.

And then the Council, at eleven minutes past ten o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 41.

WEDNESDAY, 2ND DECEMBER, 1891.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

ORDERS OF THE DAY :—

1. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—To be further considered in Committee.
2. CONTRACTORS' PROTECTION BILL.—To be read a second time.
3. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
4. COUNCILS OF CONCILIATION BILL.—To be further considered in Committee.
5. MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—To be further considered in Committee.

Government Business.

ORDERS OF THE DAY :—

1. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
2. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—To be read a second time.
3. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
4. REGISTRATION OF FIRMS BILL.—To be read a second time.
5. MILITARY RESERVES BILL.—Adjourned debate on second reading.
6. MUNICIPAL OVERDRAFTS INDEMNITY BILL.—To be read a second time.

THURSDAY, 3RD DECEMBER.

Government Business.

ORDER OF THE DAY :—

1. TRUSTS ACT 1890 AMENDMENT BILL.—To be read a third time.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 26TH NOVEMBER, 1891.

Minutes of the Proceedings of the Legislative Council. Nos. 39 and 40.
 Notices of Motion and Orders of the Day. No. 41.
 Weekly Report of Divisions in Committee. No. 4.
 Medical Practitioners Bill—[20] (To Members of Council only.)
 Employers and Employés Bill—[53] (To Members of Council only).
 Local Government Act 1890 Amendment Bill—
 Amendments to be proposed by the Hon. J. Service. (To Members of Council only.)
 Proposed addition to clause 106 by the Hon. W. A. Zeal. (To Members of Council only.)
 Amendments to be proposed by the Hon. Lieut.-Col. Sir F. T. Sargood. (To Members of Council
 only.)
 Amendment to be proposed by the Hon. J. H. Connor. (To Members of Council only.)
 Amendments to be proposed by the Hon. H. Cuthbert. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 62, 63, and 64.
 Notices of Motion and Orders of the Day. No. 65.
 Division in Committee of the whole. No. 14.
 Railways Act Amendment Bill—[7] (To Members only.)
 Metropolitan General Cemetery Bill—[31]
 Opium Importation Restriction Bill (No. 2)—[71] (To Members only.)
 Agricultural Colleges Lands Mining Bill—[83] (To Members only.)
 Licensing Arbitration Bill—[90]
 Railways Act Amendment Bill.—New clause to be proposed by Mr. G. D. Carter. (To Members only.)
 Public Service Act 1890 Amendment Bill.—New clause to be proposed by Mr. Peacock. (To Members
 only.)
 Defences and Discipline Act 1890 Amendment Bill.—New clauses to be proposed by Mr. Peacock. (To
 Members only.)
 Friendly Societies Act 1890 Amendment Bill.—New clause to be proposed by Mr. Turner. (To Members
 only.)
 Licensing Arbitration Bill.—New clause to be proposed by Mr. W. T. Carter. (To Members only.)
 Crimes Act 1890 Amendment Bill.—Amendment to be proposed by Mr. Wrixon. (To Members only.)
 Renewal of Commercial Treaties.—Return to an Order of the House. C.—No. 10.
 Charitable Institutions.—Report of Inspector for the year ended 30th June, 1891. No. 179.
 The Parliamentary Standing Committee on Railways.—Report on the proposed railway from Newmarket
 to Keilor-road, &c.

VICTORIA.

No. 42.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 2ND DECEMBER, 1891.

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

Twenty-seventh Report of the Board for the Protection of the Aborigines in the Colony of Victoria.

Ordered to lie on the Table.

The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk:—

Customs Act 1890.—Drawback Regulations Amended—Plate of Gold.

5. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with amendments.

The Honorable A. Wynne moved, That this Bill be recommitted to a Committee of the whole Council for the re-consideration of clause 12.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable A. Wynne, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 12.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Railways Act 1890' and for other purposes,*" with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 2nd December, 1891.

7. RAILWAYS ACT 1890 AMENDMENT BILL.—The Honorable J. M. Davies moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to amend the 'Railways Act 1890' and for other purposes,*" be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act relating to Arbitrations under the 'Licensing Act 1890,'*" with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 2nd December, 1891.

9. LICENSING ARBITRATIONS BILL.—The Honorable C. J. Ham moved, That the Bill transmitted by the foregoing Message, intituled “*An Act relating to Arbitrations under the ‘Licensing Act 1890,’*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday next.
10. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Wednesday next :—
Contractors’ Protection Bill—To be read a second time.
Companies Act 1890 Amendment Bill—To be read a second time.
11. COUNCILS OF CONCILIATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill without amendment, the Council ordered the Report to be taken into consideration on Wednesday next.
12. MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with an amendment, the Council ordered the Report to be taken into consideration to-morrow.—Bill, as amended, to be printed.
13. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
14. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—
Parliamentary Standing Committee on Railways Remuneration Bill.—To be read a second time.
Life Assurance Companies Bill—To be read a second time.
Registration of Firms Bill—To be read a second time.
Military Reserves Bill—Adjourned debate on second reading.
Municipal Overdrafts Indemnity Bill—To be read a second time.

And then the Council, at eleven o’clock, adjourned until to-morrow.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 42.

THURSDAY, 3RD DECEMBER, 1891.

Government Business.

ORDERS OF THE DAY:—

1. TRUSTS ACT 1890 AMENDMENT BILL.—To be read a third time.
2. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
3. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—To be read a second time.
4. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
5. REGISTRATION OF FIRMS BILL.—To be read a second time.
6. MILITARY RESERVES BILL.—Adjourned debate on second reading.
7. MUNICIPAL OVERDRAFTS INDEMNITY BILL.—To be read a second time.

General Business.

ORDERS OF THE DAY:—

1. COMPANIES ACT 1890 AMENDMENT BILL (No. 2).—Consideration of Report.
 2. MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—Consideration of Report.
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TUESDAY, 8TH DECEMBER.

Government Business.

ORDERS OF THE DAY:—

1. RAILWAYS ACT 1890 AMENDMENT BILL.—To be read a second time.
 2. LICENSING ARBITRATIONS BILL.—To be read a second time.
-

WEDNESDAY, 9TH DECEMBER.

General Business.

NOTICE OF MOTION:—

1. The Hon. J. S. BUTTERS: To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

ORDERS OF THE DAY:—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
2. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. COUNCILS OF CONCILIATION BILL.—Consideration of Report.

CONTINGENT NOTICE OF MOTION.

Contingent on the Council going into Committee on the Bill "to amend the 'Railways Act 1890' and for other purposes"—

1. The Hon. H. CUTHBERT: To move, That it be an instruction to the Committee that they have power to examine the Railways Commissioners and call for papers.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 2ND DECEMBER, 1891.

Notices of Motion and Orders of the Day. No. 42.

Railways Act Amendment Bill—[7] (To Members of Council only.)

Austral-Anglo Tramway Company Bill—[32] (To Members of Council only.)

Companies Act 1890 Amendment Bill (No. 2)—[79] (To Members of Council only.)

Licensing Arbitration Bill—[90] (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 66.

Police Offences Act 1890 Amendment Bill.—New clause to be proposed in Committee by Mr. Zox. (To Members only.)

Public Service Amendment Bill.—New clause to be proposed by Mr. Best. (To Members only.)

Constitution Act Amendment Act 1890 Amendment Bill.—Amendments of the Legislative Council. (To Members only.)

The Water Act 1890.—Western Wimmera Irrigation and Water Supply Trust.—Regulation No. 11. No. 199.

VICTORIA.

No. 43.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 3RD DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council a Bill intituled "*An Act to amend the 'Employers and Employés Act 1890' and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 2nd December, 1891.

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

Trusts Act 1890 Amendment Bill—To be read a third time.

6. TRUSTS ACT 1890 AMENDMENT BILL.—The Honorable J. M. Davies moved, That this Bill be recommitted to a Committee of the whole Council for the consideration of a proposed new clause.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable J. M. Davies, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of a proposed new clause.

The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with an amendment.

The Honorable J. M. Davies moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable J. M. Davies, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. M. Davies moved, That the following be the title of the Bill :—

"An Act to amend the 'Trusts Act 1890' and for other purposes."

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to restrict and regulate the Importation Sale and Use of Opium,*" with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 3rd December, 1891.

8. OPIUM BILL.—The Honorable C. J. Ham moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to restrict and regulate the Importation Sale and Use of Opium,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday next.
9. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
10. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the ‘Companies Act 1890,’*” with which they desire the concurrence of the Legislative Council.
M. H. DAVIES,
Legislative Assembly, Speaker.
Melbourne, 3rd December, 1891.
11. COMPANIES VOLUNTARY LIQUIDATION BILL.—The Honorable J. M. Davies moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to amend the ‘Companies Act 1890,’*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time this day.
The Honorable J. M. Davies moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable J. M. Davies moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable J. M. Davies, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with amendments.
The Honorable J. M. Davies moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.
Question—put and resolved in the affirmative.
On the motion of the Honorable J. M. Davies, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. M. Davies, read a third time and passed.
The Honorable J. M. Davies moved, That the following be the title of the Bill :—
“*An Act to amend the ‘Companies Act 1890.’*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.
12. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Parliamentary Standing Committee on Railways Remuneration Bill.—To be read a second time.
Life Assurance Companies Bill.—To be read a second time.
Registration of Firms Bill.—To be read a second time.
Military Reserves Bill.—Adjourned debate on second reading.
Municipal Overdrafts Indemnity Bill.—To be read a second time.
13. COMPANIES ACT 1890 AMENDMENT BILL (No. 2.)—On the motion of the Honorable A. Wynne the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable A. Wynne, read a third time.
The Honorable A. Wynne moved, That the word “Fourth,” in clause 29, line 28, be omitted, with a view to insert in place thereof the word “Second.”
Question—That the word proposed to be omitted stand part of the question—put and negatived.
Question—That the word proposed to be inserted in place of the word omitted be so inserted—put and resolved in the affirmative.
The Honorable A. Wynne moved, That this Bill do pass.
Question—put and resolved in the affirmative.
The Honorable A. Wynne moved, That the following be the title of the Bill :—
“*An Act to amend the ‘Companies Act 1890.’*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be transmitted to the Legislative Assembly, with a Message desiring their concurrence therein.

14. MELBOURNE AND WILLIAMSTOWN TRAMWAY BILL.—On the motion of the Honorable W. H. Roberts, the Council adopted the Report from the Committee of the whole on this Bill. The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable W. H. Roberts, read a third time and passed.

The Honorable W. H. Roberts moved, That the following be the title of the Bill:—

“An Act to authorize the Austral-Anglo Tramway and General Agency Company to construct Tramways in the City of South Melbourne the Borough of Port Melbourne and Town of Williamstown and for other purposes.”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council a Bill intituled “*An Act to amend the ‘Companies Act 1890,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 3rd December, 1891.

M. H. DAVIES,
Speaker.

And then the Council, at eleven o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.



LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 43.

TUESDAY, 8TH DECEMBER, 1891.

Government Business.

ORDERS OF THE DAY :—

1. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
 2. LICENSING ARBITRATIONS BILL.—To be read a second time.
 3. RAILWAYS ACT 1890 AMENDMENT BILL.—To be read a second time.
 4. OPIUM BILL.—To be read a second time.
 5. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—To be read a second time.
 6. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
 7. REGISTRATION OF FIRMS BILL.—To be read a second time.
 8. MILITARY RESERVES BILL.—Adjourned debate on second reading.
 9. MUNICIPAL OVERDRAFTS INDEMNITY BILL.—To be read a second time.
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WEDNESDAY, 9TH DECEMBER.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
 2. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
 3. COUNCILS OF CONCILIATION BILL.—Consideration of Report.
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CONTINGENT NOTICE OF MOTION.

Contingent on the Council going into Committee on the Bill "to amend the 'Railways Act 1890' and for other purposes"—

1. The Hon. H. CUTHBERT : To move, That it be an instruction to the Committee that they have power to examine the Railways Commissioners and call for papers.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 3RD DECEMBER, 1891.

Notices of Motion and Orders of the Day. No. 43.

Opium Importation Restriction Bill—[71] (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 67.

Medical Practitioners Bill—[20] (To Members only.)

Purification of Rolls Bill—[76]

Report from the Select Committee upon Free Railway Passes, &c. D.—No. 6.

Twenty-sixth Report of the Board of Visitors to the Observatory; together with the Annual Report of the Government Astronomer. No. 185.

VICTORIA.

No. 44.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 8TH DECEMBER, 1891.

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

HOPETOUN,
Governor.

Message No. 13.

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

“An Act to amend the ‘Tramways Act 1890’ and to extend the provisions thereof to the Corporation of the City of Melbourne and the Councils of the Municipalities of Prahran and Saint Kilda within certain limits.”

“An Act to amend the ‘Employers and Employés Act 1890’ and for other purposes.”

“An Act to amend the ‘Companies Act 1890.’”

Government Offices,
Melbourne, 7th December, 1891.
5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:—
 - Fire Brigades Act 1890.—Regulations made by the Governor in Council during the Months of September, October, and November, 1891.
 - Friendly Societies—Thirteenth Annual Report of the Proceedings of the Government Statist in connexion with—Report for the Year 1890.
 - The Land Act 1890. Section 69.—Schedule No. 7.—Country Lands to be offered for Sale by Public Auction during the Year 1891.
 - The Water Act 1890—
 - Twelve-mile Irrigation and Water Supply Trust.—Order granting sum of £50 repealed.
 - Western Wimmera Irrigation and Water Supply Trust.—Regulation No. 10.
6. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly:—

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the ‘Friendly Societies Act 1890,’*” with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 8th December, 1891.
7. FRIENDLY SOCIETIES ACT 1890 AMENDMENT BILL.—The Honorable A. Wynne moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to amend the ‘Friendly Societies Act 1890,’*” be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Licensing Act 1890,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 8th December, 1891.

M. H. DAVIES,
Speaker.

9. LICENSING ACT 1890 AMENDMENT BILL.—The Honorable C. J. Ham moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to amend the 'Licensing Act 1890,'*" be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act relating to Miners' Right Titles,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 8th December, 1891.

M. H. DAVIES,
Speaker.

11. MINERS' RIGHT TITLES BILL.—The Honorable H. Cuthbert moved, That the Bill transmitted by the foregoing Message, intituled "*An Act relating to Miners' Right Titles,'*" be now read a first time.

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

12. ADJOURNMENT.—The Honorable H. Gore having stated his desire to move, That the House do now adjourn, the following Members, viz., the Honorables A. Wynne, F. Brown, W. McCulloch, J. A. Wallace, J. H. Abbott, and W. A. Zeal, rose in their places and required the motion to be proposed.

The Honorable H. Gore having stated that he proposed to speak on the subject of the report of the recent case tried in the County Court, Melbourne, of R. Bowman *versus* H. Gore and R. T. Moore, then moved, That the House do now adjourn.

Debate ensued.

Question—put and negatived.

13. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council a Bill intituled "*An Act to authorize the Austral-Anglo Tramway and General Agency Company to construct Tramways in the City of South Melbourne the Borough of Port Melbourne and Town of Williamstown and for other purposes,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 8th December, 1891.

M. H. DAVIES,
Speaker.

15. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—

Licensing Arbitrations Bill—To be read a second time.

Railways Act 1890 Amendment Bill—To be read a second time.

Opium Bill—To be read a second time.

Parliamentary Standing Committee on Railways Remuneration Bill—To be read a second time.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

Municipal Overdrafts Indemnity Bill—To be read a second time.

And then the Council, at forty-eight minutes past ten o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 44.

WEDNESDAY, 9TH DECEMBER, 1891.

Question.

1. The Hon. W. A. ZEAL : To ask the Honorable the Minister of Justice if it is intended to limit the duration of the *Voluntary Liquidation Act 1891*.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
2. COMPANIES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. COUNCILS OF CONCILIATION BILL.—Consideration of Report.
4. FRIENDLY SOCIETIES ACT 1890 AMENDMENT BILL.—To be read a second time.
5. MINERS' RIGHT TITLES BILL.—To be read a second time.

Government Business.

NOTICE OF MOTION :—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To move, That a Select Committee of five members be appointed by ballot to inquire into and report upon the recent case heard in the County Court, Melbourne, of R. Bowman *versus* H. Gore and R. T. Moore, so far as it relates to the Honorable Henry Gore, a Member of this House ; and that the Committee have power to send for persons, papers, and records, to sit on days on which the Council does not meet, and to report the Minutes of Evidence from time to time ; three to be the quorum.

ORDERS OF THE DAY :—

1. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
2. LICENSING ARBITRATIONS BILL.—To be read a second time.
3. RAILWAYS ACT 1890 AMENDMENT BILL.—To be read a second time.
4. OPIUM BILL.—To be read a second time.
5. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—To be read a second time.
6. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
7. REGISTRATION OF FIRMS BILL.—To be read a second time.
8. MILITARY RESERVES BILL.—Adjourned debate on second reading.
9. MUNICIPAL OVERDRAFTS INDEMNITY BILL.—To be read a second time.

THURSDAY, 10TH DECEMBER.

General Business.

ORDER OF THE DAY :—

1. LICENSING ACT 1890 AMENDMENT BILL.—To be read a second time.

CONTINGENT NOTICE OF MOTION.

Contingent on the Council going into Committee on the Bill "to amend the 'Railways Act 1890' and for other purposes"—

1. The Hon. H. CURTHERBERT: To move, That it be an instruction to the Committee that they have power to examine the Railways Commissioners and call for papers.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 3RD DECEMBER, 1891.

Minutes of the Proceedings of the Legislative Council. Nos. 41, 42, and 43.
 Notices of Motion and Orders of the Day. No. 44.
 Weekly Report of Divisions in Committee. No. 5.
 Licensing Amendment Bill—[50] (To Members of Council only.)
 Friendly Societies Amendment Bill—[55] (To Members of Council only.)
 Miners' Right Titles Bill—[85] (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 65, 66, and 67.
 Notices of Motion and Orders of the Day. No. 68.
 Division in Committee of the whole. No. 15.
 Trusts Act 1890 Amendment Bill—[52] (To Members only.)
 Mines Act 1890 Amendment Bill—[72]
 Companies Act 1890 Amendment Bill (No. 2)—[79] (To Members only.)
 Land Act 1890 Amendment Bill—[82]
 Public Service Act 1890 Amendment Bill.—New clause to be proposed in Committee by Mr. Peacock instead of Clause E. (To Members only.)

VICTORIA.

No. 45.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 9TH DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—
Hospital Construction and Management—Final General Report on, by Professor H. B. Allen, M.D.
Ordered to lie on the Table.
The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk :—
Customs Act 1890—Drawback Regulations Amended.
5. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Constitution Act Amendment Act 1890,*" and acquaint the Legislative Council that the Legislative Assembly have disagreed with the amendments made in such Bill by the Legislative Council.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 9th December, 1891.
Ordered—That the foregoing Message be taken into consideration on Tuesday next.
6. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday next :—
Contractors' Protection Bill—To be read a second time.
7. DISCHARGE OF ORDER OF THE DAY.—The following Order of the Day was read and discharged :—
Companies Act 1890 Amendment Bill—To be read a second time.
Ordered—That the said Bill be withdrawn.
8. COUNCILS OF CONCILIATION BILL.—On the motion of the Honorable D. Melville, the Council adopted the Report from the Committee of the whole on this Bill.
Ordered—That the Bill be read a third time on Tuesday next.
9. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Wednesday next :—
Friendly Societies Act 1890 Amendment Bill—To be read a second time.
Miners' Right Titles Bill—To be read a second time.
10. CASE OF THE HONORABLE H. GORE.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, pursuant to amended notice, That a Select Committee of five members be appointed by ballot to inquire into and report upon the recent case heard in the County Court, Melbourne, of R. Bowman *versus* H. Gore and R. T. Moore, so far as it relates to the conduct of the Honorable Henry Gore, a Member of this House; and that the Committee have power to send for persons, papers, and records, to sit on days on which the Council does not meet, and to report the Minutes of Evidence from time to time; three to be the quorum.
Debate ensued.
Question—put and resolved in the affirmative.
The Council then proceeded to the ballot, and the following Members being reported by the Clerk to have the greatest number of votes were declared by the President to be members of the Committee :—
—The Honorables F. Brown, S. W. Cooke, S. Fraser, W. Pitt, and J. Sternberg.

11. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

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

12. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow:—

Licensing Arbitrations Bill—To be read a second time.

Railways Act 1890 Amendment Bill—To be read a second time.

Opium Bill—To be read a second time.

Parliamentary Standing Committee on Railways Remuneration Bill—To be read a second time.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

Municipal Overdrafts Indemnity Bill—To be read a second time.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to declare and amend the Law of Partnership,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

Legislative Assembly,
Melbourne, 9th December, 1891.

M. H. DAVIES,
Speaker.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending amendments in the Bill intituled “*An Act to authorize The Austral-Anglo Tramway and General Agency Company to construct Tramways in the City of South Melbourne the Borough of Port Melbourne and Town of Williamstown and for other purposes,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 9th December, 1891.

M. H. DAVIES,
Speaker.

And the said Message was read and is as follows:—

HOPETOUN,

Governor.

Message.

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly for their consideration the following amendments which he desires to be made in a Bill intituled “*An Act to authorize The Austral-Anglo Tramway and General Agency Company to construct Tramways in the City of South Melbourne the Borough of Port Melbourne and Town of Williamstown and for other purposes*”;—

In title of Bill, page 1, line 2, insert the word “Limited” after the word “Company.”

Clause 19, page 12, line 26 (being third line from end of clause), after the words “deposited by” omit the word “them” and insert the word “it.”

Clause 20, page 13, line 16 of clause, after the words “The Company” omit the word “are” and insert the word “is.”

Clause 20, page 13, line 37 (being last line but one of clause), after the word “tramway” omit the word “or” and insert the word “into.”

Clause 25, line 21 of clause, after the word “estimated” insert the word “increased.”

Clause 27, line 7 of clause, after the word “therein” insert the words “to be.”

Third Schedule, line 6 (being last line but one), after the word “from” omit the word “Williamstown” and insert the words “Port Melbourne.”

Government Offices,
Melbourne, December 9th, 1891.

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council agreed to the said amendments, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

And then the Council, at three minutes past eleven o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 45.

THURSDAY, 10TH DECEMBER, 1891.

Question.

1. The Hon. J. SERVICE: To call attention to the case of *Carslake v. the Caulfield Shire Council*; and to ask the Honorable the Minister of Justice whether he will introduce into the Local Government Amending Bill now before this House such a provision as will make the intention of Parliament clear and distinct, so as to obviate the useless and oppressive expenditure of the ratepayers' money in proceedings at law.

Government Business.

NOTICE OF MOTION:—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD: To move, That so much of the Sessional Order as relates to the hour appointed for the meeting of the Council on Wednesday and Thursday be rescinded, and that during the remainder of the Session the hour of meeting for the despatch of business on Wednesday and Thursday shall be three o'clock.

ORDERS OF THE DAY:—

1. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
2. LICENSING ARBITRATIONS BILL.—To be read a second time.
3. RAILWAYS ACT 1890 AMENDMENT BILL.—To be read a second time.
4. OPIUM BILL.—To be read a second time.
5. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—To be read a second time.
6. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
7. REGISTRATION OF FIRMS BILL.—To be read a second time.
8. MILITARY RESERVES BILL.—Adjourned debate on second reading.
9. MUNICIPAL OVERDRAFTS INDEMNITY BILL.—To be read a second time.

General Business.

ORDER OF THE DAY:—

1. LICENSING ACT 1890 AMENDMENT BILL.—To be read a second time.
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TUESDAY, 15TH DECEMBER.

Government Business.

ORDER OF THE DAY:—

1. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Consideration of Message from Legislative Assembly.

General Business.

ORDER OF THE DAY:—

1. COUNCILS OF CONCILIATION BILL.—To be read a third time.

WEDNESDAY, 16TH DECEMBER.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
2. FRIENDLY SOCIETIES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. MINERS' RIGHT TITLES BILL.—To be read a second time.

CONTINGENT NOTICE OF MOTION.

Contingent on the Council going into Committee on the Bill "to amend the 'Railways Act 1890' and for other purposes"—

1. The Hon. H. CUTHBERT : To move, That it be an instruction to the Committee that they have power to examine the Railways Commissioners and call for papers.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Thursday, 10th December.

CASE OF THE HON. H. GORE—at twelve o'clock.

PARLIAMENTARY PAPERS ISSUED 9TH DECEMBER, 1891.

Minutes of the Proceedings of the Legislative Council. No. 44.

Notices of Motion and Orders of the Day. No. 45.

Licensing Act 1890 Amendment Bill.—New clause to be proposed by the Hon. C. J. Ham. (To Members of Council only.)

Licensing Arbitrations Bill 1891.—New clause to be proposed by the Hon. J. Service. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 69.

Electoral Rolls Purification Bill.—Amendments to be proposed by Mr. McColl. (To Members only.)

Companies Act 1890 Amendment Bill (No. 2).—New clause to be proposed in Committee by Mr. Wrixon (To Members only.)

Defences and Discipline Act 1890 Amendment Bill.—Message. B.—No. 26.

Land Act 1890 Amendment Bill.—Message. B.—No. 27.

Railway Loan Application Bill.—Message. B.—No. 28.

Detailed Expenditure of the Railway Department. Return to an Order of the House. C.—No. 12.

VICTORIA.

No. 46.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 10TH DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The Honorable the President presented, pursuant to Act of Parliament—
The Constitution Act Amendment Act 1890.—Part IX.—
Statement of Appointments made in the Department of the Legislative Council.
Statement showing the Names of all Persons temporarily employed in the Department of the
Legislative Council under the authority of this Act.
Severally ordered to lie on the Table.
5. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of
the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act
to relieve Justices of the Peace from being compelled to act upon Juries,*" with which they desire the
concurrence of the Legislative Council.
M. H. DAVIES,
Speaker.
Legislative Assembly,
Melbourne, 10th December, 1891.
6. JURIES ACT 1890 AMENDMENT BILL.—The Honorable J. H. Abbott moved, That the Bill transmitted
by the foregoing Message, intituled "*An Act to relieve Justices of the Peace from being compelled to
act upon Juries,*" be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a
second time on Tuesday next.
7. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt
of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to
amend the Law relating to Bills of Sale,*" and acquaint the Legislative Council that the Legisla-
tive Assembly have agreed to the same with amendments, with which they desire the concurrence
of the Legislative Council.
M. H. DAVIES,
Speaker.
Legislative Assembly,
Melbourne, 10th December, 1891.
And the said amendments were read and are as follow :—
Clause 4, at end of clause add "and upon such filing of any assignment there shall be paid a
fee of One shilling."
Clause 6, at end of clause add "upon payment of a fee of One shilling for each such inspection."
On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Legislative Council agreed to the
several amendments made by the Legislative Assembly in this Bill, and ordered that a Message be
transmitted to the Legislative Assembly acquainting them therewith.
8. ALTERATION OF SESSIONAL ORDER.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That so much of
the Sessional Order as relates to the hour appointed for the meeting of the Council on Wednesday
and Thursday be rescinded, and that during the remainder of the Session the hour of meeting
for the despatch of business on Wednesday and Thursday shall be three o'clock.
Debate ensued.
Question—put and resolved in the affirmative.

9. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with amendments.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be recommitted to a Committee of the whole Council for the re-consideration of clauses 33, 39, 40, 52, 59, 61, 64, 65, 66, 68, 69, 89, 90, 95, and 103.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clauses 33, 39, 40, 52, 59, 61, 64, 65, 66, 68, 69, 89, 90, 95, and 103.

The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill with further amendments.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be recommitted to a Committee of the whole Council for the re-consideration of clause 70 and a new clause.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 70 and a new clause.

The President resumed the Chair, and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill with a further amendment, the Council ordered the Report to be taken into consideration on Tuesday next.—Bill, as further amended, to be printed.

10. LICENSING ARBITRATIONS BILL.—The Honorable C. J. Ham moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

The President resumed the Chair, and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with an amendment.

The Honorable C. J. Ham moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable C. J. Ham, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable C. J. Ham moved, That the words “and for other purposes” be added to the title of the Bill.

Question—put and resolved in the affirmative.

The Honorable C. J. Ham moved, That the following be the amended title of the Bill:—

“An Act to amend the ‘Licensing Act 1890’ and for other purposes.”

Question—put and resolved in the affirmative.

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

11. RAILWAYS ACT 1890 AMENDMENT BILL.—The Honorable J. M. Davies moved, That this Bill be now read a second time.

The Honorable D. Melville moved, That the debate be now adjourned.

Debate ensued.

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

Ordered—That the debate be adjourned until Tuesday next.

12. OPIUM BILL.—The Honorable C. J. Ham moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

13. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until this day:—

Parliamentary Standing Committee on Railways Remuneration Bill—To be read a second time.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

14. MUNICIPAL OVERDRAFTS INDEMNITY BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill:—

“*An Act to indemnify the Councillors of various Municipalities for Borrowing Moneys by Overdrafts on Bankers for the purposes of their Municipalities contrary to the provisions of the ‘Local Government Act 1890’ and for other purposes.*”

Question—put and resolved in the affirmative.

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

15. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next:—

Parliamentary Standing Committee on Railways Remuneration Bill—To be read a second time.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

Licensing Act 1890 Amendment Bill—To be read a second time.

And then the Council, at fifty-two minutes past ten o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 46.

TUESDAY, 15TH DECEMBER, 1891.

Government Business.

ORDERS OF THE DAY :—

1. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Consideration of Message from Legislative Assembly.
3. RAILWAYS ACT 1890 AMENDMENT BILL.—Adjourned debate on second reading.
4. OPIUM BILL.—To be further considered in Committee.
5. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
6. REGISTRATION OF FIRMS BILL.—To be read a second time.
7. MILITARY RESERVES BILL.—Adjourned debate on second reading.
8. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—To be read a second time.

General Business.

ORDERS OF THE DAY :—

1. COUNCILS OF CONCILIATION BILL.—To be read a third time.
 2. JURIES ACT 1890 AMENDMENT BILL.—To be read a second time.
 3. LICENSING ACT 1890 AMENDMENT BILL.—To be read a second time.
-

WEDNESDAY, 16TH DECEMBER.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
 2. FRIENDLY SOCIETIES ACT 1890 AMENDMENT BILL.—To be read a second time.
 3. MINERS' RIGHT TITLES BILL.—To be read a second time.
-

CONTINGENT NOTICE OF MOTION.

Contingent on the Council going into Committee on the Bill "to amend the 'Railways Act 1890' and for other purposes"—

1. The Hon. H. CUTHBERT : To move, That it be an instruction to the Committee that they have power to examine the Railways Commissioners and call for papers.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Monday, 14th December.

CASE OF THE HON. H. GORE—at half-past four o'clock.

PARLIAMENTARY PAPERS ISSUED 10TH DECEMBER, 1891.

Minutes of the Proceedings of the Legislative Council. No. 45.

Notices of Motion and Orders of the Day. No. 46.

Juries Act 1890 Amendment Bill—[84] (To Members of Council only.)

Licensing Act 1890 Amendment Bill.—New clause to be proposed by the Hon. T. Brunton. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 70.

Coal Mines Railway Construction Bill—[93]

Public Service Act 1890 Amendment Bill.—New clauses to be proposed in Committee by Captain Taylor. (To Members only.)

Medical Practitioners Bill.—Message. B.—No. 30.

Metropolitan General Cemetery Bill.—Message. B.—No. 31.

Customs Act 1890.—Drawback Regulations Amended. No. 202.

The Water Act 1890—

Western Wimmera Irrigation and Water Supply Trust.—Regulation No. 10. No. 203.

Twelve-mile Irrigation and Water Supply Trust.—Order granting sum of £50 repealed. No. 207.

Fire Brigades Act 1890.—Regulations made by the Governor in Council during the months of September, October, and November, 1891. No. 205.

VICTORIA.

No. 47.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 15TH DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITIONS.—The Honorable J. H. Abbott presented a Petition from certain members of the Church of England residing at Sandhurst, praying that the Council will be pleased to bring about such an alteration of the present Education Act as shall permit of and enjoin the reading of the Bible as part of the instruction in State schools during school hours.

Ordered to lie on the Table.

The Honorable J. A. Wallace presented a Petition from certain Chinese residents of Melbourne against some of the provisions of the Opium Bill, and in favour of amending such Bill so as to provide for Europeans being prohibited from smoking opium and Chinamen being prohibited from selling opium to Europeans.

Ordered to lie on the Table, and to be referred to the Committee of the whole Council on the Opium Bill.

5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read:—

HOPETOUN,

*Governor.**Message No. 14.*

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

“An Act to authorize the Austral-Anglo Tramway and General Agency Company to construct Tramways in the City of South Melbourne the Borough of Port Melbourne and Town of Williamstown and for other purposes.”

“An Act to declare and amend the Law of Partnership.”

“An Act to amend the Law relating to Bills of Sale.”

“An Act to indemnify the Councillors of various Municipalities for borrowing Moneys by Overdrafts on Bankers for the purposes of their Municipalities contrary to the provisions of the ‘Local Government Act 1890’ and for other purposes.”

Government Offices,
Melbourne, 14th December, 1891.

6. LEGAL PROFESSION PRACTICE ACT 1891 AMENDMENT BILL.—The Honorable J. M. Davies moved, by leave, That he have leave to bring in a Bill to amend the *Legal Profession Practice Act 1891*.
Question—put and resolved in the affirmative.
Ordered—That the Honorable J. M. Davies do prepare and bring in the Bill.
The Honorable J. M. Davies then brought up a Bill intituled “*A Bill to amend the ‘Legal Profession Practice Act 1891,’*” and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time to-morrow.
7. CASE OF THE HONORABLE H. GORE.—The Honorable S. W. Cooke, on behalf of the Honorable S. Fraser, Chairman, brought up the Report from this Committee.
Report read, and, together with the Proceedings of the Committee and Minutes of Evidence, ordered to lie on the Table and to be printed.
8. DISCHARGE OF ORDER OF THE DAY.—On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the following Order of the Day was read and discharged:—

Local Government Act 1890 Amendment Bill—Consideration of Report.

(400 copies.)

9. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be recommitted to a Committee of the whole Council for the re-consideration of clause 28, three new clauses, and certain consequential amendments.

Debate ensued.

The Hon. W. A. Zeal moved, as an amendment, That the words "clause 106" be inserted after "clause 28" in the proposed motion.

Debate continued.

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

Council divided.

Ayes, 13.

The Hon. J. H. Abbott
T. Brunton
J. Buchanan
G. S. Coppin
F. S. Dobson, LL.D.
H. Gore
W. McCulloch
J. Service
G. Simmie
J. A. Wallace
A. Wynne
W. A. Zeal
J. Bell (*Teller*).

Noes, 19.

The Hon. S. Austin
J. H. Connor
S. W. Cooke
D. Coutts
H. Cuthbert
J. M. Davies
N. FitzGerald
S. Fraser
F. S. Grimwade
C. J. Ham
D. Melville
E. Morey
W. Pearson
W. Pitt
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
D. S. Wallace
S. Williamson
W. I. Winter-Irving (*Teller*).

And so it passed in the negative.

Question—That this Bill be recommitted to a Committee of the whole Council for the re-consideration of clause 28, three new clauses, and certain consequential amendments—put and resolved in the affirmative.

On the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of clause 28, three new clauses, and certain consequential amendments.

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

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

MR. PRESIDENT—

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

Legislative Assembly,
Melbourne, 15th December, 1891.

M. H. DAVIES,
Speaker.

11. APPROPRIATION BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to apply a Sum out of the Consolidated Revenue to the service of the Year ending on the thirtieth day of June One thousand eight hundred and ninety-two and to appropriate the Supplies granted in this Session of Parliament,*" be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council a Bill intituled "*An Act relating to Arbitrations under the 'Licensing Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 15th December, 1891.

M. H. DAVIES,
Speaker.

13. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until to-morrow :—

Constitution Act Amendment Act 1890 Amendment Bill—Consideration of Message from Legislative Assembly.

14. RAILWAYS ACT 1890 AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
Debate resumed.

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

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

Ordered—That the debate be adjourned until to-morrow.

15. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—

Opium Bill—To be further considered in Committee.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

Councils of Conciliation Bill—To be read a third time.

Juries Act 1890 Amendment Bill—To be read a second time.

Licensing Act 1890 Amendment Bill—To be read a second time.

16. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Thursday next :—

Parliamentary Standing Committee on Railways Remuneration Bill—To be read a second time.

And then the Council, at fifty-five minutes past ten o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 47.

WEDNESDAY, 16TH DECEMBER, 1891.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
2. FRIENDLY SOCIETIES ACT 1890 AMENDMENT BILL.—To be read a second time.
3. MINERS' RIGHT TITLES BILL.—To be read a second time.
4. COUNCILS OF CONCILIATION BILL.—To be read a third time.
5. JURIES ACT 1890 AMENDMENT BILL.—To be read a second time.
6. LICENSING ACT 1890 AMENDMENT BILL.—To be read a second time.

Government Business.

NOTICE OF MOTION :—

1. The Hon. Lieut.-Col. Sir F. T. SARGOOD : To move, That during the remainder of the present Session the Council shall meet every Friday at three o'clock.

ORDERS OF THE DAY :—

1. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—Consideration of Report.
2. RAILWAYS ACT 1890 AMENDMENT BILL.—Adjourned debate on second reading.
3. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Consideration of Message from Legislative Assembly.
4. LEGAL PROFESSION PRACTICE ACT 1891 AMENDMENT BILL.—To be read a second time.
5. OPIUM BILL.—To be further considered in Committee.
6. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
7. REGISTRATION OF FIRMS BILL.—To be read a second time.
8. MILITARY RESERVES BILL.—Adjourned debate on second reading.

THURSDAY, 17TH DECEMBER.

Government Business.

ORDERS OF THE DAY :—

1. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—To be read a second time.
2. APPROPRIATION BILL.—To be read a second time.

CONTINGENT NOTICE OF MOTION.

Contingent on the Council going into Committee on the Bill "to amend the 'Railways Act 1890' and for other purposes"—

1. The Hon. H. CUTHBERT : To move, That it be an instruction to the Committee that they have power to examine the Railways Commissioners and call for papers.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

MEETING OF SELECT COMMITTEE.

Wednesday, 16th December.

REFRESHMENT ROOMS—at two o'clock.

PARLIAMENTARY PAPERS ISSUED SINCE 10TH DECEMBER, 1891.

Minutes of the Proceedings of the Legislative Council. No. 46.
 Notices of Motion and Orders of the Day. No. 47.
 Weekly Report of Divisions in Committee. No. 6.
 Local Government Bill—[29] (To Members of Council only.)
 Legal Profession Practice Amendment Bill—[96] (To Members of Council only.)
 Opium Bill.—Amendments to be proposed by the Hon. F. S. Grimwade. (To Members of Council only.)

Votes and Proceedings of the Legislative Assembly. Nos. 68, 69, and 70.
 Notices of Motion and Orders of the Day. No. 71.
 Divisions in Committee of the whole. No. 16.
 Appropriation Bill—[57]
 Purification of Rolls Bill—[76] (To Members only.)
 Resumption of Land Bill—[95]
 Licensing Arbitrations Bill.—Amendments of the Legislative Council. (To Members only.)
 Crimes Act 1890 Amendment Bill.—New clause to be proposed in Committee by Dr. Maloney. (To Members only.)
 Public Service Act 1890 Amendment Bill.—New clause to be proposed in Committee by Mr. W. T. Carter. (To Members only.)
 Finance, 1890-91.—The Treasurer's Statement of the Receipts and Expenditure of the Consolidated Revenue and other moneys, &c. A.—No. 1.
 Additional Estimates of Expenditure for the year ending 30th June, 1892. B.—No. 29.
 Railway Capital and Annual Loss or Profit.—Return to an order of the House. C.—No. 14.

VICTORIA.

No. 48.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 16TH DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITION.—The Honorable J. A. Wallace presented a Petition from certain persons, members of the Rutherglen and Murray District Vine and Fruit Growers' Association, on behalf of such Association, praying that the Licensing Act 1890 Amendment Bill be amended so as to provide for licensing magistrates having power to grant new colonial wine licences at any time during the year, or at least once a month, instead of only once a year, as is provided in the existing law.
Ordered to lie on the Table, and to be referred to the Committee of the whole Council on the Licensing Act 1890 Amendment Bill.
5. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Friday next :—
Contractors' Protection Bill—To be read a second time.
6. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until to-morrow :—
Friendly Societies Act 1890 Amendment Bill—To be read a second time.
7. MINERS' RIGHT TITLES BILL.—The Honorable H. Gore moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable H. Gore moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable H. Gore, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
8. COUNCILS OF CONCILIATION BILL.—The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable D. Melville, read a third time and passed.
The Honorable D. Melville moved, That the following be the title of the Bill :—
"An Act to provide for the establishment of Councils of Conciliation."
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.
9. JURIES ACT 1890 AMENDMENT BILL.—The Honorable J. H. Abbott moved, That this Bill be now read a second time.
Debate ensued.
Question—put.
Council divided.

Ayes, 11.

The Hon. J. H. Abbott
J. Buchanan
G. Davis
H. Gore
W. McCulloch
C. Sargeant
G. Simmie
J. A. Wallace
W. I. Winter-Irving
W. A. Zeal
W. Pitt (*Teller*).

Noes, 14.

The Hon. T. Brunton
J. H. Connor
S. W. Cooke
G. S. Coppin
D. Coutts
H. Cuthbert
J. M. Davies
F. S. Dobson, LL.D.
D. Melville
Lieut.-Col. Sir F. T. Sargood
J. Service
N. Thornley
D. S. Wallace
J. Bell (*Teller*).

And so it passed in the negative.

10. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered, That the consideration of the following Order of the Day be postponed until this day :—

Licensing Act 1890 Amendment Bill—To be read a second time.

11. **ALTERATION OF DAYS OF BUSINESS.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That during the remainder of the present Session the Council shall meet every Friday at three o'clock. Debate ensued.

The Honorable H. Cuthbert moved, as an amendment, That the words "no new business to be taken after ten o'clock" be added to the proposed motion.

Debate continued.

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

Question—That during the remainder of the present Session the Council shall meet every Friday at three o'clock—put and resolved in the affirmative.

12. **LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.**—On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill. The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, read a third time and passed.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—

"An Act to amend the 'Local Government Act 1890.'"

Question—put and resolved in the affirmative.

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

13. **LICENSING ACT 1890 AMENDMENT BILL.**—The Honorable J. H. Abbott moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

14. **RAILWAYS ACT 1890 AMENDMENT BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

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

Question—That the debate be now adjourned—put.

Council divided.

Ayes, 14.

The Hon. J. Bell
Sir. B. Benjamin
J. S. Butters
J. H. Connor
H. Cuthbert
F. S. Dobson, LL.D.
N. FitzGerald
C. Sargeant
J. Service
G. Simmie
D. S. Wallace
J. A. Wallace
S. Williamson
W. I. Winter-Irving (*Teller*).

Noes, 16.

The Hon. J. H. Abbott
T. Brunton
J. Buchanan
S. W. Cooke
D. Coutts
J. M. Davies
S. Fraser
H. Gore
C. J. Ham
W. McCulloch
D. Melville
E. Morey
J. M. Pratt
Lieut.-Col. Sir F. T. Sargood
W. A. Zeal
F. S. Grimwade (*Teller*).

And so it passed in the negative.

The Honorable N. FitzGerald moved, That the House do now adjourn.

Debate ensued.

Motion, by leave, withdrawn.

Ordered—That the debate be adjourned until to-morrow.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the Purification of the Electoral Rolls for the Legislative Assembly and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 16th December, 1891.

M. H. DAVIES,
Speaker.

16. **ELECTORAL ROLLS PURIFICATION BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to provide for the Purification of the Electoral Rolls for the Legislative Assembly and for other purposes,*” be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Friday next.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the ‘Land Act 1890,’*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 16th December, 1891.

M. H. DAVIES,
Speaker.

18. **LAND ACT 1890 AMENDMENT BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to amend the ‘Land Act 1890,’*” be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the ‘Mines Act 1890,’*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 16th December, 1891.

M. H. DAVIES,
Speaker.

20. **MINES BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to amend the ‘Mines Act 1890,’*” be now read a first time.

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

21. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—

Constitution Act Amendment Act 1890 Amendment Bill—Consideration of Message from Legislative Assembly.

Legal Profession Practice Act 1891 Amendment Bill—To be read a second time.

Opium Bill—To be further considered in Committee.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

And then the Council, at twenty-one minutes past eleven o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

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LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 48.

THURSDAY, 17TH DECEMBER, 1891.

Government Business.

ORDERS OF THE DAY:—

1. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—To be read a second time.
2. APPROPRIATION BILL.—To be read a second time.
3. RAILWAYS ACT 1890 AMENDMENT BILL.—Adjourned debate on second reading.
4. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Consideration of Message from Legislative Assembly.
5. LEGAL PROFESSION PRACTICE ACT 1891 AMENDMENT BILL.—To be read a second time.
6. OPIUM BILL.—To be further considered in Committee.
7. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
8. REGISTRATION OF FIRMS BILL.—To be read a second time.
9. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

ORDERS OF THE DAY:—

1. FRIENDLY SOCIETIES ACT 1890 AMENDMENT BILL.—To be read a second time.
 2. MINERS' RIGHT TITLES BILL.—To be further considered in Committee.
 3. LICENSING ACT 1890 AMENDMENT BILL.—Consideration of Report.
-

FRIDAY, 18TH DECEMBER.

Government Business.

ORDERS OF THE DAY:—

1. ELECTORAL ROLLS PURIFICATION BILL.—To be read a second time.
2. LAND ACT 1890 AMENDMENT BILL.—To be read a second time.
3. MINES BILL.—To be read a second time.

General Business.

ORDER OF THE DAY:—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
-

WEDNESDAY, 23RD DECEMBER.

General Business.

NOTICE OF MOTION:—

1. The Hon. J. S. BUTTERS: To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

The notifications to which an asterisk () is prefixed appear for the first time.*

CONTINGENT NOTICE OF MOTION.

Contingent on the Council going into Committee on the Bill "to amend the 'Railways Act 1890' and for other purposes"—

1. The Hon. H. CUTHBERT : To move, That it be an instruction to the Committee that they have power to examine the Railways Commissioners and call for papers.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 16TH DECEMBER, 1891.

Notices of Motion and Orders of the Day. No. 48.

Licensing Amendment Bill—[50] (To Members of Council only.)

Mines Act 1890 Amendment Bill—[72] (To Members of Council only.)

Purification of Rolls Bill—[76] (To Members of Council only.)

Land Act 1890 Amendment Bill—[82] (To Members of Council only.)

Land Act 1890 Amendment Bill.—New clause to be proposed by the Hon. J. Bell. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 72.

Agricultural Grants Bill—[75]

Statute Law Revision Bill—[98]

Public Service Act 1890 Amendment Bill.—New clause to be proposed in Committee by Mr. Peacock. (To Members only.)

Local Government Act 1890 Amendment Bill.—Amendments of the Legislative Council. (To Member only.)

Crimes Act 1890 Amendment Bill.—Petition. E.—No. 4.

Customs Act 1890.—Drawback Regulations Amended. No. 204.

VICTORIA.

No. 49.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 17TH DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPERS.—The Honorable J. M. Davies presented—
Valuation of Estates of Deceased Persons.—Return to an Order of the Legislative Council, dated 28th October, 1891, for a Return showing—
 1. The names of all persons who have died since the 1st July, 1887, to the 1st July, 1891, having property in the colony outside of cities, towns, or boroughs of the value of £5,000 and upwards.
 2. The amount of the valuation made in each case for the purposes of probate or succession duty by the representatives of the deceased person and by the Government valuer, and the amount of his valuation, his name and the amount of his fee in each case, and also the amount of duty paid on each estate.
 3. Whether in some, if not in all, cases the amount of the valuation made by the representatives of the deceased person for the above purposes is disclosed to the Government valuer before he makes his valuation.
 4. Whether the valuer appointed by the Crown visits the estate he is instructed to value ; and, if so, whether he makes a statutory declaration to that effect.

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Railway Loan Act No. 1032, Railway Loan Liquidation and Construction Account, and Victorian Stock Acts Nos. 1196 and 1217.—Estimate of Expenditure which the Railways Commissioners propose to incur during the Year ending 30th June, 1892.

Tatura Waterworks Trust.—Application for Additional Loan of £250.—Detailed Statement and Report.

5. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until this day :—
Parliamentary Standing Committee on Railways Remuneration Bill—To be read a second time.
Appropriation Bill—To be read a second time.

6. RAILWAYS ACT 1890 AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time—having been read—

Debate resumed.

Question—put and resolved in the affirmative.

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

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That it be an instruction to the Committee that they have power to examine the Railways Commissioners and call for papers.

Debate ensued.

Question—put.

Council divided.

Ayes, 28.

The Hon. J. Bell
 Sir B. Benjamin
 T. Brunton
 S. W. Cooke
 D. Coutts
 H. Cuthbert
 J. M. Davies
 G. Davis
 F. S. Dobson, LL.D.
 N. FitzGerald
 F. S. Grimwade
 C. J. Ham
 D. Ham
 W. McCulloch
 W. Pitt
 W. H. Roberts
 C. Sargeant
 Lieut.-Col. Sir F. T. Sargood
 J. Service
 G. Simmie
 J. Sternberg
 N. Thornley
 D. S. Wallace
 J. A. Wallace
 S. Williamson
 W. I. Winter-Irving
 A. Wynne
 J. S. Butters (*Teller*).

Noes, 7.

The Hon. J. H. Abbott
 J. Buchanan
 H. Gore
 D. Melville
 J. M. Pratt
 W. A. Zeal
 S. Fraser (*Teller*).

And so it was resolved in the affirmative.

The Honorable J. M. Pratt moved, That it be an instruction to the Committee that they have power to examine other witnesses.

Debate ensued.

Question—put and resolved in the affirmative.

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, this day, again resolve itself into the said Committee.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Crimes Act 1890' and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with amendments, with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
 Speaker.

Legislative Assembly,
 Melbourne, 17th December, 1891.

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

1. Clause 6, at end of the clause add "unless such girl be older than or of the same age as the defendant."
2. Clause 7, line 25, after "of" insert "or above."
3. Clause 8, line 29, after "descendant" insert "or his step-daughter."
4. " line 37, after "descendant" insert "or his step-daughter."
5. Clause 9, line 2, after "ancestor" insert "or her step-father."
6. " line 4, after "ancestor" insert "or her step-father."
7. " line 11, after "descendant" insert "or step-daughter."
8. " line 14, after "ancestor" insert "or step-father."
9. " line 26, after "ancestor" insert "or her step-father."
10. Clause 15, line 19, omit "or" and insert "shall be guilty of a misdemeanour and being convicted thereof shall be liable at the discretion of the court to be imprisoned for any term not exceeding two years."
11. " line 20, omit the letter "(c)" and insert the figure "(2)," and before "applies" insert "Any person who."
12. " line 26, omit "two" and insert "ten."
13. " line 27, omit the figure "(2)" and insert "(3)."
14. Clause 23, omit this clause.

15. Clause 35, line 38 to the end of the clause, omit all the words after "answer" and insert "either on examination cross-examination or re-examination any question not relevant to the particular offence with which he is charged unless such person has given evidence of good character. Provided always that no comment shall be made upon the fact that any such person has not given evidence in his own behalf."
16. Clause 36, lines 4 and 5, omit "then on the completion of the examination of the witnesses on the part of the prosecution."
17. " lines 6 and 7, omit "addressed to him by or" and insert "handed to him in writing."
18. Clause 43, line 18, after "capacity" insert "for which certificate a fee of Five shillings and no more shall be demanded or taken."

And the said amendments were read a second time.

Amendments 1 to 11 agreed to.

Amendment 12, after debate, agreed to.

Amendment 13 agreed to.

Amendments 14 and 15, after debate, agreed to.

Amendments 16 to 18 agreed to.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Police Offences Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with an amendment, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 17th December, 1891.

M. H. DAVIES,
Speaker.

And the said amendment was read and is as follows:—

Insert new clause—

A. (1) Subject to sub-section (2) of this section, section thirty-seven of the *Police Offences Act 1890* shall not apply to any lottery or scheme heretofore or hereafter established or commenced by any friendly society or branch registered under the *Friendly Societies Act 1890* or by any officer or servant thereof with the written direction of such society or branch. Power to friendly societies to hold lotteries &c. No. 1094.

(2) Sub-section (1) of this section shall have no force or effect except in regard to a lottery or scheme established and commenced for the sole benefit of the friendly society or branch holding the same or giving such direction as aforesaid and the proceeds of which are to be appropriated exclusively to the objects for which such society or branch is established, nor unless previous notice having the name and address of the society or branch intending to hold such lottery or scheme and stating the purpose to which the proceeds will be appropriated has been given to the Attorney-General and the Attorney-General has not within one week after receiving such notice prohibited such lottery or scheme by order sent by post or in any other manner to the address of the society branch or person giving such notice. Restriction.

(3) Section thirty-seven of the *Police Offences Act 1890* shall not apply to the art union or lottery annually held or established on the twenty-first or twenty-second day of April by the persons commonly known as the Eight Hours' Anniversary Committee provided such art union or lottery be approved in writing by the Attorney-General.

The Honorable J. M. Davies moved, That the Council disagree with the amendment made by the Legislative Assembly.

Question—That the Council disagree with the amendment made by the Legislative Assembly—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have disagreed with the said amendment.

9. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until to-morrow:—

Constitution Act Amendment Act 1890 Amendment Bill—Consideration of Message from Legislative Assembly.

10. LEGAL PROFESSION PRACTICE ACT 1891 AMENDMENT BILL.—The Honorable J. M. Davies moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

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

On the motion of the Honorable J. M. Davies, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. M. Davies moved, That the following be the title of the Bill :—

“ *An Act to amend the ‘ Legal Profession Practice Act 1891.’* ”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to authorize the issue of Treasury Bonds,* ” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 17th December, 1891.

M. H. DAVIES,
Speaker.

12. TREASURY BONDS BILL.—The Honorable J. M. Davies moved, That the Bill transmitted by the foregoing Message, intituled “ *An Act to authorize the issue of Treasury Bonds,* ” be now read a first time.

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

13. RAILWAYS ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

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

14. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until this day :—

Opium Bill—To be further considered in Committee.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

15. FRIENDLY SOCIETIES ACT 1890 AMENDMENT BILL.—The Honorable A. Wynne moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable A. Wynne moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable A. Wynne, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable A. Wynne moved, That the following be the title of the Bill :—

“ *An Act to amend the ‘ Friendly Societies Act 1890.’* ”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to authorize the construction of Lines of Railway from Korumburra on the Great Southern Line to Coal Creek, Strezlecki, and Jumbunna Coal Mines respectively,* ” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 17th December, 1891.

M. H. DAVIES,
Speaker.

17. RAILWAYS CONSTRUCTION (KORUMBURRA COAL MINES) BILL.—The Honorable S. Fraser moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to authorize the construction of Lines of Railway from Korumburra on the Great Southern Line to Coal Creek, Strezlecki, and Jumbunna Coal Mines respectively,*" be now read a first time.

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

18. ALTERATION OF DAYS OF BUSINESS.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Council meet on Monday next at three o'clock.

Question—put and resolved in the affirmative.

19. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow :—

Parliamentary Standing Committee on Railways Remuneration Bill—To be read a second time.

Appropriation Bill—To be read a second time.

Opium Bill—To be further considered in Committee.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

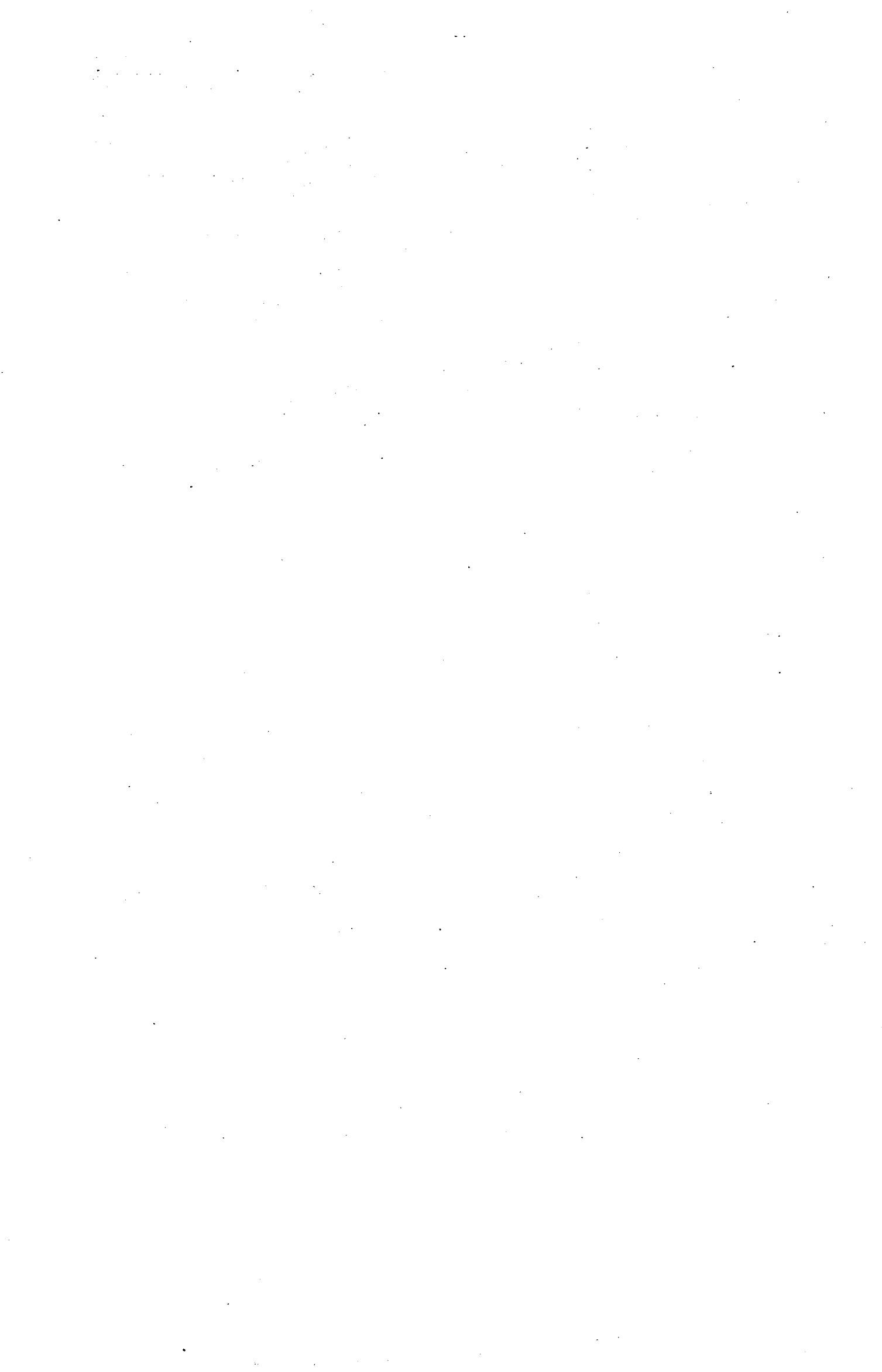
Miners' Right Titles Bill—To be further considered in Committee.

Licensing Act 1890 Amendment Bill—Consideration of Report.

And then the Council, at half-past eleven o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,

Clerk of the Legislative Council.



LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 49.

FRIDAY, 18TH DECEMBER, 1891.

Government Business.

ORDERS OF THE DAY :—

1. APPROPRIATION BILL.—To be read a second time.
2. RAILWAYS ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
3. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—To be read a second time.
4. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—Consideration of Message from Legislative Assembly.
5. OPIUM BILL.—To be further considered in Committee.
6. TREASURY BONDS BILL.—To be read a second time.
7. RAILWAYS CONSTRUCTION (KORUMBURRA COAL MINES) BILL.—To be read a second time.
8. ELECTORAL ROLLS PURIFICATION BILL.—To be read a second time.
9. LAND ACT 1890 AMENDMENT BILL.—To be read a second time.
10. MINES BILL.—To be read a second time.
11. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
12. REGISTRATION OF FIRMS BILL.—To be read a second time.
13. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
2. MINERS' RIGHT TITLES BILL.—To be further considered in Committee.
3. LICENSING ACT 1890 AMENDMENT BILL.—Consideration of Report.

WEDNESDAY, 23RD DECEMBER.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 17TH DECEMBER, 1891.

Notices of Motion and Orders of the Day. No. 49.

Land Act 1890 Amendment Bill—

New clause D to be proposed by the Hon. J. Bell. (To Members of Council only.)

New clause E to be proposed by the Hon. J. Bell. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 73.

Railway Construction Act 1884.—Estimate of Expenditure which the Railways Commissioners propose to incur during the year ending 30th June, 1892. A.—No. 2.

Treasury Bonds Bill.—Message. B.—No. 34.

By Authority: ROBT. S. BRAIN, Government Printer, Melbourne.

(200 copies.)

VICTORIA.

No. 50.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 18TH DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PETITION.—The Honorable C. Sargeant presented a Petition from certain members of the Church of England congregations in the district of Buln Buln, praying that the Council would pass a measure allowing the Bible to be read in State schools.
Ordered to lie on the Table.
5. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
General Regulations respecting Public Accounts.—New Regulation *re* “The Land Sales by Auction Fund.”
Yan Yean Water Supply.—Cash Statement from 1st July, 1890, to 30th June, 1891, and Balance-sheet to 30th June, 1891.
6. APPROPRIATION BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a third time.
Debate ensued.
Question—put and resolved in the affirmative.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill do pass.
Question—put and resolved in the affirmative.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—
“An Act to apply a Sum out of the Consolidated Revenue to the service of the Year ending on the thirtieth day of June One thousand eight hundred and ninety-two and to appropriate the Supplies granted in this Session of Parliament.”
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.
7. MESSAGE FROM THE LEGISLATIVE ASSEMBLY.—The President announced to the Council the receipt of the following Message from the Legislative Assembly :—
MR. PRESIDENT—
The Legislative Assembly return to the Legislative Council the Bill intituled “An Act to authorize the Council of Defence to transfer certain Land to the Trustees of the Bendigo Art Gallery,” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 18th December, 1891.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply out of 'The Victorian Stock Act 1891 Account' or temporarily out of 'The Public Account' certain sums of Money for Railway Works and other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th December, 1891.

M. H. DAVIES,
Speaker.

9. RAILWAY LOAN APPLICATION BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to apply out of 'The Victorian Stock Act 1891 Account' or temporarily out of 'The Public Account' certain sums of Money for Railway Works and other purposes,*" be now read a first time.

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

10. RAILWAYS ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

Resolved—That the Council will, this day, again resolve itself into the said Committee.

11. RAILWAYS ACT 1890 AMENDMENT BILL.—MESSAGES TO THE LEGISLATIVE ASSEMBLY.—The Honorable J. M. Davies moved, That a Message be transmitted to the Legislative Assembly, requesting that they will give leave to the Honorable the Minister of Railways to attend in order to his being examined by a Committee of the Legislative Council on the Railways Act 1890 Amendment Bill.

Question—put and resolved in the affirmative.

The Honorable H. Cuthbert moved, That a Message be transmitted to the Legislative Assembly, requesting that they will give leave to the Honorable Duncan Gillies to attend in order to his being examined by a Committee of the Legislative Council on the Railways Act 1890 Amendment Bill.

Debate ensued.

Question—put and resolved in the affirmative.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Friendly Societies Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made in such Bill by the Legislative Council, and have agreed to one of the said amendments with an amendment, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th December, 1891.

M. H. DAVIES,
Speaker.

And the said amendment was read, and is as follows :—

After clause 28 insert new Clause—

- B. In sub-section C of section fifteen of the Principal Act the following words shall be inserted after the word "unexpired"
"but no trustee shall execute any mortgage or security over land the fee-simple of which shall have been in his possession within a period of two years from the time of giving such mortgage or security."

} Agreed to by the Legislative Assembly with the following amendment :—Line 1, omit "fifteen" and insert "sixteen."

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council agreed to the said amendment of the Legislative Assembly on the amendment of the Legislative Council, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Trusts Act 1890' and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th December, 1891.

M. H. DAVIES,
Speaker.

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

Insert new Clause—

16. It shall be lawful for the Registrar to demand the fees specified in the Third Fees Schedule to this Act or such other fees as shall from time to time be appointed Third Schedule by the Governor in Council in lieu thereof or in addition thereto.

Insert new Schedule—

Section 18.

THIRD SCHEDULE.

Fees.

| | £ | s. | d. |
|--|---|----|----|
| On the application to register new name of denomination or trust ... | 1 | 0 | 0 |
| On the application by the head or representative of a denomination nominating trustees ... | 1 | 0 | 0 |
| On the application for a vesting order under this amending Act ... | 1 | 0 | 0 |
| For returning under this amending Act each document deposited ... | 0 | 2 | 6 |
| For registering memorandum of substitution of deposited or enrolled statements under this amending Act ... | 0 | 5 | 0 |
| For registering the appointment of trustees under this amending Act ... | 0 | 5 | 0 |
| For every caveat ... | 0 | 10 | 0 |
| For withdrawal of caveat ... | 0 | 5 | 0 |
| For registration of a vesting order under this amending Act ... | 0 | 10 | 0 |

On the motion of the Honorable J. M. Davies, the Council agreed to the said amendments, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Administration and Probate Act 1890,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th Decr., 1891.

M. H. DAVIES,
Speaker.

15. ADMINISTRATION AND PROBATE ACT 1890 AMENDMENT BILL.—The Honorable J. M. Davies moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to amend the 'Administration and Probate Act 1890,'*" be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to alter the Amounts of certain Agricultural and other Grants,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18 December, 1891.

M. H. DAVIES,
Speaker.

17. AGRICULTURAL GRANTS BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to alter the Amounts of certain Agricultural and other Grants,'*" be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize a portion of the Market Reserve at St. Arnaud being reserved as a Site for a School of Mines,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th December, 1891.

M. H. DAVIES,
Speaker.

19. ST. ARNAUD SCHOOL OF MINES SITE BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to authorize a portion of the Market Reserve at St. Arnaud being reserved as a Site for a School of Mines,'*" be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to correct certain Errors in Acts,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th December, 1891.

M. H. DAVIES,
Speaker.

21. ACTS CORRECTION BILL.—The Honorable J. M. Davies moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to correct certain Errors in Acts,'*" be now read a first time.

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

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

MR. PRESIDENT—

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

Legislative Assembly,
Melbourne, 18th December, 1891.

M. H. DAVIES,
Speaker.

23. THISTLES LAW AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to amend the Law relating to Thistles,*" be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the Sale of part of the Kyneton Market Reserve and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18 Decr., 1891.

M. H. DAVIES,
Speaker.

25. KYNETON MARKET RESERVE BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled "*An Act to authorize the Sale of part of the Kyneton Market Reserve and for other purposes,*" be now read a first time.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Legal Profession Practice Act 1891,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with an amendment, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th December, 1891.

M. H. DAVIES,
Speaker.

And the said amendment was read, and is as follows :—

Insert new clause—

A. Before any person is admitted by the Supreme Court to practise as a barrister and solicitor he shall pay to the Court one fee of Fifty guineas or such other sum as may hereafter be fixed in any Rules of the Supreme Court, and such fee shall be substituted for the fees of Fifty guineas payable under Rule 13 and Forty guineas payable under Rule 35 of the Rules of the Supreme Court of the fifteenth day of October One thousand eight hundred and eighty-seven.

On the motion of the Honorable J. M. Davies, the Council agreed to the said amendment, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Police Offences Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly insist on their amendment in this Bill with which the Legislative Council have disagreed.

Legislative Assembly,
Melbourne, 18th December, 1891.

M. H. DAVIES,
Speaker.

The Honorable J. M. Davies moved, That the Council still insist on disagreeing with the said amendment to insert clause A.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council still insist on disagreeing with the said amendment.

28. RAILWAYS ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

Resolved—That the Council will, this day, again resolve itself into the said Committee.

29. LICENSING ACT 1890 AMENDMENT BILL.—On the motion of the Honorable J. H. Abbott, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable J. H. Abbott, read a third time, and passed.
The Honorable J. H. Abbott moved, That the following be the title of the Bill:—
“*An Act to amend the ‘Licensing Act 1890.’*”
Question—put and resolved in the affirmative.
Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the same with amendments, and requesting their concurrence therein.
30. PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS REMUNERATION BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill. The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had agreed to the Bill without amendment, the Council ordered the Report to be taken into consideration this day.
On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council adopted the Report from the Committee of the whole on this Bill.
The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, read a third time and passed.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill:—
“*An Act to provide for the Remuneration of the Parliamentary Standing Committee on Railways.*”
Question—put and resolved in the affirmative.
Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the Local Government Act 1890,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made in such Bill by the Legislative Council, and have disagreed with others of the said amendments, and have agreed to some of the said amendments with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th December, 1891.

M. H. DAVIES,
Speaker.

Ordered—That the Message be taken into consideration on Monday next.

32. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Council and disagreed with by the Legislative Assembly having been read—

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not insist on their amendments.

Debate ensued.

Question—put and negatived.

The Honorable G. Davis moved, That a free Conference be desired with the Legislative Assembly on the Bill intituled “*An Act to amend ‘The Constitution Act Amendment Act 1890.’*”

Question—put.

Council divided.

Ayes, 18.

The Hon. J. H. Abbott
J. Buchanan
J. M. Davies
G. Davis
F. S. Dobson, LL.D.
H. Gore
C. J. Ham
D. Ham
W. McCulloch
E. Morey
W. Pitt
J. M. Pratt
W. H. Roberts
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
J. Sternberg
W. A. Zeal
S. Fraser (*Teller*).

Noes, 13.

The Hon. T. Brunton
J. S. Butters
J. H. Connor
S. W. Cooke
H. Cuthbert
N. FitzGerald
J. Service
N. Thornley
D. S. Wallace
J. A. Wallace
W. I. Winter-Irving
A. Wynne
J. Bell (*Teller*).

And so it was resolved in the affirmative

33. RAILWAYS ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Monday next, again resolve itself into the said Committee.
34. RAILWAYS CONSTRUCTION (KORUMBURRA COAL MINES) BILL.—The Honorable S. Fraser moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable S. Fraser moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable S. Fraser, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Monday next, again resolve itself into the said Committee.
35. ELECTORAL ROLLS PURIFICATION BILL.—The Honorable J. M. Davies moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable J. M. Davies moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable J. M. Davies, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Monday next, again resolve itself into the said Committee.
36. TREASURY BONDS BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.
Question—put and resolved in the affirmative.—Bill read a second time.
The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now committed to a Committee of the whole Council.
Question—put and resolved in the affirmative.
And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Monday next, again resolve itself into the said Committee.
37. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Monday next :—
Opium Bill—To be further considered in Committee.
Land Act 1890 Amendment Bill—To be read a second time.
Mines Bill—To be read a second time.
Life Assurance Companies Bill—To be read a second time.
Registration of Firms Bill—To be read a second time.
Military Reserves Bill—Adjourned debate on second reading.
Contractors' Protection Bill—To be read a second time.
Miners' Right Titles Bill—To be further considered in Committee.

And then the Council, at half-past eleven o'clock, adjourned until Monday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 50.

MONDAY, 21ST DECEMBER, 1891.

Government Business.

ORDERS OF THE DAY :—

1. RAILWAYS ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
2. OPIUM BILL.—To be further considered in Committee.
3. TREASURY BONDS BILL.—To be further considered in Committee.
4. RAILWAYS CONSTRUCTION (KORUMBURRA COAL MINES) BILL.—To be further considered in Committee.
5. ELECTORAL ROLLS PURIFICATION BILL.—To be further considered in Committee.
6. LAND ACT 1890 AMENDMENT BILL.—To be read a second time.
7. MINES BILL.—To be read a second time.
8. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
9. REGISTRATION OF FIRMS BILL.—To be read a second time.
10. MILITARY RESERVES BILL.—Adjourned debate on second reading.
11. RAILWAY LOAN APPLICATION BILL.—To be read a second time.
12. ADMINISTRATION AND PROBATE ACT 1890 AMENDMENT BILL.—To be read a second time.
13. AGRICULTURAL GRANTS BILL.—To be read a second time.
14. ST. ARNAUD SCHOOL OF MINES SITE BILL.—To be read a second time.
15. ACTS CORRECTION BILL.—To be read a second time.
16. THISTLES LAW AMENDMENT BILL.—To be read a second time.
17. KYNETON MARKET RESERVE BILL.—To be read a second time.
18. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—Consideration of Message from Legislative Assembly.

General Business.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
 2. MINERS' RIGHT TITLES BILL.—To be further considered in Committee.
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WEDNESDAY, 23RD DECEMBER.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 18TH DECEMBER, 1891.

Notices of Motion and Orders of the Day. No. 50.

Thistle Law Amendment Bill—[5] (To Members of Council only.)

Kyneton Market Reserve Bill—[8] (To Members of Council only.)

S. Arnaud School of Mines Site Bill—[19] (To Members of Council only.)

Agricultural Grants Bill—[75] (To Members of Council only.)

Administration and Probate Bill—[88] (To Members of Council only.)

Railway Loan Application Bill—[97] (To Members of Council only.)

Statute Law Revision Bill—[98] (To Members of Council only.)

Land Act Amendment Bill.—Amendments to be proposed by the Hon. Sir F. T. Sargood. (To Members of Council only.)

Mines Bill.—Amendments to be proposed by the Hon. Sir F. T. Sargood. (To Members of Council only.)

Notices of Motion and Orders of the Day. No. 74.

Tatura Waterworks Trust.—Application for Additional Loan of £250.—Detailed Statement and Report. No. 208.

General Regulations respecting Public Accounts.—New Regulation *re* "The Land Sales by Auction Fund." No. 209.

VICTORIA.

No. 51.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

MONDAY, 21ST DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until this day :—

Railways Act 1890 Amendment Bill—To be further considered in Committee.

Opium Bill—To be further considered in Committee.

Treasury Bonds Bill—To be further considered in Committee.

Railways Construction (Korumburra Coal Mines) Bill—To be further considered in Committee.

Electoral Rolls Purification Bill—To be further considered in Committee.

Land Act 1890 Amendment Bill—To be read a second time.

Mines Bill—To be read a second time.

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

Railway Loan Application Bill—To be read a second time.

Administration and Probate Act 1890 Amendment Bill—To be read a second time.

Agricultural Grants Bill—To be read a second time.

St. Arnaud School of Mines Site Bill—To be read a second time.

Acts Correction Bill—To be read a second time.

Thistles Law Amendment Bill—To be read a second time.

Kyneton Market Reserve Bill—To be read a second time.

5. LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL.—The Order of the Day for the consideration of the amendments of the Legislative Council disagreed with by the Legislative Assembly, or agreed to by the Legislative Assembly with amendments, having been read—the said amendments were read and are as follow :—

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

- (1.) After clause 12 insert new clause—

K. In section two of the Act No. 1055 the words "or any part of a borough" shall be inserted after the word "borough" where it first occurs.

Agreed to with the following amendments:—Line 1, after "In" insert "the heading before"; after "1055" insert "the words 'or any part thereof' shall be inserted after the word 'municipalities'" in such section; omit "a borough," and insert "the borough known as the city of Footscray;" line 3, after "occurs" insert "and in sections eight, nine, ten, and eleven of the said Act the words 'or such part thereof' shall be inserted after the word 'borough' wherever it occurs and after the word 'shall' where it thirdly occurs in section eight, the words 'be added to any existing ward or' shall be inserted."

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

- (2.) Clause 13, line 44, omit "Ten" and insert "Twenty."
- (3.) " (p. 5), line 3, omit "Ten" and insert "Twenty."
- (4.) After clause 17 insert new clause—
H. Within three months from the coming into operation of this Act and thereafter whenever any vacancy shall take place the council of any city shall have power to elect by vote the mayor and any member of the council who has filled the office of mayor as aldermen of the city, who shall continue in office as aldermen during the remainder of the term for which they have been respectively elected members of the council.
- (5.) Clause 22, omit this clause.
- (6.) Clause 29, omit this clause.
- (7.) Clause 35, line 31, after "Geelong" insert "or any irrigation and water supply trust."
- (8.) " line 34, omit "previous to" and insert "either before or after or partly before and partly after."
- (9.) " line 36, after "Geelong" insert "or any irrigation and water supply trust or partly in one and partly in another of such bodies."
- (10.) Clause 38, line 4, after "person" insert "save as hereinbefore provided."
- (11.) Clause 40 (p. 11), line 7, omit "Provided also that an auditor elected by the ratepayers shall not be required to be the holder of a certificate of the Municipal Auditors' Board."
- (12.) After clause 40 insert new clause—
C. Sections one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-one, one hundred and sixty-two, one hundred and sixty-three, and one hundred and sixty-four of the Principal Act shall be repealed as from the day preceding the fourth Thursday in the month of August which will be next after the commencement of this Act.
- (13.) Clause 42, line 22, omit "and section one hundred and sixty-three of the Principal Act shall be repealed as from the day preceding the fourth Thursday in the month of August which will be next after the commencement of this Act."
- (14.) After clause 42 insert new clause—
D. The Governor in Council may appoint two persons holding certificates of competency from the Municipal Auditors' Board to be inspectors of municipal accounts and may remove every person so appointed, and the inspectors shall be paid such salaries and be entitled to allowances (if any) in respect of their expenses in accordance with such scale as the Governor in Council may by any order to be published in the *Government Gazette* determine, the salaries and allowances of both such inspectors not to exceed in any one year the sum of Sixteen hundred pounds and when certified by the Minister or any person appointed by him in that behalf to be payable out of any moneys for the time being appropriated by Parliament for the endowment of municipalities in priority to any payment by way of endowment and to be a first charge on such moneys, and if the certificate of any inspector be cancelled he shall cease to hold his office of inspector.

Disagreed with.

Agreed to with the following amendments:—Line 2, after "either" insert "wholly"; after the first word "before" omit all the words to the end of the amendment and insert "or at least twelve months before and the residue of the term after."

Disagreed with.

Agreed to with the following amendment:—Omit "as hereinbefore provided," and insert "such person as is mentioned in section thirty-five of this Act."

Disagreed with.

Agreed to with the following amendments:—Line 12, omit "not to," and insert "shall not;" line 15, omit "to," and insert "shall;" line 18, after "moneys," insert "and shall be apportioned amongst the different municipalities including the city of Melbourne and town of Geelong in such sums as the Governor in Council may from time to time fix."

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

(15.) After clause 49 insert new clause O—

O. Subject to the provisions herein-^{Power to license} after contained every licensing authority ^{street traders.} appointed by or under the provisions of this section may grant licences to be called street traders' licences, and the holder of every such licence shall be called a licensed street trader :—

- (1) Every such licence shall be in writing under the hand of the licensing clerk, and unless sooner terminated shall remain in force until the first day of March next after it is granted.
- (2) Upon issuing to any person a street trader's licence the licensing clerk shall deliver to such person a badge upon which shall be marked the number of the licence and any other particulars that may be prescribed by any regulations of the Governor in Council in force in that behalf.
- (3) No street trader's licence shall be issued to any child under or apparently under ten years of age.
- (4) No street trader's licence shall be issued to any child under the age of thirteen years without a certificate in writing from the manager or head teacher of any school which such child usually attends that such child is complying with the provisions of the Education Act, which certificate such manager or head teacher is hereby required to give upon request to every child who is complying with the provisions of such Act or a certificate of an inspector of schools that such child has been educated up to the standard.
- (5) No street trader's licence shall be issued to any person over the age of thirteen years without the consent in writing of a person appointed in that behalf by the Governor in Council by order published in the *Government Gazette*.
- (6) The council may demand for any such licence a fee of One shilling.
- (7) Every person not being the holder of a street trader's licence in force in the district or of a hawker's and pedler's licence issued under some law now or hereafter to be in force relating to hawkers and pedlers or being the holder of such street trader's licence and not wearing his badge in manner prescribed by any regulations of the Governor in Council in force in that behalf who sells or offers for sale newspapers race cards or other printed matter or flowers or matches carried about on the person or on any animal or in any movable conveyance whether by land or water in any licensing district shall for every such offence be liable to a penalty not exceeding Twenty shillings.
- (8) If the holder of any street trader's licence be convicted of any felony or misdemeanour or any offence punishable on summary conviction his licence shall become void.
- (9) Sections sixteen twenty-one twenty-two twenty-four twenty-five and twenty-six of the *Hawkers and Pedlers Act* 1890 shall apply to licensed street traders and street traders' licences, and as so applied the words "this Act" shall be deemed to include this section, and any justice constable or person authorized by the Minister of Public Instruction shall be deemed a person entitled to demand production of a licence.
- (10) Street traders' licences shall be in the form or to the effect prescribed in the regulations of the Governor in Council in force in that

Disagreed with.

behalf, and licences granted by the same licensing authority shall be numbered so that no two licences in force at the same time shall have the same number but so that successive licences granted to the same person may bear the same number.

- (11) Nothing in this section shall subject any person to any penalty for delivering without being the holder of a street trader's licence newspapers or other articles to any person who has bought or contracted to buy them beforehand.
- (12) The licensing clerk shall keep a register of street traders' licences issued by him in which shall be entered the number of every licence the name and address of the person to whom it is issued the date of issue and in case the same is issued to any person under the age of twenty-one years the age of the person to whom it is issued, and shall file and cause to be preserved during the currency of the licences and for one year after the certificates upon which the same were issued.
- (13) When under the powers contained in the Crimes Act the judge or chairman of any court or any justices may be empowered to commit any child to a reformatory school for any offence against this section such child shall be so committed for any term not exceeding one month as to such judge chairman or justices may seem fit, and such term shall be specified in the order by which such child is so committed, and upon the expiration of such term such child shall cease to be a ward of the department for reformatory schools.
- (14) The area within a distance of ten miles from the General Post Office in the city of Melbourne shall constitute a licensing district for the purposes of this section to be called the Melbourne licensing district, and the council of the city of Melbourne shall be the licensing authority for such district and the town clerk of the said city the licensing clerk, and the Governor in Council may by order published in the *Government Gazette* from time to time constitute other licensing districts and appoint licensing authorities and licensing clerks for such districts, and may in like manner vary or revoke any such orders as he may think fit.
- (15) The Governor in Council may by order published in the *Government Gazette* make regulations for the purposes mentioned in this section.
- (16.) After the heading "Amendments relating to Part X. of the Principal Act.—Rates," page 13, insert new clause—
- M. In section two hundred and forty-^{Amendment of} eight of the Principal Act the words ^{Principal Act.} "Three pounds per centum" shall be substituted for the words "Five pounds per centum."
- (17.) Clause 54, omit this clause.
- (18.) Clause 59, line 10, omit "due at the commencement of this Act under any Act for the time being in force relating to local government in respect of any property by the owner of such property to any municipality and all rates and other moneys."
- (19.) " line 19, omit "three years" and insert "twelve months."

Disagreed with.

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

- (20.) Clause 60, line 37, omit " In sections two hundred and ninety-three and two hundred and ninety-four of the Principal Act the words 'three years' shall be substituted for the words 'twelve months' where they occur in such sections respectively; and."
- (21.) Clause 61 (p. 16), line 11, after "owners" insert "and mortgagees (if any)."
- (22.) " " line 12, omit "one-third" and insert "two-thirds of."
- (23.) Clause 65, at end of clause add—
 " (8) The percentage upon the amount of the loan to be invested every year to form the sinking fund shall be not less than Seven pounds per centum."
- (24.) Clause 70, at end of clause add—
 " (13) The percentage upon the amount of the loan to be invested every year to form the sinking fund shall be not less than Seven pounds per centum."
- (25.) Clause 71, omit this clause.
- (26.) Before clause 89 insert new clause—
 E. Every inspector of municipal accounts shall have authority at all reasonable times and without notice to demand from the council of any municipality and the officers thereof all books accounts vouchers papers and documents belonging to the municipality or in the custody of the council or any of its officers, and every councillor or officer neglecting or refusing to comply with any such demand shall be liable to a penalty of Fifty pounds and to a further penalty of Ten pounds for every day during which such demand is not complied with.
- (27.) Clause 89, line 41, omit "any" and insert "the."
- (28.) Clause 118, omit this clause.
- (29.) Clause 121, omit this clause.
- (30.) Clause 122, omit this clause.
- (31.) Clause 123, omit this clause.
- (32.) Clause 124, line 45, omit "obtained as hereinbefore mentioned."
- (33.) Clause 125, omit this clause.
- (34.) Clause 126, line 18, omit "or to the sheriff or other officer having the execution thereof any money required to satisfy any writ in his hands on any such judgment or order."
- (35.) " " line 23, omit "as are hereby conferred upon the owner of the legal estate making any such payment" and insert "as if such money was principal money advanced by way of loan to the mortgagor secured or charged by deed on such property or on the interest of the mortgagor therein payable to the mortgagee according to the terms of the deed forthwith upon such payment being made with interest thereon at the rate of Eight pounds per centum per annum."
- (36.) Clause 128, at end of clause add "This and the last eight preceding sections shall apply to the city of Melbourne and town of Geelong."
- (37.) Insert new schedule—
 SECOND SCHEDULE.
 The sum demanded is charged upon the property with interest at the rate of Eight pounds per centum per annum, and if not paid within three months may at any time within twelve months be demanded, and will then be recoverable with interest at the rate aforesaid from the owner (or occupier) for the time being.

Disagreed with.

Agreed to, with the following amendments :—Line 11, omit "of" (in two places) and insert "not exceeding."

Disagreed with.

Agreed to, with the following amendment :—Line 2, omit "eight" and insert "eleven."

Agreed to, with the following amendment :—Line 5, omit "twelve months" and insert "three years."

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council agree to the amendments of the Legislative Assembly on amendment 1.

Debate ensued.

Question—put and negatived.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not insist on amendments 2 and 3.

Debate ensued.

Question—put and negatived.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not insist on amendment 4.

Debate ensued.

Question—put.

Council divided.

Ayes, 14.

The Hon. T. Brunton
J. Buchanan
S. W. Cooke
J. M. Davies
G. Davis
F. S. Grimwade
C. J. Ham
W. McCulloch
W. Pearson
C. Sargeant
J. Service
J. A. Wallace
W. A. Zeal
S. Fraser (*Teller*).

Noes, 9.

The Hon. Sir B. Benjamin
H. Cuthbert
N. FitzGerald
D. Ham
D. Melville
W. Pitt
D. S. Wallace
W. I. Winter-Irving
J. Bell (*Teller*).

And so it was resolved in the affirmative.

Amendment 5, after debate, not insisted on.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not insist on amendment 6.

Debate ensued.

Question—put and negatived.

Amendment 7, after debate, not insisted on.

Amendment of the Legislative Assembly on amendment 8, agreed to.

Amendment 9 not insisted on.

Amendment of the Legislative Assembly on amendment 10 agreed to.

Amendment 11, after debate, not insisted on.

Amendments 12 and 13 not insisted on.

Amendments of the Legislative Assembly on amendment 14 agreed to.

Amendment 15 not insisted on.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not insist on amendments 16 and 17.

Debate ensued.

Question—put and negatived.

Amendment 18, after debate, not insisted on.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not insist on amendment 19.

Debate ensued.

Question—put and negatived.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not insist on amendment 20.

Question—put and negatived.

Amendment 21, after debate, not insisted on.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not insist on amendments 22 and 23.

Debate ensued.

Question—put and negatived.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not insist on amendments 24 and 25.

Question—put and negatived.

Amendments of the Legislative Assembly on amendment 26 agreed to.

Amendment 27 not insisted on.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not insist on amendments 28, 29, 30, 31, 32, and 33.

Question—put and negatived.

Amendments 34 and 35 insisted on.

Amendments 36 and 37 insisted on, and the amendments of the Legislative Assembly thereon disagreed with.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Legislative Council do not insist on some of their amendments, that they insist on other of their amendments, that they have agreed to some of the amendments made by the Legislative Assembly on the amendments of the Legislative Council, and have disagreed with other of the amendments made by the Legislative Assembly on the amendments of the Legislative Council, with which they desire the concurrence of the Legislative Assembly.

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

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

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

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—

“ An Act to authorize the issue of Treasury Bonds.”

Question—put and resolved in the affirmative.

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

7. RAILWAY LOAN APPLICATION BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—

“ An Act to apply out of ‘ The Victorian Stock Act 1891 Account ’ or temporarily out of ‘ The Public Account ’ certain sums of Money for Railway Works and other purposes.”

Question—put and resolved in the affirmative.

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

8. AGRICULTURAL GRANTS BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—

“ An Act to alter the Amounts of certain Agricultural and other Grants.”

Question—put and resolved in the affirmative.

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

9. THISTLES LAW AMENDMENT BILL.—The Honorable C. J. Ham moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with amendments.

The Honorable C. J. Ham moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable C. J. Ham, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable C. J. Ham moved, That the following be the title of the Bill :—

“ An Act to amend the Law relating to Thistles.”

Question—put and resolved in the affirmative.

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

10. ACTS CORRECTION BILL.—The Honorable J. M. Davies moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

On the motion of the Honorable J. M. Davies, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. M. Davies moved, That the following be the title of the Bill :—

“ An Act to correct certain Errors in Acts.”

Question—put and resolved in the affirmative.

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

11. ST. ARNAUD SCHOOL OF MINES SITE BILL.—The Honorable C. J. Ham moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

On the motion of the Honorable C. J. Ham, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable C. J. Ham moved, That the following be the title of the Bill :—

“ An Act to authorize a portion of the Market Reserve at St. Arnaud being reserved as a Site for a School of Mines.”

Question—put and resolved in the affirmative.

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

12. ADMINISTRATION AND PROBATE ACT 1890 AMENDMENT BILL.—The Honorable J. M. Davies moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

On the motion of the Honorable J. M. Davies, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. M. Davies moved, That the following be the title of the Bill :—

“ An Act to amend the ‘ Administration and Probate Act 1890.’ ”

Question—put and resolved in the affirmative.

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

13. **KYNETON MARKET RESERVE BILL.**—The Honorable C. J. Ham moved, That this Bill be now read a second time.
 Question—put and resolved in the affirmative.—Bill read a second time.
 The Honorable C. J. Ham moved, That this Bill be now committed to a Committee of the whole Council.
 Question—put and resolved in the affirmative.
 And, on the further motion of the Honorable C. J. Ham, the President left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The President resumed the Chair; and the Honorable Dr. Dobson having reported that the Committee had gone through the Bill, and agreed to the same without amendment, the Council ordered the Report to be taken into consideration this day.
 On the motion of the Honorable C. J. Ham, the Council adopted the Report from the Committee of the whole on this Bill.
 The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Honorable C. J. Ham, read a third time and passed.
 The Honorable C. J. Ham moved, That the following be the title of the Bill:—
“An Act to authorize the Sale of part of the Kyneton Market Reserve and for other purposes.”
 Question—put and resolved in the affirmative.
 Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the Bill without amendment.
14. **RAILWAYS ACT 1890 AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
 Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.
15. **SESSIONAL ORDER RESCINDED.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Sessional Order appointing half-past four o'clock as the hour for meeting on Tuesdays be rescinded, and that the Council do meet to-morrow at half-past two o'clock.
 Debate ensued.
 Question—put and resolved in the affirmative.
16. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow:—
Opium Bill—To be further considered in Committee.
Railways Construction (Korumburra Coal Mines) Bill—To be further considered in Committee.
Electoral Rolls Purification Bill—To be further considered in Committee.
Land Act 1890 Amendment Bill—To be read a second time.
Mines Bill—To be read a second time.
Life Assurance Companies Bill—To be read a second time.
Registration of Firms Bill—To be read a second time.
Military Reserves Bill—Adjourned debate on second reading.
Contractors' Protection Bill—To be read a second time.
Miners' Right Titles Bill—To be further considered in Committee.

And then the Council, at twenty minutes past eleven o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
 Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 51.

TUESDAY, 22ND DECEMBER, 1891.

Question.

1. The Hon. J. SERVICE : To call the attention of the Hon. the Minister of Defence to certain recent information received from the New Hebrides regarding the murder of a Mr. Sawers—a British subject—residing on Santo Island ; and to ask if the Government will communicate with His Excellency the Admiral, and also with His Excellency Sir John Thurston, High Commissioner, with a view to obtaining official information on the subject.

Government Business.

ORDERS OF THE DAY :—

1. RAILWAYS ACT 1890 AMENDMENT BILL.—To be further considered in Committee.
2. RAILWAYS CONSTRUCTION (KORUMBURRA COAL MINES) BILL.—To be further considered in Committee.
3. ELECTORAL ROLLS PURIFICATION BILL.—To be further considered in Committee.
4. OPIUM BILL.—To be further considered in Committee.
5. LAND ACT 1890 AMENDMENT BILL.—To be read a second time.
6. MINES BILL.—To be read a second time.
7. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
8. REGISTRATION OF FIRMS BILL.—To be read a second time.
9. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
 2. MINERS' RIGHT TITLES BILL.—To be further considered in Committee.
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WEDNESDAY, 23RD DECEMBER.

General Business.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED SINCE 18TH DECEMBER, 1891.

Notices of Motion and Orders of the Day. No. 51.

Amendments made in the Local Government Act 1890 Amendment Bill by the Legislative Council and how dealt with by the Legislative Assembly. (To Members of Council only.)

Railways Act 1890 Amendment Bill.—Amendment and new clause to be proposed by the Hon. W. A. Zeal. (To Members of Council only.)

Public Service Act 1890 Amendment Bill.—New clause to be proposed in Committee by Mr. Bent. (To Members only.)

VICTORIA.

No. 52.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 22ND DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPER.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—
Coal—Royal Commission on.—Final Report of the Royal Commission appointed to inquire as to the best means of developing and promoting the Coal Industry of Victoria.
Ordered to lie on the Table.

5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable J. M. Davies, and the same was read:—

HOPETOUN,

*Governor.**Message No. 15.*

Pursuant to the provisions of section 36 of The Constitution Act, the Governor transmits to the Legislative Council for their consideration the following amendments which he desires to be made in a Bill intituled "*An Act to amend the 'Crimes Act 1890' and for other purposes*":—

Clause 9, sub-section (3), after "relationship" insert "or affinity."

Clause 11, page 3, omit "as so amended."

Clause 32, in third line of clause, omit "seven," substitute "eight."

„ in fourth line, after "guilty of" insert "any offence against section forty-three of the *Crimes Act 1890* or."

Clause 36, sixth line of clause on page 11, omit "any of the said Acts," substitute "such Act."

Clause 37, sub-section (2), after "witness" insert "in such cause or matter."

Clause 43, after "*Justices Act 1890*" insert "or any Act thereby repealed."

Government Offices,
Melbourne, 21st December, 1891.

On the motion of the Honorable J. M. Davies, the Council agreed to the several amendments recommended by His Excellency the Governor, and ordered the Message to be transmitted to the Legislative Assembly with a Message requesting their concurrence therein.

6. ELECTORAL ROLLS PURIFICATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable J. M. Davies moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.

Debate ensued.

Question—put and resolved in the affirmative.

On the motion of the Honorable J. M. Davies, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. M. Davies moved, That the following be the title of the Bill :—

“An Act to provide for the Purification of the Electoral Rolls for the Legislative Assembly and for other purposes.”

Question—put and resolved in the affirmative.

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

7. RAILWAYS CONSTRUCTION (KORUMBURRA COAL MINES) BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

On the motion of the Honorable S. Fraser, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable S. Fraser moved, That the following be the title of the Bill :—

“An Act to authorize the construction of Lines of Railway from Korumburra on the Great Southern line to Coal Creek, Strezlecki, and Jumbunna Coal Mines respectively.”

Question—put and resolved in the affirmative.

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

8. RAILWAYS ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

Resolved—That the Council will, this day, again resolve itself into the said Committee.

9. CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL.—The Honorable G. Davis moved, That the following Members be appointed Managers of the Free Conference on the Bill intituled *“An Act to amend The Constitution Act Amendment Act 1890”*:—The Honorable W. A. Zeal, the Honorable Dr. Dobson, the Honorable F. Brown, the Honorable W. McCulloch, and the Mover.

Debate ensued.

Question—put.

Council divided.

Ayes, 15.

The Hon. J. H. Abbott
T. Brunton
J. Buchanan
J. M. Davies
G. Davis
H. Gore
C. J. Ham
D. Ham
W. McCulloch
J. M. Pratt
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
J. Sternberg
W. A. Zeal
S. Fraser (*Teller*).

Noes, 19.

The Hon. Sir B. Benjamin
F. Brown
J. S. Butters
J. H. Connor
S. W. Cooke
D. Coutts
H. Cuthbert
T. Dowling
N. FitzGerald
F. S. Grimwade
D. Melville
J. Service
G. Simmie
N. Thornley
D. S. Wallace
J. A. Wallace
W. I. Winter-Irving
A. Wynne
J. Bell (*Teller*).

And so it passed in the negative

The Honorable H. Cuthbert moved, That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do insist on their amendments.

Question—put.

Council divided.

Ayes, 22.

The Hon. J. Bell
 Sir B. Benjamin
 F. Brown
 T. Brunton
 J. S. Butters
 J. H. Connor
 S. W. Cooke
 D. Coutts
 H. Cuthbert
 T. Dowling
 N. FitzGerald
 H. Gore
 F. S. Grimwade
 J. M. Pratt
 C. Sargeant
 J. Service
 G. Simmie
 N. Thornley
 D. S. Wallace
 J. A. Wallace
 A. Wynne
 W. I. Winter-Irving (*Teller*).

Noes, 12.

The Hon. J. H. Abbott
 J. Buchanan
 J. M. Davies
 G. Davis
 S. Fraser
 D. Ham
 W. McCulloch
 D. Melville
 Lieut.-Col. Sir F. T. Sargood
 J. Sternberg
 W. A. Zeal
 C. J. Ham (*Teller*).

And so it was resolved in the affirmative.

10. RAILWAYS ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill and agreed to the same with amendments.

The Honorable J. M. Davies moved, That this Bill be recommitted to a Committee of the whole Council for the reconsideration of clauses 5, 6, 24, and 51.

Question—put and resolved in the affirmative.

And, on the further motion of the Honorable J. M. Davies, the President left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration of clauses 5, 6, 24, and 51.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had agreed to the Bill, with further amendments.

The Honorable J. M. Davies moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable J. M. Davies, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. M. Davies moved, That the following be the title of the Bill:—

“An Act to amend the Railways Act 1890 and for other purposes.”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the ‘Local Government Act 1890,’*” and acquaint the Legislative Council that the Legislative Assembly do not insist on disagreeing with some of the amendments made by the Legislative Council in this Bill; do insist on disagreeing with other amendments; and insist on the amendments made by the Legislative Assembly in new clause K, with which they desire the concurrence of the Legislative Council.

M. H. DAVIES,
 Speaker.

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

- (1.) Amendment of the Legislative Council to insert new clause after clause 12—

K. In section two of the Act No. 1055 the words "or any part of a borough" shall be inserted after the word "borough" where it first occurs.—Agreed to by the Legislative Assembly with the following amendments:—Line 1, after "In" insert "the heading before;" after "1055" insert "the words 'or any part thereof' shall be inserted after the word 'Municipalities' in such section; omit "a borough" and insert "the borough known as the city of Footscray;" line 3, after "occurs" insert "and in sections eight, nine, ten, and eleven of the said Act the words 'or such part thereof' shall be inserted after the word 'borough' wherever it occurs; and after the word 'shall' where it thirdly occurs in section eight, the words 'be added to any existing ward or' shall be inserted."—Disagreed with by the Legislative Council, and Council's amendment insisted on.

Amendments insisted on by the Legislative Assembly.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not now insist on disagreeing with, but agree to, the amendments of the Legislative Assembly on the amendment of the Legislative Council in amendment 1.

Question—put and resolved in the affirmative.

- (2.) Amendment of the Legislative Council in clause 59, line 19, to omit "three years" and insert "twelve months."
- (3.) Amendment of the Legislative Council in clause 60, line 37, to omit "in sections two hundred and ninety-three and two hundred and ninety-four of the Principal Act the words 'three years' shall be substituted for the words 'twelve months' where they occur in such sections respectively; and."
- (4.) Amendment of the Legislative Council in clause 61 (p. 16), line 12, to omit "one-third" and insert "two-thirds of."
- (5.) Amendment of the Legislative Council to omit clause 122.
- (6.) Amendment of the Legislative Council to omit clause 123.
- (7.) Amendment of the Legislative Council in clause 124, line 45, to omit "obtained as hereinbefore mentioned."
- (8.) Amendment of the Legislative Council to omit clause 125.
- (9.) Amendment of the Legislative Council in clause 126, line 18, to omit "or to the sheriff or other officer having the execution thereof any money required to satisfy any writ in his hands on any such judgment or order."
- (10.) Amendment of the Legislative Council in clause 126, line 23, to omit "as are hereby conferred upon the owner of the legal estate making any such payment" and insert "as if such money was principal money advanced by way of loan to the mortgagor secured or charged by deed on such property or on the interest of the mortgagor therein payable to the mortgagee according to the terms of the deed forthwith upon such payment being made with interest thereon at the rate of Eight pounds per centum per annum."

Disagreed with by the Legislative Assembly and insisted on by the Legislative Council.

Disagreement insisted on by the Legislative Assembly.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not now insist on their amendments 2 to 10.

Question—put and resolved in the affirmative.

- (11.) Amendment of the Legislative Council in clause 128, at end of clause, to add "This and the last eight preceding sections shall apply to the city of Melbourne and town of Geelong."—Agreed to by the Legislative Assembly with the following amendment:—Line 2, omit "eight" and insert "eleven."—Disagreed with by the Legislative Council, and Council's amendment insisted on.

Amendment insisted on by the Legislative Assembly.

- (12.) Amendment of the Legislative Council to insert new schedule:—

SECOND SCHEDULE.

The sum demanded is charged upon the property with interest at the rate of Eight pounds per centum per annum, and if not paid within three months may at any time within twelve months be demanded, and will then be recoverable with interest at the rate aforesaid from the owner (or occupier) for the time being.—Agreed to by the Legislative Assembly with the following amendment:—Line 5, omit "twelve months" and insert "three years."—Disagreed with by the Legislative Council, and Council's amendment insisted on.

Amendment insisted on by the Legislative Assembly.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not now insist on disagreeing with, but agree to, the amendments of the Legislative Assembly on the amendments of the Legislative Council in amendments 11 and 12.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council do not now insist on their amendments disagreed with by the Legislative Assembly, and do not now insist on disagreeing with the amendments insisted on by the Legislative Assembly on amendments of the Legislative Council.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending amendments in the Bill intituled "*An Act to amend the 'Friendly Societies Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd December, 1891.

M. H. DAVIES,
Speaker.

HOPETOUN,
Governor.

Message.

Pursuant to the provisions of section 36 of The Constitution Act, the Governor transmits to the Legislative Assembly, for their consideration, the following amendments which he desires to be made in a Bill intituled "*An Act to amend the 'Friendly Societies Act 1890,'*" :—

In clause 29 omit "such levies not to exceed threepence per member per annum."

In clause 30 omit the letter "C" and insert "(I)(c)."

„ omit "execute" and insert "advance the money of any society or branch on."

Government Offices,
Melbourne, 22nd December, 1891.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Police Offences Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly do not now insist on their amendment in this Bill with which the Legislative Council have disagreed.

Legislative Assembly,
Melbourne, 22nd December, 1891.

M. H. DAVIES,
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council a Bill intituled "*An Act to provide for the Purification of the Electoral Rolls for the Legislative Assembly and for other purposes,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 22nd December, 1891.

M. H. DAVIES,
Speaker.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Law relating to Thistles,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to one of the amendments made in such Bill by the Legislative Council, and have disagreed to another of the said amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd December, 1891.

M. H. DAVIES,
Speaker.

The Honorable C. J. Ham moved, That the Council do not insist on their amendment to omit clause 4. Debate ensued.

Question—put and negatived.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council insist on their amendment to omit clause 4, disagreed with by the Legislative Assembly.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend The Constitution Act Amendment Act 1890,*" and acquaint the Legislative Council that the Legislative Assembly insist on disagreeing with the amendments in such Bill insisted on by the Legislative Council.

Legislative Assembly,
Melbourne, 22nd December, 1891.

M. H. DAVIES,
Speaker.

16. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until to-morrow:—

Opium Bill.—To be further considered in Committee.

Land Act 1890 Amendment Bill.—To be read a second time.

Mines Bill.—To be read a second time.

Life Assurance Companies Bill.—To be read a second time.

Registration of Firms Bill.—To be read a second time.

Military Reserves Bill.—Adjourned debate on second reading.

Contractors' Protection Bill.—To be read a second time.

Miners' Right Titles Bill.—To be further considered in Committee.

And then the Council, at fifty-seven minutes past eleven o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 52.

WEDNESDAY, 23RD DECEMBER, 1891.

Question.

1. The Hon. J. SERVICE : To call the attention of the Hon. the Minister of Defence to certain recent information received from the New Hebrides regarding the murder of a Mr. Sawers—a British subject—residing on Santo Island ; and to ask if the Government will communicate with His Excellency the Admiral, and also with His Excellency Sir John Thurston, High Commissioner, with a view to obtaining official information on the subject.

Government Business.

ORDERS OF THE DAY :—

1. OPIUM BILL.—To be further considered in Committee.
2. LAND ACT 1890 AMENDMENT BILL.—To be read a second time.
3. MINES BILL.—To be read a second time.
4. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
5. REGISTRATION OF FIRMS BILL.—To be read a second time.
6. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

ORDERS OF THE DAY :—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
2. MINERS' RIGHT TITLES BILL.—To be further considered in Committee.

NOTICE OF MOTION :—

1. The Hon. J. S. BUTTERS : To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 22ND DECEMBER, 1891.

Notices of Motion and Orders of the Day. No. 52.

Notices of Motion and Orders of the Day. No. 75.

Waterworks Construction Encouragement Bill—[102] (To Members only.)

Railways Act 1890 Amendment Bill.—Amendments of the Legislative Council. (To Members only.)

Final General Report on Hospital Construction and Management by Professor H. B. Allen, M.D. No. 175.

VICTORIA.

No. 53.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 23RD DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. RETURN TO WRIT.—The President announced that he had received a return to the Writ he had issued for the election of a Member to serve for the North-Western Province in the place of the late Hon. George Young, by which it appeared that Duncan Elphinstone McBryde had been duly returned in pursuance thereof.
5. NEW MEMBER.—The Honorable Duncan Elphinstone McBryde, being introduced, took and subscribed the oath required by law, and delivered to the Clerk the Declaration required by the thirty-seventh section of the Act No. 1075 as hereunder set forth:—

“In compliance with the provisions of the Act 54 Victoria, No. 1075, I, DUNCAN ELPHINSTONE MCBRYDE, of ‘Bevana,’ Church-street, Brighton, grazier, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the yearly value of One hundred and thirty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Brighton, and are known as ‘Bevana,’ Church-street, Middle Brighton, and more particularly described as all that piece of land, being part of Dendy’s special survey, in the parish of Moorabbin, county of Bourke, and being the whole of the land comprised in the certificate of title entered in the register-book, vol. 191318, and part of the land comprised in the certificate of title, entered in the register-book, vol. 1891, fol. 378145, commencing at a point on the northern side of Church-street, distant 341 feet 3 inches north-westerly from the point of junction of that side of that street with the northern side of Dendy-street, and bearing further north-westerly along Church-street 132 feet 7 inches; thence north-easterly 330 feet; thence south-easterly in a line parallel with Church-street 66 feet; thence again north-easterly 120 feet; thence again south-easterly in a line parallel with Church-street 66 feet or thereabouts; and thence south-westerly along the south-eastern boundary line of the land comprised in the last-mentioned certificate of title 450 feet to the commencing point.

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

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

“D. E. MCBRYDE.”

6. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable Lieut.-Col. Sir F. T. Sargood, and the same was read:—

HOPETOUN,
Governor.

Message No. 16.

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

“An Act relating to Arbitrations under the ‘Licensing Act 1890’ and for other purposes.”

“An Act to provide for the Establishment of Councils of Conciliation.”

“An Act to authorize the Council of Defence to transfer certain Land to the Trustees of the Bendigo Art Gallery.”

“An Act to amend the ‘Trusts Act 1890’ and for other purposes.”

“An Act to amend the ‘Legal Profession Practice Act 1891.’”

“An Act to provide for the remuneration of the Parliamentary Standing Committee on Railways.”

Government House,
Melbourne, 22nd December, 1891.

7. PAPERS.—The Honorable Lieut.-Col. Sir F. T. Sargood presented, by command of His Excellency the Governor—

Charitable Institutions—Report of the Royal Commission on.

Ordered to lie on the Table.

The following Papers, pursuant to the directions of an Act of Parliament, were laid upon the Table by the Clerk :—

The Water Act 1890—

Koondrook Irrigation and Water Supply Trust.—Rating Regulation for 1892.

Bairnsdale Irrigation and Water Supply Trust.—Regulation No. 3.

Bairnsdale Irrigation and Water Supply Trust.—Regulation No. 4.

The United Echuca and Waranga Waterworks Trust, and the Rodney Irrigation and Water Supply Trust.—Apportionment of Liabilities.

Shire of Shepparton Waterworks Trust.—Application for Additional Loan of £1,100.—Detailed Statement and Report.

8. LAND ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with amendments.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—

“ *An Act to amend the ‘ Land Act 1890.’* ”

Question—put and resolved in the affirmative.

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

9. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable J. M. Davies, and the same was read :—

HOPETOUN,

Governor.

Message No. 17.

Pursuant to the provisions of section 36 of The Constitution Act, the Governor transmits to the Legislative Council, for their consideration, the following amendment, which he desires to be made in the Bill intituled “ *An Act to amend the ‘ Police Offences Act 1890’* ” :—

Clause 2, after “ amendments of ” insert “ sections three and six and.”

Government Offices,

Melbourne, 23rd December, 1891.

On the motion of the Honorable J. M. Davies, the Council agreed to the amendment recommended by His Excellency the Governor, and ordered the Message to be transmitted to the Legislative Assembly with a Message requesting their concurrence therein.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Message from His Excellency the Governor recommending amendments in the Bill intituled “ *An Act to amend the ‘ Crimes Act 1890’ and for other purposes,* ” and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill.

Legislative Assembly,
Melbourne, 23rd December, 1891.

M. H. DAVIES,
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to amend the Law relating to Thistles,* ” and acquaint the Legislative Council that the Legislative Assembly do not insist on disagreeing with the amendment in such Bill insisted on by the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1891.

M. H. DAVIES,
Speaker.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Railways Act 1890' and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made in such Bill by the Legislative Council, have disagreed with others of the said amendments, have agreed to one of the said amendments with an amendment, and have agreed to the amendment of the Legislative Council in clause 22 with consequential amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1891.

M. H. DAVIES,
Speaker.

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

Amendments made by the Legislative Council.

How dealt with by the Legislative
Assembly.

(1.) Clause 18, line 16, after "Engineer-in-Chief" insert
"and the Engineer of Existing
Lines."

(2.) " line 18, omit "branch" and insert "and
the Engineer of Existing Lines'
Branches."

} Disagreed with.

(3.) Clause 22, omit—

"(1) Notwithstanding anything contained in the
Railways Acts whenever the chairman differs in opinion
from the other two Commissioners in respect to any matter
before the Commissioners either the chairman or the other
two Commissioners may furnish the Minister with a report
in writing setting forth the matter of difference and stating
that it is one of urgency and requires immediate decision ;
thereupon the Minister if he deem it expedient and necessary
may in writing forthwith decide the matter of difference
and every such decision by the Minister shall have the like
force and effect as if made by the Commissioners, and there-
upon the Commissioners shall carry out such order and take
all steps necessary for the proper execution thereof."

} Agreed to with the following con-
sequential amendments :—Clause
22 (sub-section 2), lines 17 and
18, omit "and the urgency of the
matter," and line 21, after "deci-
sion" insert "is so approved."

And insert—

"(1) Notwithstanding anything contained in the
Railways Acts whenever the chairman differs in opinion
from the other two Commissioners in respect to any matter
before the Commissioners, the chairman and the other two
Commissioners shall forthwith respectively furnish the
Minister with a report in writing setting forth the matter of
difference and stating their reasons at length for their deci-
sion upon the matter of difference; thereupon the Minister if
he deem it expedient and necessary may in writing forthwith
decide the matter of difference and every such decision by
the Minister when approved by the Governor in Council
shall have the like force and effect as if made by the Com-
missioners, and thereupon the Commissioners shall carry out
such order and take all steps necessary for the proper
execution thereof."

(4.) Clause 24, line 34, before "policy" insert "general."

(5.) " line 37, after "increase" insert "or" and
omit "or matter of policy."

(6.) Clause 34, omit this clause.

(7.) Clause 48, line 31, omit "ninety-five" and insert
"ninety-seven."

(8.) " line 35, omit "four" and insert "seven."

(9.) " (p. 17), line 3, omit "of four" and insert
"not exceeding seven."

} Disagreed with.

(10.) Clause 49, line 45, omit "or by" and insert "and."

(11.) " (p. 18), line 9, omit "and" and insert
"or."

(12.) Clause 52, line 22, omit "to put himself into direct
communication with all branches of
the railway service and all officers and
employés and also."

(13.) Clause 53, line 30, omit "or common carriers or
against any officers or employés of
the Commissioners as such carriers."

} Agreed to with the following amend-
ment:—Line 3, after "such car-
riers" add "and section one
hundred and twenty of the *Rail-
ways Act 1890* is hereby repealed."

On the motion of the Honorable J. M. Davies the Council agreed not to insist on amendments 1 and 2, and agreed to the consequential amendments made by the Legislative Assembly on amendment 3.

The Honorable J. M. Davies moved, That the Council do not insist on amendment 4.

Debate ensued.

Question—put and negatived.

The Honorable J. M. Davies moved, That the Council do not insist on amendment 5.

Debate ensued.

Question—put.

Council divided.

Ayes, 17.

The Hon. J. H. Abbott
 J. Buchanan
 J. M. Davies
 F. S. Dobson, LL.D.
 H. Gore
 F. S. Grimwade
 C. J. Ham
 D. Ham
 W. McCulloch
 D. Melville
 E. Morey
 J. M. Pratt
 Lieut.-Col. Sir F. T. Sargood
 G. Simmie
 J. A. Wallace
 W. A. Zeal
 S. Fraser (*Teller*).

Noes, 16.

The Hon. Sir B. Benjamin
 F. Brown
 J. S. Butters
 J. H. Connor
 S. W. Cooke
 D. Coutts
 G. Davis
 T. Dowling
 N. FitzGerald
 D. E. McBryde
 W. Pitt
 J. Service
 N. Thornley
 W. I. Winter-Irving
 A. Wynne
 J. Bell (*Teller*).

And so it was resolved in the affirmative.

The Honorable J. M. Davies moved, That the Council do not insist on amendment 6.

Debate ensued.

Question—put and negatived.

The Honorable J. M. Davies moved, That the Council do not insist on amendment 7.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable J. M. Davies moved, That the Council do not insist on amendment 8.

Debate ensued.

Question—put and negatived.

The Honorable J. M. Davies moved, That the Council do not insist on amendment 9.

Question—put and negatived.

The Honorable J. M. Davies moved, That the Council do not insist on amendment 10.

Debate ensued.

Question—put and negatived.

The Honorable J. M. Davies moved, That the Council do not insist on amendment 11.

Debate ensued.

Question—put.

Council divided.

Ayes, 13.

The Hon. J. H. Abbott
 J. Buchanan
 J. M. Davies
 H. Gore
 F. S. Grimwade
 C. J. Ham
 D. Ham
 W. McCulloch
 D. Melville
 E. Morey
 J. M. Pratt
 W. A. Zeal
 S. Fraser (*Teller*).

Noes, 20.

The Hon. Sir B. Benjamin
 F. Brown
 J. S. Butters
 J. H. Connor
 S. W. Cooke
 D. Coutts
 H. Cuthbert
 G. Davis
 F. S. Dobson, LL.D.
 T. Dowling
 N. FitzGerald
 D. E. McBryde
 W. Pitt
 J. Service
 G. Simmie
 N. Thornley
 J. A. Wallace
 W. I. Winter-Irving
 A. Wynne
 Jas. Bell (*Teller*).

And so it passed in the negative.

The Honorable J. M. Davies moved, That the Council do not insist on amendment 12.
Question—put.
Council divided.

Ayes, 15.
The Hon. J. H. Abbott
J. Buchanan
J. M. Davies
H. Gore
F. S. Grimwade
C. J. Ham
D. Ham
W. McCulloch
D. Melville
E. Morey
J. M. Pratt
G. Simmie
J. A. Wallace
W. A. Zeal
S. Fraser (*Teller*).

Noes, 18.
The Hon. Sir B. Benjamin
F. Brown
J. S. Butters
J. H. Connor
S. W. Cooke
D. Coutts
H. Cuthbert
G. Davis
F. S. Dobson, LL.D.
T. Dowling
N. FitzGerald
D. E. McBryde
W. Pitt
J. Service
N. Thornley
W. I. Winter-Irving
A. Wynne
J. Bell (*Teller*).

And so it passed in the negative.

On the motion of the Honorable J. M. Davies, the Council agreed to the amendment of the Legislative Assembly on amendment 13.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do not insist on some of their amendments, that they insist on others, and have agreed to the amendments of the Legislative Assembly on the amendments of the Legislative Council.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to sanction the issue and application of certain sums of Money as Loans for Irrigation Works and Water Supply in the Country Districts and for other purposes,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1891.

M. H. DAVIES,
Speaker.

13. IRRIGATION AND WATER SUPPLY LOANS BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Bill transmitted by the foregoing Message, intituled “*An Act to sanction the issue and application of certain sums of Money as Loans for Irrigation Works and Water Supply in the Country Districts and for other purposes,*” be now read a first time.

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.
Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill :—

“*An Act to sanction the issue and application of certain sums of Money as Loans for Irrigation Works and Water Supply in the Country Districts and for other purposes.*”

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council a Bill intituled “*An Act to amend the ‘Land Act 1890,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1891.

M. H. DAVIES,
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Message from His Excellency the Governor recommending an amendment in the Bill intituled "*An Act to amend the 'Police Offences Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the said amendment recommended by His Excellency the Governor in this Bill.

Legislative Assembly,
Melbourne, 23rd December, 1891.

M. H. DAVIES,
Speaker.

15. MINES BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That this Bill be now read a second time.

Debate ensued.

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

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

Question—put and resolved in the affirmative.

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

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

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Railways Act 1890' and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly do not insist on disagreeing with one of the amendments in this Bill insisted on by the Legislative Council, and do insist on disagreeing with other amendments.

The Legislative Assembly also acquaint the Legislative Council that they desire a Free Conference on the subject-matter of the said amendments, and that they have appointed seven Members of the Legislative Assembly to be Managers of the said Conference.

Legislative Assembly,
Melbourne, 23rd December, 1891.

WILLIAM McLELLAN,
Deputy-Speaker.

The Honorable J. Service moved, That the desire of the Legislative Assembly for a Free Conference on the Bill intituled "*An Act to amend the 'Railways Act 1890' and for other purposes*" be complied with, and that the following Members be appointed Managers of the Conference:—The Honorable J. Bell, the Honorable F. Brown, the Honorable S. W. Cooke, the Honorable H. Cuthbert, the Honorable N. FitzGerald, the Honorable N. Thornley, and the Mover.

Question—put and resolved in the affirmative.

The Honorable J. Service moved, That the Conference meet in the South Library immediately.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have appointed seven Members to confer with the Committee of the Legislative Assembly on the Bill intituled "*An Act to amend the 'Railways Act 1890' and for other purposes,*" and have appointed the South Library as the place of meeting, and now as the time of meeting of such Conference.

And the Council having continued to sit till after Twelve of the clock,

THURSDAY, 24TH DECEMBER, 1891.

The Managers then went to the Conference, and being returned,

The Honorable J. Service reported, on behalf of the Managers, that they had met the Managers for the Legislative Assembly on the subject-matter of the amendments made and insisted on by the Legislative Council in the Railways Act 1890 Amendment Bill, and with which the Legislative Assembly had disagreed; and had, after discussion, mutually agreed to deal with such amendments as follow:—

| | | |
|---|-----|---|
| Amendment to omit clause 34 ... | ... | Not to be insisted on by the Legislative Council. |
| Amendment in clause 48, line 35, to omit "four" and insert "seven" | } | To be amended by inserting "not exceeding" before "seven." |
| Amendment in clause 48 (p. 17), line 3, to omit "of four" and insert "not exceeding seven" | | |
| Amendments in clause 49 ... | } | To be agreed to by the Legislative Assembly. |
| Amendment in clause 52, line 22, to omit "to put himself into direct communication with all branches of the railway service and all officers and employés and also" | | |
| | } | To be amended so as to provide for the continuance of the existing law relating to the power of removal or suspension of any Railways Commissioner. |
| | | |
| | } | Not to be insisted on by the Legislative Council. |
| | | |

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the ‘Defences and Discipline Act 1890,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1891.

M. H. DAVIES,
Speaker.

Ordered—That the said Message be taken into consideration this day.

18. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the day be postponed until this day :—

Opium Bill—To be further considered in Committee.
Life Assurance Companies Bill—To be read a second time.
Registration of Firms Bill—To be read a second time.
Military Reserves Bill—Adjourned debate on second reading.
Contractors’ Protection Bill—To be read a second time.
Miners’ Right Titles Bill—To be further considered in Committee.

And then the Council, at four minutes past two o’clock in the morning, adjourned until this day.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

LEGISLATIVE COUNCIL.

Notices of Motion and Orders of the Day.

No. 53.

THURSDAY, 24TH DECEMBER, 1891.

Government Business.

ORDERS OF THE DAY:—

1. DEFENCES AND DISCIPLINE ACT AMENDMENT BILL.—Consideration of Message from Legislative Assembly.
2. MINES BILL.—To be further considered in Committee.
3. OPIUM BILL.—To be further considered in Committee.
4. LIFE ASSURANCE COMPANIES BILL.—To be read a second time.
5. REGISTRATION OF FIRMS BILL.—To be read a second time.
6. MILITARY RESERVES BILL.—Adjourned debate on second reading.

General Business.

NOTICE OF MOTION:—

1. The Hon. J. S. BUTTERS: To move, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition either by itself or, if possible, in conjunction with such of the other colonies as may desire to exhibit and are willing to unite with Victoria.

ORDERS OF THE DAY:—

1. CONTRACTORS' PROTECTION BILL.—To be read a second time.
2. MINERS' RIGHT TITLES BILL.—To be further considered in Committee.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

PARLIAMENTARY PAPERS ISSUED 23RD DECEMBER, 1891.

Notices of Motion and Orders of the Day. No. 76.

Board of Public Health.—Report of the Board, 1890-91. No. 197.

The Land Act 1890.—Country Lands to be offered for sale by public auction during the year 1891 No. 211.

The Water Act 1890—

Koondrook Irrigation and Water Supply Trust.—Rating Regulation for 1892. No. 212.

Bairnsdale Irrigation and Water Supply Trust.—Regulation No. 3. No. 213.

Bairnsdale Irrigation and Water Supply Trust.—Regulation No. 4. No. 214.

The United Echuca and Waranga Waterworks Trust and the Rodney Irrigation and Water Supply Trust.—Apportionment of Liabilities. No. 215.

MEMORANDUM

TO: THE PRESIDENT

FROM: THE SECRETARY OF STATE

SUBJECT: [Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

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VICTORIA.

No. 54

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 24TH DECEMBER, 1891.

1. The Council met in accordance with adjournment.
2. The President took the Chair.
3. The President read the Prayer.
4. PAPER.—The following Paper, pursuant to the directions of an Act of Parliament, was laid upon the Table by the Clerk :—

Public Service Act 1890—Alterations of Regulations.

5. RAILWAYS ACT 1890 AMENDMENT BILL.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the amendments made and insisted on by the Legislative Council in this Bill, disagreed with by the Legislative Assembly, be now taken into consideration.

Question—put and resolved in the affirmative.

And the said amendments are as follow :—

- (1) Clause 34, omit this clause Disagreement insisted on by the Legislative Assembly.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not now insist on their amendment 1.

Question—put and resolved in the affirmative.

- (2) Clause 48, line 35, omit “four” and insert “seven”... Disagreement insisted on by the Legislative Assembly.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council’s amendment (2) be amended by inserting the words “not exceeding” before “seven.”

Question—put and resolved in the affirmative.

- (3) Clause 48 (p. 17), line 3, omit “of four” and insert “not exceeding seven” } Disagreement insisted on by the Legislative Assembly.
(4) Clause 49, line 45, omit “or by” and insert “and” }
(5) “ ” (p. 18), line 9, omit “and” and insert “or” }

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do still insist on their amendments 3, 4, and 5.

Question—put and resolved in the affirmative.

- (6) Clause 52, line 22, omit “to put himself into direct communication with all branches of the railway service and all officers and employés and also” } Disagreement insisted on by the Legislative Assembly.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council do not now insist on their amendment 6.

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council do not now insist on some of their amendments disagreed with by the Legislative Assembly, that they still insist on others, and have amended one of their amendments, with which they desire the concurrence of the Legislative Assembly.

6. DEFENCES AND DISCIPLINE ACT 1890 AMENDMENT BILL.—The Order of the Day for the consideration of the amendments made by the Legislative Assembly in this Bill having been read—the said amendments were read, and are as follow :—

Clause 6, lines 12 and 13, omit “(unless specially exempted from any provisions).”

Clause 8, omit this clause.

Clause 9, omit this clause.

Clause 12, line 16, after "year" insert "and also one day's leave of absence for each public holiday on which such person shall have been on duty."

Insert the following new clauses:—

18. Unless otherwise provided by any Act all moneys derived from any lease or letting of any land vested in the Minister or any buildings thereon shall be paid into the Consolidated Revenue. Proceeds to be paid into revenue.

19. (1) This section applies only to persons who at the time of the passing of the Act No. 710 held any classified or unclassified office in the public service of Victoria or who at such time were regularly employed in the Naval or Military Forces. Computation of retiring allowances &c.

(2) In computing any superannuation or retiring allowance compensation or gratuity to which any person heretofore or hereafter regularly employed in the Naval or Military Forces and to whom this section applies may hereafter become entitled on retiring from such forces or from the public service (as the case may be) the following provisions shall apply, namely:—

(a) Such person shall be entitled to have the benefit of all continuous service rendered by him during any period when he was regularly employed in such forces and also during any period when he was permanently employed in the public service.

(b) The word "salary" in section sixteen and Part VI. of the Act No. 160 No. 1024 s. 37. shall so far as any such person retiring from the Naval or Military Forces is concerned be taken to have the like meaning as it has in relation to officers of the public service.

To follow clause 7—

A. During the absence on leave of any officer who pursuant to section nine of the *Defences and Discipline Act* 1890 is a member of the Council of Defence, the officer who for the time being discharges the duties of such absent officer shall for the time being without further or other appointment or authority than this Act be and act as a member of the Council of Defence. Provision where officer on Council of Defence is absent on leave.

B. Where a person who is subject to the provisions of the *Defences and Discipline Acts* and the regulations commits any offence against the same or against the Act of the Imperial Parliament specified in section nineteen of the *Defences and Discipline Act* 1890 and subsequently ceases to be subject to the *Defences and Discipline Acts* and the regulations he shall not be prosecuted or tried for such offence unless the hearing of his prosecution or trial for such offence commences within six months after he has ceased to be subject to the *Defences and Discipline Acts* and the regulations. Liability for offences to continue for six months after leaving the forces. Compare 44 & 45 Vict. c. 58 s. 158.

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Legislative Council agreed to the several amendments made by the Legislative Assembly in this Bill, and ordered that a Message be transmitted to the Legislative Assembly acquainting them therewith.

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

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with amendments.

The Honorable Lieut.-Col. Sir F. T. Sargood moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.

Question—put and resolved in the affirmative.

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

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

The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the following be the title of the Bill:—

"An Act to amend the 'Mines Act 1890.'"

Question—put and resolved in the affirmative.

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

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

The President resumed the Chair.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act for the resumption by the Crown of certain Land in the parishes of Burrumbeet and Brewster,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 24th December, 1891.

M. H. DAVIES,
Speaker.

10. BURRUMBEET LANDS BILL.—The Honorable A. Wynne moved, That the Bill transmitted by the foregoing Message, intituled "*An Act for the resumption by the Crown of certain Land in the parishes of Burrumbeet and Brewster,*" be now read a first time.

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

The Honorable A. Wynne moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

On the motion of the Honorable A. Wynne, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable A. Wynne moved, That the following be the title of the Bill :—

“ An Act for the resumption by the Crown of certain Land in the parishes of Burrumbeet and Brewster.”

Question—put and resolved in the affirmative.

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

11. DISCHARGE OF ORDERS OF THE DAY.—On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the following Orders of the Day were read and discharged :—

Life Assurance Companies Bill—To be read a second time.

Registration of Firms Bill—To be read a second time.

Military Reserves Bill—Adjourned debate on second reading.

Ordered—That the said Bills be withdrawn.

12. CHICAGO EXHIBITION.—The Honorable J. S. Butters moved, pursuant to amended notice, That in the opinion of this Council Victoria should be represented at the Chicago Exhibition, in conjunction with such of the other colonies as may desire to exhibit, and are willing to unite with Victoria.

Debate ensued.

Question—put and resolved in the affirmative.

13. CONTRACTORS' PROTECTION BILL.—The Honorable D. Melville moved, That this Bill be now read a second time.

Debate ensued.

Motion, by leave, withdrawn.

Ordered—That the said Bill be withdrawn.

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

The President resumed the Chair.

15. ADJOURNMENT.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, That the Council, at its rising, adjourn until Tuesday next, at eleven o'clock.

Question—put and resolved in the affirmative.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to further amend ‘ The Waterworks Construction Encouragement Act 1886,’* ” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 24th December, 1891.

WILLIAM McLELLAN,
Deputy-Speaker.

17. WATERWORKS CONSTRUCTION ENCOURAGEMENT ACT 1886 FURTHER AMENDMENT BILL.—The Honorable J. Bell moved, That the Bill transmitted by the foregoing Message, intituled “ *An Act to further amend ‘ The Waterworks Construction Encouragement Act 1886,’* ” be now read a first time.

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

The Honorable J. Bell moved, That this Bill be now read a second time.

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

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

Question—put and resolved in the affirmative.

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

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

Resolved—That the Council will, this day, again resolve into the said Committee.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Railways Act 1890,' and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly do not now insist on disagreeing with the amendments in this Bill still insisted on by the Legislative Council, have agreed to the amendment of the Legislative Council in clause 48, line 35, as further amended, and have now agreed to the amendment of the Legislative Council in clause 49, line 45, with an amendment, with which they desire the concurrence of the Legislative Council.

The Legislative Assembly also acquaint the Legislative Council that they have resolved that the amendment made by the Legislative Assembly on the Legislative Council's amendment in clause 53, and agreed to by the Legislative Council, be not now made, but that instead thereof, the following new clause be added to the Bill:—

"A. In section one hundred and twenty of the '*Railways Act 1890*' the words '*inferior court*' mean a court of Petty Sessions only," with which they also desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 24th December, 1891.

WILLIAM McLELLAN,
Deputy-Speaker.

And the said amendment was read, and is as follows:—

Amendment of the Legislative Council in clause 49, line 45, to omit "or by" and insert "and." Disagreed with by the Legislative Assembly. Still insisted on by the Legislative Council

Disagreement not now insisted on but agreed to by the Legislative Assembly, with the following amendment:—In clause 49, line 46, after "Assembly" insert "respectively in the same Session of Parliament or by the Legislative Assembly alone in two consecutive Sessions thereof, provided that not less than six weeks shall intervene between such addresses when made by the Legislative Assembly alone as aforesaid."

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood the Council agreed to the amendment of the Legislative Assembly on the amendment of the Legislative Council in clause 49.

And, on the further motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council agreed to the amendment of the Legislative Assembly to insert new clause A in place of the amendment of the Legislative Assembly on an amendment of the Legislative Council in clause 53, and which had been previously agreed to by the Legislative Council.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council have agreed to the amendment of the Legislative Assembly on an amendment of the Legislative Council in clause 49, and that they have agreed to the amendment of the Legislative Assembly to add a new clause to the Bill in place of the amendment made previously by the Legislative Assembly on an amendment of the Legislative Council in clause 53, and agreed to by the Legislative Council.

19. WATERWORKS CONSTRUCTION ENCOURAGEMENT ACT 1886 FURTHER AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The President left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The President resumed the Chair; and the Honorable Dr. Dobson reported that the Committee had gone through the Bill, and agreed to the same with amendments.

The Honorable J. Bell moved, by leave, That the Report from the Committee of the whole Council be taken into consideration this day.

Question—put and resolved in the affirmative.

On the motion of the Honorable J. Bell, the Council adopted the Report from the Committee of the whole on this Bill.

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

The Honorable J. Bell moved, That the following be the title of the Bill:—

"*An Act to further amend 'The Waterworks Construction Encouragement Act 1886.'*"

Question—put and resolved in the affirmative.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council a Bill intituled "*An Act to amend the 'Mines Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 24th December, 1891.

WILLIAM McLELLAN,
Deputy-Speaker.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council a Bill intituled “*An Act to further amend ‘The Waterworks Construction Encouragement Act 1886,’*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council, and have made a consequential amendment, with which they desire the concurrence of the Legislative Council.

WILLIAM McLELLAN,
Deputy-Speaker.

Legislative Assembly,
Melbourne, 24th December, 1891.

And the said amendment was read, and is as follows:—

Clause 2, omit “Provided always that save as aforesaid the provisions of the said indenture of the thirty-first day of May One thousand eight hundred and eighty-seven or of any licence granted in pursuance thereof or any of the provisions of the Waterworks Construction Encouragement Acts 1886 and 1890 shall in no wise be prejudiced varied or affected by this Act or by anything done or purported to be done under its provisions.”

On the motion of the Honorable J. Bell, the Council agreed to the said consequential amendment made by the Legislative Assembly in this Bill, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

22. STANDING ORDERS COMMITTEE.—The Honorable Lieut.-Col. Sir F. T. Sargood brought up the First Report from this Committee, and moved, That the Report be received.

The President said—

Before I put the question I think it my duty and my privilege to make a few remarks on the subject. When it was last under our consideration the Minister of Defence moved the following resolution:—

“That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act the whole question be referred to the Standing Orders Committee for inquiry and report.”

And, in the course of his remarks on the subject, the honorable gentleman expressed himself as follows:—

“It therefore appeared to the gentleman whom he consulted that it would be desirable to refer the whole question to the Standing Orders Committee, of which the President was chairman, and that the committee should go into the matter very fully, and bring up, not a mere report to the effect that it was or was not within the power of the House to deal with the Bill, but a report dealing with the whole subject, and giving precedents; and that that full report should be printed and circulated amongst honorable members, so that every honorable member would have an opportunity of making himself master of the facts. No doubt it would lead to an interesting and valuable debate, which, to the younger members of the House, would be of an educational character. (Mr. Roberts—‘I should be very pleased with that arrangement.’) That was the present proposal.”

The honorable gentleman will remember that I gave an opinion that the Bill came within the meaning of the 56th and 57th sections of the Constitution Act, yet he has now brought up this report at the last moment knowing that at this late hour the House cannot discuss it. When the Standing Orders Committee had brought their deliberations on this subject to a close, and decided on their report, that report was held over and not brought before the House until the present moment. Now the report is, to a certain extent, a reflection on myself as President. The matter now stands over until next session without an opportunity being afforded to the House of coming to a decision on the point. I feel that every honorable member should have an opportunity of discussing the matter, which is a most important one, because either your present President is fit to occupy his present position or he is not. No person is more conscious than I am that I can make mistakes, and so far as I am individually concerned I would like all these questions to be settled to the satisfaction of the Council as a whole as well as by the Standing Orders Committee. It will be seen that the position I am placed in is this—that the Council has been deprived of an opportunity of discussing the merits of the question. We were informed by the Minister of Defence that an opportunity would be given to honorable members to express their opinions, so that an interesting and valuable debate, which would be of an educational character to the younger members of the House, might be led up to. But how has that promise been carried out? At the last moment the Report is placed on the Table. Under the circumstances I could not allow the matter to pass without making a few remarks upon it. The point raised by myself was that a Bill which could not be introduced into the Legislative Assembly without a message from His Excellency the Governor could not be properly initiated in the Council. There is no case on record where a Bill of this description has been initiated in the Council. On more than one occasion Bills have been initiated in the Council and afterwards set aside when they went down to the Assembly. But this is a peculiar Bill. Honorable members will remember that I discussed the question fully when the Bill was objected to. My contention is this, that the first three clauses of the Bill provide for the property being placed under the custody of the Minister of Defence, and after having accomplished that object, then three clauses for appropriating the money from the latter portion of the measure. There is not the

slightest difficulty to my mind in arriving at the conclusion that this is a Money Bill in the proper sense of the term. Sir Frederick Sargood, who took charge of the Bill in this House, confessed that clauses 4, 5, and 6 were essentially money clauses, and he pledged himself that he would move, on the third reading, that those three clauses be excluded from the Bill. Sir Frederick Sargood thereby acknowledged that the Bill is a Money Bill. He said that the main object of the Bill was, first, to get control of those military reserves—to get the lands vested in the Minister of Defence—and then, having got them, he could sell or transfer them. The proceeds that would come into the hands of the Government were intended to be placed to the credit of the public account, and to be under the control of the Minister of Defence. The honorable gentleman thereby acknowledged that those three clauses were essentially money clauses, and that therefore this is a Money Bill.

Now, if there is one thing I have tried to do more than another, as a member of the Legislative Council, it is never to raise a question with the other Chamber in any dispute of this kind, unless I was perfectly satisfied that the Council was on the right side. I shall be no party to provoke an unnecessary dispute with another place, and I say that this Bill ought properly to have been introduced in another Chamber, and if they approved of the policy of the Bill, it was constitutionally legal for them to deal with the measure first. I maintain that any Bill of this description that would require a message from the Governor before it could be introduced in the Assembly should not be introduced here. We have had other classes of Bills introduced in the Council—Bills legislating with regard to administration on certain subjects of importance—which have occasionally had one or two money clauses in them; but those clauses were simply incidental to the Bill, and were sometimes printed in italics to indicate that they could not be discussed in this House because they did not form part of the Bill. Sir Frederick Sargood admitted that the money clauses in this Bill had not been printed in italics, owing to some misunderstanding in the Government Printing Office; but the honorable gentleman made a promise to move their omission on the third reading, with a view to their re-insertion in another place. All those clauses were discussed in this Chamber, however. Honorable members will remember Mr. Service's criticism of the Bill. There is no member of this House more lenient or more inclined for peace than Mr. Service; but he criticised the Bill very severely as to its policy, and then he expressed doubts as to the propriety of its introduction in this Chamber. He said he wished to get more light before giving in his adhesion to the principle advocated by Sir Frederick Sargood, but he did not give in his adhesion to that principle. As the Standing Orders Committee have failed to carry out the wishes expressed by Sir Frederick Sargood, in moving that the matter be referred to them, and as no reasons are given in the Committee's Report for the conclusion arrived at, although reasons were promised, I think the best thing for the House to do under all the circumstances is to decline to receive this Report. That is the position I take up in this matter, and I feel that it is a tenable position—that we have no right to deal with a Bill like this, and that it might lead to a dispute with the other House on the ground that we were interfering with the legitimate rights of the Legislative Assembly. Of course, honorable members can do as they like in this matter; but I cannot allow this Report to be received without expressing my objection to it, and without taking a very strong objection to the course that has been pursued, because the Council have not had an opportunity of discussing the question, and there are only a small number of members present now that the Report is submitted. The Report ought to have been submitted at a time when the House could have dealt with it fully and satisfactorily. I am very sorry this difference of opinion has arisen between the leader of the Government in this House, who is indefatigable in the discharge of his public duties, and myself as President of the Council. It is not from any feeling of hostility to the honorable gentleman that I have raised this question at the present time, but I think there is something due to your President, and that the members of this House should have had an opportunity of discussing this matter, and that the Report of the Standing Orders Committee on the subject should not have been brought up at the end of the session. In making these remarks I feel that I have only discharged my duty, and I have done it without the slightest possible feeling, except that I still hold most strongly to the views I expressed when this Bill was first brought under the notice of the Council, because all difficulty could have been avoided by introducing the measure in such a shape here that the question would never have been raised, or by introducing it in another place. I have submitted my views to honorable members, and it is for them to say whether they will receive the committee's Report and have it laid on the table of the House without giving an opportunity to all the members of the Council to discuss this important matter as we were promised it should be discussed, after the Committee had reported upon it. I have carefully read the speech of Sir Frederick Sargood on the question, and I am sure that I have in no way misrepresented the statement the honorable gentleman made on that occasion.

After debate, the President further said—

In the absence of so many members of the Council, I think it is hardly fair to carry on this discussion, especially at this late period of the session, and I certainly would not have raised the question if the Report of the Standing Orders Committee had not been submitted at an unusual time instead of at a time when all members of the Council could have had an opportunity of discussing it. I am sure honorable members will not object to the few remarks I have made. The Minister in charge of the Bill has abandoned the measure for the present session, and promised to bring it up again next session. Of course the Bill has not been considered, because the debate on the motion for the second reading of the Bill was adjourned, and that is probably the strongest evidence that could be adduced to show that there are doubts in the minds of some honorable members as to the expediency of introducing the Bill in this House. Under these circumstances, I have no objection to the Report being laid on the Table of the House, but I shall take the first opportunity, if we all meet again next session, of dealing with the question exhaustively, and it will then be for the House to decide what course is to be pursued. I am sure that honorable members will not accuse me of having the slightest feeling in the matter beyond that of doing what I consider to be my duty. In raising the question, I felt that the constitutional procedure in connexion with Bills of this description should be scrupulously observed. It is a matter of great importance that this House should not transgress the constitutional rights and privileges which we claim to possess, and also that we should do nothing to provoke unnecessary hostility with another place. If another place were to

interfere with our rights and privileges, I am sure I should be the last man to give in to them in any way whatever; but I felt that the taking of a step which I believe to be not a proper course of procedure was a thing that I could not give my sanction to. I feel, in the position I occupy as President of the Legislative Council, that while our rights and privileges should be held sacred, we, at the same time, should hold the rights and privileges of the other Chamber as sacred as our own, because only in that way can the two Houses of Parliament work harmoniously together.

Debate continued.

Question—That the Report be received—put and resolved in the affirmative.

Ordered—That the Report lie on the Table and be printed.

And then the Council, at thirty-four minutes past nine o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 55.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 29TH DECEMBER, 1891.

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

HOPÉTOUN,
Governor.

Message No. 18.

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

- “An Act to amend the ‘Crimes Act 1890’ and for other purposes.”
- “An Act to amend the ‘Friendly Societies Act 1890.’”
- “An Act to authorize the issue of Treasury Bonds.”
- “An Act to apply out of ‘The Victorian Stock Act 1891 Account’ or temporarily out of ‘The Public Account’ certain sums of Money for Railway Works and for other purposes.”
- “An Act to alter the amounts of certain Agricultural and other Grants.”
- “An Act to correct certain Errors in Acts.”
- “An Act to authorize a portion of the Market Reserve at St. Arnaud being reserved as a Site for a School of Mines.”
- “An Act to amend the ‘Administration and Probate Act 1890.’”
- “An Act to authorize the Sale of part of the Kyneton Market Reserve and for other purposes.”
- “An Act to authorize the construction of Lines of Railway from Korumburra on the Great Southern Line to Coal Creek, Strezlecki, and Jumbunna Coal Mines respectively.”

Government House,
Melbourne, 23rd December, 1891.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor, recommending amendments in the Bill intituled “An Act to amend the ‘Railways Act 1890’ and for other purposes,” and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council,

M. H. DAVIES,
Speaker.

Legislative Assembly,
Melbourne, 29th December, 1891.

HOPETOUN,
Governor.

Message.

Pursuant to the provisions of section 36 of The Constitution Act, the Governor transmits to the Legislative Assembly, for their consideration, the following amendments which he desires to be made in a Bill intituled "*An Act to amend the 'Railways Act 1890' and for other purposes*" :—

Clause 7, omit "or allowances."

Clause 9, after "tenders" insert "for the construction of any portion of a line of railway"; after "advertised" insert "for."

Clause 28, sub-section (2), omit "they," substitute "the Board."

Clause 34, omit "casual," substitute "day."

Government Offices,
Melbourne, 29th December, 1891.

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council agreed to the several amendments recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending amendments in the Bill intituled "*An Act to amend the 'Local Government Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 29th Decr., 1891.

M. H. DAVIES,
Speaker.

HOPETOUN,
Governor.

Message.

Pursuant to the provisions of section 36 of The Constitution Act, the Governor transmits to the Legislative Assembly, for their consideration, the following amendments which he desires to be made in a Bill intituled "*An Act to amend the 'Local Government Act 1890'*" :—

Clause 14, omit "in such section the words 'or any part of the borough known as the city of Footscray' shall be inserted after the word borough" and substitute "and in such section the words 'any part of the borough known as the city of Footscray or' shall be inserted after the word 'Melbourne.'"

Clause 14, omit "nine."

Clause 14, after the words "wherever it occurs" insert "and before the word 'cease' in section eight the words 'with the like qualifications and exceptions' shall be inserted."

Clause 14, at end of clause add "and in section nine after the word 'order,' where it first occurs, the words 'uniting a borough to the city of Melbourne' shall be inserted, and in section ten after the word 'wards,' wherever it occurs, the words 'or a part of a ward' shall be inserted, and in section eleven after the word 'order,' where it first occurs, the words 'make any apportionment of property rights and liabilities and' shall be inserted."

Clause 46, after "hours" insert "during which."

Clause 64, omit "when the same became payable" and substitute "of the commencement of this Act, or from the time when the same became payable whichever may have last happened."

Second Schedule, omit "with interest at the rate of Eight pounds per centum per annum" and omit "with interest at the rate aforesaid." At the end of Schedule insert "and if not paid within six months from the time it became due will bear interest from such time at the rate of Eight pounds per centum per annum."

Government Offices,
Melbourne, 29th December, 1891.

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council agreed to the several amendments recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending amendments in the Bill intituled "*An Act to amend the 'Mines Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 29th December, 1891.

M. H. DAVIES,
Speaker.

HOPETOUN,

Governor.

Message.

Pursuant to the provisions of section 36 of The Constitution Act, the Governor transmits to the Legislative Assembly, for their consideration, the following amendments which he desires to be made in a Bill intituled "*An Act to amend the 'Mines Act 1890'*" :—

Clause 1, omit the words "(except the last section)."

Clause 20, sub-section (2), after "provisions of" insert "section eighteen of."

Government Offices,
Melbourne, 29th December, 1891.

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council agreed to the several amendments recommended by His Excellency the Governor, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council the accompanying communication from the Clerk of the Parliaments, calling attention to a clerical error in the Bill intituled "*An Act for the resumption by the Crown of certain Land in the Parishes of Burrumbeet and Brewster,*" and acquaint the Legislative Council that the Legislative Assembly have agreed that such error be corrected by the insertion of the word "desires" in the Preamble instead of the word "desire," with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 29th December, 1891.

M. H. DAVIES,
Speaker.

Parliament House,
Melbourne, 29th December, 1891.

SIR,

I do myself the honour to report, in conformity with the Joint Standing Order No. 21, that the following clerical error has been discovered in the Bill intituled "*An Act for the resumption by the Crown of certain Land in the Parishes of Burrumbeet and Brewster,*" in the Preamble the word "desire" has been inserted instead of "desires."

I have the honour to be, Sir,

Your most obedient Servant,

GEORGE H. JENKINS,
Clerk of the Parliaments.

To the Honorable the Speaker,
&c., &c., &c.

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council concurred with the Legislative Assembly in the correction of the clerical error discovered in the Burrumbeet Lands Bill, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council the accompanying communication from the Clerk of the Parliaments, calling attention to clerical errors in the Bill intituled "*An Act to amend the 'Land Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed that such errors be corrected by the insertion of the word "allotment" instead of "allotments" in line 3 of clause 6, and "railway" instead of "railways" where it first occurs in line 10 of clause 20, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 29th December, 1891.

M. H. DAVIES,
Speaker.

Parliament House,
Melbourne, 29th December, 1891.

SIR,

I do myself the honor to report, in conformity with the Joint Standing Order No. 21, that the following clerical errors have been discovered in the Bill intituled "*An Act to amend the 'Land Act 1890,'*" in line 3 of clause 6 the word "allotments" has been inserted instead of "allotment ; and in line 10 of clause 20 the word "railways," where it first occurs, has been inserted instead of "railway."

I have the honor to be, Sir,

Your most obedient servant,

GEORGE H. JENKINS,
Clerk of the Parliaments.

To the Honorable the Speaker,
&c., &c., &c.

On the motion of the Honorable Lieut.-Col. Sir F. T. Sargood, the Council concurred with the Legislative Assembly in the correction of the clerical error discovered in the Land Act 1890 Amendment Bill, and ordered a Message to be transmitted to the Legislative Assembly acquainting them therewith.

10. ROYAL ASSENT TO BILLS.—His Excellency the Governor, at the Parliament House, gave the Royal Assent to the following Bills:—

“An Act to amend the ‘Police Offences Act 1890.’”

“An Act to provide for the Purification of the Electoral Rolls for the Legislative Assembly and for other purposes.”

“An Act to amend the ‘Local Government Act 1890.’”

“An Act to amend the Law relating to Thistles.”

“An Act to sanction the issue and application of certain sums of Money as Loans for Irrigation Works and Water Supply in the Country Districts and for other purposes.”

“An Act to amend the ‘Land Act 1890.’”

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

12. ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber, and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber; who, being come with their Speaker, he, after a short speech to His Excellency, delivered the Appropriation Bill to the Clerk of the Parliaments, who brought it to the Table.

His Excellency was then pleased to assent to the following Bills:—

“An Act to apply a Sum out of the Consolidated Revenue to the service of the Year ending on the thirtieth day of June, One thousand eight hundred and ninety two, and to appropriate the Supplies granted in this Session of Parliament.”

“An Act to amend the ‘Defences and Discipline Act 1890.’”

“An Act for the Resumption by the Crown of certain Land in the parishes of Burrumbeet and Brewster.”

“An Act to amend the ‘Railways Act 1890’ and for other purposes.”

“An Act to amend the ‘Mines Act 1890.’”

“An Act to further amend ‘The Waterworks Construction Encouragement Act 1886.’”

To these Bills the Royal Assent was pronounced severally by the Clerk of the Parliaments in these words:—

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

13. His Excellency was then pleased to speak as follows:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

I am pleased to be able to release you from the discharge of your legislative duties after a Session the arduous labours of which have had the gratifying result of adding to the Statute-book of the colony many measures of a liberal and practical character.

The earnest consideration which you gave for nearly two months to the Draft Bill for the Constitution of a Commonwealth of Australia makes this Session one of unique interest and importance, and I am deeply rejoiced to think that the Parliament of Victoria has been the first to express approval of the leading principles contained in the measure. It is to be greatly regretted that difficulties were encountered in some of the colonies in making progress with it, and that the exigencies of the Session here prevented you arriving at a definite agreement for its final adoption by the people of Victoria. But the great enterprise of achieving Federation has, I believe, been only temporarily delayed, not permanently defeated; and the full discussion given to the Draft Bill in both Chambers has evinced the patriotic determination of this colony to unite with the sister States in creating a Federation worthy of the splendid career in store for these great possessions of the British Crown, and capable of fostering all national interests without derogating from the prerogatives of autonomy which each colony is resolved to maintain in local affairs.

The Act relating to the management of the State railways is a worthy response to the strong feeling in the public mind that a change in the mode of management was urgently needed. The stability of the Public Finances is closely connected with the economical and efficient management of this great business of the State, in which a capital of about Thirty-seven millions is invested, with an annual return at present of nearly Three millions and a half. It has long been felt that Parliament had lost its proper control over this vast and growing system, and the measure which you have sanctioned has as its cardinal aim the restoring to the Legislature and the Executive the power of exercising an effective and salutary control in the interests of the State.

A very important measure has been dealt with by you, extending the privileges of local self-government and settling difficult questions of Municipal Law. For the first time in the history of local government the annual endowment, now amounting to £450,000, has been fixed upon principles which will I trust be found satisfactory to Municipalities throughout the colony, and enable them to perform more efficiently their highly useful and responsible functions.

The Act for the purification of the rolls is a measure long demanded, in order to preserve the suffrage from the jeopardy into which it is brought when electoral power is granted to those who have been proved unfit to wield it. The measure which you have made law strikes off the rolls by approved judicial methods persons shown unworthy of the right to vote. By providing machinery for expunging the names of all who are unqualified, it obviates the danger of frauds being successful in regard to the franchise, thus insuring safety to the great principles of political equality.

The amendment of the Criminal Code brings this domain of Victorian Law abreast of the latest English enactment upon the subject. By its provisions for the protection of girls of tender age, the Legislature has displayed a noble solicitude for the promotion of morality.

I observe with satisfaction that the Amending Land Act will cheapen and quicken the process of acquiring agricultural allotments, and, by thus increasing the facilities and attractions for rural settlement, help to maintain a safe equipoise between country and town in growth and development. The provisions made for the establishment of homesteads and various industries on worked-out auriferous lands, and for the creation of a fund for the construction of railways and waterworks from the enhanced value of Crown lands derived therefrom, will I trust be found valuable in their practical application.

It is fully anticipated that the Act to amend the mining laws will remove difficulties which have heretofore been felt in granting mining and mineral leases over certain lands hitherto not easily accessible for mining.

The adoption of the law relating to Partnership codifies a branch of law of special importance to the industrial and mercantile community, and is an instalment of the work that must precede codification of the whole law.

At the instance of private members, you have approved several most useful projects of law. The Employers and Employés Act will remove an inequality which was unjust in its operation and mischievous in its tendencies upon the relations of the worker with his employer. The Courts of Conciliation Act provides a friendly mode of settling industrial disputes, and the Legal Profession Practice Act widens the choice of the public in regard to the transaction of legal business. The Amending Friendly Societies Act affords increased facilities in the working of the friendly societies' system, and includes the principal advantages conferred by recent English enactments on these valuable institutions.

It is a matter of great regret that other measures of importance which were introduced did not become law, but it is hoped that the consideration given to them this Session will aid materially in their discussion and ratification when next they are submitted to you.

During the Session the Parliamentary Standing Committee on Railways has laboured with praiseworthy energy, and various valuable reports made by it have been laid before you. Some of the recommendations made have been adopted in the Railways Management Act, and in order to carry out others a Railway Construction Bill relating to lines recommended for the development of various coal mines has become law; and the Legislative Assembly has resolved that the other lines recommended by the Committee shall be permanently surveyed, so that accurate data as to the probable cost will be ready when Parliament is considering the necessary Construction Bills next Session.

The reports of the Royal Commissions on the Charities of Victoria, on Gold Mining, and on the Coal Industries have been laid before you. The Commissioners in each case have, with most commendable zeal and at a great sacrifice of time and trouble, collected a valuable amount of information, which will tend to elucidate the proper treatment of each of these important questions in the ensuing Parliament.

It is gratifying to know that the bonus given on butter exported from this colony has stimulated the industry, and that careful supervision is being exercised so as to foster the increasing trade in that important product with the mother country.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I thank you, on behalf of Her Majesty, for the adequate provision which you have made for the Public Service.

Every care will be taken to secure the utmost economy, consistent with a proper regard for efficiency, in the various Departments of Government.

The general depression of trade and business so severely felt during the present year has told upon the Public Finances, and has led my Advisers to exercise scrupulous care in the Public Expenditure, and I am happy to inform you that the economy thus observed has resulted in the Estimates for the current financial year showing a reduction of about Half a million of money.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

The favorable spring which has been experienced and the assuring reports from the country districts of a bountiful harvest are cheerful auguries of plenty and of returning confidence; and I feel certain that in going back to your homes you will be recompensed for the sacrifice made in attending to your legislative duties by the consciousness that the labours of the Session will, under the blessing of Divine Providence, result in promoting the public weal.

I now, in Her Majesty's name, declare this Parliament to be prorogued to the 30th day of January, 1892, and it is hereby prorogued accordingly.

GEORGE H. JENKINS,

Clerk of the Legislative Council.



SELECT COMMITTEES.

PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS
(JOINT).

FIRST APPOINTED 15TH OCTOBER, 1890.

MEMBERS DURING THE SESSION 1891.

The Hon. W. A. Zeal
H. Gore
J. Buchanan

The Hon. G. Young*
D. Melville
J. H. Abbott.†

* Deceased, 20th November, 1891.

† Appointed, 1st December, 1891, *vice* the Hon. G. Young, deceased.

APPOINTED DURING THE SESSION 1891.

No. 1.—ADDRESS IN REPLY.

Appointed 23rd June.

The Hon. J. M. Pratt
G. Davis
S. W. Cooke
N. Thornley
H. Cuthbert

The Hon. Lieut.-Col. Sir F. T. Sargood
D. Ham
D. Melville
J. Sternberg.

No. 2.—STANDING ORDERS.

Appointed 24th June.

The Hon. The President
H. Cuthbert
Dr. Dobson
J. Service
W. A. Zeal

The Hon. N. FitzGerald
S. W. Cooke
J. M. Davies
A. Wynne
Lieut.-Col. Sir F. T. Sargood.

No. 3.—LIBRARY (JOINT).

Appointed 24th June.

The Hon. The President
D. Melville
F. Brown

The Hon. G. Young
S. Fraser.

No. 4.—PARLIAMENT BUILDINGS (JOINT).

Appointed 24th June.

The Hon. The President
C. Sargeant
N. Thornley

The Hon. J. M. Pratt
C. J. Ham.

No. 5.—REFRESHMENT ROOMS (JOINT).

Appointed 24th June.

The Hon. J. A. Wallace
J. Buchanan
J. P. MacPherson

The Hon. W. I. Winter-Irving
J. H. Abbott.

No. 6.—PRINTING.

Appointed 24th June.

The Hon. The President
D. Coutts
D. Ham
S. Austin
J. Sternberg

The Hon. H. Gore
G. Davis
E. Morey
G. S. Coppin.

No. 7.—ELECTIONS AND QUALIFICATIONS.

Appointed (by President's Warrant) 28th October.

The Hon. Sir B. Benjamin
H. Cuthbert
J. M. Davies
N. FitzGerald

The Hon. D. Melville
J. Service
G. Young.

No. 8.—CASE OF THE HON. H. GORE.

Appointed (by Ballot) 9th December.

The Hon. F. Brown
S. W. Cooke
S. Fraser

The Hon. W. Pitt
J. Sternberg.

No. 9.—RAILWAYS ACT 1890 AMENDMENT BILL (CONFERENCE).

Appointed 23rd December.

The Hon. J. Bell
F. Brown
S. W. Cooke
H. Cuthbert

The Hon. N. FitzGerald
N. Thornley
J. Service.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1891.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 1.

Extracted from the Minutes.

TUESDAY, 29TH SEPTEMBER, 1891.

No. 1.—NATIONAL AUSTRALASIAN CONVENTION.—Clause 2 of Chapter II. of Draft Bill:—

2. There shall be a Council to aid and advise the Governor-General in the government of the Dominion, and such Council shall be styled the Dominion Executive Council; and the persons who are to be Members of the Council shall be from time to time chosen and summoned by the Governor-General and sworn as Executive Councillors, and shall hold office during his pleasure.

Amendment proposed—That in the second line of the foregoing clause the word “Executive” be omitted with a view of inserting the word “Privy.”—(*Hon. J. Service.*)

Question—That the word proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 10.

The Hon. J. S. Butters
G. Davis
T. Dowling
N. FitzGerald
S. Fraser
D. Ham
W. H. Roberts
G. Simmie
D. S. Wallace
H. Cuthbert (*Teller*).

Noes, 9.

The Hon. J. M. Davies
D. Melville
E. Morsy
J. M. Pratt
Lt.-Col. Sir F. T. Sargood
J. Service
J. A. Wallace
G. Young
J. Bell (*Teller*).

And so it was resolved in the affirmative.

WEDNESDAY, 30TH SEPTEMBER, 1891.

No. 2.—LEGAL PROFESSION PRACTICE BILL.—Clause 3.

Every person who at the date of the passing of this Act has been admitted or who hereafter shall be admitted as a barrister shall be deemed to have been or to be admitted as a solicitor at the date of his admission as a barrister, and in addition to his right to practise as a barrister shall be entitled to practise as a solicitor and to all the rights powers and privileges of a solicitor in the same manner and to the same extent as if he had been duly admitted as a solicitor at the date of his admission as a barrister.

Amendment proposed—That all the words after “ who ” in the first line of the above clause be omitted with a view of inserting the words “ has heretofore been admitted as a barrister shall by virtue of this Act be and is hereby admitted as a solicitor as from the date of the passing of this Act, and in addition to his right to practise as a barrister shall be entitled to practise as a solicitor and to all the rights, powers and privileges of a solicitor.”—(*Hon. G. Young.*)

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

Question—That the words proposed to be inserted be so inserted—put

Committee divided.

Ayes, 14.

The Hon. J. H. Abbott
J. Bell
T. Brunton
J. Buchanan
J. S. Butters
J. M. Davies
G. Davis
S. Fraser
J. M. Pratt
C. Sargeant.
Lt.Col. Sir F. T. Saftgood
J. Service
J. Sternberg
G. Young (*Teller*).

Noes, 10.

The Hon. Sir B. Benjamin
H. Cuthbert
T. Dowling
N. FitzGerald
D. Ham
D. Melville
E. Morey
W. H. Roberts
J. A. Wallace
W. I. Winter-Irving (*Teller*).

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1891.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 2.

Extracted from the Minutes.

TUESDAY, 6TH OCTOBER, 1891.

No. 1.—NATIONAL AUSTRALASIAN CONVENTION.—Clause 5—*Constitution of the Dominion of Australia*:—

5. The term "The States" shall be taken to mean such of the existing Colonies of New South Wales, New Zealand, Queensland, Tasmania, Victoria, and Western Australia, and the Province of South Australia, as for the time being form part of the Dominion, and such other States as may hereafter be admitted into the Dominion under the Constitution thereof, and each of such Colonies so forming part of the Dominion shall be hereafter designated a "State."

Amendment proposed—That the words "New Zealand" be omitted.—(*Hon. J. H. Connor.*)

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

Committee divided.

Ayes, 19.

Noes, 5.

The Hon. J. H. Abbott
 J. Bell
 Sir B. Benjamin
 Sir W. J. Clarke, Bart.
 S. W. Cooke
 H. Cuthbert
 J. M. Davies
 T. Dowling
 N. FitzGerald
 S. Fraser
 H. Gore
 Sir J. MacBain
 W. Pitt
 Lt.-Col. Sir F. T. Sargood
 J. Service
 D. S. Wallace
 W. I. Winter-Irving
 G. Young
 N. Thornley (*Teller*).

The Hon. T. Brunton
 J. Buchanan
 D. Melville
 S. Williamson
 J. H. Connor (*Teller*).

And so it was resolved in the affirmative.

WEDNESDAY, 7TH OCTOBER, 1891.

No. 2. LEGAL PROFESSION PRACTICE BILL.—Proposed new clause L.

It shall not be necessary for any barrister or attorney solicitor and proctor of the said Supreme Court to wear either bands gown or wig when appearing before any Court Judge or judicial officer in the said colony.—(*Hon. N. Thornley.*)

Motion made and question put—that new clause L stand part of the Bill.
Committee divided.

Ayes, 10.

The Hon. J. H. Abbott
Sir B. Benjamin
J. Buchanan
G. Davis
D. Melville
W. H. Roberts
C. Sargeant
N. Thornley
J. A. Wallace
J. Bell (*Teller*).

Noes, 11.

The Hon. T. Brunton
S. W. Cooke
J. M. Davies
T. Dowling
N. Fitzgerald
H. Gore
Sir J. MacBain
J. Service
G. Simmie
G. Young
Lt.-Col. Sir F. T. Sargood (*Teller*).

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1891.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 3.

Extracted from the Minutes.

TUESDAY, 17TH NOVEMBER, 1891.

No. 1.—LOAN BILL—Schedule:—

| | |
|---|------------|
| For the construction of Railways and works connected therewith (including rolling-stock) already authorized by Parliament, or of such other Railways and works connected therewith (including rolling-stock) as Parliament may by any Act direct, and for the repaying into the Public Account any sums advanced therefrom expended and to be expended on any such Railways or works connected therewith | £5,000,000 |
| For Irrigation Works and Water Supply in Country Districts, to be expended in such manner as Parliament shall direct | 1,000,000 |
| | <hr/> |
| | £6,000,000 |

Motion made—That the Schedule be read.—(Hon. J. A. Wallace.)
 Question—That the Schedule be read—put.
 Committee divided.

- Ayes, 16.
- The Hon. J. H. Abbott
 - T. Brunton
 - J. Buchanan
 - J. S. Butters
 - Sir W. J. Clarke, Bart.
 - J. H. Connor
 - G. Davis
 - H. Gore
 - F. S. Grimwade
 - D. Melville
 - C. Sargeant
 - G. Simmie
 - J. Sternberg
 - J. A. Wallace
 - W. A. Zeal
 - J. M. Pratt (*Teller*).

- Noes, 17.
- The Hon. S. Austin
 - Sir B. Benjamin
 - S. W. Cooke
 - G. S. Coppin
 - D. Coutts
 - H. Cuthbert
 - J. M. Davies
 - S. Fraser
 - C. J. Ham
 - E. Morey
 - W. Pitt
 - W. H. Roberts
 - Lieut.-Col. Sir F. T. Sargood
 - J. Service
 - N. Thornley
 - W. I. Winter-Irving
 - J. Bell (*Teller*).

And so it passed in the negative.

No. 2.—CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL—Clause 5.

At every election the returning officer or deputy returning officer if he think fit may and if required by any scrutineer or by any two persons entitled to vote at the polling place at which he presides shall before any person tendering his vote thereat receives a ballot-paper (but not afterwards) put to such person the following questions in addition to any others he may lawfully put (that is to say):—

Have you already voted in any electoral district to-day? [*or in the case of an adjourned poll the day from which the poll was adjourned should also be named.*]

Do you usually reside in this electoral district, or have you resided for a period of at least three months during the preceding twelve months in this electoral district?

Amendment proposed—That after the word “to-day,” in the sixth line of the foregoing clause, the words “or have you already voted twice in one electoral district to-day” be inserted.—(*Hon. J. Service.*)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 33.
The Hon. J. H. Abbott
S. Austin
J. Bell
Sir B. Benjamin
F. Brown
T. Brunton
J. Buchanan
Sir W. J. Clarke, Bart.
J. H. Connor
S. W. Cooke
D. Coutts
T. Dowling
N. FitzGerald
H. Gore
F. S. Grimwade
D. Ham
Sir J. MacBain
E. Morey
W. H. S. Osmand
W. Pitt
J. M. Pratt
W. H. Roberts
C. Sargeant
J. Service
G. Simmie
J. Sternberg
N. Thornley
D. S. Wallace
J. A. Wallace
W. I. Winter-Irving
A. Wynne
W. A. Zeal
J. S. Butters (*Teller*).

Noes, 6.
The Hon. J. M. Davies
G. Davis
C. J. Ham
D. Melville
Lieut.-Col. Sir F. T. Sargood
S. Fraser (*Teller*).

And so it was resolved in the affirmative.

WEDNESDAY, 18TH NOVEMBER, 1891.

No. 3.—CONSTITUTION ACT AMENDMENT ACT 1890 AMENDMENT BILL—Clause 2 (recommitted):—

This Act shall be construed as one with the *Constitution Act Amendment Act 1890*, and the said Act and this Act may be cited together as *The Constitution Act Amendment Acts*.

Amendment proposed—That at the end of the Clause the following words be inserted, viz.:—“and shall come into operation on the first day of June, 1892, with the exception of the last section, which shall come into operation on the passing of the Act.”—(*Hon. H. Cuthbert.*)

Motion made and question put—That leave be given to withdraw the proposed amendment.—(*Hon. H. Cuthbert.*)

Committee divided.

Ayes, 20.
The Hon. T. Brunton
J. Buchanan
J. S. Butters
Sir W. J. Clarke, Bart.
J. M. Davies
T. Dowling
N. FitzGerald
S. Fraser
C. J. Ham
D. Melville
W. H. S. Osmand
J. M. Pratt
Lieut.-Col. Sir F. T. Sargood
J. Service
D. S. Wallace
J. A. Wallace
S. Williamson
W. I. Winter-Irving
W. A. Zeal
S. W. Cooke (*Teller*).

Noes, 10.
The Hon. J. H. Abbott
G. S. Coppin
D. Coutts
H. Cuthbert
F. S. Grimwade
D. Ham
W. H. Roberts
G. Simmie
J. Sternberg
N. Thornley (*Teller*).

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1891.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 4.

Extracted from the Minutes.

WEDNESDAY, 25TH NOVEMBER, 1891.

No. 1.—COMPANIES ACT 1890 AMENDMENT BILL (No. 2)—Clause 7:—

The manager or other authorized officer of every company other than the companies or societies mentioned in section forty-four of the *Companies Act* 1890 or a company formed for mining purposes only, shall once in every year during the time it carries on business make out an account and verify the same before some justice of the peace by statutory declaration in the form contained in the Third Schedule hereto or as near thereto as circumstances will admit, and shall file with the Registrar-General a copy of the same within fourteen days after the making thereof, and every creditor or shareholder in the company shall be entitled to a copy thereof on payment of Sixpence. If default is made in compliance with the provisions of this section the company shall be liable to a penalty not exceeding Five pounds for every day while such default continues, and every director and manager of the company who knowingly and wilfully authorizes or permits such default shall incur the like penalty.—(*Hon. A. Wynne.*)

Question—That Clause 7 stand part of the Bill—put.

Committee divided.

Ayes, 7.

The Hon. J. H. Abbott
T. Dowling
D. Ham
E. Morey
G. Simmie
J. Sternberg
A. Wynne (*Teller*).

Noes, 16.

The Hon. Sir B. Benjamin
F. Brown
S. W. Cooke
D. Coutts
H. Cuthbert
J. M. Davies
F. S. Grimwade
D. Melville
W. H. S. Osmand
W. Pitt
J. M. Pratt
W. H. Roberts
Lieut.-Col. Sir F. T. Sargood
J. A. Wallace
W. I. Winter-Irving
J. Bell (*Teller*).

And so it passed in the negative.

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VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1891.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 5.

Extracted from the Minutes.

WEDNESDAY, 2ND DECEMBER, 1891.

No. 1.—LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL—Clause 22:—

In the city of Melbourne and town of Geelong when any premises are jointly occupied by more persons than one as owners or tenants not more than three such persons shall in any event be entitled to be enrolled as citizens or burgesses or to vote in respect of the premises so jointly occupied. Provided that nothing herein shall disentitle any person who occupies separately any part of a house or building which part is of the annual value of Ten pounds clear of all charges thereon from being enrolled as such citizen or burgess or from voting in respect of such premises in any case in which he would heretofore have been entitled to be so enrolled and to vote and no person shall be deemed not to occupy separately any part of a house or building because he occupies jointly with other persons some other part of such house or building.—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)

Question—That Clause 22 stand part of the Bill—put.

Committee divided.

Ayes, 11.

The Hon. J. H. Abbott
 J. Buchanan
 D. Coutts
 J. M. Davies
 T. Dowling
 C. J. Ham
 D. Melville
 E. Morey
 W. H. S. Osmand
 W. H. Roberts
 Lieut.-Col. Sir F. T. Sargood
 (*Teller.*)

Noes, 20.

The Hon. S. Austin
 J. Bell
 J. H. Connor
 S. W. Cooke
 H. Cuthbert
 H. Gore
 D. Ham
 Sir J. MacBain
 W. McCulloch
 W. Pitt
 J. M. Pratt
 C. Sargeant
 J. Service
 G. Simmie
 D. S. Wallace
 J. A. Wallace
 S. Williamson
 A. Wynne
 W. A. Zeal
 F. S. Grimwade (*Teller.*)

And so it passed in the negative.

No. 2.—Clause 34:—

In section one hundred and forty-three of the Principal Act the words following “or of a diploma granted by the Institute of Civil Engineers of England or by any corporation or body of persons which is accustomed or empowered to grant a similar diploma” shall except so far as shall apply to the city of Melbourne and town of Geelong be and are hereby repealed and the words “or of a certificate of clerk of works granted under the law for the time being in force relating to local government” substituted, but any holder of any such diploma who at the commencement of this Act holds the office of surveyor or engineer of any municipality including the city of Melbourne or the town of Geelong shall continue eligible to hold the like office in the same or any other municipality.—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)

Question—That Clause 34, as amended, stand part of the Bill—put.

Committee divided.

Ayes, 17.

The Hon. J. H. Abbott
 J. H. Connor
 S. W. Cooke
 D. Coutts
 H. Cuthbert
 J. M. Davies
 T. Dowling
 F. S. Grimwade
 C. J. Ham
 E. Morey
 W. H. S. Osmand
 W. Pitt
 Lieut.-Col. Sir F. T. Sargood
 J. Service
 G. Simmie
 S. Williamson
 A. Wynne (*Teller*).

Noes, 8.

The Hon. H. Gore
 D. Ham
 W. McCulloch
 D. Melville
 W. H. Roberts
 J. A. Wallace
 W. A. Zeal
 J. M. Pratt (*Teller*).

And so it was resolved in the affirmative.

THURSDAY, 3RD DECEMBER, 1891.

No. 3.—LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL—Clause 59.

All rates and other moneys due at the commencement of this Act under any Act for the time being in force relating to local government in respect of any property by the owner of such property to any municipality and all rates and other moneys which may hereafter become due under any Act for the time being in force relating to local government in respect of any property to any municipality by any person whatever shall with interest on such rates and moneys at the rate of Eight pounds per centum per annum from the time when the same became payable be and remain a charge upon such property, and at any time within three years from the making of the rate or the time when any such other moneys became due notwithstanding any previous judgment or order for the recovery of the same may, in manner provided by section two hundred and ninety-three of the Principal Act for the recovery of rates from the owner where the occupier has been rated, be recovered from the owner for the time being of such property and may to the extent permitted and in manner provided by and subject to the provisions of sections two hundred and ninety-four, two hundred and ninety-five, and two hundred and ninety-six of the Principal Act for the recovery of rates from the occupier where the owner has been rated be recovered from the occupier for the time being of such property; and every person who under the provisions hereof shall pay any moneys whether directly to any municipality or to recoup any purchaser from such person shall subject to any agreement to the contrary be entitled to recover in any court of competent jurisdiction from the person (if any) from whom he purchased the said property as money paid for his use the said moneys or so much thereof as was due at the date of the purchase and interest thereon at the rate aforesaid. (*Hon. Lieut.-Col. Sir F. T. Sargood.*)

Amendment proposed—That the words “and other moneys,” in the first line of the above clause, be omitted.—(*Hon. J. A. Wallace.*)

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

Committee divided.

Ayes, 10.

The Hon. S. W. Cooke
 J. M. Davies
 T. Dowling
 F. S. Grimwade
 C. J. Ham
 W. McCulloch
 W. Pitt
 W. H. Roberts
 Lieut.-Col. Sir F. T. Sargood
 N. Thornley (*Teller*).

Noes, 10.

The Hon. Sir B. Benjamin
 J. H. Connor
 D. Coutts
 H. Cuthbert
 J. M. Pratt
 J. Service
 J. A. Wallace
 W. I. Winter-Irving
 A. Wynne.
 J. Bell (*Teller*).

The Tellers having declared the numbers for the Ayes and for the Noes to be respectively ten, or equal—the Chairman gave his vote with the Ayes in order to allow of further consideration of the subject, and declared the question to have been resolved in the affirmative.

No. 4.—Clause 59 :—

All rates and other moneys which may become due after the commencement of this Act under any Act for the time being in force relating to local government in respect of any property by the owner of such property to any municipality and all rates and other moneys which may hereafter become due under any Act for the time being in force relating to local government in respect of any property to any municipality by any person whatever shall with interest on such rates and moneys at the rate of Eight pounds per centum per annum from the time when the same became payable be and remain a charge upon such property, and at any time within twelve months from the making of the rate or the time when any such other moneys became due notwithstanding any previous judgment or order for the recovery of the same may, in manner provided by section two hundred and ninety-three of the Principal Act for the recovery of rates from the owner where the occupier has been rated, be recovered from the owner for the time being of such property and may to the extent permitted and in manner provided by and subject to the provisions of sections two hundred and ninety-four, two hundred and ninety-five, and two hundred and ninety-six of the Principal Act for the recovery of rates from the occupier where the owner has been rated be recovered from the occupier for the time being of such property; and every person who under the provisions hereof shall pay any moneys whether directly to any municipality or to recoup any purchaser from such person shall subject to any agreement to the contrary be entitled to recover in any court of competent jurisdiction from the person (if any) from whom he purchased the said property as money paid for his use the said moneys or so much thereof as was due at the date of the purchase and interest thereon at the rate aforesaid.—(*Hon. H. Cuthbert.*)

Motion made and question put—That clause 59 as amended stand part of the Bill.

Committee divided.

Ayes, 10.

The Hon. S. W. Cooke
D. Coutts
J. M. Davies
T. Dowling
C. J. Ham
W. McCulloch
W. Pitt
Lieut.-Col. Sir F. T. Sargood
N. Thornley
F. S. Grimwade (*Teller*).

Noes, 10.

The Hon. Sir B. Benjamin
J. H. Connor
H. Cuthbert
J. M. Pratt
W. H. Roberts
J. Service
J. A. Wallace
W. I. Winter-Irving
A. Wynne
J. Bell (*Teller*).

The Tellers having declared the numbers for the Ayes and for the Noes to be respectively ten, or equal, the Chairman gave his vote with the Ayes, in order to allow of further consideration of the subject, and declared the question to have been resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1891.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 6.

Extracted from the Minutes.

TUESDAY, 8TH DECEMBER, 1891.

No. 1.—LOCAL GOVERNMENT ACT 1890 AMENDMENT BILL—Clause 73:—

In section three hundred and twenty-one of the Principal Act after the word "municipality" the words "together with a sum of Twenty pounds" shall be inserted, and the following words shall be inserted at the end of the section:—

"If the ratepayers forbid the council from proceeding further with any loan or if one-third of the number of votes required for that purpose be polled, the sum of Twenty pounds directed to be deposited with the writing demanding the poll shall be returned by the chairman or clerk of the municipality to any person named in such writing as the person to receive the same, and in any other case the said sum or so much thereof as may be necessary to defray the cost of taking the poll shall be paid by such chairman or clerk into the municipal fund and the residue (if any) returned by such chairman or clerk to the person so named to receive the same."

Amendment proposed—That the word "Twenty" in the second line of the above clause be omitted, with the view of inserting the word "Ten."—(*Hon. W. A. Zeal.*)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 17.

The Hon. Sir B. Benjamin
F. Brown
J. S. Butters
J. H. Connor
S. W. Cooke
D. Coutts
J. M. Davies
S. Fraser
W. Pitt
W. H. Roberts
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
G. Simmie
N. Thornley
S. Williamson
W. I. Winter-Irving
F. S. Grimwade (*Teller*).

Noes, 13.

The Hon. J. H. Abbott
J. Buchanan
H. Cuthbert
N. FitzGerald
H. Gore
D. Ham
W. McCulloch
D. Melville
J. M. Pratt
J. Service
J. Sternberg
J. A. Wallace
W. A. Zeal (*Teller*).

And so it was resolved in the affirmative.

No. 2.—Clause 106 :—

The council of the town of Geelong may contract for making and constructing within the municipal district or any part or parts thereof gasworks and conveniences connected therewith for making and supplying gas and may make a gas rate or charge upon persons using or consuming gas supplied by such council and may purchase any such gasworks and conveniences and may borrow money for any of the purposes aforesaid, and the town of Geelong shall be deemed a municipality within the meaning of sections three hundred and four to three hundred and six both inclusive and sections three hundred and twelve to three hundred and forty-six both inclusive of the Principal Act and any Acts amending the said sections or any of them, and the works or undertakings such council is by this section authorized to carry out shall be deemed permanent works and undertakings within the meaning of the sections as applicable to the town of Geelong. Provided always nothing in this section shall prejudice or affect any right power or privilege now enjoyed by the Geelong Gas Company under the provisions of any Act of Parliament.

Amendment proposed—That the words “or authorize the making and constructing of gasworks unless and until the Corporation of Geelong shall have purchased and acquired the undertaking and property of the said company under the powers conferred by section sixty-six of the Act of the Parliament of Victoria 21 Victoria No. 57” be inserted at the end of the clause.—(*Hon. W. A. Zeal.*)

Question—that the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 13.

The Hon. J. H. Abbott
J. S. Butters
S. W. Cooke
G. Davis
H. Gore
W. McCulloch
J. M. Pratt
G. Simmie
J. Sternberg
N. Thornley
J. A. Wallace
W. A. Zeal
F. Brown (*Teller*).

Noes, 16.

The Hon. S. Austin
Sir B. Benjamin
J. H. Connor
D. Coutts
H. Cuthbert
J. M. Davies
N. FitzGerald
S. Fraser
C. J. Ham
D. Melville
W. H. Roberts
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
D. S. Wallace
W. I. Winter-Irving
S. Williamson (*Teller*).

And so it passed in the negative.

No. 3.—Clause 106 :—

The council of the town of Geelong may contract for making and constructing within the municipal district or any part or parts thereof gasworks and conveniences connected therewith for making and supplying gas and may make a gas rate or charge upon persons using or consuming gas supplied by such council and may purchase any such gasworks and conveniences and may borrow money for any of the purposes aforesaid, and the town of Geelong shall be deemed a municipality within the meaning of sections three hundred and four to three hundred and six both inclusive and sections three hundred and twelve to three hundred and forty-six both inclusive of the Principal Act and any Acts amending the said sections or any of them, and the works or undertakings such council is by this section authorized to carry out shall be deemed permanent works and undertakings within the meaning of the sections as applicable to the town of Geelong. Provided always nothing in this section shall prejudice or affect any right power or privilege now enjoyed by the Geelong Gas Company under the provisions of any Act of Parliament.—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)

Question—That Clause 106 stand part of the Bill—put.
Committee divided.

Ayes, 16.

The Hon. S. Austin
Sir B. Benjamin
J. H. Connor
D. Coutts
H. Cuthbert
J. M. Davies
N. FitzGerald
S. Fraser
C. J. Ham
D. Melville
W. H. Roberts
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
D. S. Wallace
S. Williamson
W. I. Winter-Irving (*Teller*).

Noes, 14.

The Hon. J. H. Abbott
J. S. Butters
S. W. Cooke
G. Davis
H. Gore
D. Ham
W. McCulloch
J. M. Pratt
G. Simmie
J. Sternberg
N. Thornley
J. A. Wallace
W. A. Zeal
F. Brown (*Teller*).

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1891.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 7.

Extracted from the Minutes.

WEDNESDAY, 16TH DECEMBER, 1891.

No. 1.—LICENSING ACT 1890 AMENDMENT BILL—Clause 2 :—

Where in any licensing district the number of licensed victuallers' premises shall exceed the statutory number the owner if the occupier or the owner and occupier (as the case may be) may by writing under his or their hands addressed to the licensing court offer to surrender the licence thereof, and if such surrender be accepted by the licensing court and approved by the Governor in Council the owner or the owner and occupier (as the case may be) shall be entitled to receive compensation in the same manner to the same extent and to be determined in the same way as if the licence had been taken away in consequence of a determination of the electors of the licensing district. Provided that no such surrender shall be allowed where there is a mortgage upon the said premises or the interest of the applicant therein unless the mortgagee consents thereto or unless the owner or occupier pays to the mortgagee the amount of the principal and such interest as may then be due with three months' additional interest. Provided always that if at any licensing court so many offers to surrender have been forwarded to such court as would if accepted reduce the number of licensed premises below the statutory number for such licensing district it shall not be obligatory on such licensing court to accept more surrenders than will reduce such number to the statutory number, but such court may should it think fit accept the surrender subject to the approval of the Governor in Council of such licences only as will reduce the total number of licensed premises to the statutory number, and such court shall in making the selection of licences to be accepted for surrender be guided by the same principles as in the sixty-sixth section of the Principal Act are laid down with respect to licensed premises to be deprived of a licence in consequence of a determination by electors, but no compensation shall be payable in respect of any premises not licensed before the first day of February One thousand eight hundred and eighty-six.—(Hon. J. H. Abbott.)

Question—That clause 2 stand part of the Bill—put.

Committee divided.

Ayes, 13.

The Hon. T. Brunton
 J. Buchanan
 G. S. Coppin
 D. Coutts
 G. Davis
 W. McCulloch
 W. Pitt
 J. M. Pratt
 G. Simmie
 J. A. Wallace
 W. I. Winter-Irving
 W. A. Zeal
 J. H. Abbott (*Teller*).

Noes, 14.

The Hon. J. Bell
 Sir B. Benjamin
 J. H. Connor
 S. W. Cooke
 H. Cuthbert
 J. M. Davies
 H. Gore
 F. S. Grimwade
 C. J. Ham
 D. Melville
 Lieut.-Col. Sir F. T. Sargood
 J. Service
 D. S. Wallace
 S. Fraser (*Teller*).

And so it passed in the negative.

No. 2.—Proposed new clause B:—

Notwithstanding the provisions of section eighty-six of the *Licensing Act* 1890, applications for colonial wine licences may be heard and determined during the first week in any quarter by any member of the licensing court for the district wherein the premises in respect of which any such licence is sought are situate, and for such purpose such member shall be deemed to constitute the licensing court. Provided always that if the holder of any wine licence be convicted of selling liquor without a licence his licence shall forthwith be forfeited.—(*Hon. G. Davis.*)

Motion made and question put—That new clause B stand part of the Bill.

Committee divided.

Ayes, 20.

The Hon. J. H. Abbott
J. Bell
Sir B. Benjamin
T. Brunton
J. Buchanan
S. W. Cooke
G. S. Coppin
D. Coutts
H. Cuthbert
G. Davis
H. Gore
W. McCulloch
E. Morey
W. Pitt
J. M. Pratt
G. Simmie
J. A. Wallace
W. I. Winter-Irving
W. A. Zeal
J. S. Butters (*Teller*).

Noes, 9.

The Hon. J. H. Connor
J. M. Davies
S. Fraser
C. J. Ham
D. Melville
Lieut.-Col. Sir F. T. Sargood
J. Service
D. S. Wallace
F. S. Grimwade (*Teller*).

And so it was resolved in the affirmative.

THURSDAY, 17TH DECEMBER, 1891.

No. 3.—LEGAL PROFESSION PRACTICE ACT 1891 AMENDMENT BILL.—Proposed new clause A:—

That any person who shall within six months before the coming into operation of this Act have duly entered himself for the matriculation examination at the University of Melbourne in the necessary subjects required by the existing rules of the Supreme Court, and shall at any such examination to be held within one year from the date of the coming into operation of this Act have passed such examination, such person shall be entitled to be articulated to a barrister and solicitor at any time within one year and shall be admitted to practise as a barrister and solicitor after passing the examination and serving the articles at present provided for articulated clerks by the rules of the Supreme Court.—(*Hon. W. H. Roberts.*)

Motion made and question put—That new clause A stand part of the Bill.

Committee divided.

Ayes, 10.

The Hon. T. Brunton
J. S. Butters
J. H. Connor
N. FitzGerald
D. Ham
W. Pitt
W. H. Roberts
J. A. Wallace
W. A. Zeal
F. S. Grimwade (*Teller*).

Noes, 23.

The Hon. J. H. Abbott
J. Bell
Sir B. Benjamin
J. Buchanan
S. W. Cooke
D. Coutts
H. Cuthbert
J. M. Davies
G. Davis
S. Fraser
H. Gore
C. J. Ham
W. McCulloch
D. Melville
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
J. Service
G. Simmie
D. S. Wallace
S. Williamson
W. I. Winter-Irving
A. Wynne
N. Thornley (*Teller*).

And so it passed in the negative.

FRIDAY, 18TH DECEMBER, 1891.

No. 4.—RAILWAYS ACT 1890 AMENDMENT BILL.—Clause 3:—

(1) Notwithstanding anything contained in Part I. of the *Public Works Act* 1890—(a) the responsible Minister of the Crown for the time being administering the *Railways Act* 1890 shall without further or other authority than this Act be a Vice-President of the Board of Land and Works for all purposes, and

(b) the Chairman and Vice-Chairman for the time being of the Parliamentary Standing Committee on Railways shall without further or other authority than this Act be members of the said Board for the purpose only of carrying out the duties powers and authorities by this Act imposed and conferred on such Board.

(2) The number of Vice-Presidents of the said Board shall not exceed three, and the whole number of members of the said Board may be increased to ten.

(3) Except the President and Vice-Presidents of the Board and the said Chairman and Vice-Chairman no member of the Board shall exercise any right power duty or authority by this Act conferred or imposed on the Board or the members thereof.—(*Hon. J. M. Davies.*)Amendment proposed—That the words, “(b) the Chairman and Vice-Chairman for the time being of the Parliamentary Standing Committee on Railways shall without further or other authority than this Act be members of the said Board for the purpose only of carrying out the duties powers and authorities by this Act imposed and conferred on such Board,” be omitted.—(*Hon. J. Service.*)

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

Committee divided.

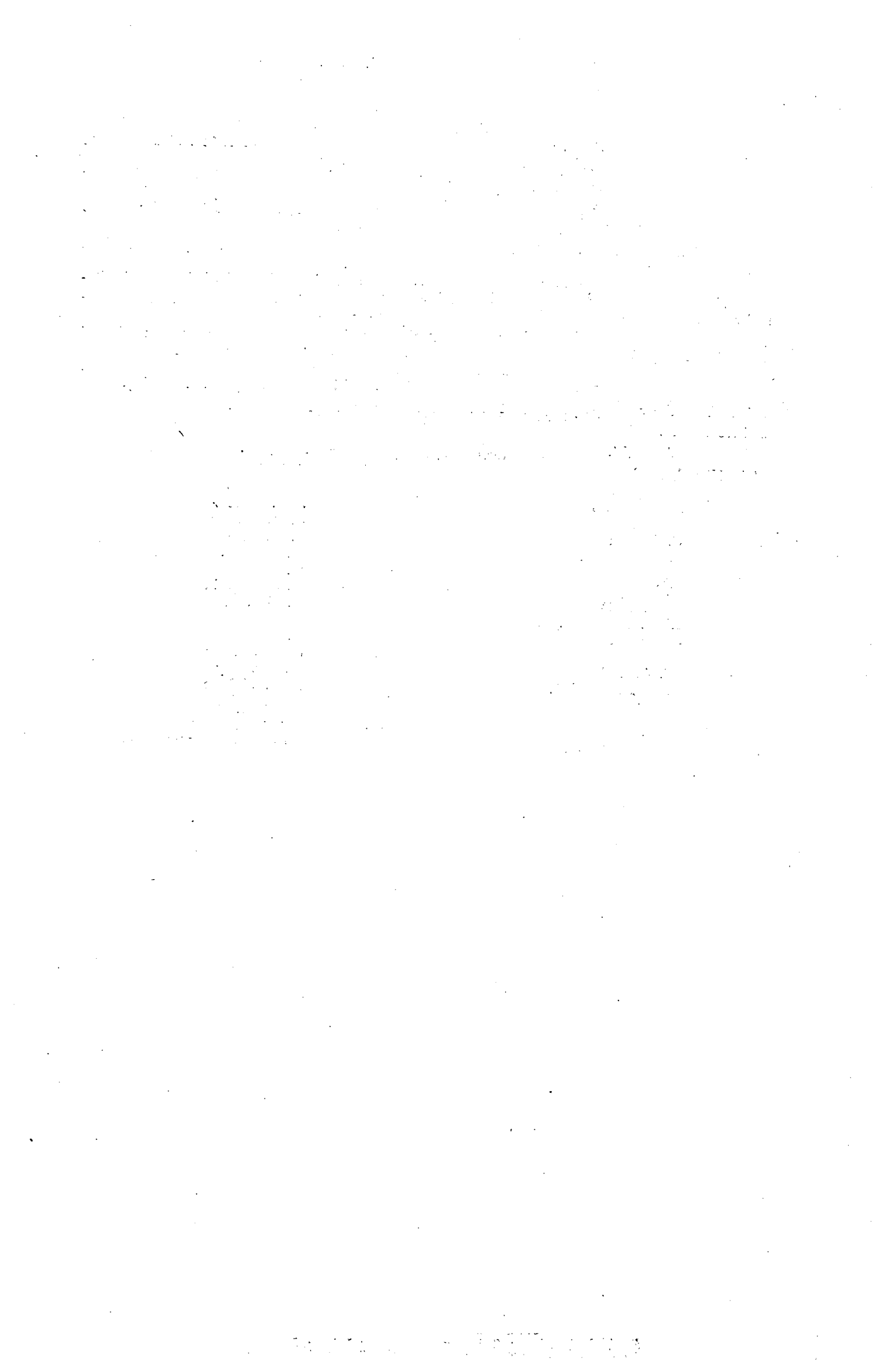
Ayes, 14.

The Hon. J. H. Abbott
 J. Buchanan
 J. M. Davies
 H. Gore
 C. J. Ham
 W. McCulloch
 D. Melville
 E. Morey
 J. M. Pratt
 Lieut.-Col. Sir F. T. Sargood
 J. Sternberg
 A. Wynne
 W. A. Zeal
 S. Fraser (*Teller*).

Noes, 17.

The Hon. J. Bell
 T. Brunton
 J. S. Butters
 J. H. Connor
 S. W. Cooke
 H. Cuthbert
 G. Davis
 N. FitzGerald
 D. Ham
 W. Pitt
 C. Sargeant
 J. Service
 N. Thornley
 D. S. Wallace
 J. A. Wallace
 W. I. Winter-Irving
 F. S. Grimwade (*Teller*).

And so it passed in the negative.



VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1891.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 8.

Extracted from the Minutes.

MONDAY, 21ST DECEMBER, 1891.

No. 1.—RAILWAYS ACT 1890 AMENDMENT BILL—Clause 24:—

The Minister may at any time in writing request the Commissioners to propose in writing a scheme for effecting an increase of income or a decrease of expenditure, or for carrying out any matter of general policy specified by the Minister.

If the Minister does not approve of any scheme proposed by the Commissioners, he may himself transmit to them any proposition for effecting and carrying out such increase decrease or matter of policy, and thereupon the Commissioners shall take all necessary steps to give effect to such proposition.

If any doubt or difference of opinion occurs respecting the provisions of this section the same may be finally determined by the Governor in Council.—(*Hon. J. M. Davies.*)

Amendment proposed—That after the word "Minister" in the third line of the clause, the following words be inserted "and if the Minister approves of the same he may direct the Commissioners to take all necessary steps to carry out the same."—(*Hon. J. Service.*)

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

Committee divided.

Ayes, 15.

The Hon. J. Bell
 Sir B. Benjamin
 F. Brown
 T. Brunton
 J. S. Butters
 S. W. Cooke
 D. Coutts
 H. Cuthbert
 N. FitzGerald
 J. Service
 N. Thornley
 D. S. Wallace
 J. A. Wallace
 W. I. Winter-Irving
 A. Wynne (*Teller*).

Noes, 13.

The Hon. J. Buchanan
 J. M. Davies
 S. Fraser
 H. Gore
 C. J. Ham
 D. Ham
 W. McCulloch
 D. Melville
 E. Morey
 J. M. Pratt
 Lieut.-Col. Sir F. T. Sargood
 W. A. Zeal
 F. S. Grimwade (*Teller*).

And so it was resolved in the affirmative.

TUESDAY, 22ND DECEMBER, 1891.

No. 2.—RAILWAYS ACT 1890 AMENDMENT BILL—Clause 24:—

The Minister may at any time in writing request the Commissioners to propose in writing a scheme for effecting an increase of income or a decrease of expenditure, or for carrying out any matter of general policy specified by the Minister and if the Minister approves of the same he may direct the Commissioners to take all necessary steps to carry out the same.

If the Minister does not approve of any scheme proposed by the Commissioners, he may himself transmit to them any proposition for effecting and carrying out such increase decrease or matter of policy, and thereupon the Commissioners shall take all necessary steps to give effect to such proposition.

If any doubt or difference of opinion occurs respecting the provisions of this section the same may be finally determined by the Governor in Council.—(*Hon. J. M. Davies.*)

Amendment proposed—That paragraphs 2 and 3 be omitted from the clause.—(*Hon. J. Service.*)

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

Committee divided.

Ayes, 17.

The Hon. J. H. Abbott
J. Buchanan
J. M. Davies
S. Fraser
H. Gore
F. S. Grimwade
C. J. Ham
D. Ham
W. McCulloch
D. Melville
E. Morey
J. M. Pratt
Lieut.-Col. Sir F. T. Sargood
J. Sternberg
J. A. Wallace
W. A. Zeal
A. Wynne (*Teller*).

Noes, 17.

The Hon. J. Bell
Sir B. Benjamin
T. Brunton
J. S. Butters
J. H. Connor
S. W. Cooke
D. Coutts
H. Cuthbert
G. Davis
T. Dowling
N. FitzGerald
J. Service
G. Simmie
N. Thornley
D. S. Wallace
W. I. Winter-Irving
F. Brown (*Teller*).

The Tellers having declared the numbers for the Ayes and for the Noes to be respectively seventeen, or equal, the Chairman gave his vote with the Ayes, in order to allow of further consideration of the subject, and declared the question to have been resolved in the affirmative.

No. 3.—Clause 48:—

(1) The persons holding office as Commissioners at the commencement of this Act shall from the dates of their respective appointments by the Governor in Council as Commissioners be deemed to have been duly appointed as Commissioners, and shall subject to the Railways Acts and without further or other appointment hold such offices as follows, namely:—

- (a) William Henry Greene, Esquire, until the last day of the year One thousand eight hundred and ninety-three;
- (b) Richard Ford, Esquire, until the last day of the year One thousand eight hundred and ninety-four; and
- (c) Richard Speight, Esquire, until the last day of the year One thousand eight hundred and “ninety-five.”

(2) Except in the case of a person appointed to be a Commissioner for the unexpired term of office of any Commissioner whose office may become vacant, every person hereafter appointed to be a Commissioner shall subject to the Railways Acts hold office for a term of four years.

(3) On the occurrence of any vacancy in the office of a Commissioner before the expiration of the term for which any Commissioner holds office or is hereafter appointed the person appointed to the vacant office shall subject to the Railways Acts hold office for his predecessor's unexpired term of office.

(4) At the expiration of any Commissioner's term of office he may from time to time if qualified be re-appointed pursuant to this section for a further term of four years.

(5) Whereas Richard Speight, Esquire, was on the thirtieth day of January One thousand eight hundred and eighty-four appointed by the Governor in Council to be a Victorian Railways Commissioner for a term of seven years from the first day of February One thousand eight hundred and eighty-four, and also to be chairman of the Victorian Railways Commissioners, and whereas on the same day letters patent were granted appointing him to be one of the Victorian Railways Commissioners and also to be chairman of the Victorian Railways Commissioners for the term of seven years from the thirty-first day of December One thousand eight hundred and eighty-three, and whereas subsequently on the twentieth day of February in the year One thousand eight hundred and eighty-four the Governor in Council approved of the appointment of the said Richard Speight as a Victorian Railways Commissioner and also as chairman of the Victorian Railways Commissioners as from the said thirty-first day of December, and whereas it is expedient that no objection be taken to the validity of the appointment of the said Richard Speight, be it therefore enacted that the said Richard Speight shall from the said thirty-first day of December One thousand eight hundred and eighty-three be deemed for all purposes to have legally held the office of chairman of the Victorian Railways Commissioners.

(6) Notwithstanding the expiration on the first day of February One thousand eight hundred and ninety-one of the period of seven years for which the late Alfred John Agg, Esquire, was appointed a Commissioner it is hereby declared that from the said day until the commencement of this Act William Henry Greene, Esquire, the successor of the said Alfred John Agg shall by virtue of his appointment on the eighteenth day of January One thousand eight hundred and eighty-seven and this Act be deemed for all purposes to have legally held the office of a Victorian Railways Commissioner.

(7) In section forty-four of the *Railways Act* 1890 for the words "for a period of seven years" there shall be substituted the words "subject to the Railways Acts;" and the words "for presentation to Parliament" are hereby repealed.—(*Hon. J. M. Davies.*)

Amendment proposed—That the words "ninety-five," in the tenth line of the foregoing clause, be omitted with a view to insert in place thereof the word "ninety-seven."—(*Hon. H. Cuthbert.*)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 14.

The Hon. J. H. Abbott
J. Buchanan
D. Coutts
J. M. Davies
S. Fraser
H. Gore
C. J. Ham
W. McCulloch
D. Melville
J. M. Pratt
C. Sargeant
Lieut.-Col. Sir F. T. Sargood
W. A. Zeal
F. S. Grimwade (*Teller*).

Noes, 22.

The Hon. J. Bell
Sir B. Benjamin
F. Brown
T. Brunton
J. S. Butters
J. H. Connor
S. W. Cooke
H. Cuthbert
G. Davis
T. Dowling
N. FitzGerald
D. Ham
E. Morey
W. Pitt
J. Service
G. Simmie
J. Sternberg
N. Thornley
D. S. Wallace
J. A. Wallace
A. Wynne
W. I. Winter-Irving (*Teller*).

And so it passed in the negative.

No. 4.—Clause 5 (recommitted)—

(1) Whenever the Board and the Engineer-in-Chief certify that any line of railway constructed by the Board is completed, the Governor in Council may make an Order transferring such line of railway to the Commissioners and such Order in Council shall be published in the *Government Gazette*.

(2) Immediately on such publication the line of railway mentioned in such Order, including all land acquired by the Board for the purpose of such line and the inheritance thereof in fee simple, shall become vested in the Commissioners for the purposes of the Railways Acts and shall be supervised and maintained by them pursuant to the Railways Acts.—(*Hon. J. M. Davies.*)

Amendment proposed—That the following words be added to the clause:—"and all further power duty authority or responsibility of the Board in regard to such line shall cease, the settlement of past contracts alone excepted."—(*Hon. J. Service.*)

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

Ayes, 21.

The Hon. J. Bell
Sir B. Benjamin
F. Brown
T. Brunton
J. S. Butters
J. H. Connor
S. W. Cooke
D. Coutts
H. Cuthbert
J. M. Davies
T. Dowling
N. FitzGerald
S. Fraser
F. S. Grimwade
C. J. Ham
Lieut.-Col. Sir F. T. Sargood
J. Service
G. Simmie
D. S. Wallace
W. I. Winter-Irving
A. Wynne (*Teller*).

Noes, 10.

The Hon. J. H. Abbott
J. Buchanan
W. McCulloch
D. Melville
E. Morey
W. Pitt
J. Sternberg
J. A. Wallace
W. A. Zeal
H. Gore (*Teller*).

And so it was resolved in the affirmative.

No. 5.—Clause 24 (recommitted):—

The Minister may at any time in writing request the Commissioners to propose in writing a scheme for effecting an increase of income or a decrease of expenditure, or for carrying out any matter of general policy specified by the Minister, and if the Minister approves of the same he may direct the Commissioners to take all necessary steps to carry out the same.

If the Minister does not approve of any scheme proposed by the Commissioners, he may himself transmit to them any proposition for effecting and carrying out such increase or decrease "or matter of policy," and thereupon the Commissioners shall take all necessary steps to give effect to such proposition.

If any doubt or difference of opinion occurs respecting the provisions of this section the same may be finally determined by the Governor in Council.—(*Hon. J. M. Davies.*)

Amendment proposed—That the words "or matter of policy," in the second paragraph, be omitted.—(*Hon. A. Wynne.*)

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

Committee divided.

Ayes, 14.

The Hon. J. H. Abbott
J. Buchanan
J. M. Davies
H. Gore
C. J. Ham
D. Ham
W. McCulloch
D. Melville
E. Morey
Lieut.-Col. Sir F. T. Sargood
J. Sternberg
J. A. Wallace
W. A. Zeal
S. Fraser (*Teller*).

Noes, 17.

The Hon. F. Brown
T. Brunton
J. S. Butters
J. H. Connor
S. W. Cooke
D. Coutts
H. Cuthbert
T. Dowling
N. FitzGerald
F. S. Grimwade
J. Service
G. Simmie
N. Thornley
D. S. Wallace
W. I. Winter-Irving
A. Wynne
J. Bell (*Teller*).

And so it passed in the negative.

WEDNESDAY, 23RD DECEMBER, 1891.

No. 6.—LAND ACT 1890 AMENDMENT BILL—Clause 23 :—

(1) Whenever it appears to the Governor in Council that it will no longer be profitable to mine for gold within fifty feet of the surface of any unalienated lands of the Crown being auriferous lands within the meaning of the Principal Act, he "may" by Order in Council published in the *Government Gazette* declare any such lands to be "worked-out auriferous lands."

(2) The Governor in Council may if he think fit issue a licence to occupy an allotment of the lands so proclaimed.

(3) No person shall hold more than five acres of such lands under licence.

(4) Every such licence shall entitle the holder thereof to occupy such allotment for a period not exceeding seven years to a depth of fifty feet from the surface thereof at a rent not less than One shilling per acre per annum for the purpose of erecting a residence or place of business or for the purpose of forming and working an orchard vineyard or garden or any other like purpose.

(5) Every such licence shall contain such conditions and covenants as the Governor in Council may think fit to insert therein with respect to resumption for any public purpose, amount of and time of payment of rent, residence or non-residence, making of improvements thereon, and with respect to any other matters whatsoever.

(6) Every such licence shall contain a covenant that if the licensee have complied with the conditions and covenants of such licence for a period of seven years and upon proof thereof to the satisfaction of the Board (to be certified under its seal) by such evidence as the Board may require, he shall be entitled at any time within twelve months after seven years from the commencement of the licence to demand and obtain from the Governor in Council a grant of such allotment upon payment of the purchase money to be fixed by the Board being not less than One pound for each acre or fractional part of an acre as the purchase money of such allotment. The amount paid in annual licence-fees by the licensee as occupier of such allotment under such licence shall be deducted from the total amount of such purchase money.

(7) When any person has duly occupied any such allotment for a period of seven years as aforesaid and has complied with the conditions and covenants of such licence and has proved such compliance to the satisfaction of the Board and the same has been certified under its seal and when the purchase money of such allotment has been duly paid to the Crown, it shall be lawful for the Governor in Council notwithstanding anything in the Principal Act contained to issue a grant thereof.—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)

Amendment proposed—That after the word “may” in the third line of the foregoing clause, the words “except in the Mining districts of Ballarat and Beechworth” be inserted.—(*Hon. H. Cuthbert.*)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 14.

The Hon. Sir B. Benjamin
F. Brown
J. S. Butters
J. H. Connor
S. W. Cooke
H. Cuthbert
H. Gore
D. Ham
D. Melville
E. Morey
J. A. Wallace
A. Wynne
W. A. Zeal
J. Bell (*Teller*).

Noes, 19.

The Hon. J. H. Abbott
J. Buchanan
D. Coutts
J. M. Davies
G. Davis
T. Dowling
N. FitzGerald
S. Fraser
F. S. Grimwade
C. J. Ham
D. E. McBryde
W. McCulloch
J. M. Pratt
W. H. Roberts
Lieut.-Col. Sir F. T. Sargood
G. Simmie
N. Thornley
W. I. Winter-Irving
W. Pitt (*Teller*).

And so it passed in the negative.

No. 7.—Proposed new clause A :—

Section two hundred and three of the Principal Act is hereby repealed and the following shall be and shall be deemed to be and may be cited as section two hundred and three of the said Act :—

“203. Any lessee of a mallee allotment; and

Any person to whom such lessee has whether before or after the commencement of this Act, with the consent of the Board signified in writing, assigned his interest in such mallee allotment or in any portion thereof—

may notwithstanding anything in Part I. of the Principal Act contained select at any time within three years after the passing of *The Mallee Act* 1889 out of such allotment or portion thereof an area the total acreage of which with any land previously selected by him under this Act the Principal Act or any Land Act shall not exceed four hundred and eighty acres.

Any area so selected shall be subject to the same conditions as agricultural allotments are subject to under Division three of Part I. of the Principal Act, and all the provisions of the said Part I. relating to agricultural allotments shall apply to such area and the licensee or lessee thereof, and all the provisions of Part II. of the Principal Act shall cease to apply to such area.

If any lessee of a mallee allotment assign his interest therein or in a portion thereof to any two or more persons jointly only one of such persons shall be entitled to select out of such mallee allotment or portion thereof.”—(*Hon. J. Bell.*)

Motion made and question put—That new clause A stand part of the Bill.

Committee divided.

Ayes, 9.

The Hon. J. Bell
J. S. Butters
D. Coutts
N. FitzGerald
D. E. McBryde
J. M. Pratt
G. Simmie
W. I. Winter-Irving
F. Brown (*Teller*).

Noes, 21.

The Hon. J. H. Abbott
J. Buchanan
J. H. Connor
S. W. Cooke
J. M. Davies
G. Davis
T. Dowling
S. Fraser
H. Gore
F. S. Grimwade
C. J. Ham
D. Ham
W. McCulloch
D. Melville
E. Morey
Lieut.-Col. Sir F. T. Sargood
N. Thornley
J. A. Wallace
A. Wynne
W. A. Zeal
W. Pitt (*Teller*).

And so it passed in the negative.

No. 8.—MINES BILL.—Clause 1 :—

This Act may be cited as the *Mines Act* 1891 (No. 2), and (except the last section) shall be construed as one with Part I. of the *Mines Act* 1890, and shall come into operation on the first day of March One thousand eight hundred and ninety-two.—(*Hon. Lieut.-Col. Sir F. T. Sargood.*)

Motion made—That the Chairman do leave the Chair.—(*Hon. S. W. Cooke.*)

Question—That the Chairman do leave the Chair—put.

Committee divided.

Ayes, 9.

The Hon. Sir B. Benjamin
J. H. Connor
S. W. Cooke
D. Coutts
S. Fraser
F. S. Grimwade
J. Service
A. Wynne
N. Thornley (*Teller*).

Noes, 21.

The Hon. J. H. Abbott
J. Bell
F. Brown
J. Buchanan
J. S. Butters
J. M. Davies
G. Davis
T. Dowling
H. Gore
C. J. Ham
D. Ham
D. E. McBryde
W. McCulloch
D. Melville
E. Morey
W. Pitt
Lieut.-Col. Sir F. T. Sargood
G. Simmie
J. A. Wallace
W. A. Zeal
W. I. Winter-Irving (*Teller*).

And so it passed in the negative.

THURSDAY, 24TH DECEMBER, 1891.

No. 9.—OPIUM BILL.

Motion made—That the Chairman do leave the Chair.—(*Hon. J. A. Wallace.*)

Question—That the Chairman do leave the Chair—put.

Committee divided.

Ayes, 9.

The Hon. T. Brunton
N. FitzGerald
D. E. McBryde
W. McCulloch
W. Pitt
J. Sternberg
J. A. Wallace
W. A. Zeal
J. S. Butters (*Teller*).

Noes, 10.

The Hon. J. Bell
Sir B. Benjamin
S. W. Cooke
F. S. Grimwade
C. J. Ham
D. Melville
Lieut.-Col. Sir F. T. Sargood
N. Thornley
A. Wynne
S. Fraser (*Teller*).

And so it passed in the negative.

1891.
—
VICTORIA.

STATUS OF MEMBERS OF THE EXECUTIVE
COUNCIL:

CORRESPONDENCE RELATIVE TO.

HOPETOUN,
Governor.

Message No. 5.

In reply to the Address from the Legislative Council of Victoria, the Governor transmits a copy of all Confidential Despatches in his possession having reference to the Status of Members of the Executive Council of Victoria.

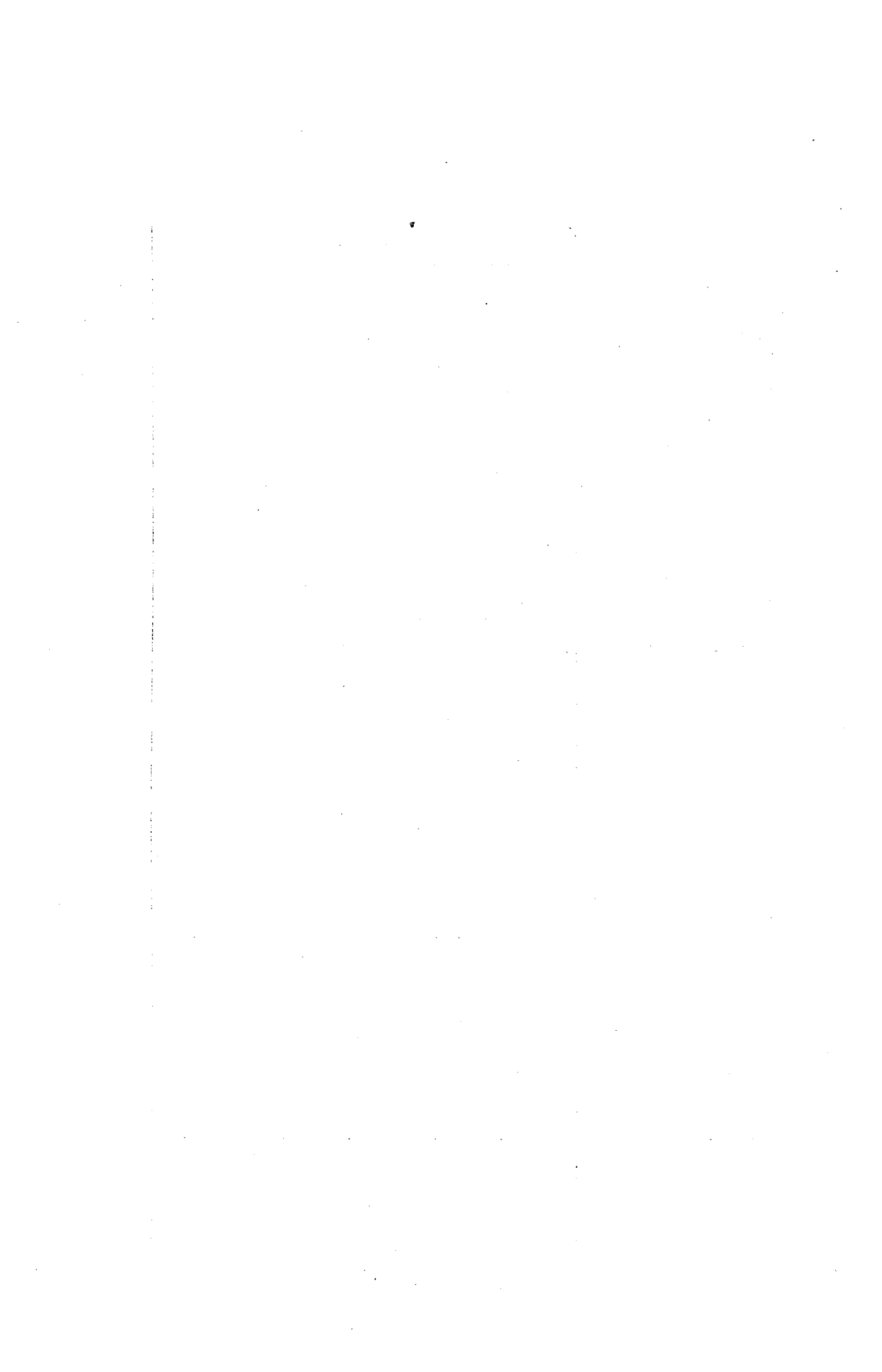
Government House,
Melbourne, 17th August, 1891.

Ordered by the Legislative Council to be printed, 18th August, 1891.

By Authority:
ROBT. S. BRAIN, GOVERNMENT PRINTER, MELBOURNE.

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GOVERNOR OF VICTORIA TO SECRETARY OF STATE.

SIR,

Government Offices,
Melbourne, 24th January, 1857.

I have the honour to submit copy of the Minutes of the Executive Council of this Colony for the six months ending 31st ulto.

2. I presided only at the last two meetings, but as these Minutes relate almost exclusively to matters of routine, dealt with by the Governor in Council under the authority of Local Acts, little explanation or remark seems to be required from me in respect to them.

3. There is, however, one question affecting the Constitution of the Council itself, raised in Minute 74, to which I consider it my duty to direct the attention of Her Majesty's Government, because through the controversy during which it was incidentally brought forward, was terminated by Mr. Rusden's resigning his situation as Clerk of the Council, this question is certain to be revived again, and probably at no very distant date.

4. It relates, as will be seen, to the point of whether the appointment of an Executive Councillor should be permanent during Her Majesty's pleasure, or whether it should be the duty of any responsible Officer on relinquishing his office, at the same time to resign his seat in the Council.

5. Upon the elevation to the Bench of Mr. Molesworth, the Solicitor-General, the Ministry took the former view, and considered him as still belonging to the Council. Mr. Rusden maintained the latter, and acted upon it in a manner which I do not seek to justify, though I must at the same time observe that I think the Ministry would have acted in better taste if they had at once submitted the subject for the decision of the Representative of the Crown, instead of giving instructions in a matter in which they were all personally interested.

6. As the terms of my Commission as Governor seemed, contrary to the position assumed by the Ministry, to supersede the appointments of Executive Councillors made under that to Sir Charles Hotham, the expediency of re-appointing Mr. Molesworth, with the others, was brought under my consideration by the Chief Secretary on the very day of my inauguration, when, in ignorance of the controversy above adverted to, I determined that it was better not to do so, on the ground that he would take precedence as an Executive Councillor over his brother judges of senior creation.

7. The question, however, is one that scarcely ought to be disposed of on so partial a view. I am quite ready myself to concur in the opinion that it is advisable for many reasons that the practice of the mother country and of the Canadas, which has been appealed to, should prevail in the Australian Colonies; or at any rate, that the Governor should have the right of including in his Privy or Advising Council other members than those who may hold political offices at the moment, the Ministry thus becoming, like the English Cabinet, a working Committee of the large body.

8. Before, however, acquiescing in any arrangement of this sort, if proposed to me, I should wish to be favoured with your sentiments on the subject, and if practicable, I should like to be furnished with a statement of the manner in which the Council of Canada is constituted and summoned for the despatch of business.

I have the honour to be, Sir,

Your most obedient humble servant,

(Sgd.) HENRY BARKLY.

To The Right Honorable Henry Labouchere.

SECRETARY OF STATE TO GOVERNOR OF VICTORIA.

SIR,

Downing-street, 2nd May, 1857.

I have received your Despatch, marked "Confidential," of the 24th January last, enclosing a copy of the Minutes of the Executive Council of Victoria for the six months ended the 31st December, 1856.

The question arising out of these Minutes to which you have felt it necessary to call my attention is one closely affecting the Council itself as involving the position of

members of that body after they may have ceased to act as responsible officers of your Government ; and you request to be furnished with my opinion, before committing yourself to a decision on the subject, as to the course which it will be most expedient to pursue, and also with a statement of the manner in which the Council of Canada is constituted and summoned for the despatch of business.

As a similar question has been already brought before me for consideration by the Governor of New South Wales, on the occasion of the introduction of Responsible Government into that colony, it appears to me most convenient that I should send, for your information and assistance, copies of the Despatches, herewith enclosed, which passed on the subject between Sir William Denison and myself, together with extracts of the Commission and Instructions, addressed to the Governor-General of Canada, so far as these relate to the Executive Council.

I have the honour to be, Sir,

Your most obedient humble servant,

(Sgd.) H. LABOUCHERE.

Governor Sir H. Barkly, K.C.B.

[ENCLOSURE I.]

No. 140.
SIR,

Government House,
Sydney, 8th September, 1856.

I wish to bring under your consideration some of the provisions contained in my Commission and Instructions, which appear to me to be in some degree inconsistent with the principles upon which the government of these colonies must now be conducted, and I will at the same time call your attention to the printed "Colonial Regulations" as containing rules, many of which having reference to a state of things in which the relation of the Governor to the Legislature was very different from that which now exists, require to be modified, so far at least as regards their application to Colonies in which the responsibility of the Chief Officers of the Government to the Legislature is recognised and enforced.

2. I should have addressed you on this subject at an earlier period had I not been desirous to ascertain generally the views and opinions of the gentlemen who have been nominated to these responsible offices.

3. The first point to which I wish to direct your attention is the constitution of the Executive Council. It is stated in the Commission that "the Executive Council shall consist of such persons as the Governor shall, by instruments to be passed under the great seal of our said colony in our name and on our behalf from time to time, nominate and appoint to be members of the said Executive Council, all of which persons shall hold their places in the said Council during our will and pleasure." Further on, the Commission states that the Governor has power "to suspend from the exercise of his office, upon sufficient ground to him appearing, any person exercising any office or place under or by virtue of any Commission or Warrant granted by us or in our name." From this it would seem that the Governor, although he has power to nominate such persons as to him may seem expedient to be members of the Executive Council, has no power to remove such persons, all that he can do is to suspend them pending a reference to the Secretary of State.

4. As, however, it is obviously incompetent to the Secretary of State to replace gentlemen whose tenure of office is contingent upon the approval of their conduct by a majority of the Legislature, I have been compelled to retain as nominal members of the Executive Council the gentlemen belonging to the Ministry which has retired, placing them thus in a position in some measure analogous to that of Privy Councillors at home, while those gentlemen only who form a part of the existing Ministry are summoned to the usual meetings of the Council.

5. There is nothing, however, in my Commission or Instructions which authorizes me to select from among the gentlemen holding commissions as members of the Executive Council, such as I may choose to consider best qualified to advise me on any given occasion, on the contrary, the Executive Council is alluded to as an integral body composed of members all of which have by implication at all events, equal rights and privileges, and an equal claim to be consulted. It is true that no practical inconvenience has as yet arisen from the course which I have been compelled to adopt, but we are still in the infancy of our experience in the working of responsible

government; and I am disposed to think that it would be advisable to confer upon the Governor concurrently with the power of appointing to seats in the Executive Council, that of withdrawing such appointments when new political combinations render it undesirable for him to have recourse to the advice of the members connected with a former administration. All risk of collision between the members of the outgoing and the incoming Ministry would thus be avoided, and all ground of claim on the part of members, not especially invited to the usual sittings of the Council, of a right to attend such meetings and to give their advice, would be taken away.

6. It may be said, why not appoint these gentlemen to seats in the Council in virtue of the offices they hold? This, however, would not have been possible hitherto, as the members of the Council have been called upon to discuss the form and constitution of the Government, and their existence as officers of the Government has been necessarily subsequent to their appointment as members of Council. Hereafter, too, circumstances may occur which may render it advisable to appoint to seats in the Council, gentlemen who hold no specific office under Government. The simplest plan, therefore, of removing the difficulty arising from the undefined tenure of office by members of the Executive Council, would be that above suggested, namely, to give to the Governor the power of removal, as he already has that of appointment.

* * * * *

I have, &c.,
(Sgd.) W. DENISON.

The Right Honorable Henry Labouchere.

[ENCLOSURE II.]

SIR,

Downing-street, 23rd January, 1857.

I have to acknowledge your Despatch, No. 140, of the 8th September last, bringing under my consideration some of the provisions of your Commission and Instructions with reference to their bearing on the system of government now established in New South Wales.

2. With regard to the constitution of the Executive Council. You ask for a distinct power of removing its members to be conferred on the Governor. I am aware of no serious objection to such a provision but it is unusual. In the North American colonies, in which responsible government has been for some time in force, the members of the Executive Council all hold their office on the understanding that they will resign when they have lost the confidence of the Legislature, and whenever any change of Ministry takes place, the whole Executive Council is liable to change. I am not aware that any difficulty has hitherto arisen in carrying this system into execution.

* * * * *

I have, &c.,
(Sgd.) H. LABOUCHERE.

Governor Sir W. Denison, K.C.B.

[ENCLOSURE III.]

SIR,

Government House,
Sydney, 25th September, 1856.

The change in the relation between the Governor and the members of the Executive Council, consequent upon the adoption of the system of "Responsible Government," has called for a change in the mode of conducting the business in the Executive Council.

2. Under the previous system of Government the permanency of the members of the Executive Council, and the well understood relations between them and the Governor, did away with the necessity of any written rules for the regulation of the proceedings of the Council, but now that changes take place frequently, I have found it desirable to establish some general regulations for the guidance of members of Council.

3. I forward herewith the copy of a Memorandum in which I called the attention of the members of the Executive Council to the various matters as to which it was desirable to establish some definite rules for their guidance; and the accompanying extract from the Minutes of the Proceedings of the Council will explain the course which the Council propose to adopt for the transaction of the business of the Government for the future. My object in bringing the subject before the Council was to establish some fixed relation between the Governor and the Ministers to whom the administration of the Government may be entrusted, in order that all chance of future difference of opinion as to their relative powers and responsibilities might be avoided.

4. The first eight clauses of the Minutes of Proceedings refer to the mode of conducting the business of the Government, and to the responsibilities of the different members of the Ministry. To these it is unnecessary that I should allude, further than to state that they embody my views as to the relation which is from henceforward to exist between the Governor and the Ministers whom he may appoint.

5. The last three clauses refer to certain modifications in the Instructions under which I am now called upon to act.

6. I have, in my Despatch No. 140, dated 8th instant, already called your attention to this particular subject, but I wish to point out to you that the members of the Executive Council are of opinion that the position of the gentlemen who may have been nominated as advisers to the Governor should be assimilated to that of members of the Privy Council in England, and that they should retain the designation of "Honorable," by which the members of the Executive Council are distinguished, though upon a change of Ministry they should not be considered as entitled to act as advisers of the Governor unless specially summoned. In the Despatch above alluded to I have expressed a different opinion, and have asked for power to enable me to recall the commissions given to the members of the Executive Council.

7. It is necessary that the status of the ex-members of the Executive Council should be determined either by the adoption of the course pointed out in my Despatch, or by a recognition of their right to a position such as that alluded to in the Minutes. I do not myself attach much importance to the decision which may be come to on this subject. On the one hand, looking to the frequent changes which may very likely take place in the *personnel* of the Administration, there is the risk of the title of "Honorable" becoming too common and too indiscriminate to be a distinction; on the other hand, there may perhaps be some awkwardness in calling upon the outgoing Ministry to resign their commissions as members of the Executive Council. Upon the whole, however, I am inclined to think that the course proposed in my Despatch will be the least objectionable.

I have, &c.,
(Sgd.) W. DENISON.

The Right Honorable H. Labouchere.

[ENCLOSURE IV.]

New South Wales.

*Copy of His Excellency the Governor-General's Memorandum for guidance of
Members of the Executive Council.*

27th August, 1856.

The changes in the constitution of the Government, and in the relations between the Governor and the public officers who now form the Executive Council, must necessarily cause alterations in the mode of transacting the public business, to which it is desirable that the attention of the Council should be directed.

Several causes to which it is unnecessary that I should allude have hitherto prevented the initiation of these changes, but as the sanction of the legislature has now been obtained to the administrative arrangements proposed by the Government, there appears to be no reason why immediate steps should not be taken to arrange and methodize the forms of procedure with relation, at all events, to all that portion of the business of the Government in which the direct action of the Governor is required either to approve or confirm or to submit for the consideration of the Executive Council.

Before, however, I proceed to consider the mode of procedure which it will be desirable to adopt, it may be as well that I should explain shortly the view which I take of the change which has been made in the functions and responsibility of the Governor, partly by the new Constitution Act, but more especially by the Instructions which have been issued for his guidance under that Act.

My wish is to elicit the opinions of the members of the Council on this subject for the purpose of establishing, in concert with them, such a clear and definite understanding as to the relations which should henceforward exist between the Governor and the officers who are responsible for the mode in which the business of the Government is conducted, as will be an effectual guarantee against the risk of future differences of opinion, either as to the extent of the prerogative of the Crown vested in the Governor, as Her Majesty's representative, or as to the privileges of the Legislature of whose views the Ministers may be considered the exponents.

Under the former constitution the responsibility of the Government was centred in the Governor, he was, it is true, assisted by the Executive Council, composed of the principal officers of the Government, but these officers, though responsible to the Crown for the due performance of their duties as heads of different departments, were not held answerable, either individually or collectively, for the result of the advice which they might give to the Governor, upon whom only the responsibility rested of adopting or refusing such advice and of the consequences resulting from such adoption or refusal.

Under the present constitution and Instructions, the government is to be conducted as heretofore by the Governor and an Executive Council, but while the Governor is responsible to the Queen that the government is conducted in accordance with the instructions issued for his guidance, the members of Council have now vested in them, in conjunction with the Governor, the responsibility which formerly rested solely with the latter of determining the general policy of the Government as exhibited in the measures submitted in the legislature, as well as that of superintending and controlling the functions of the different departments of the Executive.

The responsibility, however, of the members of the Executive is to the Legislature, and their relation to the Governor, as members of such council, is that of exponents of the opinions and wishes of the Parliament of the colony.

The responsibility of the Governor is to the Queen, and while he has, under his Commission, the power of summoning such persons as to him may seem expedient, as members of the Executive Council, the practical limit placed to his discretion in this matter is that (as stated above) such persons should be the exponents of the views of the Legislature, which, in its turn, is issued to represent the opinion of the whole community.

Now it is essential to the good government of the country that these two responsibilities should never be allowed to clash, and the best guarantee against such an event is the existence of the most entire confidence between the Governor and his advisers; while, therefore, all the ordinary details of the current business of the colony will be conducted by the members of the Executive Council, each of whom will have charge of several departments, all matters which have reference to the general policy of the Government will be brought before the Executive Council, in order that the sanction of the Government may be obtained to the principle upon which it is proposed to act.

* * * * *

(Sgd.) W.D.

[ENCLOSURE V.]

New South Wales.

Proceedings of the Executive Council with respect to Ministerial action under responsible Government.

(Extract from Minute No. 56/49, dated 22nd September, 1856.)

Present:

His Excellency the Governor-General.

The Honorable the Colonial Secretary.

The Honorable the Attorney-General.

The Honorable the Colonial Treasurer.

The Honorable the Secretary for Lands and Public Works.

Referring to the proceedings on the 15th instant, the Council resume the consideration of the Memorandum prepared by His Excellency the Governor-General as to the mode of conducting the public business of the colony under the altered form of government, and having deliberated thereon at some length, they record their opinion that the ministerial action of the responsible advisers of the Crown in this colony with reference to all public questions, whether disposed of on their individual responsibility or upon the advice of the Executive Council, should be regulated by the following principles :—

9. His Excellency should be advised to make application to Her Majesty, through the Principal Secretary of State for the Colonies, for the rescinding of all instructions relating to the mode of conducting the business of the Executive Council, which are at variance with the principles of responsible government.

10. His Excellency should be further advised to ask for power to deal with his Executive Councillors as Privy Councillors are dealt with in England, that is to say, to summon, for the purpose of business, those only who may form the Cabinet for the time being, allowing those who have once held the office of Executive Councillors to continue to hold it as an honorary distinction in the same way as the office of Privy Councillor is held in England.

11. For the present it would be convenient for the despatch of business that the Executive should meet every Monday at Twelve o'clock, other meetings being held at shorter intervals in the event of any special exigency arising.

(Sgd.) MICHAEL FITZ-PATRICK,
Clerk of the Council.

[ENCLOSURE VI.]

No. 38.

SIR,

Downing-street, 25th March, 1857.

I have to acknowledge your Despatch, No. 149, of 25th September last, forwarding a Memorandum from yourself, and extract Minutes of your Council, explanatory of the course to be adopted in future for the transaction of the Executive business of the Government.

These arrangements appear to me well calculated for their purposes, but I do not observe that any question is raised upon them for my decision.

As to the proposal in the 9th paragraph of the Minute of Council, that application should be made to the Secretary of State for the rescinding of subsisting instructions on this subject which may be contrary to the principles of responsible Government, I am not aware that it is necessary to do more than refer you to my Despatch of the 23rd January last, in which several particulars in those instructions were discussed.

On the more important question raised by the tenth paragraph, and noticed in your Despatch, I would also refer to the statement conveyed in that Despatch, that the practice of the American Colonies is that out-going Ministers should resign their seats as members of the Executive Council. It appears to me that a body analogous to the Privy Council in England, and liable to be summoned on special occasions, is not required in colonial institutions, in which comparative simplicity should prevail.

But, as concerns the question of permitting the retiring member of the Executive Council to retain the designation of "Honorable," it is one on which uniformity of practice cannot be said as yet to prevail in the North American Colonies.

In some it is retained by all members; in others by a select number only. That selection may be in one of two modes, either by the Governor signifying to the Crown on the occasion of a retirement, whether or not he thinks the dignity ought to be retained in consideration of length or distinction of service, another by permitting those who have filled as Councillors certain important offices to retain it, and not the others. I am inclined to think that the second mode is preferable to the first, and perhaps preferable also to the rule of indiscriminate retention, which may tend to make the distinction too common. But it is not a subject on which Her Majesty's Government would wish to impose any rule, and as the practice adopted at Sydney may perhaps become a precedent elsewhere, I should wish you to consider the question before reporting to me finally upon it.

I have, &c.,
(Sgd.) H. LABOUCHERE.

Governor Sir Wm. Denison, K.C.B., New South Wales.

[ENCLOSURE VII.]

Extract from Royal Instructions to Governor Sir Edmund Walker Head, Baronet, Canada. Dated 20th September, 1854.

3rd. And whereas we have, by the said Commission, declared our pleasure to be that there shall be an Executive Council for the affairs of our said Province of Canada, and that the said Council shall consist of such persons as you may nominate and appoint to be Members thereof. We do authorize you, should it in your opinion be necessary for the public service, to remove or suspend any of the members of our said Executive Council; but in that case you will immediately report to us, through one of our Principal Secretaries of State, the causes of such removal or suspension as the case may be.

4th. And to the end that our said Executive Council may be assisting to you in all affairs relating to our service, you are to communicate to them such and so many of these our Instructions wherein their advice is mentioned to be requisite, and likewise all such others from time to time as you shall find convenient for our service to be imparted to them.

5th. You are to permit the members of our said Executive Council to have and enjoy freedom of debate and vote in all affairs of public concern, which may be debated in the said Executive Council.

6th. And we do hereby declare and it is our pleasure, that our said Council shall not proceed to the despatch of business unless duly summoned by your authority, nor unless one-third of the members of the said Council be present and assisting at any meetings at which any such business shall be despatched. And we do further direct, that if in any case you see sufficient cause to dissent from the opinion of the major part or of the whole of the said Executive Council, upon any question brought by you under their consideration it shall be competent to you upon any such occasion to execute the powers and authorities vested in you by our said Commission, and by these our Instructions, in opposition to such their opinions, it being nevertheless our pleasure, that in every case it shall be competent to any member of our said Council to record at length on the Minutes of our said Council the grounds and reasons of any advice or opinion he may give upon any question brought under the consideration of such Council.

7th. And it is our pleasure, and you are hereby authorized to appoint, by an instrument under the great seal of the Province, one member of our said Executive Council to preside in your absence, and to remove him and appoint another in his stead. And if, during your absence, the member so appointed shall also be absent, then the senior member of the Council actually present shall preside, the seniority of the members of the said Council being regulated according to the order of their respective appointments.

8th. And we do further direct and command that a full and exact journal or minute be kept of all the deliberations, acts, proceedings, votes, and resolutions of our said Executive Council; and that at each meeting of the said Council the Minutes of the last preceding meeting shall be read over, confirmed or amended, as the case may require, before proceeding to the despatch of any other business.

[ENCLOSURE VIII.]

Extract from Royal Commission appointing Sir Edmund Walker Head, Baronet, to be Captain-General and Governor-in-Chief of the Province of Canada. Dated 20th September, 1854.

3rd. And whereas in and by the said recited Act, in the fourth year of our reign as aforesaid, it is amongst other things enacted, that all powers, authorities and functions which, by the Act passed in the thirty-first year of the reign of his late majesty King George the Third, or by any other Act of Parliament, or by any Act of the Legislature of the Province of Upper and Lower Canada respectively are vested in or are authorized or required to be exercised by the respective Governors or Lieutenant Governors of the said Provinces, with the advice or with the advice and consent of the Executive Council of such Provinces, respectively, or in conjunction with such Executive Council, or with any number of the members thereof, or by the said

Governors or Lieutenant-Governors individually and alone, shall, in so far as the same are not repugnant to or inconsistent with the provisions of the said Act passed in the fourth year of our reign as aforesaid, be vested in and may be exercised by the Governor of the Province of Canada with the advice or consent of, or in conjunction, as the case may require, with such Executive Council, or any members thereof, as may be appointed by us for the affairs of the Province of Canada, or by the said Governor of the Province of Canada individually or alone, in cases where the advice, consent, or concurrence of the Executive is not required. And whereas it is therefore expedient that an Executive Council should be appointed by us for the affairs of our Province of Canada, now we do hereby declare our pleasure to be that there shall be an Executive Council for the affairs of our Province of Canada; and that the said Executive Council shall consist of such persons as you the said Sir Edmund Walker Head shall from time to time, by instruments passed under the great seal of our said Province, in our name and on our behalf nominate and appoint to be members of the said Council, all which persons shall hold their places in the said Council during our pleasure.

4th. But we do expressly enjoin and require that you do, by the earliest opportunity, transmit to us, through one of our Secretaries of State, exemplifications of all such instruments as shall be so issued for appointing the members of the said Council.

FROM GOVERNOR OF VICTORIA TO SECRETARY OF STATE.

SIR,

12th September, 1857.

I have had the honour to receive your Despatch of the 2nd May, "Separate," forwarding in reply to inquiries made in a "Confidential" one from myself, as to the nature of the Constitution designed for the Executive Council. Copies of a correspondence with Sir William Denison, which embraces this among other points connected with the bearing of his Commission and Instructions upon the working of Responsible Government in New South Wales.

From this correspondence I gather—

1st. That it is not intended to render the Executive Council a body analagous to the Privy Council of England, but to appoint its members on the understanding of their resigning their seats whenever they cease to hold the political offices in virtue of which they become for the time being the responsible advisers of the Governor.

2nd. That the power required by Sir William Denison to be expressly given to the Governor of removing Executive Councillors, so as to enable him to secure their retirement on a change of Ministry, is considered unusual, and likewise unnecessary, inasmuch as no difficulty has arisen in the matter in the North American colonies.

3rd. That as regards the retention—after retirement from the Executive Council—of the title of "Honorable," uniformity does not prevail in the colonies just mentioned; in some, all retaining it; in others a certain number only, either on the recommendation of the Governor, or on account of having filled the principal offices in the Administration—your own opinion being that the last mode of proceeding is the best, though you are willing that the question should be further considered before a final decision is arrived at in the case of the Australian Group.

Such a view of the Constitution of the Executive Council is not, you are already aware, that which presented itself to the minds of the gentlemen selected in the first instance to form this body here, any more than in New South Wales; but I may add to the information you possess on this point that not long after the date of my former Despatch, a Memorandum was delivered to me by the Chief Secretary, Mr. Haines, setting forth the views of himself and colleagues as to the permanent tenure of the office of Executive Councillor, and suggesting in conformity therewith, that the two senior Puisne Judges should be appointed members of the Executive Council to take precedence according to their seniority after the Responsible Officers of the Government for the time being; a suggestion with which I felt myself unable to comply, as I had referred the whole subject to your judgment.

Upon that judgment, as hereinbefore deduced from the correspondence forwarded, I would beg respectfully to offer the following observations:—

Whilst fully concurring in the interpretation placed upon the Royal Instructions in the first portion, and believing that it is essential for the performance of the important duties devolved upon it by the Constitution Act, that the Executive Council should be constituted of the holders of political office for the time being, and I must call your attention to the fact that deviations from this rule have from the commencement been committed in this Colony, by including the Major-General Commanding, whose office is non-political, as also other gentlemen charged with no administrative functions whatever. Deviations, however, which it would not be desirable, even were it practicable, to correct; the presence of the former in Council not only giving much moral support to the Governor, but affording a training to public business of the greatest importance in the possible contingency of this officer himself succeeding to the Government, whilst the second exception was originally necessitated by the failure of any member of the Ministry to procure a seat in the Legislative Council, and has since been continued with a view of supplying it with an accredited organ in that body, in the event of the absence of its solitary ministerial representative.

In respect to the second portion, I would simply draw to your notice, that in the extract from the Royal Instructions to Sir Edmund Head annexed to your Despatch, he is authorized "to remove or suspend" at his own discretion any of the members of the Executive Council of Canada, and though I do not imagine that when Her Majesty's pleasure as to the resigning of seats is once clearly announced, there will be the slightest hesitation in conforming thereto; it would, I submit, tend to obviate all chance of misapprehension were similar authority confided to the Governors of the Australian Colonies.

With regard to the third point, it certainly does not strike me that, in the present crude and unsettled state of responsible government in these colonies, and with the frequent and extraordinary changes of administration to which political intrigues, in the absence of established party connexion may give rise, it would tend to enhance the consideration which it is so desirable should be attached to the station of a Minister of the Crown, if the title of "Honorable" were bestowed for life upon every individual who chanced to hold, it may be, as recently in an adjacent colony, for two or three days only, the seals of office. Nor, for the same reason, do I think that the arrangement for which you express a preference would answer, to allow, viz., that title to be retained by those alone who had filled certain of the principal administrative posts, such as Chief Secretary, Treasurer, and Attorney-General, unless, indeed, it were only claimable after an aggregate service of some definite extent, say two or three years for example.

On the whole, however, I incline to the plan of investing the Governor with power to withhold his acceptance of the resignation of any Executive Councillor whom he may consider to have deserved such a mark of distinction, until he has had the opportunity of recommending him to the Crown for confirmation both in title and precedence. To all, indeed, who have at any time sat in the Executive Council, I see no reason why a certain rank in society should not be granted, and I would suggest this point for your consideration in the republication of the Table of Colonial Precedence, which I am about, in conclusion, to solicit.

Such a republication has, I perceive from the New South Wales official *Gazette* of the 16th January last, already been approved by Her Majesty in respect to that colony, and there can be no question that it is equally needed in Victoria, to rectify such anomalies as recent changes have brought about in the position, for example, of the Puisne Judges, who are placed by it, as Mr. Haines proposed, next after the members of the Executive Council, or of the Speaker of the Assembly, who is likewise advanced to a place more fitting the dignity and importance of his office than that which he now occupies, after all the members of the Legislative Council.

Should you be pleased to approve of alterations on the principle thus suggested, I would submit that the order of precedence should henceforth be as in the enclosed table, which I believe would meet most of the difficulties of the case, and get rid of questions which have been raised since I assumed this Government as to right of entrée of ex-councillors to levees, places of officials in society, &c., &c.

In conclusion, I must apologise for troubling you at so much length upon a subject which may seem of comparatively trifling importance, although I can assure you it is one which often occasions much embarrassment to the Crown's representatives in new countries, who, however anxious they may be to avoid giving offence, cannot always submit quietly to unreasonable pretensions.

I will only add that the draft of this Despatch was submitted to Mr. Haines as the Head of the Administration for the time being, for any observations he might wish to offer, and that he has informed me that he and his colleagues see no reason to dissent from the recommendations which it contains.

I have, &c.,
(Sgd.) HENRY BARKLY.

[ENCLOSURE.]

Proposed Order of Precedence in Victoria.

1. The Governor.
2. The Lieutenant-Governor, or the Major-General in command of the Troops if he is to succeed to the administration of the Government.
3. The Chief Justice.
4. The Bishop of Melbourne.
5. The Very Reverend Bishop Goold, or the Roman Catholic Bishop.
6. The Members of the Executive Council.
7. The Puisne Judges of the Supreme Court.
8. The President of the Legislative Council.
9. The Speaker of the Legislative Assembly.
10. Those gentlemen who may at any time have held a seat in the Executive Council.
11. The Members of the Legislative Council.
12. The Members of the Legislative Assembly.

In other respects the Table of Precedency as established by the Colonial Regulations of 1856 is to be followed.

FROM SECRETARY OF STATE TO GOVERNOR OF VICTORIA.

SIR, Downing-street, 11th February, 1858.

I have to acknowledge your Despatch, No. 90, of the 12th September last, in continuance of your former representations on the subject of the future constitution of the Executive Council.

I send you copy of a Despatch I have received on the same subject from Sir Wm. Denison, and of the answer which I have returned to it.

That answer conveys my general views on the question, and it is obviously desirable that similar rules shall be adopted and acted on in the two colonies as far as the subject will admit. You will receive supplementary instructions to the like effect with Sir William Denison.

You seem, however, to be desirous to retain one or more additional Members in the Executive Council, not as a mere honorary gratification to themselves, but because in the frequent changes which have hitherto occurred in the Executive under responsible Government, it seems to you that their presence would be useful in the Council.

If I rightly apprehend your view on this subject, I am ready at once to defer to your suggestion, and to leave it in your power to retain or add such members of the class thus described as you may think fit.

I should except from the general rule for the constitution of the Executive Council laid down in my Despatch to Sir William Denison, the officer commanding Her Majesty's troops, who, I agree with yourself, ought to remain, if possible, permanently a member of the Council.

On the subject of precedence, to which you have adverted, I will address you in a separate Despatch.

I have the honour to be, Sir,
Your most obedient humble servant,
(Sgd.) W. LABOUCHERE.

Governor Sir H. Barkly, K.C.B., &c., &c., &c.

[ENCLOSURE I.]

No. 118.

SIR,

Government House,
Sydney, 28th August, 1857.

I have the honour to acknowledge the receipt of your Despatch, No. 38, dated the 25th March, 1857, in which, after commenting upon certain proposals contained in my Despatch, No. 149, dated 25th September, 1856, you remark, with reference to the question raised by the 7th paragraph of that Despatch, that as the practice adopted in Sydney may perhaps become a precedent elsewhere, you would wish me to consider the question before finally reporting upon it.

2. The substance of my former recommendation was that the Governor should be invested with the power of removing gentlemen from their seats as members of the Executive Council, as well as with that of appointing them; and twelve months experience of the working of responsible government has only served to confirm the opinion which I before expressed. I do not think it at all desirable that the members of an outgoing ministry should, as such, retain their status as members of the Executive Council, or be entitled to the prefix of Honorable to their names.

3. At the same time, however, I think that it would be desirable that the Governor should have power to retain upon the list of members of the Executive Council any individual of an outgoing ministry who, from his character and standing in the colony may be entitled to such a mark of distinction, upon the clear understanding, of course, that this will not entitle such person to claim a right to be summoned to, or assist in the deliberations of the Council; that in point of fact the distinction should be honorary only. This mark of honorable appreciation would be but sparingly bestowed, but from that very circumstance it would be more appreciated, and it would operate to induce the better educated and more wealthy settlers to interest themselves more than they at present do in the political business of the country.

4. The natural tendency in this colony is, and I think must continue to be for many years, towards the accumulation of landed property in the hands of, comparatively speaking, a few individuals, rather than towards that subdivision into small properties which prevails in the American colonies and in South Australia. It is therefore very desirable that every legitimate inducement should be held out to the large landed proprietors to take their proper place in the Legislature, which ought not to be filled principally with those whose stake in the colony is so trifling as to make it a matter of indifference to them what the effect may be produced by legislation upon the great and leading interests of the country. Such being my view, I think the simplest mode of carrying it out will be that which I have before stated, namely, to give to the Governor the power of removal from, as well as of appointments to seats in the Executive Council.

5. In your Despatch you draw a distinction between the retention of the seat and that of the title of honorable, which has been recognised as an indication of the position attained by the holder; and, after mentioning the varieties of practice which prevails in different colonies, you say that you are inclined to think if any selection be made of the members of the Executive Council for such a mark of distinction that which permits the holders of certain important offices to retain the designation of Honorable is the best.

6. Looking, however, to the peculiar circumstances of these Colonies, and to the social position of many of those who may, in the various changes which are likely to take place, attain to the positions selected as those to the holder of which the title of Honorable should attach, I cannot think that such a course would be desirable. The other alternative mentioned in your Despatch, namely, that the Governor should signify to the Crown on the occasion of a retirement, whether or not he thinks such dignity should be retained in consideration of length or distinction of service, open up, in fact, a very important question, upon which I am not at present prepared to give an opinion, namely, as to the principle upon which titles or marks of honour should be conferred by the Crown upon its Colonial subjects, and the character of such marks of distinction. It appears to me that it would be beneath the dignity of the Crown to interfere directly in the determination of the question whether an individual should or should not continue to be addressed as "The Honorable." The distinction which is shared by all the members of the Council as well as by those of the Executive, is hardly great enough to warrant a formal application to Her Majesty; but the retention of the position of a member of the Executive Council not only

involves the retention of the title, but also of place and precedence, and may be a very legitimate and effective object of ambition. For this reason I adhere to the opinion which I expressed in my former Despatch, and which I have reiterated in this, that the simplest and most effective course which can be adopted will be, to give to the Governor power to remove as well as to appoint the members of the Executive Council; with the understanding of course that he is only to summon for the despatch of the ordinary business of the Government, such gentlemen as may belong to the Ministry actually in office.

I have, &c.,
(Sgd.) W. DENISON.

The Right Honorable Henry Labouchere.

[ENCLOSURE II.]

No. 12.

SIR,

Downing-street, February, 1858.

I have to acknowledge your Despatch, No. 118, of the 28th August last, in continuation of your former remarks on the question of the Governor's power for the removal or suspension of Executive Councillors.

I am satisfied by the arguments which you adduce, and I moreover find (of which I was not aware when I last addressed you) that the power to remove is now possessed by North American Governors under the responsible system. A supplementary instruction to this effect will therefore be prepared and sent you without delay.

With the remaining suggestions of your Despatch I am fully prepared to deal in the manner which you appear to desire.

I remain of opinion that to retain public servants in the Executive Council merely as honorary members and on account of distinguished services, would probably produce considerable inconvenience. I do not think that the analogy of the British Privy Council is applicable to the institutions of a colony, at the outset of its political existence, which should, as far as possible, be simple and practical. I do not understand from your Despatch whether it is your proposal that, in selecting these honorary members, you should not be guided by your responsible advisers. I see considerable difficulties likely to attend either course.

If you acted on your own sole authority, subjects of difference between yourself and your advisers would be likely to arise out of the selection. If by that of your advisers, then, even with the best intentions on their part, the honors thus conferred would inevitably become mere party distinctions in the public mind, and would be valued accordingly.

I think these observations apply with much less force to the mere retention of the title "Honorable" (with precedence next to the existing councillors) which I should consider the preferable course, notwithstanding the objections alleged by yourself, but I remain of opinion that this title would be better appropriated to the ex-holders of particular offices, than bestowed at the discretion of the Governor or of his advisers.

If, however, you should consider that the Executive Council would be strengthened by the occasional association in it of non-official members, holding no political offices, with the actual holders of office (not as mere honorary but as acting members), I should see no objection to this course, the retention of such persons in the Council being of course made to depend upon their power of acting usefully along with the ministry for the time being.

Such are the general views which I continue to entertain on the questions submitted to me. But I wish you distinctly to understand that I am neither anxious to impose these views on you for your guidance, nor to press in any manner on yourself and other Australian Governors the maintenance of uniformity of system in the several colonies. Different social circumstances, and a different tone of popular feeling may naturally produce divergencies of practice in the conduct of public business in those colonies, while so long as the general system of responsible government continues to prevail, these can only be of minor importance. But what I consider essential is, that the measures you may ultimately adopt as to the construction of the council, and

as to the grant of rank and precedence for public services, shall be fixed by yourself in concurrence with your responsible advisers. When this has been done, it will be time to consider the merely formal steps which may be necessary on the part of the Crown to carry those measures into execution.

I have, &c.,

(Sgd.) H. LABOUCHERE.

Governor Sir Wm. Denison, K.C.B.

FROM GOVERNOR OF VICTORIA TO SECRETARY OF STATE.

No. 34.

SIR,

24th April, 1858.

I have the honour to report that I have called the Honorable Thomas McCombie in the usual form to a seat in the Executive Council of this colony.

My present advisers having requested me to take this step, on the ground that Government business might be at a standstill in the Legislative Council in the absence of the Commissioner of Trade and Customs—their only representative in that body,—I could not withhold a facility from them which had been accorded to previous administrations, though averse to summoning any but the holders of offices for the time being, from which the Constitution requires retirement whenever the confidence of Parliament is withdrawn.

I have the honour to be, &c.,

(Sgd.) HENRY BARKLY.

Henry Labouchere, &c., &c., &c.

GOVERNOR OF VICTORIA TO SECRETARY OF STATE.

Government Offices,
Melbourne, 14th January, 1859.

SIR,

I think it right to bring under your notice the accompanying copies of an Address from the Legislative Assembly asking for a list of the members of the Executive Council, and of my reply thereto.

2. The object of the House in making such an application will be more clearly understood from another Despatch in which I purpose referring to discussions which have taken place during the present Session, in regard to appointments to the magistracy, but I may explain it generally as being the establishment of a body analogous to the British Privy Council, embracing the chief judicial officers and heads of all political parties, and being charged with the duty of advising the Governor in matters of the kind alluded to, where there might be danger in acting on party motives alone.

3. Having, upon the receipt of Mr. Secretary Labouchere's confidential communication of February last, setting forth the views he had formed relative to the constitution of the Executive Council, agreed with Sir William Denison to take no step until the Supplementary Instructions from the Queen promised therein arrived. I should not now move further in the discussion were I not in a manner forced to it by this action on the part of the Legislature.

4. The concluding paragraph indeed of one of these Despatches, enjoining us emphatically to adopt no measures on the subject except with the concurrence of our responsible advisers, imposed either this complete inactivity, or virtually involved the pursuance of a course diametrically opposite to the principles enunciated by Mr. Labouchere, and to a certain extent concurred in by ourselves; for, as had been previously explained, every administration formed in these colonies under the new system has adhered with unvarying tenacity to the doctrine, that outgoing ministers should retain the position and title of Executive Councillors.

5. My own opinion still is, that the office should, as a general rule, be held to be forfeited on resigning the administrative post in consideration of which it is conferred, the Governor having the right of recommending the Queen, in the case of long or distinguished service, to confirm the retention of the rank with such substantive or honorary privileges as may be attached to it.

6. No doubt—as objected by Mr. Labouchere—a Ministry might take umbrage at honours bestowed under such circumstances upon their predecessors, but public opinion would sustain in the long run any Governor who acted with justice and impartiality, whilst his influence over his Executive Council for the time being would be on the other hand materially strengthened by the reflection that he was really invested with such a prerogative.

7. If I mistake not, peerages have been within a recent period of British history conferred by the Sovereign as rewards to ministers on their retirement from office, and, to compare small things with great, the temporary representative of the Crown in a colony deriving no claim to confidence or respect from connexion with its political state, past or to come, certainly needs the power of offering such inducement to faithful service, far more than an hereditary ruler endeared by ancestral memories and family associations to the minds of almost all who attain high official standing.

8. Be this point, however, settled as it may I would respectfully submit, that the institution of a Privy Council, on the basis indicated, as a larger, more experienced, and less partial tribunal than the Cabinet of the day, is worthy of the grave consideration of all who desire to see the new system of Government consolidated in these colonies.

9. At first sight indeed there might seem to be a danger of a Governor being placed in an awkward dilemma between these two advising bodies, but I apprehend that in practice the functions of both would balance and adjust themselves, as with other powers in the constitution, and that there would, with a little management, be no chance of clashing.

10. On the other hand—to a Governor, remote from any prospect of support from the Colonial Office; called on to decide all questions whether effecting Imperial or local interest on his own responsibility; obliged often to accept advice which he may conscientiously believe to be neither for the honour of the Crown nor the welfare of the community; or else to risk interruption to public business by causing the resignation of a ministry which he could not, in the state of parties, replace; the relief of having such a supreme arbiter to fall back on would be unspeakable.

11. My only fear I must confess is, that the re-action against “party government *à la outrance*,” which has now set in so strongly as to effect the legislature, may even in a degree the Cabinet itself, may not last long enough to enable me to receive Her Majesty’s permission to act on the views I have thus imperfectly described, in time to secure the requisite co-operation out here.

I have, &c.,

(Sgd.) HENRY BARKLY.

No. 21.

SIR,

Downing-street, 21st March, 1859.

I have thought it desirable to advise the Queen to grant to the Governor of South Australia authority, should it in his opinion be necessary, to remove or suspend Executive Councillors.

I have likewise advised Her Majesty to grant a similar authority to the Governor of New South Wales; and as it seems desirable that uniformity should be established on this subject, I now enclose an Additional Instruction under the Royal Sign Manual and Signet vesting the like authority in yourself.

This is in accordance with the instructions which have been of late years given to the Governors of the North American colonies, since the institution of responsible government there.

I have the honour to be, Sir,

Your most obedient humble Servant,

(Sgd.) E. BLYTH.

Governor Sir Henry Barkly, K.C.B., Victoria.

[ENCLOSURE.]

(Sgd)

VICTORIA REG.

(Seal.)

ADDITIONAL INSTRUCTIONS to our trusty and well-beloved Sir Henry Barkly, Knight Commander of our most honorable Order of the Bath, our Captain-General and Governor-in-Chief in and over our colony of Victoria, or, in his absence, to our Lieutenant-Governor or the Officer or Officers administering the Government of our said colony for the time being. Given at our Court at Buckingham Palace, this tenth day of March, 1859, in the twenty-second year of our reign.

Whereas we did by our Commission under the great seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster the ninth day of October, One thousand eight hundred and fifty-six, in the twentieth year of our reign, constitute and appoint you to be our Captain-General and Governor-in-Chief in and over our colony of Victoria, comprising all that portion of our territory of Australia or New Holland therein described, and did further authorize, empower, require, and command you, in due manner, to do and execute all things that should belong to your said command, and the trust we have reposed in you, according to the several powers, provisions, and directions granted or appointed you by virtue of our said Commission and of a Bill passed in the year One thousand eight hundred and fifty-four by the Legislative Council of our said colony, intituled "An Act to establish a Constitution in and for the Colony of Victoria," as assented to by us in the exercise of the powers vested in us by an Act of Parliament passed in the Session holden in the eighteenth and nineteenth years of our reign, intituled "An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of Victoria, to establish a Constitution in and for the colony of Victoria" and according to such instructions as were therewith given to you, or which might from time to time thereafter be given to you under our sign manual and signet, or by our order in our Privy Council, or by us through one of our Principal Secretaries of State, and according to such laws as were then or should thereafter be in force in our colony of Victoria and its dependencies. And whereas we did by our said Commission declare our pleasure to be that there should be an Executive Council in our said colony, and that the said Council should consist of such persons as you should, by instruments to be passed under the public seal of our said colony in our name and on our behalf, nominate and appoint to be members of our said Council, all which persons should hold their places in the said Council during our pleasure. Now know you that we do, by these our Additional Instructions under our sign manual and signet, authorize you, should it in your opinion be necessary for the public service, to remove or suspend any of the members of our said Executive Council, but in that case you will immediately report to us through one of our Principal Secretaries of State the causes of such removal or suspension as the case may be.

Sir Henry Barkly, K.C.B.

Additional Instructions, Victoria.

FROM SECRETARY OF STATE TO GOVERNOR OF VICTORIA.

SIR,

Downing-street, 5th December, 1859.

I have had under my consideration your Despatch, marked "Confidential," of the 14th January last, enclosing copy of an Address from the Legislative Assembly asking for a list of the Members of the Executive Council, together with copy of your reply, and explaining the reasons which led to this application. You also, in continuation of your previous Despatch upon the subject (No. 90, of 12th September, 1857), explain very clearly the views which you entertain with regard to the form of constitution most desirable for the Executive Council.

Your later Despatch, marked "Confidential," of the 21st January, in reference to magisterial appointments, affords an instructive comment upon the working of the system of responsible government at its first introduction, and shows that watchfulness is required to prevent the administration of justice from falling under the dominion of party.

After carefully weighing the arguments which you adduce in support of your views in the Despatch of the 14th of January, I feel reluctantly compelled to differ from you to a certain extent.

It appears to me that, whatever may be the momentary reaction against the excesses of responsible Government, the colonists of Victoria are too much attached to the system to tolerate permanently any attempt to tamper with its principles; and I cannot look upon a power vested in the Governor to select from the members of an outgoing ministry such persons as he may approve of to form with the incoming ministry his Executive Council in any other light than as a measure calculated to deprive the new form of government of its popular character.

Such a form of government as that which now subsists is no doubt attended with inconveniences at its first introduction, but they are hardly to be overcome, in my opinion, by such an expedient as you propose, nor do I believe that in practice it would really strengthen the power of the Governor in the long run; as the authority with which you propose to entrust him could not be exercised without exposing him to most invidious charges, and incurring the risk of meeting subsequent opposition from the very men he may have selected, and upon whose support he may have calculated.

Having regard then to the foregoing observations, my own opinion is that the best form for the Executive Council would be, that its members should consist of your responsible advisers, and no others. Secondly, although against my own views, I am quite willing to yield to your superior local experience, if you still think it better, that the Executive Council should comprise, in addition, certain permanent members of high official rank, thus creating, in fact, two advising bodies, a Cabinet, and an Executive Council of which the Cabinet is only a part. But, thirdly, I do not feel justified at present in authorizing the construction of an Executive Council which should, in addition to these elements, contain the outgoing members of former governments.

I have the honour to be, Sir,

Your most obedient humble servant,

(Sgd.) NEWCASTLE.

Governor Sir Henry Barkly, K.C.B., Victoria.

GOVERNOR OF VICTORIA TO SECRETARY OF STATE.

MY LORD DUKE,

Government Offices,
Melbourne, 8th December, 1859.

When reporting by last mail a change of Administration in this Colony, I mentioned incidentally that the outgoing ministers had declined, though called on by me, to send in their resignations as members of the Executive Council, and I now proceed to explain why I did not deem it expedient to direct their removal therefrom, by virtue of the power conferred on me by the new Royal Instruction, forwarded in Secretary Sir Bulwer Lytton's Despatch of 21st March last, No. 21.

That Despatch was on arriving laid before the Executive Council, as summoned for the time being, but no opinion was elicited in favor of exercising such power in regard to members of former administrations, and as the question of keeping up a Supreme Council of State had, in consequence of resolutions passed by the Legislative Assembly, been brought under the consideration of Her Majesty's Government not long previously, I thought it better to pause before taking, on my own responsibility, a step adverse to the views of the Legislature and offensive to the feelings of the leading politicians to be subjected thereto.

Upon the subsequent retirement, however, of the late Ministry, I felt it my duty to remind Mr. O'Shanassy of the opinions expressed by the Imperial authorities as to the course which ought to be pursued, and in order that he might bring my suggestion before his colleagues in the most acceptable way, I pointed out, in a note which I gave him, that the effect of resigning their seats in the Executive Council would be merely nominal, as I possessed authority from Her Majesty to promulgate a Table of Precedence in which ex-members of that body would rank next after members for the time being, and, furthermore, apprehended no disinclination on the

part of the advisers of the Crown to give due weight to any wish that the Legislature of this colony might hereafter express as to the constitution of a more permanent and impartial tribunal than the Cabinet of the day.

The reply sent me was nevertheless, to the effect that, "As a retiring ministry comprising a portion only of the Executive Council, they considered it would be taking too much upon themselves to initiate the precedent suggested," and that "even if desirous of adopting such a course, the important constitutional connexion existing between the Executive and the Legislature, would preclude their so doing without the sanction of Parliament," especially whilst the intentions of the Imperial Government in relation to the present anomalous position of the Executive Council remained unknown.

These were the public grounds assigned by Mr. O'Shanassy and his colleagues for respectfully declining to resign their seats, but it was not difficult to infer the existence of objections of a private nature, arising mainly out of the circumstances under which they had just been expelled from office, which would have rendered it peculiarly painful to me to seem to countenance the personal attacks from which they were yet smarting by exercising for the first time a novel prerogative, had I been impelled to adopt such a course either by a sense of the importance of the object to be gained, or by the advice constitutionally pressed on me by a new ministry.

I saw, however, no object to be gained by their removal from the roll of councillors, and I found, on the contrary, that their sentiments on the subject were so far shared by their political opponents, that they would very likely make common cause with them, if I proceeded to carry out the principle to its full extent, by insisting on those of the number who had formerly sat in the Executive Council being re-sworn on coming back to office.

Perhaps this would not have been the case, but to show how little my present advisers approve of the idea of a resignation of seats in Council on retirement from the ministry, I may instance what occurred the other day, when I thought it advisable to issue notice that a member of the Cabinet, whose name was on the eve of appearing in the *Gazette*, as insolvent, had ceased to hold a seat in the Executive Council, my Prime Minister, though assuring me of his personal concurrence, hesitating to answer for his colleagues, and preferring my acting on my own responsibility in the matter, as of course I did.

With regard to the general question of continuing the connexion between the Crown and those who have held certain high offices under it, I will only add that I see no reason to modify the views I have already expressed as to the advantages which might be derived from a board constituted of such materials, not merely in supervising appointments to the magistracy as contemplated by the late Assembly, but in deciding as to the execution of capital sentences, and other matters into which the influences of party warfare ought on no account to enter.

It may be true that to moot such a proposition is in itself to impugn the principle of government by party, but it must be borne in mind that that principle has never yet been tested in its naked integrity until the present experiment in the Australian colonies (for in Canada many countervailing influences are at work) and there can be, I presume, no desire on the part of the mother country to insist on its being carried to an extent which experience may prove to be injurious to their people, or distasteful even to the Legislatures which represent them.

I have, &c.,
(Sgd.) HENRY BARKLY.

FROM SECRETARY OF STATE TO GOVERNOR OF VICTORIA.

SIR,

Downing-street, 8th March, 1860.

I have received your Despatch, marked "Confidential," of the 8th December last. In that Despatch you have adverted to the fact which you have already intimated, that the ministers who had recently resigned their offices had declined, though called upon by you, to tender their resignations as members of the Executive Council, and you have explained why you did not deem it expedient to direct their removal from the Council by virtue of the powers conferred on you by the new Royal Instructions forwarded to you in my predecessor's Despatch, No. 21, of the 21st of March last.

On the 5th of December last, I addressed a Despatch to you in answer to your previous Despatch of the 14th of January, 1859, in which you entered generally into the question of the constitution of the Executive Council. I then communicated to you my views to the following effect:—

1st. That, in my opinion, the best form for the Executive Council would be, that its members should consist of your Responsible Advisers, and no others.

2nd. Although, against my own views, I was quite willing to yield to your superior local experience, if you should still think it better that the Executive Council should comprise, in addition, certain permanent members of high official rank: thus creating, in fact, two advising bodies, a Cabinet and an Executive Council, of which the Cabinet is only a part. But,

3rd, I do not feel justified without stronger reason than had been hitherto adduced, in authorizing the construction of an Executive Council which should, in addition to these elements, contain the outgoing members of former governments.

That last decision had reference to your proposal for constituting such an institution as might have sufficient solidity to afford a check to political excesses on the part of any Executive Government which might be in power. I thought that the addition of former councillors to a body already consisting of present councillors and also of some permanent members, was likely to prove a source of weakness rather than strength.

I shall probably receive a clearer expression of your views in answer to that Despatch; but, in the meantime, I may point out that I should particularly wish to understand more fully from you your intentions in regard to this proposed permanent Council.

Assuming it to be an essential feature of that institution, that it should be free from political bias in the party sense of the term, I should wish to know in what manner it is proposed that it should be constituted.

If former councillors are to form a part of it (a measure to which I have expressed above the objection which occurs to me), then I should wish to be informed whether you propose to retain in your own hands the power of selecting them, or in what way they are to be nominated. On these points I should wish to receive both your own opinion and also those of influential persons in the colony, so far as you can with prudence ascertain them.

I have the honour to be, Sir,

Your most obedient humble servant,

(Sgd.)

NEWCASTLE.

Governor Sir H. Barkly, K.C.B., Victoria.

GOVERNOR OF VICTORIA TO SECRETARY OF STATE.

Government Offices,

Melbourne, 20th November, 1860.

MY LORD DUKE,

I should, ere this, in compliance with the desire intimated in Your Grace's confidential Despatch of the 8th March, have tried to express more clearly my views as to the constitution proper for the Executive Council of this colony, had I not waited in the hope of being able at the same time, as requested, to communicate the opinion of some of its leading politicians on the question—a hope but inadequately fulfilled by the Memorandum which I enclose from my present Attorney-General, setting forth the views of himself and colleagues, which is the only written document that has yet reached me, though I was led to expect the opinions of Messrs. O'Shanassy and Chapman, the heads of the late Cabinet.

From all that has passed, however, on the subject, I believe Mr. Wood may fairly be taken to represent the general opinion of the colonists, which is, in effect, that matters should remain as they are; that, following the analogy of the British Constitution, there should be a large permanent advising body, of which the holders of Executive offices for the time being should alone be ordinarily summoned to attend the Governor's councils, though he would possess power to assemble the whole in case of emergency, leaving it to future legislation to assign, as it is so constantly done at home, special functions to the larger body, or to committees selected from its members.

To this course I must confess I, for my own part, can perceive no serious objection. It involves no innovation upon established constitutional precedents; it is capable of adding stability to institutions which have yet to stand the test of experience; and it gratifies the natural longing of the colonists for some permanent mark of distinction for having served their Queen and country in a political capacity.

I am aware, indeed, that it has been alleged that the British system is the growth of ages, and far too complicated for a young community, but I think it may well be doubted, on the other hand, whether it would not be wiser, in framing Constitutions for these colonies, to tread as far as possible in the steps by which their model has been brought to so much perfection, rather than to try and arrive at the result in a shorthand way by some assumed theory of responsible government.

That the retention of the rank and title of Privy Councillor is earnestly desired by the colonists is from the fact that not one of them has yet, even when applied to, resigned it. Of the importance attached to it, I could adduce instances bordering on the ludicrous of those of the highest standing in this community, absenting themselves from ceremonies, or declining to be put in committees for public objects, unless the prefix of "Honorable" were accorded, but I would sooner choose them from the opposite point of view, and refer to cases in which official oversights have been rectified, or information of value imparted to me by Gentlemen, who both felt themselves at liberty and deemed it their duty, in virtue of their office as privy councillors, to place themselves in communication with me on such matters, though they would never have done so with their political opponents.

Mr. Gavan Duffy, for example, at the time of the last general election, drew my attention, in this capacity, to some irregularity which my advisers had committed in the dates of the Writs issued, which would, if undetected, have eventually produced considerable public inconvenience.

I have indeed a strong conviction, based on what I have observed, that the feeling of responsibility kept alive by the retention of the title of privy councillor, tends to foster loyalty to the Crown and a sense of duty to the State; whilst, on the other hand, the power of deprivation, in the event of flagrant departure from such principles, might not prove destitute of salutary effect.

That useful services might be rendered by a combination of retired privy councillors with the government of the day, in such matters as the appointment of magistrates, or the consideration of capital sentences, is an opinion that is every day gaining ground, and in which I strongly share after much painful experience of the evils of party disputes on such subjects. If the office be permanently retained, arrangements for these purposes could be made by the Legislature at any moment. I am not aware of any advantage that would follow from its tenure being restricted to my responsible advisers for the time being, by a Proclamation under the powers recently conferred on me, though should your grace finally decide that this course would be preferable, I will no longer delay its adoption.

I have, &c.,

(Sgd.) HENRY BARKLY.

FROM SECRETARY OF STATE TO GOVERNOR OF VICTORIA.

SIR,

Downing-street, 26th February, 1861.

I have received and carefully considered your confidential Despatch of the 20th November respecting the constitution of the Executive Council of Victoria.

It appears that the Council at present comprises nominally not only your ministers for the time being, but all those gentlemen who have at any time been members of the administration.

You state it as the general opinion of the colonists, in which you yourself concur, that, in this respect, matters should remain as they are, and, to use your own words, "that, following the analogy of the British Constitution, there should be a large permanent advising body, of which the holders of executive offices for the time being should alone be ordinarily summoned to attend the Governor's Councils, though he would possess power to assemble the whole in case of emergency."

You allude to instances in which the public service had derived benefit from the honorary connexion which continues to exist between the Governor and the leading politicians of the colony after they have ceased to hold office. And you appear to contemplate some future enactments which might assign specific functions to the whole Council or to Committees of it, besides the liability to be summoned by the Governor to advise him in cases of emergency. To the honorary connexion to which you advert as subsisting between yourself and the ex-members of your successive administrations I can have no objection, whether that connexion is indicated by the mere epithet of "Honorable" or by a retention of the nominal rank of "Privy Councillor." Nor should I object to the assembling of the whole Council on occasions of great solemnity when no political question is to be discussed, or any practical decision taken; as the whole Privy Council is summoned in this country on occasion of the accession of a sovereign.

I retain, however, the doubts which I have formerly expressed respecting the expediency of investing this body with permanent powers or of calling it from time to time into active operation, and I have little hope that it will be possible to make any practical use of such Privy Council as you appear to contemplate. I am willing, however, to admit that the objections which I see to such a course would be lessened if the legislature could be induced to define the functions of the Council with precision, and to make it the duty of the Governor to take their advice, instead of leaving him the option of resorting to them when he found it convenient. I can also imagine cases of great emergency when both the actual and former ministers of the Crown in Victoria might rally round the Queen's representative without distinction of party and to the advantage of the public service.

At all events, while retaining to a considerable extent my own opinions on the subject of your Despatch, I am by no means desirous of enforcing those opinions upon the colonists to whom, in this case as in other matters, I am ready to suppose the best judges of the mode in which their own internal affairs shall be administered. And I need hardly add that I should be peculiarly backward in preventing or arresting any measure which was desired by the community and supported not only by public opinion but by your own high authority as a possible means of improving the institutions of the colony or of remedying any defects in their working.

You are, therefore, at liberty to continue the system of honorary privy councillorship as at present prevails, and if you remain of opinion that an extension of the powers and duties of the Council, or of standing committees to be formed therefrom, is advisable in itself and will be acceptable to the colonists, I shall not feel justified in refusing acquiescence in such measures as you may adopt on the advice of your Ministry, and with the sanction, if necessary, of the Legislature for calling that body into activity. I have no doubt that the experiment cannot be tried with a better chance of success than during your government of the colony.

I have the honour to be, Sir,
Your most obedient servant,

(Sgd.) NEWCASTLE.

Governor Sir Henry Barkly, K.C.B.

[CIRCULAR.]

SIR, Downing-street, 28th December, 1863.

I transmit to you for your information copies of a Correspondence with the Governor of South Australia relative to the question of allowing members of the Executive and Legislative Councils to retain the title of Honorable after they had ceased to be councillors.

You will collect from that correspondence the conditions under which I shall be prepared to recommend to Her Majesty that Executive Councillors shall receive permission to retain the title of Honorable in South Australia after ceasing to be members of the council. I shall be ready to adopt the same course in respect to the colony under your government.

I have the honour to be, Sir,
Your most obedient humble servant,

(Sgd.) NEWCASTLE.

Governor Sir Charles Darling, K.C.B.

[ENCLOSURE I.]

Governor Sir D. Daly to the Duke of Newcastle.

MY LORD DUKE,

Government House,
Adelaide, 25th April, 1863.

I have been applied to by the Members of my Council upon the subject of the prefix of "Honorable," which by Her Majesty's permission is attached to their names during their occupancy of seats in the Executive and Legislative Councils, a distinction which they are desirous of retaining after they shall have ceased to hold office.

2. They are aware of that privilege having been conceded in Canada and other colonies, and I would respectfully submit that the same rule might be adopted here with advantage if it should be allowed retrospective effect, in which case some colonists of much worth and respectability would be included, and would enjoy a well-merited distinction, together with those who may hereafter cease to hold office.

3. I cannot discover from the record of ministerial correspondence of this colony that any instructions have been received by any of my predecessors in relation to this subject, which, after due consideration, I venture to your Grace's favorable notice.

I have, &c.,

(Sgd.) D. DALY,
Governor.

His Grace the Duke of Newcastle, K.G.

[ENCLOSURE II.]

The Duke of Newcastle to Governor Sir D. Daly.

SIR,

Downing-street, 6th August, 1863.

I have received your Despatch, marked Separate, of the 25th April last, in which you state that you have been applied to by the members of your Council upon the subject of the prefix of "Honorable," which you assume to be by Her Majesty's permission attached to their names during their occupancy of their seats in the Executive and Legislative Councils, a distinction which they are desirous of retaining after they shall have ceased to hold office.

In reply, I would point out that the retention of that title by an ex-member of a Legislative Council is without precedent, so far as I am aware, and would be wholly incongruous, especially in cases where the Council is elective. The case of Executive Councillors stands on different grounds. I consider nothing as unimportant which tends to attract the leading colonists to the public service of the colony, and, therefore, so long as this title is an object of ambition to such persons, it would be very desirable that it should remain a reward of political eminence; but it would soon cease to be an object of desire if it was conferred promiscuously on all persons whom chance might for a-time have introduced into any colonial ministry.

Under these circumstances, it has appeared to me that the right to retain this title after quitting office should be given with a certain reserve, and only on the recommendation of the Governor; and that in order to relieve the Governor as far as possible from the difficulty of exercising a discretion in his recommendations, it should be understood that, as a general rule, Her Majesty would not be advised to sanction the retention of the title unless the retiring councillor had either been for three years member of a colonial government, or for one year at the head of it. But before announcing this decision, I am desirous of learning whether there are any local reasons which would render its execution difficult or invidious.

I have, &c.,

(Sgd.) NEWCASTLE.

Governor Sir D. Daly, &c.

[ENCLOSURE III.]

Sir D. Daly to the Duke of Newcastle.

MY LORD DUKE,

Government House,
Adelaide, 21st October, 1863.

I have the honour to acknowledge your Grace's Despatch of the 6th August, marked "Separate," on the subject of the prefix of "Honorable" being retained by Members of the Executive and Legislative Councils after having ceased to hold office.

I have carefully considered your Grace's decision in reference to this subject, and I see much reason to believe that it is an improvement upon the suggestion which, at the request of my late Council, I ventured to submit to your Grace.

After consultation with some of my late and present advisers, who concur with me in thinking that the proposed restriction upon the retention of the title of Honorable in certain cases will operate favorably in many respects, I feel justified in assuring your Grace that there are no local reasons which would render its execution difficult or invidious, although the number that are at present qualified is very limited, I think the principle will be generally approved.

I shall be glad to receive your Grace's instructions in reference to this matter in such a shape as I may, if necessary, make public, prior to submitting any names to your Grace for the honor in question.

I have, &c.,

(Sgd.) D. DALY,
Governor.

His Grace the Duke of Newcastle, K.G.

[ENCLOSURE IV.]

SIR,

Downing-street, 28th December, 1863.

I have received your Despatch, marked "Separate," of the 21st October last, on the subject of the retention of the title of Honorable by members of the Executive and Legislative Councils in South Australia after they shall have ceased to hold those offices.

As regards Executive Councillors, I shall now be prepared to submit to the Queen the names of such persons as you may from time to time consider it desirable to propose as eligible for the retention of that title after having ceased to hold the office of Executive Councillor under the conditions stated in my previous Despatch, separate, of the 6th August last.

In the meantime you are at liberty to give the publicity which you suggest to this arrangement.

I have the honour to be, Sir,
Your most obedient humble servant,

Governor Sir D. Daly, &c., &c.,
South Australia.

(Sgd.) NEWCASTLE.

GOVERNOR OF VICTORIA TO SECRETARY OF STATE.

MY LORD DUKE,

23rd May, 1864.

I do myself the honour to acknowledge the receipt of Your Grace's Circular Despatch of the 28th December last, enclosing copies of a correspondence with the Governor of South Australia relative to the question of allowing members of the Executive and Legislative Councils to retain the title of Honorable after they have ceased to be Councillors, and apprising me that Your Grace will be ready to adopt in respect to the colony of Victoria the same course as regards the retention by members of the Executive Council of the title of Honorable after ceasing to be members of the Council, which is shown by the correspondence in question to have been sanctioned in the case of South Australia.

2. I beg to observe, in reply, that there are no instances in this colony of gentlemen who have legally ceased to be members of the Executive Council, if I except one or two from whom the honor was formally recalled by a superseding instrument, in consequence of conduct which appeared to require that proceeding, or who prevented deprivation of office by resignation of it. A protracted correspondence on the subject between the Secretary of State and my predecessor in this government, appears to have been terminated by Your Grace's Confidential Despatch of the 26th February, 1861, in which Your Grace intimated that you had no objection to the use of the epithet of "Honorable" or the "retention of the nominal rank of Privy Councillor" by the ex-members of successive administrations, adding "You are therefore at liberty to continue the system of honorary privy councillorship as at present prevails."

3. By Lord Stanley's Despatch, No. 8, of the 18th March, 1858, a change in the Table of Precedence in the colony was sanctioned which amongst other alterations gave precedence to "members of Executive Council" over "ex-members of Executive Council," leaving to the so-called "ex-members" the precedence over other public functionaries and dignitaries which is prescribed by the existing table. See Parliamentary Paper, B. 38 of 1890.

4. My predecessor does not appear to have considered it expedient to avail himself of the authority conveyed to him by Lord Stanley to promulgate the amended scale, but it has practically been carried into effect in the particular to which I have just adverted and in that particular alone.

5. It will thus be seen that in this colony it is the prevailing practice for retired members of the ministry to retain their office of Executive Councillor with the epithet of Honorable and to take precedence according to seniority, amongst themselves, next after those Executive Councillors who are members of the existing Ministry.

6. The application to Victoria of the Rules which have been adopted in regard to "South Australia" would therefore be a virtual withdrawal of privileges already granted to the members of the Executive Council of the colony. Under these circumstances and without reference to the merits of the question, if it were now first raised for discussion, I have respectfully to submit my clear opinion, that the application of the Rules to this colony would be inexpedient.

I have, &c.,
(Sgd.) H. DARLING.

His Grace the Duke of Newcastle, K.G.

SIR,

Downing-street, 24th October, 1873.

24th October,
1873.

I enclose, for your information, a copy of a circular which has been addressed to the Governors of the other Australian colonies, on the subject of the precedency to be assigned to former members of the Executive Council, who are permitted to bear the title of "Honorable."

I did not send this circular to you, because I understood that in Victoria gentlemen who have once been sworn members of the Executive Council continue after their retirement from office to be deemed members of that Council, although, of course, they are not summoned to attend its deliberations.

I shall be glad to receive any observations that you may have to offer on this subject.

I have the honour to be, Sir,
Your most obedient humble servant,
(Sgd.) KIMBERLEY.

Governor Sir G. F. Bowen, G.C.M.G.

[ENCLOSURE.]

SIR,

Downing-street, 24th October, 1873.

My attention has been directed to the fact that no place has been assigned in the order of precedency to such gentlemen as, in consideration of the length of their service as members of the Executive Council, have received Her Majesty's permission to retain the title of "Honorable" within the colony after their retirement from the Council.

It is proper that a high position should be assigned to persons on whom this privilege has been conferred, and I have to convey to you the Queen's pleasure that former members of the Executive Council who have been permitted to bear the title of "Honorable" permanently within the colony shall take precedence next after the actual members of the Executive Council, according to the dates at which they may have respectively become qualified by length of service to retain the title.

I have the honour to be, Sir,
Your most obedient humble servant,

The Officer Administering
the Government of

(Sgd.) KIMBERLEY.

1891.

VICTORIA.

P O S T M A S T E R S.

Return to an Order of the *Legislative Council*,

Dated 5th August, 1891, for—

A RETURN of all the postmasters who had residences free prior to passing of Act No. 773, Public Service Act, with the salaries received by each on the 31st December, 1884; the salaries fixed under Act No. 773 by the Public Service Board on the 1st February, 1885; the amount deducted for rent; the net salaries received after such deductions each year from that date to June 30, 1891; and the effect of the system under Act 773 upon the Classification of the offices.

(*The Honorable N. FitzGerald.*)

Ordered by the Legislative Council to be printed, 19th August, 1891.

By Authority:

ROBT. S. BRAIN, GOVERNMENT PRINTER, MELBOURNE.

RETURN of all the Postmasters who had residences free prior to passing of Act No. 773, Public Service Act, with the salaries received by each on 31st December, 1884, the salaries fixed under Act No. 773 by the Public Service Board on 1st February, 1885 ; the amount deducted for rent, the net salaries received after such deductions each year from that date to June 30, 1891 ; and the effect of the system under Act 773 upon the classification of the offices.

| Names of Postmasters who had residences free prior to passing of Act 773. | Salary on 31/12/84. | Salary fixed under Act 773 on 1/2/85. | Amount deducted for rent. | Net salary after such deduction. | Net Salary on 30th June— | | | | | | Effect of the system under Act 773 on the classification of offices. | Remarks. |
|---|---------------------|---------------------------------------|---------------------------|----------------------------------|--------------------------|---------|----------|-------|-------|-------|--|---|
| | | | | | 1886. | 1887. | 1888. | 1889. | 1890. | 1891. | | |
| W. P. Bechervaise ... | £ 583/6/8 | £ 600 | £ ... | £ 600 | £ 600 | £ 600 | £ 600 | £ 600 | £ 600 | £ 600 | | This officer received annual increment as a classified officer under Act No. 160 on 1st January, 1885 |
| H. B. Bristow ... | 430 | 570 | 84 | 486 | 486 | 486 | 486 | 486 | 486 | 486 | ... | Raised to a higher class in 1885 than would have been the case if rent had not been added to net salary |
| J. Fisher ... | 430 | 540 | 72 | 468 | 468 | 468 | 468 | 468 | 468 | 468 | Do. | |
| J. Coverdale ... | 393/6/8 | 390 | ... | 411/13/4 | 430 | 448/6/8 | 466/13/4 | 485 | 485 | 485 | ... | Do. |
| D. W. Forbes ... | 393/6/8 | 420 | 8/6/8 | 411/13/4 | 430 | 448/6/8 | 466/13/4 | 485 | 485 | 485 | ... | Do. |
| T. Green ... | 393/6/8 | 420 | 8/6/8 | 411/13/4 | 430 | 448/6/8 | 466/13/4 | 485 | 485 | 485 | ... | Do. |
| F. W. Dore ... | 350 | 270 | ... | 350 | 350 | 350 | 350 | 350 | 350 | 350 | ... | |
| J. Thwaites ... | 390 | 270 | ... | 390 | 390 | 390 | 390 | 390 | 390 | 390 | ... | |
| J. Fraser ... | 350 | 390 | 40 | 350 | 350 | 350 | 350 | 350 | 350 | 350 | Do. | |
| J. A. B. Smith ... | 300 | 390 | 54 | 336 | 336 | 336 | 336 | 336 | 350 | 350 | Do. | |
| T. Reed ... | 350 | 270 | ... | 350 | 350 | 350 | 350 | 350 | 350 | 350 | ... | |
| P. R. Arkins ... | 350 | 240 | ... | 350 | 350 | 350 | 350 | 350 | 350 | 350 | ... | |
| W. W. Williams ... | 350 | 330 | ... | 350 | 350 | 350 | 350 | 350 | 375 | 375 | ... | |
| J. J. Barry ... | 315 | 330 | ... | 340 | 350 | 350 | 350 | 350 | 420 | 420 | ... | Do. |
| J. C. Ryan ... | 300 | 270 | ... | 300 | 300 | 300 | 300 | 300 | 350 | 350 | ... | |
| H. E. Cheshire ... | 300 | 300 | ... | 300 | 300 | 300 | 300 | 300 | 350 | 350 | ... | |
| T. G. Brent ... | 275 | 270 | ... | 275 | 275 | 275 | 275 | 275 | 340 | 350 | ... | |
| P. R. Challen ... | 270 | 240 | ... | 270 | 270 | 270 | 270 | 270 | 300 | 340 | ... | |
| J. H. Kibble ... | 270 | 240 | ... | 270 | 270 | 270 | 270 | 270 | 300 | 300 | ... | |
| G. E. Jackson ... | 250 | 300 | 50 | 250 | 250 | 250 | 250 | 250 | 300 | 300 | ... | |
| F. St. Leger ... | 250 | 300 | 50 | 250 | 250 | 250 | 250 | 250 | 300 | 300 | ... | |
| W. T. Swann ... | 250 | 300 | 50 | 250 | 250 | 250 | 250 | 250 | 300 | 300 | ... | |
| A. B. S. Cheyne ... | 250 | 300 | 50 | 250 | 250 | 250 | 250 | 250 | 300 | 300 | ... | |
| J. H. Clark ... | 250 | 330 | 55 | 275 | 275 | 275 | 275 | 275 | 275 | 300 | Net salary increased, | |
| J. Hannah ... | 240 | 240 | ... | 240 | 240 | 240 | 240 | 240 | 275 | 300 | ... | |
| W. B. Entwisle ... | 245 | 240 | ... | 245 | 245 | 245 | 245 | 245 | 275 | 300 | ... | |
| E. S. Outtrim ... | 230 | 270 | 5 | 265 | 290 | 315 | 340 | 350 | 350 | 350 | ... | Do. |
| J. Lawrence ... | 230 | 240 | 10 | 230 | 230 | 230 | 230 | 230 | 275 | 275 | ... | |

CS

RETURN of all the Postmasters who had residences free prior to the passing of Act No. 773, &c.—*continued.*

| Names of Postmasters who had residences free prior to passing of Act 773. | Salary on 31/12/84. | Salary fixed under Act 773 on 1/2/85. | Amount deducted for rent. | Net salary after such deduction. | Net Salary on 30th June— | | | | | | Effect of the system under Act 773 on the classification of offices. | Remarks. |
|---|---------------------|---------------------------------------|---------------------------|----------------------------------|--------------------------|-------|-------|-------|-------|-------|--|---|
| | | | | | 1886. | 1887. | 1888. | 1889. | 1890. | 1891. | | |
| H. C. Dod | £ 220 | £ 300 | £ 5 | £ 295 | £ 320 | £ 345 | £ 350 | £ 350 | £ 350 | £ 350 | | This officer received an annual increment as a classified officer under Act No. 160 on 1st January, 1885. |
| H. B. Jones | 240 | 270 | 30 | 240 | 240 | 240 | 240 | 240 | 250 | 250 | | |
| W. S. Whitelaw | 230 | 210 | ... | 230 | 230 | 230 | 230 | 230 | 250 | 250 | | |
| G. W. Newland | 210 | 192 | ... | 210 | 210 | 210 | 210 | 210 | 250 | 275 | | |
| J. Arundel | 210 | 240 | 30 | 210 | 210 | 210 | 210 | 210 | 250 | 250 | | |
| J. Kelley | 202 | 240 | 38 | 202 | 202 | 202 | 202 | 202 | 260 | 260 | | |
| J. M. M. Goodwin | 200 | 240 | 40 | 200 | 200 | 200 | 200 | 200 | 250 | 250 | | Raised to a higher class in 1885 than would have been the case if rent had not been added to salary. |
| A. Ellis | 200 | 240 | 40 | 200 | 200 | 200 | 200 | 200 | 230 | 260 | | Do. |
| M. Glenton | 220 | 210 | ... | 220 | 220 | 220 | 220 | 220 | 225 | 250 | | Do. |
| J. S. Scott | 172/18/- | 210 | 35 | 175 | 175 | 175 | 175 | 200 | 225 | 250 | | Do. |
| E. Blake | 170 | 240 | 40 | 200 | 200 | 240 | 240 | 240 | 225 | 250 | | Do. |
| J. E. Raven | 120 | 192 | 9 | 183 | 183 | 183 | 160 | 160 | 200 | 225 | | Do. |
| J. Lamb | 120 | 144 | 24 | 120 | 120 | 120 | 120 | 120 | 120 | 120 | | Net salary increased. |
| T. Nice | 114 | 126 | 12 | 114 | 120 | 120 | 120 | 120 | 120 | 175 | | |

NOTES.—(a) The salary of an officer was not to be reduced by the rent charge below the amount he received on 31st January, 1885. In some instances, therefore, no rent was charged, and in others only a portion.

(b) The system of classification adopted under Act No. 773, recognising as it did the full value of officers' salaries, has placed such officers in a much better position in regard to the amount which it is presumed will be taken as a basis for calculating the superannuation allowance on their retirement from the Service.

Public Service Board,
Melbourne, 12th August, 1891.

T. COUCHMAN, Chairman.

1891.
—
VICTORIA.

REPORT

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON THE CASE OF THE

HONORABLE HENRY GORE, M.L.C.;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE AND THE MINUTES
OF EVIDENCE.

Ordered by the Legislative Council to be printed, 15th December, 1891.

By Authority:

ROBT. S. BRAIN, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES AND PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 9TH DECEMBER, 1891.

CASE OF THE HONORABLE H. GORE.—The Honorable Lieut.-Col. Sir F. T. Sargood moved, pursuant to amended notice, That a Select Committee of five Members be appointed by ballot to inquire into and report upon the recent case heard in the County Court, Melbourne, of R. Bowman *versus* H. Gore and R. T. Moore, so far as it relates to the conduct of the Honorable Henry Gore, a Member of this House; and that the Committee have power to send for persons, papers, and records, to sit on days on which the Council does not meet, and to report the Minutes of Evidence from time to time; three to be the quorum.

Debate ensued.

Question—put and resolved in the affirmative.

The Council then proceeded to the ballot, and the following Members being reported by the Clerk to have the greatest number of votes were declared by the President to be members of the Committee:—The Honorables F. Brown, S. W. Cooke, S. Fraser, W. Pitt, and J. Sternberg.

REPORT.

THE SELECT COMMITTEE appointed to inquire into and report upon the recent case heard in the County Court, Melbourne, of R. Bowman *versus* H. Gore and R. T. Moore, so far as it relates to the conduct of the Honorable Henry Gore, a Member of this House, have the honour to report to your Honorable House as follows:—

Your Committee, after full inquiry, have unanimously decided that there is nothing whatever to reflect on the conduct of the Honorable H. Gore throughout the purchase and re-sale of the mine known as "Markey's," and that he has not misled or attempted to mislead the public in any way concerning the same.

Committee Room,
15th December, 1891.

1911

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 10TH DECEMBER, 1891.

Members present:

The Hon. F. Brown
S. W. Cooke
S. Fraser

The Hon. W. Pitt
J. Sternberg.

The clerk read the extract from the Minutes of the Proceedings of the 9th December, referring to the appointment of the Committee.

The Hon. S. Fraser was called to the Chair.

The Committee deliberated.

The Hon. F. Brown moved, That the Hon. H. Gore be requested to acquaint the Chairman with the names of any witnesses whom he may desire to give evidence.

Question—put and resolved in the affirmative.

The Committee adjourned until Monday next, at half-past four o'clock.

MONDAY, 14TH DECEMBER, 1891.

Members present:

The Hon. S. FRASER, in the Chair ;

The Hon. F. Brown
S. W. Cooke

The Hon. W. Pitt.

The Committee deliberated.

The Hon. H. Gore made a statement to the Committee and read an extract from Minutes of Directors' meeting of 9th September, 1891, before registration, and from Minutes of Meeting of Shareholders of 5th October, 1891, after registration.

The Hon. H. Gore examined by the Committee.

The witness handed in to the Committee expert's reports on Markey's line of reefs, Long Gully, Swift's Creek, Gippsland.

William R. Wilson, called in and examined.

Examined by the Hon. H. Gore.

Examined by the Committee.

Further examined by the Hon. H. Gore.

Further examined by the Committee.

Further examined by the Hon. H. Gore.

Further examined by the Committee.

Matthew B. Jamieson, called in and examined.

Examined by the Hon. H. Gore.

Examined by the Committee.

Walter John Carre Riddell, called and examined.

Examined by the Hon. H. Gore.

The witness produced a receipt for his share for the purchase of Markey's lease.

Robert Treviss Moore, called in and examined.

Examined by the Hon. H. Gore.

Examined by the Committee.

The Hon. H. Gore examined by the Committee.

The witness further examined by the Committee.

The witness handed in various papers relating to the offers for sale of Markey's claim.

Witness further examined by the Hon. H. Gore.

The witness handed in to the Committee the Agreement, Rules and Regulations of the Markey's Quartz Gold Mining Company No Liability, Long Gully, Swift's Creek, Gippsland, 1891.

Witness further examined by the Committee.

Further examined by the Hon. H. Gore.

Further examined by the Committee.

Further examined by the Hon. H. Gore.

Further examined by the Committee.

Further examined by the Hon. H. Gore.

Further examined by the Committee.

The witness was directed to produce any documents in his possession, showing receipts, and also cheque books connected with the company.

A statement showing a list of contributories, &c., towards the purchase of Markey's lease.

The Hon. H. Gore made a further statement to the Committee.

Examined by the Committee.

Room cleared.

The Committee deliberated.

Ordered—That Mr. C. W. Langtree be summoned to attend the next meeting of the Committee, and that the Hon. D. Ham be requested to give evidence.

Committee adjourned until to-morrow at eleven o'clock.

TUESDAY, 15TH DECEMBER, 1891.

Members present :

The Hon. S. FRASER, in the Chair ;

The Hon. F. Brown
S. W. CookeThe Hon. W. Pitt
J. Sternberg.

The Hon. H. Gore was in attendance.

Charles W. Langtree called in and examined.

Examined by the Hon. H. Gore.

Further examined by the Committee.

The Hon. F. Brown here entered the room and took his seat.

The witness further examined by the Hon. H. Gore.

Further examined by the Committee.

Further examined by the Hon. H. Gore.

Further examined by the Committee.

Further examined by the Hon. H. Gore.

Further examined by the Committee.

The Hon. H. Gore was heard to address the Committee, and handed in copy of receipt for £500 paid by Mr. Langtree ; a receipt for £8,000 for the purchase of Markey's lease ; and an audited statement of accounts in connexion with the company to date.

Examined by the Committee.

Room cleared.

The Committee deliberated.

The following telegram was laid before the Committee :—

Time received, 11.50.

"Ballarat, Dec. 15, 1891.

"Telegram for G. H. Jenkins, Esq., C.M.G.

"Cannot possibly get down to the House until eight thirty to-night. Will answer any questions by wire if necessary.

(Sd.) "DAVID HAM."

Time lodged, 11.25.

A letter from Mr. C. W. Langtree, enclosing his receipt for £500, and a letter dated 24th Aug., 1891, from R. T. Moore, relating to the subject of inquiry, was laid before the Committee.

Resolved—That R. Bowman, Esq., M.L.A., be requested to attend and give evidence.

R. Bowman, Esq., M.L.A., here entered the room and requested to be allowed to give evidence.

The Hon. H. Gore was in attendance.

Mr. Bowman was heard to address the Committee.

Examined by the Hon. H. Gore.

The clerk was directed by the Committee to request, by telephone, the attendance of Mr. Watson, solicitor, immediately.

The witness was examined by the Committee.

The witness handed in certain documents relative to the payment of moneys in the matter of Markey's claim, and to the offer of certain mining properties.

Mr. C. M. Watson, solicitor, was in attendance, and was examined by the Committee.

Examined by the Hon. H. Gore.

Further examined by the Committee.

Mr. W. J. C. Riddell made a statement to the Committee.

Mr. C. M. Watson made a statement to the Committee.

Room cleared.

The Committee deliberated.

The Draft Report was brought up and agreed to.

Ordered—That the Chairman report to the Council.*The Committee adjourned.*

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

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|-------------------------|-----------|
| The Hon. H. Gore | 3, 11, 14 |
| W. R. Wilson | 6 |
| M. B. Jamieson | 6 |
| W. J. C. Riddell | 7 |
| R. T. Moore | 8 |
| C. W. Langtree | 12 |
| R. Bowman | 15 |

MINUTES OF EVIDENCE.

MONDAY, 14TH DECEMBER, 1891.

Present:

| | |
|--------------------------------------|-------------------|
| The Hon. SIMON FRASER, in the Chair; | |
| The Hon. S. W. Cooke | The Hon. W. Pitt. |
| F. Brown | |

1. Mr. Gore was heard to address the Committee. He stated that he wished the Committee to accept his remarks which were reported in *Hansard* of last Tuesday as his evidence as far as it went. He further said those statements are substantially correct and will be borne out by the evidence I shall submit. There were one or two things I was not quite clear about at that time, which will now be explained by the witnesses. There was a certain conversation held in Messrs. Wilson and Jamieson's office, of which I could not recollect the absolute details, but they apparently recollect them, and they will fill in the gaps that appeared in my statement in the House. In the initial stage, I wish to point out that the only thing I had to do with this thing individually, from start to finish, was my interview with Messrs. Wilson and Jamieson; beyond that I had nothing to do with it, because after the interview on the 10th August I went away to Tasmania on railway business, and did not return till the actual transaction was completed. I do not say that to impugn any one else in the matter, but I wish to put myself clearly before the Committee. I propose to go through the whole case and to call evidence to show how it started and how it ended, and I wish to show that no one attempted in any shape or form to deceive the public as to the price of this mine, or as to its value from an expert point of view. I want to point out two or three things that the judge said in his summing-up, that are self-evident mistakes, and you will see by the expert's report that they could not possibly be correct. I imagine he got those statements from the plaintiff, and that he forgot what the defendant said. There are three things—at one place he says, "To sell, and then by misstating the price paid and by misrepresenting its real value;" another thing the judge said was, "That the only gold found on that line of reef at the time we made the bargain with Markey was on Markey's claim." As a matter of fact, gold had been found on the adjoining property in six claims. Those two remarks can be proved to be not correct. Stone has been crushed on six properties.

2. *By the Hon. S. W. Cooke.*—Was the judgment a written one?—I am informed so. The third statement was—"And inducing them to purchase it at a higher price than it was intrinsically worth." There is one thing that has not been cleared up, and it is a difficult one to clear up because it was a misunderstanding with the counsel who conducted the case for the defendants, that was, as to the admission of a conspiracy or whatever you like to call it in the matter. I was not in court at the time, but the counsel asked me about it, and I understood he was going to plead that there was something secret between Markey and Bowman that would upset the case, and I said to him "It is so, and you can plead it in our defence." Whether the counsel made himself understood by the judge I cannot say, but it appears in the press that he pleaded that there was something between the plaintiff and the defendants which was not admitted by us at all, and never came out in evidence, but as a matter of fact the judge has said so, and I presume he had something to lead up to that. Unfortunately I was not in court at the time, and could not check our counsel, or show the case as it presented itself to me, but I do not think that has anything to do with me. The question for the Committee is whether I directly or indirectly attempted to deceive anyone, and whether anyone was deceived by my representations, and as to whether I have got the better of any particular individual over and above what they paid themselves. I will prove I paid for one-eighth of this property. I left a cheque for £1,000 when I left for Tasmania. I will prove by the statement made that £8,000 was the money subscribed by the several people who went into it; that the £8,000 was divided in this way—£7,333 6s. 8d. went to the payment of Messrs. Markey and Bowman, and £666 13s. 4d., being the balance between £7,333 6s. 8d. and £8,000—was placed to the credit of the company to work the property. At the first meeting, the preliminary meeting, of the shareholders at which I was not present, and this was confirmed by them after the whole facts were put before them, and in addition to the confirmation this was the minute, which I will now read to the Committee. This was before registration, the first meeting before the company was formed.

3. *By the Hon. the Chairman.*—The first meeting of what you may call the syndicate?—Yes. At the first meeting, 9th September, 1891, there were present Colonel Smith, R. M. Turner, George Lugg, W. J. C. Riddell, J. R. Rippen, and R. T. Moore.

4. *By the Hon. F. Brown.*—Are those the several parties you spoke of just now as having paid the £8,000?—Yes; this was a meeting called and those gentlemen attended. It was seconded by Mr. Riddell that Colonel Smith take the chair—[reading the Minutes]—"Resolved—That a company be forthwith registered called 'The Markey's Quartz Gold Mining Company No Liability,' in 100,000 shares of £1 each, 50,000 of which to be issued as paid up to 10s. each, and 50,000 to be issued as paid up to 5s. each. Resolved—That the following be elected first Board of Directors, viz.:—Colonel Smith, R. M. Turner, Hon. H. Gore, H. S. Wills, and Charles Brown. Resolved—That directors' fee be 50s. each sitting, and to be divided equally amongst those present. Resolved—That Mr. R. T. Moore be appointed first legal manager, and that his salary be 50s. a week. Resolved—That Messrs. Cuthbert, Hamilton, Wynne, and Company be first solicitors to company. Resolved—That the Standard Bank be the bank of the company. Resolved—That the articles of association as read be approved of, and that the chairman of this meeting be empowered to sign same for purpose of registration. Mr. R. T. Moore reported that Mr. R. M. Turner had recommended an excellent man as manager, viz., Mr. C. Lynch, who had promised to take charge of the mine at £6 per

week to commence with. Resolved—That he be appointed, and instructed to take charge at once. Mr. R. T. Moore reported that when settling with Mr. Watson (solicitor) for the property he had received a receipt for £8,000, and although that amount had been subscribed only £7,333 6s. 8d. had been paid, leaving £666 13s. 4d. to work the property, but there was a matter of commission Bowman spoke of claiming, viz., £266 13s. 4d., and although he felt that nothing could come of it, should it however have to be paid, it would of course have to come out of the £666 13s. 4d. reclaimed when settling. This was approved of, and, on the motion of Mr. W. J. C. Riddell, seconded by Mr. Lugg, agreed to accordingly. Resolved—That legal manager at once proceed to registration, and to procure all necessary scrip, book, stationery, &c. Signed—W. Collard Smith, Chairman." Then, after the registration of the company, this appears on the Minutes, "Monday, 5th October, 1891. Members present." I need not read all the minutes but only this part, "Legal manager reported that company had been duly registered and that all scrip was ready for signature. Moved by Mr. R. M. Turner, seconded by Mr. H. S. Wills, That the following accounts be passed for payment, carried. Accounts as follow:—To return of cheque to R. T. Moore, purchasing property as per receipted account from C. M. Watson, £7,333 6s. 8d. Return of expenses paid by R. T. Moore, report on property by A. T. Brown, &c., £91 19s. 3d. Law expenses, lease, C. Marriott Watson, solicitor, £3 3s. Return of money advanced by R. T. Moore to mining manager, then leaving for mine as per receipt, £20. Return of cheque posted to manager to be placed to his credit for expenses, £100. directors' fees this day, £2 10s. Buckle and Co., lettering, &c., 14s. Chas. Boyle, deed boxes, £2 2s.; company's seal, £3 5s.—£5 7s. Registration expenses, R. T. Moore's account, £6 8s. 8d. Legal manager's account to 5th October, £11 16s. 6d. A. W. Collier, printing scrip, register, &c., £20 3s. 9d. Total, £7,595 8s. 10d. Legal manager reported that out of the £8,000 subscribed there would be a balance of £404 11s. 2d. to credit when the above accounts were paid, but that the matter of Bowman's commission, viz., £266 13s. 4d., was a matter still unsettled, and for which he and the Hon. H. Gore had been served with a summons, which was in the hands of the company's solicitors to be disposed of, and whatever had to be paid of this amount would have to be paid out of the difference between £8,000 and £7,333 6s. 8d., reclaimed when settling for property. Read and confirmed. (Signed)—W. Collard Smith, Chairman, 17th November, 1891." That shows the matter consecutively; that is the original meeting of the original men who went into it, and the account presented at the meeting afterwards was understood by them, because they passed those accounts, which were explained to them. You will understand that at none of those meetings was I present, but that is the way the company was formed. I might state I have been informed by the solicitor the reason the expert's report and certain books were not put in evidence in the court was because they would not be admitted. I do not know how that is, but I was informed that it is so. Mr. Wynne informed me so, and it is borne out by the other gentlemen in the office, because if they had been admitted I venture to say this statement of the judge could not have been made, because the expert's report does away with all that.

5. *By the Hon. the Chairman.*—That is your statement in the House?—Yes. You understand that Mr. A. T. Brown went up to report on several properties, and he was to advise which of those properties was suitable for purchase. He is the recognized expert of the Broken Hill people. I met Mr. Brown in the street, and I asked him if he had time and would go and inspect properties for us that were offered in the district, known as Markey's line of reef. Mr. Brown stated that he could inspect the mine only on one condition; that condition was that at least one half of the property should be offered to the people who generally employed him, Messrs. Wilson, Jamieson, and others. I agreed to that, and Mr. Brown went, and he is one of the very few men on whose report alone I would put money in a concern, because he is one of the exceptions; he is known as "Pessimistic Brown." He rarely recommends a property unless he is convinced that it is a good one, so I put in a £1,000 of my own money, and it was altogether on Brown's report. That I will read for your information. He says—"Markey's claim, lease of about $4\frac{1}{2}$ acres, giving about 400 feet along line of reef. Near the north end of claim a shaft has been sunk about 45 feet. The stone in the south end is poor. On the north side of the shaft the ground has been stopped for 35 feet in length, and the stone taken out 2 feet wide; in all 72 tons gave a return of 301oz. of gold, or 4oz. 3dwt. per ton. I took a sample across the face, which yielded 4oz. 10dwt. of gold per ton. A tunnel has been driven into the hill 148 feet in length and 150 feet below the shaft. The reef here is very well defined, with good clean walls, the width varying from 2ft. lin. to 2ft. 8in. It has been driven on for 12 feet. I took samples in each face, that from the north end giving a yield of 3oz. 11dwt., and from the south face giving a yield of 9oz. 16dwt. per ton. I also took some stone out of the bottom, which I estimated at 10oz. per ton. This claim has a very good prospect, and is I consider, worth the money asked for it," (namely, £8,000). Then he goes on to say, further—"Summing up the above notes, it will be seen that the reefs are small, varying from a few inches up to a little over two feet in width; but they are very well defined, and average throughout over 4oz. of gold per ton, worth about £3 11s. per ounce. From the general appearances of the reefs I see no reason why they should not continue to a good depth, where they will undoubtedly contain a high percentage of pyrites, which, according to my tests, is of very good quality. Unfortunately, owing to the heavy rains, I was not able to inspect the bottom of the workings in most of the claims, and I could not form an opinion regarding the lengths of the various 'shoots' of gold owing to the limited amount of work done. Water would, in all probability have to be conserved for crushing purposes if the nearest battery site was adopted. The prices asked for the claims in several cases are much too high, but I consider Markey's, Orchard and McKinness, also Hayes and Walker's have a fair prospect for the money asked." With this is attached the plan which I will show the Committee, and you will see there the different prices asked for those several claims, and you will see where Markey's is situated—[*handing in the same*].

6. *By the Hon. F. Brown.*—Was this plan given to Mr. Brown?—Yes, from a rough sketch by Mr. R. T. Moore.

7. And those prices were put on the various claims for his guidance?—Yes, for his report as to whether they were worth the money.

8. At the time that that was handed to Mr. Brown had anything been said about a rebate on any of those claims; was anything known to any member of this syndicate or otherwise?—No, not at the time.

9. There had been a definite offer to somebody by the owners at those prices?—Yes, Mr. Robert Bowman.

10. How was he the go-between between the mine-owners and the syndicate?—He went up first with the object of getting a claim known as Ryan's under offer to us, and whilst he was there he got other claims under offer to himself. You will see by the expert's notes and his report he does not recommend the buying of Ryan's because it was too much money; but Mr. Bowman having those under offer said, "You can have those mines from me if you like"—hence those offers.

11. *By the Hon. the Chairman.*—Was Markey's one of those he had under offer?—Yes.

12. Then Mr. Bowman had Markey's under offer to him?—Yes; at £8,000.

13. *By the Hon. W. Pitt.*—Then Mr. Bowman was like the agent for the whole of the mines?—Yes. He went up practically to find any other claims on the line of reef that we would be justified in sending an expert to.

14. *By the Hon. the Chairman.*—I thought you said in your statement to the House Ryan's property was submitted to you in consequence of a statement to you by Mr. Wallace?—Yes, but I might explain that Mr. Bowman was introduced by Mr. Butters to Mr. R. T. Moore, and the result of that was that Mr. Bowman said, "I know these men, Ryan; they are old constituents of mine at Majorca, and I can get a better offer for you than any one else."

15. When Mr. Bowman went up did he have Ryans' under offer through Mr. Wallace?—He did not have it under offer. He went up to negotiate between Ryan and us—to get it at a less price.

16. *By the Hon. W. Pitt.*—Mr. Bowman knowing the Ryans' better than you?—Yes. They were old constituents of his.

17. *By the Hon. S. W. Cooke.*—It was on Mr. Bowman's communication with you that you sent up the expert?—Yes, coupled with Mr. John Wallace's recommendation. I should not have sent an expert up on Mr. Bowman's representation alone. It was what Mr. Wallace told me in addition.

18. *By the Hon. the Chairman.*—Then the total paid for the land was £7,333 6s. 8d., and the purchase was £8,000?—Yes.

19. What became of the balance?—It was paid to the credit of the company; practically the purchase-money was not £8,000. Eight thousand pounds was the amount that it was proposed to be sold at by Markey to Mr. Bowman, but we discovered before we saw Messrs. W. R. Wilson and Mr. Jamieson that Mr. Bowman was going to make out of Mr. Markey £2,000 by way of rebate, and then we went to Mr. Bowman and said, "Now, we do not think it is fair that you should make this £2,000, and we consider that a part of that should be given back to us, as we paid a part of your expenses;" he then said, "There are two others in with me, but I will agree to give you one-third, as you paid practically one-third of my expenses to go up." I explained that to Messrs. Wilson and Jamieson, and what Mr. Bowman had agreed to give back, and that we would get as much more as we possibly could, but that in any case they would stand on the same footing as we did, so that the whole thing was disclosed to Mr. Jamieson and Mr. Wilson by myself prior to anything being offered by any one.

20. When did you first discover about the £2,000?—When Mr. Bowman came back with the expert. It was about the 10th of August. My interview with Messrs. Jamieson and Wilson was on the 10th or about the 10th, because their reply is dated the 14th, and I know they took two or three days to consider it.

21. *By the Hon. F. Brown.*—When the expert was sent up there was nothing said as to an understanding between Mr. Bowman and Markey that there would be an alteration of price?—No.

22. How do you know that?—Mr. Bowman acknowledged it to Moore.

23. Did you challenge him?—Mr. Moore did—it was not acknowledged to me, but to Mr. Moore. He, in half chaff, half earnest, said, "What are you making out of this?" and then Mr. Bowman acknowledged that Markey had agreed that if he sold the mine for £8,000 he was to give him £6,000, and he could keep the balance. There is another feature I would like to point out, that is, that between the time Mr. Bowman got the first offer on the ground from Markey and the time of his return to us the reef was discovered at this level shown by that tunnel, by which, of course, in the opinion of experts, the claim would be considered of so much more value. Mr. Bowman, I presume, thought of this idea of adding to the price of the claim, and therefore he went to Markey and practically got another agreement from him, so Markey says—he told me so.

24. It was merely a haphazard remark on the part of Mr. Moore that ascertained that to be the fact, otherwise the whole of the transaction might have been brought to a conclusion and you none the wiser that Mr. Bowman was pocketing £2,000?—Just so.

25. There was nothing about it before that?—No, we did not know it, as a matter of fact.

26. *By the Hon. S. W. Cooke.*—I do not see what claim you make on the £2,000 rebate; it was an agreement as between Mr. Bowman and Markey?—Exactly.

27. Did Mr. Bowman readily reduce his share of the rebate?—He did upon the plea that to get him to inspect the Ryans' property; we had paid one-third of his expenses, so he considered we were entitled to one-third of the rebate, in fact he said he intended all along to give us that. I have not the slightest doubt but that Mr. Bowman thought we were going to pocket the £666 13s. 4d.—that he was giving it to us, not the company.

28. *By the Hon. W. Pitt.*—Making a total of £8,000 placed to the credit of the company?—Yes, the £666 13s. 4d., or anything we got out of him, would have been placed for the working of the mine.

29. *By the Hon. F. Brown.*—All your co-adventurers, so to speak, reaped the same benefit as to what was got from Mr. Bowman?—Exactly.

30. *By the Hon. the Chairman.*—Do you clearly show that all your partners in the transaction, that is those who had purchased at the supposed £8,000, were aware of this rebate, and that they benefited by it after, that is, there are none who did not profit by it?—Not one.

31. *By the Hon. F. Brown.*—They all shared *pro rata*?—According to the interest they held.

32. *By the Hon. S. W. Cooke.*—This discovery was made subsequent to your interview with Mr. Wilson?—No, because I informed Mr. Wilson of it.

33. You say that in August you saw Mr. Wilson?—Yes, after the expert had returned. Then, after it was placed under offer to us, and it was discovered as to this £2,000, I was deputed to go and see Mr. Wilson, and I saw him and explained the whole thing to him, which he will tell you when he gives his evidence.

34. *By the Hon. the Chairman.*—How many men were in the purchase of the mine?—Seven.

35. Lieut.-Col. Smith, Mr. Turner, Mr. Lugg, and Mr. Riddell?—Mr. Lugg was not in the original number, although he was present at the original meeting. The seven were, myself, Mr. Turner, Col. Smith, Mr. Charles Brown, W. T. C. Riddell, the Hon. Agar Wynne, and R. T. Moore; they are referred to in my speech, but you understand that after the purchase other men were taken in upon the same footing as the men who were in previously.

36. *By the Hon. S. W. Cooke.*—The company got the benefit?—Yes.

37. *By the Hon. the Chairman.*—After the purchase there were other men brought in?—Yes, Mr. Langtree was one.

38. Still they got the advantage of the rebate?—Just the same.

39. They were made aware of it?—I fancy that Mr. Langtree never went to the office. I do not think he knew till he was summoned by Mr. Bowman to appear what position he was in. He came in and bought from Mr. Moore after the registration. Mr. Moore bought over £4,000 worth, and he, so to speak, retailed out to those different parties certain amounts of his interest, but they paid exactly the same amount as he paid.

William R. Wilson examined.

40. *By the Hon. H. Gore.*—Do you recollect in August last a Mr. A. T. Brown inspecting certain properties near Omeo?—Yes.

41. Did you know that before he went there it was an understanding between the expert and myself that you were to have the refusal of the property?—The fact is that Mr. Brown is in our employ, and he had to get our consent before he could report on the property for Mr. Gore, and it was agreed that if it was approved, and the price was reasonable, we were to have the option of taking half of it.

42. *By the Hon. F. Brown.*—That is not an unusual thing?—No, not at all; the expert cannot go without our permission, and we very often make that stipulation. He is a man of very high standing, and we value his opinion very much indeed.

43. *By the Hon. H. Gore.*—If you were sending him on your own account to inspect a property, as a matter of fact, would you consider his report of a sanguine nature or the opposite?—Always the opposite, if he said anything was worth a certain amount of money, I would think it was worth more, that is the man's character always.

44. *By the Hon. F. Brown.*—More likely to underrate than overrate?—Yes, that is as far as his judgment goes; he may make mistakes like any other man, he never has with us.

45. *By the Hon. H. Gore.*—Do you recollect the conversation which I had with you in your office when Mr. Jamieson was present, as to this claim of Markey's?—You had several, there were two I think at this interview.

46. *By the Hon. S. W. Cooke.*—What was the date, was it after the expert's report?—Yes, Mr. Brown's report on this property and a number of others. There were six or seven on the line of reef, they were all different areas and different prices, and Mr. Brown reported that there were a number of good things among them, but the prices were too high with the exception of this one, and that he thought was worth the money. We discussed the whole matter with Mr. Gore, and he stated that, although Mr. Bowman was asking £8,000 for it, he believed it could be got for £6,000, and he distinctly conveyed the impression that if we decided to go in for it it would be for the £6,000. We did not go into it, for the reason that the property was too small, it was not a big enough thing to take half of it, and, looking at the distance it was from anything else, we thought it better to leave it alone, but beyond question Mr. Gore told us that we could go into the thing at £6,000 if we wanted to, there was no attempt to get £8,000 from us at all.

47. *By the Hon. H. Gore.*—Do you recollect that I said to you "Whatever we get the property for you will stand in exactly the same"?—Yes, you said you believed that Mr. Bowman was getting it for £6,000 and "whatever we get it at you will stand in." Of course I think there can be no doubt about that at all, because you knew probably that we would not go in for it except at a price that was fair—that you distinctly conveyed to us.

48. I want you to be very clear about this, that whatever the figures were, whatever we got out of the dog's mouth, as it were, you were to stand in with me exactly the same as the others?—Yes; I know you said you thought the price was £6,000, and we were to stand in at that.

49. *By the Hon. the Chairman.*—Did I understand that Mr. Brown reported that the mine could be got at £6,000?—No, he did not report about the price at all; that was not part of his duty, he knew the prices that had been put on it by Mr. Gore and the others.

50. *By the Hon. H. Gore.*—He does state the prices in his report—[*showing the report*]—and says they are much too high?—Oh, indeed; his usual custom is to put the price on it himself.

51. As a matter of fact, did I not tell you this that I found out some hanky-panky or something behind the scenes?—I do not know the words you used, but you conveyed the impression that the property could be got for £6,000, and whatever you got it at we should share it.

52. As a matter of fact Mr. Brown did report that this property was worth £8,000?—Yes, and I believe honestly it is worth that from what Mr. Brown says. The only reason we did not go in was because it was too small, having to take only half of it.

53. *By the Hon. F. Brown.*—You in no way became interested?—No, in fact I did not know it had been floated at all.

54. You had the first offer because your expert reported on it?—I believe so.

The witness withdrew.

Matthew B. Jamieson examined.

55. *By the Hon. H. Gore.*—Do you recollect a conversation in your office with respect to properties reported on by Mr. A. T. Brown, of Markey's line of reef at Omeo?—Yes, on the 13th of August last.

56. Do you recollect the conversation I was present at with Mr. Wilson in your office as to this particular property?—Yes.

57. Can you recollect what was said?—It was very short. You said, as we knew previously, that the property was to be sold by Markey for £8,000. We had gone over Mr. Brown's report that forenoon, and we thought fairly of the property entirely from what he wrote. You told us you had heard (you did

not say from what source) that Mr. Bowman, whom we had never met in the matter, was to have the property for £6,000. We did not think anything of it at the time one way or the other; and then you said if the property was obtained for £6,000 that would be the sum on which we would enter into treaty with you in the matter.

58. Did I add that in any case, whatever we paid for it below £8,000, you would go in on the same terms?—I understood that, whether £6,000 or any other sum was the basis on which we would buy into the property or take it up.

59. You have read all the evidence and remarks as to this case?—Not the evidence. I have read the comments.

60. From what you have read, do you consider that I in any way attempted to deceive you as to this property?—None whatever; the very opposite.

61. As a matter of fact, I disclosed everything to you?—Certainly.

62. And told you in the event of its being got for any price below £8,000 you would stand in?—Yes. I think the only sum mentioned was £6,000, as far as I remember.

63. Do you recollect my saying that a part of the "butter" had got down the "dog's throat," and it would be difficult to get it back again?—I do not recollect that.

64. What I want principally is, that after all you have heard adversely to myself, you do not consider in any way I attempted to deceive you as to the property?—In no way whatever.

65. *By the Hon. F. Brown.*—Do I understand that you were partly concerned with Mr. Wilson?—Yes. Mr. Wilson and I are partners.

66. So whatever occurred, occurred between Mr. Gore and Mr. Wilson and you at the same time?—Yes.

67. *By the Hon. the Chairman.*—Were you present when the conversation took place?—Yes.

68. *By the Hon. S. W. Cooke.*—No other person present?—Yes, Mr. C. W. Chapman and Mr. Knox. We are all partners, as a rule, in anything we do in that way.

The witness withdrew.

Walter J. C. Riddell examined.

69. *By the Hon. H. Gore.*—Were you present at a meeting of shareholders, held at R. T. Moore's office on the 9th September last?—Yes, I was.

70. A preliminary meeting with regard to the formation of this company of Markey's?—Yes.

71. I will quote from the Minutes—"Mr. R. T. Moore reported that when settling with Mr. Watson, solicitor, for the property, he had received a receipt for £8,000, and although that amount had been subscribed, only £7,333 6s. 8d. had been paid, leaving £666 13s. 4d. to work the property." Is that correct?—I cannot swear to the actual figures, but I remember Moore represented that there were £666 odd that was to go to working the property. My recollections agree with the Minutes as to the £666.

72. Do you recollect this portion—"That there was a matter of commission Bowman spoke of claiming, viz., £266 13s. 4d.?"—Yes, I recollect that.

73. And although he felt that nothing could come of it, should it however have to be paid it would of course have to come out of the £666 13s. 4d.?—Yes; that letter was to be handed to me as the solicitor of the company.

74. The company really were defending this action brought against Mr. Moore and myself?—Yes, that was said to me by Mr. Moore, that whatever was the result of this action would be stood to by the company.

75. Mr. Moore having given back to the company every penny he had received out of this £2,000 rebate. When you were instructed to defend this action did you understand that it was the company that were fighting the case?—Certainly, so far as I was concerned.

76. It was not myself individually, or Mr. Moore?—Certainly, that is what Mr. Moore led me to believe.

77. To show that that was so, at the first meeting of the company it was resolved—"Legal manager reported that out of the £8,000 subscribed there would be a balance of £404 11s. 2d. to credit when the above accounts were paid, but, that the matter of 'Bowman's commission,' viz.:—£266 13s. 4d. was a matter still unsettled, and for which he, the Hon. H. Gore, had been served with a summons which was in the hands of the company's solicitors to be disposed of. Whatever had to be paid of this amount would have to be paid out of the difference between £8,000 and £7,333 6s. 8d. reclaimed when settling for property. Read and confirmed. Signed, W. Collard Smith, chairman, 17th November, 1891" ?—Certainly.

78. Were those figures explained to you at that preliminary meeting?—No, I never saw that before.

79. Did you understand when you went into this company at Mr. Moore's solicitation?—I never saw anyone except Mr. Wynne.

80. Did you understand you were going in on exactly the same terms as the others?—Certainly.

81. At what price?—I never heard of the price except when I got my receipt—[*producing the same*]—I then became aware for the first time of the actual purchase-money. All I knew was that I was taking half the interest of Mr. Wynne.

82. You understood you were on what is called "bed rock"?—Yes.

83. Have you satisfied yourself that is the case?—I am perfectly satisfied, and do not wish to sell my share, one sixty-fourth; you see that represents £125, or one sixty-fourth of £8,000.

84. What I wish is this, is this the fact, that you went into this company on what is called "bed rock," and that after inquiry you find you were in on the same terms as the others?—Perfectly satisfied.

85. That you were not deceived in any way?—As a matter of fact, no representations were made to me.

86. *By the Hon. S. W. Cooke.*—You had heard nothing of this mine till after the company was formed?—How I came to get my share was, Mr. Wynne, who is my partner, came in and said that he had been asked either by Mr. Gore or Mr. Moore, I forget which, to take an interest in a mine at Omeo, and

I said "I will go halves with you in anything you care to take." He was going to settle to take an interest, and I said he had better wait, as I knew two or three men who knew something about the mines there. I then saw two different clients who reported most favorably, and said it was a real good mine. On the following day, I think, Mr. Wynne agreed to take an interest.

87. *By the Hon. H. Gore.*—As a matter of fact, you were two of the original purchasers?—Yes.

88. And you were included in this statement, as prepared at the time of the sale?—Certainly, I believe so.

89. *By the Hon. S. W. Cooke.*—The company was defending this action?—I fancy so. I would not say for certain. I was not attending to the case.

90. *The Hon. H. Gore.*—The Minutes show that.

91. *By the Hon. F. Brown.*—The company defended the action at the company's cost?—Yes; at that preliminary meeting it was clearly said "You understand, gentlemen, that whether Mr. Bowman presses this action or not, this £666 will have to go towards paying the expenses of it," and we all assented to that, and quite understood it.

92. The actual defendants were Messrs. Gore and Moore?—Yes.

93. *By the Hon. the Chairman.*—Were you the solicitors who conducted the action?—Yes.

94. *By the Hon. H. Gore.*—You had nothing really to do with it?—I had nothing to do with it. I attend to another branch of the office.

95. *By the Hon. F. Brown.*—Can you tell us who were the parties who gave evidence in court?—We could ascertain that very easily for you. I was not at the court during trial.

96. *The Hon. H. Gore.*—I can tell you; Mr. Bowman and Mr. Langtree on one side, and myself and Mr. Moore on the other.

The witness withdrew.

Robert T. Moore examined.

97. *By the Hon. H. Gore.*—Will you give shortly the history of this case as to whom Mr. Bowman was introduced by, and as to how you became connected with the matter of the Markey claim? It was introduced by Mr. Butters first. He brought Mr. Bowman into my office, and said he had a pretty fair thing at Gippsland or the Omeo district; it consisted of a claim of Messrs. Ryan Brothers, I think it was.

98. Can you say did you see me afterwards as to this?—It was about 6 o'clock one evening when business was about at an end, and I told them I would think the matter over. I saw Mr. Gore the next day, or the day after, and explained the matter to him, and, strange to say, he had heard about this Omeo district being a pretty fair thing and we discussed the matter, and Mr. Bowman, I think, came into the office about that time.

99. Was it decided amongst ourselves that we should send an expert up?—We heard what Mr. Bowman had to say when you and I and Mr. Bowman were together, and we decided that we would get an expert to report on the property, and we fixed on Mr. A. T. Browne.

100. Do you recollect my coming into your office and saying I had met A. T. Browne, and he had agreed to report on certain conditions?—Yes, you saw Mr. Browne, and arranged with him to go up and report on the property for us, and he had stipulated for some interest to be reserved for his people.

101. That one-half should be offered to the Broken Hill people first?—Yes.

102. And then Browne went up?—Yes.

103. Upon going up was he furnished with a sketch of which this is a plan made by himself?—Yes, one of my clerks furnished him with a copy of that.

104. On which were marked the several places?—Yes, that is a copy.

105. Mr. Browne went up, and when he returned he produced this report?—Yes.

106. *By the Hon. S. W. Cooke.*—Whose prices are those on the plan?—Mr. Bowman's.

107. *By the Hon. F. Brown (to Mr. Gore).*—Up to this time you had nothing to do with the original vendors?—No, in fact we did not know Mr. Markey then, except from Mr. Bowman having come back from inspecting Ryans' property.

108. *By the Hon. H. Gore (to the witness).*—When Mr. Bowman came back, and the day before I went to see the Broken Hill people, did you discover that there was another agreement between Mr. Markey and Mr. Bowman, that Mr. Bowman was to pay Mr. Markey £8,000 with the understanding that he was to get a rebate of £2,000?—I did.

109. As a matter of fact, we knew that Mr. Bowman was paying to Mr. Markey £6,000?—Yes. Mr. Bowman asked the price for the whole of the properties under offer, and I said, "Now, what are you getting out of it?" This one was the only one we had in our eye at the time, and after some little shilly-shallying, to make a long story short, he simply said he was getting a commission out of it, and I said, "What commission are you getting out of it," and then he produced his agreements.

110. Did you see them?—Yes, they have been in evidence in the court since—[*The same were handed in.*]

111. *By the Hon. the Chairman.*—Was that the first you learned about there being a rebate or a lower price taken?—That is the first time I took any special interest in the matter—it was all hearsay up to that time.

112. *By the Hon. S. W. Cooke.*—What time was that?—Some time in August—I cannot give the exact dates.

113. And then did you inform Mr. Gore of this interview?—I would not like to say positively that Mr. Gore was not present at the time, but whatever I was seeking to find out at that particular time was done just as much in Mr. Gore's interest as my own. I am not certain that Mr. Gore was not present at the time, though I am not quite clear that he was.

114. *By the Hon. F. Brown.*—At all events, that was the first you knew about it, that casual remark that you made?—I cannot tell the whole of the circumstances, but that was the first thing I was likely to say, "Now what are you getting out of the affair," I would do that with anyone, and then he produced the agreements.

115. *By the Hon. the Chairman.*—Did he hesitate about giving those agreements?—I think I had some little controversy with him before I got it out of him, what he was really getting.

116. *By the Hon. H. Gore.*—Did you before this advance any money with regard to this, did Mr. Bowman get any money from you, for instance, when he went up first?—I let him have £30 to pay his expenses.
117. What did the expert's report cost?—£61 19s.
118. So it would seem that you and I were out to the extent of some £91 in the matter?—Yes.
119. Did Mr. Bowman get any money afterwards from us before the thing was completed?—Yes, I let him have one amount of £50.
120. On what plea did you let him have that?—He came into the office and said he was very hard pressed and asked me to give him £50. He was, comparatively speaking, a stranger to me, and I did not see the force of giving him that because they had not decided to take the thing up, but he said he had a writ out, and I let him have the £50.
121. *By the Hon. W. Pitt.*—It appears that Mr. Bowman went up on your behalf, and yet he comes back and tries to make £2,000 out of you?—When he went up first he went ostensibly about Ryans', and had their property under offer only.
122. *By the Hon. the Chairman.*—And you supplemented that business by getting him to report on the other mines?—No, it was this way—when he first came to me he only had Ryans' property under offer, but in taking up a new district, if payable, the surrounding claims participate in the enhanced value, and I said "You must go up and secure some more properties because it was too small a field to start on."
123. *By the Hon. H. Gore.*—Those gentlemen that came in prior to registration and after registration, did they all come in on exactly the same terms as you and I?—Exactly.
124. No one person was charged more than another?—Not one.
125. Can you clear up the little misunderstanding as to what Mr. Langtree said; did you lead Mr. Langtree to suppose that he was coming in on different terms from any one else?—Certainly not; I remember the conversation I had with him.
126. Did he come in on any other terms?—No, exactly the same.
127. Did he come to the office and make any inquiries as to the interest he got and the state of the finances?—To be candid, I think he left it to you, knowing you. The amount of money is at the same rate as we had all paid. He has £500 in it, which is one-sixteenth of the whole.
128. *By the Hon. the Chairman.*—He pays his share of the £7,300?—Yes, and his portion of the amount that is to credit—he paid no commission.
129. *By the Hon. H. Gore.*—The judge seemed to lay particular stress on Mr. Langtree, as if there had been an attempt to get at Mr. Langtree. As a matter of fact, Mr. Langtree came in the same as the other people. Was there any bad blood between you and Mr. Bowman that you would not let him into this; did you tell Mr. Bowman that he could not be in it?—Yes, I told him so. He made himself very objectionable in my office; he was smoking the place out. I asked him once or twice whether the place belonged to him or me.
130. Did Mr. Bowman ask to have an interest in the mine?—I told him very decidedly, at the first, that he could not be in it.
131. Did you give him a reason?—I gave him a reason; I told him that if he was in it no one else would go in.
132. Was there bad blood between you?—He simply took charge of my office. He used to write telegrams out in my office, and ring for the clerks, and never pay for them, and it was very questionable whether the office was mine or his.
133. *By the Hon. F. Brown.*—You are not aware that this was ever offered to anyone else before you formed the company, besides the Broken Hill people?—Not to my knowledge.
134. As far as you are concerned you never sought to sell?—No; it may have been offered by Mr. Bowman, but not to my knowledge.
135. *By the Hon. S. W. Cooke.*—What did you offer it to the Broken Hill people for?—I never saw them at all; Mr. Gore can give you that.
136. Supposing the sale had been made, how would you make any profit out of it?—If a sale had been made to the Broken Hill people, they are in such favour at present, I think the property might have been thought more highly of than without them.
137. *By the Hon. F. Brown.*—They would have only got a half?—The fact of their being in would make a difference, because they are in such favour—their prestige is high.
138. *By the Hon. S. W. Cooke.*—And you would have been half owners?—Yes; I do not know whether it has come out in evidence, but this expert who reported on the property was the Broken Hill people's expert.
139. *By the Hon. H. Gore.*—You knew him in Tasmania?—Yes.
140. What did you think of him?—In Melbourne terms he is a "dry ash," that is anything he does stipulate will be more than achieved in working the property.
141. *By the Hon. F. Brown.*—He rather underrates than overrates?—He is looked on as that sort of man; he does not "gush" over anything.
142. *By the Hon. H. Gore.*—I put £1,000 into this?—Yes.
143. Do you know it is my rule never to go into mining unless I see the property first—you have heard me say that?—I know that I received £1,000 from Mr. Gore.
144. *By the Hon. F. Brown.*—You have acted as secretary for the company?—I was asked at the inaugural meeting to take that position, and agreed.
145. Who made those Minutes in the book?—I did.
146. Will you look at them—[*handing the Minutes of the initiatory meeting to the witness*]?—Yes, I make those rough Minutes and then put them in the book.
147. And they were read at a subsequent meeting and confirmed by the Chairman?—I do not see where those Minutes can go to any way. Those gentlemen were present and I think they can give the gist of all that took place.
148. *By the Hon. H. Gore.*—As a matter of fact, Colonel Smith was in the chair at this meeting?—
Yes.
149. He has signed as to their being correct; as a matter of fact they have not been confirmed at any meeting because there has been no meeting up to the present time?—Just so.

150. *By the Hon. the Chairman.*—It was not a registered company then, they were not under any rule?—No, at this time they were not incorporated. I have brought those up, and they are signed by the chairman of that meeting, the Hon. W. C. Smith. Those are what are referred to in this book.

151. *By the Hon. H. Gore.*—All those Minutes of 5th October, 1891, were written up by you, and those are all correct?—They are.

152. They have been confirmed at a subsequent meeting on the 17th of November, and were signed by “W. Collard Smith, chairman”?—Yes.

153. *By the Hon. the Chairman.*—Was there a reference to money in the first Minutes?—Yes.—*[Reading from the Minutes]*—“Mr. R. T. Moore reported, that when settling with Mr. Watson (solicitor) for the property, he had received a receipt for £8,000, and, although that amount had been subscribed, only £7,333 6s. 8d. had been paid, leaving £666 13s. 4d. to work the property, but there was a matter of commission. ‘Bowman’ spoke of claiming £266 13s. 4d., and although he felt that nothing could come of it should it, however, have to be paid it would, of course, have to come out of the £666 13s. 4d. reclaimed when settling. This was approved of on the motion of Mr. W. J. C. Riddell, seconded by Mr. Lugg, agreed to accordingly.”

154. Those minutes are written by you?—Yes, I was considered to be secretary to the affair.

155. That is correct as read by Mr. Gore and you?—Yes, Mr. Riddell was present also, and he can say whether they were correct or not.

156. The money was paid in to the credit of the company, and the amount was £666 13s. 4d.?—Yes.

157. Have you the bank book?—No, it was in the Standard bank, but their closing does not affect us in the slightest; we got all our money out of the bank.

158. Is it correct that this company was not offered to any other person except on the terms now mentioned and joined in by the various shareholders?—None whatever. It was offered to none but my own personal friends, and I said—“What I do for myself I will do for you.” It was never advertised; all in it are either Mr. Gore’s friends or my own.

159. They were all in on the “bed rock”?—Exactly. I have not made one fraction out of the affair. Whatever I paid for it they would have a share at the same price.

160. *By the Hon. F. Brown.*—That is the time that Mr. Langtree came in?—Exactly.

161. *By the Hon. the Chairman.*—You take half the company?—Yes.

162. Have you re-sold more than Mr. Langtree’s?—Yes. I had £4,750, and I have reduced it to £1,700. I could not afford to keep them all. I reduced them exactly on the same price as I went in myself.

163. *By the Hon. H. Gore.*—A part of this was reduced by me. That is, three or four of my friends went in, and they got it at the same price from you?—Yes.

164. *By the Hon. S. W. Cooke.*—The purchase-money was £8,000, and then there was to be this rebate of £2,000 for Mr. Bowman. The company came in for a share of that. On what grounds did they get that from Mr. Bowman. You made this discovery that there was this rebate, and the company came in for a share of it?—In asking Mr. Bowman, I said “What are you getting,” and he said “£2,000.” Then I wanted to have some of it. I wanted to make a reclamation of some of it.

165. It was rather curious for him to give up that. That was between him and Markey?—He would never voluntarily have told me he was getting anything; but he could not find a buyer every day for the property at that price.

166. As a matter of fact you purchased for £8,000 nominally, and you give £7,300 odd?—You must understand that the property was under offer to Mr. Bowman, and Mr. Brown said to me “Do not lose Markey’s.” He said we would make more than £11,000 out of the upper working, and seeing we were only going to give £8,000, less £666, it looked a very fair speculation.

167. *By the Hon. F. Brown.*—What induced him to give up a sum that he was going to pocket?—You cannot find a buyer every day.

168. *By the Hon. H. Gore.*—Was it because you had paid a third of his expenses?—I suppose he was in duty bound to recognize that.

169. Was not that your plea that you had paid a third of his expenses, and therefore had a right to a third of the rebate. That was the same proportion as we paid of his expenses?—Yes; but still he need not have told us what he was getting at all.

170. But having found that out, was not that your plea?—I suppose that is really what it was.

171. *By the Hon. F. Brown.*—He having told you by haphazard or ill luck, as far as he was concerned, that he was making £2,000, on what basis did you go to get one-third of that?—That is the view Mr. Gore’s question puts. I thought you were asking how he came to explain it.

172. *By the Hon. the Chairman.*—Did you try to get more than a third out of him?—I would not like to say what I tried to get out of him.

173. *By the Hon. H. Gore.*—Did not Mr. Bowman say, “If you are only going to take one property I shall scarcely make anything of it, I have been there several times,” and that he had to share with others?—Yes, he kept saying that, but I did not know who the others were.

174. That his share of the rebate would be so small that it was scarcely worth his time spent on it?—Yes, that he had others to divide his commission with.

175. *By the Hon. S. W. Cooke.*—Mr. Bowman then gets no commission at all for the sale to you of that property?—No.

176. How was that?—You see we did not achieve the object we had at first in view in getting the Broken Hill people in.

177. *By the Hon. H. Gore.*—Was not it because we bought it ourselves?—Not having got them in, we went in just the same as any other ordinary buyers. I have been endeavouring to explain that with the Broken Hill people in the property was a great deal more valuable than without them.

178. *By the Hon. F. Brown.*—All the commission he made he made out of Markey?—He made £1,333 6s. 8d., that is all.

179. Have you the receipt for the purchase-money?—It was produced in the Court, and can be got. The receipt sets forth £8,000.

180. *By the Hon. H. Gore.*—Is that not a settlement practically—*[showing a paper]*?—No; it shows the whole of those payments made up for the £7,333 6s. 8d., and then it shows “arranged to pay Bowman £666 odd,” and signed “Bowman for Markey.”

181. *By the Hon. the Chairman.*—Will you be good enough to forward any documents or document to Mr. Gore showing the transactions you have just referred to, such as the receipt for the purchase and the cheque books and things of that kind?—Yes, that receipt is in Court now. It is duly stamped and receipted by Mr. Watson, the solicitor, for and on behalf of Markey or Bowman, but the payments are set out as well in that statement I have given him that £666 is arranged with Bowman, total £8000.

182. You have a copy of the bank book showing a credit of £666?—Yes.

183. Will you forward that?—Yes.

184. *By the Hon. S. W. Cooke.*—From Mr. Gore's statement I understand that if the property or half of it had been sold to the persons, Mr. Bowman, yourself, and Mr. Gore, would have had a share in that commission of five per cent.?—Yes, but the company would have shared just the same.

185. There was no company then?—We should have made it a company; we should have had it registered.

186. Mr. Bowman was to have a commission of five per cent. on the sale of the mine to the public?—No, to the Broken Hill people.

187. That is the "public," there was a five per cent. commission to be paid to Mr. Bowman, you, and Mr. Gore?—Yes, his share would have been £266 13s. 4d., so that Mr. Gore and myself would have been paid our proportion.

188. *By the Hon. H. Gore.*—What would have become of the other amount handed to you?—It would have gone to the company exactly in the same way.

189. *By the Hon. S. W. Cooke.*—Mr. Gore in his speech before the House says—"He attended their office in company with Mr. A. T. Brown. He told Mr. Wilson that the property was under offer for £8,000, and that it was understood that if everything was right, Mr. Bowman was to receive five per cent. on the £8,000, and that they were to share the commission with him"—who is the "they?"

190. *The Hon. H. Gore.*—The whole of us. Mr. Wilson said to-day that no matter what the figures were when they were all put together we all shared alike; we were not going to share the £133 6s. 8d., but Mr. Bowman said he had made so little out of this and pleaded for the commission if this sale took place to Mr. Wilson, that very foolishly, I think, we agreed to it.

191. *By the Hon. the Chairman.*—That had nothing to do with the £2,000 rebate from Markey?

192. *The Hon. H. Gore.*—Nothing whatever.

193. Was he promised his commission before he went up or after he returned?—His offer will show as to when he put the things under offer to us—all the papers in reference to the matter were handed over to the company's solicitors, and have been used in evidence in the Court, and I have never seen them since.

194. *By the Hon. W. Pitt.*—All the gentlemen whose names are there came in on the same footing as you?—Exactly the same foundation as Mr. Gore and myself.

195. *By the Hon. H. Gore.*—Did Mr. Markey take a share on the same basis?—He did, but that is since the registration—I let him have part of my interest.

196. *By the Hon. W. Pitt.*—Then in reality you have made no money for your trouble in this thing?—Not a penny as yet, and I have yet to learn whether I shall get anything out of the shares.

197. *By the Hon. the Chairman.*—Did Markey take a considerable interest?—He took £62 10s., but he has asked now to have even a greater interest.

198. *By the Hon. H. Gore.*—Did he ask you for an additional interest?—Yes, but I declined, because I did not think it fair to let him have it now after three months at cost price.

The witness withdrew.

The Hon. H. Gore stated that that was his case.

199. *The Hon. H. Gore.*—I wish to add that the only time that I appear in this transaction from start to finish is at the interview with Messrs. Jamieson and Wilson. I was away in Tasmania from that time until the subsequent transactions were nearly completed.

200. *By the Hon. the Chairman.*—Did not Mr. Wilson refer to more than one interview?—Yes, there were one or two interviews, but I refer to this interview when the conversation took place when they sent a reply stating that they had decided not to go into it. From that time until the completion of the purchase I did not appear in it, and I only appeared in it when the purchase was completed by asking Mr. Moore to let three of my friends have an interest in the £4,300—Mr. Leishman, a farmer, residing at Kingston; Mr. Nase, a farmer, also in the shire of Creswick, at a place called Ullina, and the Honorable David Ham.

201. *By the Hon. the Chairman.*—Mr. Langtree did not come in on your recommendation?—No.

202. *By the Hon. S. W. Cooke.*—Is this your position, that you will have no commission from the sale of this property?—Not one shilling.

203. Suppose half had been taken up by the Broken Hill people, would not he and you have taken commission something more than the company would have got?—No, only the expenses. There were certain men agreed to put in £5 each to send up an expert. Those men would have been just as much entitled to the commission as ourselves. Suppose no sale had taken place, and nothing done, all would have had to pay their £5 each, so we all stood in the same boat. The only object was that if you can get a good crowd into a mine you very much enhance the value of that mine in the eyes of the public, independently of your expert or anything else; and I always consider it is a good thing to get a good lot of people into a mine, because they can pay their calls, and it gives the mine a standing and so on. That is the only commission, the fact of such men being in the mine and giving it a tone that it would not otherwise have.

204. *By the Hon. F. Brown.*—It was an anticipatory commission only?—Yes.

205. There was no understanding between you and Mr. Moore that in any way you would pocket commission out of anything?—None whatever, never, not a shilling, because we were bringing in our friends. If it had been advertised we might have done so, but this was the case, that it was all done by private solicitation, and it never appeared in the papers at all.

206. It was never put before the public by advertising, prospectus, or anything?—No.

207. *By the Hon. S. W. Cooke.*—And you offered it to none but the Broken Hill people?—Yes.

208. *By the Hon. the Chairman.*—And it was through their sending up their expert?—Yes; they said they must have the refusal of one half, and that was the basis on which he went. There was another aspect I might mention now that I have noted down, and that is from this point of view, that as having some little common sense, would I be such a fool as to go into court with a case of this kind, in which my only liability was something like £30, when my hands were dirty. I would be a perfect lunatic, at least if any other man had done that, knowing his hands were not clean, I should consider him so, if he went into court for a paltry amount of £30.

209. That is the proportion of the five per cent. commission?—Yes.

210. That is the only sum involved in the case?—Yes. I had one-eighth of the property and the £266 13s. 4d. is very easily arrived at. That is the commission that he sued for.

211. And got?—No, it was decided against him. I merely suggested that as an argument as to probabilities, and if we had said to the company “You must pay this” they would have paid, but the company took it up and we were nominally the defendants as against the claim, and we did not consider we were justified in paying.

212. *The Hon. S. W. Cooke.*—In the judgment it says—“In order to bring the matter favorably before Messrs. Wilson, Jamieson and others, it was proposed that the plaintiff should place all the mines that had been offered to him under offer to the defendants at the same prices that he had agreed to give, and that they should lay this offer before the Broken Hill people. But the plaintiff pointed out that if this were done the Broken Hill people might regard it as a singular transaction.” I suppose you did not agree to that evidence?—That was by Mr. Bowman.

213. Did Mr. Bowman say that to you before you went to interview the Wilson people?—He did, and therefore something went through my mind that this man was not straight, and I intended to go at once to Mr. Moore’s office and disclose everything, because, if I did not, this man Bowman might say something behind my back that might prejudice people in some way. He did say it would look a funny thing if we offered the mine at what we got it for, and did not ask a commission; and then he pleaded that if we only took one mine it would not be worth his while, and we said if it was only £200 or £300 it would not matter, but while I was walking down I had time to consider the effect of that, and I put the matter, as Mr. Wilson himself has said, as clearly as I could before the latter.

The committee room was cleared.

The Committee deliberated.

Adjourned to to-morrow at Eleven o’clock.

TUESDAY, 15TH DECEMBER, 1891.

Members present:

The Hon. SIMON FRASER, in the Chair;

The Hon. W. Pitt

J. Sternberg

The Hon. S. W. Cooke

F. Brown.

Charles W. Langtree examined.

214. *By the Hon. H. Gore.*—Do you recollect the date at which you paid the money for an interest in this mine?—Not the exact date, but I think it was some time in August or September.

215. That is a copy obtained from the block of your receipt, and I presume it is correct—[*handing the same to the witness*]?—Yes, I think that is a copy, but I could produce the original. The sum mentioned (£500) is correct.

216. *By the Hon. the Chairman.*—The amount is correct, and the figures are correct?—I think so; I cannot speak from memory as to the one-sixth and the number of shares, but I can let you have the original if you desire it.

217. *By the Hon. H. Gore.*—The registration took place on the 10th September. It says:—“One sixteenth purchase of Markey’s lease. All preliminaries and future workings were arranged and adjusted at meeting of shareholders just held, and company is now being registered of 100,000 shares of £1 each, 50,000 to be issued up to 10s., and 50,000 to be issued as paid up to 5s. Your proportion will be 3,125 shares of each, total 6,250 shares. As soon as scrip is issued they will be forwarded to you.”—Did you notice “All preliminaries and future workings were arranged and adjusted at meeting”?—I think not.

218. Did you go to the office after that and ascertain what those “preliminaries” were?—I cannot remember.

219. As a matter of fact, did you know exactly the position of affairs until you met me the morning before the trial?—The facts were perfectly clear to my mind. I met you and Mr. Moore, and you told me you had a very good mine under offer for £8,000 plus 5 per cent. commission.

220. You did not meet me; I was in Tasmania?—At any rate I saw you subsequently.

221. I was away the whole time and never saw you until two days before the trial?—That is probable; but I saw you afterwards and you corroborated what Mr. Moore said, namely, that every person that took an interest in the mine would stand in on the “bed-rock,” that no one was to get 6d. out of it. I subsequently received a letter from Mr. Moore reiterating that statement, and saying further that he had received the report of the expert who had been sent up to examine the mine, that it was a bulky document, otherwise he would have sent it for my perusal, and asking me to come down and inspect it, which I did. I was quite satisfied with the report and gave him a cheque.

222. That was after the registration?—I can tell at once as to dates if I look at my bank-book.

223. Are you satisfied now that you are standing in with this property exactly the same as the others?—Certainly. I had no doubt about that at all until Mr. Bowman saw me immediately before the trial at the County Court, and then he wanted to persuade me that Messrs. Gore and Moore were getting so much out of the affair, that they were to get one-third of £2,000 and one-third of the £400 commission, that same afternoon I saw Mr. Gore and I told him what Mr. Bowman had stated to me, and he then

explained matters to my satisfaction. He said that neither he nor Mr. Moore had taken a 6d. out of it, that their statements to me in the first instance were absolutely correct, that the one-third of the £2,000 and the third of the £400 commission had been placed to the credit of the company, and that the mine was being developed with this money.

224. Are you quite sure about the £400 commission?—I am not quite clear that you referred to the Commission on that occasion. Certainly Mr. Bowman did. I am quite clear that you mentioned about the one-third of the £2,000.

225. *The Hon. H. Gore.*—I would like to point out that if you compare that receipt with the statement before you, it compares exactly with the interest the others got.

226. *By the Hon. H. Gore (to the witness).*—When did you first hear of this mining lease and land being for sale?—I think it was in the beginning or middle of August.

227. You heard it from whom?—Mr. Moore.

228. What did he tell you?—His exact words were £8,000, plus five per cent. commission, namely, £400.

229. Who was to get this commission?—I do not know that he told me. Some person who had placed the mine under offer to him—I do not think I heard Mr. Bowman's name mentioned until some time afterwards.

230. There was nothing to lead you to suspect that the mine was bought for really less than £8,000?—Nothing whatever.

231. *By the Hon. W. Pitt.*—You are perfectly satisfied that you came in on the same terms as Messrs. Moore and Gore bought at?—I had not the slightest doubt of it till Mr. Bowman made the statement to me before the trial.

232. *By the Hon. F. Brown.*—Knowing what you do now, have you at any time had a suspicion that you were being misled by any statements of Messrs. Gore and Moore?—Not the slightest, till Mr. Bowman spoke to me; but when Mr. Gore explained the matter, I had none.

233. Any impression given by Mr. Bowman has been entirely cleared up since you investigated the matter?—Certainly; it was removed by Mr. Gore's explanation.

234. *By the Hon. J. Sternberg.*—Did you express any dissatisfaction after having gone into the mine?—No. I felt annoyed after Mr. Bowman's statement; but I was quite satisfied afterwards. In fact, I would not take £1,000 for the shares now, if the statements I hear from the mine are correct.

235. You are quite satisfied that you went in on the same terms as the others?—Certainly; that is I think proved by the fact that we have not been called on to pay any money, and yet they tell me they have 200 tons of quartz at grass being crushed now—I have not been called on to pay 1s. more than the first £500.

236. *By the Hon. S. W. Cooke.*—You did not see Mr. Bowman subsequently to seeing Mr. Gore?—I saw him at the court house.

237. Did you ask him to reconcile his statement?—I told Mr. Bowman I had seen Mr. Gore. I was a little angry after hearing Mr. Bowman, and I said that Mr. Gore had satisfied me that he had not taken anything out of it; but Mr. Bowman did not seem to agree with me.

238. *By the Hon. the Chairman.*—Were you aware of all these facts as stated now when you gave your evidence in court?—Yes, I was.

239. We have not full knowledge of what you stated in the court; is your statement here the same as what you stated in court?—Exactly the same in regard to the £8,000, and the 5 per cent. commission. There was this further addition in court, that some time after I paid my money Mr. Moore stopped me in the street, and told me that Mr. Bowman had been trying to "get at us"—I think those are the words he used, and he said that instead of his paying £8,000 he had only paid £6,000 odd, and that he (Mr. Moore) had determined that he would not pay him anything more than the correct sum.

240. *By the Hon. H. Gore.*—Did you know that the company were fighting this, or did you think it was Mr. Moore and myself?—I was told that it was the company.

241. *By the Hon. the Chairman.*—That is, defending the action?—Yes. I remember Mr. Moore telling me that he had made a clear statement at the meeting of the company, and that he had stated the company would have to pay if they defended the action.

242. *By the Hon. S. W. Cooke.*—You are reported in the *Argus*, in answer to Mr. Barrett, who asks, "When did you find out that those two gentlemen (Messrs. Moore and Gore) had received the £666," to have said, "Yesterday morning; I knew nothing of it till then"—That was correct.

243. This £666 was not received by Messrs. Moore and Gore?—I must tell you I had very little knowledge about the company at all. I thought that it was a syndicate, and that we were working the mine ourselves. I have got no scrip; all I have for my £500 is a receipt of which the document previously produced appears to be a copy.

244. *By the Hon. H. Gore.*—You have not asked for your scrip?—I did go down to the office one afternoon, and I was told they were not going to issue the scrip to any one at present.

245. *By the Hon. F. Brown.*—There was the remark of the Judge to the following effect:—"It appears to me to be clearly proved that the plaintiff and the defendants did engage in a scheme to deceive and mislead the public. They endeavoured to sell the mine by mis-stating the price that was paid for it, and by misrepresenting its real value. From the letters of the 29th of July it is manifest to me that it was originally intended to carry out their plan upon a scale of considerable magnitude, and the evidence of Mr. Langtree makes it clear that the scheme was partially successful." In anything you gave in evidence, do you think in any way you conveyed that idea in your mind?—I think not. I stated exactly what occurred. The statement made by Messrs. Gore and Moore was that they bought the mine for £8,000 plus the 5 per cent. commission.

246. Then whatever the judge might have taken from your evidence, there was nothing in your own mind that would lead to such an idea as that?—I merely made the bald statement to the judge of what occurred.

247. But a man may make a bald statement, and at the same time have a suppressed idea that he had been taken in or attempted to be taken in. As an individual, did you at the time have that impression?—Not so far as Messrs. Gore and Moore were concerned. As I said, Mr. Gore the previous evening explained

to me that the money that he and Moore were said to have pocketed had been put to the credit of the party or syndicate, and that we had been working the mine with that money, and, as a proof of that, we have not been called on to pay any further sums beyond the original money, though the mine was being worked and had 200 tons of stone at grass.

248. *By the Hon. H. Gore.*—You could have found out all this if you had gone to the office?—No doubt.

249. In fact, you took my word?—I took your word. I was extremely annoyed at being brought into court. It was Mr. Bowman called me.

250. *By the Hon. the Chairman.*—You were the plaintiff's witness?—Yes, I was called by Mr. Bowman. Of course Mr. Bowman naturally had a different version from what Mr. Gore gave me.

251. Did his version lead you to believe that the £600 odd was not placed to the credit of the company or syndicate?—Yes.

252. *By the Hon. F. Brown.*—You stated that had Mr. Bowman's story as to rebate been true you would have been aggrieved?—Certainly.

253. And you have satisfied yourself that it was not correct?—Yes, satisfied, as I say, because I have not been called on to pay other sums since. I may remark that the defendants' counsel scarcely said one word to me; he did not bring out the fact that Mr. Gore had explained to me the previous day. They seemed to drop me as soon as they had the bald statement out of me. I was astonished I was not asked any questions. I could not, of course, volunteer a statement to the judge, and I concluded that Mr. Gore would himself explain to His Honor what he had previously told me.

254. *By the Hon. the Chairman.*—I understand you to say that, had the defendants' counsel cross-examined you, evidence would have come out such as is now given by you that would have shown that you came in the same as others came in, and would have cleared away the matter that the judge might have been under a misapprehension about?—I should have told him exactly what I have told you now.

255. You were not asked?—No, the counsel only said—"You were one of the gentle public that came in to be gulled." Those were, I think, the only words he said to me, or words to that effect.

256. *By the Hon. F. Brown.*—This mine was not brought under your notice in any way by advertisement or prospectus?—No.

257. Simply by a private individual, to a private friend?—Purely.

258. *By the Hon. the Chairman.*—And you have said you look on the investment as a good one?—Certainly, there can I think be no doubt about that if the expert's report, and the statements made to me from time to time are correct.

The witness withdrew.

259. *The Hon. H. Gore.*—The Honorable Mr. Ham was asked to attend as a witness to-day, but, as he may not be here, I may inform the Committee that when Mr. Wallace showed me this letter, as to this line of country, from an old mining manager, Mr. Ham was present, and I asked him if he would make one to send up an expert. I said it would not cost more than £4 or £5 each. He said he would. He went away to Brisbane, and, having promised to pay that proportion, I felt myself in duty bound to offer him an interest in the venture, and I got his clerk at Ballarat to telegraph to Brisbane that the expert's report was a good one, and asking whether he would take an interest. He replied, "Yes," he would take £250 worth. That was the whole transaction. If nothing had come of the whole transaction I should have gone and asked him for the cheque for the expert, and nothing more would have been done, but as something came of it I was in duty bound to offer it to him.

260. And he is a registered shareholder now?—Yes. You heard Mr. Langtree say that he had not got his scrip, the reason of it was that it was understood that until we got the first crushing out which would prove that the mine was a genuine one we should lock up all the scrip.

261. That is done frequently?—Yes, it was decided by the others. I was not present at the time, but I fell in with it.

262. *The Hon. H. Gore.*—I produce, for the inspection of the Committee, a statement of accounts with the certificate of the auditor, Mr. Merrin, F.S.A.A., attached, audited this morning, showing exactly how the account stands to date in the books of the company, and showing that £663 11s. 2d. of the £666 13s. 4d. has been spent on the mine, leaving a balance of £3 2s. 2d. That is to show that the accounts correspond with the evidence given yesterday and to-day. After the purchase, and when the mine was in course of work, Mr. R. M. Turner, a member of the Stock Exchange, and director of the company, went up to the mine with Mr. Moore, and this is their report at the directors' meeting held 17th November, 1891, and confirmed on the 14th December, 1891. "Mr. R. M. Turner gave particulars of his visit of inspection of the mine in company with legal manager, and expressed every satisfaction as to work done up to present time, and was of opinion that the property was a very valuable one, and when properly opened up would yield good dividends. Legal manager was of opinion that it would be well to allow mining manager to complete work now on hand, viz., to connect shaft with tunnel for ventilating purposes, and before the end of the year to have all stone at grass crushed and cleaned up, and the mining manager could meet the directors and make clear his wishes as to the future working of the claim." That director holds £1,000 interest in it. That simply corroborates what has been said about the value of the mine.

263. *By the Hon. F. Brown.*—In making that audit did he examine the bank-book?—I cannot say that.

264. That would be the main evidence to make it valuable. Your statement is that this money went to the credit of the company?—Precisely.

265. If the auditor had examined the bank-book he would say the money was credited?—But it has been expended, and there are the particulars showing that £663 11s. 2d. of the original £666 13s. 4d. has been spent on the mine.

266. On behalf of the company this money has been expended and has been duly met by their cheque?—Exactly.

267. *By the Hon. S. W. Cooke.*—Mr. Moore, in his evidence as reported in the *Argus*, says, "after we got the claim we tried to dispose of it for the £8,000 with £400 commission added"; now what do you mean by disposing of it?—That is either an error in the report or a mistake of Mr. Moore's, because the only offer of disposal was to Messrs. Wilson and Jamieson of half the claim.

268. At all events the only offer of that mining lease was the offer to Messrs. Wilson and Jamieson?
—Yes.

269. And it was for the half?—Precisely, and in accordance with the agreement with the expert.

270. And if the Broken Hill people had consented to take the half, Mr. Bowman would have got commission on £8,000?—I do not think he would.

271. That was the agreement?—It was, partly, but on considering the matter I did not think it was a fair thing to do, and I said that I for one would resist the commission, knowing that Mr. Bowman was making £1,300. I may say that in the face of all that has been flying about in the papers in reference to this case, not one man who was asked to go into the venture has even thought it worth his while to write to me in the matter or complain in any shape or form, showing, I think, that if they had thought there was anything to complain of they would surely have written in the matter.

The Committee-room was cleared.

The Committee deliberated.

Robert Bowman, a Member of the Legislative Assembly of Victoria, examined.

272. *By the Hon. the Chairman.*—I may say we decided to invite you to give evidence before you volunteered to give it?—I am pleased to hear that.

273. Do you desire to make a statement in regard to this matter?—Yes; commencing at the foundation of this matter, I had a mine offered to me in Gippsland called Ryan's. This Ryan's property was put under offer to me at a certain price, and I was to have a certain number of shares or money value out of it if a company was floated. I could have either; that was the arrangement made with Ryan. I met Mr. Gore in Collins-street, and I told him about this claim.

374. *By the Hon. S. W. Cooke.*—What date was that?—That would be early in July. I had previously seen Mr. Butters in conversation, and he said there was a Mr. Moore whom he knew—that was three days before I saw Mr. Gore—and that Mr. Moore would be a very likely gentleman to take the mine off my hands.

275. *By the Hon. the Chairman.*—That was Ryan's?—Yes. Mr. Gore said to me, "Come and see Mr. Moore, I am mixed up with him in mining;" and I said, "Is that Mr. R. T. Moore," and he said "Yes," and I said "I had seen him two or three days before as Mr. Butters mentioned his name to me," and I said, "He evidently knows nothing at all about quartz mining, and unless you like to go into it yourself, or go up and have a look at the mine, there is no use my seeing Moore in the matter." But we ultimately agreed with Mr. Gore to go and see Mr. Moore as he was a partner with Mr. Gore in several other properties. In conversation with Messrs. Gore and Moore I wanted Mr. Gore to go up there himself, and Mr. Gore said "No, he could not spare the time." It was very awkward for me to go away, but I believed it was a good line of reef, and I would go and see if we could get some other properties under offer adjoining Ryan's. I said I would go if they would pay part of my expenses, and they could have a third of the interest in anything made out of the claims. I got, I think, six or seven claims put under offer at a certain price with a certain rebate from each of those claims. I cannot tell you the exact amount of each, but I recollect Markey's, but you will see it all on the papers that were before the court. I went up; they paid me, I think, £30 as part of my expenses, and they were to have one-third and I two-thirds of the interest, which I intended dividing with a friend of mine. When I came down to Melbourne, after being there some considerable time, I placed all the claims on this line of reef that I had under offer before Mr. Moore and Mr. Gore in a written document, offering them all at the prices mentioned, and 5 per cent. added. In offering the mine to them, Mr. Gore said he was anxious to get the Broken Hill people into it. I want the Committee to be particularly seized of the fact that the next day, after I came down, Messrs. Gore and Moore were present, and that made me offer the mine without consulting Mr. Gore or Mr. Moore with regard to commission or anything. As the mines were in my hands for sale, I gave them a written offer, written in my own office, before I came to Mr. Moore's office, not written by any instruction from Mr. Gore or Mr. Moore, because I considered the mines were good property, and worth the money, which I do at present. At that same time they had the rebates from each of those mines and the other offers before them. Some of the evidence is contrary to that, I believe, but the documents will speak for themselves. I only desire to mention what the documents corroborate. Mr. Gore informed me he went and saw Mr. Wilson and some of the other Broken Hill people to get them to take a certain interest in it. He informed me he did not succeed. He said to me "Will you allow us" (that was Messrs. Gore and Moore) to take any of those mines we like, and we will take them out of your hands and pay you for them." I said "Yes." They chose three mines, Markey's and two others; the others fell through, and they concluded with me for Markey's for £8,000 and five per cent. commission, the same price as in the original offer. This is borne out by evidence, by statements prepared by Mr. Moore. When two or three days had elapsed I wanted some money, as I had absolutely sold the mine, and Mr. Markey wanted some money. Mr. Gore had gone to Tasmania; previous to doing so he told me that Mr. Moore would carry out the contract and pay for the mine at the price mentioned; that was £8,000 with five per cent. added. They were to have at the same time one-third of the rebate, and one-third of the commission to be divided by Mr. Gore and Mr. Moore. That was an absolute sale to Mr. Gore and Mr. Moore, nothing about a sale to any other person. The matter went on, delays took place, and Mr. Moore, whose office I had to go to often to get the settlement, told me he could not settle till Mr. Gore returned, as he would have to get some money from Mr. Gore. I find the evidence of Mr. Gore was that he left £1,000 with Mr. Moore before he went away. After considerable delay, as Markey was getting anxious, Mr. Moore paid so much on account of the mine. In order to make my statement complete, I require a document of the 27th August, which I initialled on the 31st August.

276. *The Hon. H. Gore.*—An application was made to Mr. Watson, Mr. Bowman's solicitor, for the papers, and that one was the only one I got out of court—[referring to a document on the table].

277. *The witness.*—I want the document that was produced in the County Court.

278. *By the Hon. the Chairman.*—Will you complete your evidence as far as you can without that particular document?—I would prefer not going any further without the documents.

279. Leave out your reference to that document; complete your evidence?—That is the most important part of my evidence. However, I will now turn to Mr. Gore's statement in the Upper House. Mr. Gore says, in giving the explanation, "Some time ago Mr. J. A. Wallace showed him a letter which he had received from an old mining manager of his at Omeo, asking him to visit Omeo and endeavour to purchase a property known as Ryan's, Swift's Creek." As a matter of fact I showed Mr. Gore that letter. I had it in my possession—Mr. Wallace did not show it to him. Mr. Wallace will confirm that. This letter came into my hands in this way. When Ryan's claim was offered to me a friend of Ryan's said to me, "I know that Mr. Wallace has been consulted about this claim, and as he has not paid any attention to the letter, perhaps you can get the letter from him." I went to see Mr. Wallace, and I said "Did you receive a letter from Swift's Creek about Ryan's claim, five or six months ago." He hunted up the letter, and I said, "Is this a reliable man," and he said "Yes, a very trustworthy man, an old employé of his," and he wrote on it "I have every confidence in this man's integrity, and his word may be taken." I gave that letter to Mr. Gore, so Mr. Gore did not receive that letter from Mr. Wallace. I told Mr. Gore that he could see Mr. Wallace about it. Then he says, "then Mr. R. T. Moore came to him and asked him if he knew of a property at Swift's Creek, called Markey's line of reef." As to Mr. R. T. Moore, it was impossible to ask him if he knew of such a claim, because there was no such claim as Markey's offered to Mr. Gore or Mr. Moore at that time. It was after I went up that I got Markey's claim under offer. It was called the Long Gully line of reef. Markey's was the name I got for it, so those statements are not correct. He says, "A few days after he (Mr. Gore) had the property offered to him by Mr. Bowman, who was introduced by Mr. Butters." Markey's claim was not known to be in existence by either Mr. Gore, Mr. Moore, Mr. Bowman or Mr. Butters. It was Ryan's claim, consequently I could not have offered this through Mr. Butters to Mr. Moore. It was never heard of before.

280. *By the Hon. F. Brown.*—You see that follows the report of the expert?—When the expert returned, then he deals with Markey's; but this is before the expert had returned. He says that "Mr. Wilson and his party were to stand on exactly the same level as himself and Mr. R. T. Moore—that was that if they paid £7,000 Mr. Wilson and his party were to pay £3,500 for their half share." No single mine, I understood from Mr. Gore, was offered to the Broken Hill people. It was after he had finished offering them to the Broken Hill people that Markey's came in.

281. *By the Hon. S. W. Cooke.*—Were you present at the interview with Mr. Wilson?—I am telling what Mr. Gore told me when he returned. Mr. Gore said his statement in the Legislative Council was absolutely correct.

282. *The Hon. H. Gore.*—Substantially correct is what that means.

283. *The witness.*—I will now refer to the evidence given yesterday. Mr. Gore says, in reply to Mr. Cooke, "We discovered Mr. Bowman was going to get a rebate." There was no discovery made, as Mr. Gore and Mr. Moore had my written offer with the rebate attached and the price attached, and they knew nothing at all about the price of the mine until they had the rebate as well. I had a written agreement with Mr. Markey. He wanted £8,000 for the mine. I said, "I will give you £8,000 if you give me a rebate of £2,000"; and after some delay we closed at that price. But Mr. Moore says he "discovered afterwards," whereas Mr. Gore was seized of all the facts the morning after I came to Melbourne.

284. *By the Hon. the Chairman.*—We have documents showing that the mine was sold to you at £6,000, and sold to the other people by you at £8,000?—But I am speaking about the offers in July, which were in court. Those agreements you have were drawn a considerable time ago.

285. *By the Hon. F. Brown.*—Is this one of the agreements—"I agree, in consideration of your selling my leases as offered to you, to pay to you, or anyone you may instruct, all money I receive over £6,000." That is addressed to Mr. R. Bowman, and signed by Markey?—Yes.

286. Then, on the 17th August, Markey signs this:—"Having entered into agreement with you this day for sale of mine at Long Gully, Cassilis, contained in gold mining lease No. 1511, and application for lease No. 521 to you for £8,000. In accordance with my agreement with you of 27th July, 1891, I now undertake to pay and allow to you for your services the sum of £2,000 on the said sale being completed and the purchase-money paid to me in accordance with the agreement of this day's date?"—The originals were in court, and I wanted to show that the original document was in the hands of Mr. Gore and Mr. Moore the next morning after I returned from the Omeo, setting forth the amount of rebate in each mine, including Markey's, and the cost of each mine.

287. *By the Hon. H. Gore.*—Was that before the interview with Mr. Wilson?—Yes; I think that took place the next day after I returned from the country. Then Mr. Gore says, "We discovered that Mr. Bowman was going to get a rebate."

288. We discovered that from the documents?—There was nothing held back by me, no secret agreement between Markey and me, or with Mr. Gore and Mr. Moore. I gave them all the documents and agreements, and they were to stand in one-third with me, and the documents show that. Mr. Brown says when the expert was sent up nothing was known as to there being any understanding between Bowman and Markey; none that I am aware of, you have all the particulars in your possession. Mr. Cooke says here—"I do not see what claim you had on the £2,000 rebate, as agreed to between Mr. Bowman and Markey. 'Did Mr. Bowman readily give up that,' and Mr. Gore's answer is—'Yes, on condition that we paid up one-third of his expenses, and he told us he had intended all along to give it to us.'" It was a written agreement between me and Mr. Gore.

289. *By the Hon. the Chairman.*—It is desirable that we should confine ourselves to the statements affecting the inquiry that has been submitted to us, that is, anything that affects Mr. Gore as a member of our House; that is, whether the public were deceived, or whether he benefited by the moneys that came into his hands, or attempted to deceive the public?—With all due respect, am I to allow the statements in the papers to go against me without contradicting them?

290. Your own House must deal with that; we are not here to deal with the reputation of a member of the Assembly, and we cannot go beyond our instructions?—Then why admit this evidence if I have not an opportunity of contradicting it or acquiescing—it is not fair to me, even as a private citizen.

291. Will you proceed then?—I had got so far before the lunch hour and wanted those papers. I was stating that I bought the mine and sold it at a certain price. I had no secret price held back from Markey or Messrs. Gore and Moore. I was only dealing with them, so there was no secret arrangement as between us. The statement of accounts is dated 27th of August, showing that it carries out the agreement

made of £8,400. Here are the different amounts set forth up to the 27th of August. I might mention that I called at Mr. Moore's office as there was a great delay over the payment of the matter, and he always made the excuse that Mr. Gore had not returned from Tasmania. He put this account before me at his office setting forth that Markey and I had received from Mr. Gore and Mr. Moore £1,450. Now, Markey and I had not received that £1,450, we had received that, less £666 13s. 4d. and £133 13s. 4d. I was asked to sign this account as correct. I refused to give a receipt, simply because I had not received it. I asked, "Why do you ask me to give a receipt for those sums?" The reply was that Mr. Wynne, of Cuthbert and Wynne, was coming in as one of the shareholders, and they did not want him to know what rebate we were getting. I said, "I do not care what you get for the mine, and said I would not sign as a receipt, but would acknowledge that the figures were correct." That was four days afterwards. I may say that statement of accounts is borne out by the former letter of the 27th of August to my solicitor, Mr. Watson, where he says—"C. M. Watson, Esquire, Chancery-lane, *re* Markey's lease, which I have purchased from Mr. R. Bowman. Dear Sir, will you please arrange for a settlement of this matter for Tuesday next, 1st of September, at 2.30 p.m., when I will be prepared to pay you balance in settlement, viz., £6,950, always providing title clear and perfect." Now you will find in that document the £6,950 put on to that other will make £8,400 exactly. This was the 27th of August when that statement of accounts was drawn up. You will observe there are two items there, £666 13s. 4d. and £166 13s. 4d. which I never received.

292. That is the original letter you put in?—Yes. I may tell you that in Mr. Moore's office, in my presence, Colonel Smith, whom I would be glad if you would examine, agreed to go into the mine on the basis of £8,400 and had given his cheque some time before this date, and Mr. Moore said he had received no money, and I said, "I know you have received Colonel Smith's cheque." I made another statement as to these mines being under offer some time in the latter end of July. I would ask you to look at these other two documents. I stated that this mine of Markey's was offered at £6,000 with a rebate of £2,000, and that I had had an offer at £8,000 and the rebate agreement at the same time to Messrs. Gore and Moore. I put them into Mr. Gore's hands in the presence of Mr. Moore, and that is dated the 29th July. There is the original letter—"I offer you the mining properties as per list of leases and claims attached, at the prices mentioned, with the addition of 5 per cent. commission. The offer to be open for two days after the expert arrives on the mines, provided he is there this week. He must either accept or refuse the offer after two days' examination. The commission to be made on approval, or when I return to Melbourne, when I will transfer all the offers to you," lodging at the same time these agreements.

293. Would that offer be a letter signed by you?—That is to the "Honorable Henry Gore and Mr. R. T. Moore"—that is the original letter.

294. How did you get that?—My solicitor has got that out of Court. As I stated, at the same time I handed them all my agreements both for rebates and the full price. I hand those in—[*handing in the same as follows*]:—

"LIST OF MINING PROPERTIES.

| | | | | | | |
|---|-----|-----|-----|-------------|---|---|
| Webster, Williams, Braham, and Clements | ... | ... | ... | £8,000 | 0 | 0 |
| Markey's | ... | ... | ... | 8,000 | 0 | 0 |
| Orchar and McKenna's | ... | ... | ... | 3,000 | 0 | 0 |
| Hayes and Walker | ... | ... | ... | 4,000 | 0 | 0 |
| Rice, Brodie, and Ryan's | ... | ... | ... | 3,500 | 0 | 0 |
| Ball's | ... | ... | ... | 12,000 | 0 | 0 |
| | | | | £38,500 0 0 | | |

July 29th, 1891."

295. *By the Hon. F. Brown.*—Those all correspond with the expert's statement on that plan which is put down here at £7,000?—Any way this is a copy of the original offer. I was asked to add to that Ryan's lease, £14,000. Well, after making that offer, as I stated before, the Broken Hill people did not accept the offer, so I was informed. Then Messrs. Gore and Moore offered to take Markey's claim themselves, purchase it from me themselves at £8,400.

296. *By the Hon. S. W. Cooke.*—What do you say was offered to the Broken Hill people?—All those properties.

297. How do you know?—Mr. Gore informed me so, because he took the list to them, at least he said he did; the Broken Hill people saying it was too small for them.

298. Then Mr. Gore said he would take Markey's claim?—Yes; they might work it themselves. I said they should have it at one-third of my rebate and one-third of the commission. Then the delays took place over the settlement of it as Mr. Gore was not here and Mr. Moore had made so many promises, making one promise one day to break it the next. The correspondence will show that.

299. *By the Hon. the Chairman.*—The point is, as to what evidence you can give us to show whether Mr. Gore did anything to deceive the public in this matter. We have no right to go beyond that. Will you kindly confine yourself to the two points, namely, whether the public were offered that mine or the other mines, and whether Mr. Gore received a rebate which you gave, and did not credit it to those friends of his who took shares from him?—All I can state as to that part is that I had nothing to do with its being offered to any one. I had sold the mine absolutely to Mr. Gore and Mr. Moore, and it was immaterial to me what they got for it. I was interviewed by Mr. Brown and Colonel Smith, and they asked me "What is the exact money you are getting for this mine," and I said "I have nothing to do with that."

300. *By the Hon. F. Brown.*—Mr. Gore was not present at that interview?—No.

301. You alluded to the interview with Mr. Moore when Mr. Gore was present?—Yes.

302. Do you recollect any interview where Mr. R. T. Moore said to you, "Well now, tell us, Bowman, what are you making out of this"?—Mr. R. T. Moore never mentioned the matter at all; he was seised of all the particulars, and knew as much about the purchase of the mine and the selling of the mine as I did, because on the 29th July he had all those documents in his own possession and in his safe. His evidence before you is contrary to what is true. He had in his possession those documents on the 29th August, which was the next day I came down from the country.

303. *By the Hon. S. W. Cooke.*—What is your answer to Mr. Brown's plain question? —

304. *By the Hon. F. Brown.*—It is to this effect, that Mr. Moore said to you in a sort of confidential manner, "Now tell us what are you making out of this," referring to Markey's reef?—Never a word was said about it; there never was any shilly-shallying about the price as he says, because he had it before him.

305. Do you recollect any conversation of that nature?—No, because it never happened.

306. *By the Hon. the Chairman.*—Will you go on to deal with the two points?—I cannot say any more about Mr. Gore and Mr. Moore. I have given the particulars in a straightforward manner, and it has been confirmed by evidence.

307. *By the Hon. S. W. Cooke.*—Do you know of your own knowledge of this lease being offered to anybody else but the Broken Hill people by Mr. Gore and Mr. Moore?—I was not present when they sold the mine.

308. Do you know of your own knowledge of this mining claim having been offered by Mr. Gore to others than the Broken Hill people?—Only what Mr. Langtree told me and Colonel Smith, I do not know anything of it myself.

309. *By the Hon. F. Brown.*—During the time you say you were kept a long time by Mr. Moore for the money, were you at all suspicious that it was being offered elsewhere than to the Broken Hill people?—No, I was not.

310. Nothing in the shape of prospectus or advertisement did you see to lead you to believe it was being offered to the public?—It came to my knowledge that they attempted to float it.

311. That was after the personal friends had come in. I mean as an ordinary mining venture being thrown on the market for public subscription, were you aware of the large holders doing that in any public form at all?—No, I have no knowledge of their floating the mine more than what was in the public press, and what I have been told.

312. There was a remark made in the court that Mr. Bowman had said, "Do not be foolish and do that; do not offer it to the Broken Hill people for nothing, they will not believe that I am working for nothing, tack on five per cent."?—No, it did not take place.

313. Mr. Bowman said, "Do not be foolish and offer this to the Broken Hill people at the same price, because they will not believe I work for nothing, but to tack on five per cent."?—Nothing of the sort occurred that I am aware of.

314. *By the Hon. S. W. Cooke.*—Then the judge is mistaken when he says, "But the plaintiff pointed out that if this were done the Broken Hill people might regard it as a singular transaction"?—That was Mr. Moore's evidence; the judge is wrong.

315. He goes on to say "They would wonder why those properties were offered by the plaintiff at the same prices at which he had bought, without making any profit himself, and such disinterested liberality might excite their curiosity and perhaps their suspicions, and make them averse to purchasing the mines." In your opinion, the judge is in error?—Certainly; Mr. Moore made some remark in court about that—I did not.

316. *By the Hon. F. Brown.*—You say it never occurred, whether Mr. Moore gave that evidence or not?—Yes, and Mr. Moore's evidence before you is false from beginning to end, and I can prove it by documentary evidence. In the newspaper report of the evidence yesterday, I see the Chairman asks, "Did Mr. Brown report that the property could be got for £6,000." He did not report about that price, that is not his duty; he did report about the prices attached to each of the mines.

317. *By the Hon. S. W. Cooke.*—I think it would be better for Mr. Bowman to give his own evidence of the facts?—Mr. Gore, in cross-examining Mr. Moore, says, "Did you discover that there was another agreement by which Mr. Bowman was to pay Markey £8,000, and get a rebate of £2,000." He says, "I did. Mr. Bowman explained to me the whole of the properties, and I said, 'What are you getting out of this.' After some little shilly-shallying, he, to make a long story short, said he was getting a commission. I asked, 'What commission,' and then I saw the agreement." Now I had the agreements—there was no shilly-shallying, no holding anything back from him, because I went up, and my agreement was they were to have one-third; I handed them the agreement the day I returned; there could be no shilly-shallying, and there was no secrecy on my part as to Mr. Gore or Mr. Moore, so that evidence is absolutely false. Then Mr. Gore asked Mr. Moore "Was there any bad blood between him and Mr. Bowman. Did you not tell Bowman that he could not be in it." Mr. Moore said, "I told him he could not be in it. He used to come and smoke in my office, and once or twice I asked him if the office belonged to him or to me." I did not ask to get into the mine, but I said if they were short of people I knew some friends of mine who would put in £1,000 or £2,000; but it is absolutely untrue that I was refused admission into the mine, and as to taking possession of his office, I had to go too often to try and get a settlement, and I might have been smoking. Then it says, "Mr. Gore explained to the Committee that he wished to show the bad blood between Mr. Bowman and Mr. Moore, from which the action in question had arisen." The bad blood, if any, was because I could not get the money out of Mr. Moore according to the terms stated, and Markey was anxious to get his money, and I refused to see Mr. Moore afterwards. The Hon. F. Brown said, "You are not aware that this property was ever offered to anybody except the Broken Hill people?" and the answer was, "Not to my knowledge. Mr. Bowman may have tried to sell it." How could I try to sell it, it is absolutely untrue. Mr. Brown—"What induced him to give that up?" and the reply was, "Because he could not sell to any one else." I never attempted to sell to any one else, so that is absolutely untrue. I never offered these mines to any one else; they were in the possession of Mr. Gore and Mr. Moore from the day I offered them. Then there was another matter, Mr. Gore says, "There is another aspect of the question, would anybody with common sense go into court to contest a liability of £33 unless his hands were perfectly clean? A man who did so would be a perfect lunatic." Mr. Gore knew I was entitled to my commission, or why should he offer through his solicitor £100 to settle the case. I did not want to settle the case, because I was entitled to the whole or none. Mr. Watson, my solicitor, informs me that offer was made to him on my behalf. I think that is all I have to state. I saw in the *Standard* paper since that the mine was to be registered at £37,500.

318. *By the Hon. H. Gore.*—Was I present when you put in this document relative to some settlement, and had you any reason to think I had any knowledge of it, the one as to £6,900?—No, I do not think you were there.

319. As a matter of fact, was I in the colony at the time?—I cannot say. You were not present, but Mr. Moore was your partner, and he said he was acting for you.

320. Had you any reason to think I had a knowledge of that?—Yes, I think so, because when you met me in the street you spoke to me about the matter.

321. As a matter of fact, I was not here, and how could I have a knowledge of the document?—I speak of afterwards, before the case was tried.

322. Of course it was discovered before the case was tried, I admit, but had you any reason to think I had any knowledge of that document put in?—No.

323. You referred to Colonel Smith, who said he bought on the basis of £8,400; as a matter of fact, do you know that Colonel Smith gave a cheque for £500?—I only know what he told me in the presence of Mr. Moore. He said to Mr. Moore, "You have got my money."

324. Colonel Smith gave a cheque for £500, and he received a sixteenth interest in the property, how do you make out that he bought at the rate of £8,400?—If I can believe what Colonel Smith told me, that when they made the discovery they were not paying £8,400, but were getting a rebate that Mr. Brown and Colonel Smith said you had agreed to put it into the company.

325. You heard the evidence of Messrs. Jamieson and Wilson, where I disclosed to them, long before Colonel Smith was brought in, that they were to stand in exactly the same as I, and do you believe they were telling the truth or lies?—I do not know the gentlemen at all. I stated before that I only knew the transaction with the Broken Hill people from what you said yourself; I was not present.

326. You told the Committee that you saw the claim was registered for £37,500. Did you find out how that was made up?—A solemn declaration by Mr. Moore, based on a knowledge of the mine.

327. Based on the value of the shares. Do you know this declaration was made practically by the solicitor of the company, and that they were figures simply for registration—it was a declaration by the legal manager on the advice of the solicitor?—The declaration was made before yourself as J.P. You took his declaration that the value of the mine was £37,500, but that I have nothing to do with.

328. *By the Hon. the Chairman.*—Do you connect Mr. Gore with that statement?—He took the declaration. He is the magistrate who took it from Mr. Moore—his name is attached to it.

329. *The Hon. H. Gore.*—In reply to Mr. Bowman's comments, I desire to say that as to Mr. Wallace it does not make any difference. Mr. Bowman may be correct as to that, but I went into it from what Mr. Wallace told me as to this man who had written about the mine. The letter may have been handed about as Mr. Bowman says, but the substantial fact is the same, it does not affect the case.

330. *By the Hon. S. W. Cooke (to the witness).*—You sold this mining claim of Markey's to Messrs. Gore and Moore?—Yes.

331. Do you know of your own knowledge that Mr. Gore misinformed the public in any way as to the price he had given for the mine?—I do not know of my own knowledge.

332. Do you know further—did you hear it was intended to mislead the public?—Do not ask me questions of that sort.

333. Did Mr. Gore say in Mr. Moore's office that he intended to put this mine before the public at a higher value than what he gave for it?—I never heard him say so. There is one matter that is left out. When Mr. Moore paid my solicitor for the mine he only paid £8,000. My solicitor came to me and said, "Moore will only pay £8,000 after my receiving this letter about the £8,400, and the excuse he made was that he had not floated the mine," and he said "As Markey wants the money I can receive that money and can sue Gore and Moore for the commission," consequently the solicitor accepted the £8,000 for the purpose of settling the matter.

334. *By the Hon. J. Sternberg.*—They had the offer of the mine at £8,000, and the rebate and a commission of five per cent. added?—Yes.

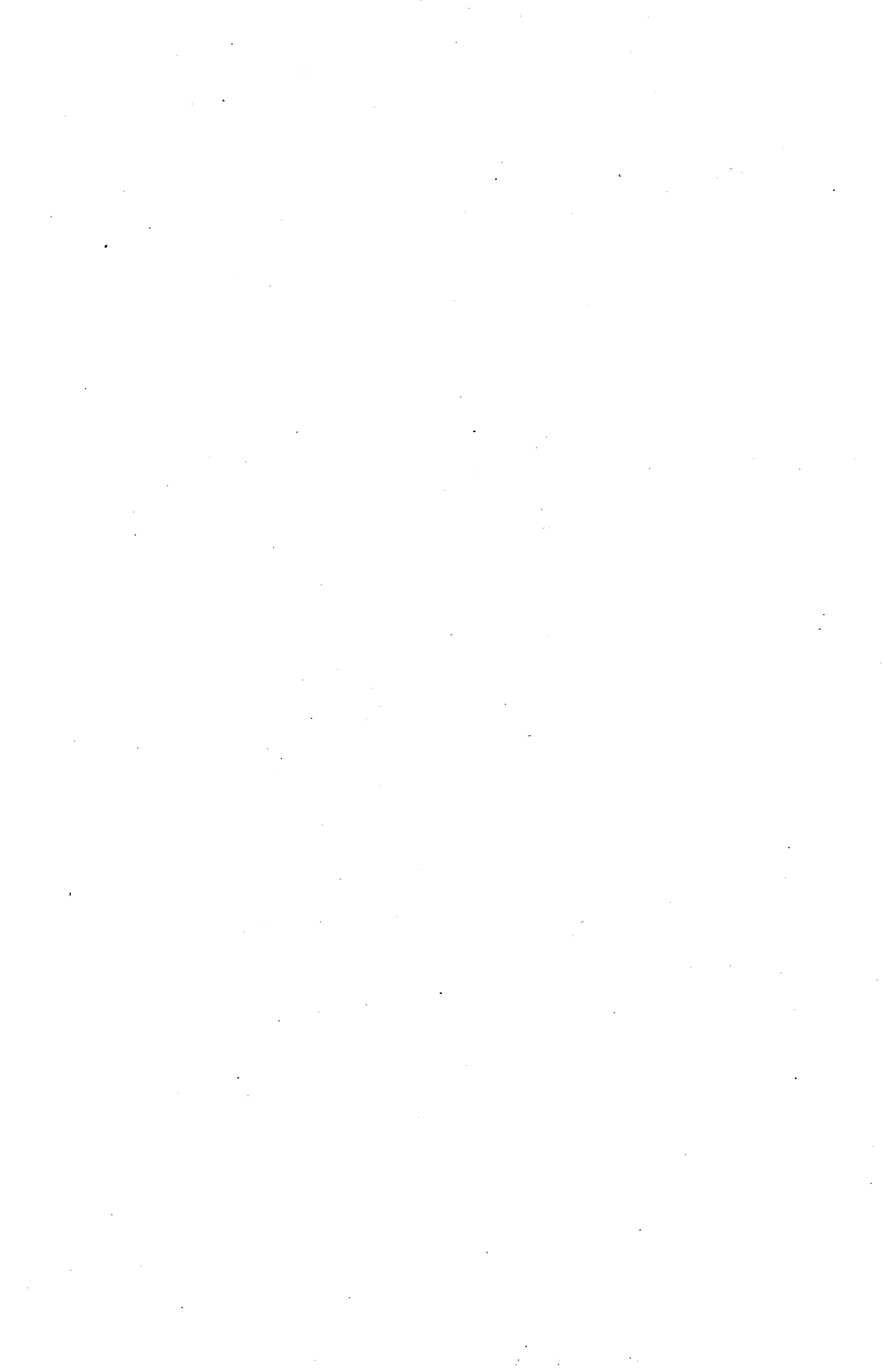
335. Is that Messrs. Gore and Moore?—Yes, my offer of the 29th of July is addressed to them.

336. Did they pay the five per cent.?—No, they promised to pay it up to the very last day, and then they deducted the £266, which I sued them for.

337. *The Hon. H. Gore.*—The reason I have not referred to those points more fully was because I knew it was *sub judice*, and I did not think it was necessary to refer to anything unless it was personal to myself.

The witness withdrew.

Adjourned.



1891.
—
VICTORIA.

LEGISLATIVE COUNCIL.

STANDING ORDERS COMMITTEE.

FIRST REPORT.

ORDERED BY THE LEGISLATIVE COUNCIL TO BE PRINTED, 24TH DECEMBER, 1891.

By Authority:
ROBT. S. BRAIN, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 15TH SEPTEMBER, 1891.

5. **MILITARY RESERVES BILL.**—The Honorable Lieut.-Col. Sir F. T. Sargood moved, pursuant to amended notice, That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by The Constitution Act, the question be referred to the Standing Orders Committee for inquiry and report.

Mr. President said—

Before I submit this motion to honorable members, I think it is incumbent on me to make a few remarks on the subject. My recollection of the remarks I intended to have made on this question when the matter was previously before the House has certainly been very much affected by the attack of influenza from which I have suffered for the last three weeks; but honorable members will no doubt remember the debate that took place on the second reading of the Military Reserves Bill to which Sir Frederick Sargood has just drawn their attention. At the time Mr. Service was criticising the Bill from a policy point of view, with which, of course, as President, I had nothing to do, I felt very deeply impressed with the importance which the honorable member attached to the Bill from a constitutional point of view, and I thought the honorable member's remarks really bore as much upon the constitutional aspect of the Bill as upon the policy of the Bill. Immediately Mr. Service had expressed his opinion upon the point, Mr. Roberts, in a few remarks which he addressed to the House, put the question as to how many clauses in the Bill could be brought before the House, and Sir Frederick Sargood, who had charge of the Bill, interjected—"We can deal with all the clauses up to clause 3." Mr. Roberts said he doubted whether the House could go beyond clause 2, because clause 3 had reference to the leasing of lands, and, therefore, to the payment of rent, and Sir Frederick Sargood replied—"Oh, yes, we can; we have passed such provisions over and over again." Mr. Roberts expressed the opinion that the House could not go beyond clause 2, and he thought, therefore, that the Bill was one that should have been initiated in another place. Deeply impressed with the remarks of Mr. Service, which I thought bore on the constitutional question, although the honorable member intended them to bear more particularly on the question of policy, I came to the decision that the Bill was a Bill which should not be introduced into this House, but which should be first introduced in another place. Honorable members are of course aware that in the House of Lords a certain expedient has been adopted to obviate difficulties of this kind. When a Bill is introduced into the House of Lords, their lordships very often have to insert incidental money clauses to enable the Government to carry out that Bill, but those clauses form only a very small portion of the Bill, whereas, in the case of this Bill, it is not a question of introducing a money clause here and there to enable the Government to carry out the object of the Bill if passed into law, but as honorable members are aware, the major portion of the Military Reserves Bill consists of money clauses, and nothing else. That being the case, I felt it incumbent upon me—not to direct the House or lay down the rule that this Bill cannot be introduced into this House, but I felt at the time that it devolved upon me, as the President, to communicate to honorable members what my opinion is in regard to the Bill, so far as the legal rights and constitutional privileges of this House are concerned. I feel that I am bound, if I know what are those legal rights and constitutional privileges, and so far as I know them to indicate the same to the House, so that the House may decide whether or not my views coincide with the previous practice of Parliament, and with what honorable members consider the legal rights and constitutional privileges of this House; and at the same time I consider it to be also my duty to point out what we should respect as the rights and privileges of another place. That is the reason why I drew attention to this question. In 1885 the Minister of Defence introduced into this House a very important Bill, called the Explosives Bill, and, in order to enable the Bill to be carried out after it was passed into law by another place, the honorable member had two or three small money clauses introduced, which were recognised as being of the character of incidental money clauses. When the Bill was before this House, I think on the third reading, the honorable member referred to these clauses, and said that he would move that they be struck out. The late Dr. Hearn, who was much esteemed and respected in this House for his constitutional knowledge, rose and objected to these clauses being struck out, and said he thought that this Chamber had an absolute right to pass incidental money clauses of the kind, and to send them down to another place. When I was asked for my opinion on the matter, I gave it in favour of the clauses being struck out, on the ground that they were money clauses; and that they were beyond the jurisdiction of this House—that they belonged essentially to another place, as they required to be introduced by a resolution and message from His Excellency the Governor. That case was very different from the case of the present Bill. The present Bill appears to me to be essentially a Money Bill. It is not for me, as President, to traverse the Bill, but I will draw honorable members' attention to this fact, that already the lands with which it deals are permanently reserved from sale for the Defence Department. Clause 2 provides—

"(1) The lands described in the schedule to this Act, and which have been permanently reserved from sale, are hereby vested in the Minister for the time being administering the *Defence and Discipline Act 1890*.

"(2) With the sanction of the Governor in Council such lands may at any time be sold, transferred, and conveyed by the said Minister upon such terms and conditions as he may think fit."

Clause 3 provides—

"The Minister may let or lease for any term not exceeding twenty-one years, and subject to such exceptions, reservations, covenants, and conditions as he may think fit, any of the lands vested in him."

Power is there given to the Minister of Defence to do whatever he chooses in the directions stated with these lands. It would afford me very much pleasure, as one of the representatives of the South Yarra Province and a colleague of the Minister of Defence, to do what I could to enable the land in South Melbourne to be transferred for the purposes of a court-house, because I take an interest in that district, and I think that if the land were so transferred it would serve a good purpose. It was not against the transfer of the land that I felt called upon to raise objection, but I took the view that, in matters of procedure, we should respect the privileges of another place, and not interfere with their jurisdiction so far it is set out in sections 56 and 57 of The Constitution Act. I think I am right in saying—at least I give it as my opinion—that clauses 2 and 3 run into clauses 4, 5, and 6. As I have shown, clause 3 gives the Minister of Defence power to let or lease the land, not with the consent of the Governor in Council, but as he may think fit. Then clause 4 provides that all moneys derived from any sale or lease or letting of any of the lands vested in the Minister, or of any buildings thereon, shall be paid into the public account, and shall be placed to the credit of an account to be kept in the Treasury, to be called the Military Sites Trust Account. Then clause 5 gives the Minister absolute power with regard to the application of all moneys to the credit of the Military Sites Trust Account for certain specified purposes. Clause 6 is as follows:—

"Any moneys standing to the credit of the Military Sites Trust Account shall be legally available for any of the purposes aforesaid whenever and so often as the Governor in Council makes any order directing that such moneys may be applied to such purpose to the extent mentioned in such order."

This is, of course, a matter for the House to decide.—Constitutional questions of this kind have been discussed in this House by some of the ablest men we have had, including the late Dr. Hearn, the late Sir Charles Sladen, and other notable public men. There was always a difference of opinion amongst them, and it would not be for me to dictate to the House, because the House would not be dictated to by me. I simply express my opinion, and it is for the House to decide whether I am right or wrong. I state what I believe to be the rule, and I have no desire that we should sacrifice any one of the rights and privileges of this Chamber. I have come to the conclusion that this is essentially a Money Bill, and that the only clauses which we could properly pass are clauses 1 and 2; and if we were to send the Bill with only those two clauses to another place it would be little better than a piece of waste paper. This Bill does not compare in any way with any Bill that I have ever seen passed in this House with italicised clauses; but the Minister of Defence informed honorable members that certain of the clauses were money clauses, and would have to be struck out. The principle that has always guided me in my conduct as President is this: that although there may be, as there has been, contention between the two Houses, it is not for me to raise contention in any way. I should rather try to avoid it as much as I possibly can, and it has always been my desire to do so. I will say to honorable members, do not give any cause to another place to raise a constitutional question like this, which might lead to difficulty. If our rights are attacked, then we will fight for our rights, but in this instance we can accomplish all that the Minister of Defence desires by allowing this Bill to be introduced in another place. If I thought that the object sought to be accomplished by the Bill was a desirable one, then I would ask which is the easiest way to attain it? The easiest way is to proceed with the Bill in such a manner as not to interfere in any degree with the rights and privileges of another place. I do not know that this question is one of so much importance as to deserve so many remarks from me. If it is the wish of honorable members that this question should be referred to the Standing Orders Committee, I can have no objection to such a course. At the same time I felt it to be my duty to state my reasons for the statements I made on a former occasion, and I hope that in doing so I have not gone beyond the privileges which the House has always accorded to me since I took my seat in this Chair.

Debate ensued.

Question—That in view of the question raised in relation to the Military Reserves Bill being one involving the powers conferred upon the Legislative Council by the Constitution Act, the question be referred to the Standing Orders Committee for inquiry and report—put and resolved in the affirmative.

REPORT.

THE SELECT COMMITTEE of the Legislative Council on Standing Orders, to which was referred, on the 15th September last, the question raised in relation to the Military Reserves Bill as to whether such Bill involved the powers conferred upon the Legislative Council by the Constitution Act, have now the honour to report as follows:—

The Committee having carefully examined the Military Reserves Bill 1891 is of opinion that it does not come within the provisions of section 56 of The Constitution Act, and that it may therefore be introduced in the Legislative Council.

Committee Room,
1st December, 1891.

PROCEED

1891.
—
VICTORIA.

RAILWAYS ACT 1890 AMENDMENT BILL.

EVIDENCE

TAKEN AT THE BAR

OF THE

LEGISLATIVE COUNCIL.

By Authority:

ROBT. S. BRAIN, GOVERNMENT PRINTER, MELBOURNE.

RAILWAYS ACT AMENDMENT BILL.

EVIDENCE TAKEN AT THE BAR OF THE LEGISLATIVE COUNCIL.

FRIDAY, 18TH DECEMBER, 1891.

RICHARD SPEIGHT, Chairman of the Victorian Railways Commissioners, examined.

1. *By the Hon. H. Cuthbert.*—During the discussion on the Railways Amendment Bill certain matters were brought before the notice of the House, and they thought it desirable that, in your position as Chairman of the Railways Commissioners, you should be called to the Bar of the House to give information to them on matters of public policy. I therefore intend to put a few questions to you relative to your administration of the railway business since you were appointed. When were you appointed?—February, 1884. I received my appointment from the 1st of January, 1884.

2. Immediately on arrival you took the position of Chairman of the Railways Commissioners?—I did.

3. Now, comparing the financial position of the railways before you took office, during seven years previous to your taking your position of Chairman, and the seven years during which you have acted as Chairman, will you inform the Committee what is the difference between the management for those respective periods?—During the seven years ending 1883 the interest to be met upon loans invested in railways amounted to £5,500,000—(I am speaking in round numbers)—and the net revenue, that is to say, after paying working expenses for the same period, was short of that interest £1,095,000. During the seven years ending 1891 (the financial year, commencing in June, 1890, and terminating in June, 1891) the interest to be met was £7,600,000. The net loss in meeting that interest was £510,000, so that we met interest to the extent of 50 per cent. almost in excess of the interest that had to be met in the preceding seven years, and the deficit was half the amount that it was in the preceding seven years.

4. By the Return that we have been furnished with by the Treasury there seems to be a difference of over £600,000 between the Railways Commissioners and the Treasurer. As to that deficit, would you inform the Committee how such a very great difference exists. I see from this Return that is headed “Victorian Railways. Statement of Income and Expenditure from 1st July, 1884, to 30th June, 1891, as per Treasury and as per Commissioners’ Report.” It shows the result “loss on the seven years per Treasury as £1,175,273;” “loss on the seven years per Commissioners’ Report, £510,859,” the difference being £664,414?—That arises in this way. The Treasurer in his account has dealt with the period during which the cash was actually paid, and has not regarded the period in which the expenditure to which that cash related was incurred. For instance, there is one item of £236,000 which was paid by the Treasurer in 1884, the year that we came, which represented cash that had been expended in the working of the railways prior to our coming, but the cash for which had not been provided, although that expenditure had been properly taken into account in the annual reports of the Minister of Railways of the day. So that the £236,000 which is brought against the period of our administration had no more to do with that than that we received the cash to pay the indebtedness incurred and properly chargeable before we came.

5. It is not quite a quarter of a million?—Yes. The next item of discrepancy is £214,000, which represents interest received by the Treasurer upon loans whilst they are not required for railway purposes. Say, for example, that the Government raise a loan of three millions of money, intended to be used in the construction of railways, the Railway Department cannot spend that money immediately it is raised, and the Treasurer places it upon deposit in the bank. We, in our railway accounts, charge ourselves with the interest from the moment that we draw the money from the Treasury, but this £214,000 has been received by the Treasurer from the banks with whom the money has been placed at deposit, and he credits the General Treasury Account with that, but charges the Railway Account with the interest upon the money borrowed from the time it is borrowed. Consequently, if we are to be charged from the Treasurer’s Cash Account point of view with the interest upon money that has been borrowed for railway purposes but not spent for railway purposes, we should be credited with the interest that is received during the time that amount is at deposit, and in our accounts we take that into consideration, but the Treasurer does not take that into consideration, and he says, “It is on railway account, and we place that against the railways, but we will not give you credit for that which comes into the Treasury as interest.” That accounts for £450,000. Then there is the amount of £140,000 for stores. The Treasurer takes the view that, as far as possible, money should not be spent unless Parliament has voted it. We are a going concern; we cannot, like any other branch of the public service, draw a line at midnight at the end of the financial year, and wait for further votes to enable us to carry on our business, consequently we have to have stock in hand and to enable us to carry on that business, and in our railways at the present time we have stores that, if we sold the railways to-morrow, we would require from those who came in more than a quarter of a million for them. They all are necessary for the conducting of the business of the railways, but the Treasurer said, “I quite understand that, but still I think that the money should be voted by Parliament, and therefore I will put an additional sum on the Estimates, and he put £113,000 on the Estimates to cover the expenditure that had been incurred by the Railway Department in purchasing stores which would not be used until the following financial year, that brings the amount up to £590,000 out of the £600,000 and odd that you

name. Then there is a further item of £71,000, which comes out of the Treasury, that is for services and duties performed in relation to the construction of lines. Say, for instance, the engineering staff, drawing offices, and all those kind of things, have to do work for both maintenance and construction, and it is the practice, and always has been the practice on the Victorian Railways, and it is the practice in all public and private railways, that where a staff is used for two purposes, namely, one for capital and one for working expenses, a fair and reasonable proportion of that expense is chargeable to capital as against working expenses; and for the seven years we have been there, following out the practice of the 30 years the railways have existed, and of all railway companies, £70,000 has been charged to capital instead of working expenses. The Treasurer says, "I paid the money out of the Treasury Fund, the railways had it, and I will debit it to them." I have thus accounted for the full difference between the two.

6. That would bring the deficit on the railways for the last seven years to £510,000?—Yes.

7. How do you account for this deficit of £510,000?—I account for it by the fact that we have opened a very large additional mileage which has been sanctioned by Parliament for the purpose of developing the country. The country is being developed by the construction of those railways, but nobody could reasonably or possibly expect that the money put into railways, particularly in agricultural districts, could respond immediately that expenditure was incurred. When we came here in 1885, the mileage of the Victorian Railways was 1,655 miles. In 1891 it is 2,510 miles, or an increase of something like between 800 and 900 miles. Those railways are on the average not more than at the outside two years old. It would be impossible for those railways, having the advantages that all the other main trunk systems of Victoria have, the mileage rates tapering according to the distance the traffic is conveyed to respond in paying interest, or even in paying working expenses; and the loss in working and interest alone on those railways would be represented by, something like in two years, 1888–9, and 1889–90, £500,000. That is the real and absolutely correct reason why we are facing a deficit at the present time. But there is another phase of the question that I desire to put before this Honorable House, and that is this, that we charge ourselves in the interest account that we make against ourselves interest upon the money spent upon railways during the time that they are being constructed. Now the money cannot possibly earn anything. In the neighbouring colonies they do not bring that into their account. They simply declare a dividend upon the railways open for traffic, and they do not regard expenditure current in lines that have to be opened.

8. Do I understand that they add interest on the capital?—I do not know how they dispose of it, but they do not bring it into the Railway Accounts. In one case I know they add it on to the capital, in the other I do not know what they do with it, but interest alone on lines not open, the interest accruing during the time they are constructed for the seven years of our administration represents a total of £380,000, and that has been charged against us, and is a set off against the deficit of £510,000.

9. What was made on that £380,000?—Nothing at all. It is like a man building a house, who, when he is building, determines the cost of that by not only the money he puts into it, but by the interest accruing during its construction. We charge ourselves in entering up the account of the amount of net revenue that we have made with this item of interest during construction. Comparing it with the like period preceding our coming, namely, seven years, the item charged to interest account during construction was £145,000 under similar circumstances, as against Railway Accounts debited under our regime with £380,000, or a burden on us, looking at it comparatively, of £235,000. Another item of expenditure which we have to bring into our account, and which we have no service for, is the item of compensation to railway employes.

10. How much did that come to?—£138,000 in excess of the corresponding seven years.

11. You were going to explain that?—There is a provision in appointing us as administrators of the railways, that certain rights and privileges shall be reserved to the railway employes, and those rights and privileges apply to their service from the commencement of the Victorian Railways, which, in many instances, covers periods from 20 to 30 years. We, during our administration, have arrived at a time when men in the ordinary course of nature have to retire from their work, and we have had to charge our accounts during our period of seven years with £138,000 more than was done in the previous seven years to compensate for services rendered to the Victorian Railways before we came into office.

12. That will not recur I presume?—It will not in regard to all the persons employed since the railways were put in commission, but it will only exhaust itself when those who were in the service before we came have either retired or have gone to the great majority. Then another special item of expenditure of our seven years was the labour difficulty. We have had two difficulties in connexion with obtaining our supplies of coal. That cost us on the last occasion over £70,000, and on a previous occasion about £40,000, the indebtedness being altogether a special expenditure which we, as the Commissioners, or any men entrusted with the railways, could not foresee or avoid. In any case it would have to be looked at in the nature of a bad debt, as any man in business would deal with any exceptional experience of his own. Those three items represent £483,000 out of the £510,000, and if we had not had to contend with them we would, as you see, have paid the whole of the interest on the money put into railway construction.

13. I think you are wrong in your figures. I think that they come to more than you have said—you give £380,000 for interest?—I have reduced that to £235,000 in order to make a comparison between our seven years and the previous seven years. You take the figures in two forms, one of them comparative. The total is £463,000, and if you take the whole of the amounts charged to the interest account upon lines under construction during our seven years, and the other two items, then you get a total of £628,000.

14. So that with those allowances there would be a profit, giving credit to the Railways Commissioners for the £628,000, over and above the deficit, of £510,000—something like £118,000 to the good?—That is so.

15. Were there any other things that operated to the disadvantage of the railways. What effect had the opening of the line from Ballarat to Melbourne by Bacchus Marsh?—The effect is simply this, that it shortens the distance to Ballarat by 25 per cent., and proportionately to all the country beyond it as it lengthens out. The rules of the department require the rates to be calculated upon the shortest available railway route, and that involved a loss, as it opened in October of the year before last, up to the end of our last financial year of something like £75,000. That imposed on us also a duplicate service of trains *vid* Ballarat and *vid* Geelong for the accommodation of the public.

16. During the seven years you have been competing also with the tramway companies?—Yes; and our experience of the opening of a tram section was that our traffic in that particular locality immediately went down at the rate of £25,000 a year. We go on in the ordinary course of development, recovering that, but it is like receiving a blow, you stagger, for a moment you rest, and you do not begin to move until the ordinary course of public business enables you to do it. The lowest estimate you could put on the railway losses, in regard to the opening of trams, is £100,000 during the period of our administration.

17. Now I have heard it said that the Railways Commissioners could not point during any portion of their career to any good work they have done to the railway. Might I ask how the railways were worked during the first three years of your administration?—When we took office, the first clear year of our taking office the gross increased income was £283,000, and our increased expenditure was £3,500. The following year our increased traffic for the year 1883 was £430,000, and the increased cost of working was £36,000. The following year the increase was £554,000, and the increased cost of working was £153,000. Anything that could be done by the Commissioners in the direction of administrating the railways economically, if it was to be done at all, must be done in the first three years of their work. The total of the first three years of their work resulted in this, that the increased income was £1,267,000, and the expenditure was £192,000.

18. So the country had the benefit, during the first three years, of an increased revenue of £1,267,000, at a cost of £192,000?—Yes. I may just mention this, that with regard to the previous three years, that is to say, the three years ending 1883, the gross increase in the income was £835,000, and the gross increase in expenditure £873,000, so that these three years represented an expenditure of £40,000 over and above the gross income for the period.

19. Those years will be 1881, 1882, and 1883?—Yes.

20. It appears from the correspondence that has passed between you and the Minister of Railways, that he complains very much of the increase of the working expenses. I think he puts the working expenses as going up from something like 52 per cent. to 70 per cent. Now, may I ask you if you know what the working expenses were in 1883?—They were 67 per cent.

21. I suppose that would not be a fair average?—I am going to explain. Of course, in the correspondence it is contended that in a certain year the working expenses were so much, and I think it was taken at about 54 per cent., and that, our working expenses now being 70 per cent., we have increased the expenditure of the administration by, say, 16 per cent., or something like that, but that of course is arrived at by selecting a particular year. Now, taking the actual facts of the working of the Victorian Railways for four years. You may make the working expenses anything you like if you neglect to maintain the fabric, if you choose to let it go to the bad you can in any one year work a line at 50 per cent. or in another 55 per cent., or in another year, if you are gathering up ground, more than 60 per cent., but to ascertain what has been done in keeping up the institution, and what is a fair criterion of working expenses, you must take a series of years. Taking the four years ending 1883, which will cover the exceptional expenditure of 1883, you will find the working expenses average during those four years 59½ per cent. while the working expenses of 1890 were 70 per cent., you have then to seek a reason for the difference. I have explained that we have had to face the opening of a large additional mileage of railways constructed for the future as well as the present, which in itself accounts at the lowest for 4 per cent. of the working expenses. Last year it really came to between 6 and 7 per cent.; but we will call it 4 for the sake of illustrating the point I am dealing with. The reduction in rates that we have made during the time we have been here is equivalent to another 4 per cent. I need hardly point out that if you are carrying a ton of wheat and you are getting 5s. for carrying that ton of wheat that the haulage of the ton of wheat will cost you just as much as if you were getting 7s. 6d.; but the cost of hauling in comparison to the revenue obtained from it is in the ratio of 5s. to 7s. 6d., so that if you reduce the rate, the reduction comes from the net profit and not from the working expenses, and it naturally lifts the working expenses to the extent of the reduction you have made. That figure is accounted for in the reduction we made by the equivalent of 4 per cent. The cost of the labour trouble, through having to pay more for coal, was equivalent to 2 per cent., and if you add those three sums you get 10 per cent., and if you take that off the 70 per cent. you get 60 per cent. as against 59½ per cent. during the four years preceding our coming.

22. You spoke of a reduction in rates—how did it come about that the Commissioners saw their way to make a reduction in rates, and what did that amount to in benefit to the country?—It has been frequently debated and discussed that railways were to be run for the benefit of the people using them, and that whenever the net result exceeded the interest to be made upon the money put into the railways the public should have the advantage, either in reduced charges or in increased facilities, and from time to time representations were made to us, and we, in our judgment, considered that the then condition of railway returns warranted our recommending reductions in rates, and, in accordance with the provision of the Act under which we administered the railways, we recommended the Government of the day to make the reductions, and we received the sanction through Order in Council to make them, and they were made. We have not made reductions by clamour; we have simply carried out the principle that has been put before us—and steadfastly put before us—that whenever the result I named was realized, that rates were to be reduced, and I have always held that if it was proper to reduce rates when interest was made, it was equally proper to increase rates if more net revenue was required. We have been asked frequently to reduce rates, and have not complied. In 1885 the agricultural interest of the colony asked for further reduction in the rates for agricultural produce. They waited upon us, and we told them we did not see our way to do more than we had done, and they then went to the Minister of the day, but they did not succeed in getting further reductions, and they were refused the reductions asked for. I mention that to show that we have not reduced rates on the grounds of clamour, but only on the principle I have named.

23. Was the net revenue in excess of the expenditure at the time you made the reductions?—It was.

24. To what extent?—The amount of the reductions up to the last financial year was £1,000,000 of money in the seven years.

25. Then you had some advantage in having money at a cheaper rate?—Yes, there were certain conversions of interest from 6 and 5 to 4 per cent., and that for the same period of seven years was an equivalent of about £1,000,000. I put it that the reduction of rates and the conversion of interest represent

about an equality, but on the other hand the interest to be met upon railways that were being constructed grew, and we have never had to pay less interest by reason of those conversions than was paid before they took place, and at the present time we have the liability to meet in interest of £1,300,000 odd, as against something under £900,000 that had to be met before we took office.

26. Seeing that there was a deficit of this £510,000, the cost of which you have explained very clearly to the Committee, I see the Minister of Railways suggested to the Commissioners that it would be desirable to reduce the expenses by reducing the train mileage by 1,000,000 miles, which in his estimate would have caused a saving of £100,000; now might I ask you whether the Commissioners gave consideration to that request or suggestion of the Minister and what have they done in connexion with it?—Yes, we did. When the coal difficulty was on it was necessary to economise resources and to not regard public convenience to the same extent that it had been regarded before, that is to say, that as we might be without fuel to drive our trains, we had better take off trains and incommode the public than keep on and run short of fuel and have to shut up altogether. We went into the matter very carefully, and the result of our cutting down the mileage practically was that it was reduced by 1,000,000 miles. In a conversation I had with the Minister, he spoke to me as to what was the probable cost per mile of train running, and I told him that the ordinary cost per mile, if the train is run on its own account, might be taken as 2s. 6d. I presume it is from that conversation that he arrived at the calculation that the reduction of 1,000,000 miles would mean a saving of £100,000, but that 2s. 6d. would not apply to the general reduction of mileage that we made on that occasion. If we run a train between Melbourn and Sandhurst it requires an additional locomotive, guards and all the running expenses associated with the train, and it would be fairly calculated at 2s. 6d., but if we have a locomotive on a branch line that cannot possibly do any more work than serve that branch, the question of its making an extra trip to accommodate the public or not making it and standing idle and doing nothing would not be represented by anything like 2s. 6d., nor yet by 1s. The bulk of the reductions in mileage were made on the branch lines, and when we came to re-consider the matter, and having that view and desire that in hard times extraordinary economy should be exercised, we did not restore more than something like one-fourth of the mileage that we took off; we took off nearly 1,000,000 miles, and we were running when we made the restorations 700,000 less than we were doing when we made the first reduction. The public are inconvenienced through it, and we are constantly subject to requests from them to put them back, but in the desire to economise we have not put them back, and, although it may not be a gain to the expenses of the Department of more than a little over £10,000, it may also be a loss to the Department of revenue by people not having the frequent opportunities of travelling that they formerly had, so that if we saved £10,000 in the reduction we make we may lose something that may make that saving less than the £10,000.

27. But I think what the Minister chiefly objects to is that after the suggestion he made that you still make a further reduction in the train mileage. How was it that you did not see your way to comply with that?—We have to consider the public convenience. If it had been a specific direction to us to reduce our service to the public by 10 or 15 per cent., or whatever it might be, we would have to consider it. But it was put to us as a general proposal, and from the tone of the subsequent correspondence it appeared to be contemplated that the reductions which had been brought about by the coal differences should be continued permanently. One of the alterations we made was running fewer trains on the suburban railways—what was the effect of that, people came to a station where they had previously had a train every quarter of an hour, and they found them running half-hourly, and they went by train, and we were daily losing traffic by the diminished service on those suburban lines, and we felt, looking at it as business men, that if we would keep our suburban revenue, we must give the service we had before the coal trouble came on us.

28. A complaint has been made against the administration of the Commissioners that everything is characterised by extravagance—that the lines are overmanned, and that they could be very well worked with one-third less of the men who are now engaged in connexion with them?—I would like to sit down with the gentleman who says that, and go through it and see what could be done.

29. If he were an expert?—Yes, if I have to deal with him. We have statements to that effect, and of course to be forewarned is to be forearmed, and I said to the traffic-manager, after the discussion that took place in the Assembly. “Now, it has been stated that you have got more men engaged on your work than are required. I am not going to indorse that statement, but I am going to personally satisfy myself that it is either well grounded or groundless, and you must bring to my office your district traffic superintendents with their different staff lists and we will go through them and know what every man does.” And we did that, myself and my colleagues, and the result of that was, that with the exception perhaps of a little rearrangement of things, which dispensed in the outside with half-a-dozen men, there was not a man in the service that could be dispensed with.

30. It is stated also that there are a number of trains running during certain hours of the day with no passengers, and that a great saving could be effected, both in wear and tear and other expenses in connexion with the running of them, if the trains were broken up. Those remarks, I think, apply for the most part to the suburban lines. What is your experience as to that?—Of course a suburban train has to be made as long as the engine that hauls it can draw it, with the view of accommodating the traffic at the busy hours of the day. The busy hours of the day on the suburban lines are, say, between eight and a quarter to ten in the morning, between twelve and two midday, between four and six in the evening, and, say, between ten and twelve later on. I may say that this is a matter that received the deliberate consideration of the Commissioners, and if you were to break up those trains you must carry on the operation at least eight times in the day. You have to take the train when the busy time is over, put it on to a siding, cut it in two, come away with the portion that is long enough for the slack time, and by the time you have done you will have to take it back, and tack it on, and come again in the busy time. In doing that you interfere with the safety consideration, because you are shunting and putting together eight times a day something that ought always to be running together, and, on the other hand, you save the possible wear and tear of a number of vehicles for probably three or four hours of the day, and our conclusion was that it was not desirable. I may say that on the Metropolitan Railway of London, which has the largest suburban train service in the world, its trains are so made up, and made up to suit the maximum traffic of the day, and so made up that they could not break it up if they wanted to. It is a continuous train, and they would not undertake or attempt to do what has been suggested, namely, divide the train for slack times.

31. It would occur to my mind that you would scarcely have room or time?—If we had room we would not do it; if we had time, it would only be the time of doing and undoing.

32. Would there be any danger attending it?—You have a continuous brake attached to a train under rapid action, on which the safety to life depends. Suppose you disconnected the brake eight times a day, are you not in that operation incurring a risk which you are not liable to if you leave that brake untouched in its connexions.

33. As an instance of extravagance, I think it was mentioned that on the line between Ararat and Avoca there were no less than three stations within two miles of each other, and that made a great impression on the House last evening, and that was quoted as an instance of very great extravagance on the part of the Commissioners—the Committee would like to hear your explanation about this transaction. Do you know the portion of the line to which I refer?—Yes.

34. Is there a place called Eversley?—Yes, and Dunneworthy, and Crowlands; those are the three places that are referred to. Eversley is a settled town, and of course if it is worth while making a railway from Avoca to Ararat it is worth while having stations at the settled towns on the line, and if we had attempted to put a station away from Eversley we would not have been supported, simply because we objected that we would have to incur the expense of working the station. The six miles you refer to, you must bear in mind, is the length of the two outside stations, and there is also accommodated territory of two or three miles beyond. Dunneworthy station was selected in view of the roads five miles away from the next station; or put it that the stations were originally fixed five miles apart, therefore we have a station at Dunneworthy and one at Eversley, but the residents of Crowlands said that the Dunneworthy station was not so convenient to them as a station would be at what they called the 13-mile, and we were urged to consider that, and we were also urged by the residents of the district of Warrak and Crowlands that they could not get to Dunneworthy, and that Crowlands would give better access to them than going to the township station of Eversley. We considered the matter, and, before deciding on it we visited the place, and were met by a large body of people residing on the Crowlands side, and on the Warrak side, and they urged that we should put a siding down at this place. The Hon. Mr. McCulloch's manager was one of the principal men there, urging that the accommodation should be provided, and we said—"Well, we desire that this line, which is a cross-country line, should have as much traffic facilities as it is possible to get; we will try the experiment of a siding here for the residents of this district who are cutting wood, and would have to bring it down to the station; and for Crowlands we said, "It is convenient for them, we will try it; but if we find after a reasonable trial that it does not answer there, we will take it up," and if it did not answer to-morrow, or the time allowed to determine it, we would take it up," and a few hundred pounds would represent the loss.

35. Then, as between the two stations, as originally laid out by you, was there a distance of 10 or 12 miles between them?—The distance is six miles from Dunneworthy to Eversley, and this 13-mile was half way between.

36. What kind of country is it?—Agricultural country.

37. Is it hilly?—It is on the Warrak side, where the people would have to get to Crowlands, but it would not be possible for us to escape a station at Eversley, or to compel other people to cart their stuff to Eversley, some three or four miles more than is necessary.

38. The matter was worthy of trial?—Certainly, and done on the same principle that anybody running a railway on business lines would do to create facilities to encourage traffic to the line, and bring it to a line after making it.

39. We were told there was very little traffic?—It is a young line, it is one of the suckers we have to contend with.

40. During your trip to the old country lately you had an opportunity of inspecting the various lines of railway, and also in America?—I did.

41. Did you confine yourself merely to sitting inside a carriage; what did you do?—Learn as much as I could. I was in America for a month, and I dare say I travelled some 10,000 miles. I did not travel by boudoir trains, and first class, but the trains that the ordinary public have to submit to, in order to see how they did their work, and I formed the conclusion as to the American travelling that if a similar system was applied here we should soon have "wigs on the green."

42. Did you come across any railway directors?—Yes, I had interviews with the leading railway men, and talked over railway matters with them. They were interested in the problem of State owned railways on trust, and they regretted they had not a large shareholder connexion to counteract what they deemed the unwarrantable demands of the public.

43. The Commissioners, it seems, have given great dissatisfaction in consequence of the appointment of Mr. Darbyshire; was that appointment made contrary to instructions received from the Government or the wishes of the Government?—No, we never had a discussion with the Government on the question of Mr. Darbyshire's appointment. We had one interview, and one only, with the Government on railway matters. We had several discussions with the Minister of Railways, and we addressed a communication to the Minister of Railways in relation to the point of cheap construction. There was a proposal in the letter of February, from the Minister of Railways, that all officers of 65 years of age should be retired, and therefore it might be held that Mr. Darbyshire and Mr. Watson, being over that age, would be included in that suggestion, but there was no specific request that we should retire either of those gentlemen. We addressed a memorandum to the Minister explaining our views in answer to the suggestion as to railway construction and maintenance being put under one head.

44. I do not see that in the published correspondence?—That was in January; it is not in that correspondence.

45. A letter from the Commissioners to the Minister of Railways?—A letter from the Commissioners to the Minister, explaining the Commissioners' views with regard to the suggestion that there should be one engineer for both maintenance and construction. We then had an interview with the Government, and the question of cheap construction of railways was mentioned at that interview. A suggestion was made, not personal to Mr. Darbyshire or Mr. Watson, but that cheaper construction was much desired by the community, and that it was thought that if a man of American engineering experience were brought out that result might be obtained. We had supplied the Minister with the relative cost of railway construction in America and in the colonies, and that statement showed that, instead of the railways

of America being made cheaper than the railways of the colonies, the railway construction of the colonies was cheaper than that of America; but we said to the Cabinet, "Of course there may be public feeling that expenditure in construction is high; we could not recommend that a man should be brought from America to make railways, because we believed that the men who had lived in and knew the country had a much better knowledge of the country than a stranger would have, and that he would have to depend on his subordinates for information." But, in order to solve the question, we suggested that perhaps it would be desirable to send for an engineer of great experience from America, let him look at what had been done here, let him express his opinion as to whether there was extravagance or not. If there was not, it would clear the Department; if there was, and it was associated with suggestions, they might be worthy of adoption; and the matter was left in that position.

46. Then Mr. Darbyshire was appointed Engineer-in-Chief?—He must be necessarily appointed Engineer-in-Chief to complete the work of his predecessor. Mr. Darbyshire is familiar with everything associated with the lines under Act 821. They are nearly finished, the whole of the contracts are nearly settled, and it would have been madness to have put anybody else in the position to complete those duties. But he knows he has attained a time of life when he will have to retire; he knows that new work is not for him to undertake; and it was for two reasons—that he had been a good officer to the State, and that it was essential in the interests of the State that he should be made Engineer-in-Chief to finish the work of his predecessor. If we had felt that the appointment being made under those circumstances would be looked on as an affront, we would have considered twice before we would have done it.

47. In this letter of the Minister of Railways he says, "The Government has seen a statement in the daily press to the effect that Mr. Darbyshire has been appointed Engineer-in-Chief in the place of the late Mr. Watson. I am without information from yourselves on the matter, but if such an appointment has been made, you must be aware from recent interviews and communications that it cannot meet with the approval of the Government. (Sd.) W. Shiels." Now, I ask you what communications took place between the Government and the Commissioners relative to their disapproval of the appointment of Mr. Darbyshire as Engineer-in-Chief?—None.

48. And in your interviews with the Cabinet, did they expressly point out to you their objections to the appointment?—No, we had only one interview with the Cabinet and that was before the appointment was made; and as to appointments, it has been our practice, I may say, when an officer is eligible, to promote the next officer in succession to the position, and if that course was not pursued by us the person passed over would move and cause us to show the reason why we had passed him over. Take Mr. Lunt, when Mr. Greene was made Commissioner of Railways, his position became vacant, and we appointed Mr. Lunt. Mr. Lunt was his assistant, and was in the order of succession, and we appointed him, nobody asked us why, we were never questioned about it, and the appointments under the Act are made by us, and we have to regard the fitness of the person and the rights of officers from their former service.

49. Then I suppose the Commissioners did not regard this altogether as a permanent appointment of Mr. Darbyshire's, but that as soon as the contracts in connexion with the Act were completed very probably he would retire?—Certainly; and the assistant who was the next officer in command was told by us distinctly that when he was appointed he must make himself acquainted with new work that would come in so as to be able to take it in hand.

50. Did Mr. Darbyshire understand his position?—Certainly. In fact Mr. Darbyshire said to me only a short time ago—"If there is anything in association with my appointment that causes you any inconvenience I am willing to stand on one side." I said—"Mr. Darbyshire, you have been appointed to carry out the duties that cannot be carried out except under your supervision, and we appointed you for that reason."

51. Then you would have considered the matter before making the appointment, had you known the Government were opposed to it?—Certainly, if we had thought it would have been looked on as seriously as it has been since.

52. It is said that there was a want of courtesy on the part of the Commissioners in this reply to Mr. Shiels?—We read it simply as a protest against what had been done, and we had had a lengthy correspondence on general matters and we did not want to multiply letters.

53. You meant no discourtesy?—I am sure that in all our personal negotiations with Members of the Government and Ministers we have endeavoured to be free from any such charge.

54. I thought "political patronage" was at an end, but the other evening I heard it was as rampant as ever in the Railways Department; when asked what was meant by "political patronage" reference was made to the very high price that was given for land required for railway purposes; will you shortly explain to the Committee how land is taken?—We have officers in the Department who have the reputation of being competent to determine values, and when a line has been laid out, and the exact property required is known, one of those officers is authorized to negotiate the purchase, and the Land Act defines the conditions under which such purchase shall be made. The cost includes two things, land taken and damage done by severance, and the land valuers under existing laws have purchased the properties on the cheapest and lowest terms that they could obtain them for. It has been frequently represented to us that our land valuers are very hard on the persons from whom a property is purchased, that they do not give full value, but we believe that our officers have, under the existing law, bought the land as economically for the Department as was possible. I spoke to one of them the other day. I said "Suppose you were appointed a valuer with the power to settle the price without appeal, but that you were also bound to act fairly as between the owner and the Department, what do you think would be the reduction in price you would obtain upon the transactions you have carried through." He told me that his valuations were oftener than not accepted as right, but that in respect to 25 per cent. of his valuations, he would give say 10 per cent. more than if he had not to fight an arbitration. That would represent, perhaps, the black mail levied by the owners on the Department. Now the amount of land purchased under Act 821, which consists of between 1,000 and 1,200 miles, was about one million of money, and I made this calculation, that, if his view were correct, that 25 per cent. of those purchases had been paid 10 per cent. more for than they ought to have been, it would be £25,000, and four per cent. on that would have represented about £1,000 a year, which he thought the burden on the country through his not always getting his settlements so well as he would like to get them and assuming that he was correct. Of course arbitrations are costly things, and the generality of the

transactions are small, and if you are buying land and you get within a £10 note of the other man's price, it is a question of compromise, it is not a question of fighting out that £10, because if you did you would have to spend £50 or £100 in letting someone else determine it, so that it is cheaper to be liable to pay that 10 per cent. extra under the present laws than to go to arbitration for the £10. Going to arbitration is only warranted in large cases, and we have gone to arbitration during the construction of Act 821 lines something like 30 times, and the amount of the claims was something like £90,000, the amount of our own valuers was something like £40,000, and the amount awarded was something like £43,000.

55. Then those valuers, I suppose, are experienced officers and thoroughly reliable?—Yes.

56. It is proposed under the Act now under consideration of the Committee that sub-committees of various officers in the Railways Department should be appointed, and that the Commissioners should preside over some of those committees; you have read the clause?—Yes.

57. Is there in the Railways Department now such a thing as a committee of officers?—Yes.

58. And there has been for some time?—From the very time we came, but we do not require them to meet unless they have something to meet for. We require each head of a branch to look after his branch and discuss with them any questions that may arise. You may legislate for committees, but that is a matter of internal administration, and every man has his own way of doing his business, and the fact of compelling me to preside over them would practically put the majority of the officers in a position to overrule the Commissioners; in fact, it would render the Commissioners' position untenable. We have to deal with our officers as gentlemen and as business men, and in the ordinary intercourse of business we meet together and send for them on matters connected with this office or that, and we discuss them and settle them; but to ask them to meet together on strict lines once a month, or in a particular place, is simply burdening the administration without any benefit.

59. I understand that the New South Wales Commissioners made regulations somewhat analogous to the clauses in this Bill?—They say to their officers, "You must meet on certain days and you must have minutes," and you hear from them that they are meeting and meeting and meeting, and they have not time to supervise their work; but the Commissioners of New South Wales may have their views of doing their business and are at liberty to-morrow, if they like, to cancel their mode of business and adopt another; but if you provide in an Act of Parliament that we must do a certain thing you enact it for all time, and we have no judgment in the matter.

60. There is also another question as to the appointment of employes in the Railways Department; they are now appointed, I believe, for the most part by ballot?—Yes.

61. A new system is provided under this Bill, that they are to be selected by examiners; which of the two systems do you prefer?—The ballot, because it does not admit of the possibility of preference; it gives you an average result of competence, and if by the ballot you get a man into the service who does not show his adaptability for the work, you can send him about his business at a moment's notice. If you have the principle of selection, there must be of course somebody to select, and if we want 250 men and we lay down a regulation that they are to be so high, to be capable of reading and writing, and so on, and if we lay down a rule that 500 men can comply with, and those 500 men present themselves in compliance with those conditions, and I am selected to pick the best 250 out of the lot, I select them, and the 250 that I do not pick out will not believe until their dying day that they have not been passed over, and they will move all round the place to get a remedy for the grievance they suppose they are under. The ballot they cannot complain about; it is a fair, square thing—everybody is present. It is done outside the officers of the Department, and of course if a man's number is not drawn it is no use going to anybody and telling them he has been unfairly treated; but I do not care whom you choose, to make the selection of the 250, you will, as I say, have 250 other cases for investigation.

62. But under the ballot system may you not get a very incompetent man and a competent man not be called?—No, I think the ballot gives you a fair average, and my experience of men that we get through the ballot, from top to bottom, is that it is as good an average as you could get if you depended on your own personal selection.

63. Has a man to go under probation?—Yes, for six months, and if he does not show his adaptability and willingness to do the work, and it is brought under notice, he is punished, and, if necessary, dismissed, and it is not necessary for him to wait six months before he is dismissed; in fact, our instruction to the officers is this, that the only claim young men have on the service is that they do their work properly. If they do not do it properly they are not to retain them even for the six months, so an officer has every means of getting rid of a man not adapted for the service, although he entered through the ballot. I would not have the power, if anyone would give it to me, with State-owned railways, of putting men into the service.

64. There is another question about your own appointment—you have been re-appointed?—Yes.

65. The correspondence is before us—under what terms do you consider you have been re-appointed?—In the terms of the present Act.

66. There is a difference of opinion between you and the Minister of Railways on the subject?—There is. It is recorded in the correspondence. I met the Minister, and he gave me a draft of the letter he proposed to address to me respecting my re-appointment, and asked me to read it. I read it, and we had a chat, and we agreed to meet at his residence to discuss it over, and I was to be prepared with a draft letter in reply. I met him at his residence, and discussed the question, and I had my draft reply with me, and I said, "You are stipulating for conditions that are unknown, and, as far as I can see, if they are altered will be against me. I am willing, notwithstanding the arrangement that is made with the previous Government, and which I consider holds good, under present circumstances, to take re-appointment in the terms of the Act, leaving Parliament to consider previous negotiations, or if you establish a condition, and I said I recognise that you have made a statement to Parliament that you will not bind Parliament in any appointment you make of the Commissioners, if you establish the condition that the appointment is to be subject to an amendment in the Act, I will also stipulate for this condition, that if that amendment is of such a nature that I cannot remain in the service of the railways it shall be recognised that I am entitled to compensation, and in order that you may not bind Parliament I will leave Parliament to say what the compensation shall be." That was the purport of the letter I wrote. We agreed on the two letters. He wrote me his letter, and I wrote mine, and a few minutes before, the evening he was going to South Australia, he came down to the office, and had another letter, a reply to my letter, and, instead of accepting

either of the conditions of my letter, he wrote a letter to say that if Parliament considered that my retention of the position was intolerable, then Parliament might give me compensation. I said, "That does not carry the matter any further; who is to interpret the word 'intolerable.' What are you going to do?" He said, "We are going to appoint in the terms of the Act." And I said, "Very well, I will wait till I receive the re-appointment." The re-appointment was the appointment I was prepared to accept, namely, without conditions, subject to the previous appointment. The appointment was made, and there was an end to the thing—there was not an extra word to those words I have used. "What are you going to do?" "We are going to appoint according to the terms of the Act." "Then I will wait till I get the re-appointment."

67. I see reference is made to the Commissioners keeping minutes in some form; may I ask, do the Commissioners of Railways keep any minutes?—Yes. The Governor in Council has never defined the way we should keep them until recently, but it does not affect the administration of our business; we have always kept minutes.

68. During the whole of the seven years what was the relationship between you and your brother Commissioners?—The relationship that should always exist with a Board who have to conduct such large interests as we have. I do not know that we ever had any serious issue amongst us; we have taken different views, and have discussed them, and have arrived at a common conclusion, but broadly the work has been most harmonious; it is news to me to hear that there has been any want of harmony.

69. Between the Commissioners and previous Ministers of Railways, has there been any want of harmony?—No; we had one interview with the Cabinet. I see Mr. Patterson and Mr. Deakin are supposed to have said something that implied that we cut up rough with the late Government; but the only interview that we had with the Government was when this new Railway Bill was under consideration, and when it was suggested that railways should be made for half the estimates that were named, and we could not undertake to make them for half the money. I think that was the only difference of opinion we had with them, we had a long discussion with them. We recognized that economy of construction was as much in our interests as anybody else's—the less a railway costs the less interest we have to meet, and the more likely are we to be successful, therefore our interests were to get the railways made as economically as we could, but we knew the public requirements, and we had to say if a line had to be provided it would cost so much, but we never had any difficulties at all; that is the only thing we ever did discuss beyond the ordinary business transactions in which there was no difference of opinion.

70. Was there any intention on the part of the Commissioners to flout the Minister of Railways?—Certainly not. When Mr. Shiels came down to the office he sat down and talked over with us matters relating to railways, and talked them over in a most friendly way. It was not until we received the letter saying that the whole railway wanted reorganizing, and that kind of thing, that we felt there was any serious issue between us. The Government were anxious that everything should be done to make the railways as popular as possible, and we were equally anxious, but we did not expect to please everybody.

71. When you were asked to reduce the expenses it appears that you assumed the position of passive resistance—that seems to be the charge against you—passive resistance to the wishes of the Government?—I do not see how that is to be proved, we have never declined to discuss, we have always been ready to enter into the merits of any case that is put before us, but to tell us that we could save £100,000, by a reduction of extravagance, without bringing evidence that we could do so, and if we do not do so, calling it passive resistance, but there has been no passive resistance on our part, we have always been ready to discuss anything brought forward.

72. *By the Hon. J. M. Davies.*—You stated that the Treasurer charged you with a loss of £1,175,000, whereas the loss was £510,000?—I said the Treasurer, in his cash account, had made the loss £1,175,000.

73. As a matter of fact, the Treasurer actually paid this money out over and above the amounts he received during those periods?—As a cash transaction, yes.

74. During the years 1889, 1890 and 1891 he paid out the sums of £617,000, and £522,000, as a cash transaction over and above the amounts received?—For those years, but not over and above the amounts received for the seven years—that is to say, as a matter of fact, he paid the money out but the money applied to previous years, and had been charged in the working of those previous years.

75. In your examination you stated that £214,000 interest was received by the Treasurer upon loans, while those loans were not being used by the railways. In putting down the loss for the previous seven years at £1,095,000, did you deduct from that loss the same item of interest which should not be charged?—Yes.

76. In the amounts that you claim as deductions you deduct this interest which you say should not be charged, but did you debit yourself with interest on the amounts advanced from time to time by the Treasurer out of the public accounts in anticipation of those amounts?—No, nor has it ever been the practice to do so.

77. Do you know how much that would amount to for the seven years?—I do not know exactly, I could get it for you.

78. I have it here—1884–5, £2,000; 1885–6, £2,000; 1886–7, £9,000; 1887–8, £17,000; 1888–9, £37,000; 1889–90, £65,000; 1890–91, £52,000, making a total of interest not charged to the railways for moneys advanced by the Treasurer out of the public account, in anticipation of loans of £184,000?—Those figures may be correct, but you must bear in mind that it has always been the practice for the Treasurer of the day to advance moneys out of other funds than loan funds. We have always recognised our duty to meet interest upon the money raised by loan—these moneys you are speaking of as interest upon moneys advanced are of no value to us, because that money is in lines that are constructed.

79. As a matter of fact the interest on the money advanced to you out of the public account would be nearly equal to the interest which you claim you ought not to have been charged for on loans not being used?—Certainly, and which has never been charged before.

80. The other interest you might fairly be charged with?—If you started afresh and said, "We will make that charge, and you must meet the interest on that money," it would be a proper thing to understand.

81. You say no communications took place with the Commissioners relative to the non-appointment of Mr. Darbyshire previous to this letter of the 16th of April?—Yes.

82. And you thought it better not to answer that letter because there had been sufficient correspondence?—Yes.

83. Did you notice that that letter stated that you must be aware from recent interviews and communications that it could not meet with the approval of the Government?—I see that it does state that, but at the time that was the conclusion at which I arrived.

84. Though there had been no communication?—There had been no communication.

85. *By the Hon. N. FitzGerald.*—Comparisons having been made between the cost of the South Australian lines and those of Victoria, have you any explanation to give?—With regard to the cost of working lines it is of no value to make comparisons unless you compare like with like. As to the South Australian railways, there was an article in one of the newspapers the other day pointing out that they were earning their income at a little over 50 per cent. for working expenses, and they did not see why the Victorian railways could not do equally well. If you look at the South Australian accounts you will find it stated that an increased traffic of £180,000 had been earned at a cost of £88,000, and it is stated that we have earned our income at a cost much in excess of that. The South Australian railways consist of 1,600 miles of line, and they have practically not had any addition to their mileage. Of that 1,600 miles they have got over 700 miles of railway associated with the Broken Hill traffic—that 700 miles pays nearly 10 per cent. dividend. They have then got another section of their line, nearly 200 miles, which pays 5 per cent., and the rest pays from nothing to something like 1 per cent. If we had a concentrated traffic, such as the Broken Hill traffic, we should show no doubt similar results, but not having that traffic, and having to work the large additional mileage which we have to work, and which has been increased so much during the last few years, and upon branches which run into country districts, necessarily our working expenses must increase. I cannot illustrate it better than in this way—we will say you have 40 branch railways, you must have 40 locomotives on those railways to work them, whereas if the same length of mileage was continuous you would probably work it with ten locomotives; therefore you are burdened with the cost of 30 locomotives more than are necessary in having a concentrated traffic. If you make allowance for the additional mileage that we have opened, and take into account the Broken Hill traffic, you will find our position to be as good as that of South Australia. Now take New South Wales—much has been said about the great results given by New South Wales. I do not wish to criticise the results on either side. I have no doubt the men in charge of those undertakings are desirous to do their best, but I wish to show you that they are under different conditions, and unless you eliminate the unlike from the like, which accounts for a great deal, it is not a fair comparison. The New South Wales railways are credited with £35,000 per year for free passes; we do not get that credit. It goes into their revenue, and it costs them nothing to earn. Then they do not debit themselves with compensation to their employes, that costs us between £30,000 and £40,000 per year. Again, they are more favourably situated for coal, their coal costs them something like £150,000 per year less than ours. Those three items amount to £215,000, and if you eliminate them you will find that our position as compared with New South Wales at the present time (though she has no additional mileage to work, and has not had any for three years) would have been that last year we would have paid 3·77 per cent. against New South Wales paying 3·60 per cent.

86. Did the Commissioners ever intimate to Parliament, or warn Parliament, that the lines sanctioned under Act 821 would be unpayable, or were not such as you could recommend?—We are not required by the Act to do so—we are asked to supply, as far as we are able, particulars of the probable traffic on the lines, and the estimated cost, and when we reported on the lines of 1884, we gave the information at our disposal—we pointed out that although the lines might not in the first instance pay, they went into country that would ultimately be developed, and would be part of the general prosperous system. The position at the present moment is this, that we have got a maximum burden of unproductive capital upon our shoulders, and if we were in the position to-morrow of not making any more railways for three years we would pay the whole of the interest upon the loan money put into the railways.

87. In your opinion are the lines constructed under Act 821 equal to first-class lines in England?—They are constructed safely and well—I would not say so massively as the lines in England; but the lines in England have cost an average of £50,000 per mile, and the lines here do not cost above an average of £10,000 per mile, but they are first-class lines, they are safe, and they are made according to the judgment of those who are responsible, not too elaborately, but to meet the traffic requirements, and carry the people safely and expeditiously.

88. The Commissioners have been charged with preferring to tax the railway community, that is the community using the railways, rather than introduce economy into the service, is that true?—It is absolutely untrue.

89. Can you offer any explanation as to how the misleading estimates or the difference between the estimates and the cost of some lines under Act 821 arose—what was the cause of the great increase?—You must be aware that the question of railway construction had been receiving the attention of Parliament for several sessions. This Bill was introduced in 1884 as a solution of railway construction for the time being. We came to this country in 1884, and the estimates were put before us. When, between the introduction of the Bill and the second reading, the time came for us to report in accordance with a certain clause, we sent for our engineer, and we said to him, “Are these estimates sufficient to enable you to carry out the work, has any pressure been put upon you to reduce the estimates, and can you certify to us that they are sufficient?” We received a certificate from the engineer to that effect, but at that time there was a certain amount of doubtful calculation as to the estimates, because the permanent surveys had not been made, and when they came to be made the quantities of earthwork had to be increased, and through the change in the circumstances of the country, such as the labour conditions, the prices became higher, and work that was estimated to cost £5,000,000, ultimately cost £7,500,000, but the estimates for any railways which are sanctioned on the imperfect data of a flying survey, or a non-permanent survey, cannot possibly be sufficiently accurate. In the old country before a railway is made it is carefully surveyed, quantities are ascertained, and all the calculations are there, everybody knows exactly what the work is that has to be done, then they can form an estimate, but even under those circumstances I have known frequently estimates to be exceeded, and in the case of Victoria, where the estimates are upon imperfect data, there is a greater liability, of course, to disturbance in these estimates, but when we had let the first dozen lines we saw as we were letting them that the estimates were being exceeded, and we communicated with the Government of the day, and drew their attention to the fact. We reported the circumstance of the excess

of those estimates, and from time to time those statements were reported to Parliament, but construction was not ordered to be stayed, and we had to construct the lines as Parliament had ordered them to be constructed. There was no waste of money, it was simply an estimate upon imperfect data.

90. Then Parliament must have known, when those lines were sanctioned, that the surveys were flying surveys?—I know it was a fact that they were flying surveys. I do not know what Parliament knew.

91. There was no time for other surveys?—No.

92. Then you consider the Commissioners are not responsible for the excess over the estimated cost of those lines?—Decidedly they are not.

93. In your opinion would it be an improvement in the general conduct of our railway system to separate the management from the construction, that is to say, to remove construction from the control of the present Commissioners?—There would be no national advantage, but there would probably be this, that the lines in the first instance would be made at a less cost, without regard to future maintenance, and what you saved in interest on present construction, you would lose in annual cost of maintenance.

94. If construction were removed from the control of the Commissioners, it would be fair and right, in your opinion, that the Commissioners should have some say or voice as to whether the lines were properly constructed before they were handed over to them?—If we have not the power of construction, then we ought, before we have to take the responsibility of working them, to be in a position of saying, "These lines are fit to be taken over." It ought not to be in the power of any one who is committed to cheap or economical construction to make something that might possibly be unsafe, the responsibility associated with which they would be relieved of by a stroke of the pen, declaring the line was finished, and that we must take it over, and that our responsibility began. If the construction is taken away, it may result in a cheaper cost in the first instance, but it may be followed by an annual increased cost in the second, but, whatever the results, we ought to be in the position to see, if we are to have the responsibility of working the line, that it is fit to take over.

95. Reference was made in the House to the immense increase in the salaries, both in the aggregate and in the salaries of individual officers in your Department—what is your view as to the rates of salaries of your leading men—are they excessive as compared with the same class of men in the old country?—No, about half—we have not made any material increases. Mr. Watson had £1,400 per year when we came, Mr. Higinbotham had £1,500, and the mileage of our railways has nearly doubled since, and there are proportionately increased responsibilities. I think Mr. Greene had £1,300 when he was engineer, and I dare say we have given them advances equivalent to £200 each during our administration, that is the leading heads of branches.

96. *By the Hon. D. Ham.*—I see by this estimate that £1,175,273 is given as the absolute loss of the working expenses during the last seven years. I think you said in explanation that there was a portion of this money that was spent for what you call outside expenditure, such as railway construction?—No, that is not it, for instance, in that £1,000,000 there is £240,000 that was paid, say in 1884 and 1885, but which was cash provided for expenditure in the previous year—the working account of that previous year was charged with that expenditure—it is a cash account as distinguished from a business account.

97. But you said so much money was credited to the construction account?—Are you speaking of the interest upon loans?

98. I am speaking of the tabulated statement I hold, coming from Mr. Symonds, in which he shows £1,175,273, and the difference, according to your own account, was £664,414?—It is a mere arrangement of figures, one relating to cash, and the other relating to the working account; there is no construction in it at all; one does not apply to the seven years, the other does.

99. What are the salaries of the Commissioners?—£6,000.

100. Out of that £6,000, you debit yourself with £2,000 for construction purposes?—Yes, that is so.

101. So the £4,000 is simply debited to the railway work, and £2,000 to construction purposes?—I am not quite sure those are the figures, but a portion of our salaries is charged to construction—the aggregate amount charged to construction for officers who do other work is about £10,000.

102. That includes the £2,000 that you debit yourselves with?—Yes, altogether it comes to £10,000.

103. There has been a great deal of talk about the extravagance in the increase of salaries, and also the increase in working men's pay, what difference has that increase made that was given to the working men—I think it was 6d. per day?—Our working men are constantly receiving their promotion; they begin at a minimum wage, and go up to a maximum wage; they receive it periodically as it becomes due. The exceptional expenditure that you are speaking about, that is the 6d. per day to repairers, comes to about £10,000 per year.

104. Do you think it was necessary in the interests of the country generally that that expenditure should take place?—No, for this reason—when we wanted a dozen men, we always had applications from 24 on the terms that we offered them.

105. Did it meet with your approbation as a Commissioner, to whom we look for the regulation and management of the railways?—It did not.

106. *By the Hon. W. S. Grimvade.*—When you were in England and America did you make inquiries as to the rates of freight, with a view of comparing the mileage rate in America and England with the rate here?—Yes, I did; for distances like 1,000 miles the American rates are very low.

107. But there are no such distances as that here?—No; for such distances as our own their rates are as high as our own.

108. And the passenger fares?—They run very near the same as ours; they come to about 3 cents per mile, and then there is the Pullman car, which is an additional charge, and the two charges together make it about the same charge as ours.

109. Does that apply to England?—No, the English fares run about 3d. first class, 1½d. second class, 1d. third class; our fares are 2d. first class and we have return fares which enables any one to travel at 1½d. per mile first class.

110. The suburban fares are cheaper here?—Yes, our suburban fares are cheaper here than anywhere I know. I made a calculation in regard to the elevated railways in America in comparison with our railways. I took a season ticket-holder here as travelling once in and once out per day—I divided the

revenue on that basis by the number of passengers conveyed, and it came out 2d. per journey. Our extent of suburban line is, say, 9 miles; the New York elevated railway is a similar length, and their charge is 2½d., and if you only go between two streets they charge you the same, it is 5 cents all round, so practically they are 25 per cent. more than we are.

111. Did you make any inquiries about wages in the rank and file of labouring men?—I found the rate of wages was pretty similar with our own, but the hours of duty were not so short. We have shorter hours of duty, but the wages are pretty nearly alike.

112. The wages in England are not so high?—No, they are half.

113. Do you consider you could work railways in England cheaper?—If you take a pay-bill of £400,000, representing wages, and you divide it by half you would have in wages alone, without reference to time, £200,000—that is the position of the artizan and the general employé—from the signal-man, and porter, to the driver, and guard, and line-repairer. If you were to divide by two you would strike exactly the difference between England and here, and it is a thing that I remarked upon. If we gave a signal-man 3s. 6d. at home, it was 7s. here; if we gave a porter 3s. at home, it was 6s. here.

114. And the cost of fuel is less there than it is here?—The principal railways at home are within touch of their coal—they take their coal on their own railways where they can consume it; here we have to go afield to fetch it. On the Midland Railway, with which I was connected, the average price for coal for the eighteen years previous to my coming out here was 4s. 9d. per ton. It came under my notice in this way—There was a coal famine in the old country and prices suddenly went up, and one year we had to pay 18s. per ton. That brought up the question whether we should not be our own colliery owners. We looked at it from a wide point of view, and we found that for eighteen years even with this 18s. we had had it for less than 5s. per ton, and we thought it better to go on like that rather than run our own coal-field.

115. Suppose you had absolute control of the railways here—that you had no Parliamentary influence brought to bear upon you, no deputations to receive, and political influence was entirely removed, do you think you could introduce an economy that does not now exist?—No, I do not. I do not admit that we are subject to political influence. I think we keep the number of men employed down to the minimum of safety. If the railways belonged to an individual, he might say he would screw something more out of the men than can be screwed out of them by the State; that is another question; but I do not think better results could be got out of them than we now have.

116. *By the Hon. J. M. Davies.*—With reference to your re-appointment, you spoke of three letters—that is, the one the Minister wrote to you, your reply, and a second letter from the Minister. Before that second letter was sent, did you agree to the terms of it; that is, the letter of the 29th December?—No.

117. Were those terms discussed by you and the Minister?—Yes.

118. Did you dictate the letter?—No.

119. Or any part of it?—No. What I did was, I had the original draft—Mr. Shiels gave it me to peruse; I perused it, and then I drafted another letter in reply.

120. Are you speaking now of the first letter?—Yes, and the second letter.

121. I am speaking of Mr. Shiel's second letter to you, on the 29th December?—No, I never saw that or knew that it was going to be written until Mr. Shiels came into my room, a few minutes before going to South Australia, with it in his hand.

122. Did you not see the draft of it?—No.

123. Did you not discuss the terms of the draft?—No.

124. You did dictate a portion of it?—No.

125. In New South Wales after the lines are constructed, before they are handed over to the Commissioners, do the Commissioners have the right of requiring them to be in perfect order and efficiency?—Yes.

126. By the Statute?—I do not know about the Statute, but I know in practice they have. Of course the construction of New South Wales railways has been under a separate Department from the very first. Prior to the Commissioners coming, Mr. Goodchap was Commissioner, and Mr. Goodchap's engineers, when the lines were taken over, if there was anything that did not suit their purpose, began to spend their money to make it so.

127. But before the Commissioners take them over have they the right to insist upon their being completed to their satisfaction?—I do not know if they have the statutory right, but in this amending Act it is absolutely provided that upon the stroke of the pen by the Board of Works that a railway is completed, their responsibility terminates, and we must take it over.

128. *By the Hon. W. McCulloch.*—You are aware that last night I made a statement in the House that the line from Ararat to Avoca was to be finished, according to contract, in June twelve months ago—that the contract, as usual, was not finished at that time, but about September a deputation, of which I was a member, came to Melbourne to ask that a certain station called Dunneworthy should be moved to a more convenient position. You said at that time you had a telegram from some one at Mount Cole, who wanted a station at their junction, and that you could not decide it. We left, and there was nothing done for some considerable time. I met the railway contractor, and asked him when the line would be finished. He said the line was finished, but that he could not get away, because the Commissioners had stopped the Dunneworthy station. Then you were requested to make one of the two. You said you would go and see the country; you went up, and a large deputation met you there. You could not decide then; you said you would let them know when you got to Melbourne. Some time afterwards you informed them you would give them a station at that place as well as the other, and the station that paid best at the end of twelve months would be the station that would remain. The statement is that you put three stations where they are not required, where there is little or no traffic, and I say those stations must have cost not less than £1,000 each?—I explained that this afternoon, in your absence. I will repeat the explanation. When the line was gone over in the first instance the sites of the stations were selected, and one was a place called Eversley, which is a township, as you know.

129. There are no houses there?—Yes, there is a population there and anyone can see it if they go and look at it. The township is there and if we had made the railway without giving that locality a station, the people interested in the place would have had deep cause for grievance. The next station we

made was six miles from that. It has been stated that the three stations are within six miles, but the two outside stations accommodate a territory two and a-half miles on each side of them, so you have three stations accommodating eleven miles of territory and the average of stations on the Victorian Railways is one to about four miles, so there is not a greater average there. The stations were originally selected for the accommodation of the district at equal distances, but after we had selected those stations we were approached from the Crowlands side and the Warrak side with the statement that Eversley was inconvenient for them to get to, and the other station was inaccessible to them. We met them on the ground and your manager was one of the gentlemen there. There were about 50 people there desiring that a siding should be put down at Crowlands. They said if a siding was put there a surveyed road which was not brought into use would be made into a road, and the traffic from the Crowlands side would use that road and the Warrak people would be able to bring their traffic there. I said, "It is our duty in a country like this, to do our best to develop the traffic. You have given us evidence that it is worth a trial, we will put a siding down and if it answers it is all right, and if not we will take it up again." The whole sum involved in taking it up would be a few hundred pounds.

130. What is the cost of the station?—The House has asked for the cost of those stations, and the cost of the Crowlands station is £1,500, but that means material that would be available if the usefulness of the place was not demonstrated.

131. Have you any idea of the return of the traffic?—I know the traffic is very light indeed, but a line that is made for the future accommodation of the country is not to be tested when it is only six months old.

132. Do you know the returns?—I have not got the figures, and I would not place the slightest value upon the returns given of any traffic at any station that was not six months old.

133. They have been opened more than six months?—Call it twelve months if you like.

134. How many houses are there in Eversley?—I could tell you if I went to look at it, not without. I know it is a township.

135. Would you be surprised if I told you I had been there dozens of times?—No, I should not.

136. I say you could not find two, I have never been able to see them?—I travelled over the route of that line before it was let with the view of determining, Parliament having sanctioned the construction of that line and the expenditure of money, that reasonable provision should be made for the accommodation of those people on it. We travelled through that district and this place Eversley, where you say there are not more than two houses, was a township absolutely *en evidence*, and nobody can deny it, and if we had passed that place and not put a station there the people of the locality would have come down upon us, and we would have been compelled to put a station there.

137. I am not complaining of your putting a station there, I am complaining of your putting a third station where it was not required at all?—We put the third station as an experiment to accommodate a large number of people on both sides of the line, including your own interests, to test it and, if it proved to be a failure, it will prove a loss to the country of a few hundred pounds, and will prove our want of judgment but no more.

138. This is a return of the cost of the stations, the time they have been open and their takings. Eversley cost £2,375 1s. 11d.—last night I said the stations cost not less than £1,000 each?—You could not build a station anywhere for £1,000.

139. That station has been open for two wool seasons, and the return amounts to £211 10s. 7d.—last wool season was much later than this one, and I sent all my wool from there?—You sent it this year.

140. No?—I think so, because we had a request made that we should economise the expense of loading wool by sending down a temporary platform to do it, and we sent down some sleepers.

141. There was not a bale of wool went from that station this year, if so I will forfeit £100. The request was made to me that there was a wool traffic to be brought to this Crowlands station.

142. I mean Eversley?—I was speaking of Crowlands.

143. I say Eversley station cost £2,375 1s. 11d., and the returns are £211 10s. 7d. Now I will come to Crowlands?—I want to convey to you this, that Eversley is a settlement, and that from our point of view of accommodating the district through which the line went, Eversley was selected for the site for a station, and it was six miles away from the nearest station selected after it. The sequence of the thing with regards to the Crowlands station is as I have already explained before you were here.

144. This is before Crowlands or Dunneworthy was opened, so that since then Eversley will show worse returns, because the goods that went to Eversley now go to Crowlands. Crowlands cost £1,564 1s. 3d., that is the station that I say was never wanted; the returns from the 1st March to the 30th November, nine months, were £33 13s. 10d. Is there much settlement about that?—I have not seen the figures you have there.

145. I have taken them from the Department?—The Crowland's station, and the stations near there, are at the present time only invoiced locally, that is they do not invoice from Crowland's to Melbourne, therefore whatever charges you have there you have simply got the local charge, but whether it is large or small does not affect the view we take of the matter—that was public convenience, evidenced by over 100 people on both sides of the line, who were desiring that accommodation should be afforded them for sending their traffic. We considered the question from that point of view—something like £100,000 had been spent in making the railway, and it was a question of adding another £1,000 to accommodate the people that came there, while if the thing did not turn out a success, it could be taken up, and the net loss to the Department would only be a few hundred pounds, so we, in our judgment, thought it the right thing to comply with the request.

146. Now come to Dunneworthy, it cost £3,088 0s. 7d., it has been open eight months, and the takings are £14 11s. 1d.?—There again you do not deal with the traffic—that is an argument against making the line at all. You might say to us Commissioners that the £100,000 spent should not be plussed by a few thousands more to endeavour to attract traffic to it. If we had not determined that stations should be built on that line, we might have saved that money, but we would support the position that having spent the money in making the railway, stations should be provided on it.

147. I complain that there are too many stations?—The position is this, there is a station at 10 miles and one at 16 miles, that is an interval of six miles between the two stations; then the Crowlands station

came in at the request of the people resident, who would not go to Dunneworthy, and who could not go to the other place. Men who desired the experiment of a siding there to be tried—that is put there as an experiment on our part with the desire to accommodate the public requirements. If it does not answer the purpose it can be taken up, and the whole sin that can be brought against us is, that in trying that experiment we have involved the country in a loss of a few hundred pounds in connection with the expenditure of £100,000.

148. You said there were 100 people, are you sure of that?—Yes, fully.

149. Were they all from Crowlands?—A great many of them.

150. Would you be surprised to find that most of them must have come from the two other stations?

—I do not think they came to gull me.

The witness withdrew.



1891.

VICTORIA.

LEGAL PROFESSION PRACTICE BILL.

PETITION.

TO THE HONORABLE THE PRESIDENT AND MEMBERS OF THE LEGISLATIVE COUNCIL OF VICTORIA IN PARLIAMENT ASSEMBLED.

The Petition of the Articled Clerks of the city of Ballarat in the colony of Victoria

HUMBLY SHEWETH:

1. Your Petitioners have with much concern observed that a Bill intituled "An Act to regulate the practice of the Legal Profession" is now before your Honorable House.

2. Your Petitioners trust that such Bill will not receive the sanction of your honorable House, on the following grounds:—

1. That the proposed change embodied in the Bill is neither desired nor demanded by the people of the colony of Victoria, and that their complete indifference thereto has been manifestly shewn in all the elections of Members for both Houses of Parliament up to the present time, as, so far as your Petitioners are aware, no candidate has ever been requested to give his adhesion to the principles contained in the Bill.
2. That if the Bill become law, and the proposed legislation should hereafter be found to work injuriously to the interest of the public, it will be almost impossible to restore the present efficient system in consequence of the fundamental change that will have come into operation, and the new rights and privileges which will have been acquired.
3. That the passing of the Bill would eventually result in closing the doors of the profession in England, and in the neighbouring colony of New South Wales to Victorian practitioners, who would thus be deprived of an opportunity of practising in those countries, and we feel assured that the inconvenience would press heavily on Victorian practitioners residing near the borders of such colony.
4. That your Petitioners believe that the present high status of the Victorian Bench would eventually be deteriorated if the Bill were to receive your concurrence.
5. That it would be unfair and prejudicial to the interests, not only of your Petitioners, but also of all those gentlemen who, with the intention of becoming barristers or solicitors, have undergone a special course of study or have served their articles, that after they have deliberately chosen and fitted themselves for a particular branch of the profession, their choice should be rendered nugatory without their wish or consent.
6. That if the Bill receive the concurrence of your honorable House most necessary and beneficial supervision and restraint will be removed from any act of misconduct on the part of a member of either branch of the profession, as the Bill provides that neither barrister nor attorney is to be an officer of the court.
7. That the evidence taken in the year 1884 at the bar of your honorable House shows clearly that in those countries where the two branches of the profession have been amalgamated, no real benefit or reduction of law costs has accrued to the general public.

Your Petitioners therefore humbly pray that your honorable House will be pleased to take such steps as may be necessary to prevent the passing of the said Bill.

And your Petitioners will ever pray, &c.

[Here follow 10 signatures.]

Ordered by the Legislative Council to be printed, 5th August, 1891.

By Authority: ROBT. S. BRAIN, Government Printer, Melbourne.

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1891.

VICTORIA.

 LEGAL PROFESSION PRACTICE BILL.

PETITION.

TO THE HONORABLE THE PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL OF
THE COLONY OF VICTORIA IN PARLIAMENT ASSEMBLED.

The Petition of the President, Vice-Presidents, and Members of Council of the Melbourne
Chamber of Commerce,

RESPECTFULLY SHEWETH :

That as representatives of the mercantile and trading community of the city of Melbourne, your
Petitioners are interested in securing, as far as practicable an efficient system of jurisprudence for this
colony, under which merchants and traders may obtain prompt justice in all cases of wrong doing or
disagreement.

That your Petitioners in the performance of their functions as the executive body of the Melbourne
Chamber of Commerce, have had under their consideration the Bill now before your honorable House,
entitled "A Bill to regulate the practice of the Legal Profession."

That in the opinion of your Petitioners the objects contemplated by the proposed enactment are very
desirable in the interest of traders and the general public, for the following among other reasons.

That one pressing want of the public, and especially of the trading community, is such a simplification
of legal procedure as shall secure to all classes speedy justice without the heavy costs to which litigants
are at present subjected, and the compulsory division of the professions is one obstacle to the attainment of
effective reform in that direction.

That, in the opinion of your Petitioners, the practice which has grown up of preventing an advocate
from taking instructions direct from the client is opposed to the public interest, and that there can be no
sufficient reason for prohibiting a litigant from selecting a professional man to conduct his case through all
its stages, instead of his being (as he now is) compelled to employ two professional men to do the work,
with an increased risk of misconception or mistake on the part of the advocate and consequent defeat of the
client.

That the compulsory employment of both attorney and barrister is not only undesirable for the above
reasons, but that the trader or other litigant is thereby deprived of all remedy against his advisers for
negligence or ignorance, as the attorney is sheltered under the opinion of the barrister, and the barrister
has no responsibility whatever, which disadvantage to the client would be cured by the reform con-
templated by the Bill in question.

That your Petitioners believe that an amalgamation of the two branches of the legal profession
would rather promote than hinder the training and selection of competent men to fill the highest seats in
the administration of justice.

Your Petitioners therefore pray that your honorable House will see fit to pass the said Bill into
law.

And your Petitioners will ever pray, &c., &c.

[Here follow 13 signatures.]

Ordered by the Legislative Council to be printed, 5th August, 1891.

By Authority: ROBT. S. BRAIN, Government Printer, Melbourne.

1891.

VICTORIA.

LEGAL PROFESSION PRACTICE BILL.

PETITION.

TO THE HONORABLE THE PRESIDENT AND MEMBERS OF THE LEGISLATIVE COUNCIL OF THE COLONY OF VICTORIA.

The humble Petition of the Members of the Articled Law Clerks' Society of Melbourne in the Colony of Victoria, in meeting assembled,

SHEWETH:

1. That your Petitioners have observed the Bill to regulate the legal profession now before your honorable House.

2. That your Petitioners understand the object and policy of the Bill is to amalgamate the two branches of the legal profession.

3. Your Petitioners, however, regarding the Bill from a public point of view, and from their own experience in the study and practice of the law, fear and represent to your honorable House, that such an amalgamation would not be for the advantage of the public, nor in the best interests of justice.

4. In law, as in every other science, specialisation, your Petitioners humbly submit, is necessary to arrive at perfection, and that being so, your Petitioners, who have had actual experience in the matter, inform your honorable House that the functions of and knowledge required by an attorney-at-law are essentially different and distinct from the functions of and knowledge required by counsel learned in the law.

5. Consequently it seems to your Petitioners that amalgamation would tend to prevent this specialisation, in which case the public would not have the benefit of such sound law as at present, nor could their cases be presented to the Courts with the same skill and attention as now.

6. Your Petitioners would remind your honorable House that in England the bar and attorneys are and have been for many centuries perfectly distinct branches of the profession of the law, and it seems to your Petitioners that only grave and weighty reasons (of which your Petitioners have been unable to discover any) should induce your honorable House to depart from the proved worth of this system, and pass the Bill now before your honorable House.

7. In other Australasian colonies, the amalgamation of the legal profession has been attempted, but despite assertions to the contrary, such attempts have never been successful, nor are they likely to be, for an Act of Parliament cannot make a man an expert in every branch of the wide range of English law, nor enable him to perform two distinct functions with the same ability and skill as by special study and practice he could perform one.

8. That your Petitioners fail to see in what manner the Bill can materially render litigation less costly than at present. It does not provide any scale of fees other than those now allowed by law, and the statutory amalgamation of the legal profession cannot have the effect of lessening the cost of litigation, for the honorarium now paid to counsel as advocates will then be allowed to such attorneys as appear in that capacity.

9. Your Petitioners also humbly remind your honorable House that at present barristers and attorneys do not undergo the same preparation for admission to their respective branches of the profession. The Bill now before your honorable House abolishes the distinction existing between the branches of the legal profession, upon which this separation in studies has been based, and singularly enough provides no scheme of study for the amalgamation it proposes to effect.

10. While representing to your honorable House that the Bill now before your House is dangerous in the interests of the public, and the advancement of the knowledge of law, your Petitioners see no objection to the passing of a Bill providing that a barrister may if he deems fit, become disbarred and admitted as an attorney-at-law; and an attorney-at-law struck off the rolls and admitted as a barrister, upon passing through a course of study fitting him for the practice of the law in that branch of the legal profession in which he desires to practise, with such other and further provisions as in the wisdom of your honorable House would seem beneficial to the community.

Your Petitioners humbly pray that your honorable House will be pleased to reject the said Bill now before your honorable House.

And your Petitioners, as in duty bound, will ever pray, &c.

Signed for and on behalf of the Articled Law Clerks' Society, in pursuance of a resolution to that effect adopted at the said meeting.

[Here follow 9 signatures.]

Ordered by the Legislative Council to be printed, 5th August, 1891.

By Authority: ROBT. S. BRAIN, Government Printer, Melbourne.

1891.

VICTORIA.

LEGAL PROFESSION PRACTICE BILL.

PETITION.

TO THE HONORABLE THE PRESIDENT AND MEMBERS OF THE LEGISLATIVE COUNCIL OF VICTORIA IN
PARLIAMENT ASSEMBLED.

The Petition of the undersigned Attorneys and Solicitors of the Supreme Court

HUMBLY SHEWETH:

1. Your Petitioners have observed that a Bill intituled an "Act to regulate the practice of the Legal Profession" is now before your honorable House.

2. Your Petitioners are of opinion that the public will not derive any practical benefit by the proposed amalgamation.

Your Petitioners therefore humbly pray that your honorable House will be pleased to take such steps as may be necessary to prevent the passing of the said Bill.

And your Petitioners will ever pray, &c.

[Here follow 59 signatures.]

Ordered by the Legislative Council to be printed, 5th August, 1891.

ANNALS

THE ANNALS OF THE AMERICAN GEOGRAPHICAL SOCIETY
PUBLISHED BY THE GEOGRAPHICAL BOARD OF AMERICA
VOLUME 11, NUMBER 1, JANUARY, 1900

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1891.

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LEGAL PROFESSION PRACTICE BILL.

PETITION.

TO THE HONORABLE THE PRESIDENT AND THE MEMBERS OF THE LEGISLATIVE COUNCIL OF THE
COLONY OF VICTORIA IN PARLIAMENT ASSEMBLED.

The Petition of the undersigned Barristers-at-Law of the Supreme Court of the Colony of
Victoria, practising in the said colony,

HUMBLY SHEWETH:

1. Your Petitioners have observed that a Bill intituled "A Bill to regulate the practice of the Legal Profession" is now occupying the attention of your honorable House.

2. Your Petitioners desire to protest against the Bill, not for merely professional reasons, but as citizens who know, perhaps better than most others, the true effects of the proposed change on the administration of the law. They feel not only the injustice of the Bill to those who have labored and who are laboring to obtain the qualifications necessary for the Bar, but also that the Bill would operate directly to the prejudice of the administration of justice, injure the higher study of jurisprudence at the University, reduce materially the number of those who could give undivided attention to the principles of the law, and ultimately lower the standard of attainment required for the Bench.

3. Your Petitioners are of opinion that the Bill, if carried, would increase the cost of litigation and other business of the law, and they crave leave to refer in support of this contention to the evidence taken before your honorable House in the year 1884.

Your Petitioners therefore humbly pray that your honorable House may in its wisdom see fit to reject the said Bill, or refer the same to a committee of your honorable House in order that evidence may be heard as to the effect of similar legislation elsewhere.

[Here follow 82 signatures.]

Ordered by the Legislative Council to be printed, 5th August, 1891.

1. The first part of the document is a list of names and addresses of the members of the committee.

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1891.

VICTORIA.

LEGAL PROFESSION PRACTICE BILL.

PETITION.

TO THE HONORABLE THE PRESIDENT AND THE MEMBERS OF THE LEGISLATIVE COUNCIL OF VICTORIA
IN PARLIAMENT ASSEMBLED.

The Petition of the undersigned, the Council of the University of Melbourne,

HUMBLY SHEWETH:

1. That your Petitioners are deeply interested in the higher education of the community, and view with alarm any proposal for lowering the standard required for admission to any of the learned professions.

2. That the University, largely by the liberality of Parliament, has established a law school, in which a high standard of literary as well as technical education is provided for barristers.

3. That in the opinion of your Petitioners the Bill for the amalgamation of the legal professions at present before your honorable House, will practically have the effect of substituting a much lower standard than what is at present required for admission to the bar.

4. That in existing circumstances, if the Bill be carried, with the exception of constitutional law and history, the only literary examination required for admission to the bar will be the matriculation examination.

Your Petitioners therefore humbly pray that your honorable House may in its wisdom see fit to reject the said Bill.

And your Petitioners will ever pray, etc., etc.

The Common Seal of the University of Melbourne was }
hereto affixed this 17th day of August, One }
thousand eight hundred and ninety-one, in my }
presence—

(SEAL) A. C. BROWNLESS,
Chancellor.

E. F. A'BECKETT.

Ordered by the Legislative Council to be printed, 18th August, 1891.

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1891.

VICTORIA.

LEGAL PROFESSION PRACTICE BILL.

PETITION.

TO THE HONORABLE THE PRESIDENT AND MEMBERS OF THE LEGISLATIVE COUNCIL OF THE COLONY OF VICTORIA IN PARLIAMENT ASSEMBLED.

The Respectful Petition of the President, Office-bearers, and Members of Council of "The Victorian Chamber of Manufactures,"

HUMBLY SHEWETH:

That as representatives of the manufacturing interests of this colony, your Petitioners are interested in securing, as far as practicable an efficient system of jurisprudence for such colony, under which manufacturers and others throughout Victoria may obtain prompt justice in all cases of wrong doing or disagreement.

That your Petitioners in the performance of their functions as the executive body of the Victorian Chamber of Manufactures, have had under their consideration the Bill now before your honorable House, entitled "A Bill to regulate the practice of the Legal Profession."

That in the opinion of your Petitioners the objects contemplated by the proposed enactment are very desirable in the interest of manufacturers and other sections of the general public, for the following among other reasons, namely:—

That one pressing want of the public, and especially the trading community, is such a simplification of the legal procedure as shall secure to all classes speedy justice without the heavy costs to which litigants are at present subjected, and that the compulsory division of the professions is in the opinion of your Petitioners one obstacle to the attainment of effective reform in that direction.

That, in the opinion of your Petitioners, the practice which has grown up of preventing an advocate from taking instructions direct from his client is opposed to public interest, and that there can be no sufficient reason for prohibiting a litigant from selecting a professional man to conduct his case through all its stages, instead of his being (as he now is) compelled to employ two professional men to do the work, with an increased risk of misconception or mistake on the part of the advocate and consequent defeat of the client.

That your Petitioners consider that the compulsory employment of both attorney and barrister is not only undesirable for the above reasons, but that the trader or other litigant is thereby deprived of all remedy against his advisers for negligence or ignorance, as the attorney is held to be sheltered under the opinion of the barrister, and the barrister has no responsibility whatever, which disadvantage to the client would be cured by the reform contemplated by the Bill in question.

That your Petitioners believe that an amalgamation of the two branches of the legal profession would rather promote than hinder the training and selection of competent men to fill the highest seats in the administration of justice.

That the Bill in question appears to your Petitioners suited to effect the desirable reform contemplated.

Your Petitioners therefore trust that your honorable House will see its way to give effect to their earnest desire that the Bill may speedily become the law of the land.

And your Petitioners will ever pray, &c.

Signed pursuant to the direction and on behalf of the Petitioners—

Council Chamber,
17th August, 1891.

B. SNIDERS,
President.

Ordered by the Legislative Council to be printed, 18th August, 1891.

1891.

VICTORIA.

LEGAL PROFESSION PRACTICE BILL.

PETITION.

TO THE HONORABLE THE PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL OF
THE COLONY OF VICTORIA IN PARLIAMENT ASSEMBLED.

The Petition of the undersigned Merchants and Traders, of the City of Melbourne,

RESPECTFULLY SHEWETH:

That your Petitioners regard with much interest the Bill now before your honorable House, entitled "A Bill to regulate the practice of Legal Professions," and your Petitioners consider that the objects contemplated by the proposed enactment are very desirable in their own interest as traders and in the interests of the general public.

That the trading community of this city and colony are in great need of a more simple mode of legal procedure for the purpose of securing to them as well as to all classes speedy justice at reasonable costs, and they believe that the compulsory division of the profession is inimical to their attainment of that desideratum.

That, in the opinion of your Petitioners, there can be no sufficient reason for preventing a litigant from selecting a professional man to conduct his case from the beginning to the end, which would be a manifest advantage over the present system, which is unsatisfactory, and in the opinion of your Petitioners indefensible.

Your Petitioners therefore pray that your honorable House will assist in passing the said Bill into law.

And your Petitioners will ever pray, etc.

[Here follow 172 signatures.]

Ordered by the Legislative Council to be printed, 19th August, 1891.

By Authority: ROBT. S. BRAIN, Government Printer, Melbourne.

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VICTORIA.



MINUTES
OF THE
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL.

SESSION

1891.

COUNCIL
CHAMBER.