

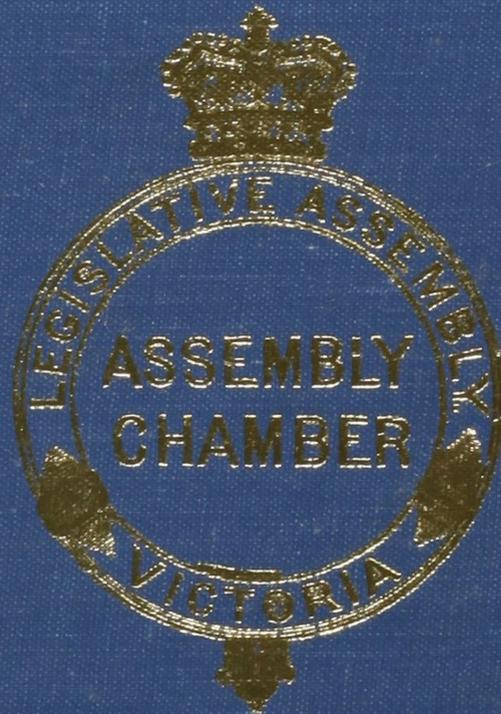
VICTORIA



VOTES
AND
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL

SESSION
1852-3

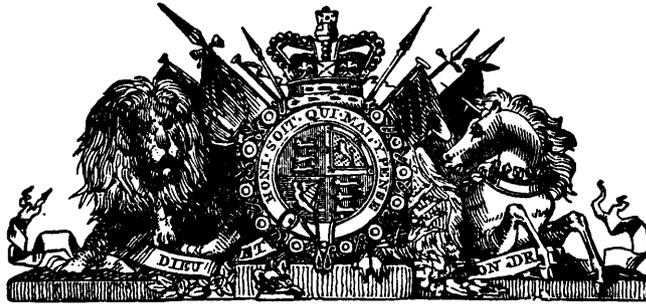
1



VICTORIA.

66244

24



VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL,

DURING THE SESSION

1852-3,

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

VOL. I.

Melbourne:

PRINTED BY JOHN FERRES, AT THE GOVERNMENT PRINTING OFFICE.

1853.

Assembly

TABLE OF CONTENTS.

Vol. I.

Index.
Summary of Proceedings on Bills.
Votes and Proceedings.
Appointments of Select Committees.
Weekly Divisions in Committee of the whole Council.
Papers laid on the Table of the Council, by Command of His Excellency the Lieutenant
Governor (not being Returns to Addresses.)
Messages to the Council from His Excellency the Lieutenant Governor, and accompanying
Documents.

Vol. II.

Returns to Addresses from the Council to His Excellency the Lieutenant Governor.
Reports from, and Evidences taken before, Select Committees.
Petitions.

	Votes. Vol. I.	Printed Papers.	
		Vol. I.	Vol. II.
	Page	Page	Page
Hargraves, Mr.—Committee of the whole Council on a Motion for an Address, to place a sum of money on the Estimates to be presented to	319		
Health Officer—Report of, for 1851—Laid on Council Table	5	485	
Horse and Cattle Stealing—Motion for, and Appointment of, Select Committee	28		
„ „ Prevention Bill—Initiated	257		
I.			
Immigration, Deposits—Despatches and Papers—Laid on Council Table. Message No. 1.	9	627	
„ Message No. 9, with Despatches relating to	51	665	
„ Part Return to Address, moved on 25th November, 1851—Laid on Council Table	57		
„ Conclusion of ditto	67		103
„ Report of the Immigration Agent for the latter half of the year 1851	67	523	
„ Remittances to England for Immigration purposes—Motion for Address for Correspondence with the local Banks thereon. See Monies Public			
„ Motion for, and Appointment of, Select Committee on	67		
„ „ „ Report brought up	365		893
„ „ „ „ Consideration of, postponed	370		
„ „ „ „ Considered, and referred back to Select Committee	380		
„ „ „ „ Further Report brought up	397		943
„ „ „ „ Adoption of Report, and Address to the Lieutenant Governor thereon	399		
„ „ „ „ „ Reply	407		
„ Copies of Despatches relating to. Message No. 43	288	819	
„ Memorial from Colonists resident in London—Presented	253		
„ „ „ Ordered to be printed	261		1097
„ Female—Motion for Address	311		
„ „ „ Reply	331		
Immigrants' Ships Investigation Bill—Initiated	84		
Immigrants—Temporary accommodation for—Motion for Address	104		
Imports—Duties. See Duties.			
Imports of Wine, Tobacco, and Dried Fruits. See Duties			
Impounding Act Amendment Bill—Initiated	99		
Indemnity Bill—Initiated by Message No. 10	52		
J.			
Jews—Grant of Money in aid of the—Motion respecting	181		
Judge's Salary—Consideration in Committee of the propriety of altering Part 1 of Schedule B to the Constitution Act	324		
„ „ Report from Committee	329		
Judicial Establishments—Message No. 39, with Despatch relating to	279	807	
Juror's Bill—Initiated	241		
L.			
Land Fund—Unappropriated Moiety of. See Crown Lands.			
Land near Melbourne—Survey and Sale of. See Crown Lands.			
Land Sales—Monthly. See Crown Lands.			
Land—Sale of for Agricultural purposes. See Crown Lands.			
Leases—Squatters. See Crown Lands.			
Library Committee—Appointed	6		
„ Reports	51-341		{ 385
„ „ Considered in Committee of the whole Council and Addresses adopted	62-348		{ 389
„ Further Report	401		
„ „ Considered and adopted	405		391
Library—Three Addresses for Grants of Money, Maps, and Papers for the	62		
„ „ „ Replies	79		
Lieutenant Governor—Speech of, on opening the Session	1		
„ „ „ Read by the Speaker	3		
„ „ Salary of—Motion respecting, and Report of the Committee of the whole Council thereon	95		
Light House Dues—Motion for Address	21		
„ „ „ Reply	37		
„ „ „ Return	72		187
Loan—Public—Motion for Address—negatived	308		
Lunatic Asylum—Yarra Bend—Motion for and appointment of Select Committee	13		
„ „ „ Report	321		539
„ „ „ Motion relating to—debated and withdrawn	199		
Lunatics Maintenance Bill—Initiated by Message No. 24	150		

	Votes.	Printed Papers.	
		Vol. I.	Vol. II.
	Page	Page	Page
Order, Points of—Sewerage	63-67		
„ Standing Orders	87		
„ Transportation	199		
„ Introduction of New Member before Return of Writ.	303		
„ Orders in Council, Occupation of Crown Lands	393		
„ Portland—County Court and Court of General Sessions	408		
P.			
Pakington, Sir J. S.—Resolution for Address of thanks to	199		
Passengers' Conveyance Bill—Initiated by Message No. 21	143		
„ Motion relating to, made and withdrawn	193		
Penal Board—Report of, laid on Council Table, and referred to the Committee on Prison Discipline	169		
Pensions Bill—Initiated by Message No. 63	402		
Petitions—In favor of a Canal between Melbourne and Hobson's Bay	5		
„ For leave to bring in a Bill to amend the New South Wales Bank Act	47		
„ „ „ to Incorporate the Melbourne Gas and Coke Company	61		
„ „ „ to Incorporate the Melbourne, Mount Alexander, and Murray River Railway Company	61		
„ „ „ to Incorporate the Geelong and Melbourne Railway Company	62		
„ To the Queen, for the establishment of a Branch of the Royal Mint in Victoria	83		
„ In favor of the Convicts' Prevention Bill	103		
„ That an addition be made to the number of Members on the Select Committee on Roads and Bridges	103		
„ From Captain Cole, for compensation in respect of wharfage duties	111		
„ From Joseph Raleigh, for compensation in respect of wharfage duties, if the Ports, &c., Bill pass, and for leave to be heard by Counsel at the bar of the Council	127		
„ From N. L. Kentish, relating to his discovery of a New Motive Power	131		
„ From Bryce Ross, for the removal from office of the Chief Commissioner of the Mount Alexander Diggings	149		
„ From certain Stockholders in the Colony relative to Scab in Sheep	5 163 173 223 275		
„ „ „ Ordered to be printed	175	—	1083
„ From certain Merchants and Inhabitants of Melbourne, for leave to present a Petition to incorporate the Hobson's Bay Railway Company	163		
„ From the Corporation of Geelong, respecting the Municipal Franchise Bill	169		
„ From the Town and District of Portland Bay, relating to Public Works in that District	185		
„ „ „ Ordered to be printed	199	—	1087
„ „ „ Referred to Committee on the Estimates	307		
„ For leave to bring in a Bill to incorporate the Melbourne and Hobson's Bay Railway Company	186		
„ From the Residents of the Town of Portland on the Police Report	217		
„ „ „ Ordered to be printed	224	—	1089
„ From Merchants and others of Melbourne against the Gold Export Duty Bill	199		
„ „ The Chamber of Commerce	205		
„ „ „ Ordered to be printed	209	—	1091
„ From J. Harrison and W. H. Bucirde, against the Gold Export Duty Bill	239		
„ „ „ Ordered to be printed	253	—	1093
„ From Gold Diggers of Victoria at Bendigo, against the Gold Export Duty Bill	241		
„ „ „ Ordered to be printed	253	—	1095
„ From S. Rochfort, against the Rules for the admission of Barristers and others in the Supreme Court	245		
„ From Colonists of Australia, resident in London, with reference to Emigration	253		
„ „ „ Ordered to be printed	261	—	1097
„ From Inhabitants of Kilmore, as to repairs of part of the Sydney Road	259		
„ From Rev. A. Ross, against Births, Deaths, &c., Registration Bill	271		
„ From certain Roman Catholics, in favor of State Grant to Religion	280		
„ „ „ Ordered to be printed	284	—	1099
„ From the inhabitants of Melbourne, against State Grant to Religion	280		
„ „ „ Ordered to be printed	284	—	1101
„ From Proprietors in Fitz Roy Ward relating to the Fitz Roy Ward Streets Bill	311		
„ From Citizens and others, Inhabitants of Fitz Roy Ward, in favor of the above Bill	312		
„ From W. Westgarth against the Grant for Public Worship Increase Bill	323		
„ „ „ Ordered to be printed	327	—	1103
„ From the Members of the Colonial Reform Association—the like	329		
„ From the Inhabitants of Geelong—the like	329		
„ From the Rev. Mr. Jarrett—the like, and referred to Committee on the Bill	343	—	1105
„ From Wesleyan Ministers against third reading of Public Worship Promotion Bill	353		
„ From certain persons, praying for the establishment of Public Baths	347		
„ „ „ Ordered to be printed	351	—	1107
„ From the Commercial Bank of Sydney, for leave to introduce Private Bill	367		
„ From the Corporation of Melbourne, against the adoption of the Sewerage Report	369	—	1109
„ From the Inhabitants of Portland relating to Grant for Administration of Justice	379		

	Votes.		Printed Papers.	
	Vol. I.	Page	Vol. I.	Vol. II.
Steam Dredge—Motion for Address relating to		32		
" " " Reply		37		
" " " Return to Address		43	—	97
" " " Motion for Committee for considering an Address—Report of Committee and Ad- dress		311		
" " " Reply		331		
Steam Navigation Laws Amendment Bill—Initiated		259		
Stipendiary Magistrates—Motion respecting		369		
Sugar. <i>See Duties.</i>				
Supreme Court Rules, regulating the admission of Barristers and Attornies—Laid on Council Table		197	611	
" " " Petition against, presented		245		
" " " Referred to Select Committee		249		
" " " " Report brought up		327	—	635
" " " " " Referred back to Select Committee		351		
" " " " " Further Report		375	—	637
" " " " " Report adopted		387		
Sydney Road—Survey of—Motion for Address		79		
" " " " Reply to Address		88		
" " " " Repairs of—Petition relating to		259		
" " " " " Motion for Address—debated, postponed, and continued		272		
" " " " " " Reply		275		
" " " " " " " Reply		279		
T.				
Tariff Bill (Duties of Customs)—Initiated by Message No. 4		32		
Tariffs, Colonial. <i>See Colonial.</i>				
Tea. <i>See Duties.</i>				
Thistle Extermination Bill—Initiated		48		
Tobacco. <i>See Duties.</i>				
Towns Police Act Amendment Bill—Initiated by Message No. 59		355		
Trade and Customs Revenue for 1851—Returns laid on Council Table and ordered to be printed		5	483	
Transportation—Motion for resolutions respecting		38		
" " " " Address to Lieutenant Governor thereon		40		
" " " " " Reply		61		
" " " " " Copy of Despatch acknowledging receipt of Resolutions respecting, (Message No. 14)		91	685	
" " " " " " Motion relating to withdrawn upon a point of Order		199		
" " " " " " Motion for Address		401		
" " " " " " " Reply		408		
Trigonometrical Survey of Melbourne—Motion for going into Committee, Report, and Address		163		
" " " " " " " Reply deferred		174		
" " " " " " " " Reply		193		
U.				
University of Melbourne—Appointment of Committee on		283		
" " " " " Progress Report brought up		341	—	773
" " " " " " Report considered in Committee and resolutions brought up		347		
" " " " " " " Report brought up		353	—	775
" " " " " " " " Considered in Committee of the whole House		354		
" " " " " " " " Endowment Bill—Initiated		354		
V.				
Vagrancy Prevention Bill—Initiated by Message No. 37		279		
Victoria Electoral Act Amendment Bill—Motion for leave to bring in—withdrawn		17	1 to 414	
Votes and Proceedings of the Council		—		
W.				
Warrnambool. <i>See Belfast.</i>				
Waste Lands. <i>See Crown Lands.</i>				
Water Bill. <i>See Melbourne.</i>				
Water Pipes to St. Kilda—Motion for Address—negatived		115		
Water Police Dues—Motion for Address		21		
" " " " Reply		37		
" " " " " Return		72	—	187

	Votes.	Printed Papers.	
		Vol. I.	Vol. II.
	Page	Page	Page
Water, Supply of, to Geelong. <i>See</i> Geelong.			
Weekly Divisions in Committees of the whole Council	—	{ 419 to 478	
Weights and Scales (Standard)—Copy of Despatch. Message No. 38	279	805	
Wharfage Dues. <i>See</i> Duties.			
Wharfage Duties—Petition of Captain Cole for compensation, presented and read	111		
" Petition from Joseph Raleigh for compensation, if the Ports, &c., Bill pass, and for leave to be heard by Counsel at the Bar of the Council	127		
Willoughby (Eliza), Murder of—Copies of the Depositions relating to—Motion for Address for	43		
" " Reply	61		
" " Return to Address laid on Council Table	67		
" " " Motion for return to be printed— negatived	67		
Wine. <i>See</i> Duties.			

SUMMARY OF PROCEEDINGS ON BILLS INTRODUCED DURING THE SESSION 1852-1853.

No.	SHORT TITLES OF BILLS.	BY WHOM AND WHEN INITIATED.		PROGRESS.											No. of Act.	REMARKS.
				First reading.	Second reading.	Committee.	Report.	Amendments proposed by the Lieutenant Governor.	Re-committal.	Report after Re-committal.	Passing.	Assent.	Publication in Government Gazette.			
1	General and Quarter Sessions Courts Bill	By Message	2 July	2 July	30 July	30 July	5 Aug	-	-	20 Aug	20 Aug	1 Sept	3 Sept	8 Sept	III.	
2	Tariff Bill	By Message	0 July	9 July	12 Aug	12 Aug	12 Aug	-	-	13 Aug	13 Aug	13 Aug	13 Aug	18 Aug	II.	
3	Courts of Requests Bill	By Message	0 July	9 July	20 July	11 Aug	2 Sept	-	-	16 Sept	16 Sept	17 Sept	23 Sept	20 Sept	XI.	
4	Customs' Regulations Bill	By Message	9 July	9 July	18 Aug	18 Aug	10 Aug	-	-	15 Dec	16 Dec	31 Dec	31 Dec	5 Jan	XXIII.	
5	Introduction of Convicts Prevention Bill	Mr. Westgarth	0 July	8 Aug	10 Aug	31 Aug	9 Sept	-	-	31 Dec	31 Dec	-	-	-	-	
6	Scotch Thistle Extermination Bill	Mr. Rutledge	10 July	16 July	0 Aug	10 Aug	-	-	-	-	-	-	-	-	-	Withdrawn upon Report of Committee, 3rd September.
7	Indemnity Bill	By Message	20 July	21 July	21 July	21 July	21 July	-	-	-	-	22 July	27 July	28 July	I.	Lapsed in the Council. August 17.
8	Bank of New South Wales Act Amendment Bill	Mr. Miller	21 July	21 July	10 Sept	20 Oct	20 Oct	-	-	-	-	10 Nov	30 Nov	8 Dec	-	
9	Ports, Harbors, and Shipping Law Consolidation Bill	By Message	22 July	22 July	18 Aug	24 Aug	20 Aug	-	-	15 Sept	15 Sept	17 Sept	23 Sept	20 Sept	XII.	
10	Costs in Criminal Cases Taxation Bill	Mr. Pohlman	29 July	29 July	31 Aug	31 Aug	1 Sept	-	-	-	-	0 Sept	14 Sept	15 Sept	V.	
11	Administration of Criminal Justice Improvement Bill	By Message	30 July	30 July	17 Aug	10 Aug	20 Aug	-	-	8 Sept	8 Sept	14 Sept	15 Sept	22 Sept	VII.	
12	Immigrant Ships Investigation Bill	By Message	30 July	30 July	13 Aug	25 Aug	25 Aug	-	-	9 Sept	9 Sept	3 Sept	7 Sept	8 Sept	IV.	
13	Melbourne Gas and Coke Company Bill	Mr. Miller	3 Aug	3 Aug	9 Nov	10 Nov	30 Nov	-	-	7 Dec	7 Dec	11 Jan	12 Jan	3 Feb	-	
14	Impounding Act Amendment Bill	Mr. Fawkner	0 Aug	0 Aug	31 Aug	31 Aug	15 Sept	-	-	14 Dec	17 Dec	17 Dec	21 Dec	22 Sept	X.	
15	Melbourne, Mount Alexander, and Murray River Railway Bill	Mr. Westgarth	27 July	10 Aug	1 Feb	3 Feb	4 Feb	-	-	5 Feb	5 Feb	7 Feb	6 Feb	10 Feb	-	
16	Geelong and Melbourne Railway Bill	Dr. Thomson	27 July	10 Aug	1 Feb	1 Feb	3 Feb	-	-	4 Feb	4 Feb	7 Feb	8 Feb	10 Feb	-	
17	Melbourne Municipal Franchise Bill	Mr. Fawkner	15 Aug	13 Aug	31 Aug	31 Aug	2 Nov	-	-	5 Feb	5 Feb	20 Nov	3 Dec	8 Dec	XVIII.	
18	Master and Servants Acts Continuation Bill	By Message	17 Aug	18 Aug	25 Aug	25 Aug	26 Aug	-	-	20 Nov	20 Nov	30 Nov	8 Dec	16 Sept	VI.	
19	Assessment Act Continuation Bill	By Message	17 Aug	18 Aug	-	-	-	-	-	3 Sept	3 Sept	8 Sept	14 Sept	-	-	To be read second time this day six months. September 1st.
20	Scab, and Catarrh in Sheep Prevention Bill	Mr. Murphy	18 Aug	18 Aug	10 Sept	27 Oct	7 Dec	-	-	17 Dec	17 Dec	23 Dec	20 Dec	5 Jan	XXI.	
21	Law of Evidence Amendment Bill	By Message	24 Aug	26 Aug	2 Sept	2 Sept	8 Sept	-	-	14 Sept	14 Sept	10 Sept	17 Sept	22 Sept	IX.	
22	Passengers' Conveyance Bill	By Message	26 Aug	1 Sept	27 Oct	27 Oct	0 Nov	-	-	16 Sept	16 Sept	26 Nov	30 Nov	8 Dec	XVII.	
23	Marriages Bill	By Message	31 Aug	1 Sept	-	-	-	-	-	17 Sept	17 Sept	17 Sept	23 Sept	20 Sept	XIV.	
24	Better Prevention of Offences Bill	By Message	31 Aug	1 Sept	15 Sept	15 Sept	15 Sept	-	-	-	-	16 Sept	17 Sept	22 Sept	VIII.	
25	Maintenance of Lunatics Bill	By Message	31 Aug	1 Sept	15 Sept	15 Sept	15 Sept	-	-	-	-	16 Sept	17 Sept	22 Sept	VIII.	
26	Introduction of Convicts Prevention Bill (No. 2)	Mr. Westgarth	3 Sept	3 Sept	10 Sept	10 Sept	10 Sept	-	-	14 Sept	14 Sept	17 Sept	23 Sept	20 Sept	XIII.	
27	Gold Export Duty Bill	By Message	9 Sept	10 Sept	17 Sept	10 Sept	-	-	10 Sept	10 Sept	-	-	-	-	-	The Chairman of Committees reported progress on the consideration of this Bill, and obtained leave to sit again this day six months. (November 24.)
28	Melbourne and Hobson's Bay Railway Company Bill	Mr. Westgarth	27 Oct	2 Nov	12 Jan	12 Jan	13 Jan	-	-	-	-	18 Jan	20 Jan	26 Jan	-	
29	Births, Deaths and Marriages Registration Bill	By Message	29 Oct	2 Nov	10 Nov	24 Nov	17 Dec	-	-	5 Jan	5 Jan	11 Jan	18 Jan	10 Jan	XXVI.	
30	Special Constables' Laws Amendment Bill	By Message	29 Oct	2 Nov	11 Nov	11 Nov	11 Nov	-	-	11 Jan	11 Jan	10 Nov	30 Nov	8 Dec	XVI.	
31	Police Force Regulation Bill	By Message	29 Oct	2 Nov	17 Nov	18 Nov	10 Nov	-	-	25 Nov	25 Nov	14 Dec	8 Jan	10 Jan	XXIV.	
32	Public Worship (Schedule D) Alteration Bill	Mr. Johnston	29 Oct	29 Oct	-	-	-	-	-	20 Dec	30 Dec	-	-	-	-	To be read a second time this day six months. (November 30.)
33	Jurors' Bill	By Message	0 Nov	10 Nov	17 Nov	18 Nov	10 Nov	-	-	24 Nov	24 Nov	25 Nov	20 Nov	1 Dec	XV.	
34	Savings' Bank of Port Phillip Laws Amendment Bill	By Message	0 Nov	10 Nov	25 Nov	-	-	-	-	25 Nov	25 Nov	-	-	-	-	Withdrawn and subject referred to a Select Committee.
35	Fitzroy Ward Streets' Bill	The Attorney General	10 Nov	10 Nov	-	-	-	-	-	-	-	-	-	-	-	Second reading negatived. 14th December.
36	Horse and Cattle Stealing Prevention Bill	The Attorney General	16 Nov	17 Nov	25 Nov	2 Dec	2 Dec	-	-	17 Dec	17 Dec	21 Dec	29 Dec	5 Jan	XX.	
37	Steam Navigation Laws Amendment Bill	The Attorney General	10 Nov	18 Nov	2 Dec	14 Dec	14 Dec	-	-	17 Dec	17 Dec	23 Dec	5 Jan	8 Jan	XXV.	
38	Melbourne Corporation Seal Bill	The Attorney General	17 Nov	17 Nov	25 Nov	26 Nov	26 Nov	-	-	5 Jan	5 Jan	30 Nov	3 Dec	8 Dec	XIX.	
39	Waggonage Prevention Bill	By Message	30 Nov	1 Dec	8 Dec	15 Dec	15 Dec	-	-	23 Dec	23 Dec	23 Dec	29 Dec	5 Jan	XXII.	
40	Auction Duties' Repeal Bill	Mr. Murphy	7 Dec	7 Dec	21 Dec	29 Dec	29 Dec	-	-	-	-	11 Jan	18 Jan	10 Jan	XXVII.	
41	Public Worship (Schedule B) Increase Bill	The Solicitor General	8 Dec	8 Dec	20 Dec	20 Dec	20 Dec	-	-	-	-	-	-	-	-	Withdrawn upon the recommendation of the Committee, 29th December.
42	Melbourne Building Act Amendment Bill	Mr. Fawkner	10 Dec	14 Dec	-	-	-	-	-	-	-	-	-	-	-	Negatived on the motion for the second reading. 4th January, 1853.
43	Number of Members of Council Increase Bill	By Message	20 Dec	30 Dec	6 Jan	6 Jan	6 Jan	-	-	-	-	11 Jan	10 Jan	20 Jan	XXIX.	
44	Promotion of Public Worship Bill	By Message	30 Dec	31 Dec	5 Jan	5 Jan	5 Jan	-	-	7 Jan	7 Jan	11 Jan	18 Jan	19 Jan	XXVIII.	
45	Governor's Salary Increase Bill	Mr. Rutledge	31 Dec	31 Dec	5 Jan	5 Jan	5 Jan	-	-	-	-	6 Jan	-	16 Feb	-	Reserved for the signification of Her Majesty's pleasure.
46	Appropriation Bill	The Auditor General	11 Jan	11 Jan	18 Jan	18 Jan	18 Jan	-	-	-	-	19 Jan	20 Jan	26 Jan	XXX.	
47	University of Melbourne Endowment Bill	By Message	11 Jan	11 Jan	14 Jan	14 Jan	18 Jan	-	-	20 Jan	20 Jan	21 Jan	22 Jan	26 Jan	XXXIV.	
48	Roads Bill	By Message	11 Jan	11 Jan	27 Jan	27 Jan	3 Feb	-	-	21 Jan	21 Jan	7 Feb	8 Feb	9 Feb	XL.	
49	Sheriff's Deputies Bill	By Message	11 Jan	11 Jan	12 Jan	12 Jan	12 Jan	-	-	-	-	14 Jan	22 Jan	26 Jan	XXXI.	
50	Savings' Banks Bill	By Message	11 Jan	11 Jan	14 Jan	19 Jan	26 Jan	-	-	28 Jan	28 Jan	3 Feb	7 Feb	9 Feb	XXXVII.	
51	Shipping Dues, Seamen and Water Police Bill	By Message	11 Jan	11 Jan	14 Jan	14 Jan	14 Jan	-	-	3 Feb	3 Feb	3 Jan	22 Jan	20 Jan	XXXIII.	
52	Offenders Controol Bill	By Message	11 Jan	11 Jan	14 Jan	14 Jan	14 Jan	-	-	10 Jan	19 Jan	21 Jan	22 Jan	26 Jan	XXXII.	
53	Forfeited Recognizances Enforcement Bill	By Message	11 Jan	11 Jan	-	-	-	-	-	18 Jan	18 Jan	19 Jan	22 Jan	26 Jan	-	Discharged from the Paper by order. January 20th.
54	Public House Licensing Act Amendment Bill	By Message	11 Jan	11 Jan	20 Jan	20 Jan	21 Jan	-	-	25 Jan	25 Jan	26 Jan	28 Jan	2 Feb	XXXV.	
55	Towns Police Act Amendment Bill	By Message	11 Jan	11 Jan	18 Jan	19 Jan	19 Jan	-	-	21 Jan	21 Jan	27 Jan	28 Jan	2 Feb	XXXVI.	
56	Melbourne Incorporation Act Amendment Bill	By Message	25 Jan	25 Jan	27 Jan	28 Jan	28 Jan	-	-	25 Jan	25 Jan	5 Feb	7 Feb	9 Feb	XXXVIII.	
57	Melbourne Water and Sewerage Commission Bill	By Message	25 Jan	25 Jan	2 Feb	2 Feb	3 Feb	-	-	4 Feb	4 Feb	5 Feb	7 Feb	9 Feb	XXXIX.	
58	Pensions Bill	By Message	4 Feb	4 Feb	-	-	-	-	-	5 Feb	5 Feb	-	-	-	-	
59	Education Commission Bill	Mr. Murphy	4 Feb	4 Feb	-	-	-	-	-	7 Feb	7 Feb	-	-	-	-	

RECAPITULATION.

Bills introduced during the Session	59
Passed and assented to	45
Passed and reserved for the signification of Her Majesty's pleasure thereon	1
Lapsed in Committee of the whole Council	1
Lapsed in the Council	1
Negatived on motion for the Second Reading	2
Withdrawn	2
Disposed of by the question "this day six months"	3
No proceedings taken since the first Reading	4
	59

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 22nd. JUNE, 1852.

1. Council met pursuant to Proclamation of His Excellency the Lieutenant-Governor, bearing date the 12th day of May, 1852.—the Clerk read the said Proclamation by order of the Speaker.
2. **NEW MEMBERS.**—The Speaker announced that there had been handed to him Letters Patent under the hand of His Excellency the Lieutenant-Governor and the Seal of the Colony of Victoria, bearing date at Melbourne the 21st day of June, 1852, appointing JOHN CARRE RIDDELL, Esquire, a Non-Elective Member of this Council, in lieu of CHARLES JAMES GRIFFITH, Esquire, resigned, and until Her Majesty's pleasure should be known; and also that it having been established to his satisfaction that the seat of ROBERT ROBINSON, Esquire, an Elective Member of this Council for the Electoral District of the Town of Geelong had become vacant by the death of the said ROBERT ROBINSON, he had pursuant to Act of Council, during the Recess, issued a Writ for the return of a Member for the said Electoral District of the Town of Geelong, in the place of the said ROBERT ROBINSON, deceased; and that by the return of the Returning Officer, indorsed on such Writ, it appeared that ALEXANDER THOMSON of Geelong, Esquire, had been duly elected Member to serve in the place of the said ROBERT ROBINSON, for such Electoral District.
3. JOHN CARRE RIDDELL, Esq. was then introduced, and the Clerk, by the direction of the Speaker, read the Letters Patent appointing the said J. C. Riddell Member of this Council.
4. **LIEUTENANT GOVERNOR'S SPEECH.**—His Excellency the Lieutenant Governor having arrived at the Chamber, and having been duly announced by the Sergeant-at-Arms, was received by the Speaker and the Colonial Secretary, and was by them conducted to an elevated seat provided for him near the Speaker's Chair, and read the following Speech:—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,

It has been my wish to summon you to enter upon the duties of your second Session, at a period of the year when attendance in Council might be productive of as little personal inconvenience as possible.

2. I may justly congratulate you upon the general condition and physical growth of the Colony. In a financial point of view it evinces great prosperity. The comparative statement for the last Quarter furnishes an example of rapid and progressive increase under every head, hitherto without parallel in Colonial History.

3. The discovery of the mineral wealth of the Colony has not only led to the great augmentation of Colonial Revenue under heads ordinarily classed as Territorial, but, by the large additions to our population and expenditure which have resulted from it, has been productive of a most extraordinary increase in the Customs duties which constitute the main source of General Revenue.

4. It must be, nevertheless, admitted with regret, that the Pastoral and Agricultural interests are subjected at this time to serious embarrassment, which nothing but an ample supply of labour will remove.

5. I have not failed to represent how necessary it is for the well-being of the Colony that abundant and timely immigration, of certain classes more especially, from the mother country, should be secured, to supply the deficiencies in that extraordinary influx to which the discovery I have alluded to has given rise, and I can feel no hesitation in pledging the Colony to furnish from ordinary sources any amount of funds which may be required to obtain it. The state of the Territorial Revenue has not only enabled me to remit large sums in advance for this purpose, but to take steps for paying off at once the sum of £25,000 raised upon the Crown Revenue of the Colony in 1849.

6. In conformity with the intention expressed in my opening address to the Council in November last, I shall cause the draft of a new Tariff Bill to be submitted for your consideration at an early date. It has been my wish to frame it in a manner at once adapted to our own position and prospects, and to the unrestrained freedom of Colonial and Foreign Trade. It has been based upon the anticipated repeal of the present Wharfage, Harbour, Tonnage, and Light dues. Copies of this proposed Bill have been already forwarded to the authorities in the neighbouring Colonies. Its adoption will require the concurrent enactment of a Customs

Regulation Bill, and also of a revised code of Harbour and Port Regulations, inclusive of Pilotage. These will be duly brought under your notice.

7. The state of our mercantile marine, under the peculiar circumstances in which the Colony is placed, may also call for an amended Seaman's Act.

8. I would also invite the attention of the Council to a matured consideration of the postage and postal communication; and, among other principal points, to the expediency of rendering the pre-payment of letters compulsory in all cases. A report of the Board appointed to enquire into the state of the Post Office, was laid before the Council at the last Session, to which I would refer.

9. With a view to the better administration of justice, I propose to introduce a Bill conferring extended criminal jurisdiction on the Court of Quarter Sessions. The expediency of such measure has been impressed upon me in consequence of the great increase of our population, the growth of certain of the inland towns, and the concentration of large numbers at various points removed from the ordinary seats of justice.

10. An amended Court of Request's Act, by which provision will be made for the extension of such Court to any locality in which its establishment may appear advisable, is also in course of preparation.

11. An Act for the Registration of Births, Deaths, and Marriages, and a General Marriage Act, and certain proposed amendments in the Criminal Law, as well as an enactment to interpose a check to the prevalence of Cattle and Horse stealing in the Colony, are also at present under consideration, with a view to their submission to the Legislative Council, early in the Session.

12. It has further appeared to me highly advisable that a Bill should be introduced to facilitate the apprehension and ready transmission to neighbouring Colonies, of persons under sentence, who may have effected their escape hither; and such a Bill will be brought under your attention.

13. I would invite the early attention of the Council to the most important subject of the General Police of the Colony. I shall be glad, in introducing an emendation of the existing Laws and Regulations, to avail myself of any well-considered suggestions which the Council may be disposed to offer, with a view to obviate present difficulties, and to place the Police upon a footing of efficiency such as our present position urgently demands. Certain information, which may be useful to the Council in considering this subject, which has been prepared in advance, will be placed on your table.

14. I am persuaded that the Council will give its most favourable consideration to any measure which may be submitted to it, to promote the cleanliness and health of our towns.

15. The statements of past Revenue and Expenditure will be laid before you without unnecessary delay, as well as the Estimates of future Expenditure now in course of preparation; I reserve for the Financial Minute by which they will be accompanied the detailed remarks and explanations on these heads which may be called for; I would state, however, that, in the absence of any express instructions from Her Majesty's Government, it is my desire in bringing the scheme of future Appropriation before you, to place the most liberal construction upon the expression of opinion enunciated by the Secretary of State in a Dispatch addressed to the Governor General, authorising as it appears to do, the application of the Fund created by the issue of Licenses for the Gold Fields of the Colony, to meet the expenses entailed upon the Colonial Government by the discovery;—and I trust that some of the many difficulties which have been experienced lately by the Executive Government in dealing with a Public Expenditure which was imperatively called for, and determining the proper remuneration of the Public Servants under most extraordinary and unforeseen circumstances may now be obviated.

16. There are certain despatches which I have received from the Secretary of State on the subject of Emigration to the Colony more especially, which I will cause to be laid before you without delay, and various Official Returns of public interest will be at once placed upon your table.

17. Such other matters or measures as I may find it desirable to bring under your particular notice,—and there are several of importance to which I can scarcely here advert however briefly,—I shall submit to your consideration in the usual manner by Message.

18. In conclusion, I would reiterate the assurance already given to the Council of my anxiety to co-operate heartily with it, in all measures conducive to the public advantage, wherever they may originate, or to whatever points they may be directed.

(Signed)

C. J. LA TROBE,
Lieutenant Governor.

Government Offices,
Melbourne, 22nd June, 1852.

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

5.—NEW MEMBERS SWORN.—The Clerk, by direction of the Speaker, resumed the reading (interrupted by the arrival of his Excellency the Lieutenant-Governor) of the Letters Patent appointing JOHN CARRE RIDDELL Esq. Member of the Council; and Mr. Riddell having taken the Oath, took his seat in the Council as a member thereof.

ALEXANDER THOMSON, Esquire, was then introduced, and having taken the Oath, and handed to the Clerk, at the Table, the following Declaration, took his Seat as a Member for the Electoral District of the Town of Geelong, in room of ROBERT ROBINSON, Esq., deceased.

"I, ALEXANDER THOMSON, do declare and testify, That I am duly seised at Law or in Equity, of an Estate of Freehold for my own use and benefit, in Lands or Tenements, in the Colony of Victoria, of the value of Two thousand pounds, sterling Money, above all charges and incumbrances affecting the same: And further that the Lands or Tenements out of which such Qualification arises are situate in the Town of Geelong, viz.,—The Estate of Kardinia, in my own occupation, of which I am seised in fee; and I further declare, that I have not collusively or colourably obtained a title to, or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria."

ALEXANDER THOMSON."

6. The SPEAKER having informed the Council of the death of A. C. W. Dunlop, Esq., formerly a non-elective Member of this Council, on the motion of the Colonial Secretary, it was ordered, that, as a mark of respect to the deceased Member, this Council do at its rising to-day adjourn until Friday next, at 2 o'clock.

7. ADDRESS IN REPLY TO THE LIEUTENANT GOVERNOR'S SPEECH.—The Speaker read the Copy of the Speech of His Excellency the Lieutenant-Governor, on opening of the Session.

Mr. WESTGARTH then moved, That an Address be prepared in reply to the Speech of His Excellency the Lieutenant-Governor.

Question put and passed.

Mr. WESTGARTH then moved, That a Select Committee be appointed to prepare such address, and that such Committee consist of the following Members, viz:—The Colonial Secretary, Mr. Splatt, Mr. Miller, Mr. O'Shanassy, Mr. Strachan, Mr. Riddell, and Mr. Westgarth.

Question put and passed.

Mr. WESTGARTH having brought up the Address in reply to the Speech of His Excellency the Lieutenant Governor, as prepared by the Committee, the same was read by the Clerk on the motion of Mr. Westgarth, as follows:—

To His Excellency CHARLES JOSEPH LA TROBE, Esquire, Lieutenant-Governor of the Colony of Victoria.

MAY IT PLEASE YOUR EXCELLENCY,—

As loyal and dutiful subjects of the British Crown, WE, the Members of the Legislative Council of Victoria, desire on this occasion to tender to your Excellency our expression of devotion to our Gracious Sovereign, and of attachment to the Institutions of our country.

We thank your Excellency for this Address, couched as it is in language calculated to assure us that it is your Excellency's earnest purpose to promote during the present critical conjuncture, the well-being of this Colony.

We congratulate your Excellency on the flourishing condition and recent unexampled increase of the Public Revenues, and on the circumstance that such ample resources are thus immediately available for executing, upon a commensurate scale, those public works and general improvements that are so imperatively demanded by the altered circumstances and widely extended prospects of the Colony.

We cannot but regret with Your Excellency that one effect of the late extraordinary gold discoveries—an event which is so powerfully operating upon the interests and destinies of this Colony—should have proved oppressive to the pastoral and agricultural portion of our community; and we agree with your Excellency that out of the ample Revenues now available, it was desirable to make large appropriations for the continued introduction of labour suitable for the promotion of these great and vital interests.

We observe with satisfaction the broad and liberal principle on which your Excellency proposes to introduce a new Tariff Measure for this Colony; and also, the judicious step of conferring, for the purpose of harmonizing on this important subject, with the respective Governments of the the adjacent Colonies.

In the contemplated new postal arrangements, the system of an uniform prepayment of letters by stamps, which meets our entire approval, must materially simplify and economize the Postal management, diminish the risks of fraud or negligence, and enable your Excellency to meet the increasing wants of the Colony, by giving a still more extended scope and usefulness to the postal operations.

We trust that any measure your Excellency may contemplate for facilitating the apprehension of persons effecting their escape from adjacent settlements into this Colony, while under sentence for crime, may prove sufficiently comprehensive and stringent, to relieve this community from the present alarming evils consequent upon our proximity to the penal Settlement of Van Diemen's Land.

Other important subjects, alluded to by your Excellency, shall have due consideration.

We must, in conclusion, express our great satisfaction, that the difficulties formerly experienced by your Excellency, in regard to the appropriation of monies derived from the discovery of Gold, towards expences occasioned by that discovery, should now appear to your Excellency to be obviated by the tenor of a recent Despatch from the Home Government.

Mr. WESTGARTH then moved that this Address be adopted by this Council.

Question put and passed.

8. Mr. WESTGARTH was proceeding to move that a Deputation be appointed to wait upon the Lieutenant Governor, to ascertain when His Excellency would be pleased to receive their Address, when the Colonial Secretary informed the Council that, in anticipation of the

wish of the Council, he had already waited upon the Lieutenant-Governor, and ascertained it to be His Excellency's pleasure to receive the Council's Address in reply to his Speech on opening the Session, at the Government Offices, on Friday next, at half-past two o'clock;—whereupon it was agreed that the Council proceed to the Government Offices on Friday next, and there present to the Lieutenant-Governor their Address in reply to his Excellency's Opening Speech, at half-past two o'clock.
Council adjourned at 20 minutes to five o'clock, until 2 o'clock on Friday next.

NOTICES OF MOTION.

FRIDAY, 25TH JUNE.

1. MR. STRACHAN: To move, That His Excellency may be pleased to have laid on the table of this House a Return of all Wharfage dues collected at the Ports of Melbourne, Geelong, and Portland, respectively, from the 1st October, 1851, to the 1st June inst.
A Return of the Amount of Duties levied on Brandy, Rum and other Duty paying Spirits respectively, within the Colony from the 1st October, 1851, to the 1st June instant.
A Return, showing the weight of Sugar, Coffee and Tea, Imported into the Colony since 1st October, 1851, to the 1st June instant, and the Amount of Duties paid thereon.
2. THE COLONIAL SECRETARY: To move, That Tuesdays, Wednesdays, Thursdays, and Fridays in each week be the days on which the Council shall meet for the despatch of Business during the present Session, and that Three o'clock be the hour of meeting on each day.
3. THE COLONIAL SECRETARY: to move, That Wednesdays and Thursdays in each week be the days appointed for the despatch of Government business during the present Session.
4. THE COLONIAL SECRETARY: To move, That the Standing Orders Committee of the last Session of this Council be reappointed for the present Session.
5. THE COLONIAL SECRETARY: To move that the following Members do form the Library Committee for the present Session, viz:—The Speaker, Mr. Fawkner, Mr. Westgarth, Mr. Pohlman, and Mr. Riddell.
6. THE AUDITOR-GENERAL: To move, That Mr. Murphy be the Chairman of Committees during the present Session of this Council.

TUESDAY, 29TH JUNE.

1. MR. MURPHY: To move for leave to bring in a Bill for the further prevention of the diseases called Catarrh and Scab in Sheep and Lambs.

J. F. PALMER,
Speaker.

No. 2.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 25th. JUNE, 1852.

1. Council met pursuant to adjournment.
2. **EMIGRATION DEPOT.**—The Speaker laid upon the table of the Council a Letter he had received from Mr. Wyndham Harding, relative to the superior eligibility of Southampton in preference to Deptford, as the Port of embarkation for Australian emigrants, together with several documents therein referred to; which Letter was read by the Clerk, on the motion of Mr. O'Shanassy.
3. **ADDRESS IN REPLY TO HIS EXCELLENCY THE LIEUTENANT GOVERNOR'S OPENING SPEECH.**—On motion of the Colonial Secretary, the Council proceeded to the Government Offices, there to present to His Excellency the Lieutenant Governor their Address in reply to His Excellency's Opening Speech. The Council having returned, the Speaker reported that the Council had been to the Government Offices, and there presented to His Excellency the Lieutenant Governor their Address in reply to His Excellency's Speech on opening the Session; and that His Excellency had been pleased to make thereto the following answer:—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,

I receive your Reply to the Address, with which it has been my privilege to open the Session, with great pleasure. I am well assured of your loyal attachment to our Gracious Sovereign and to the Institutions of the Country.

I thank you for the disposition you evince to strengthen the hands of the Executive Government at this juncture, by the consideration of measures directed to this end; and would express my hope that our joint efforts may result, under God's good providence, in the continued prosperity of the Colony.

(Signed)

C. J. LA TROBE.

Lieutenant Governor.

Melbourne,
25th June, 1852.

4. **CANAL BETWEEN MELBOURNE AND HOBSON'S BAY.**—Mr. Miller presented a Memorial from certain Bankers, Merchants, Landed Proprietors, Traders and others interested in the prosperity of the Colony of Victoria, and of its Capital, the City of Melbourne, setting forth the value and importance of forming a Canal, or straight cut, from Melbourne to Hobson's Bay; and requesting the Council to sanction the expenditure of any sum of money that may be placed by His Excellency the Lieutenant-Governor upon the next Annual Estimates, for the purpose of meeting the preliminary, and other expences, of the proposed undertaking.
Memorial received.
5. **SCAB IN SHEEP.**—Mr. Murphy on behalf of the Speaker presented a Petition from certain Stock-holders in the Western District praying the passing of a more efficient Scab Act, and setting forth certain Clauses which such Act should contain.
Petition received.
6. **PAPERS.**—The Colonial Secretary by command of His Excellency the Lieutenant Governor, laid upon the table the several undermentioned Papers.
 - (1.) Certain Questions and Answers relating to the working of the Police Force of the Colony.
 - (2.) Return of General Abstracts of the sworn Returns of the Liabilities and Assets of the several Banks of the Colony, rendered pursuant to 4 Victoria No. 13.
Ordered to be Printed.
 - (3.) Return of the Trade and Customs Revenue of the Colony of Victoria for the Year 1851, being in continuation of the Synopsis furnished last Session of Council.
Ordered to be Printed.
 - (4.) Report of the Health Officer for the Year 1851.
 - (5.) Return of the actual amount expended from the various votes for Public Buildings, from the 31st October to the 31st December, 1851, inclusive; showing also the amount voted for each building.
Ordered to be printed.
 - (6.) The Blue Book, from 1st July to 31st December, 1851.
Ordered to lie upon the table.

7. WASTE LANDS.—The Colonial Secretary, by command of his Excellency the Lieutenant-Governor laid upon the table the Return to the Address on this subject, adopted on the motion of Mr. O'Shanassy, on the 25th November last.
Ordered to be printed.
8. MOUNT ROUSE, ABORIGINAL STATION.—The Colonial Secretary, by command of His Excellency the Lieutenant-Governor, laid upon the Table the Return to the Address on this subject, adopted on the motion of Mr. Fawcner, on 16th December last.
Ordered to be printed.
9. DUTIES—CUSTOMS.—Mr. Strachan moved, pursuant to notice, that an Address be presented to His Excellency the Lieutenant Governor, praying That His Excellency may be pleased to have laid on the table of this House a Return of all Wharfage dues collected at the Ports of Melbourne, Geelong, and Portland, respectively, from the 1st October, 1851, to the 1st June inst.
A Return of the Amount of Duties levied on Brandy, Rum and other Duty paying Spirits respectively, within the Colony from the 1st October, 1851, to the 1st June instant.
A Return, showing the weight of Sugar, Coffee and Tea imported into the Colony since 1st October, 1851, to the 1st June instant, and the Amount of Duties paid thereon.
Question put and passed.
10. DAYS OF BUSINESS.—The Colonial Secretary moved, pursuant to notice, That Tuesday, Wednesday, Thursday, and Friday in each week be the days on which the Council shall meet for the despatch of Business during the present Session, and that Three o'clock be the hour of meeting on each day.
Question put and passed
11. GOVERNMENT BUSINESS.—The Colonial Secretary moved, pursuant to *amended* notice, that on Wednesday and Thursday in each week during the present Session, the transaction of Government Business shall take precedence of all other business.
Question put and passed.
12. STANDING ORDERS COMMITTEE.—The Colonial Secretary moved, pursuant to *amended* notice, That the following Members, viz :—The Speaker, The Attorney General, The Chairman of Committees, Mr. Miller, and Mr. Splatt be appointed the Standing Orders Committee during the present Session.
Question put and passed.
13. LIBRARY COMMITTEE.—The Colonial Secretary moved, pursuant to Notice—That the following Members do form the Library Committee for the present Session, viz :—The Speaker, Mr. Fawcner, Mr. Westgarth, Mr. Pohlman, and Mr. Riddell.
Question put and passed.
14. CHAIRMAN OF COMMITTEES.—The Auditor General moved, pursuant to notice, That Mr. Murphy be the Chairman of Committees during the present Session of this Council.
Question put—Council divided.

Ayes, 17.

MR. RUTLEDGE,
THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL,
DR. THOMSON,
MR. O'SHANASSY,
MR. GOLDSMITH,
MR. STRACHAN,
MR. RIDDELL,
MR. WILKINSON,
MR. JOHNSTON,
MR. SMITH,
MR. WESTGARTH,
MR. DIGHT,
MR. TURNBULL,
MR. CAMPBELL,
MR. SPLATT, (Teller.)

Noes, 1.

MR. FAWKNER, (Teller.)

Mr. Murphy then made his acknowledgements to the Council.

15. PROTEST.—Mr. Fawcner having desired to enter a Protest on the Journals of this Council, a point of Order was raised as to his power so to do, whereupon on the motion of the Colonial Secretary, the Council left the decision of the point to the Speaker, who decided that as there was no precedent to justify such a practice, and as it appeared to be the general wish of the Council that no such practice should be introduced, he declared against it.

Council adjourned at twenty minutes past four o'clock, until Tuesday next at three o'clock.

NOTICES OF MOTION.

TUESDAY, 29TH JUNE.

1. MR. MURPHY: To move for leave to bring in a Bill for the further prevention of the diseases called Catarrh and Scab in Sheep and Lambs.
2. MR. O'SHANASSY: To move, That the Letter of Wyndham Harding, Esquire, addressed to the Speaker of the Legislative Council on the subject of Immigration, be printed.
3. MR. WESTGARTH: To move, for copies of correspondence and other particulars, on the subject of the settlement of Accounts between this Colony and New South Wales, alluded to by His Excellency, in the course of his opening address for the previous session, to illustrate more particularly—
 - (1.) The state of the Account, as to Revenue and Expenditure, (including equitable proportions for General Government,) between the Port Phillip and Sydney Districts, of New South Wales, as at 1st January, 1849, from which date up to the Separation of Victoria from New South Wales, at 30th June last, His Excellency had laid claim to a distinctive reckoning for this Colony.
 - (2.) The grounds on which His Excellency fixed this date of 1st January, 1849, for such distinctive reckoning, thereby overlooking a very large Amount under each of the two heads of Revenue apprehended to be justly due to Victoria, from the General Fund of the then united Colony of New South Wales, prior and up to that date.
 - (3.) The grounds on which the Government of New South Wales disputed this claim so made by the Government of this Colony, (namely, that Victoria should receive all her Revenues as from 1st January, 1849, less her actual expenditure, and a proportion for general government), and deducted from such claim an amount of £29,851 6s. 1d., the disposition of which disputed amount had been referred to the decision of the Home Government.
 - (4.) The Statement of the Case as submitted to the Home Government.
 - (5.) Whether or not any reply has been received from the Home Government on the subject, and to what effect.
4. MR. MURPHY: To move, That an Address be presented to His Excellency the Lieutenant Governor praying that His Excellency will be pleased to cause to be laid on the table of this House:—
 - (1.) Return of the names of places in this Colony and their distances from Melbourne, where Gold Fields are being worked.
 - (2.) The number of Gold Commissioners, their names, dates of appointment, salaries and allowances, places where stationed, and nature of their general duties.
 - (3.) The number of Clerks and other persons employed by the Gold Commissioners, their salaries, dates of appointment, and by whom employed.
 - (4.) The number of Police, distinguishing horse and foot, employed upon the Gold Fields, their daily pay, and how they are distributed.
 - (5.) The number, description, pay, and duties of any other force employed on the Gold Fields.
 - (6.) The number of Police and other persons employed on Escort Duty, their daily pay, and the general expense of that service weekly.
 - (7.) The expenditure, occasioned by the discovery of Gold, in the public service unconnected with the Gold Fields, since the 30th November last, through increase of pay and allowances, and in any other way whatsoever with the items in detail.
 - (8.) The number of Licenses to dig for Gold issued monthly since the 30th November last, and the names of the places for which they were issued.
 - (9.) The amount of Revenue derived from the Gold Districts by License Fees and otherwise, since the 30th November last, specifying the amount received at each Gold Field, and the expenditure at each separate place.
 - (10.) The amount of Revenue derived from the Escort of Gold, stated monthly, since 30th November last.
 - (11.) The amount of Gold forwarded by Government Escorts to Melbourne, since the 30th November last.
 - (12.) The amount of Gold forwarded by the Adelaide Escort, and the nature of any Expenditure occasioned thereby to the Government of this Colony.
 - (13.) The Amount of Gold exported from the Colony since the discovery of the Gold Fields, specifying the Names of the Ships conveying the Gold, and the Ports for which they sailed.
 - (14.) The Amount if any of Gold lost in course of transmission by Escort, specifying the number of Parcels, the particulars of such losses, and the nature of compensation given.
 - (15.) The Amount, if any, of Gold in the hands of the Government for which no Claimants appear, or for which Claims have not been allowed or duly established.
 - (16.) Copies of any Correspondence which may have taken place with the Imperial Authorities, respecting the establishment of a Colonial Mint or Assay Office.
 - (17.) The number of persons, with the nature of the offences charged against them, not including summons cases nor cases where fines were inflicted, convicted, held to bail, or committed for trial by the Magistrates at the Gold Fields since the 1st of September last, indicating, if practicable, those arrived from Van Diemen's Land.

- (18.) The number of summons cases, and of those involving fines, with the nature of them dealt with by the Magistrates for a similar period.
- (19.) The number of investigations held upon deceased persons by Coroners or Magistrates, at the Gold Fields, for a similar period, specifying in each case the conclusions arrived at as to the cause of death.
- (20.) The number of outrages, and the nature of them against persons and property on the Gold Fields reported to the Police where the perpetrators remain undiscovered.
5. MR. MURPHY: To move, That an Address be presented to His Excellency the Lieutenant Governor praying that His Excellency will be pleased to cause application to be made to the Government of New South Wales for a copy of all Correspondence which may have taken place between the Home and Local Authorities upon the subject of the Settlement of the Boundary Line between Victoria and New South Wales; and that His Excellency will be further pleased to direct the same, if obtained, to be laid upon the table of this House.

THURSDAY, 1ST. JULY.

1. MR. STRACHAN: To move, That His Excellency the Lieutenant-Governor may be pleased to cause to be laid on the Table of this House, a Return of all Dues collected under the Water Police Act, Light House and Pilot Dues, from the 1st of January last to the 1st June instant.

FRIDAY, 2ND. JULY.

1. MR. MURPHY: To move, That a Select Committee be appointed to enquire into and report upon the Working of the present Systems for the Instruction of Youth in this Colony receiving Support from the Public Revenue, with power to take evidence thereon, and to recommend, if found requisite, a plan of Education better adapted to the wants of the community.
2. MR. JOHNSTON: To move, That a Select Committee of this House, to consist of the Attorney General, Mr. Pohlman, Dr. Thompson, Mr. Westgarth, Mr. Fawkner, Mr. Rutledge, and the Mover, be appointed to enquire into the Condition and Management of the Yarra Bend Lunatic Asylum, and to take Evidence.

J. F. PALMER,
Speaker.

No. 3.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 29th. JUNE, 1852.

1. Council met pursuant to adjournment.
2. MESSAGE.—The following Message from His Excellency the Lieutenant Governor received and read—

Message No. 1.

C. J. LA TROBE,
Lieutenant Governor.

The Lieutenant-Governor hastens to lay upon the Table of the Legislative Council certain Despatches from the Right Honorable the Secretary of State for the Colonies, received since the close of last Session.

2. With regard to the system of "Immigration Deposits," under the Regulations of 22nd December, 1848, to which Earl Grey adverts in his Despatches and Enclosures of the 18th September and 24th July, the Lieutenant-Governor has to state that, under full consideration of the advantages and disadvantages which had attended its working in this Colony, he came to the decision that it would be judicious to suspend the operation of those regulations altogether until the full results of the experiment, as far as it had been tried, were fully ascertained from the report of the home authorities, and that they were so suspended on and after the 1st January of the present year.

3. The modification proposed in the despatch first cited, in the existing scale of contributions required in the Colony from persons who, without becoming purchasers of land, remit money to bring out their friends and relatives, was fully taken into consideration, and a modified scale adopted, which, under existing circumstances, appeared better suited to the position and the wants of the Colony.

4. The Dispatch of the Land and Emigration Commissioners, under date 17th May, furnishes much valuable information on the position and prospects of Victoria, with regard to Immigration at the time it was written, but the Lieutenant Governor is anxiously awaiting the receipt of the further reports of the Commissioners, and of information as to the receipt and proposed mode of application of the sums forwarded for the furtherance of Immigration to the Colony shortly after its separation from New South Wales.

5. For the information of the Council the Lieutenant Governor also encloses a Return of of all sums so remitted since the 1st July last.

6. The Lieutenant Governor recommends this important subject of Immigration to the careful and deliberate consideration of the Council, and shall be glad to avail himself of any recommendations or suggestions which may be furnished him, with a view to promote the public good and meet the wants of the various local interests in connexion with this most important point.

7. The Lieutenant Governor has already apprised the Council that there can be no doubt in the ability of the Colony to supply the requisite funds.

Government Offices,
29th June, 1852.

Ordered to be printed together with the accompanying Despatches and Documents.

3. ADDRESS.—The Speaker announced to the Council that he had, pursuant to the Resolution of this Council, presented the Address to His Excellency the Lieutenant Governor, No. 1. Duties—Customs—adopted on the 25th day of June, 1852, on the motion of Mr. Strachan, and that His Excellency had in reply to such Address been pleased to state that he would take immediate steps to comply with the wishes of the Council.
4. FAMILY COLONIZATION LOAN SOCIETY.—The Speaker laid upon the Table of the Council, a Letter he had received signed by the Right Honorable the Earl of Shaftesbury and four other gentlemen, dated 31st August, 1851, requesting, if the Colonists should see any reason to object to the Class of Emigrants sent out by the Family Colonization Society, the Legislative Council would express an early opinion to that effect; and also asking for that cordial co-operation of the Legislative Council, without which their efforts for this Colony could be but limited,—which Letter was, upon the Motion of Mr. O'Shanassy, ordered to be printed.
5. POSTPONEMENT—Mr Strachan, with leave of the Council, postponed the motion standing in his name, on the Notice Paper for Thursday next, until Wednesday the 7th July next.

6. EMIGRATION DEPOT—Mr. O'Shanassy moved, pursuant to notice, That the Letter of Wyndham Harding, Esquire, addressed to the Speaker of the Legislative Council on the subject of Emigration, be printed.

Question put and passed.

7. ACCOUNTS BETWEEN VICTORIA AND NEW SOUTH WALES.—Mr. Westgarth moved, pursuant to notice, that an Address be presented to His Excellency the Lieutenant Governor for copies of correspondence and other particulars, on the subject of the settlement of Accounts between this Colony and New South Wales, alluded to by His Excellency, in the course of his opening address for the previous session, to illustrate more particularly—

(1.) The state of the Account, as to Revenue and Expenditure, (including equitable proportions for General Government,) between the Port Phillip and Sydney Districts, of New South Wales, as at 1st January, 1849, from which date up to the Separation of Victoria from New South Wales, at 30th June last, His Excellency had laid claim to a distinctive reckoning for this Colony.

(2.) The grounds on which His Excellency fixed this date of 1st January, 1849, for such distinctive reckoning, thereby overlooking a very large Amount under each of the two heads of Revenue apprehended to be justly due to Victoria, from the General Fund of the then united Colony of New South Wales, prior and up to that date.

(3.) The grounds on which the Government of New South Wales disputed this claim so made by the Government of this Colony, (namely, that Victoria should receive all her Revenues as from 1st January, 1849, less her actual expenditure, and a proportion for general government), and deducted from such claim an amount of £29,851 6s. 1d., the disposition of which disputed amount had been referred to the decision of the Home Government.

(4.) The Statement of the Case as submitted to the Home Government.

(5.) Whether or not any reply has been received from the Home Government on the subject, and to what effect.

Question put and passed.

8. GOLD FIELDS.—Mr. Murphy moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Lieutenant Governor praying that His Excellency will be pleased to cause to be laid on the table of this House:—

(1.) Return of the names of places in this Colony and their distances from Melbourne, where Gold Fields are being worked.

(2.) The number of Gold Commissioners, their names, dates of appointment, salaries and allowances, places where stationed, and nature of their general duties.

(3.) The number of Clerks and other persons employed by the Gold Commissioners, their salaries, dates of appointment, and by whom employed.

(4.) The number of Police, distinguishing horse and foot, employed upon the Gold Fields, their daily pay, and how they are distributed.

(5.) The number, description, pay, and duties of any other force employed on the Gold Fields.

(6.) The number of Police and other persons employed on Escort Duty, their daily pay, and the general expense of that service weekly.

(7.) The expenditure, occasioned by the discovery of Gold, in the public service unconnected with the Gold Fields, since the 30th November last, through increase of pay and allowances, and in any other way whatsoever with the items in detail.

(8.) The number of Licenses to dig for Gold issued monthly since the 30th November last, and the names of the places for which they were issued.

(9.) The amount of Revenue derived from the Gold Districts by License Fees and otherwise, since the 30th November last, specifying the amount received at each Gold Field, and the expenditure at each separate place.

(10.) The amount of Revenue derived from the Escort of Gold, stated monthly, since 30th November last.

(11.) The amount of Gold forwarded by Government Escorts to Melbourne, since the 30th November last, specifying the quantity sent from each particular Gold Field.

(12.) The amount of Gold forwarded by the Adelaide Escort, and the nature of any Expenditure occasioned thereby to the Government of this Colony.

(13.) The Amount of Gold exported from the Colony since the discovery of the Gold Fields, specifying the Names of the Ships conveying the Gold, and the Ports for which they sailed.

(14.) The Amount if any of Gold lost in course of transmission by Escort, specifying the number of Parcels, the particulars of such losses, and the nature of compensation given.

(15.) The Amount, if any, of Gold in the hands of the Government for which no Claimants appear, or for which Claims have not been allowed or duly established.

(16.) Copies of any Correspondence which may have taken place with the Imperial Authorities, respecting the establishment of a Colonial Mint or Assay Office.

(17.) The number of persons, with the nature of the offences charged against them, (not including summons cases nor cases involving fines,) discharged, convicted, held to bail, or committed for trial by the Magistrates at the Gold Fields since the 1st of September last indicating, if practicable, those arrived from Van Diemen's Land.

(18.) The number of summons cases, and of those involving fines, with the nature of them dealt with by the Magistrates for a similar period.

- (19.) The number of investigations held upon deceased persons by Coroners or Magistrates at the Gold Fields, for a similar period, specifying in each case the conclusions arrived at as to the cause of death.
- (20.) The number of outrages, and the nature of them against persons and property on the Gold Fields reported to the Police where the perpetrators remain undiscovered.
- Question put and passed.
9. **BOUNDARY LINE, NEW SOUTH WALES**—Mr. Murphy moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor praying that His Excellency will be pleased to cause application to be made to the Government of New South Wales for a copy of all Correspondence which may have taken place between the Home and Local Authorities upon the subject of the Settlement of the Boundary Line between Victoria and New South Wales; and that His Excellency will be further pleased to direct the same, if obtained, to be laid upon the table of this House.
- Question put and passed.
10. **ADJOURNMENT**—On the motion of the Colonial Secretary, the Council adjourned at half-past four o'clock, until Friday next at three o'clock.

NOTICES OF MOTION.

FRIDAY, 2ND. JULY.

1. **MR. MURPHY**: To move, That a Select Committee be appointed to enquire into and report upon the Working of the present Systems for the Instruction of Youth in this Colony receiving Support from the Public Revenue, with power to take evidence thereon, and to recommend, if found requisite, a plan of Education better adapted to the wants of the community.
2. **MR. JOHNSTON**: To move, That a Select Committee of this House, to consist of the Attorney General, Mr. Pohlman, Dr. Thompson, Mr. Westgarth, Mr. Fawkner, Mr. Rutledge, and the Mover, be appointed to enquire into the Condition and Management of the Yarra Bend Lunatic Asylum, and to take Evidence.
3. **MR. MURPHY**: To move, That a Select Committee be appointed to enquire into the state of the Laws for the prevention of the Diseases in Sheep known as Catarrh and Scab, and to report if any and what further provisions are required to check the spread of those Diseases; with power to take evidence thereon. Such Committee to consist of the Attorney General, Mr. Miller, Mr. Goldsmith, Mr. Campbell, Mr. Snodgrass, Mr. Splatt, and the Mover.

TUESDAY, 6TH JULY.

1. **MR. MURPHY**: to move, For leave to bring in a Bill to amend "The Victoria Electoral Act of 1851."

WEDNESDAY, 7TH. JULY.

1. **MR. STRACHAN**: To move, That His Excellency the Lieutenant Governor may be pleased to cause to be laid on the Table of this House, a Return of all Dues collected under the Water Police Act, Light House and Pilot Dues, from the 1st of January last to the 1st June instant.
2. **MR. STRACHAN**: to move That His Excellency the Lieutenant Governor will be pleased to have laid on the table of the House a Return of the number of Gallons of Wine, the Weight of Tobacco and Dried Fruits, imported into the Colony, and on which Duty has been paid respectively, from the 1st of October 1851, to the 1st of June instant.

J. F. PALMER,
Speaker.

No. 4.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 2nd. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
 2. SERJEANT-AT-ARMS.—John Singleton, Esquire, having been introduced, handed to the Speaker a Commission from His Excellency the Lieutenant Governor, bearing date at Melbourne, the 30th June, 1852, appointing him Serjeant-at-Arms of the Legislative Council of the Colony of Victoria during the pleasure of the Lieutenant Governor of the said Colony for the time being, (subject to the approval of Her Majesty, Her Heirs, and Successors,) which Commission having, by direction of the Speaker, been read by the Clerk, the Oaths of Allegiance and of Office were administered to Mr. Singleton.
 3. NEW MEMBER. — The Speaker announced that there had been handed to him Letters Patent under the Hand of His Excellency the Lieutenant Governor and the Seal of the Colony of Victoria, bearing date at Melbourne, the 23rd day of June, 1852, appointing EDWARD EYRE WILLIAMS, Esquire, a Non-Elective Member of the Council, in the place of REDMOND BARRY, Esquire, resigned, and until her Majesty's pleasure should be known. EDWARD EYRE WILLIAMS, Esquire, was then introduced, and the Clerk, by direction of the Speaker, read the Letters Patent appointing the said EDWARD EYRE WILLIAMS, Esquire, Member of the Council, and MR. WILLIAMS having taken the Oath, took his seat in the Council as a Member thereof.
 4. DISPUTED ELECTION RETURNS.—In pursuance of the "Victoria Electoral Act of 1851," the Speaker laid on the Council Table, a Warrant appointing—William Rutledge, William Francis Splatt, Peter Snodgrass, James Ford Strachan, William Campbell, John Henry Mercer, and Francis Murphy Esquires, "The Committee of Elections and Qualifications,"—which the Clerk read.
 5. MESSAGE FROM THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor received and read :—
General and Quarter Sessions Courts Bill :—
C. J. LA TROBE, *Message, No. 2.*
Lieutenant Governor.
The Lieutenant Governor transmits for the consideration of the Council the Draft of "*A Bill to make Provision for the better Administration of Justice in Courts of General and Quarter Sessions, in the Colony of Victoria.*"
Government Offices,
2nd July, 1852.
- Ordered to be printed.
Bill, on the motion of the Attorney General, read a first time and ordered to be printed and read a second time on Friday, the 30th July.
6. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Murphy postponed the Motion standing in his name, No. 1 on the Notice Paper of to-day, until Tuesday next.
 7. YARRA BEND LUNATIC ASYLUM.—Mr. Johnston moved, pursuant to Notice—That a Select Committee of this House, to consist of the Attorney General, Mr. Pohlman, Dr. Thompson, Mr. Westgarth, Mr. Fawkner, Mr. Rutledge, and the Mover, be appointed to enquire into the Condition and Management of the Yarra Bend Lunatic Asylum, and to take Evidence.
Question put and passed.
 8. CATARRH AND SCAB IN SHEEP.—Mr. Murphy moved, pursuant to *amended* Notice—That a Select Committee be appointed to enquire into the state of the Laws for the prevention of the Diseases in Sheep known as Catarrh and Scab, and to report if any and what further provisions are required to check the spread of those Diseases; with power to take evidence thereon. Such Committee to consist of the Attorney General, Mr. Rutledge, Mr. Riddell, Mr. Goldsmith, Mr. Campbell, Mr. Snodgrass, Mr. Splatt, and the Mover.
Question put and passed.
- The Council adjourned at twenty minutes past four o'clock till three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDER OF THE DAY.

TUESDAY, 6TH JULY.

NOTICES OF MOTION :—

1. MR. MURPHY : To move, For leave to bring in a Bill to amend " The Victoria Electoral Act of 1851."
2. MR. MURPHY : To move, That a Select Committee be appointed to enquire into and report upon the Working of the present Systems for the Instruction of Youth in this Colony receiving Support from the Public Revenue, with power to take evidence thereon, and to recommend, if found requisite, a plan of Education better adapted to the wants of the community.
3. MR. SPLATT : To move, That a Select Committee be appointed to consist of the Auditor General, Mr. Miller, Mr. Murphy, Mr. Wilkinson, and the Mover, to enquire into and report upon the Printing Establishment connected with this House, with power to take evidence thereon, with the view of considering and recommending some plan of increasing the efficiency of the establishment, or of suggesting and recommending some other mode of getting the necessary work done.
4. MR. CAMPBELL : To move, That an address be presented to His Excellency the Lieutenant Governor, praying that His Excellency may be pleased to cause parties of Mounted Police to be stationed around the Gold Fields, at or near the following places, viz., Kyneton, the Glenlion Inn, Capt. Hepburn's Station, Carisbrooke, Mr. Cetto's Station on the Loddon, the Serpentine Inn, the Bullock's Creek Inn, Mr. Barrow's Inn on the Campaspie, and at the Inn near Mr. Collier's Station on the Campaspie; and that Police Magistrates be stationed at Carisbrook, the Serpentine Inn, and at Mr. Barrow's Inn on the Campaspie. And that, as the expediency of such Police protection arises from the dispersion of disorderly persons from the Gold Fields to the surrounding unprotected country, where they easily commit their depredations with impunity, it is the opinion of this Council that the expense of that protection be defrayed from the Gold Revenue.
5. MR. SMITH : To move, That an address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to cause monthly sales of Land to be held in Melbourne, particularly of Town Allotments and Suburban Land, in order to meet the great and pressing demands for accommodation, and to avert the evil consequences resulting both to the Finances of the Colony, and to the health of the Inhabitants of the City.
6. MR. CAMPBELL : To move, That whereas the immense traffic of Carriers and Gold Diggers travelling to and from Melbourne and the Gold Fields, has occasioned great losses to owners and tenants of land along the thoroughfares, in their fences being destroyed and used as fuel; and that from the overwhelming numbers of disorderly persons in such traffic, it is impracticable for private individuals to watch or protect their enclosures; that it is the opinion of this Council that parties of Mounted Police should patrol the roads to prevent such depredations, and afford protection to the inhabitants of such localities, and that sufficient compensation should be made to repair the damaged enclosures; and that an Address be presented to His Excellency the Lieutenant Governor, praying that he may be pleased to cause such Police protection and compensation to be made from the Gold Revenue.
7. MR. O'SHANASSY : To move, That an Address be presented to His Excellency the Lieutenant Governor, embodying the anxious desire of this Council, that His Excellency would cause several blocks of Land, to the north of the City of Melbourne, and immediately beyond the operation of the Building Act, to be surveyed in convenient sized allotments, and sold without delay, with a view to enable purchasers to erect thereon, houses of timber, in sufficient number, to provide that House accommodation, now so imperatively required by the rapidly increasing population arriving in the Colony.

WEDNESDAY, 7TH JULY.

NOTICES OF MOTION :—

1. MR. STRACHAN : To move, That His Excellency the Lieutenant Governor may be pleased to cause to be laid on the Table of this House, a Return of all Dues collected under the Water Police Act, Light House and Pilot Dues, from the 1st of January last to the 1st June instant.
2. MR. STRACHAN : To move, That His Excellency the Lieutenant Governor will be pleased to have laid on the table of the House a Return of the number of Gallons of Wine, the Weight of Tobacco and Dried Fruits, imported into the Colony, and on which Duty has been paid respectively, from the 1st of October 1851, to the 1st of June instant.

3. MR. SNODGRASS : To move, That a Select Committee of this House be formed, to consist of Four Members together with the Proposer, to take into consideration and report upon the state of the Victoria Police Force in connection with the nature of its organization, its numerical strength, its sufficiency or otherwise for Police purposes, and from what Funds the maintenance of such Police Force has hitherto been defrayed, and further—that such Select Committee be required to report upon such improvements in the general regulation of Police throughout the Colony, as may appear to them to be requisite for the proper maintenance and efficient control of such a Police Force, as the circumstances of the Colony may appear to such Select Committee to require.—That the following Members of this Council do form the said Select Committee, viz. :—The Colonial Secretary, Mr. Miller, Mr. Smith, the Attorney General, and the Proposer of this Motion.
4. MR. SNODGRASS : To move, That a Select Committee of this House be formed to take into consideration a Bill proposed to be introduced into this House, having for its object the prevention of Horse and Cattle Stealing, and to report upon the same. The Select Committee to consist of the Attorney General, Mr. Riddell, Mr. O'Shanassy, Mr. Miller, and the Mover.

FRIDAY, 9TH JULY.

NOTICES OF MOTION :—

1. MR. SPLATT : To move, That a Select Committee be appointed, to consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, Mr. Campbell, Mr. Fawcner, and the Mover, To inquire into and report upon the present system of Immigration with power to take evidence thereon, with the view of considering and recommending some distinct and adequate system, commensurate with the increasing wants and requirements of the Colony.
2. MR. WESTGARTH : To move, For a Select Committee to report upon the subject of Prison Discipline, and the management and employment of Prisoners, to consist with the Mover, of the Attorney General, Mr. Pohlman, Mr. Rutledge, Mr. Wilkinson, and Dr. Thomson.
3. MR. O'SHANASSY : To move, That an Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency would cause to be laid before this Council—
 - (1.) A Return of the General Revenue in each year of the District of Port Phillip from 1st June, 1837, to 1st July, 1851.
 - (2.) A Return of the actual expenditure in each year from the General Revenue in and for the District of Port Phillip from 1st June, 1837, to 1st July, 1851.

FRIDAY, 30TH. JULY.

ORDER OF THE DAY :—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 5.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 6th. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. VICTORIA ELECTORAL ACT AMENDMENT BILL.—Mr. Murphy moved, pursuant to notice, That he have leave to bring in “*A Bill to amend the Victoria Electoral Act of 1851.*”
Debate ensued.
Motion by leave withdrawn.
3. GOVERNMENT PRINTING ESTABLISHMENT.—Mr. Splatt moved, pursuant to notice, That a Select Committee be appointed to consist of the Auditor General, Mr. Miller, Mr. Murphy, Mr. Wilkinson, and the Mover, to enquire into and report upon the Printing Establishment connected with this House, with power to take evidence thereon, with the view of considering and recommending some plan of increasing the efficiency of the establishment, or of suggesting and recommending some other mode of getting the necessary work done.
Question put and passed.
4. MOUNTED POLICE AROUND GOLD FIELDS.—Mr. Campbell moved, pursuant to notice, “That” an address be presented to His Excellency the Lieutenant Governor, praying that His Excellency may be pleased to “cause” parties of Mounted Police to be stationed around the Gold Fields, at or near the following places, viz., Kyneton, the Glenlion Inn, Capt. Hepburn’s Station, Carisbrooke, Mr. Cetto’s Station on the Loddon, the Serpentine Inn, the Bullock’s Creek Inn, Mr. Barrow’s Inn on the Campaspie, and at the Inn near Mr. Collier’s Station on the Campaspie; and that Police Magistrates be stationed at Carisbrook, the Serpentine Inn, and at Mr Barrow’s Inn on the Campaspie.
And that, as the expediency of such Police protection arises from the dispersion of disorderly persons from the Gold Fields to the surrounding unprotected country, where they easily commit their depredations with impunity, it is the opinion of this Council that the expense of that protection be defrayed from the Gold Revenue.
Debate ensued.
Mr. Fawkner moved, as an amendment, That all the words after the word “that,” unto and inclusive of the word “cause,” be omitted, with the view to insert in their place the words following,—“It be referred to any Select Committee that may hereafter be appointed on the Police of the Colony to consider the propriety of placing.”
Question—That the words proposed to be omitted stand part of the Question—put and negatived.
Question—That the words proposed to be inserted, in the place of the words omitted, be so inserted—put and carried.
Question—That it be referred to any Select Committee that may hereafter be appointed on the Police of the Colony, to consider the propriety of placing parties of Mounted Police to be stationed around the Gold Fields, at or near the following places, viz., Kyneton, the Glenlion Inn, Capt. Hepburn’s Station, Carisbrooke, Mr. Cetto’s Station on the Loddon, the Serpentine Inn, the Bullock’s Creek Inn, Mr. Barrow’s Inn on the Campaspie, and at the Inn near Mr. Collier’s Station on the Campaspie; and that Police Magistrates be stationed at Carisbrook, the Serpentine Inn, and at Mr. Barrow’s Inn on the Campaspie.
And that, as the expediency of such Police protection arises from the dispersion of disorderly persons from the Gold Fields to the surrounding unprotected country, where they easily commit their depredations with impunity, it is the opinion of this Council that the expense of that protection be defrayed from the Gold Revenue—put and carried.
5. LAND SALES.—Mr. Smith moved pursuant to amended notice, That an address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to cause monthly sales of Land to be held in Melbourne, particularly of Town Allotments and Suburban and Country Land, in order to meet the great and pressing demands for accommodation, and to avert the evil consequences resulting both to the Finances of the Colony, and to the health of the Inhabitants of the City.
Debate ensued.
Question—put and carried.
6. SURVEY AND SALE OF LAND NEAR MELBOURNE.—Mr. O’Shanassy moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, embodying the anxious desire of this Council, that His Excellency would cause several blocks of Land to the north of the City of Melbourne, and immediately beyond the operation of the

Building Act, to be surveyed in convenient sized allotments, and sold without delay, with a view to enable purchasers to erect thereon houses of timber, in sufficient number, to provide that *House* accommodation, now so imperatively required by the rapidly increasing population arriving in the Colony.

Question—put and passed.

Address to be presented by the Speaker, Mr. Smith, Mr. Westgarth, and Mr. O'Shanassy.
Council adjourned at Seven o'clock until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDER OF THE DAY.

WEDNESDAY, 7TH. JULY.

NOTICES OF MOTION :—

1. MR. STRACHAN : To move, That His Excellency the Lieutenant Governor may be pleased to cause to be laid on the Table of this House, a Return of all Dues collected under the Water Police Act, Light House and Pilot Dues, from the 1st of January last to the 1st June instant.
2. MR. STRACHAN : To move, That His Excellency the Lieutenant Governor will be pleased to have laid on the table of the House a Return of the number of Gallons of Wine, the Weight of Tobacco and Dried Fruits, imported into the Colony, and on which Duty has been paid respectively, from the 1st of October, 1851, to the 1st of June instant.
3. MR. SNODGRASS : To move, That a Select Committee of this House be formed, to consist of Four Members together with the Proposer, to take into consideration and report upon the state of the Victoria Police Force in connection with the nature of its organization, its numerical strength, its sufficiency or otherwise for Police purposes, and from what Funds the maintenance of such Police Force has hitherto been defrayed, and further—that such Select Committee be required to report upon such improvements in the general regulation of Police throughout the Colony, as may appear to them to be requisite for the proper maintenance and efficient control of such a Police Force, as the circumstances of the Colony may appear to such Select Committee to require.—That the following Members of this Council do form the said Select Committee, viz. :—The Colonial Secretary, Mr. Miller, Mr. Smith, the Attorney General, and the Proposer of this Motion.
4. MR. SNODGRASS : To move, That a Select Committee of this House be formed to take into consideration a Bill proposed to be introduced into this House, having for its object the prevention of Horse and Cattle Stealing, and to report upon the same. The Select Committee to consist of the Attorney General, Mr. Riddell, Mr. O'Shanassy, Mr. Miller, and the Mover.
5. MR. FAWKNER : to move, That the Standing Orders Committee be desired to take into consideration the necessity for framing a Rule to prevent over-hasty Legislation, so that every Bill presented to this House may be submitted to the Public of this entire Province, in order that they may have sufficient time to petition against any obnoxious measure, before it becomes the Law of the land, and that such order be submitted to this Council within ten days from the date of this motion.

THURSDAY, 8TH JULY.

NOTICES OF MOTION :—

1. Mr FAWKNER, To move for
 - (1.) A Return of the Number of the City Police, on the 1st June, 1852, with the Amount of their Cost to the Public, per day, including appropriations, (if any), under the Police Reward Fund, or any other source, since the 1st January last, detailing the Amount to each man ; also the date of each mans' appointment, and by whom made.
 - (2.) Copy of instructions furnished to the City Police.
 - (3.) Nature of the charges, (if any), made against the members of the City Police, and where tried, how disposed of, and whether before one or more Magistrates, and the name or names of those persons before whom the charges were investigated.
 - (4.) Names and crimes of all Constables punished, from the 1st of January to the 1st of June, 1852 ; amount of punishment awarded, distinguishing those by name who have been retained in the Police Force.
 - (5.) A Return of all convictions under the Town's Police Act, from the 1st January, to the 1st June, 1852, specifying by whom the informations were laid, the nature of the offence, and of the punishment.

- (6.) A Return of all cases adjudicated upon at the Police Office, together with their results, from January 1st, to June 1st, 1852; and the total amount of pecuniary fines collected during those five months.
- (7.) A Copy of all correspondence relative to Police matters, which has passed between the Government, the City Magistrates, and the Superintendent of Police, from 1st January, to 1st June, 1852.
2. MR. MURPHY: To move, That a Select Committee be appointed to enquire into and report upon the working of the present Systems for the Instruction of Youth in this Colony receiving support from the Public Revenue, with power to take evidence thereon, and to recommend, if found requisite, a plan of Education better adapted to the wants of the community. And that such Committee do consist of the following Members, viz.: The Speaker, Mr. Pohlman, The Attorney General, Mr. Johnston, Mr. Campbell, Mr. O'Shanassy, and the Mover.

FRIDAY, 9TH JULY.

NOTICES OF MOTION:—

1. MR. SPLATT: To move, That a Select Committee be appointed, to consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, Mr. Campbell, Mr. Fawkner, and the Mover, To inquire into and report upon the present system of Immigration with power to take evidence thereon, with the view of considering and recommending some distinct and adequate system, commensurate with the increasing wants and requirements of the Colony.
2. MR. WESTGARTH: To move, For a Select Committee to report upon the subject of Prison Discipline, and the management and employment of Prisoners, to consist with the Mover, of the Attorney General, Mr. Pohlman, Mr. Rutledge, Mr. Wilkinson, and Dr. Thomson.
3. MR. O'SHANASSY: To move, That an Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency would cause to be laid before this Council—
 - (1.) A Return of the General Revenue in each year of the District of Port Phillip from 1st June, 1837, to 1st July, 1851.
 - (2.) A Return of the actual expenditure in each year from the General Revenue in and for the District of Port Phillip from 1st June, 1837, to 1st July, 1851.
4. MR. FAWKNER: To move, That a Committee of seven Members of this Council be appointed to take the Act of Constitution of this Colony into serious examination, and to report duly to the Council such alterations and amendments as in their judgment the Act is susceptible of, and the state of the Colony under present circumstances may require, and that the Committee be authorised to take evidence thereon. Committee to consist of Mr. Miller, Mr. Riddell, Mr. O'Shanassy, Mr. Strachan, Mr. Pohlman, Mr. Johnston, and the Mover.
5. MR. WESTGARTH: To move, For leave to bring in a Bill to prevent the introduction into the Colony of Victoria of convicted Felons and other Persons sentenced to transportation for offences against the Laws.

TUESDAY, 13TH JULY.

NOTICES OF MOTION:—

1. MR. WESTGARTH: To move the following Resolutions as expressive of the views of this Council on the question of Transportation.
 - (2.) That this Council, in the discharge of a solemn duty to this Colony in its highest interests, emphatically protests against the continuance of Transportation to any of the Australian Settlements.
 - (2.) That whatever the arguments on this subject viewed as a question of labour, whatever the statutory rights or usage of the Imperial Government, the system of Transportation, nevertheless, results in an enormous evil and injustice to the people of this Colony, in overcharging its Society with vice and crime, filling its Gaols with a multitude of malefactors, and entailing an oppressive expenditure for the Police, Gaol, and Judicial Administration of the Country.
 - (3.) That the practice on the part of the Parent State of awarding Transportation in nearly all cases of atrocious or unnatural outrage upon the person, is more especially a consideration of the most alarming import to these Colonies; that their climate and circumstances are by no means favorable to the repression of such criminal tendencies; that such crimes are commonly repeated in Australia subsequently by the parties who were Transported for these offences; and that these societies are thereby desolated by such frequent occurrence of hideous and atrocious crimes, alike disgraceful to civilization and terrible to the interests of humanity.

- (4.) That all these evils arising from Transportation, have increased and multiplied to an alarming state since the discovery of Gold in Australia, and that consequently in this Colony, exposed as it more particularly is, to the incessant influx of the Criminal Population of Van Diemen's Land, and to the apprehensions and dangers arising therefrom, the exasperation of feeling on the Transportation Question is rapidly attaining an extreme that must endanger the loyalty and good order of the people.
- (5.) That this Council regards with satisfaction the recent retirement from Her Majesty's Councils of the Right Honorable Earl Grey, Secretary of State for the Colonies, considering as it does that the repeated announcement of that Minister's intentions for the continuance of Transportation, even subsequently to the Gold Discoveries, was calculated to create disaffection in the minds of Her Majesty's Subjects in these Colonies, more especially when contrasted with previous statements of the same Minister, when in March, 1847, he declared in his place in Parliament and as Her Majesty's Secretary for the Colonies, that the system had resulted with disgrace to the British Name, that it ought not to be continued, and that Her Majesty's Government had resolved to abandon it.
- (6.) That this Council, as representing the people of this Colony, desires to express its sympathy with the Colonists of Van Diemen's Land in the noble struggle in which they are now engaged, for the abolition of Transportation, a struggle which, with regard to many of their number, is carried on at great personal inconvenience and pecuniary sacrifice in a Country where the Convict system and the Convict arrangements of the Government have tended either to prevent or to expel that proportion of free labouring community that is incident and necessary to every well constituted society.
- (7.) That in thus sympathising with the Colonists of Van Diemen's Land, and impressed also with a sense of the equal interest which the Colony is driven to feel in the speedy and final settlement of this question, this Council cannot advert, without the expression of alarm and dissatisfaction, to the course pursued by Sir William Thomas Denison, the Lieutenant Governor of that Colony, in his advocacy of a continuance of the system of Transportation and the tenor of his Despatches to the Home Government on the subject, with allusion, more particularly, to a Despatch marked confidential, of date 2nd May, 1850, wherein His Excellency invites a continued introduction of Convicts upon arguments, fallacious it must be hoped, as a general proposition, because subversive alike of sound principle and of faith in the moral government of the world, that the social vices alluded to by His Excellency, as induced by high wages and scarcity of labouring population, so far as founded on fact, must also result from the Convict character of a large portion of the population, and to cure this social evil by any further introduction of criminals is a monstrous incongruity; and, finally, this Council unites with the protesting Colonists of Van Diemen's Land in rejecting, as altogether unworthy, the argument that any pecuniary or other physical benefits, whether real or imagined, can atone to society for the evils that must result from an influx of malefactors.

FRIDAY, 30TH. JULY.

ORDER OF THE DAY:—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 6.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 7th. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor laid upon the table of the Council the undermentioned Papers.
 - (1.) A Return of the Expenditure in forming and repairing Roads and Bridges from the 1st of November to 31st December, 1851.
 - (2.) The Report from the Denominational School Board, 1st July to 31st December, 1851.
3. WATER POLICE, LIGHT-HOUSE, AND PILOT DUES.—Mr. Strachan moved pursuant to *amended* notice, That an address be presented to His Excellency the Lieutenant Governor, praying that His Excellency may be pleased to cause to be laid on the Table of this House, a Return of all Dues collected under the Water Police Act, Light-house and Pilot Dues, from the 1st of January last to the 1st June instant.
Question—put and passed.
4. IMPORTS.—MR STRACHAN moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to have laid on the table of the House a Return of the number of gallons of wine, the weight of tobacco and dried fruits imported into the Colony, and on which duty has been paid respectively, from the 1st October, 1851, to the 1st of June instant.
Debate ensued.
5. MESSAGE—The following Message from His Excellency the Lieutenant-Governor, received and read :—

C. J. LA TROBE, *Message, No. 3.*
Lieutenant-Governor.

The Lieutenant-Governor directs the following Return, which was requested by Address No. 12, of last Session, to be laid on the Council Table.

*Government Offices,
Melbourne, July 7, 1852.*

Ordered to be printed, together with the accompanying Return.
- IMPORTS—The debate on Mr. Strachan's motion, interrupted by the above Message, resumed.
Question—put and passed.
6. ADDRESSES.—The Speaker announced to the Council, that he had pursuant to the Resolutions of this Council presented the following Addresses to his Excellency the Lieutenant Governor, viz :—
 - No. 3. Account between Victoria and New South Wales—adopted on the 29th June, 1852, on the Motion of Mr. Westgarth,

and that His Excellency had been pleased to give the following reply to such Address, viz :—

“I am unable at this time to furnish the Council with this Statement. There are no means of compiling it with accuracy in this Colony with the partial information now within reach.

2. The date—1st January, 1849,—was not proposed by the Lieutenant Governor, then Superintendent of Port Phillip, for definitive or distinctive reckoning, as the Council appears to consider; but as the date from which an immediate and provisional reckoning, pending examination of the relative claims of the two Colonies, and the decision of Her Majesty's Government thereupon might be adjusted.—I selected that date in preference to any other that might be suggested at the time as the basis of such provisional adjustment, as being in my opinion least open to objection on the part of the older Colony.—The question of the Separation of Port Phillip from New South Wales proper, having been at that precise date first formally entertained by Her Majesty and referred to the consideration of Parliament.—It was to be made however without prejudice to any claims of either Colony in respect to definitive adjustment. The Correspondence laid by the Lieutenant Governor before the Legislative Council during last Session, shews that the Colony would have been no loser as far as that provisional adjustment went, had my suggestion been acceded to.

3. Upon the grounds on which the Governor of New South Wales objected to it, it is not in my power to inform the Council, beyond reference to the correspondence above adverted to.

4. The whole question of the final adjustment of Financial Accounts between the two Colonies is still an open one, and as I still await further intimation of the course proposed to be pursued by the Governor-General, and of the character of the reference to be made to the Secretary of State, until this is received I am not in a position to satisfy the further enquiries of the Council, but it may be assured that whenever I may be able to give the information sought, it will be afforded with the greatest readiness. No intimation, direct or indirect, has been received of the view which may be taken by the Home Government of the question.

No 4. Gold Returns, adopted on the 29th June, 1852, on the motion of Mr. Murphy— and that His Excellency had, in reply to such Address, been pleased to state that there could be no objection to give the Legislative Council the fullest information it might wish to obtain relative to the Gold Fields of the Colony.

No. 5. Boundary Line between Victoria and New South Wales, adopted on the 29th June, 1852, on the motion of Mr. Murphy— and that His Excellency had, in reply to such Address, been pleased to state that he was not aware of any correspondence having passed, but had no objection to ask the question.

No. 6. Land Sales, adopted on the 6th July instant, on the motion of Mr. Smith— and that His Excellency had, in reply to such Address, been pleased to state that he was fully disposed to meet the public requirements in effecting monthly sales of land as far as practicable.

7. ADDRESS.—The SPEAKER also announced to the Council that the Deputation appointed by the Council had waited upon His Excellency the Lieutenant Governor, and presented to him the Address, No. 7, adopted on the 6th instant, on the motion of Mr. O'Shanassy, respecting the survey and sale of land near Melbourne, and that His Excellency had, in reply to such Address, been pleased to state that he would do all in his power to meet the wishes of the Legislative Council.

8. POLICE.—MR. SNODGRASS moved, pursuant to *amended* notice, That a Select Committee of this House be formed, to consist of "Four" members, together with the Proposer, to take into consideration and report upon the state of the Victoria Police Force in connection with the nature of its organization, its numerical strength, its sufficiency or otherwise for Police purposes, and from what Funds the maintenance of such Police Force has hitherto been defrayed, and further—that such Select Committee be required to take evidence and to report upon such improvements in the general regulation of Police throughout the Colony as may appear to them to be requisite for the proper maintenance and efficient control of such a Police Force, as the circumstances of the Colony may appear to such Select Committee to require.—That the following Members of this Council do form the said Select Committee, viz. :—The Colonial Secretary, Mr. Miller, Mr. Smith, the Attorney General, and the Proposer of this motion.

Debate ensued.

Mr. Mercer moved, as an amendment, that the word "four," after the word "of" and before the word "members," be omitted, with the view to insert in its place the word "six."

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 the place of the word omitted, be so inserted.—Put and passed.

Question—That a Select Committee of this House be formed, to consist of Six Members together with the Proposer, to take into consideration and report upon the state of the Victoria Police Force in connection with the nature of its organization, its numerical strength, its sufficiency or otherwise for Police purposes, and from what Funds the maintenance of such Police Force has hitherto been defrayed, and further—that such Select Committee be required to take evidence, and to report upon such improvements in the general regulation of Police throughout the Colony, as may appear to them to be requisite for the proper maintenance and efficient control of such a Police Force, as the circumstances of the Colony may appear to such Select Committee to require.—That the following Members of this Council do form the said Select Committee, viz. :—The Colonial Secretary, Mr. Miller, Mr. Smith, the Attorney General, and the Proposer of this Motion—put and passed.

Mr. Fawcner having required that the Committee be appointed by Ballot, the Council proceeded to the Ballot, and the following Members were declared by the Speaker to be, with the mover, the members of such Committee :—The Attorney General, Mr. Campbell, Mr. Miller, Mr. Splatt, Mr. Smith, Mr. Fawcner.

9. POSTPONEMENT OF MOTION.—Mr. Snodgrass postponed the Motion standing in his name, No. 4 on the Notice Paper for to-day, until to-morrow.

Council adjourned at twenty-five Minutes to five o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDER OF THE DAY.

THURSDAY, 8TH JULY.

NOTICES OF MOTION :—

1. Mr. FAWKNER, To move for
 - (1.) A Return of the Number of the City Police, on the 1st June, 1852, with the Amount of their Cost to the Public, per day, including appropriations, (if any), under the Police Reward Fund, or any other source, since the 1st January last, detailing the Amount to each man ; also the date of each mans' appointment, and by whom made.
 - (2.) Copy of instructions furnished to the City Police.
 - (3.) Nature of the charges, (if any), made against the members of the City Police, and where tried, how disposed of, and whether before one or more Magistrates, and the name or names of those persons before whom the charges were investigated.
 - (4.) Names and crimes of all Constables punished, from the 1st of January to the 1st of June, 1852 ; amount of punishment awarded, distinguishing those by name who have been retained in the Police Force.
 - (5.) A Return of all convictions under the Town's Police Act, from the 1st January, to the 1st June, 1852, specifying by whom the informations were laid, the nature of the offence, and of the punishment.
 - (6.) A Return of all cases adjudicated upon at the Police Office, together with their results, from January 1st, to June 1st, 1852 ; and the total amount of pecuniary fines collected during those five months.
 - (7.) A Copy of all correspondence relative to Police matters, which has passed between the Government, the City Magistrates, and the Superintendent of Police, from 1st January, to 1st June, 1852.
2. Mr. MURPHY : To move, That a Select Committee be appointed to enquire into and report upon the working of the present Systems for the Instruction of Youth in this Colony receiving support from the Public Revenue, with power to take evidence thereon, and to recommend, if found requisite, a plan of Education better adapted to the wants of the community. And that such Committee do consist of the following Members, viz. : The Speaker, Mr. Pohlman, The Attorney General, Mr. Johnston, Mr. Campbell, Mr. O'Shanassy, and the Mover.
3. Mr. SNODGRASS : To move, that a Select Committee of this Council, be appointed to devise and report upon the best means to prevent Horse and Cattle Stealing, with power to take evidence ; the Select Committee, to consist of The Attorney General, Mr. Riddell, Mr. O'Shanassy, Mr. Miller, and the Mover.

FRIDAY, 9TH JULY.

NOTICES OF MOTION :—

1. Mr. SPLATT : To move, That a Select Committee be appointed, to consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, Mr. Campbell, Mr. Fawkner, and the Mover, To inquire into and report upon the present system of Immigration with power to take evidence thereon, with the view of considering and recommending some distinct and adequate system, commensurate with the increasing wants and requirements of the Colony.
2. Mr. WESTGARTH : To move, For a Select Committee to report upon the subject of Prison Discipline, and the management and employment of Prisoners, to consist with the Mover, of the Attorney General, Mr. Pohlman, Mr. Rutledge, Mr. Wilkinson, and Dr. Thomson.
3. Mr. O'SHANASSY : To move, That an Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency would cause to be laid before this Council—
 - (1.) A Return of the General Revenue in each year of the District of Port Phillip from 1st June, 1837, to 1st July, 1851.
 - (2.) A Return of the actual expenditure in each year from the General Revenue in and for the District of Port Phillip from 1st June, 1837, to 1st July, 1851.
4. Mr. FAWKNER : To move, That a Committee of seven Members of this Council be appointed to take the Act of Constitution of this Colony into serious examination, and to report duly to the Council such alterations and amendments as in their judgment the Act is susceptible of, and the state of the Colony under present circumstances may require, and that the Committee be authorised to take evidence thereon. Committee to consist of Mr. Miller, Mr. Riddell, Mr. O'Shanassy, Mr. Strachan, Mr. Pohlman, Mr. Johnston, and the Mover.
5. Mr. WESTGARTH : To move, For leave to bring in a Bill to prevent the introduction into the Colony of Victoria of convicted Felons and other Persons sentenced to transportation for offences against the Laws.
6. Dr. THOMSON : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid on the table of this House :—
 - (1.) A copy of the Contract entered into with the Messrs. Langlands for the construction of the Machinery to complete the Steam Dredge.

- (2.) Copy of any subsequent Correspondence with Messrs. Langlands.
 (3.) The amount expended on building the Dredge Vessel, Punts, &c.
7. DR. THOMSON: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid upon the Table of this House,—
- (1.) A Return of the Commissioners of Crown Lands employed throughout the Colony, the boundaries of each District, the amount of salary and allowances to each Commissioner, and where a house is provided for such Commissioner, or Barrack for the men; describe the situation and character of such building.
 (2.) Copies of all instructions issued to these gentlemen since the passing of the Act 11 Vic. No. 61.
 (3.) The number of men and horses attached to each Commissioner and their pay and allowances.
8. DR. THOMSON: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the table of this Council.
- (1.) A Return of the Officers of the Native Police, stating their pay and allowances separately.
 (2.) The extent of the Force under their command at the present time.
 (3.) A Return showing the Annual Cost of the Establishment since its commencement to the 1st July, 1852.
 (4.) A Return, showing the situation and character of the Barracks provided for the use of the Establishment.

TUESDAY, 13TH JULY.

NOTICES OF MOTION:—

1. MR. WESTGARTH: To move the following Resolutions as expressive of the views of this Council on the question of Transportation.
- (1.) That this Council, in the discharge of a solemn duty to this Colony in its highest interests, emphatically protests against the continuance of Transportation to any of the Australian Settlements.
 (2.) That whatever the arguments on this subject viewed as a question of labour, whatever the statutory rights or usage of the Imperial Government, the system of Transportation, nevertheless, results in an enormous evil and injustice to the people of this Colony, in overcharging its Society with vice and crime, filling its Gaols with a multitude of malefactors, and entailing an oppressive expenditure for the Police, Gaol, and Judicial Administration of the Country.
 (3.) That the practice on the part of the Parent State of awarding Transportation in nearly all cases of atrocious or unnatural outrage upon the person, is more especially a consideration of the most alarming import to these Colonies; that their climate and circumstances are by no means favorable to the repression of such criminal tendencies; that such crimes are commonly repeated in Australia subsequently by the parties who were Transported for these offences; and that these societies are thereby desolated by such frequent occurrence of hideous and atrocious crimes, alike disgraceful to civilization and terrible to the interests of humanity.
 (4.) That all these evils arising from Transportation, have increased and multiplied to an alarming state since the discovery of Gold in Australia, and that consequently in this Colony, exposed as it more particularly is, to the incessant influx of the Criminal Population of Van Diemen's Land, and to the apprehensions and dangers arising therefrom, the exasperation of feeling on the Transportation Question is rapidly attaining an extreme that must endanger the loyalty and good order of the people.
 (5.) That this Council regards with satisfaction the recent retirement from Her Majesty's Councils of the Right Honorable Earl Grey, Secretary of State for the Colonies, considering as it does that the repeated announcement of that Minister's intentions for the continuance of Transportation, even subsequently to the Gold Discoveries, was calculated to create disaffection in the minds of Her Majesty's Subjects in these Colonies, more especially when contrasted with previous statements of the same Minister, when in March, 1847, he declared in his place in Parliament and as Her Majesty's Secretary for the Colonies, that the system had resulted with disgrace to the British Name, that it ought not to be continued, and that Her Majesty's Government had resolved to abandon it.
 (6.) That this Council, as representing the people of this Colony, desires to express its sympathy with the Colonists of Van Diemen's Land in the noble struggle in which they are now engaged, for the abolition of Transportation, a struggle which, with regard to many of their number, is carried on at great personal inconvenience and pecuniary sacrifice in a Country where the Convict system and the Convict arrangements of the Government have tended either to prevent or to expel that proportion of free labouring community that is incident and necessary to every well constituted society.
 (7.) That in thus sympathising with the Colonists of Van Diemen's Land, and impressed also with a sense of the equal interest which the Colony is driven to feel in the speedy and final settlement of this question, this Council cannot advert, without the expression of alarm and dissatisfaction, to the course pursued by Sir William Thomas Denison, the Lieutenant

Governor of that Colony, in his advocacy of a continuance of the system of Transportation and the tenor of his Despatches to the Home Government on the subject, with allusion, more particularly, to a Despatch marked confidential, of date 2nd May, 1850, wherein His Excellency invites a continued introduction of Convicts upon arguments, fallacious it must be hoped, as a general proposition, because subversive alike of sound principle and of faith in the moral government of the world, that the social vices alluded to by His Excellency, as induced by high wages and scarcity of labouring population, so far as founded on fact, must also result from the Convict character of a large portion of the population, and to cure this social evil by any further introduction of criminals is a monstrous incongruity; and, finally, this Council unites with the protesting Colonists of Van Diemen's Land in rejecting, as altogether unworthy, the argument that any pecuniary or other physical benefits, whether real or imagined, can atone to society for the evils that must result from an influx of malefactors.

2. DR. THOMSON: To move, that a Select Committee be appointed to enquire into the best means of improving the Harbours of Melbourne and Geelong, with power to take evidence; the Committee to consist of the Auditor-General, Mr. Strachan, Mr. Westgarth, Mr. Splatt, Mr. Miller, Mr. Johnson, Mr. Mercer, and the Mover.
3. MR. FAWKNER: To move, That an Address be presented, requesting His Excellency the Lieutenant Governor will order the following Returns to be laid on the table of this Council:—
 - (1.) A numerical Return of the Black Police, together with a Full Return of all Arms, Ammunition, and all other things belonging to that force at the date of the appointment of H. E. Dana, Esq., as Commandant, or under whatever title he took charge of that force.
 - (2.) What buildings or accommodation they then had, or occupied, together with the cost of them to the Government, at the date of Mr. Dana's appointment.
 - (3.) A Yearly Return from the above date, specifying in each year the number of Aborigines, and also of White Men employed with them; together with a return of dismissals and recruits each year, the money expended upon arms, ammunition, clothing, and pay, distinguishing white men from Aborigines, cost, if any, of erecting buildings, fencing in ground, cartage of stores, and, generally, every expense up to the end of the year 1851.
 - (4.) A Yearly Return of how and where this force was employed, whether as a collective body, or, if separated, under whom they served, and the particular service and length of time any parties were employed; and on whose station, or in what part of the Province, so employed; together with the money value of their services, and the services of their officers each year.
 - (5.) A list of how many persons, black or white, were apprehended by this force, distinguishing each year, and whether any persons, and if any, how many, blacks or whites, were shot by this force; the name or names of the Officers commanding at such time, and the places, (if any,) where death from gun-shot, or other wounds occurred.
 - (6.) A copy of all instructions issued by the New South Wales, and by the Victoria Government for the guidance of this Police Force from the date of Mr. Dana's appointment up to the end of 1851.
 - (7.) A copy of all orders issued by the Commandant or other Officer in command of this force, from the date of Mr. Dana's appointment up to the end of the year 1851.

WEDNESDAY, 14TH JULY.

NOTICES OF MOTION:—

1. MR. MILLER: To move, That a Select Committee be appointed on Roads and Bridges to enquire and report on their present state, and how the Funds placed at the disposal of Government may be expended to the best advantage, in making and repairing Roads and Bridges throughout the Colony; the Committee to consist of Mr. Snodgrass, Mr. Haines, Mr. Rutledge, Mr. Dight, Mr. Splatt, Mr. Turnbull, Mr. Fawcner, Mr. Riddell, Mr. Wilkinson, and the Mover.
2. DR. THOMSON: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the Table of this House Copies of all the Depositions taken before the Coroner of Geelong, respecting the Murder of Eliza Willoughby.

FRIDAY, 30TH. JULY.

ORDER OF THE DAY:—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 7.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 8th. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ABSENCE.—The Speaker brought under the notice of the Council the absence of Mr. T. H. Osborne, Member of this Council for the Electoral District of Belfast and Warrnambool, with reference to the 15th Standing Order of this Council.
3. PAPERS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor laid upon the table of the Council a portion of the Returns requested by the Address of this Council, adopted on the 25th day of June last, on the motion of Mr. Strachan.
4. MELBOURNE CITY POLICE.—Mr. Fawcner moved, pursuant to notice, that an Address be presented to His Excellency the Lieutenant Governor, praying for
 - (1.) A Return of the Number of the City Police, on the 1st June, 1852, with the Amount of their Cost to the Public, per day, including appropriations, (if any), under the Police Reward Fund, or any other source, since the 1st January last, detailing the Amount to each man; also the date of each mans' appointment, and by whom made.
 - (2.) Copy of instructions furnished to the City Police.
 - (3.) Nature of the charges, (if any), made against the members of the City Police, and where tried, how disposed of, and whether before one or more Magistrates, and the name or names of those persons before whom the charges were investigated.
 - (4.) Names and crimes of all Constables punished, from the 1st of January to the 1st of June, 1852; amount of punishment awarded, distinguishing those by name who have been retained in the Police Force.
 - (5.) A Return of all convictions under the Town's Police Act, from the 1st January, to the 1st June, 1852, specifying by whom the informations were laid, the nature of the offence, and of the punishment.
 - (6.) A Return of all cases adjudicated upon at the Police Office, together with their results, from January 1st, to June 1st, 1852; and the total amount of pecuniary fines collected during those five months.
 - (7.) A Copy of all correspondence relative to Police matters, which has passed between the Government, the City Magistrates, and the Superintendent of Police, from 1st January, to 1st June, 1852.

Question—put and passed.
5. EDUCATION.—Mr. Murphy moved pursuant to notice, That a Select Committee be appointed to enquire into and report upon the working of the present Systems for the Instruction of Youth in this Colony receiving support from the Public Revenue, with power to take evidence thereon, and to recommend, if found requisite, a plan of Education better adapted to the wants of the community. And that such Committee do consist "of" the following Members, viz.: The Speaker, Mr. Pohlman, The Attorney General, Mr. Johnston, Mr. Campbell, Mr. O'Shanassy, and the Mover.

Debate ensued.

Mr. Strachan moved as an amendment, that all the words after the word "of" be omitted, with the view to insert in their place the words following "*nine members.*"

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

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

Question—That a Select Committee be appointed to enquire into and report upon the working of the present Systems for the Instruction of Youth in this Colony receiving support from the Public Revenue, with power to take evidence thereon, and to recommend, if found requisite, a plan of Education better adapted to the wants of the community; and that such Committee do consist of Nine Members—put and passed.

Mr. Haines having required that the Committee be appointed by Ballot, the Council proceeded to the Ballot, and the following Members being reported to have the greatest number of Votes, were declared by the Speaker to be the Members of such Committee, viz.:—Mr. Pohlman, Mr. Murphy, Mr. O'Shanassy, The Attorney General, The Speaker, Mr. Fawcner, Mr. Johnston, Mr. Haines, and Mr. Miller.

6. HORSE AND CATTLE STEALING.—Mr. Snodgrass moved pursuant to notice : That a Select Committee of this Council be appointed to devise and report upon the best means to prevent Horse and Cattle Stealing, with power to take evidence ; the Select Committee, to consist of The Attorney General, Mr. Riddell, Mr. O'Shanassy, Mr. Miller, and the Mover.

Question—put and passed.

Council adjourned at twenty Minutes to six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDER OF THE DAY.

FRIDAY, 9TH JULY.

NOTICES OF MOTION :—

1. MR. SPLATT : To move, That a Select Committee be appointed, to consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, Mr. Campbell, Mr. Fawkner, and the Mover, To inquire into and report upon the present system of Immigration with power to take evidence thereon, with the view of considering and recommending some distinct and adequate system, commensurate with the increasing wants and requirements of the Colony.
2. MR. WESTGARTH : To move, For a Select Committee to report upon the subject of Prison Discipline, and the management and employment of Prisoners, to consist with the Mover, of the Attorney General, Mr. Pohlman, Mr. Rutledge, Mr. Wilkinson, and Dr. Thomson.
3. MR. O'SHANASSY : To move, That an Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency would cause to be laid before this Council—
 - (1.) A Return of the General Revenue in each year of the District of Port Phillip from 1st June, 1837, to 1st July, 1851.
 - (2.) A Return of the actual expenditure in each year from the General Revenue in and for the District of Port Phillip from 1st June, 1837, to 1st July, 1851.
4. MR. FAWKNER : To move, That a Committee of seven Members of this Council be appointed to take the Act of Constitution of this Colony into serious examination, and to report duly to the Council such alterations and amendments as in their judgment the Act is susceptible of, and the state of the Colony under present circumstances may require, and that the Committee be authorised to take evidence thereon. Committee to consist of Mr. Miller, Mr. Riddell, Mr. O'Shanassy, Mr. Strachan, Mr. Pohlman, Mr. Johnston, and the Mover.
5. MR. WESTGARTH : To move, For leave to bring in a Bill to prevent the introduction into the Colony of Victoria of convicted Felons and other Persons sentenced to transportation for offences against the Laws.
6. DR. THOMSON : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid on the table of this House :—
 - (1.) A copy of the Contract entered into with the Messrs. Langlands for the construction of the Machinery to complete the Steam Dredge.
 - (2.) Copy of any subsequent Correspondence with Messrs. Langlands.
 - (3.) The amount expended on building the Dredge Vessel, Punts, &c.
7. DR. THOMSON : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid upon the Table of this House,—
 - (1.) A Return of the Commissioners of Crown Lands employed throughout the Colony, the boundaries of each District, the amount of salary and allowances to each Commissioner, and where a house is provided for such Commissioner, or Barrack for the men ; describe the situation and character of such building.
 - (2.) Copies of all instructions issued to these gentlemen since the passing of the Act 11 Vic. No. 61.
 - (3.) The number of men and horses attached to each Commissioner and their pay and allowances.
8. DR. THOMSON : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the table of this Council.
 - (1.) A Return of the Officers of the Native Police, stating their pay and allowances separately.
 - (2.) The extent of the Force under their command at the present time.
 - (3.) A Return showing the Annual Cost of the Establishment since its commencement to the 1st July, 1852.
 - (4.) A Return, showing the situation and character of the Barracks provided for the use of the Establishment.
9. THE COLONIAL SECRETARY : To move that, the several Papers laid by him on the Table of the House on Friday, 25th June, being replies to certain queries on the subject of Police, be referred to the Select Committee appointed by the Council on the 7th Instant, to take into consideration the state of the Police of the Colony.

TUESDAY, 13TH JULY.

NOTICES OF MOTION :—

1. MR. WESTGARTH : To move the following Resolutions as expressive of the views of this Council on the question of Transportation.
 - (1.) That this Council, in the discharge of a solemn duty to this Colony in its highest interests, emphatically protests against the continuance of Transportation to any of the Australian Settlements.
 - (2.) That whatever the arguments on this subject viewed as a question of labour, whatever the statutory rights or usage of the Imperial Government, the system of Transportation, nevertheless, results in an enormous evil and injustice to the people of this Colony, in overcharging its Society with vice and crime, filling its Gaols with a multitude of malefactors, and entailing an oppressive expenditure for the Police, Gaol, and Judicial Administration of the Country.
 - (3.) That the practice on the part of the Parent State of awarding Transportation in nearly all cases of atrocious or unnatural outrage upon the person, is more especially a consideration of the most alarming import to these Colonies; that their climate and circumstances are by no means favorable to the repression of such criminal tendencies; that such crimes are commonly repeated in Australia subsequently by the parties who were Transported for these offences; and that these societies are thereby desolated by such frequent occurrence of hideous and atrocious crimes, alike disgraceful to civilization and terrible to the interests of humanity.
 - (4.) That all these evils arising from Transportation, have increased and multiplied to an alarming state since the discovery of Gold in Australia, and that consequently in this Colony, exposed as it more particularly is, to the incessant influx of the Criminal Population of Van Diemen's Land, and to the apprehensions and dangers arising therefrom, the exasperation of feeling on the Transportation Question is rapidly attaining an extreme that must endanger the loyalty and good order of the people.
 - (5.) That this Council regards with satisfaction the recent retirement from Her Majesty's Councils of the Right Honorable Earl Grey, Secretary of State for the Colonies, considering as it does that the repeated announcement of that Minister's intentions for the continuance of Transportation, even subsequently to the Gold Discoveries, was calculated to create disaffection in the minds of Her Majesty's Subjects in these Colonies, more especially when contrasted with previous statements of the same Minister, when in March, 1847, he declared in his place in Parliament and as Her Majesty's Secretary for the Colonies, that the system had resulted with disgrace to the British Name; that it ought not to be continued, and that Her Majesty's Government had resolved to abandon it.
 - (6.) That this Council, as representing the people of this Colony, desires to express its sympathy with the Colonists of Van Diemen's Land in the noble struggle in which they are now engaged, for the abolition of Transportation, a struggle which, with regard to many of their number, is carried on at great personal inconvenience and pecuniary sacrifice in a Country where the Convict system and the Convict arrangements of the Government have tended either to prevent or to expel that proportion of free labouring community that is incident and necessary to every well constituted society.
 - (7.) That in thus sympathising with the Colonists of Van Diemen's Land, and impressed also with a sense of the equal interest which the Colony is driven to feel in the speedy and final settlement of this question, this Council cannot advert, without the expression of alarm and dissatisfaction, to the course pursued by Sir William Thomas Denison, the Lieutenant Governor of that Colony, in his advocacy of a continuance of the system of Transportation and the tenor of his Despatches to the Home Government on the subject, with allusion, more particularly, to a Despatch marked confidential, of date 2nd May, 1850, wherein His Excellency invites a continued introduction of Convicts upon arguments, fallacious it must be hoped, as a general proposition, because subversive alike of sound principle and of faith in the moral government of the world, that the social vices alluded to by His Excellency, as induced by high wages and scarcity of labouring population, so far as founded on fact, must also result from the Convict character of a large portion of the population, and to cure this social evil by any further introduction of criminals is a monstrous incongruity; and, finally, this Council unites with the protesting Colonists of Van Diemen's Land in rejecting, as altogether unworthy, the argument that any pecuniary or other physical benefits, whether real or imagined, can atone to society for the evils that must result from an influx of malefactors.
2. DR. THOMSON : To move, that a Select Committee be appointed to enquire into the best means of improving the Harbours of Melbourne and Geelong, with power to take evidence; the Committee to consist of the Auditor-General, Mr. Strachan, Mr. Westgarth, Mr. Splatt, Mr. Miller, Mr. Johnson, Mr. Mercer, and the Mover.
3. MR. FAWKNER : To move, That an Address be presented, requesting His Excellency the Lieutenant Governor will order the following Returns to be laid on the table of this Council:—
 - (1.) A numerical Return of the Black Police, together with a Full Return of all Arms, Ammunition, and all other things belonging to that force at the date of the appointment of H. E. Dana, Esq., as Commandant, or under whatever title he took charge of that force.
 - (2.) What buildings or accommodation they then had, or occupied, together with the cost of them to the Government, at the date of Mr. Dana's appointment.

- (3.) A Yearly Return from the above date, specifying in each year the number of Aborigines, and also of White Men employed with them; together with a return of dismissals and recruits each year, the money expended upon arms, ammunition, clothing, and pay, distinguishing white men from Aborigines, cost, if any, of erecting buildings, fencing in ground, cartage of stores, and, generally, every expense up to the end of the year 1851.
- (4.) A Yearly Return of how and where this force was employed, whether as a collective body, or, if separated, under whom they served, and the particular service and length of time any parties were employed; and on whose station, or in what part of the Province, so employed; together with the money value of their services, and the services of their officers each year.
- (5.) A list of how many persons, black or white, were apprehended by this force, distinguishing each year, and whether any persons, and if any, how many, blacks or whites, were shot by this force; the name or names of the Officers commanding at such time, and the places, (if any,) where death from gun-shot, or other wounds occurred.
- (6.) A copy of all instructions issued by the New South Wales, and by the Victoria Government for the guidance of this Police Force from the date of Mr. Dana's appointment up to the end of 1851.
- (7.) A copy of all orders issued by the Commandant or other Officer in command of this force, from the date of Mr. Dana's appointment up to the end of the year 1851.

WEDNESDAY, 14TH JULY.

NOTICES OF MOTION:—

1. MR. MILLER: To move, That a Select Committee be appointed on Roads and Bridges to enquire and report on their present state, and how the Funds placed at the disposal of Government may be expended to the best advantage, in making and repairing Roads and Bridges throughout the Colony; the Committee to consist of Mr. Snodgrass, Mr. Haines, Mr. Rutledge, Mr. Dight, Mr. Splatt, Mr. Turnbull, Mr. Fawcner, Mr. Riddell, Mr. Wilkinson, and the Mover.
2. DR. THOMSON: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the Table of this House Copies of all the Depositions taken before the Coroner of Geelong, respecting the Murder of Eliza Willoughby.

FRIDAY, 30TH JULY.

ORDER OF THE DAY:—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 8.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 9th. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. POSTPONEMENT OF MOTION.—Mr. Splatt postponed the Motion standing in his name, No. 1 on the Notice Paper of to-day, until Friday the 16th instant.
3. PRISON DISCIPLINE.—Mr. Westgarth moved, pursuant to *amended* Notice, That a Select Committee be appointed to take evidence, and to report upon the subject of Prison Discipline, and the management and employment of Prisoners; to consist with the Mover, of the Attorney General, Mr. Pohlman, Mr. Rutledge, Mr. Wilkinson, and Dr. Thomson.

Question—put and passed.

Mr. Snodgrass having required that the Committee be appointed by Ballot, the Council proceeded to the Ballot, and the following Members being reported to have the greatest number of Votes, were declared, by the Speaker, to be the Members of such Committee, viz.: The Attorney General, Mr. Pohlman, Mr. Westgarth, Dr. Thomson, Mr. Rutledge, and Mr. Wilkinson.

4. REVENUE.—Mr. O'Shanassy moved, pursuant to *amended* Notice, That an Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency would cause to be laid before this Council—

(1.) A Return of the General Revenue in each year of the District of Port Phillip from 1st January, 1849, to 1st July, 1851.

(2.) A Return of the actual expenditure in each year from the General Revenue in and for the District of Port Phillip from 1st January, 1849, to 1st July, 1851.

Question—put and passed.

5. THE CONSTITUTIONAL ACT.—Mr. Fawkner moved, pursuant to *amended* Notice, that a Committee of nine Members of this Council be appointed to take the Act of Constitution of this Colony into serious examination, and to report duly to the Council such alterations and amendments as in their judgment the Act is susceptible of, and the state of the Colony under present circumstances may require, and that the Committee be authorised to take evidence thereon. Committee to consist of Mr. Miller, Mr. Riddell, Mr. O'Shanassy, Mr. Strachan, Mr. Pohlman, Mr. Johnston, Mr. Westgarth, Dr. Thomson, and the Mover.

Question put. Council divided.

Ayes, 8.

MR. DIGHT,
DR. THOMSON,
MR. WESTGARTH,
MR. JOHNSTON,
MR. FAWKNER,
MR. O'SHANASSY,
MR. RUSSELL.
MR. WILKINSON, (Teller,)

Noes, 15.

MR. MURPHY,
THE COLONIAL SECRETARY,
MR. RUTLEDGE,
MR. MILLER,
THE AUDITOR GENERAL,
THE CHAIRMAN OF QUARTER SESSIONS,
THE SOLICITOR GENERAL,
MR. MERCER,
MR. SNODGRASS,
MR. GOLDSMITH,
MR. TURNBULL,
MR. CAMPBELL,
MR. SPLATT,
MR. RIDDELL,
THE ATTORNEY GENERAL, (Teller.)

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

C. J. LA TROBE,

*Message No. 4.**Lieutenant Governor.*

The Lieutenant Governor, in conformity with the provisions of the Statute, 5th and 6th Victoria, cap. 76, transmits to the Legislative Council for its consideration the draft of "A Bill for granting Duties of Customs in the Colony of Victoria."

*Government Offices,**July 9, 1852.*

Ordered to be printed.

Bill, on the motion of the Attorney General, read a first time.

The Attorney General then moved that the Bill be printed and read a second time on Thursday, the "12th of August" next.

Mr. Rutledge, moved as an amendment, That the words "12th of August" be omitted, with a view to insert the words "29th July."

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

Question—that this Bill be printed and read a second time on Thursday the 12th of August next—put and passed.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 5.

The Lieutenant Governor in conformity with the provisions of the Statute 5 and 6 Victoria, cap. 76, transmits to the Legislative Council, for its consideration, the Draft of "A Bill to make provision for the better Administration of Justice in Courts of Requests."

Government Offices,
9th July, 1852.

Ordered to be printed.

Bill, on the motion of the Attorney General, read a first time; ordered to be printed, and read a second time on Thursday 29th July inst.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 6.

The Lieutenant Governor, in conformity with the provisions of the statute 5 and 6 Victoria, cap. 76, transmits to the Legislative Council for its consideration, the draft of "A Bill for the general Regulation of Customs in the Colony of Victoria."

Government Offices,
9th July, 1852.

Ordered to be printed.

Bill, on the motion of the Attorney General, read a first time; ordered to be printed, and read a second time on Thursday, 12th day of August next.

7. INTRODUCTION OF CONVICTS PREVENTION BILL.—Mr. Westgarth moved, pursuant to Notice, That leave be given to bring in "A Bill to prevent the introduction into the Colony of Victoria of convicted Felons, and other persons sentenced to transportation for offences against the Laws."

Question—put and passed.

Ordered that the Mover and Seconder prepare and bring in the Bill.

8. STEAM DREDGE.—Dr. Thomson moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid on the table of this House:—

(1.) A copy of the Contract entered into with the Messrs. Langlands for the construction of the Machinery to complete the Steam Dredge.

(2.) Copy of any subsequent Correspondence with Messrs. Langlands.

(3.) The amount expended on building the Dredge Vessel, Punts, &c.

Debate ensued.

Question—put and passed.

9. COMMISSIONERS OF CROWN LANDS.—Dr. Thomson moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid upon the Table of this House,—

(1.) A Return of the Commissioners of Crown Lands employed throughout the Colony, the boundaries of each District, the amount of salary and allowances to each Commissioner, and where a house is provided for such Commissioner, or Barrack for the men, describe the situation and character of such building.

(2.) Copies of all instructions issued to these gentlemen since the passing of the Act 11 Vic. No. 61.

(3.) The number of men and horses attached to each Commissioner and their pay and allowances.

Debate ensued.

Question—put and passed.

10. INTRODUCTION OF CONVICTS PREVENTION BILL.—Mr. Westgarth having presented a Bill, intituled, "A Bill to prevent the introduction into the Colony of Victoria, of convicted felons, and other persons sentenced to transportation for offences against the Laws" Bill read a first time; to be read a second time on Friday, the 6th August next, and to be printed.

- 11.—NATIVE POLICE.—Dr. Thomson moved, pursuant to amended Notice: That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the Table of this Council:

(1.) An annual Return of the gross expenditure incurred by the Native Police.

(2.) The number of Officers and white men employed, as well as the number of Aborigines, in the force, for the period since the last printed Return to the 1st July, 1852.

Debate ensued.

Question—put and passed.

12. POLICE RETURNS.—The Colonial Secretary moved, pursuant to notice, That the several Papers laid by him on the Table of the House on Friday, 25th June, being replies to certain queries on the subject of Police, be referred to the Select Committee appointed by the Council on the 7th Instant, to take into consideration the state of the Police of the Colony.

Question—put and passed.

Council adjourned at five minutes to Six o'clock, until Three o'clock, on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 13TH JULY.

NOTICES OF MOTION :—

1. MR. WESTGARTH : To move the following Resolutions as expressive of the views of this Council on the question of Transportation.
 - (1.) That this Council, in the discharge of a solemn duty to this Colony in its highest interests, emphatically protests against the continuance of Transportation to any of the Australian Settlements.
 - (2.) That whatever the arguments on this subject viewed as a question of labour, whatever the statutory rights or usage of the Imperial Government, the system of Transportation, nevertheless, results in an enormous evil and injustice to the people of this Colony, in overcharging its Society with vice and crime, filling its Gaols with a multitude of malefactors, and entailing an oppressive expenditure for the Police, Gaol, and Judicial Administration of the Country.
 - (3.) That the practice on the part of the Parent State of awarding Transportation in nearly all cases of atrocious or unnatural outrage upon the person, is more especially a consideration of the most alarming import to these Colonies; that their climate and circumstances are by no means favorable to the repression of such criminal tendencies; that such crimes are commonly repeated in Australia subsequently by the parties who were Transported for these offences; and that these societies are thereby desolated by such frequent occurrence of hideous and atrocious crimes, alike disgraceful to civilization and terrible to the interests of humanity.
 - (4.) That all these evils arising from Transportation, have increased and multiplied to an alarming state since the discovery of Gold in Australia, and that consequently in this Colony, exposed as it more particularly is, to the incessant influx of the Criminal Population of Van Diemen's Land, and to the apprehensions and dangers arising therefrom, the exasperation of feeling on the Transportation Question is rapidly attaining an extreme that must endanger the loyalty and good order of the people.
 - (5.) That this Council regards with satisfaction the recent retirement from Her Majesty's Councils of the Right Honorable Earl Grey, Secretary of State for the Colonies, considering as it does that the repeated announcement of that Minister's intentions for the continuance of Transportation, even subsequently to the Gold Discoveries, was calculated to create disaffection in the minds of Her Majesty's Subjects in these Colonies, more especially when contrasted with previous statements of the same Minister, when in March, 1847, he declared in his place in Parliament and as Her Majesty's Secretary for the Colonies, that the system had resulted with disgrace to the British Name, that it ought not to be continued, and that Her Majesty's Government had resolved to abandon it.
 - (6.) That this Council, as representing the people of this Colony, desires to express its sympathy with the Colonists of Van Diemen's Land in the noble struggle in which they are now engaged, for the abolition of Transportation, a struggle which, with regard to many of their number, is carried on at great personal inconvenience and pecuniary sacrifice in a Country where the Convict system and the Convict arrangements of the Government have tended either to prevent or to expel that proportion of free labouring community that is incident and necessary to every well constituted society.
 - (7.) That in thus sympathising with the Colonists of Van Diemen's Land, and impressed also with a sense of the equal interest which the Colony is driven to feel in the speedy and final settlement of this question, this Council cannot advert, without the expression of alarm and dissatisfaction, to the course pursued by Sir William Thomas Denison, the Lieutenant Governor of that Colony, in his advocacy of a continuance of the system of Transportation and the tenor of his Despatches to the Home Government on the subject, with allusion, more particularly, to a Despatch marked confidential, of date 2nd May, 1850, wherein His Excellency invites a continued introduction of Convicts upon arguments, fallacious it must be hoped, as a general proposition, because subversive alike of sound principle and of faith in the moral government of the world, that the social vices alluded to by His Excellency, as induced by high wages and scarcity of labouring population, so far as founded on fact, must also result from the Convict character of a large portion of the population, and to

cure this social evil by any further introduction of criminals is a monstrous incongruity; and, finally, this Council unites with the protesting Colonists of Van Diemen's Land in rejecting, as altogether unworthy, the argument that any pecuniary or other physical benefits, whether real or imagined, can atone to society for the evils that must result from an influx of malefactors.

2. DR. THOMSON: To move, that a Select Committee be appointed to enquire into the best means of improving the Harbours of Melbourne and Geelong, with power to take evidence; the Committee to consist of the Auditor-General, Mr. Strachan, Mr. Westgarth, Mr. Splatt, Mr. Miller, Mr. Johnson, Mr. Mercer, and the Mover.
3. MR. FAWKNER: To move, That an Address be presented, requesting His Excellency the Lieutenant Governor will order the following Returns to be laid on the table of this Council:—
 - (1.) A numerical Return of the Black Police, together with a Full Return of all Arms, Ammunition, and all other things belonging to that force at the date of the appointment of H. E. Dana, Esq., as Commandant, or under whatever title he took charge of that force.
 - (2.) What buildings or accommodation they then had, or occupied, together with the cost of them to the Government, at the date of Mr. Dana's appointment.
 - (3.) A Yearly Return from the above date, specifying in each year the number of Aborigines, and also of White Men employed with them; together with a return of dismissals and recruits each year, the money expended upon arms, ammunition, clothing, and pay, distinguishing white men from Aborigines, cost, if any, of erecting buildings, fencing in ground, cartage of stores, and, generally, every expense up to the end of the year 1851.
 - (4.) A Yearly Return of how and where this force was employed, whether as a collective body, or, if separated, under whom they served, and the particular service and length of time any parties were employed; and on whose station, or in what part of the Province, so employed; together with the money value of their services, and the services of their officers each year.
 - (5.) A list of how many persons, black or white, were apprehended by this force, distinguishing each year, and whether any persons, and if any, how many, blacks or whites, were shot by this force; the name or names of the Officers commanding at such time, and the places, (if any,) where death from gun-shot, or other wounds occurred.
 - (6.) A copy of all instructions issued by the New South Wales, and by the Victoria Government for the guidance of this Police Force from the date of Mr. Dana's appointment up to the end of 1851.
 - (7.) A copy of all orders issued by the Commandant or other Officer in command of this force, from the date of Mr. Dana's appointment up to the end of the year 1851.

WEDNESDAY, 14TH JULY.

NOTICES OF MOTION:—

1. MR. MILLER: To move, That a Select Committee be appointed on Roads and Bridges to enquire and report on their present state, and how the Funds placed at the disposal of Government may be expended to the best advantage, in making and repairing Roads and Bridges throughout the Colony; the Committee to consist of Mr. Snodgrass, Mr. Haines, Mr. Rutledge, Mr. Dight, Mr. Splatt, Mr. Turnbull, Mr. Fawkner, Mr. Riddell, Mr. Wilkinson, and the Mover.
2. DR. THOMSON: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the Table of this House Copies of all the Depositions taken before the Coroner of Geelong, respecting the Murder of Eliza Willoughby.
3. MR. MERCER: To move, That a Select Committee, of four Members and the Mover, be appointed to enquire into the working of the District Councils, established in this Province under the 5th and 6th Victoria c. 76, s. 41, and the causes of their meetings and practical workings having been discontinued, and to take evidence and report upon the expediency of their being revived, with such alterations in their constitutions, duties, or powers, as to the said Committee may seem advisable. That the said Committee consist of Mr. Smith, Mr. Rutledge, Mr. Strachan, Mr. Snodgrass, and the Mover.

FRIDAY, 16TH JULY.

NOTICES OF MOTION:—

1. MR. FAWKNER, To move
 - (1.) That an Address be presented to His Excellency the Lieutenant Governor, praying him to establish an Assay Office, forthwith, at which any, and every person, may deposit Gold, and upon the payment of a reasonable charge, receive it back assayed, and refined if required, and properly stamped, viz., at its true weight, and intrinsic fineness.

- (2.) That a Mint be forthwith established, at which all persons wishing to convert Gold into the Current Coin of the British Realm, can do so, paying a fair and equitable charge for the same, and that Gold Pieces, from Two Shillings, upwards, be issued, of not less fineness than British Coin.
2. MR. SPLATT: To move, That a Select Committee be appointed, to consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, Mr. Campbell, Mr. Fawcner, and the Mover, To inquire into and report upon the present system of Immigration with power to take evidence thereon, with the view of considering and recommending some distinct and adequate system, commensurate with the increasing wants and requirements of the Colony.

THURSDAY, 29TH. JULY.

Government Business:—

ORDER OF THE DAY:—

1. COURT OF REQUESTS BILL—Second Reading.

FRIDAY, 30TH. JULY.

ORDER OF THE DAY:—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.

FRIDAY, 6TH AUGUST.

ORDER OF THE DAY:—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.

THURSDAY, 12TH AUGUST.

Government Business:—

ORDERS OF THE DAY:—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 9.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 13th. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESSES.—The Speaker announced to the Council that he had, pursuant to the resolutions of this Council, presented the following Addresses to His Excellency the Lieutenant Governor, viz. :—
 - No. 8. Water Police, Light, and Pilot Dues—adopted on the 7th July, 1852, on the Motion of Mr. Strachan :
and that His Excellency had, in reply to such Address, been pleased to state that the Returns should be furnished.
 - No. 9. Imports—adopted on the 7th of July, 1852, on the Motion of Mr. Strachan :
and that His Excellency had, in reply to such Address, been pleased to state that the Return should be prepared.
 - No. 10. Melbourne City Police—adopted on the 8th of July, 1852, on the motion of Mr. Fawcner :
and that His Excellency had in reply to such Address, been pleased to state, that there could be no objection, on his part, to the production of these Returns, beyond the labor and time which must be employed in their preparation, but he would, as far as he could, meet the wishes of the Council.
 - No. 11. General Revenue and Expenditure of the District of Port Phillip, from 1st of January, 1849, to the 1st July, 1851,—adopted on the 9th of July, 1852, on the motion of Mr. O'Shanassy :
and that His Excellency had, in reply to such Address, been pleased to state, he would direct these Returns to be laid before the Council.
 - No. 12. Steam Dredge—adopted on the 9th of July, 1852, on the motion of Dr. Thomson :
and that His Excellency had, in reply to such Address, been pleased to state, that these papers, would be laid before the Council.
 - No. 13. Commissioners of Crown Lands—adopted on the 9th July, 1852, on the motion of Dr. Thomson :
and that His Excellency had, in reply to such Address, been pleased to state that he had no objection to the information required by the Council being prepared.
 - No. 14. Native Police—adopted on the 9th July, 1852, on the motion of Dr. Thomson :
and that His Excellency had, in reply to such Address, been pleased to state that these Returns should be prepared for the satisfaction of the Council.
3. PAPERS—REVENUE AND EXPENDITURE.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the table the Return to the Address on this subject, adopted on the motion of Mr. O'Shanassy, on the 9th July instant.
Ordered to be printed
4. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor received and read :—
Appropriations under Schedule B, part 2, to 13 and 14 Vic., Cap. 59 :—
C. J. LA TROBE,
Lieutenant Governor. *Message No. 7.*

In conformity to the provisions of the 19th sec. of the Act of Parliament for the better Government of Her Majesty's Australian Colonies, the Lieutenant Governor lays before the Legislative Council a statement of the sums intended to be appropriated in the year 1853, for the services and purposes named in the Schedule B, part 2 annexed to that Act.

As the whole of the services proposed to be provided for by the Schedule will be brought under the consideration of the Council, it is not necessary for the Lieutenant Governor to offer any remark at this time.

*Government Offices,
Melbourne, 13th July, 1852.*

5. TRANSPORTATION.—MR. Westgarth moved, pursuant to notice, That this Council do resolve, as expressive of the views of this Council on the question of transportation :—
- (1.) That this Council, in the discharge of a solemn duty to this Colony in its highest interests, emphatically protests against the continuance of Transportation to any of the Australian settlements.
 - (2.) That, whatever the arguments on this subject viewed as a question of labour, whatever the statutory rights or usage of the Imperial Government, the system of Transportation, nevertheless, results in an enormous evil and injustice to the people of this Colony, in overcharging its society with vice and crime, filling its gaols with a multitude of malefactors, and entailing an oppressive expenditure for the police, gaol, and judicial administration of the country.
 - (3.) That the practice on the part of the parent State of awarding transportation in nearly all cases of atrocious or unnatural outrage upon the person, is, more especially, a consideration of the most alarming import to these Colonies; that their climate and circumstances are by no means favourable to the repression of such criminal tendencies; that such crimes are commonly repeated in Australia, subsequently, by the parties who were transported for these offences; and that these societies are thereby desolated by such frequent occurrence of hideous and atrocious crimes, alike disgraceful to civilization and terrible to the interests of humanity.
 - (4.) That all these evils arising from transportation, have increased and multiplied to an alarming state since the discovery of Gold in Australia, and that consequently in this Colony, exposed as it more particularly is, to the incessant influx of the criminal population of Van Diemen's Land, and to the apprehensions and dangers arising therefrom, the exasperation of feeling on the transportation question is rapidly attaining an extreme that must endanger the loyalty and good order of the people.
 - "(5.) *That this Council regards with satisfaction the recent retirement from Her Majesty's Councils of the Right Honorable Earl Grey, Secretary of State for the Colonies, considering as it does that the repeated announcement of that Minister's intentions for the continuance of Transportation, even subsequently to the Gold Discoveries, was calculated to create disaffection in the minds of Her Majesty's Subjects in these Colonies, more especially when contrasted with the previous statements of the same Minister, when in March, 1847, he declared in his place in Parliament and as Her Majesty's Secretary for the Colonies, that the system had resulted with disgrace to the British Name, that it ought not to be continued, and that Her Majesty's Government had resolved to abandon it.*"
 - (6.) That this Council, as representing the people of this Colony, desires to express its sympathy with the Colonists of Van Diemen's Land in the noble struggle in which they are now engaged, for the abolition of transportation, a struggle which, with regard to many of their number, is carried on at great personal inconvenience and pecuniary sacrifice in a Country where the Convict system and the Convict arrangements of the Government have tended either to prevent or to expel that proportion of free labouring community that is incident and necessary to every well constituted society.
 - (7.) That in thus sympathising with the Colonists of Van Diemen's Land, and impressed also with a sense of the equal interest which the Colony is driven to feel in the speedy and final settlement of this "question," this Council cannot advert, without the expression of alarm and dissatisfaction, to the course pursued by Sir William Thomas Denison, the Lieutenant Governor of that Colony, in his advocacy of a continuance of the system of transportation and the tenor of his Despatches to the Home Government on the subject, with allusion, more particularly, to a Despatch marked confidential, of date 2nd May, 1850, wherein His Excellency invites a continued introduction of Convicts upon arguments, fallacious it must be hoped, as a general proposition, because subversive alike of sound principle and of faith in the moral government of the world, that the social vices alluded to by His Excellency, as induced by high wages and scarcity of labouring population, so far as founded on fact, must also result from the Convict character of a large portion of the population, and to cure this social evil by any further introduction of criminals is a monstrous incongruity; and finally" this Council unites with the protesting Colonists of Van Diemen's Land in rejecting, as altogether unworthy, the argument that any pecuniary or other physical benefits, whether real or imagined, can atone to society for the evils that must result from an influx of malefactors.

The Colonial Secretary moved as an Amendment, that all the words composing the 5th resolution be omitted.

Debate ensued.

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

Council divided.

Ayes, 19.

MR. SMITH,
MR. O'SHANASSY,
MR. GOLDSMITH,
MR. RUTLEDGE,
MR. STRACHAN,
DR. THOMSON,
MR. RUSSELL.
MR. WESTGARTH,
MR. RIDDELL,
MR. SNODGRASS,
MR. MERCER,
MR. JOHNSTON,
MR. TURNBULL,
MR. FAWKNER,
THE CHAIRMAN OF QUARTER
SESSIONS,
MR. MILLER,
MR. CAMPBELL,
MR. SPLATT,
MR. MURPHY, (*Teller.*)

Noes, 5.

THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
MR. WILKINSON,
THE COLONIAL SECRETARY, (*Teller*)

Mr. Russell moved as a further amendment, that all the words after the word "*question*" in the 3rd line of the 7th resolution, and inclusive of the word "*finally*" in the 14th line of the same resolution, be omitted.

Debate ensued.

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

Ayes, 21.

MR. MURPHY,
MR. SMITH,
MR. GOLDSMITH,
MR. RUTLEDGE,
THE ATTORNEY GENERAL,
MR. MILLER,
MR. SPLATT,
MR. WESTGARTH,
DR. THOMSON,
MR. SNODGRASS,
MR. RIDDELL,
MR. MERCER,
MR. TURNBULL,
MR. FAWKNER,
MR. JOHNSTON,
THE CHAIRMAN OF QUARTER
SESSIONS,
MR. O'SHANASSY,
MR. STRACHAN,
MR. CAMPBELL,
THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
(*Teller.*)

Noes, 3.

THE AUDITOR GENERAL,
MR. RUSSELL,
MR. WILKINSON, (*Teller.*)

Question.—That this Council do resolve as expressive of the views of this Council on the question of transportation.

- (1.) That this Council, in the discharge of a solemn duty to this Colony in its highest interests, emphatically protests against the continuance of Transportation to any of the Australian Settlements.
- (2.) That whatever the arguments on this subject viewed as a question of labour—whatever the statutory rights or usage of the Imperial Government, the system of Transportation, nevertheless, results in an enormous evil and injustice to the people of this Colony, in overcharging its Society with vice and crime, filling its Gaols with a multitude of malefactors, and entailing an oppressive expenditure for the Police, Gaol, and Judicial Administration of the Country.
- (3.) That the practice on the part of the Parent State of awarding transportation in nearly all cases of atrocious or unnatural outrage upon the person, is more especially a consideration of the most alarming import to these Colonies; that their climate and circumstances are by no means favorable to the repression of such criminal tendencies; that such crimes are commonly repeated in Australia subsequently by the parties who were transported for these offences; and that these societies are thereby desolated by such frequent occurrence of hideous and atrocious crimes, alike disgraceful to civilization and terrible to the interests of humanity.

- (4.) That all these evils arising from transportation, have increased and multiplied to an alarming state since the discovery of Gold in Australia, and that consequently in this Colony, exposed as it more particularly is to the incessant influx of the Criminal Population of Van Diemen's Land, and to the apprehensions and dangers arising therefrom, the exasperation of feeling on the transportation question is rapidly attaining an extreme that must endanger the loyalty and good order of the people.
- (5.) That this Council regards with satisfaction the recent retirement from Her Majesty's Councils of the Right Honorable Earl Grey, Secretary of State for the Colonies, considering as it does that the repeated announcement of that Minister's intentions for the continuance of transportation, even subsequently to the Gold Discoveries, was calculated to create disaffection in the minds of Her Majesty's Subjects in these Colonies, more especially when contrasted with previous statements of the same Minister, when in March, 1847, he declared in his place in Parliament and as Her Majesty's Secretary for the Colonies, that the system had resulted with disgrace to the British Name, that it ought not to be continued, and that Her Majesty's Government had resolved to abandon it.
- (6.) That this Council, as representing the people of this Colony, desires to express its sympathy with the Colonists of Van Diemen's Land in the noble struggle in which they are now engaged, for the abolition of transportation, a struggle which, with regard to many of their number, is carried on at great personal inconvenience and pecuniary sacrifice in a Country where the Convict system and the Convict arrangements of the Government have tended either to prevent or to expel that proportion of free labouring community that is incident and necessary to every well constituted society.
- (7.) That in thus sympathising with the Colonists of Van Diemen's Land, and impressed also with a sense of the equal interest which the Colony is driven to feel in the speedy and final settlement of this question, this Council cannot advert, without the expression of alarm and dissatisfaction, to the course pursued by Sir William Thomas Denison, the Lieutenant Governor of that Colony, in his advocacy of a continuance of the system of transportation and the tenor of his Despatches to the Home Government on the subject, with allusion, more particularly, to a Despatch marked confidential, of date 2nd May, 1850, wherein His Excellency invites a continued introduction of Convicts upon arguments, (fallacious it must be hoped as a general proposition—because subversive alike of sound principle and of faith in the moral government of the world), that the social vices alluded to by His Excellency, as induced by high wages and scarcity of labouring population, so far as founded on fact, must also result from the Convict character of a large portion of the population—and to cure this social evil by any further introduction of criminals is a monstrous incongruity; and, finally, this Council unites with the protesting Colonists of Van Diemen's Land in rejecting, as altogether unworthy, the argument that any pecuniary or other physical benefits, whether real or imagined, can atone to society for the evils that must result from an influx of malefactors.

Put and passed.

Mr. Westgarth then moved, that an Address be presented to His Excellency the Lieutenant Governor, requesting that he will transmit the foregoing Resolutions to Her Majesty's Principal Secretary of State for the Colonies, in order that the same may be laid before Her Most Gracious Majesty, and the two Houses of Parliament.

Question put and passed.

6. MELBOURNE AND GEELONG HARBOURS.—Dr. Thomson moved pursuant to Notice, that a Select Committee be appointed to enquire into the best means of improving the Harbours of Melbourne and Geelong, with power to take evidence, the Committee to consist of the Auditor-General, Mr. Strachan, Mr. Westgarth, Mr. Splatt, Mr. Miller, Mr. Johnson, Mr. Mercer, and the Mover.

Put and passed.

The Council adjourned at half-past six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

 WEDNESDAY, 14TH JULY.

NOTICES OF MOTION :—

1. MR. MILLER : To move, That a Select Committee be appointed on Roads and Bridges to enquire and report on their present state, and how the Funds placed at the disposal of Government may be expended to the best advantage, in making and repairing Roads and Bridges throughout the Colony ; the Committee to consist of Mr. Snodgrass, Mr. Haines, Mr. Rutledge, Mr. Dight, Mr. Splatt, Mr. Turnbull, Mr. Fawkner, Mr. Riddell, Mr. Wilkinson, and the Mover.
2. DR. THOMSON : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the Table of this House Copies of all the Depositions taken before the Coroner of Geelong, respecting the Murder of Eliza Willoughby.
3. MR. MERCER : To move, That a Select Committee, of four Members and the Mover, be appointed to enquire into the working of the District Councils, established in this Province under the 5th and 6th Victoria c. 76, s. 41, and the causes of their meetings and practical workings having been discontinued, and to take evidence and report upon the expediency of their being revived, with such alterations in their constitutions, duties, or powers, as to the said Committee may seem advisable. That the said Committee consist of Mr. Smith, Mr. Rutledge, Mr. Strachan, Mr. Snodgrass, and the Mover.

 FRIDAY, 16TH JULY.

NOTICES OF MOTION :—

1. MR. FAWKNER, To move
 - (1.) That an Address be presented to His Excellency the Lieutenant Governor, praying him to establish an Assay Office, forthwith, at which any, and every person, may deposit Gold, and upon the payment of a reasonable charge, receive it back assayed, and refined if required, and properly stamped, viz., at its true weight, and intrinsic fineness.
 - (2.) That a Mint be forthwith established, at which all persons wishing to convert Gold into the Current Coin of the British Realm, can do so, paying a fair and equitable charge for the same, and that Gold Pieces, from Two Shillings, upwards, be issued, of not less fineness than British Coin.
2. MR. SPLATT : To move, That a Select Committee be appointed to enquire into, and report upon, the present system of Immigration, with power to take evidence thereon, with the view of considering and recommending some system adapted to the altered character and wants of the Colony, and that such Committee do consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, Mr. Campbell, Mr. Fawkner, and the Mover.
3. MR. SMITH.—To move : That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to make provision on the Estimates of Expenditure for the ensuing year, for enabling the Corporation of Melbourne to take measures for the improvement of the Sanatory condition of the City, by the Establishment of a thorough system of Sewerage.

 THURSDAY, 29TH. JULY.
Government Business :—

ORDER OF THE DAY :—

1. COURT OF REQUESTS BILL.—Second Reading.

 FRIDAY, 30TH. JULY.

ORDER OF THE DAY :—

1. GENERAL AND QUARTER SESSIONS COURTS BILL.—Second Reading.

FRIDAY, 6TH AUGUST.

ORDER OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
-

THURSDAY, 12TH AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 10.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 14th. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—STEAM DREDGE.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Table the Return to the Address on this subject adopted on the Motion of Dr. Thomson, on the 9th instant.

Ordered to be printed.

3. ROADS AND BRIDGES.—Mr. Miller moved, pursuant to *amended* Notice, That the Committee of Roads and Bridges of the last Session, be re-appointed, to consist, with the Mover, of Mr. Snodgrass, Mr. Haines, Mr. Rutledge, Mr. Dight, Mr. Splatt, Mr. Turnbull, Mr. Fawcner, and substituting the names of Mr. Riddell and Mr. Wilkinson in lieu of Mr. Griffith, resigned, and Mr. Dunlop, deceased.

Question—put and passed.

4. DEPOSITIONS RESPECTING THE MURDER OF ELIZA WILLOUGHBY.—Dr. Thomson moved, pursuant to Notice, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the Table of this House Copies of all the Depositions taken before the Coroner of Geelong, respecting the Murder of Eliza Willoughby.

Debate ensued.

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

C. J. LA TROBE,
Lieutenant Governor.

Message No. 8.

The Lieutenant Governor directs the following Return to be laid on the Council Table, viz. :—

A.—Return of the quantity of Wine, Spirits, Tea, Tobacco, Sugar, and Coffee, imported into this Colony during the year ending 5th January, 1852, with the amount of Duties collected thereon.

B.—Return of Duties and Charges on Goods and Shipping, collected during the year ending 5th January, 1852, which it is intended by the proposed Tariff to abolish.

*Government Offices,
Melbourne, 14th July, 1852.*

Ordered to be printed together with the accompanying Returns.

DEPOSITIONS RESPECTING THE MURDER OF ELIZA WILLOUGHBY.—The debate on this subject, interrupted by the above Message, resumed.

Question—put and passed.

6. DISTRICT COUNCILS.—Mr. Mercer moved pursuant to *amended* Notice, That a Select Committee, of four Members and the Mover, be appointed to enquire into the working of the District Councils, established in this Province under the 5th and 6th Victoria c. 76, s. 41, and the causes of their meetings and practical workings having been discontinued, and to take evidence and report upon the expediency of their being revived, with such alterations in their constitutions, duties, or powers, as to the said Committee may seem advisable. That the said Committee consist of Mr. Riddell, Mr. Rutledge, Mr. Strachan, Mr. Snodgrass, and the Mover.

Debate ensued.

Question put.

Council divided.

Ayes, 12.

THE ATTORNEY GENERAL,
MR. O'SHANASSY,
MR. SNODGRASS,
THE AUDITOR GENERAL,
MR. RUTLEDGE,
MR. CAMPBELL,
DR. THOMSON,
MR. MERCER,
MR. STRACHAN,
MR. RIDDELL,
MR. TURNBULL,
THE COLONIAL SECRETARY,
(*Teller*)

Noes, 5.

THE SOLICITOR GENERAL,
MR. MILLER,
MR. WESTGARTH,
MR. JOHNSTON,
MR. FAWKNER,
MR. WILKINSON,
MR. DIGHT,
MR. SMITH, (*Teller*.)

7. SUSPENSION OF STANDING ORDER.—The Colonial Secretary moved the suspension of Standing Order No. 18.
Question—put and passed.
8. ADJOURNMENT.—The Colonial Secretary then moved, That this Council do now adjourn until Friday next, at 3 o'clock.
Question— put and passed.
- Council adjourned at a quarter to Six o'clock accordingly.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 16TH JULY.

NOTICES OF MOTION :—

1. MR. FAWKNER, To move
 - (1.) That an Address be presented to His Excellency the Lieutenant Governor, praying him to establish an Assay Office, forthwith, at which any, and every person, may deposit Gold, and upon the payment of a reasonable charge, receive it back assayed, and refined if required, and properly stamped, viz., at its true weight, and intrinsic fineness.
 - (2.) That a Mint be forthwith established, at which all persons wishing to convert Gold into the Current Coin of the British Realm, can do so, paying a fair and equitable charge for the same, and that Gold Pieces, from Two Shillings, upwards, be issued, of not less fineness than British Coin.
2. MR. SPLATT : To move, That a Select Committee be appointed to enquire into, and report upon, the present system of Immigration, with power to take evidence thereon, with the view of considering and recommending some system adapted to the altered character and wants of the Colony, and that such Committee do consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, Mr. Campbell, Mr. Fawkner, and the Mover.
3. MR. SMITH.—To move : That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to make provision on the Estimates of Expenditure for the ensuing year, for enabling the Corporation of Melbourne to take measures for the improvement of the Sanatory condition of the City, by the Establishment of a thorough system of Sewerage.
4. MR. RUTLEDGE : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid upon the Table of this House :—
 - (1.) Copies of all such Correspondence as may have taken place between the Government and Mr. Assistant Surveyor Watson, and Mr. W. N. Gray, Commissioner of Crown Lands, as to the eligibility or otherwise of the site chosen at Allan's Ford, on the River Hopkins, for a Bridge which has lately been erected there.
 - (2.) Copies of the Report made by either or both said Officers, or of such Correspondence as may have taken place between the Government and those gentlemen in respect of the fitness or otherwise of the projected line of road between the bridge at Allan's Ford and Timboon.
5. MR. RUTLEDGE : To move, for leave to bring in a Bill to prevent the spread of the plant or weed known as the "Scotch Thistle."

TUESDAY, 20TH JULY.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move, that an address be presented by this Council, requesting His Excellency the Lieutenant Governor, to represent to the Queen in Council, the urgent necessity for extending the Area of the settled districts in Victoria. And that His Excellency will be pleased to strenuously urge upon the Home authorities, the vast importance of this extension, and the necessity for its instant adoption ; and that such a large addition has been, and is daily being made to the population of this Province in consequence of the Gold found here. That not less than the absorption of the whole of the intermediate district together with all that extent of country in which Gold can be profitably worked, will be imperatively necessary to include, in and under, the Title of ' Settled Districts.'
2. MR. JOHNSTON : To move, that an Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to cause measures to be taken for bringing into the Market a large extent of land, rentable for agricultural purposes in the immediate vicinity of the Mount Alexander, and Ballarat Gold Fields.

THURSDAY, 29TH. JULY.

Government Business :—

ORDER OF THE DAY :—

1. COURT OF REQUESTS BILL—Second Reading.

FRIDAY, 30TH. JULY.

ORDER OF THE DAY :—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.

FRIDAY, 6TH AUGUST

ORDER OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.

THURSDAY, 12TH AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 11.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 16th. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. NEW SOUTH WALES BANK ACT AMENDMENT BILL.—Mr. Miller presented a Petition from the Corporation of the Bank of New South Wales, praying that leave be given to bring in a Bill to extend the powers of the Petitioner in the particulars, and for effecting other the purposes mentioned in the Petition, in such manner, by such ways and means, and under such regulations and restrictions, as to the Council should seem meet; to which Petition was annexed a printed copy of the proposed Bill.

Petition received.

Mr. Miller then produced the *Victoria Government Gazette* of the 19th May, 1852; 26th May, 1852; 2nd June, 1852; and 9th June, 1852: and the *Melbourne Morning Herald and General Daily Advertiser* newspaper of 21st May, 1852; of 24th May, 1852; of 1st June, 1852; and 8th June, 1852: the *Argus* newspaper of 21st May, 1852; of 28th May, 1852; of 4th June, 1852; and of 11th June, 1852: the *Geelong Advertiser and Intelligencer* newspaper of 17th June, 1852; of 21st June, 1852; of 28th June, 1852; and of 5th July, 1852, respectively containing the Notice of the intended application for such Bill.

NEW MEMBERS.—The Speaker announced that there had been handed to him two several Letters Patent under the hand of His Excellency the Lieutenant Governor, and the Seal of the Colony of Victoria respectively, bearing date at Melbourne, the 14th July, 1852, appointing Lieutenant Colonel JOSEPH ANDERSON, Companion of the most Honorable Military Order of the Bath and Knight of the Royal Hanoverian Guelphic Order, and THOMAS TURNER à BECKETT, Esquire, Non-elective Members of this Council—Lieutenant Colonel JOSEPH ANDERSON in the place of ALEXANDER CUNNINGHAME WALLACE DUNLOP, Esquire, deceased, and THOMAS TURNER à BECKETT, Esquire, in the place of JAMES HUNTER ROSS, Esquire, resigned,—and until Her Majesty's pleasure should be known.

Lieutenant Colonel JOSEPH ANDERSON and THOMAS TURNER à BECKETT, Esquire, were then introduced, and the Clerk, by direction of the Speaker, read the Letters Patent appointing the said Lieutenant Colonel JOSEPH ANDERSON and THOMAS TURNER à BECKETT, Non-elective Members of the Council; and they having severally taken the oath, took their seats in the Council as Members thereof.

4. ASSAY OF GOLD.—Mr. Fawkner moved the suspension of the Standing Order No. 18.

Question—put and passed.

Mr. Fawkner then moved, (instead of the Motion standing in his name, No. 1, on the Notice Paper for to-day,) For a Select Committee to take evidence and report on the expediency of establishing an Office to Assay Gold, and to make assayed Gold a legal tender within the Colony of Victoria; the Committee to consist of Mr. Miller, Mr. Westgarth, Mr. O'Shanassy, The Auditor General, and the Mover.

Debate ensued.

Question—put and passed.

5. POSTPONEMENT OF MOTION.—Mr. Splatt postponed the Motion standing in his name, No 2 on the Notice Paper for to-day, until the 23rd instant.
6. ALLAN'S FORD BRIDGE OVER THE RIVER HOPKINS.—Mr. Rutledge moved pursuant to amended Notice.—That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid upon the Table of this House:—

(1.) Copies of all such Correspondence as may have taken place between the Government and Mr. Assistant Surveyor Watson, and Mr. W. N. Gray, Commissioner of Crown Lands, and all other persons, as to the eligibility or otherwise of the site chosen at Allan's Ford, on the River Hopkins, for a Bridge which has lately been erected there.

(2.) Copies of the Report made by either or both said Officers, or of such Correspondence as may have taken place between the Government and those gentlemen in respect of the fitness or otherwise of the projected line of road between the bridge at Allan's Ford and Timboon.

Question—put and passed.

7. SCOTCH THISTLE EXTERMINATION BILL.—Mr. Rutledge having, pursuant to notice, moved for and obtained leave to bring in a Bill, intituled, “*A Bill to prevent the spread of the plant or weed known as the Scotch Thistle.*” Bill presented, read a first time—Ordered to be read a second time, on the 6th August next, and to be printed.
Council adjourned at a quarter to five o'clock, until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 20TH JULY.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move, that an address be presented by this Council, requesting His Excellency the Lieutenant Governor, to represent to the Queen in Council, the urgent necessity for extending the Area of the settled districts in Victoria. And that His Excellency will be pleased to strenuously urge upon the Home authorities, the vast importance of this extension, and the necessity for its instant adoption ; and that such a large addition has been, and is daily being made to the population of this Province in consequence of the Gold found here, that not less than the absorption of the whole of the intermediate district together with all that extent of country in which Gold can be profitably worked, will be imperatively necessary to include, in and under, the Title of ‘ Settled Districts.’
2. MR. JOHNSTON : To move, that an Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to cause measures to be taken for bringing into the Market a large extent of land, rentable for agricultural purposes in the immediate vicinity of the Mount Alexander, and Ballarat Gold Fields.
3. MR. SPLATT : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency may be pleased to direct that tenders for Bank Drafts be called for on all future occasions when it may be necessary to remit sums of money to London for the purpose of Immigration, or for any public purpose ; and that if on enquiry, any claims may be found to exist on the part of the Banks, in lieu of the present arrangement, that such claims may be satisfied.

WEDNESDAY, 21ST JULY.

NOTICES OF MOTION :—

1. MR. MILLER : To move for leave to bring in “*A Bill to amend an Act intituled, ‘ An Act to Incorporate the Proprietors of a certain Banking Company, called the Bank of New South Wales,’ and for other purposes therein mentioned.*”
Contingent.
2. MR. MILLER : To move, on leave being given to bring Bill to amend the Bank of New South Wales Act, That when the Bill shall have been read a first time, it shall be referred to a select committee, to consist of Mr. Westgarth, Mr. Splatt, Dr. Thomson, Mr. Pohlman, and the Mover.

FRIDAY, 23RD JULY.

NOTICES OF MOTION :—

1. MR. WESTGARTH : To move
 - (1.) That this Council, while recognising the supremacy of the Parent State with regard to this Colony as a portion of the British Empire, nevertheless claims for the Colony, the right and benefit of legislating for itself in all local questions, being subject to the supervision of the Home Government, only in cases which affect Imperial as well as Colonial interests.
 - (2.) That the Regulations affecting the Waste Lands of the Colony, and the Administration of the immense income now derived from the Colonists by the sale of these Territories, are questions which, as involving to a most important extent the general interests of the public of this Colony, should all be discussed and determined on, solely by the Local Legislature, the results of such local legislation, however, being subject to the approval of the Imperial Government.

- (3.) That the administration of these lands is further and pre-eminently the right of the Colony, from the circumstance that they are presently occupied by large numbers of Colonists, possessing extensive personal property spread over these lands; and that these important interests, holding under annual or other lease from the Crown, are subjected to the control of an Executive Government not in this particular responsible to the Local Legislature.
- (4.) That in regard to Finances, the present provisions of the Schedules are, by the altered circumstances of the Colony, rendered wholly inadequate and unsuitable to the purposes for which they were instituted; that as it is necessary in some instances greatly to enlarge their provisions, a step which this House is ready and willing to take, these schedules are now merely a subject of useless irritation, and in a large community essentially British in origin and sentiment, they are an unnecessary precaution, and that this House has no hesitation in pledging the Colony, to an adequate provision for the administration of the Government in the Civil List departments, such provision to be supplied, not by an annual vote, but for the whole period of the duration of each assembly, and for one year thereafter.
- (5.) That it is the opinion of this Council that all departments in the Colony should be subject to the Local Legislature and Government, and all patronage be vested in the local Government.
- (6.) That this Colony is prepared, on acquiring these, its just rights and privileges, to defray every expense, whether civil or military, attending its government, and neither to claim nor to require on behalf of the Colony any expenditure on the part of the Parent State.
2. MR. SPLATT: To move, That a Select Committee be appointed to enquire into, and report upon, the present system of Immigration, with power to take evidence thereon, with the view of considering and recommending some system adapted to the altered character and wants of the Colony, and that such Committee do consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, Mr. Campbell, Mr. Fawcner, and the Mover.

THURSDAY, 29TH. JULY.

Government Business :—

ORDER OF THE DAY :—

1. COURT OF REQUESTS BILL—Second Reading.

FRIDAY, 30TH. JULY.

ORDER OF THE DAY :—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.

FRIDAY, 6TH. AUGUST.

ORDERS OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.

THURSDAY, 12TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 12.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 20th. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. SERJEANT AT ARMS.—EDWARD COTTON, Esquire, having been introduced, handed to the Speaker a Commission from His Excellency the Lieutenant Governor bearing date at Melbourne the 20th July, 1852, appointing him Serjeant at Arms of the Legislative Council of Victoria during the pleasure of the Lieutenant Governor of the said Colony for the time being (subject to the approval of Her Majesty, Her Heirs and Successors), which Commission having, by direction of the Speaker, been read by the Clerk, the Oaths of Allegiance and of Office were administered to Mr. Cotton.
3. LIBRARY COMMITTEE.—Mr. Pohlman on behalf of the Speaker as Chairman of the Library Committee of this Council, brought up the Report from this Committee.
Report read and ordered to be printed.
4. CATARRH AND SCAB IN SHEEP.—Mr. Murphy as Chairman of the Select Committee, to enquire into the state of the Laws for the prevention of the diseases in Sheep, known as Catarrh and Scab, and to report if any, and what further provisions are required to check the spread of those diseases, brought up the Report of the Committee.
Report laid upon the Table, and ordered to be printed.
5. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Fawkner postponed the Motion standing in his name, No. 1, on the Notice paper of to-day, until Friday, 23rd July, instant.
6. SALE OF LAND.—Mr. Johnston moved, pursuant to Notice, That an Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to cause measures to be taken for bringing into the Market a large extent of land, suitable for agricultural purposes in the immediate vicinity of the Mount Alexander, and Ballarat Gold "Fields."
Debate ensued.
7. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Messages from His Excellency the Lieutenant Governor received and read.

IMMIGRATION—

C. J. LA TROBE,
Lieutenant Governor.

Message No. 9.

Referring to the Despatches from the Right Honorable the Secretary of State relative to Immigration to this Colony, which were placed before the Legislative Council with the Lieutenant Governor's Message No. 1,—His Excellency now hastens to bring under its attention, the copy of a further communication, with enclosures of considerable interest, which he has just received.

2. There are two points adverted to in these papers upon which he would offer brief remark.

3. In the enclosed Despatch, addressed to Earl Grey by the Commissioners of Emigration on the 5th January, paragraph 6, it is observed that none of the monthly remittances of £4000 which the Lieutenant Governor, then Superintendent of Port Phillip, had stated in a communication to Sir Charles Fitz Roy on the 21st November, 1850, he should be prepared to remit in furtherance of the scheme of continual Immigration to this Colony then decided upon, had been received.

4. Upon this point the Lieutenant Governor may remark, that no remittances whatever were at any time made by the Superintendent of Port Phillip direct to Her Majesty's Colonial Land and Emigration Commissioners, prior to the separation of the Colony from New South Wales.

5. The duty of making such remittances lay within the province of the Governor at Sydney, and it can only be ascertained from the full statements of account of receipts and expenditure on the part of that Government, under the head of Port Phillip Territorial Revenue when drawn up, at what time and to what amount, such remittances were made specially for that Immigration to Port Phillip, for which, as anticipated by the Superintendent, ample funds were at command. The amount stipulated for on the part of Port Phillip was, however, it is understood, fully remitted in April, 1851.

6. Since the separation of the Colonies, however, the Lieutenant Governor may remind the Council that remittances have been made direct to the Commissioners to the extent of £186,509, which sum, in addition to the £95,000 stated by the Commissioners to have been in their hands at the beginning of the year, would make a sum total of £281,509 appropriated to the purpose of Immigration to Victoria.

7. The Lieutenant Governor would further apprise the Council that his attention has been drawn to the fact, that without any assignable reason, a far larger proportion of Emigrant vessels had, during the past twelve months, been chartered by the Colonial Land and Emigration Commissioners to the port of Geelong than had been looked for or recommended; and that latterly, more especially, it appeared that the interests of the City of Melbourne and the undoubted requirements of the large district with which it is more directly or indirectly connected, would seem to be unaccountably lost sight of.

8. It may be gathered from information received up to this date, that since the 1st July last, 24 ships had been chartered, or required for charter, for the conveyance of Emigrants to Victoria, and of these no fewer than 11 were destined for Geelong, 3 for Portland, and but 10 for the Port of Melbourne.

9. Previously to the receipt of the Despatches now come to hand, the Lieutenant-Governor had already considered it his duty to address two distinct communications on this subject, to the Secretary of State. Paragraphs 2 and 5 of the letter above cited, contain some allusion to the subject, and furnish all the information which it is at present in his power to give.

*Government Offices,
Melbourne, 20th July, 1852.*

Ordered to be printed, together with the accompanying Despatches.

INDEMNITY BILL:—

C. J. LA TROBE,
Lieutenant Governor.

Message No. 10.

His Excellency the Lieutenant Governor in conformity with the provisions of the Statute 5th and 6th Victoria, cap. 76, transmits for the consideration of the Legislative Council, the draft of "*A Bill to confirm the adoption and use of a Seal as the Seal of the Colony of Victoria, and to indemnify persons acting by authority of the same.*"

*Government Offices,
Melbourne, 20th July, 1852.*

Ordered to be printed.

Bill on the Motion of the Attorney General read a first time, ordered to be read a second time to-morrow, and to be printed.

SALE OF LAND.—The Debate on this subject, interrupted by the above Message, resumed.

Mr. Murphy moved as an amendment, That the following words be added after the word "*fields,*" "*in accordance with the provisions of the Orders in Council, a due regard at the same time being had to the rights and interests of the occupiers of land.*"

Debate ensued.

Question—that the words proposed to be added be so added,—put.

Council divided.

Ayes, 14.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
LIEUT. COL. ANDERSON,
MR. A'BECKETT,
MR. RIDDELL,
MR. RUSSELL,
MR. WILKINSON,
MR. RUTLEDGE,
MR. MURPHY,
MR. CAMPBELL,
THE CHAIRMAN OF QUARTER
SESSIONS,
MR. SPLATT, (*Teller.*)

Noes, 11.

MR. MILLER,
MR. WESTGARTH,
MR. JOHNSTON,
MR. O'SHANASSY,
MR. FAWKNER,
MR. STRACHAN,
MR. DIGHT,
MR. GOLDSMITH,
MR. TURNBULL,
MR. SNODGRASS,
MR. SMITH, (*Teller.*)

Question—That an Address be presented to His Excellency the Lieutenant Governor, requesting his Excellency to cause measures to be taken for bringing into the Market a large extent of land, rentable for agricultural purposes in the immediate vicinity of the Mount Alexander and Ballarat Gold Fields, in accordance with the provisions of the Orders in Council; a due regard, at the same time, being had to the rights and interests of the occupiers of the land.—Put and passed.

8. REMITTANCES FOR IMMIGRATION PURPOSES.—Mr. Splatt moved pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency may be pleased to direct, that tenders for Bank Drafts be called for on all future occasions,

when it may be necessary to remit sums of money to London for the purpose of Immigration, or for any public "*purpose*;" and that if on enquiry, any claims may be found to exist on the part of the Banks, in lieu of the present arrangement, that such claims may be satisfied.

Mr. Smith moved as an Amendment, that all the words following the word "*purpose*" be omitted, with a view to insert in their place the words "*a due regard being had to existing engagements.*"

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

Question—That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency may be pleased to direct that tenders for Bank Drafts be called for on all future occasions when it may be necessary to remit sums of money to London for the purpose of Immigration, or for any public purpose; and that if on enquiry, any claims may be found to exist on the part of the Banks, in lieu of the present arrangement, that such claims may be satisfied.—Put and passed.

The Council adjourned at twenty-five minutes past six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 21ST JULY.

Government Business :—

ORDER OF THE DAY :—

1. INDEMNITY BILL—Second Reading.

General Business :—

NOTICES OF MOTION :—

1. MR. MILLER : To move for leave to bring in " A Bill to amend an Act intituled, '*An Act to Incorporate the Proprietors of a certain Banking Company, called the Bank of New South Wales,*' and for other purposes therein mentioned."

Contingent.

2. MR. MILLER : To move, on leave being given to bring Bill to amend the Bank of New South Wales Act, That when the Bill shall have been read a first time, it shall be referred to a select committee, to consist of Mr. Westgarth, Mr. Splatt, Dr. Thomson, Mr. Pohlman, and the Mover.

3. MR. SMITH : To move, That this House will on the 22nd July, resolve itself into a Committee of the whole House, to consider that an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to make provisions on the Estimates of Expenditure for the ensuing year, for enabling the Corporation of the City of Melbourne to take measures for the improvement of the sanitary condition of the City, by the establishment of a thorough system of sewerage.

THURSDAY, 22ND JULY.

NOTICE OF MOTION :—

1. MR. POHLMAN : To move, That this Council do resolve itself into a Committee of the whole for the purpose of considering the propriety of adopting so much of the Report from the Library Committee as proposes an Address to His Excellency the Lieutenant Governor that he will be pleased to place on the Estimates for the year 1853, a sum of £1,000 towards purchasing books for the Council Library; the sum of £150 for Bookbinding, for the Library; and the further sum of £50 towards Library Fittings.
- (2.) To move, That this Council do consider and adopt the Report from the Library Committee.

FRIDAY, 23RD JULY.

NOTICES OF MOTION:—

1. MR. WESTGARTH: To move
 - (1.) That this Council, while recognising the supremacy of the Parent State with regard to this Colony as a portion of the British Empire, nevertheless claims for the Colony, the right and benefit of legislating for itself in all local questions, being subject to the supervision of the Home Government, only in cases which affect Imperial as well as Colonial interests.
 - (2.) That the Regulations affecting the Waste Lands of the Colony, and the Administration of the immense income now derived from the Colonists by the sale of these Territories, are questions which, as involving to a most important extent the general interests of the public of this Colony, should all be discussed and determined on, solely by the Local Legislature, the results of such local legislation, however, being subject to the approval of the Imperial Government.
 - (3.) That the administration of these lands is further and pre-eminently the right of the Colony, from the circumstance that they are presently occupied by large numbers of Colonists, possessing extensive personal property spread over these lands; and that these important interests, holding under annual or other lease from the Crown, are subjected to the control of an Executive Government not in this particular responsible to the Local Legislature.
 - (4.) That in regard to Finances, the present provisions of the Schedules are, by the altered circumstances of the Colony, rendered wholly inadequate and unsuitable to the purposes for which they were instituted; that as it is necessary in some instances greatly to enlarge their provisions, a step which this House is ready and willing to take, these schedules are now merely a subject of useless irritation, and in a large community essentially British in origin and sentiment, they are an unnecessary precaution, and that this House has no hesitation in pledging the Colony, to an adequate provision for the administration of the Government in the Civil List departments, such provision to be supplied, not by an annual vote, but for the whole period of the duration of each assembly, and for one year thereafter.
 - (5.) That it is the opinion of this Council that all departments in the Colony should be subject to the Local Legislature and Government, and all patronage be vested in the local Government.
 - (6.) That this Colony is prepared, on acquiring these, its just rights and privileges, to defray every expense, whether civil or military, attending its government, and neither to claim nor to require on behalf of the Colony any expenditure on the part of the Parent State.
2. MR. SPLATT: To move, That a Select Committee be appointed to enquire into, and report upon, the present system of Immigration, with power to take evidence thereon, with the view of considering and recommending some system adapted to the altered character and wants of the Colony, and that such Committee do consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, Mr. Campbell, Mr. Fawkner, and the Mover.
3. MR. FAWKNER: To move, that an address be presented by this Council, requesting His Excellency the Lieutenant Governor, to represent to the Queen in Council, the urgent necessity for extending the Area of the settled districts in Victoria; and that His Excellency will be pleased to strenuously urge upon the Home authorities, the vast importance of this extension, and the necessity for its instant adoption; and that such a large addition has been, and is daily being made to the population of this Province in consequence of the Gold found here, that not less than the whole of the intermediate district together with all that extent of country in which Gold can be profitably worked, ought to be included, in and under, the Title of 'Settled Districts.'

TUESDAY, 27TH JULY.

NOTICE OF MOTION:—

1. MR. MURPHY: To move, That the Report of the Select Committee of Enquiry into the state of the laws for the prevention of the Catarrh and Scab in Sheep, be considered and adopted.

THURSDAY, 29TH JULY.

Government Business:—

ORDER OF THE DAY:—

1. COURT OF REQUESTS BILL—Second Reading.

55

FRIDAY, 30TH. JULY.

ORDER OF THE DAY:—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.
-

FRIDAY, 6TH. AUGUST

ORDERS OF THE DAY:—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
 2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.
-

THURSDAY, 12TH. AUGUST.

Government Business:—

ORDERS OF THE DAY:—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 13.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 21st. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ABSENCE.—The Speaker reported to the Council that he had received a communication from Mr. T. H. Osborne, stating that he had requested a report to be made to the Council of his inability to attend to his duties in the Council through illness,—regretting that such report had not been made, and requesting that leave of absence be granted to him until his health shall be sufficiently recovered to enable him to attend the Council.
Leave granted.
3. PAPERS.—The Colonial Secretary by command of His Excellency the Lieutenant Governor laid upon the table the following Papers :—
 - (1) IMMIGRATION.—Return to the Address on this subject, adopted on the Motion of Mr. O'Shanassy on 25th November, 1851.
Ordered to be printed.
 - (2) PILOTS, PILOTAGE, AND BUOYS.—Return of Pilots, Pilotage, and Buoys.
Ordered to be printed.
4. INDEMNITY BILL.—The Attorney General moved, That this Bill be now read a second time.
Question—put and passed.
On the motion of The Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of the Bill.
The Chairman having reported the Bill with amendments, the Council adopted the Bill as so reported, and ordered it to be fair printed and read a third time to-morrow.
5. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—Mr. Miller moved pursuant to notice, that he have leave to bring in a Bill intituled “*A Bill to amend an Act, intituled, ‘An Act to incorporate the Proprietors of a certain Banking Company, called the ‘Bank of New South Wales,’ and for other purposes therein mentioned.’*”
Question—put and passed.
Ordered that the mover and seconder do bring in the Bill.
Mr. Miller having produced a Certificate that the Sum of £25 had been paid into the hands of the Colonial Treasurer, for the public uses of the Colony, presented the Bill intituled, “*A Bill to amend an Act intituled, ‘An Act to Incorporate the Proprietors of a certain Banking Company called the Bank of New South Wales,’ and for other purposes therein mentioned;*” and moved pursuant to Notice, that such Bill be now read a first time.
Question—put and passed.
Bill read a first time.
Mr. Miller then moved pursuant to *contingent* Notice, That this Bill be referred to a Select Committee, to consist of Mr. Westgarth, Mr. Splatt, Dr. Thomson, “*Mr. Pohlman,*” and the Mover.
Mr. Murphy then moved as an amendment, That after the name of “*Mr. Pohlman,*” there be inserted the words “*Mr. Strachan.*”
Question—that the words proposed to be inserted be so inserted,—put and passed.
Question—that this Bill be referred to a Select Committee, to consist of Mr. Westgarth, Mr. Splatt, Dr. Thomson, Mr. Pohlman, Mr. Strachan, and the Mover,—put and passed.
6. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Smith postponed the motion standing in his name No. 3 on the Notice Paper of to-day, until to-morrow.
Council adjourned at a quarter past four o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 22ND JULY.

Government Business :—

ORDER OF THE DAY :—

1. INDEMNITY BILL—Third Reading.

General Business :—

NOTICES OF MOTION :—

1. MR. POHLMAN: To move, That this Council do resolve itself into a Committee of the whole for the purpose of considering the propriety of adopting so much of the Report from the Library Committee as proposes an Address to His Excellency the Lieutenant Governor that he will be pleased to place on the Estimates for the year 1853, a sum of £1,000 towards purchasing books for the Council Library; the sum of £150 for Bookbinding, for the Library; and the further sum of £50 towards Library Fittings.
(2.) To move, That this Council do consider and adopt the Report from the Library Committee.
2. MR. MURPHY: To move, That it is the opinion of this House, that armed and disciplined bodies of men in the service of private persons are unconstitutional and dangerous to the public peace, and that no armed force ought to be tolerated in this Colony, except under the control and sanction of the Government.
3. MR. SMITH: To move, That this House do resolve itself into a Committee of the whole House, to consider that an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to make provisions on the Estimates of Expenditure for the ensuing year, for enabling the Corporation of the City of Melbourne to take measures for the improvement of the sanitary condition of the City, by the establishment of a thorough system of sewerage.

FRIDAY, 23RD JULY.

NOTICES OF MOTION :—

1. MR. WESTGARTH: To move, as Resolutions of the Council,—
 - (1.) That this Council, while recognising the supremacy of the Parent State with regard to this Colony as a portion of the British Empire, nevertheless claims for the Colony, the right and benefit of legislating for itself in all local questions, being subject to the supervision of the Home Government, only in cases which affect Imperial as well as Colonial interests.
 - (2.) That the immense income now being annually derived from the Colonists by the sale of these territories should be administered by the Local Legislature.
 - (3.) That all Regulations affecting the Waste Lands of the Colony should emanate from the Local Legislature, subject, however, to approval on the part of the Imperial Government; and that this administration is further and pre-eminently the right of the Colony, from the circumstance that the Lands in question are not a mere waste territory, but are presently occupied by large numbers of Colonists, possessing extensive personal property spread over these lands; and that these important interests, maintained under annual or other lease from the Crown, are subjected to the control of an Executive Government not responsible to the Local Legislature.
 - (4.) That in regard to Finances, the present provisions of the Schedule appended to the Constitutional Act are, by the altered circumstances of the Colony, rendered wholly inadequate and unsuitable to the purposes for which it was instituted; that as it is necessary in some instances greatly to enlarge its provisions, a step which this House is ready and willing to take, this schedule is now merely a subject of useless irritation, and in a large community essentially British in origin and sentiment, it is an unnecessary precaution: And that this House has no hesitation in pledging the Colony to an adequate provision for the administration of the Government in the Civil List departments, such provision to be supplied, not by an annual vote, but for the whole period of the duration of each Council, and for one year thereafter.
 - (5.) That it is the opinion of this Council that all departments in the Colony should be subject to the Local Legislature and Government, and all patronage be vested in the local Government.
 - (6.) That this Colony is prepared, on acquiring these, its just rights and privileges, to defray every expense, whether civil or military, attending its government, and neither to claim nor to require on behalf of the Colony any expenditure on the part of the Parent State.
2. MR. SPLATT: To move, That a Select Committee be appointed to enquire into, and report upon, the present system of Immigration, with power to take evidence thereon, with the view of considering and recommending some system adapted to the altered character and wants of the Colony, and that such Committee do consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, Mr. Campbell, Mr. Fawcner, and the Mover.

3. MR. FAWKNER: To move, that an address be presented by this Council, requesting His Excellency the Lieutenant Governor, to represent to the Queen in Council, the urgent necessity for extending the Area of the settled districts in Victoria; and that His Excellency will be pleased to strenuously urge upon the Home authorities, the vast importance of this extension, and the necessity for its instant adoption; and that such a large addition has been, and is daily being made to the population of this Province in consequence of the Gold found here, that not less than the whole of the intermediate district together with all that extent of country in which Gold can be profitably worked, ought to be included, in and under, the Title of 'Settled Districts.'

TUESDAY, 27TH JULY.

NOTICES OF MOTION:—

1. MR. MURPHY: To move, That the Report of the Select Committee of Enquiry into the state of the laws for the prevention of the Catarrh and Scab in Sheep, be considered and adopted.
2. MR. O'SHANASSY: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency would cause the main line of communication between Melbourne and Mount Alexander, now nearly impassable, to be put into a state of repair.

WEDNESDAY, 28TH JULY.

NOTICE OF MOTION:—

1. MR. O'SHANASSY: To move, That this Council do resolve itself into a Committee of the whole, for the purpose of considering the propriety of adopting an Address to His Excellency the Lieutenant Governor, praying that His Excellency would offer by proclamation, the sum of £1,000 as a premium to any person or persons who shall make known (within such period, and under such regulations as to His Excellency shall seem advisable), the existence of an available Coal Field within the Colony of Victoria.

THURSDAY, 29TH JULY.

Government Business:—

ORDER OF THE DAY:—

1. COURT OF REQUESTS BILL—Second Reading.

FRIDAY, 30TH JULY.

ORDER OF THE DAY:—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.

FRIDAY, 6TH AUGUST.

ORDERS OF THE DAY:—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.

THURSDAY, 12TH AUGUST.

Government Business:—

ORDERS OF THE DAY:—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.

J. F. PALMER,
Speaker.

VOTES AND PROCEEDINGS.

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 22nd. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. NEW MEMBER.—The Speaker announced that there had been handed to him Letters Patent, under the Hand of His Excellency the Lieutenant Governor and the Seal of the Colony of Victoria, bearing date at Melbourne, the twenty-first day of July, 1852, appointing JAMES CROKE, Esquire, a Non-Elective Member of this Council, in the place of Edward Eyre Williams, Esq., resigned, and until Her Majesty's pleasure should be known.

JAMES CROKE, Esq., was then introduced; and having taken the Oath, took his seat in the Council as a Member thereof.

3. CITY OF MELBOURNE GAS AND COKE COMPANY BILL.—Mr. Miller presented a Petition from certain of the Directors of the City of Melbourne Gas and Coke Company, praying that leave be given to bring in a Bill for lighting with Gas the City of Melbourne; to which Petition was annexed a printed copy of the proposed Bill.

Petition received.

Mr. Miller then produced the *Victoria Government Gazette* of 16th. June 1852, of 23rd. June, 1852, of 30th June, 1852, and of 7th July, 1852, and the *Melbourne Morning Herald and General Daily Advertiser* of 22nd June, 1852, of 29th June, 1852, of 7th July, 1852, and of 13th July, 1852, respectively containing the Notice of the intended application for such Bill.

4. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL.—Mr. Westgarth, presented a Petition from certain inhabitants of the City of Melbourne and the Colony of Victoria, praying that leave be given to bring in a Bill to invest the Petitioners, and other persons, styling themselves the Melbourne, Mount Alexander, and Murray River, Railway Company, with power to make and construct a Railway from the City of Melbourne, to a certain point, at or near, Mount Alexander, with an extension of the said line of Railway to the River Murray, in such manner, by such ways and means, and under such regulations and instructions as to this Council should seem meet; to which Petition was annexed a printed copy of the said Bill.

Petition received.

Mr. Westgarth then produced the *Victoria Government Gazette* of 23rd June, 1852; of 30th June, 1852; of 7th July, 1852; and of 14th July, 1852; and the *Argus* newspaper of 24th June, 1852; of 1st July, 1852; of 5th July, 1852; and of 12th July, 1852, respectively containing the notice of the intended application for such Bill.

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

No. 15. Resolutions of the Council on the Subject of Transportation.—adopted on the 13th July, 1852, on the motion of Mr. Westgarth,

and that His Excellency had, in reply to such Address, been pleased to state, that these resolutions should be forwarded in due course, by the first opportunity, after being placed in his hands in due form of presentation.

No. 16. Depositions respecting the murder of Eliza Willoughby,—adopted on the 14th of July, 1852, on the motion of Dr. Thomson,

and that His Excellency had, in reply to such address, been pleased to state that the wishes of the Council should be complied with.

No. 17. Allan's Ford Bridge over the River Hopkins,—adopted on the 16th of July, 1852, on the motion of Mr. Rutledge,

and that His Excellency had in reply to such Address, been pleased to state, that he would instruct the Colonial Secretary to furnish the correspondence required.

No. 18. Sale of Land,—adopted on the 20th July, 1852, on the Motion of Mr Johnston,

and that His Excellency had in reply to such Address, been pleased to state, that the wishes of the Council should receive the consideration they call for.

No. 19. Remittances for Immigration purposes,—adopted on the 20th of July, 1852, on the Motion of Mr. Splatt,

to which His Excellency had been pleased to defer his reply.

6. THE GEELONG AND MELBOURNE RAILWAY BILL.—Dr. Thomson presented a Petition from certain inhabitants of the Town of Geelong, in the Colony of Victoria, praying that leave may be given to bring in a Bill to invest the Petitioners, and other persons, styling themselves the Geelong and Melbourne Railway Company, with powers for making and constructing a Railway connecting the Town of Geelong with the City of Melbourne, and for other purposes therein mentioned, in such manner, by such ways and means, and under such regulations and instructions as this Council shall seem meet; to which Petition was annexed a printed copy of the proposed Bill.

Petition received.

Dr. Thomson then produced the *Victoria Government Gazette* of the 30th June, 1852, of 7th July, 1852, of 14th July, 1852, and of 21st July, 1852, and the *Melbourne Morning Herald and General Daily Advertiser* Newspaper of 3rd July, 1852, of 7th July, 1852, of 13th July, 1852, and of 19th July, 1852, and the *Geelong Advertiser and Intelligencer* of 30th June, 1852, of 6th July, 1852, of 12th July, 1852, and of 19th July, 1852, respectively containing the Notice of the intended application for such Bill.

7. INDEMNITY BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,—Bill, on motion of the Attorney General, read a third time and *passed*.

The Attorney General moved that the following be the title of the Bill: "*An Act to confirm the adoption and use of a Seal as the Seal of the Colony of Victoria, and to indemnify all persons acting by authority of the same.*"

Question—put and passed.

8. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor received and read.

PORTS HARBOUR AND SHIPPING LAWS CONSOLIDATION BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 11.

In pursuance of the provisions of the Statute 5th and 6th Vic., cap. 76, the Lieutenant Governor transmits to the Legislative Council for its consideration, the Draft of "*A Bill to consolidate and amend the Law relating to Ports Harbours and Shipping in the Colony of Victoria.*"

*Government Offices,
Melbourne, 22nd July, 1852.*

Ordered to be printed.

Bill on the Motion of the Attorney General read a first time.

The Attorney General then moved, that it be read a second time on Thursday 12th of August, and be printed.

Mr. Fawkner moved as an Amendment, that 19 be substituted for 12.

Amendment by leave withdrawn.

Bill to be read a second time 12th August, and to be printed.

9. ADDRESS FOR MONEY FOR LIBRARY PURPOSES.—Mr. Pohlman moved, pursuant to Notice, That this Council do resolve itself into a Committee of the whole for the purpose of considering the propriety of adopting so much of the Report from the Library Committee as proposes an Address to His Excellency the Lieutenant Governor that he will be pleased to place on the Estimates for the year 1853, a sum of £1,000 towards purchasing books for the Council Library; the sum of £150 for Bookbinding, for the Library; and the further sum of £50 towards Library Fittings.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of such motion; and the Chairman having reported that the Committee had agreed to an Address to His Excellency the Lieutenant Governor to place on the Estimates for the year 1853, a sum of £1,000 towards purchasing Books for the Council Library, the sum of £150 for Bookbinding for the Library, and the further sum of £50 towards the Library fittings, the Council adopted such Report.

10. LIBRARY COMMITTEE REPORT.—Mr. Pohlman moved, pursuant to notice: That the Council do adopt the Report from the Library Committee.

Question—put and passed.

11. PRIVATE ARMED FORCES.—Mr. Murphy moved, pursuant to notice: That it is the opinion of this House, that armed and disciplined bodies of men in the service of private persons are unconstitutional and dangerous to the public peace, and that no armed force ought to be tolerated in this Colony, except under the control and sanction of the Government.

Debate ensued.

Council divided.

Ayes, 5.

MR. CAMPBELL,
MR. RIDDELL,
LIEUT. COL. ANDERSON,
MR. RUTLEDGE,
MR. MURPHY, (*Teller.*)

Noes, 21.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
MR. SMITH,
MR. MILLER,
MR. WESTGARTH,
THE CHAIRMAN OF QUARTER
SESSIONS,
DR. THOMSON,
MR. O'SHANASSY,
MR. JOHNSTON,
MR. FAWKNER,
MR. A'BECKETT,
MR. RUSSELL,
THE AUDITOR GENERAL,
THE SOLICITOR GENERAL,
MR. WILKINSON,
MR. DIGHT,
MR. GOLDSMITH,
MR. STRACHAN,
MR. MERCER,
MR. SNODGRASS,
MR. SPLATT, (*Teller.*)

12. SEWERAGE OF MELBOURNE.—A question of order having been raised on Mr. Murphy seconding Mr. Smith's Motion, *That this House do resolve itself into a Committee of the whole House, to consider that an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to make provisions on the Estimates of Expenditure for the ensuing year, for enabling the Corporation of the City of Melbourne to take measures for the improvement of the sanitary condition of the City by the establishment of a thorough system of sewerage, as to the propriety of discussing in the Council with the Speaker in the Chair, the principle involved in a Motion for any Address for placing a sum of money in the Estimates.*

Debate ensued—

The Auditor General moved that the debate on this subject be adjourned until three o'clock to-morrow.

Question—put and passed.

Council adjourned at Twenty minutes past six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 23RD JULY.

MEMO.—*Understood*, That the resumption of the debate on the point of Order, arising out of Mr. Smith's Motion on the subject of Sewerage for the City of Melbourne, take precedence of all other business.

NOTICES OF MOTION :—

1. MR. WESTGARTH: To move, as Resolutions of the Council,—
 - (1.) That this Council, while recognising the supremacy of the Parent State with regard to this Colony as a portion of the British Empire, nevertheless claims for the Colony, the right and benefit of legislating for itself in all local questions, being subject to the supervision of the Home Government, only in cases which affect Imperial as well as Colonial interests.
 - (2.) That the immense income now being annually derived from the Colonists by the sale of these territories should be administered by the Local Legislature.

- (3.) That all Regulations affecting the Waste Lands of the Colony should emanate from the Local Legislature, subject, however, to approval on the part of the Imperial Government; and that this administration is further and pre-eminently the right of the Colony, from the circumstance that the Lands in question are not a mere waste territory, but are presently occupied by large numbers of Colonists, possessing extensive personal property spread over these lands; and that these important interests, maintained under annual or other lease from the Crown, are subjected to the control of an Executive Government not responsible to the Local Legislature.
 - (4.) That in regard to Finances, the present provisions of the Schedule appended to the Constitutional Act are, by the altered circumstances of the Colony, rendered wholly inadequate and unsuitable to the purposes for which it was instituted; that as it is necessary in some instances greatly to enlarge its provisions, a step which this House is ready and willing to take, this schedule is now merely a subject of useless irritation, and in a large community essentially British in origin and sentiment, it is an unnecessary precaution: And that this House has no hesitation in pledging the Colony to an adequate provision for the administration of the Government in the Civil List departments, such provision to be supplied, not by an annual vote, but for the whole period of the duration of each Council, and for one year thereafter.
 - (5.) That it is the opinion of this Council that all departments in the Colony should be subject to the Local Legislature and Government, and all patronage be vested in the local Government.
 - (6.) That this Council is prepared, on acquiring these, its just rights and privileges, to defray every expense, whether civil or military, attending its government, and neither to claim nor to require on behalf of the Colony any expenditure on the part of the Parent State.
2. MR. SPLATT: To move, That a Select Committee be appointed to enquire into, and report upon, the present system of Immigration, with power to take evidence thereon, with the view of considering and recommending some system adapted to the altered character and wants of the Colony, and that such Committee do consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, Mr. Campbell, Mr. Fawkner, and the Mover.
 3. MR. FAWKNER: To move, that an address be presented by this Council, requesting His Excellency the Lieutenant Governor, to represent to the Queen in Council, the urgent necessity for extending the Area of the settled districts in Victoria; and that His Excellency will be pleased to strenuously urge upon the Home authorities, the vast importance of this extension, and the necessity for its instant adoption; and that such a large addition has been, and is daily being made to the population of this Province in consequence of the Gold found here, that not less than the whole of the intermediate district together with all that extent of country in which Gold can be profitably worked, ought to be included, in and under, the Title of 'Settled Districts.'

TUESDAY, 27TH JULY.

NOTICES OF MOTION:—

1. MR. MURPHY: To move, That the Report of the Select Committee of Enquiry into the state of the laws for the prevention of the Catarrh and Scab in Sheep, be considered and adopted.
2. MR. O'SHANASSY: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency would cause the main line of communication between Melbourne and Mount Alexander, now nearly impassable, to be put into a state of repair.
3. MR. JOHNSTON: To move, That an Address be presented to the Lieutenant Governor, praying that His Excellency will cause to be laid on the Table of this Council:—
 - (1.) Copies of any Correspondence which may have passed between the Home and Local Governments on the subject of the issue of leases to the Squatters in the Intermediate and Unsettled Districts.
 - (2.) Copies of all Correspondence between the Executive Government and claimants and objectors to the issue of leases to the Squatters in the Intermediate and Unsettled Districts.
 - (3.) A Return of all lands, if any, actually sold under claim of the pre-emptive right of purchase conferred on the Squatters, during the currency of their leases under the Order of the Queen in Council, shewing the extent of each purchase, the name of the purchasers, and the prices obtained.
4. MR. WESTGARTH: To move for leave to bring in "*A Bill to incorporate a Company to be called the Melbourne, Mount Alexander, and Murray River Railway Company.*"

Contingent.—On leave being given to bring in a Bill to incorporate the Melbourne, Mount Alexander, and Murray River Railway Company:—
5. MR. WESTGARTH: To move, That when the Bill shall have been read a first time it be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, the Auditor General, and the Mover.

- 6 DR. THOMSON: To move for leave to bring in "*A Bill to incorporate a Company, to be called The Geelong and Melbourne Railway Company*"—
Contingent—on leave being given to bring in a Bill to incorporate the Geelong and Melbourne Railway Company.
- 7 DR. THOMSON: To move, That when the Bill shall have been read a first time it be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Mr. Rutledge, The Auditor General, Mr. Westgarth, and the Mover.

WEDNESDAY, 28TH JULY.

NOTICE OF MOTION:—

1. MR. O'SHANASSY: To move, That this Council do resolve itself into a Committee of the whole, for the purpose of considering the propriety of adopting an Address to His Excellency the Lieutenant Governor, praying that His Excellency would offer by proclamation, the sum of £1,000 as a premium to any person or persons who shall make known (within such period, and under such regulations as to His Excellency shall seem advisable), the existence of an available Coal Field within the Colony of Victoria.

THURSDAY, 29TH JULY.

Government Business:—

ORDER OF THE DAY:—

1. COURT OF REQUESTS BILL—Second Reading.

FRIDAY, 30TH JULY.

ORDER OF THE DAY:—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.

TUESDAY, 3RD AUGUST.

NOTICES OF MOTION:—

1. MR. MILLER: To move, for leave to bring in a Bill, intituled, "*A Bill for Lighting with Gas, the City of Melbourne, in the Colony of Victoria, and to enable certain persons associated under the name, style, or title of 'The City of Melbourne Gas and Coke Company', to sue and be sued, in the name of the Secretary for the time being of the said Company, and for other purposes therein mentioned.*"
Contingent—
2. MR. MILLER: To move, that in the event of leave being given to bring in "*The City of Melbourne Gas Bill,*" the same be referred to a Special Committee, to consist of the Colonial Secretary, Mr. Johnston, Mr. O'Shanassy, Mr. Wilkinson, Dr. Thomson, and the Mover.

FRIDAY, 6TH AUGUST.

ORDERS OF THE DAY:—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
 2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.

THURSDAY, 12TH AUGUST.

Government Business:—

ORDERS OF THE DAY:—

1. TARIFF BILL—Second Reading.
 2. CUSTOMS' REGULATIONS BILL—Second Reading.
 3. PORTS, HARBOURS, AND SHIPPING LAWS CONSOLIDATION BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 15.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 23rd. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Council Table the following papers, viz :—

(1.) IMMIGRATION.—The conclusion of the Return to the Address on this subject, —adopted on the motion of Mr. O'Shanassy, on 25th November, 1851.

Ordered to be printed.

(2.) DEPOSITIONS RESPECTING THE MURDER OF ELIZA WILLOUGHBY.—The Return to the Address on this subject,—adopted on the motion of Dr. Thomson, on the 14th July, 1852.

(3.) IMMIGRATION.—A Report from the Immigration Agent upon Immigration for the latter half of the year 1851, accompanied by detailed Statistical Returns.

Ordered to be printed.

3. DEPOSITIONS RESPECTING THE MURDER OF ELIZA WILLOUGHBY.—Dr Thomson moved, That these Depositions be printed.

Question—put and negatived.

4. QUESTION OF ORDER.—The adjourned debate on the Question of Order resumed,—and the Speaker having ruled that it was customary to consider the principle, no less than the provisions, of any measure of Supply in a Committee of the whole Council, the Council acquiesced in this ruling.

Question.—That this House do resolve itself into a Committee of the whole House to consider that an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to make provision on the Estimates of Expenditure for the ensuing year, for enabling the Corporation of the City of Melbourne to take measures for the improvement of the sanatory condition of the City, by the establishment of a thorough system of Sewerage ;—put and passed,

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

The Chairman having reported that the Committee had resolved that it was expedient that the system of Sewerage, and also that a due supply of Water to the City of Melbourne, should be referred to a Select Committee to report on the most eligible mode of carrying these objects into effect, and the costs of such undertakings, and under what management the same should be executed, the Council ordered the Report to be taken into consideration on Tuesday next.

5. IMMIGRATION—Mr. Splatt moved, pursuant to *amended* Notice, That a Select Committee be appointed to enquire into, and report upon, the present system of Immigration, with power to take evidence thereon, with the view of considering and recommending some system adapted to the altered character and wants of the Colony, and that such Committee do consist of the Colonial Secretary, Mr. Westgarth, Mr. Miller, Mr. O'Shanassy, Dr. Thomson, and the Mover.

Question—put and passed.

6. ADJOURNMENT.—Mr. Miller then moved, that this Council do now adjourn.

Question.—put and passed.

Council adjourned accordingly at six o'clock, until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 27TH JULY.

NOTICES OF MOTION :—

1. MR. MURPHY : To move, That the Report of the Select Committee of Enquiry into the state of the laws for the prevention of the Catarrh and Scab in Sheep, be considered and adopted.
2. MR. O'SHANASSY : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency would cause the main line of communication between Melbourne and Mount Alexander, now nearly impassable, to be put into a state of repair.
3. MR. JOHNSTON : To move, That an Address be presented to the Lieutenant Governor, praying that His Excellency will cause to be laid on the Table of this Council :—
 - (1.) Copies of any Correspondence which may have passed between the Home and Local Governments on the subject of the issue of leases to the Squatters in the Intermediate and Unsettled Districts.
 - (2.) Copies of all Correspondence between the Executive Government and claimants and objectors to the issue of leases to the Squatters in the Intermediate and Unsettled Districts.
 - (3.) A Return of all lands, if any, actually sold under claim of the pre-emptive right of purchase conferred on the Squatters, during the currency of their leases under the Order of the Queen in Council, shewing the extent of each purchase, the name of the purchasers, and the prices obtained.
4. MR. WESTGARTH : To move for leave to bring in "*A Bill to incorporate a Company to be called the Melbourne, Mount Alexander, and Murray River Railway Company.*"
Contingent.—On leave being given to bring in a Bill to incorporate the Melbourne, Mount Alexander, and Murray River Railway Company :—
5. MR. WESTGARTH : To move, That when the Bill shall have been read a first time it be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, the Auditor General, and the Mover.
6. DR. THOMSON : To move for leave to bring in "*A Bill to incorporate a Company, to be called The Geelong and Melbourne Railway Company.*"—
Contingent—on leave being given to bring in a Bill to incorporate the Geelong and Melbourne Railway Company.
7. DR. THOMSON : To move, That when the Bill shall have been read a first time it be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Mr. Rutledge, The Auditor General, Mr. Westgarth, and the Mover.

ORDER OF THE DAY :—

1. SEWERAGE OF MELBOURNE—Consideration of Report of Committee of the whole Council.

WEDNESDAY, 28TH JULY.

NOTICE OF MOTION :—

1. MR. O'SHANASSY : To move, That this Council do resolve itself into a Committee of the whole, for the purpose of considering the propriety of adopting an Address to His Excellency the Lieutenant Governor, praying that His Excellency would offer by proclamation, the sum of £1,000 as a premium to any person or persons who shall make known (within such period, and under such regulations as to His Excellency shall seem advisable), the existence of an available Coal Field within the Colony of Victoria.

THURSDAY, 29TH JULY.

Government Business :—

ORDER OF THE DAY :—

1. COURT OF REQUESTS BILL—Second Reading.

General Business :—

NOTICES OF MOTION :—

1. MR. SNODGRASS : To move, That an Address be presented to His Excellency the Lieutenant Governor from this Council, praying that His Excellency will be pleased to direct that a Survey of the Sydney Mail line of Road be commenced, with a view to the improvement of the said Road, and to ensure a certain overland communication in all seasons with the Colony of New South Wales.
2. MR. POHLMAN : To move for leave to bring in a Bill for the Taxation of the Fees and Charges of Attorneys employed in the defence of prisoners or defendants tried, or committed for trial, before the Supreme Court.

69

FRIDAY, 30TH. JULY.

ORDER OF THE DAY:—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.
-

TUESDAY, 3RD AUGUST.

NOTICES OF MOTION:—

1. MR. MILLER: To move, for leave to bring in a Bill, intituled, "*A Bill for Lighting with Gas, the City of Melbourne, in the Colony of Victoria, and to enable certain persons associated under the name, style, or title of 'The City of Melbourne Gas and Coke Company', to sue and be sued, in the name of the Secretary for the time being of the said Company, and for other purposes therein mentioned.*"

Contingent—On leave being given to bring in a Bill for Lighting with Gas the City of Melbourne.

2. MR. MILLER: To move, that when the Bill shall have been read a first time, it be referred to a Select Committee, to consist of the Colonial Secretary, Mr. Johnston, Mr. O'Shanassy, Mr. Wilkinson, Dr. Thomson, and the Mover.
-

FRIDAY, 6TH. AUGUST.

ORDERS OF THE DAY:—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
 2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.
-

THURSDAY, 12TH. AUGUST.

Government Business:—

ORDERS OF THE DAY:—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAWS CONSOLIDATION BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 16.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 27th JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ASSENT TO BILL—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the "*Indemnity Bill*."
3. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Murphy postponed the motion standing in his name, No. 1, on the Notice Paper of to-day, until Friday next.
4. REPAIRS OF ROAD BETWEEN MELBOURNE AND MOUNT ALEXANDER.—Mr. O'Shanassy moved pursuant to notice; That an Address be presented to His Excellency the Lieutenant Governor, praying that his Excellency would cause the main line of communication between Melbourne and Mount Alexander, now nearly impassable, to be put into a state of "*repair*."

Mr. Rutledge moved as an amendment, that the following words be added after the word "*repair*," "in conjunction with all the other main lines of the Roads of the Colony, so far as may be practicable."

Debate ensued.

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

Question—that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency would cause the main line of communication between Melbourne and Mount Alexander, now nearly impassable, be put into a state of repair—put.
Council divided.

Ayes, 20

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
MR. WESTGARTH,
LIEUT. COL. ANDERSON,
MR. RUSSELL,
MR. FAWKNER,
MR. O'SHANASSY,
DR. THOMSON,
MR. MILLER,
MR. STRACHAN,
MR. GOLDSMITH,
MR. JOHNSTON,
MR. MERCER,
MR. RIDDELL.
MR. A'BECKETT,
THE CHAIRMAN OF QUARTER
SESSIONS,
MR. MURPHY,
MR. CAMPBELL,
MR. SPLATT, (*Teller*.)

Noes. 3.

MR. SMITH,
MR. WILKINSON,
MR. RUTLEDGE, (*Teller*.)

5. SQUATTERS' LEASES.—Mr. Johnston moved, pursuant to notice: That an Address be presented to the Lieutenant Governor, praying that His Excellency will cause to be laid on the Table of this Council:—
 - (1.) Copies of any Correspondence which may have passed between the Home and Local Governments on the subject of the issue of leases to the Squatters in the Intermediate and Unsettled Districts.
 - (2.) Copies of all Correspondence between the Executive Government and claimants and objectors to the issue of leases to the Squatters in the Intermediate and Unsettled Districts.

- (3.) A Return of all lands, if any, actually sold under claim of the pre-emptive right of purchase conferred on the Squatters, during the currency of their leases under the Order of the Queen in Council, shewing the extent of each purchase, the name of the purchasers, and the prices obtained.

Debate ensued.

Question—put and passed.

6. MELBOURNE, MOUNT ALEXANDER AND MURRAY RIVER RAILWAY BILL.—Mr. Westgarth moved pursuant to Notice that he have leave to bring in a Bill intituled, “*A Bill to incorporate a Company to be called, ‘The Melbourne, Mount Alexander and Murray Railway Company.’*”

Question—put and passed.

Ordered that the Mover and Seconder do bring in the Bill.

7. POSTPONEMENT OF CONTINGENT NOTICE OF MOTION.—Mr. Westgarth postponed the Motion standing in his name, No. 5 on the Notice Paper of to-day, until Tuesday next.
8. THE GEELONG AND MELBOURNE RAILWAY BILL.—Dr. Thompson moved, pursuant to notice, that he have leave to bring in a Bill intituled, “*A Bill to incorporate a Company to be called, ‘The Geelong and Melbourne Railway Company.’*”

Question—put and passed.

Ordered that the Mover and Seconder do bring in the Bill.

9. POSTPONEMENT OF CONTINGENT NOTICE OF MOTION.—Dr. Thompson postponed the Motion standing in his name, No. 7 on the Notice Paper of to-day, until Tuesday next.
10. SEWERAGE OF AND SUPPLY OF WATER FOR MELBOURNE.—The Attorney General moved that the consideration of a system of Sewerage, and of a Supply of Water to the City of Melbourne, be referred to a Select Committee, consisting of The Speaker, Mr. Russell, Mr. Pohlman, Mr. Johnston and Mr. Westgarth, with power to take evidence and call for documents.

Question—put and passed.

11. PAPERS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Council table the following papers, viz. :—

- (1.) DUTIES—CUSTOMS.—The remainder of the Return requested by the Address of this Council, adopted on the motion of Mr. Strachan, 25th June last.

Ordered to be printed, together with the first part of the Return laid upon the Council Table, 8th July, Instant.

- (2.) IMPORTS.—Return to Address adopted on the Motion of Mr. Strachan, on 7th instant.

Ordered to be printed.

- (3.) WATER POLICE, LIGHT HOUSE, AND PILOT DUES.—Return to Address adopted on the Motion of Mr. Strachan, on 7th instant.

Ordered to be printed.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 28TH JULY.

NOTICES OF MOTION :—

1. MR. O'SHANASSY: To move, That this Council do resolve itself into a Committee of the whole, for the purpose of considering the propriety of adopting an Address to His Excellency the Lieutenant Governor, praying that His Excellency would offer by proclamation, the sum of £1,000 as a premium to any person or persons who shall make known (within such period, and under such regulations as to His Excellency shall seem advisable), the existence of an available Coal Field within the Colony of Victoria.
2. MR. FAWKNER: To move, That an Address be presented by this Council, requesting His Excellency the Lieutenant Governor, to represent to the Queen in Council, the urgent necessity for extending the area of the Settled Districts in Victoria; and that His Excellency will be pleased to strenuously urge upon the Home authorities, the vast importance of this extension, and the necessity for its instant adoption; and that such a large addition has been, and is daily being made to the population of this Province in consequence of the Gold found here, that not less than the whole of the Intermediate District together with all that extent of country in which Gold can be profitably worked, ought to be included in and under the Title of ‘Settled Districts.’
3. MR. WESTGARTH: To move, That His Excellency would cause to be laid on the table of this Council copies of all correspondence that may have taken place on the subject of the arrangements with the Local Banks for remittance of monies since 1st July last year, and of agreements entered into in consequence thereof.

73

THURSDAY, 29TH JULY.

Government Business :—

ORDER OF THE DAY :—

1. COURT OF REQUESTS BILL—Second Reading.

General Business :—

NOTICES OF MOTION :—

1. MR. SNODGRASS: To move, That an Address be presented to His Excellency the Lieutenant Governor from this Council, praying that His Excellency will be pleased to direct that a Survey of the Sydney Mail line of Road be commenced, with a view to the improvement of the said Road, and to ensure a certain overland communication in all seasons with the Colony of New South Wales.
2. MR. POHLMAN: To move for leave to bring in a Bill for the Taxation of the Fees and Charges of Attorneys employed in the defence of prisoners or defendants tried, or committed for trial, before the Supreme Court.

FRIDAY, 30TH JULY.

NOTICE OF MOTION :—

1. MR. MURPHY: To move, That the Report of the Select Committee of Enquiry into the state of the laws for the prevention of the Catarrh and Scab in Sheep, be considered and adopted.

ORDER OF THE DAY :—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.

TUESDAY, 3RD AUGUST.

NOTICES OF MOTION :—

1. MR. MILLER: To move for leave to bring in a Bill, intituled, "*A Bill for Lighting with Gas, the City of Melbourne, in the Colony of Victoria, and to enable certain persons associated under the name, style, or title of 'The City of Melbourne Gas and Coke Company,' to sue and be sued, in the name of the Secretary for the time being of the said Company, and for other purposes therein mentioned.*"
Contingent—On leave being given to bring in a Bill for lighting with Gas the City of Melbourne.
2. MR. MILLER: To move, That when the Bill shall have been read a first time, it be referred to a Select Committee, to consist of the Colonial Secretary, Mr. Johnston, Mr. O'Shanassy, Mr. Wilkinson, Dr. Thomson, and the Mover.
3. *Contingent*.—On a Bill to incorporate a Company, to be called "*The Melbourne, Mount Alexander, and Murray River Company,*" being read a first time :—
MR. WESTGARTH: To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, the Auditor General, and the Mover.
4. *Contingent*.—On a Bill to incorporate a Company to be called, "*The Geelong and Melbourne Railway Company,*" being read a first time :—
DR. THOMSON: To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Mr. Westgarth, Mr. Rutledge, the Auditor General, and the Mover.

FRIDAY, 6TH AUGUST.

ORDERS OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.

THURSDAY, 12TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.

J. F. PALMER,

Speaker.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 28th. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. COAL.—Mr. O'Shanassy moved, pursuant to notice, That this Council do resolve itself into a Committee of the whole, for the purpose of considering the propriety of adopting an Address to His Excellency the Lieutenant Governor, praying that His Excellency would offer by proclamation, the sum of £1,000 as a premium to any person or persons who shall make known (within such period, and under such regulations as to His Excellency shall seem advisable), the existence of an available Coal Field within the Colony of Victoria.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of such an Address.

The Chairman having reported that the Committee had agreed to the propriety of adopting an Address to His Excellency the Lieutenant Governor, praying His Excellency to offer, by Proclamation, the sum of £1,000, as a premium to any person or persons who shall make known (within such period, and under such Regulations as to His Excellency shall seem advisable), the existence of an available Coal Field within the Colony of Victoria; the Council adopted such Report, and ordered such address to be presented to His Excellency.

3. EXTENSION OF THE SETTLED DISTRICTS.—Mr. Fawcner moved, pursuant to notice: "*That*" an address be presented by this Council, requesting His Excellency the Lieutenant Governor, to represent to the Queen in Council, the urgent necessity for extending the area of the settled districts in Victoria; and that His Excellency will be pleased to strenuously urge upon the Home authorities, the vast importance of this extension, and the necessity for its instant adoption; and that such a large addition has been, and is daily being made to the population of this Province in consequence of the Gold found here, that not less than the whole of the intermediate district together with all that extent of country in which Gold can be profitably worked, ought to be included, in and under, the Title of Settled Districts.

Mr. Rutledge moved, as an amendment: That all the words after the word "*That*" be omitted with a view to insert the words,—“leases be immediately issued to the occupants of Crown "*Lands,*" to bear date on the 7th April, 1848, in order that the Lands may be opened for sale, under the Orders in Council of the 9th March, 1847, in quantities to meet the demand of the increasing population of the Colony.”

Debate ensued.

Mr. Johnston moved as an amendment to the amendment proposed by Mr. Rutledge, that the following words be inserted after the word "*Lands,*" viz., "in the intermediate Districts."

Debate ensued.

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

Question—That the words proposed to be inserted in the amendment first proposed be so inserted—put.

Council divided.

Ayes, 9.
 MR. SMITH,
 MR. MILLER,
 MR. WESTGARTH,
 MR. JOHNSTON,
 DR. THOMSON,
 MR. FAWKNER,
 MR. STRACHAN,
 MR. DIGHT,
 MR. O'SHANASSY, (*Teller.*)

Noes. 18.
 THE COLONIAL SECRETARY,
 THE ATTORNEY GENERAL,
 THE AUDITOR GENERAL,
 THE CHAIRMAN OF QUARTER SESSIONS,
 MR. A'BECKETT,
 LIEUT. COL. ANDERSON,
 MR. CAMPBELL,
 MR. RIDDELL,
 MR. TURNBULL,
 THE SOLICITOR GENERAL,
 MR. GOLDSMITH,
 MR. RUSSELL,
 MR. SNODGRASS,
 MR. WILKINSON,
 MR. RUTLEDGE,
 MR. MERCER,
 MR. MURPHY,
 MR. SPLATT, (*Teller.*)

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

Council divided.

Ayes 18.
 MR. MURPHY,
 THE COLONIAL SECRETARY,
 THE ATTORNEY GENERAL,
 THE SOLICITOR GENERAL,
 THE AUDITOR GENERAL,
 LIEUT. COL. ANDERSON,
 MR. A'BECKETT,
 MR. RUSSELL,
 MR. CAMPBELL,
 MR. RIDDELL,
 THE CHAIRMAN OF QUARTER
 SESSIONS,
 MR. SPLATT,
 MR. WILKINSON,
 MR. TURNBULL,
 MR. SNODGRASS,
 MR. GOLDSMITH,
 MR. RUTLEDGE,
 MR. MERCER, (*Teller.*)

Noes. 9.
 MR. SMITH,
 MR. MILLER,
 DR. THOMSON,
 MR. FAWKNER,
 MR. JOHNSTON,
 MR. STRACHAN,
 MR. WESTGARTH,
 MR. DIGHT,
 MR. O'SHANASSY, (*Teller.*)

Question—That leases be immediately issued to the occupants of Crown Lands, to bear date on the 7th April, 1848, in order that the lands may be opened for sale under the Orders in Council of the 9th March, 1847, in quantities to meet the demand of the increasing population of this Colony,—put and passed.

4. REMITTANCES FOR IMMIGRATION PURPOSES.—Mr. Westgarth moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Lieutenant Governor, praying, That His Excellency would cause to be laid on the table of this Council copies of all correspondence that may have taken place on the subject of the arrangements with the Local Banks for remittance of monies since 1st July 1851, and of agreements entered into in consequence thereof.

Question—put and passed.

5. PAPERS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Council Table the Report on the Botanical Gardens, Melbourne, from 30th September, 1851, to the 31st December in the same year.

Ordered to be printed.

Council adjourned at twenty-five minutes to nine o'clock until Three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 29TH. JULY.

Government Business :—

ORDER OF THE DAY :—

1. COURT OF REQUESTS BILL—Second Reading.

General Business :—

NOTICES OF MOTION :—

1. MR. SNODGRASS : To move, That an Address be presented to His Excellency the Lieutenant Governor from this Council, praying that His Excellency will be pleased to direct that a Survey of the Sydney Mail line of Road be commenced, with a view to the improvement of the said Road, and to ensure a certain overland communication in all seasons with the Colony of New South Wales.
2. MR. POHLMAN : To move for leave to bring in a Bill for the Taxation of the Fees and Charges of Attorneys employed in the defence of prisoners or defendants tried, or committed for trial, before the Supreme Court.

FRIDAY, 30TH. JULY.

NOTICE OF MOTION :—

1. MR. MURPHY : To move, That the Report of the Select Committee of Enquiry into the state of the laws for the prevention of the Catarrh and Scab in Sheep, be considered and adopted.

ORDER OF THE DAY :—

1. GENERAL AND QUARTER SESSIONS COURTS BILL—Second Reading.

TUESDAY, 3RD. AUGUST.

NOTICES OF MOTION :—

1. MR. MILLER : To move for leave to bring in a Bill, intituled, "*A Bill for Lighting with Gas, the City of Melbourne, in the Colony of Victoria, and to enable certain persons associated under the name, style, or title of 'The City of Melbourne Gas and Coke Company', to sue and be sued, in the name of the Secretary for the time being of the said Company, and for other purposes therein mentioned.*"
Contingent—On leave being given to bring in a Bill for Lighting with Gas the City of Melbourne.
2. MR. MILLER : To move, That when the Bill shall have been read a first time, it be referred to a Select Committee, to consist of the Colonial Secretary, Mr. Johnston, Mr. O'Shanassy, Mr. Wilkinson, Dr. Thomson, and the Mover.
3. *Contingent*—On a Bill to incorporate a Company to be called "*The Melbourne, Mount Alexander, and Murray River Company,*" being read a first time :—
MR. WESTGARTH : To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, the Auditor General, and the Mover.
4. *Contingent*—On a Bill to incorporate a Company to be called "*The Geelong and Melbourne Railway Company,*" being read a first time.
DR. THOMSON : To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Mr. Westgarth, Mr. Rutledge, the Auditor General, and the Mover.

FRIDAY, 6TH. AUGUST.

ORDERS OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.

THURSDAY, 12TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 18.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 29th. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
 2. ADDRESSES.—The Speaker announced to the Council that he had, pursuant to the resolutions of this Council, presented the following Addresses to His Excellency the Lieutenant Governor, viz :—
 - No. 20. Grants of money for Library—adopted on the 22nd July, 1852, on the motion of Mr. Pohlman,
and that His Excellency had, in reply to such Address, been pleased to state, that due regard should be had to the wishes of the Council in framing the Estimates of future Expenditure.
 - No. 21. Colonial Maps for the Council—adopted on the 22nd July, 1852, on the motion of Mr. Pohlman,
and that His Excellency had, in reply to such Address, been pleased to state, that he had no objection to meet the wishes of the Council, but could not pledge himself to have these documents laid on the Table without delay. Their preparation at this time would cause a suspension of other business, which would be very prejudicial to the general interests.
 - No. 22. Council Papers and Map of New South Wales,—adopted on the 22nd July, 1852, on the motion of Mr. Pohlman :
and that His Excellency had, in reply to such Address, been pleased to state that the wishes of the Council should be complied with.
 - No. 23. Road to Mount Alexander,—adopted on the 27th July, 1852, on the motion of Mr. O'Shanassy :
and that His Excellency had, in reply to such Address, been pleased to state that every effort would be made, irrespective of expense, to effect such repairs as might be found any way practicable.
 - No. 24. Squatters' Leases,—adopted on the 27th July, 1852, on the motion of Mr. Johnston :
and that His Excellency had, in reply to such Address, been pleased to state that he would give instructions that any papers or returns of the character specified, which it might be in his power to lay on the Council Table, should be forthwith prepared.
 3. COURTS OF REQUESTS BILL.—The Attorney General moved that this Bill be now read a second time.
Debate ensued.
Question—put and passed.
Bill read a second time.
Ordered to be considered in Committee on Wednesday, 11th August next.
 4. SURVEY OF SYDNEY ROAD.—Mr. Snodgrass moved, pursuant to notice : That an Address be presented to His Excellency the Lieutenant Governor from this Council, praying that His Excellency will be pleased to direct that a Survey of the Sydney Mail line of Road be commenced, with a view to the improvement of the said Road, and to ensure a certain overland communication in all seasons with the Colony of New South Wales.
Debate ensued.
Question—put and passed.
 5. COSTS IN CRIMINAL CASES TAXATION BILL.—Mr. Pohlman having, pursuant to notice moved for, and obtained leave, to bring in a Bill to compel Taxation of Attorney's Bills of Costs in Criminal Cases in the Supreme Court of Victoria.
Bill intituled, "*A Bill to enable the Supreme Court of Victoria to compel Taxation of Attorney's Bills of Costs in Criminal Cases in the Supreme Court of Victoria.*" presented—read a first time—ordered to be read a second time on Wednesday, the 11th August next, and to be printed.
- Council adjourned at a quarter to five o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 30TH. JULY.

NOTICES OF MOTION :—

1. MR. MURPHY: To move, That the Report of the Select Committee of Enquiry into the state of the laws for the prevention of the Catarrh and Scab in Sheep, be considered and adopted.
2. MR. MILLER: To move, That the following Petition to Her Most Gracious Majesty the Queen be adopted by this House :—

TO HER MOST GRACIOUS MAJESTY THE QUEEN.

The Humble Petition of the Legislative Council of Victoria.

SHEWETH,—

That there has been discovered in the Colony of Victoria one of the richest Gold Fields in the world, which has yielded from its occupation in September last the large quantity of upwards of forty-eight tons of the precious metal.

That it is the opinion of scientific men that this Gold Field is inexhaustible, and that its produce may for many years to come be calculated upon as of the yearly value of not less than Ten millions of pounds sterling.

That as compared with the Gold Fields of Victoria, the Gold Fields discovered in New South Wales are greatly inferior in the richness of their auriferous deposit.

That the Exports from the Colony of Victoria, are now of greater value than from any other Colony in Your Majesty's Dominions, and that the population nearly equals that of New South Wales, and from the Immigration that is now daily pouring into this Colony, will soon far out-number that population.

That the interests of the producing classes are seriously injured by the present state of the Exchange on England, operating as a tax upon all Exports, and affecting the profits of the wool grower, to the extent of one tenth of the value of all the wool exported from the Australian Colonies.

That this adverse state of the Exchange would, to a great extent, be rectified by the establishment of a Mint in this Colony.

That Your Majesty's petitioners have learned from the report of the proceedings of the Legislative Council of New South Wales, that your Majesty has been graciously pleased to express your Majesty's intention of establishing a branch of the Royal Mint at Sydney, if recommended by the Executive Council.

That Your Majesty's petitioners would deem it a great boon if a branch of Your Majesty's Royal Mint were established in the Australian Colonies, but would humbly submit that the City of Melbourne, the Capital of Victoria, is, for the reasons set forth in this petition, in all respects the most suitable locality, for a branch of your Majesty's Royal Mint in this Hemisphere.

That it would entail great risk of loss and heavy expense on the Colonists of Victoria if they were compelled to send their Gold for coinage to Sydney, a distance of upwards of six hundred miles; and that it would be a greater advantage to the Colonists of Van Diemen's Land and South Australia, to obtain coined Gold from Melbourne than from Sydney, by reason of the greater proximity of the former City to their respective Colonies.

And therefore, Your Majesty's Petitioners pray that Your Majesty will be graciously pleased to establish a branch of Your Majesty's Royal Mint at Melbourne, the Capital of Victoria, either for the Australian Colonies generally, or for the coinage of the Gold of Victoria only, as Your Majesty may be graciously pleased to determine.

- (2.) That an Address be presented to His Excellency the Lieutenant Governor embodying the above Petition, in order that the same may be forwarded to the Secretary of State for the Colonies, for presentation to Her Most Gracious Majesty the Queen.

ORDER OF THE DAY :—

1. GENERAL AND QUARTER SESSIONS COURTS BILL.—Second Reading.

TUESDAY, 3RD AUGUST.

NOTICES OF MOTION :—

1. MR. MILLER: To move, for leave to bring in a Bill, intituled, "*A Bill for Lighting with Gas, the City of Melbourne, in the Colony of Victoria, and to enable certain persons associated under the name, style, or title of 'The City of Melbourne Gas and Coke Company', to sue and be sued, in the name of the Secretary for the time being of the said Company, and for other purposes therein mentioned.*"

Contingent—On leave being given to bring in a Bill for Lighting with Gas the City of Melbourne.

2. MR. MILLER: To move, that when the Bill shall have been read a first time, it be referred to a Select Committee, to consist of the Colonial Secretary, Mr. Johnston, Mr. O'Shanassy, Mr. Wilkinson, Dr. Thomson, and the Mover.

3. *Contingent*.—On a Bill to incorporate a Company to be called "*The Melbourne, Mount Alexander, and Murray River Company*," being read a first time:—

MR. WESTGARTH: To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, the Auditor General, and the Mover.

4. *Contingent*.—On a Bill to incorporate a Company to be called "*The Geelong and Melbourne Railway Company*," being read a first time:—

DR. THOMSON: To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Mr. Westgarth, Mr. Rutledge, the Auditor General, and the Mover.

WEDNESDAY, 4TH AUGUST.

NOTICES OF MOTION:—

1. MR. RUTLEDGE: To move, That this Council resolve itself into a Committee of the whole for the purpose of considering the propriety of altering the sum appropriated by Schedule B to 13 and 14 Victoria, c. 59, to the payment of the Salary of the Governor of the Colony of Victoria.
2. MR. FAWKNER: To move for leave to bring in a Bill for the repeal of so much of an Act, intituled, "*An Act declaratory of the rights of occupants of Crown Lands to impound cattle and other animals found trespassing thereon*," as is contained in the following words of that Act:—" *And in addition to the amount of damage chargeable by law on such cattle, sheep, horses, or other animals so trespassing as aforesaid, to charge all costs and expenses attending the driving of the same to any pound*," and to limit by law the amount chargeable for trespass upon all uncultivated lands in the possession of the aforesaid occupants of Crown Lands to One Penny per head for the trespass of each head of cattle or of horses, and One-half Farthing per head for each sheep or other animal found trespassing.

FRIDAY, 6TH. AUGUST

ORDERS OF THE DAY:—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.

WEDNESDAY, 11TH AUGUST.

Government Business:—

ORDER OF THE DAY:—

1. COURTS OF REQUESTS BILL—To be considered in Committee.

General Business:—

ORDER OF THE DAY:—

1. COSTS IN CRIMINAL CASES TAXATION BILL—Second Reading.

THURSDAY, 12TH. AUGUST.

Government Business:—

ORDERS OF THE DAY:—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 19.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 30th. JULY, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. CATARRH AND SCAB IN SHEEP.—Mr. Murphy moved pursuant to Notice, That the Report of the Select Committee of Enquiry into the state of the laws for the prevention of the Catarrh and Scab in Sheep, be considered and adopted.
Question—put and passed.
Ordered that the Chairman of the Committee on Scab and Catarrh in Sheep, do prepare and bring in a Bill in accordance with the recommendation contained in the above Report.
3. PETITION FOR BRANCH OF ROYAL MINT.—Mr. Miller moved pursuant to *amended* Notice That the following Petition to Her Most Gracious Majesty the Queen be adopted by this House:—

TO HER MOST GRACIOUS MAJESTY THE QUEEN.

The Humble Petition of the Legislative Council of Victoria.

SHEWETH,—

That there has been discovered in the Colony of Victoria one of the richest Gold Fields in the world, which has yielded from its occupation in September last the large quantity of upwards of forty-eight tons of the precious metal.

That it is a very general opinion that this Gold Field is inexhaustible, and that its produce may for many years to come be calculated upon as of the yearly value of not less than Ten millions of pounds sterling.

That as compared with the Gold Fields of Victoria, the Gold Fields discovered in New South Wales are greatly inferior in the richness of their auriferous deposit.

That the Exports from the Colony of Victoria, are now of greater value than from any other Colony in Your Majesty's Dominions, and that the population nearly equals that of New South Wales, and from the Immigration that is now daily pouring into this Colony, will soon far out-number that population.

That the interests of the producing classes are seriously injured by the present state of the Exchange on England, operating as a tax upon all Exports, and affecting the profits of the wool grower, to the extent of one tenth of the value of all the wool exported from the Australian Colonies.

That this adverse state of the Exchange would, to a great extent, be rectified by the establishment of a Mint in this Colony.

That Your Majesty's petitioners have learned from the report of the proceedings of the Legislative Council of New South Wales, that your Majesty has been graciously pleased to express your Majesty's intention of establishing a branch of the Royal Mint at Sydney, if recommended by the Executive Council.

That Your Majesty's petitioners would deem it a great boon if a branch of Your Majesty's Royal Mint were established in the Australian Colonies, but would humbly submit that the City of Melbourne, the Capital of Victoria, is, for the reasons set forth in this petition, in all respects the most suitable locality, for a branch of your Majesty's Royal Mint in this Hemisphere.

That it would entail great risk of loss and heavy expense on the Colonists of Victoria if they were compelled to send their Gold for coinage to Sydney, a distance of upwards of six hundred miles; and that it would be a greater advantage to the Colonists of Van Diemen's Land and South Australia, to obtain coined Gold from Melbourne than from Sydney, by reason of the greater proximity of the former City to their respective Colonies.

And therefore, Your Majesty's Petitioners pray that Your Majesty will be graciously pleased to establish a branch of Your Majesty's Royal Mint at Melbourne, the Capital of Victoria, either for the Australian Colonies generally, or for the coinage of the Gold of Victoria only, as Your Majesty may be graciously pleased to determine.

Debate ensued.

4. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Messages from His Excellency the Lieutenant Governor, received and read.

ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—

C. J. LA TROBE,

Message No. 12.

Lieutenant Governor.

In pursuance of the provisions of the Statute 5th and 6th Victoria, c. 76, the Lieutenant Governor transmits to the Council, for its consideration, the draft of "*A Bill for improving the Administration of Criminal Justice.*"

*Government Offices,
Melbourne, 30th July, 1852.*

Ordered to be printed.

Bill on the motion of the Solicitor General read a first time, ordered to be read a second time 13th August next, and to be printed.

IMMIGRANT SHIPS INVESTIGATION BILL:—

C. J. LA TROBE,

Message No. 13.

Lieutenant Governor.

1. The Lieutenant Governor holds it his duty, to call the attention of the Council to a suggestion made by the Right Honorable the Secretary of State for the Colonies, with regard to the propriety of securing Evidence in cases of grave investigation into alleged irregularities on board of Government Emigrant Ships under the sanction of an Oath.

2. To this end he transmits for the consideration of the Council, the draft of "*A Bill to facilitate investigations respecting certain cases on board Immigrant Ships.*"

3. Extract from a Despatch from the Secretary of State, dated 28th February, 1851:—"The Witnesses I observe were not sworn. Probably this may be the general practice, but it seems to me that in enquiries of this nature the safeguard of an Oath, if it can be legally administered, would be very desirable, in order to render false witnesses liable to the penalties of perjury, and I should recommend the passing of an Act, if necessary, for that purpose."

*Government Offices,
Melbourne, 30th July, 1852.*

Ordered to be printed.

Bill, on the motion of the Solicitor General, read a first time; ordered to be read a second time 13th August next, and to be printed.

PETITION FOR BRANCH OF ROYAL MINT.—The debate on this subject, interrupted by the above Messages,—resumed.

Question—put and passed.

Mr. Miller then moved, pursuant to *amended* Notice, that an Address be presented to His Excellency the Lieutenant Governor requesting that he will forward the above Petition to the Right Honorable the Secretary of State for the Colonies for presentation to Her Gracious Majesty the Queen.

Question—put and passed.

5. GENERAL AND QUARTER SESSIONS COURTS BILL.—The Attorney General moved that this Bill be now read a second time.

Question—put and passed.

The Attorney General moved, That the Speaker do leave the Chair and the Council resolve itself into a Committee of the whole for the consideration of this Bill.

Mr. Fawkner moved, That this House do now adjourn.

Question of adjournment—put and negatived.

Question—that the Speaker do now leave the chair, and the Council resolve itself into a Committee of the whole, for the consideration of this Bill—put and passed.

Whereupon the Council resolved itself into a Committee of the whole accordingly.

The Chairman of Committees reported that there were not present in Committee ten Members exclusive of the Chairman; whereupon the Speaker counted the Council, and it then appearing there was not present one third of the Members, exclusive of the Speaker.

The Council was adjourned at ten minutes past six o'clock until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 3RD AUGUST.

NOTICES OF MOTION :—

1. MR. MILLER : To move, for leave to bring in a Bill, intituled, "*A Bill for Lighting with Gas, the City of Melbourne, in the Colony of Victoria, and to enable certain persons associated under the name, style, or title of 'The City of Melbourne Gas and Coke Company', to sue and be sued, in the name of the Secretary for the time being of the said Company, and for other purposes therein mentioned.*"
Contingent—On leave being given to bring in a Bill for Lighting with Gas the City of Melbourne.
2. MR. MILLER : To move, that when the Bill shall have been read a first time, it be referred to a Select Committee, to consist of the Colonial Secretary, Mr. Johnston, Mr. O'Shanassy, Mr. Wilkinson, Dr. Thomson, and the Mover.
3. *Contingent*.—On a Bill to incorporate a Company to be called "*The Melbourne, Mount Alexander, and Murray River Company,*" being read a first time :—
 MR. WESTGARTH : To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, the Auditor General, and the Mover.
4. *Contingent*.—On a Bill to incorporate a Company to be called "*The Geelong and Melbourne Railway Company,*" being read a first time :—
 DR. THOMSON : To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Mr. Westgarth, Mr. Rutledge, the Auditor General, and the Mover.
5. MR. O'SHANASSY : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid upon the table of this House, A Return of the number of Acres of Land held under License from the Crown, by the Members of the Legislative Council of Victoria, in the Settled, Intermediate, and Unsettled Districts, distinguishing the quantity in the possession of each Member, and the Revenue arising therefrom.

WEDNESDAY, 4TH AUGUST.

NOTICES OF MOTION :—

1. MR. RUTLEDGE : To move, That this Council resolve itself into a Committee of the whole for the purpose of considering the propriety of altering the sum appropriated by Schedule B to 13 and 14 Victoria, c. 59, to the payment of the Salary of the Governor of the Colony of Victoria.
2. MR. FAWKNER : To move for leave to bring in a Bill for the repeal of so much of an Act, intituled, "*An Act declaratory of the rights of occupants of Crown Lands to impound cattle and other animals found trespassing thereon,*" as is contained in the following words of that Act :—"*And in addition to the amount of damage chargeable by law on such cattle, sheep, horses, or other animals so trespassing as aforesaid, to charge all costs and expenses attending the driving of the same to any pound,*" and to limit by law the amount chargeable for trespass upon all uncultivated lands in the possession of the aforesaid occupants of Crown Lands to One Penny per head for the trespass of each head of cattle or of horses, and One-half Farthing per head for each sheep or other animal found trespassing.

THURSDAY 5TH. AUGUST.

NOTICE OF MOTION :—

1. MR. FAWKNER : To move for leave to bring in a Bill to reduce the rate of Occupancy which confers the Elective Franchise on the citizens of Melbourne for election of the Municipal Body from £20 to £10 to all those who can read plainly and distinctly, and write plainly and legibly.

FRIDAY, 6TH. AUGUST

ORDERS OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.

WEDNESDAY, 11TH AUGUST.

Government Business :—

ORDER OF THE DAY :—

1. COURTS OF REQUESTS BILL—To be considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. COSTS IN CRIMINAL CASES TAXATION BILL—Second Reading.

THURSDAY, 12TH AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.

FRIDAY, 13TH AUGUST.

ORDERS OF THE DAY :—

1. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Second Reading.
2. IMMIGRANT SHIPS INVESTIGATION BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 20.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 3rd AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ORDER.—Before proceeding to the Business of the day, the Attorney General desired to call the attention of the House to a point of Order arising out of the notice of motion standing in the name of Mr. O'Shanassy, No. 5 on the Notice Paper of this day, viz., That it was contrary to the standing Order of the House, No. 10.

Debate ensued, and the Speaker declared his opinion that the notice of motion was out of order

Mr. O'Shanassy then demanded a division upon the point of Order raised by the Attorney General, whether the notice of motion standing in his (Mr. O'Shanassy's) name, No. 5 on the Notice Paper of this day be contrary to the said standing Order.
Council divided.

Ayes 14.

MR. MURPHY,
MR. SPLATT,
MR. SNODGRASS,
MR. RUTLEDGE,
THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
THE CHAIRMAN OF QUARTER
SESSIONS,
MR. RIDDELL,
MR. RUSSELL,
MR. MERCER,
MR. WILKINSON,
MR. CAMPBELL, (*Teller*)

Noes. 6.

MR. MILLER,
MR. WESTGARTH,
MR. O'SHANASSY,
MR. FAWKNER,
MR. STRACHAN,
MR. SMITH, (*Teller*)

3. MELBOURNE GAS AND COKE COMPANY BILL.—Mr. Miller moved, pursuant to Notice, That he have leave to bring in “*A Bill for lighting with Gas, the City of Melbourne, and to enable certain persons, styling themselves ‘The City of Melbourne Gas and Coke Company,’ to sue and be sued in the name of the Secretary, and for other purposes therein mentioned.*”

Question—put and passed.

Ordered that the Mover and Seconder do prepare and bring in the Bill.

Mr. Miller, having produced a Certificate that the sum of £25 had been paid into the hands of the Colonial Treasurer for the Public Uses of the Colony, presented a Bill intituled, “*A Bill for lighting with Gas, the City of Melbourne, in the Colony of Victoria, and to enable certain persons associated under the name, style, or title of ‘The City of Melbourne Gas and Coke Company,’ to sue and be sued, in the name of the Secretary for the time being of the said Company, and for other purposes therein mentioned,*” and moved that the Bill be now read a first time.

Question—put and passed.

Bill read a first time.

Mr. Miller then moved, pursuant to *contingent* Notice; That this Bill be referred to a Select Committee, to consist of the Colonial Secretary, Mr. Johnston, Mr. O'Shanassy, Mr. Wilkinson, Dr. Thomson, and the Mover.

Question—put and passed.

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

No. 25. Coal—adopted on the 28th July, 1852, on the motion of Mr. O'Shanassy, and that His Excellency had, in reply to such Address, been pleased to state he would take such steps as might be calculated to carry out the wishes of the Council.

No. 26. Remittances for Emigration purposes—adopted on the 28th July, 1852, on the motion of Mr. Westgarth,

and that His Excellency had, in reply to such Address, been pleased to state he would direct such Correspondence, if any, to be laid upon the Council Table.

No. 27. Survey of the Sydney Road,—adopted on the 20th July, 1852, on the Motion of Mr. Snodgrass:

and that His Excellency had in reply to such Address been pleased to state, the wishes of the Council should be duly attended to.

No. 28. Branch of the Royal Mint,—adopted on the 30th July, 1852, on the Motion of Mr. Miller.

and that His Excellency had in reply to such Address been pleased to state, he would comply with the wishes of the Council without any delay.

5. POSTPONEMENTS OF MOTIONS.—Mr. Westgarth postponed the Contingent Motion standing in his name, No. 3 on the Notice Paper for to-day, until Tuesday the 10th instant.

Mr. Strachan, on behalf of Dr. Thomson, postponed the Contingent motion standing in his name, No. 4, on the Notice Paper for to-day, until Tuesday, the 10th instant.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 4TH AUGUST.

Government Business:

NOTICE OF MOTION:—

1. The ATTORNEY GENERAL: To move, That the Council now resolve itself into a Committee of the whole, to consider "*The General and Quarter Sessions Courts Bill.*"

General Business:—

NOTICES OF MOTION:—

1. MR. RUTLEDGE: To move, That this Council resolve itself into a Committee of the whole for the purpose of considering the propriety of altering the sum appropriated by Schedule B to 13 and 14 Victoria, c. 59, to the payment of the Salary of the Governor of the Colony of Victoria.
2. MR. FAWKNER: To move for leave to bring in a Bill for the repeal of so much of an Act, intitled, "*An Act declaratory of the rights of occupants of Crown Lands to impound cattle and other animals found trespassing thereon,*" as is contained in the following words of that Act:—" *And in addition to the amount of damage chargeable by law on such cattle, sheep, horses, or other animals so trespassing as aforesaid, to charge all costs and expenses attending the driving of the same to any pound,*" and to limit by law the amount chargeable for trespass upon all uncultivated lands in the possession of the aforesaid occupants of Crown Lands to One Penny per head for the trespass of each head of cattle or of horses, and One-half Farthing per head for each sheep or other animal found trespassing.

THURSDAY 5TH. AUGUST.

NOTICE OF MOTION:—

1. MR. FAWKNER: To move for leave to bring in a Bill to reduce the rate of Occupancy which confers the Elective Franchise on the citizens of Melbourne for election of the Municipal Body from £20 to £10 to all those who can read plainly and distinctly, and write plainly and legibly.

FRIDAY, 6TH. AUGUST

ORDERS OF THE DAY:—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.

TUESDAY, 10TH AUGUST.

NOTICES OF MOTION :—

1. *Contingent*.—On a Bill to incorporate a Company to be called “*The Melbourne, Mount Alexander, and Murray River Company*,” being read a first time :—

MR. WESTGARTH : To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, the Auditor General, and the Mover.

2. *Contingent*.—On a Bill to incorporate a Company to be called “*The Geelong and Melbourne Railway Company*,” being read a first time :—

DR. THOMSON : To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Mr. Westgarth, Mr. Rutledge, the Auditor General, and the Mover.

WEDNESDAY, 11TH AUGUST.

Government Business :—

ORDER OF THE DAY :—

1. COURTS OF REQUESTS BILL—To be considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. COSTS IN CRIMINAL CASES TAXATION BILL—Second Reading.

THURSDAY, 12TH AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.

FRIDAY, 13TH AUGUST.

ORDERS OF THE DAY :—

1. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Second Reading.
2. IMMIGRANT SHIPS INVESTIGATION BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 21.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 4th AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. GENERAL AND QUARTER SESSIONS COURTS BILL.—The Attorney General moved pursuant to notice, That the Council now resolve itself into a Committee of the whole, to consider “*The General and Quarter Sessions Courts Bill.*”

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.

3. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—A Messenger from His Excellency the Lieutenant Governor having been announced, the Speaker took the Chair, and the following Messages from His Excellency were received and read.

TRANSPORTATION RESOLUTIONS.

Message No. 14.

C. J. LA TROBE,
Lieutenant Governor.

The Lieutenant Governor transmits for the information of the Legislative Council the Copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, dated 3rd May, 1852, acknowledging the receipt of certain Resolutions on the subject of Transportation, adopted by the Council on the 19th November, 1851.

*Government Offices,
Melbourne, 4th August, 1852.*

Ordered to be printed, together with the accompanying Despatch.

EMIGRATION.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 15.

The Lieutenant Governor directs the accompanying Letter from the Colonial Land and Emigration Commissioners, dated 14th May, 1852, to the Colonial Secretary, to be laid upon the table of the Legislative Council, as His Excellency is desirous that the Council should be in possession of the latest information as to the views and intentions of Her Majesty's Government on the important subject of Emigration.

*Government Offices,
Melbourne, 4th August, 1852.*

Ordered to be printed, together with the accompanying Letter.

The Speaker then left the Chair, and the Council again resolved itself into a Committee of the whole, for the further consideration of the General and Quarter Sessions Courts Bill.

The Chairman reported progress, and asked leave to sit again immediately.

On the motion of the Attorney General, the Speaker left the Chair, and the Council again resolved itself into a Committee of the whole, for the further consideration of this Bill.

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

4. POSTPONEMENT OF MOTION.—Mr. Rutledge postponed the Motion standing in his name, No. 1, *General business* on the Notice Paper for to-day, until to-morrow.

Mr. Fawcner postponed the Motion standing in his name, No. 2, *General business* on the Notice Paper for to-day until to-morrow.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 5TH. AUGUST.

Government Business :—

ORDER OF THE DAY :—

1. GENERAL AND QUARTER SESSIONS COURTS BILL.—To be further considered in Committee.

General Business :—

NOTICES OF MOTION :—

1. MR. FAWKNER: To move for leave to bring in a Bill to reduce the rate of Occupancy which confers the Elective Franchise on the citizens of Melbourne for election of the Municipal Body from £20 to £10 to all those who can read plainly and distinctly, and write plainly and legibly.
2. MR. FAWKNER: To move, That an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to cause to be laid upon the table of this House, a Return embracing the following :—
- An Alphabetical Return, according to the various districts, of all Occupants of Crown Lands, whether in the Settled, Intermediate, or Unsettled Districts, within the Colony of Victoria; shewing the quantity or reputed quantity of Land held by each individual, the extent of Land held under each separate License, and the number of Licenses held by each person, the quantity of Stock held under each License, distinguishing whether Sheep, Cattle, or Horses.
3. MR. RUTLEDGE: To move, That this Council resolve itself into a Committee of the whole for the purpose of considering the propriety of altering the sum appropriated by Schedule B to 13 and 14 Victoria, c. 59, to the payment of the Salary of the Governor of the Colony of Victoria.
4. MR. FAWKNER: To move for leave to bring in a Bill for the repeal of so much of an Act, intitled, "*An Act declaratory of the rights of occupants of Crown Lands to impound cattle and other animals found trespassing thereon,*" as is contained in the following words of that Act :—"*And in addition to the amount of damage chargeable by law on such cattle, sheep, horses, or other animals so trespassing as aforesaid, to charge all costs and expenses attending the driving of the same to any pound,*" and to limit by law the amount chargeable for trespass upon all uncultivated lands in the possession of the aforesaid occupants of Crown Lands to One Penny per head for the trespass of each head of cattle or of horses, and One-half Farthing per head for each sheep or other animal found trespassing.

FRIDAY, 6TH. AUGUST

ORDERS OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.

TUESDAY, 10TH AUGUST.

NOTICES OF MOTION :—

1. *Contingent.*—On a Bill to incorporate a Company to be called "*The Melbourne, Mount Alexander, and Murray River Company,*" being read a first time :—
- MR. WESTGARTH: To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, the Auditor General, and the Mover.
2. *Contingent.*—On a Bill to incorporate a Company to be called "*The Geelong and Melbourne Railway Company,*" being read a first time :—
- DR. THOMSON: To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Mr. Westgarth, Mr. Rutledge, the Auditor General, and the Mover.

WEDNESDAY, 11TH AUGUST.

Government Business :—

ORDER OF THE DAY :—

1. COURTS OF REQUESTS BILL—To be considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. COSTS IN CRIMINAL CASES TAXATION BILL—Second Reading.

THURSDAY, 12TH AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.

FRIDAY, 13TH AUGUST.

ORDERS OF THE DAY :—

1. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Second Reading.
2. IMMIGRANT SHIPS INVESTIGATION BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 22.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 5th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. GENERAL AND QUARTER SESSIONS COURTS BILL.—The Order of the day for the committal of this Bill having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.

The Chairman having reported the Bill with Amendments, the Council ordered the Bill as amended to be printed, and the adoption of the Report to stand an Order of the day for Thursday, the 12th instant.

3. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Fawkner postponed the Motion standing in his name, No. 1, *General Business*, on the Notice Paper of to-day, until Thursday, the 12th instant.

4. OCCUPANTS OF CROWN LANDS.—Mr. Fawkner moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to cause to be laid upon the table of this House, a Return embracing the following:—

An Alphabetical Return, according to the various districts, of all Occupants of Crown Lands, whether in the Settled, Intermediate, or Unsettled Districts, within the Colony of Victoria; shewing the quantity or reputed quantity of Land held by each individual, the extent of Land held under each separate License, and the number of Licenses held by each person, the quantity of Stock held under each License, distinguishing whether Sheep, Cattle, or Horses.

Question—put and passed.

5. LIEUTENANT GOVERNOR'S SALARY.—Mr. Rutledge moved, pursuant to notice, That this Council resolve itself into a Committee of the whole for the purpose of considering the propriety of altering the sum appropriated by Schedule B to 13 and 14 Victoria, c. 59, to the payment of the Salary of the Governor of the Colony of Victoria.

Question put.

Council Divided.

Ayes, 16.

MR. MERCER,
MR. MURPHY,
THE ATTORNEY GENERAL,
MR. RUTLEDGE,
MR. SMITH,
MR. SPLATT,
THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
THE CHAIRMAN OF QUARTER
SESSIONS,
LIEUTENANT COLONEL ANDERSON,
MR. A'BECKETT,
MR. RIDDELL,
MR. RUSSELL,
MR. CAMPBELL,
MR. SNODGRASS, (*Teller*)

Noes. 8.

DR. THOMSON,
MR. O'SHANASSY,
MR. FAWKNER,
MR. STRACHAN,
MR. TURNBULL,
MR. WILKINSON,
MR. DIGHT,
MR. MILLER, (*Teller*)

Whereupon the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the above purpose.

The Chairman reported that in the opinion of the Committee the salary of the Lieutenant Governor of this Colony is wholly inadequate to support the dignity of his office, and that it ought to be increased.

Mr. Rutledge moved, that this Report be adopted.

Question put.
Council divided.

Ayes 12.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
LIEUT. COL. ANDERSON,
MR. RUSSELL,
THE SOLICITOR GENERAL,
MR. A'BECKETT,
MR. MURPHY,
MR. CAMPBELL,
MR. SMITH,
MR. RUTLEDGE,
MR. SNODGRASS,
THE CHAIRMAN OF QUARTER
SESSIONS. (*Teller*)

Noes, 8.

MR. TURNBULL,
MR. WILKINSON,
MR. SPLATT,
DR. THOMSON,
MR. FAWKNER,
MR. MILLER,
MR. O'SHANASSY,
MR. WESTGARTH, (*Teller*)

6. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Fawkner postponed the Motion standing in his name, No. 4, *General business*, on the Notice paper of to-day, until to-morrow.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 6TH. AUGUST.

NOTICE OF MOTION:—

1. MR. FAWKNER: To move for leave to bring in a Bill for the repeal of so much of an Act, intituled, "*An Act declaratory of the rights of occupants of Crown Lands to impound cattle and other animals found trespassing thereon*," as is contained in the following words of that Act:—" *And in addition to the amount of damage chargeable by law on such cattle, sheep, horses, or other animals so trespassing as aforesaid, to charge all costs and expenses attending the driving of the same to any pound*," and to limit by law the amount chargeable for trespass upon all uncultivated lands in the possession of the aforesaid occupants of Crown Lands to One Penny per head for the trespass of each head of cattle or of horses, and One-half Farthing per head for each sheep or other animal found trespassing.

ORDERS OF THE DAY:—

1. INTRODUCTION OF CONVICTS PREVENTION BILL—Second Reading.
2. SCOTCH THISTLE EXTERMINATION BILL—Second Reading.

TUESDAY, 10TH AUGUST.

NOTICES OF MOTION:—

1. *Contingent*.—On a Bill to incorporate a Company to be called "*The Melbourne, Mount Alexander, and Murray River Company*," being read a first time:—
MR. WESTGARTH: To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, the Auditor General, and the Mover.
2. *Contingent*.—On a Bill to incorporate a Company to be called "*The Geelong and Melbourne Railway Company*," being read a first time:—
DR. THOMSON: To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Mr. Westgarth, Mr. Rutledge, the Auditor General, and the Mover.

3. MR. WESTGARTH : To move, That an Address be presented to His Excellency the Lieutenant Governor, representing that great inconvenience arises from the system presently pursued of occupying separate and distinct edifices for each Department of the Public Business, these edifices being scattered over every part of the City, and frequently at great intervening distances ; that the present and prospective development of the Colony must render wholly inadequate and unsuitable the various and detached structures now in use ; and that this Council would suggest to His Excellency, whether all such departments of public affairs might not with greater advantage be carried on within one range of buildings, comprising a noble edifice, at once an ornament to the Capital, a comparatively great saving to the Revenue, add an extreme convenience both to the Government and the Public.

WEDNESDAY, 11TH AUGUST.

Government Business :—

ORDER OF THE DAY :—

1. COURTS OF REQUESTS BILL—To be considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. COSTS IN CRIMINAL CASES TAXATION BILL—Second Reading.

THURSDAY, 12TH AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.
4. GENERAL AND QUARTER SESSIONS COURTS BILL.—Adoption of Report.

General Business :—

NOTICE OF MOTION :—

1. MR. FAWKNER : To move for leave to bring in a Bill to reduce the rate of Occupancy which confers the Elective Franchise on the citizens of Melbourne for election of the Municipal Body from £20 to £10 to all those who can read plainly and distinctly, and write plainly and legibly.

FRIDAY, 13TH AUGUST.

ORDERS OF THE DAY :—

1. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Second Reading.
2. IMMIGRANT SHIPS INVESTIGATION BILL—Second Reading.

J. F. PALMER,
Speaker.

No. 23.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 6th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
- 2 IMPOUNDING ACT AMENDMENT BILL.—Mr. Fawkner having pursuant to Notice, moved for and obtained leave to bring in a Bill to alter and amend the Impounding Act—Bill, intituled, "*A Bill to alter and amend, and in part to repeal an Act intituled 'An Act declaratory of the rights of occupants of Crown Lands to impound cattle and other animals found trespassing thereon,'*" presented—read a first time.
Ordered to be printed, and to be read a second time on Friday, 20th instant.
3. PAPERS—REMITTANCE FOR IMMIGRATION PURPOSES.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Council Table, the Return to the Address adopted on the motion of Mr. Westgarth, 28th July last.
Ordered to be printed.
- 4 INTRODUCTION OF CONVICTS PREVENTION BILL.—Mr Westgarth moved, That this Bill be now read a second time.
Debate ensued.
Question put—Council divided.

Ayes 13.

MR. MILLER,
LIEUT. COL. ANDERSON,
MR. WESTGARTH,
DR. THOMSON,
MR. FAWKNER,
MR. SMITH,
MR. RUTLEDGE,
MR. MERCER,
MR. CAMPBELL,
MR. MURPHY,
MR. DIGHT,
MR. TURNBULL,
MR. O'SHANASSY, (*Teller*)

Noes 7.

THE ATTORNEY GENERAL,
MR. A'BECKETT,
MR. WILKINSON,
THE CHAIRMAN OF QUARTER SESSIONS.
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
THE COLONIAL SECRETARY, (*Teller*)

Bill read a Second time.

Ordered to be considered in Committee on Tuesday, the 10th instant.

5. THISTLE ERADICATION BILL.—Mr. Rutledge moved, that this Bill be "*now*" read a second "*time*."

Mr. Murphy moved, that the word "*now*" be omitted, and that the words "*this day six months*" be added after the word "*time*."Question, that the word "*now*" stand part of the question—put

Council divided.

Ayes 10.

MR. FAWKNER,
LIEUT. COL. ANDERSON,
THE AUDITOR GENERAL,
THE CHAIRMAN OF QUARTER
SESSIONS,
THE SOLICITOR GENERAL,
THE ATTORNEY GENERAL,
THE COLONIAL SECRETARY,
MR. RUTLEDGE,
MR. CAMPBELL,
MR. WESTGARTH, (*Teller*)

Noes 5.

MR. WILKINSON,
MR. MURPHY,
MR. O'SHANASSY,
MR. MERCER,
MR. SMITH, (*Teller*)

Question—that this Bill be now read a second time—put and passed. Bill read a second time.

Ordered to be considered in Committee on Tuesday, 17th Instant.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 10TH AUGUST.

NOTICES OF MOTION :—

1. *Contingent*.—On a Bill to incorporate a Company to be called "*The Melbourne, Mount Alexander, and Murray River Company*," being read a first time :—
 MR. WESTGARTH: To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, the Auditor General, and the Mover.
2. *Contingent*.—On a Bill to incorporate a Company to be called "*The Geelong and Melbourne Railway Company*," being read a first time :—
 DR. THOMSON: To move, That the Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Mr. Westgarth, Mr. Rutledge, the Auditor General, and the Mover.
3. MR. WESTGARTH: To move, That an Address be presented to His Excellency the Lieutenant Governor, representing that great inconvenience arises from the system presently pursued of occupying separate and distinct edifices for each Department of the Public Business, these edifices being scattered over every part of the City, and frequently at great intervening distances; that the present and prospective development of the Colony must render wholly inadequate and unsuitable the various and detached structures now in use; and that this Council would suggest to His Excellency, whether all such departments of public affairs might not with greater advantage be carried on within one range of buildings, comprising a noble edifice, at once an ornament to the Capital, a comparatively great saving to the Revenue, and an extreme convenience both to the Government and the Public.
4. MR. A'BECKETT: To move, That this Council do present an Address to His Excellency the Lieutenant Governor, praying him to authorise the temporary occupation of portions of unsold land in and about the City of Melbourne by persons who shall erect thereon, under the superintendence and sanction of the Colonial Architect, buildings of a temporary nature for providing Emigrants arriving in this Colony with nightly shelter, the arrangements for such nightly shelter being regulated by the Executive, and carried out under the superintendence of the Police Authorities.

ORDER OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be considered in Committee.
-

WEDNESDAY, 11TH AUGUST.

Government Business :—

ORDER OF THE DAY :—

1. COURTS OF REQUESTS BILL.—To be considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. COSTS IN CRIMINAL CASES TAXATION BILL.—Second Reading.
-

THURSDAY, 12TH AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. TARIFF BILL.—Second Reading.
2. CUSTOMS' REGULATIONS BILL.—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL.—Second Reading.
4. GENERAL AND QUARTER SESSIONS COURTS BILL.—Adoption of Report.

General Business :—

NOTICE OF MOTION :—

1. MR. FAWKNER: To move for leave to bring in a Bill to reduce the rate of Occupancy which confers the Elective Franchise on the citizens of Melbourne for election of the Municipal Body from £20 to £10 to all those who can read plainly and distinctly, and write plainly and legibly.

101

FRIDAY, 13TH AUGUST.

ORDERS OF THE DAY :—

1. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Second Reading.
 2. IMMIGRANT SHIPS INVESTIGATION BILL—Second Reading.
-

TUESDAY, 17TH AUGUST.

ORDER OF THE DAY :—

1. THISTLE ERADICATION BILL—To be considered in Committee.
-

FRIDAY, 20TH. AUGUST.

ORDER OF THE DAY :—

1. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.

J. F. PALMER,
Speaker.

No. 24.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

TUESDAY, 10th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. AUSTRALASIAN LEAGUE PETITION.—Dr. Thomson presented a Petition from certain persons styling themselves “The Council of the Victoria Branch of the Australasian League” praying that this House will pass the Bill for the prevention of Convict Immigration, now under consideration.
Question—that the Petition be received—put and passed.
3. ROADS AND BRIDGES.—Dr. Thomson presented a Petition from James Austin, styling himself Mayor of Geelong, praying that an addition be made to the Committee of this Council on Roads and Bridges, in the appointment thereto of one of the honorable Members for the Town of Geelong and the Honorable Member for the County of Grant.
Question—That the Petition be received—put and passed.
4. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL.—Mr. Westgarth having produced a certificate that the sum of £25 had been paid into the hands of the Colonial Treasurer for the public uses of the Colony, presented a Bill, intituled, “*A Bill to incorporate a Company to be called ‘The Melbourne, Mount Alexander, and Murray River Railway Company,’*” and moved that such Bill be now read a first time.
Question—put and passed—Bill read a first time.
Mr. Westgarth then moved, pursuant to *contingent* notice, that this Bill be referred to a Select Committee to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, the Auditor General, and the mover.
Debate ensued.
5. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor received and read :—
C. J. LA TROBE, *Message No. 16.*
Lieutenant Governor.
For the information of the Legislative Council, the Lieutenant Governor transmits the Copy of a Despatch from the Right Honorable the Secretary of State, dated the 14th May, 1852, announcing that Her Majesty’s Government have directed a re-inforcement of troops to be sent to this province, and that one of the Queen’s ships will be ordered to render naval assistance to Victoria.
Also, the Copy of a Letter from Earl Grey to the Governor General, of a prior date, intimating the conditions upon which the services of her Majesty’s troops, beyond the usual Guards at the capitals, will be continued in the Australian Colonies; in accordance with which it will be seen that the arrangements now sanctioned by Her Majesty’s Government will be made.
Government Offices, Melbourne,
August 10th, 1852.
Ordered to be printed, together with the accompanying Despatch and Letter.
- MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL.—The debate upon the appointment of the Committee on this Bill, interrupted by the above message, resumed.
Question—put and passed.
6. GEELONG AND MELBOURNE RAILWAY BILL.—Dr. Thomson, having produced a certificate, that the sum of £25 had been paid into the hands of the Colonial Treasurer, for the Public uses of the Colony, presented a Bill intituled, “*A Bill to incorporate a Company, to be called, ‘the Geelong and Melbourne Railway Company,’*” and moved that such Bill be now read a first time.
Question—put and passed—Bill read a first time.
Dr. Thomson then moved, pursuant to *contingent* notice, that this Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Mr. Westgarth, Mr. Rutledge, the Auditor General, and the Mover.
Question—put and passed.

7. PUBLIC BUILDINGS.—Mr Westgarth moved, pursuant to Notice, That an Address be presented to His Excellency the Lieutenant Governor, representing that great inconvenience arises from the system presently pursued of occupying separate and distinct edifices for each Department of the Public Business, these edifices being scattered over every part of the City, and frequently at great intervening distances; that the present and prospective development of the Colony must render wholly inadequate and unsuitable the various and detached structures now in use; and that this Council would suggest to His Excellency, whether all such departments of public affairs might not with greater advantage be carried on within one range of buildings, comprising a noble edifice, at once an ornament to the Capital, a comparatively great saving to the Revenue, and an extreme convenience both to the Government and the Public.

Question—put and passed.

8. IMMIGRANTS TEMPORARY ACCOMMODATION.—Mr. A'Beckett moved, pursuant to notice, That this Council do present an Address to His Excellency the Lieutenant Governor, praying him to authorise the temporary occupation of portions of unsold land in and about the City of Melbourne by persons who shall erect thereon, under the superintendence and sanction of the Colonial Architect, buildings of a temporary nature for providing Emigrants arriving in this Colony with nightly shelter, the arrangements for such nightly shelter being regulated by the Executive, and carried out under the superintendence of the Police Authorities.

Debate ensued—
Council divided.

Ayes, 5

MR. O'SHANASSY,
MR. WESTGARTH,
MR. A'BECKETT,
MR. RIDDELL,
MR MILLER, (*Teller*.)

Noes. 13.

THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
DR. THOMSON,
THE CHAIRMAN OF QUARTER SESSIONS,
MR. CAMPBELL,
MR. RUSSELL,
MR. STRACHAN,
MR. WILKINSON,
MR. RUTLEDGE,
MR. GOLDSMITH,
MR. MERCER,
MR. FAWKNER,
MR. MURPHY, (*Teller*)

9. INTRODUCTION OF CONVICTS' PREVENTION BILL.—The Order of the Day for the Committee of this Bill having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.

The Chairman reported progress and obtained leave to sit again Tuesday, 17th August.

The Council adjourned at six o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 11TH. AUGUST.

Government Business :—

ORDER OF THE DAY :—

1. COURTS OF REQUESTS BILL—To be considered in Committee.

General Business :—

NOTICE OF MOTION :—

1. MR. MERCER: to move, That an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay on the Table of this House copies of all the correspondence between the late Warden of the District Council of Grant, W. C. Haines, Esq., and the Government, relative to that Council, from the date of that Gentleman's appointment in the *Gazette*, to the date of the appointment in the *Gazette* of the present Warden.

ORDER OF THE DAY :—

1. COSTS IN CRIMINAL CASES TAXATION BILL—Second Reading.

THURSDAY, 12TH. AUGUST.

Government Business:—

ORDERS OF THE DAY :—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.
4. GENERAL AND QUARTER SESSIONS COURTS BILL.—Adoption of Report.

General Business:—

NOTICE OF MOTION :—

1. MR. FAWKNER : To move for leave to bring in a Bill to reduce the rate of Occupancy which confers the Elective Franchise on the citizens of Melbourne for election of the Municipal Body from £20 to £10 to all those who can read plainly and distinctly, and write plainly and legibly.

FRIDAY, 13TH AUGUST.

NOTICE OF MOTION :—

1. MR. MILLER : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a branch pipe to be laid down from the main water pipe to the Beach, such branch pipe to commence at or near the Emerald Hill and to be laid down to St Kilda, in order that that rising Town and its neighbourhood may be supplied with fresh water from the river Yarra Yarra.

ORDERS OF THE DAY :—

1. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Second Reading.
2. IMMIGRANT SHIPS INVESTIGATION BILL—Second Reading.

TUESDAY, 17TH. AUGUST.

NOTICE OF MOTION :—

1. MR. FAWKNER : To move, That an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to withhold the granting of all Lands to all persons who have claimed, or may claim, Lands under the so called Pre-emptive Right, conferred, or supposed to be conferred, by the Orders in Council dated England in 1847, until this matter shall have been brought under the notice of Her Majesty and Council.

ORDERS OF THE DAY :—

1. THISTLE ERADICATION BILL—To be considered in Committee.
2. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.

FRIDAY, 20TH. AUGUST.

ORDER OF THE DAY :—

1. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

- MR. MURPHY : On a Bill for reducing the Municipal Franchise from £20 to £10, in favor of those who can read plainly and distinctly, and write plainly and legibly, being read a first time ; to move—that the Bill be referred to the Select Committee on Education, with an instruction that the Committee have power to consider and report upon its provisions.

J. F. PALMER,
Speaker.

No. 25.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 11th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. COURTS OF REQUESTS BILL.—The order of the day for the committal of this Bill having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
3. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor, received and read.

C. J. LA TROBE,

Lieutenant Governor.

Message No. 17.

The Lieutenant Governor directs to be laid upon the table of the Legislative Council, the accompanying copies of correspondence from the Lords Commissioners of Her Majesty's Treasury, the Right Honorable the Secretary of State for the Colonies, and the Commissioners of Customs, relative to the transfer of the Customs Establishment, as it at present exists, to the control and management of the Colonial Government, from such date as may be arranged by the Authorities in the Colony.

2. The Lieutenant Governor would suggest to the Council, that the 31st day of December next, appears to be the most convenient date in all respects, on which the transfer in question, as authorized by the Lords of the Treasury under the powers vested in their Lordships by the 15th section of the Constitutional Act, should take place.

*Government Offices,
Melbourne, 11th August, 1852.*

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

The Speaker then left the Chair and the Council again resolved itself into a Committee of the whole for the further consideration of "*The Courts of Requests Bill.*"

The Chairman reported progress and obtained leave to sit again on Friday, 13th inst.

4. POSTPONEMENT.—Mr. Murphy on behalf of Mr. Mercer postponed the motion standing in his name, No. 1, *General business*, on the Notice Paper of to-day until to-morrow.
5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Pohlman the following Order of the Day was postponed until Thursday, 19th August, "*Costs in Criminal Cases Taxation Bill*"—Second reading.

Council adjourned at six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 12TH. AUGUST.

Government Business:—

ORDERS OF THE DAY:—

1. TARIFF BILL—Second Reading.
2. CUSTOMS' REGULATIONS BILL—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.
4. GENERAL AND QUARTER SESSIONS COURTS BILL.—Adoption of Report.
5. THE LIEUTENANT GOVERNOR'S MESSAGE, No. 17—CUSTOMS—To be taken into consideration on the Second Reading of the "*Customs Regulations Bill.*"

General Business :—

NOTICES OF MOTION :—

1. MR. FAWKNER: To move for leave to bring in a Bill to reduce the rate of Occupancy which confers the Elective Franchise on the citizens of Melbourne for election of the Municipal Body from £20 to £10 to all those who can read plainly and distinctly, and write plainly and legibly.
2. MR. MERCER: to move, That an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay on the Table of this House copies of all the correspondence between the late Warden of the District Council of Grant, W. C. Haines, Esq., and the Government, relative to that Council, from the date of that Gentleman's appointment in the *Gazette*, to the date of the appointment in the *Gazette* of the present Warden.

FRIDAY, 13TH AUGUST.

NOTICE OF MOTION :—

1. MR. MILLER: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a branch pipe to be laid down from the main water pipe to the Beach, such branch pipe to commence at or near the Emerald Hill and to be laid down to St Kilda, in order that that rising Town and its neighbourhood may be supplied with fresh water from the river Yarra Yarra.

ORDERS OF THE DAY :—

1. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Second Reading.
2. IMMIGRANT SHIPS INVESTIGATION BILL—Second Reading.
3. COURTS OF REQUESTS BILL—To be further considered in Committee.

TUESDAY, 17TH. AUGUST.

NOTICE OF MOTION :—

1. MR. FAWKNER: To move, That an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to withhold the granting of all Lands to all persons who have claimed, or may claim, Lands under the so called Pre-emptive Right, conferred, or supposed to be conferred, by the Orders in Council dated England in 1847, until this matter shall have been brought under the notice of Her Majesty and Council.

ORDERS OF THE DAY :—

1. THISTLE ERADICATION BILL—To be considered in Committee.
2. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.

THURSDAY, 19TH. AUGUST.

ORDER OF THE DAY :—

1. COSTS IN CRIMINAL CASES TAXATION BILL—Second Reading.

FRIDAY, 20TH. AUGUST.

ORDER OF THE DAY :—

1. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

- MR. MURPHY: On a Bill for reducing the Municipal Franchise from £20 to £10, in favor of those who can read plainly and distinctly, and write plainly and legibly, being read a first time; to move—that the Bill be referred to the Select Committee on Education, with an instruction that the Committee have power to consider and report upon its provisions.

109

MEETINGS
OF
SELECT COMMITTEES.

Thursday, 12th August.

THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.

IMMIGRATION—at 12 o'clock.

Friday, 13th August.

POLICE—at 10 o'clock.

THE ASSAY OF GOLD—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Tuesday, 17th August.

ROADS AND BRIDGES—at 10 o'clock.

EDUCATION—at 12 o'clock

Wednesday, 18th August.

DISTRICT COUNCILS—at 12 o'clock.

THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.

PRISON DISCIPLINE—at 1 o'clock. To proceed to the Pentridge Stockade.

Thursday, 19th August.

HORSE AND CATTLE STEALING—at 11 o'clock.

J. F. PALMER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 12th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESSES.—The Speaker announced to the Council that he had pursuant to the resolutions of this Council, presented the following Addresses to His Excellency the Lieutenant Governor, viz :
 - No. 29. Occupants of Crown Lands,—adopted on the 5th of August, on the Motion of Mr. Fawcner,
and that His Excellency had in reply in such Address, been pleased to state that the Return should be furnished.
 - No. 30. Public Buildings,—adopted on the 5th of August, on the Motion of Mr. Westgarth.
and that His Excellency had in reply to such Address been pleased to state, that the measure suggested by the Council would doubtless, be very advantageous both to the Executive Government and the Public, and it would be very gratifying to him to see the time when it might be fully carried into effect.
3. GOVERNMENT PRINTING ESTABLISHMENT.—Mr. Splatt, as Chairman of the Committee to enquire into, and report upon, the Government Printing Establishment, brought up the Report from this Committee, and laid upon the table the evidence taken before the Committee, and moved that the Report and evidence be printed, and the Report taken into consideration on 20th instant.
Question—put and passed.
4. WHARFAGE DUTIES.—Mr. Strachan, presented a petition from George Ward Cole, of the City of Melbourne, in the Colony of Victoria, Merchant, and Wharfinger, praying that the House will, in the event of the Bill now before this House, being read a second time, refer the petition to a Select Committee to enquire into, and state what compensation the petitioner ought to receive, should the Bill pass into a Law, and that the petitioner may attend before such Committee, and be heard by Counsel in support of the matters of the Petition.
Question—that the Petition be received—put and passed.
5. SUSPENSION OF STANDING ORDER.—On the motion of Mr. Strachan, the Standing Order, No. 56, was suspended, with a view to allow the above Petition, to be read and taken into consideration, upon the second reading of the Tariff Bill.
On the motion of Mr. Strachan, the Petition was then read and ordered to be taken into consideration upon the second reading of the Tariff Bill.
6. TARIFF BILL.—The Attorney General moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time.
On the motion of the Attorney General, the Speaker then left the chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported the Bill, with amendments.
On the motion of the Attorney General, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted such report, and ordered the Bill to be read a third time to-morrow.
7. POSTPONEMENT OF ORDERS OF THE DAY.—On the Motion of the Attorney General, the following Orders of the day were postponed until Wednesday, the 18th August :
 - “*Customs' Regulation Bill.*”—Second reading.
 - “*Ports Harbours and Shipping Law Consolidation Bill.*”—Second reading.
 - “*General and Quarter Sessions Courts Bill.*”—Adoption of Report.
8. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Fawcner postponed the motion standing in his name, No. 1, *General Business*, on the notice paper of to-day, until to-morrow.

9. DISTRICT COUNCIL OF GRANT CORRESPONDENCE.—Mr. Mercer moved, pursuant to notice: That an Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to lay on the Table of this House copies of all the correspondence between the late Warden of the District Council of Grant, W. C. Haines, Esq., and the Government, relative to that Council, from the date of that Gentleman's appointment in the *Gazette*, to the date of the appointment in the *Gazette* of the present Warden.

Question—put and passed.

Council adjourned at eight o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 13TH AUGUST.

NOTICES OF MOTION :—

1. MR. MILLER: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a branch pipe to be laid down from the main water pipe to the Beach, such branch pipe to commence at or near the Emerald Hill and to be laid down to St Kilda, in order that that rising Town and its neighbourhood may be supplied with fresh water from the river Yarra Yarra.
2. MR. FAWKNER: To move for leave to bring in a Bill to reduce the rate of Occupancy which confers the Elective Franchise on the citizens of Melbourne for election of the Municipal Body from £20 to £10 to all those who can read plainly and distinctly, and write plainly and legibly.

ORDERS OF THE DAY :—

1. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Second Reading.
2. IMMIGRANT SHIPS INVESTIGATION BILL—Second Reading.
3. COURTS OF REQUESTS BILL—To be further considered in Committee.
4. TARIFF BILL—Third Reading.

TUESDAY, 17TH. AUGUST.

NOTICE OF MOTION :—

1. MR. FAWKNER: To move, That an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to withhold the granting of all Lands to all persons who have claimed, or may claim, Lands under the so called Pre-emptive Right, conferred, or supposed to be conferred, by the Orders in Council dated England in 1847, until this matter shall have been brought under the notice of Her Majesty and Council.

ORDERS OF THE DAY :—

1. THISTLE ERADICATION BILL—To be considered in Committee.
2. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.

WEDNESDAY, 18TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS' REGULATIONS BILL—Second Reading.
2. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.
3. GENERAL AND QUARTER SESSIONS COURTS BILL.—Adoption of Report.

General Business :—

NOTICES OF MOTION :—

1. MR. FAWKNER : To move, That an Address be presented to His Excellency the Lieutenant Governor of Victoria respectfully requesting him that he will make it a condition in the acceptance of Office, or Pay, or Salary, or Gratuity under this Government by any elected Member of this Council, that he shall, before he accepts such Office, Pay, Salary, or Gratuity, resign his seat in the Legislature of this Colony.
2. MR. FAWKNER : To move, That an Address be presented to His Excellency the Lieutenant Governor of Victoria, that he will be pleased to cause to be laid on the table of this House—copies of all the correspondence that has passed between the Local Government and W. N. Gray, Crown Commissioner, and also with Messrs. Hugh Murray and John Learmouth, respecting the lands described as applied for by them severally, at or near Buninyong and Colac, thus described in the Return ordered by the Council to be printed 25th June, 1852 :—
Applied for 27th April, 1850 ; John Learmouth, 480 acres, lots A, B, and C, portion 1, 160 acres each, near S.W. corner of Buninyong Township reserve, County of Grant ; name of valuator, W. N. Gray, C. C. ; valued at £1 per acre, £480 for 480 acres.
Next, 27th May, 1850 ; Hugh Murray, 632 acres, section 1, parish of Ellimunt, adjoining east boundary of Colac Township reserve, County of Polworth ; valued by W. N. Gray, C. C. ; as above, at £1 per acre, 632 acres, £632.
Together with a copy of instructions to the said valuator as to how he was to arrive at the value of the land ; and further, the date at which the decision was arrived at that these lands were only worth twenty shillings per acre ; and also, a Return of all lands sold, both at Colac and Buninyong, distinguishing Town lots from Suburban ; the date of each sale, the quantity and person to whom sold, the price per acre, and the gross quantity of acres sold and of cash received at each sale, to June 30th, 1852.

THURSDAY, 19TH. AUGUST.

ORDER OF THE DAY :—

1. COSTS IN CRIMINAL CASES TAXATION BILL—Second Reading.

FRIDAY, 20TH. AUGUST.

ORDER OF THE DAY :—

1. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.
2. GOVERNMENT PRINTING ESTABLISHMENT.—Consideration of Report.

CONTINGENT NOTICE OF MOTION.

- MR. MURPHY : On a Bill for reducing the Municipal Franchise from £20 to £10, in favor of those who can read plainly and distinctly, and write plainly and legibly, being read a first time ; to move—that the Bill be referred to the Select Committee on Education, with an instruction that the Committee have power to consider and report upon its provisions.

MEETINGS
OF
SELECT COMMITTEES.

Friday, 13th August.

POLICE—at 10 o'clock.

THE ASSAY OF GOLD—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Tuesday, 17th August.

ROADS AND BRIDGES—at 10 o'clock.

EDUCATION—at 12 o'clock

Wednesday, 18th August.

DISTRICT COUNCILS—at 12 o'clock.

THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.

PRISON DISCIPLINE—at 1 o'clock. To proceed to the Pentridge Stockade.

Thursday, 19th August.

HORSE AND CATTLE STEALING—at 11 o'clock.

THE MELBOURNE AND GEELONG HARBOURS—at 12 o'clock.

Friday, 20th August.

IMMIGRATION—at 10 o'clock.

J. F. PALMER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 13th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. WATER PIPES TO ST. KILDA.—Mr. Miller moved, pursuant to Notice, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a branch pipe to be laid down from the main water pipe to the Beach, such branch pipe to commence at or near the Emerald Hill and to be laid down to St Kilda, in order that that rising Town and its neighbourhood may be supplied with fresh water from the river Yarra.
Yarra.
Debate ensued.
Question—put and negatived.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Mr. Fawcner moved, pursuant to Notice, That he have leave to bring in a Bill to reduce the rate of occupancy which confers the Elective Franchise on the Citizens of Melbourne for the election of the Municipal Body from £20 to £10 to all those who can read plainly and distinctly and write plainly and legibly.
Question—put and passed.
Ordered—That the Mover and Seconder do prepare and bring in the Bill.
Mr. Fawcner then presented a Bill, intituled, “*A Bill to amend the Melbourne Corporation Act in the matter of the qualification of Citizenship,*” and moved that it be now read a first time.
Question—put and passed,—Bill read a first time; ordered to be printed, and read a second time on Friday, 27th August.
MR. MURPHY then moved, pursuant to *contingent* notice: That the Bill be referred to the Select Committee on Education, with an instruction that the Committee have power to consider and report upon its provisions.
Question—put and passed
4. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until Tuesday, the 17th instant:—“*Administration of Criminal Justice Improvement Bill.*”—Second reading.”
5. IMMIGRANT SHIPS INVESTIGATION BILL.—The Attorney General moved that this Bill be now read a second time.
Question—put and passed.
Bill read a second time, and ordered to be considered in Committee, on Thursday the 19th August.
4. COURTS OF REQUESTS BILL.—The Order of the day, for the further consideration of this Bill in Committee of the whole Council, having been read, the Speaker left the Chair and the Council resolved itself into a Committee of the whole, for the further consideration thereof.
The Chairman reported progress and obtained leave to sit again after the consideration of the 4th Order of the day.
5. TARIFF BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,
The Attorney General moved “*that*” this Bill be now read a third time.
Mr. Splatt moved as an Amendment that all the words after the word “*that*” be omitted, with the view to insert in their place the words following, “*the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill.*”

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

Ayes, 5

MR. A'BECKETT,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL,
MR. O'SHANASSY,
MR MURPHY, (*Teller*.)

Noes, 12.

MR. MILLER,
MR. RUTLEDGE,
MR. CAMPBELL,
MR. SPLATT,
MR. WESTGARTH,
THE SOLICITOR GENERAL,
MR. WILKINSON,
MR. STRACHAN,
MR. FAWKNER,
MR. RUSSELL,
MR. MERCER,
THE COLONIAL SECRETARY, (*Teller*)

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

Question—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the Bill—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman having reported the Bill with further Amendments, the Council adopted the Report, and ordered the Bill to be read a third time this day.

6. COURTS OF REQUESTS BILL.—The Order of the Day for the further consideration of this Bill in Committee having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again on Thursday, 19th August.

7. TARIFF BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported.

The Bill on the motion of the Attorney General, read a third time and *passed*.

The Attorney General then moved, that the following be the Title of the Bill: "*An Act for granting Duties of Customs in the Colony of Victoria.*"

Question put and passed.

8. SUSPENSION OF STANDING ORDER.—The Attorney General moved the suspension of Standing Order, No. 28, with the view of allowing the Honorable the Colonial Secretary, to present the above Bill to His Excellency the Lieutenant Governor for Her Majesty's Assent.

Question—put and passed.

The Attorney General then moved, that the Honorable the Colonial Secretary, do present the above Bill to His Excellency the Lieutenant Governor for Her Majesty's Assent.

Question—put and passed.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 17TH. AUGUST.

NOTICE OF MOTION :—

1. MR. FAWKNER : To move, That an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to withhold the granting of all Lands to all persons who have claimed, or may claim, Lands under the so called Pre-emptive Right, conferred, or supposed to be conferred, by the Orders in Council dated England in 1847, until this matter shall have been brought under the notice of Her Majesty and Council.

ORDERS OF THE DAY :—

1. THISTLE ERADICATION BILL—To be considered in Committee.
2. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.
3. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Second Reading.

WEDNESDAY, 18TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS' REGULATIONS BILL—Second Reading.
2. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.
3. GENERAL AND QUARTER SESSIONS COURTS BILL.—Adoption of Report.

General Business :—

NOTICES OF MOTION :—

1. MR. FAWKNER: To move, That an Address be presented to His Excellency the Lieutenant Governor of Victoria respectfully requesting him that he will make it a condition in the acceptance of Office, or Pay, or Salary, or Gratuity under this Government by any elected Member of this Council, that he shall, before he accepts such Office, Pay, Salary, or Gratuity, resign his seat in the Legislature of this Colony.
2. MR. FAWKNER: To move, That an Address be presented to His Excellency the Lieutenant Governor of Victoria, that he will be pleased to cause to be laid on the table of this House—copies of all the correspondence that has passed between the Local Government and W. N. Gray, Crown Commissioner, and also with Messrs. Hugh Murray and John Learmouth, respecting the lands described as applied for by them severally, at or near Buninyong and Colac, thus described in the Return ordered by the Council to be printed 25th June, 1852 :—
Applied for 27th April, 1850; John Learmouth, 480 acres, lots A, B, and C, portion 1, 160 acres each, near S.W. corner of Buninyong Township reserve, County of Grant; name of valuator, W. N. Gray, C. C.; valued at £1 per acre, £480 for 480 acres.
Next, 27th May, 1850; Hugh Murray, 632 acres, section 1, parish of Ellimynt, adjoining east boundary of Colac Township reserve, County of Polworth; valued by W. N. Gray, C. C.; as above, at £1 per acre, 632 acres, £632.
Together with a copy of instructions to the said valuator as to how he was to arrive at the value of the land; and further, the date at which the decision was arrived at that these lands were only worth twenty shillings per acre; and also, a Return of all lands sold, both at Colac and Buninyong, distinguishing Town lots from Suburban; the date of each sale, the quantity and person to whom sold, the price per acre, and the gross quantity of acres sold and of cash received at each sale, to June 30th, 1852.

THURSDAY, 19TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. IMMIGRANT SHIPS' INVESTIGATION BILL—To be considered in Committee.
2. COURTS OF REQUESTS BILL—To be further considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. COSTS IN CRIMINAL CASES TAXATION BILL—Second Reading.

FRIDAY, 20TH. AUGUST.

ORDER OF THE DAY :—

1. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.
2. GOVERNMENT PRINTING ESTABLISHMENT.—Consideration of Report.

FRIDAY, 27TH AUGUST.

ORDER OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—Second Reading.

MEETINGS
OF
SELECT COMMITTEES.

Tuesday, 17th August.

ROADS AND BRIDGES—at 10 o'clock.

EDUCATION—at 12 o'clock

Wednesday, 18th August.

DISTRICT COUNCILS—at 12 o'clock.

THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.

PRISON DISCIPLINE—at 1 o'clock. To proceed to the Pentridge Stockade.

Thursday, 19th August.

POLICE—at 10 o'clock.

HORSE AND CATTLE STEALING—at 11 o'clock.

THE MELBOURNE AND GEELONG HARBOURS—at 12 o'clock.

Friday, 20th August.

IMMIGRATION—at 10 o'clock.

THE ASSAY OF GOLD—at 12 o'clock.

J. F. PALMER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 17th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Messages from His Excellency the Lieutenant Governor received and read.

MASTER' AND SERVANTS' ACTS CONTINUATION BILL.

C. J. LA TROBE,

Message No. 18.

Lieutenant Governor.

In pursuance of the provisions of the Statute 5th and 6th Vic. cap. 76, the Lieutenant Governor transmits to the Legislative Council the draft of "*A Bill to continue two Acts passed in the ninth and eleventh years of the reign of Her present Majesty, respectively intituled 'An Act to amend and consolidate the Laws between Masters and Servants in New South Wales,' and 'An Act to amend an Act intituled, 'An Act to amend and consolidate the Laws between Masters and Servants in New South Wales.'*"

*Government Offices,
Melbourne, 17th August, 1852.*

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

ASSESSMENT ACT CONTINUATION BILL.

C. J. LA TROBE,

Message, No. 19.

Lieutenant Governor.

In pursuance of the provisions of the Statute 5th and 6th Victoria, cap. 76, the Lieutenant Governor transmits to the Legislative Council, the draft of "*A Bill to continue an Act passed in the fourteenth year of the reign of Her present Majesty, intituled, 'An Act to authorize for a limited time an Assessment upon Stock pastured beyond the Settled Districts of New South Wales.'*"

*Government Offices,
Melbourne, 17th August, 1852.*

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

3. ASSENT TO BILL.—The Colonial Secretary reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to "*The Tariff Bill.*"
4. PRE-EMPTIVE RIGHT TO CROWN LANDS.—Mr. Fawkner moved pursuant to Notice—That an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to withhold the granting of all "*Lands*" to all persons who have claimed, or may claim, Lands under the so called Pre-emptive Right, conferred, or supposed to be conferred, by the Orders in Council dated England in 1847, until this matter shall have been brought under the notice of Her Majesty and Council.

Debate ensued.

Mr. Pohlman moved as an Amendment the insertion after the word "*Lands*" of the words, "*beyond the Homesteads or such quantity of Land as to His Excellency may appear proper in each particular case.*"

Debate ensued.

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

Question—That an Address be presented to His Excellency the Lieutenant Governor, that he will be pleased to withhold the granting of all Lands beyond the Homestead, or such quantity of Land as to His Excellency may appear proper in each particular case, to all persons who have claimed, or may claim, Lands under the so called Pre-emptive Right, conferred or supposed to be conferred, by the Orders in Council dated England in 1847, until this matter shall have been brought under the notice of Her Majesty and Council—put and passed.

5. INTRODUCTION OF CONVICTS PREVENTION BILL—The Order of the day for the further consideration of this Bill in Committee, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof. The Chairman reported progress, and obtained leave to sit again, 24th August.
6. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—The Attorney General moved, that this Bill be now read a second time.
Question—put and passed.
Bill read a second time, and ordered to be considered in Committee, Thursday, 19th August.
Council adjourned at a quarter past seven o'clock, until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 18TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS' REGULATIONS BILL—Second Reading.
2. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Second Reading.
3. GENERAL AND QUARTER SESSIONS COURTS BILL.—Adoption of Report.
4. CONSIDERATION OF THE LIEUTENANT GOVERNOR'S MESSAGE, No. 18—with *Masters and Servants Acts' Continuation Bill*.
5. CONSIDERATION OF THE LIEUTENANT GOVERNOR'S MESSAGE, No. 19—with *Assessment Act Continuation Bill*.

General Business :—

NOTICES OF MOTION :—

1. MR. FAWKNER: To move, That an Address be presented to His Excellency the Lieutenant Governor of Victoria respectfully requesting him that he will make it a condition in the acceptance of Office, or Pay, or Salary, or Gratuity under this Government by any elected Member of this Council, that he shall, before he accepts such Office, Pay, Salary, or Gratuity, resign his seat in the Legislature of this Colony.
2. MR. FAWKNER: To move, That an Address be presented to His Excellency the Lieutenant Governor of Victoria, that he will be pleased to cause to be laid on the table of this House—copies of all the correspondence that has passed between the Local Government and W. N. Gray, Crown Commissioner, and also with Messrs. Hugh Murray and John Learmouth, respecting the lands described as applied for by them severally, at or near Buninyong and Colac, thus described in the Return ordered by the Council to be printed 25th June, 1852 :—
Applied for 27th April, 1850; John Learmouth, 480 acres, lots A, B, and C, portion 1, 160 acres each, near S.W. corner of Buninyong Township reserve, County of Grant; name of valuator, W. N. Gray, C. C.; valued at £1 per acre, £480 for 480 acres.
Next, 27th May, 1850; Hugh Murray, 632 acres, section 1, parish of Ellimynt, adjoining east boundary of Colac Township reserve, County of Polworth; valued by W. N. Gray, C. C.; as above, at £1 per acre, 632 acres, £632.
Together with a copy of instructions to the said valuator as to how he was to arrive at the value of the land; and further, the date at which the decision was arrived at that these lands were only worth twenty shillings per acre; and also, a Return of all lands sold, both at Colac and Buninyong, distinguishing Town lots from Suburban; the date of each sale, the quantity and person to whom sold, the price per acre, and the gross quantity of acres sold and of cash received at each sale, to June 30th, 1852.

THURSDAY, 19TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. IMMIGRANT SHIPS' INVESTIGATION BILL—To be considered in Committee.
2. COURTS OF REQUESTS BILL—To be further considered in Committee.
3. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—To be considered in Committee.

General Business :—

NOTICE OF MOTION :—

1. Mr. O'SHANASSY : To move, That an Address be presented to His Excellency the Lieutenant Governor praying that His Excellency will cause to be laid before this Council—
 - (1.) A Return of the Quantity of Land alienated from the Crown from 30th June, 1851, to 1st. July, 1852, specifying the number of acres, the average price per acre, the gross proceeds in town, suburban, and country.
 - (2.) Return showing the amount realised at public auction and by private sale on town, suburban, and country, from 30th. June, 1851, to 1st. July, 1852, giving the gross proceeds of the same in each town, suburb, and country in the Colony, for the same period.
 - (3.) Return of Lands alienated under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, date of application, name of applicant, number of acres applied for, local description, names of valutors, estimated value of improvements, (if any,) valuation per acre, irrespective of improvements, and number of acres alienated.
 - (4.) Return of Lands applied for under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, date of application, name of applicant, number of acres applied for, local description, cause of delay.
 - (5.) Return of Lands applied for under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, but refused, date of application, name of applicant, number of acres applied for, local description, cause of refusal.
 - (6.) Return of Lands applied for under the Pre-emptive Right, and valued, but refused by the applicant ; date of application, name of applicant, number of acres applied for, local description, names of valutors, estimated value of improvements, valuation per acre irrespective of improvements
 - (7.) Return under the heads of Town, Suburban, and Country ; with the names of each and local situation of the quantities of waste lands of the Crown in the Colony of Victoria, surveyed, but not alienated, and what impediments exist to prevent their sale, if applied for by the public.
 - (8.) Return of the number of Agricultural or other reserves made throughout the Colony of Victoria, with local description, as to extent and situation—the quantity of each reserve already alienated, and shewing the amount realized from the same in each Reserve, under the head of Town, Suburban, and Country.
 - (9.) Return under the foregoing heads, quarterly ;—commencing on 1st July, 1852, to illustrate the progress of the sale and settlement of the Crown Lands in the Colony of Victoria.

ORDER OF THE DAY :—

1. COSTS IN CRIMINAL CASES TAXATION BILL—Second Reading.

FRIDAY, 20TH. AUGUST

ORDERS OF THE DAY :—

1. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.
2. GOVERNMENT PRINTING ESTABLISHMENT.—Consideration of Report.

TUESDAY, 24TH AUGUST.

ORDER OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.

FRIDAY, 27TH AUGUST.

ORDER OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—Second Reading.

MEETINGS
OF
SELECT COMMITTEES.

Wednesday, 18th August.

DISTRICT COUNCILS—at 12 o'clock.

THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.

PRISON DISCIPLINE—at 1 o'clock. To proceed to the Pentridge Stockade.

Thursday, 19th August.

POLICE—at 10 o'clock.

HORSE AND CATTLE STEALING—at 11 o'clock.

THE MELBOURNE AND GEELONG HARBOURS—at 12 o'clock.

EDUCATION—at 12 o'clock

Friday, 20th August.

IMMIGRATION—at 10 o'clock.

THE ASSAY OF GOLD—at 12 o'clock.

Tuesday, 17th August.

ROADS AND BRIDGES—at 10 o'clock.

J. F. PALMER,
Speaker.

No. 29.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 18th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
 2. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Mr. Murphy presented a Bill for preventing the extension of Scab and Catarrh in Sheep—Bill intituled, "*A Bill for preventing the extension of the Diseases called Scab and Catarrh in Sheep,*" brought up,—read a first time; ordered to be read a second time Thursday, 26th of August, and to be printed.
 3. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following order of the day was postponed until after the consideration of the 5th Order on the Notice Paper of to-day:—"Customs Regulations Bill."
 4. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL.—The Attorney General moved that this Bill be now read a second time.
Question put and passed.
Bill read a second time. Ordered to be considered in Committee to-morrow.
 5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until to-morrow:—"General and Quarter Sessions Courts Bill—Adoption of Report."
 6. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—On the Motion of the Attorney General, the Bill accompanying His Excellency the Lieutenant Governor's Message No. 18, intituled, "*A Bill to continue two Acts passed in the ninth and eleventh years of the Reign of Her present Majesty, respectively intituled, 'An Act to amend and consolidate the Laws between Masters and Servants in New South Wales,' and an Act to amend an Act, intituled, 'An Act to amend and consolidate the Laws between Masters and Servants in New South Wales,'*" read a first time; to be read a second time 25th August.
 7. ASSESSMENT ACT CONTINUATION BILL.—On the Motion of the Attorney General, the Bill accompanying His Excellency the Lieutenant Governor's Message No. 19, intituled, "*A Bill to continue an Act passed in the fourteenth year of the Reign of Her present Majesty, intituled, 'An Act to authorise for a limited time an Assessment upon Stock, pastured beyond the Settled Districts of New South Wales,'*" read a first time; to be read a second time 25th August.
 8. CUSTOMS REGULATIONS BILL.—The Attorney General moved, that this Bill be now read a second time.
Question—put and passed.
On the Motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of whole for the consideration of this Bill.
The Chairman reported progress and obtained leave to sit again to-morrow.
 9. POSTPONEMENT OF NOTICES OF MOTION.—Mr. Fawcner postponed the Motion, standing in his name, Nos. 1 and 2 on the Notice Paper of to-day, until Friday the 20th August.
- The Council adjourned at a quarter past six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 19TH. AUGUST.

Government Business:—

ORDERS OF THE DAY:—

1. IMMIGRANT SHIPS' INVESTIGATION BILL—To be considered in Committee.
2. COURTS OF REQUESTS BILL—To be further considered in Committee.
3. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—To be considered in Committee.
4. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—To be considered in Committee.
5. GENERAL AND QUARTER SESSIONS COURTS BILL.—Adoption of Report.
6. CUSTOMS REGULATIONS BILL—To be further considered in Committee.

General Business :—

NOTICE OF MOTION :—

1. MR. O'SHANASSY : To move, That an Address be presented to His Excellency the Lieutenant Governor praying that His Excellency will cause to be laid before this Council—
 - (1.) A Return of the Quantity of Land alienated from the Crown from 30th June, 1851, to 1st. July, 1852, specifying the number of acres, the average price per acre, the gross proceeds in town, suburban, and country.
 - (2.) Return showing the amount realised at public auction and by private sale on town, suburban, and country, from 30th. June, 1851, to 1st. July, 1852, giving the gross proceeds of the same in each town, suburb, and country in the Colony, for the same period.
 - (3.) Return of Lands alienated under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, date of application, name of applicant, number of acres applied for, local description, names of valuers, estimated value of improvements, (if any,) valuation per acre, irrespective of improvements, and number of acres alienated.
 - (4.) Return of Lands applied for under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, date of application, name of applicant, number of acres applied for, local description, cause of delay.
 - (5.) Return of Lands applied for under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, but refused, date of application, name of applicant, number of acres applied for, local description, cause of refusal.
 - (6.) Return of Lands applied for under the Pre-emptive Right, and valued, but refused by the applicant; date of application, name of applicant, number of acres applied for, local description, names of valuers, estimated value of improvements, valuation per acre irrespective of improvements
 - (7.) Return under the heads of Town, Suburban, and Country; with the names of each and local situation of the quantities of waste lands of the Crown in the Colony of Victoria, surveyed, but not alienated, and what impediments exist to prevent their sale, if applied for by the public.
 - (8.) Return of the number of Agricultural or other reserves made throughout the Colony of Victoria, with local description, as to extent and situation—the quantity of each reserve already alienated, and shewing the amount realized from the same in each Reserve, under the head of Town, Suburban, and Country.
 - (9.) Return under the foregoing heads, quarterly;—commencing on 1st July, 1852, to illustrate the progress of the sale and settlement of the Crown Lands in the Colony of Victoria.

ORDER OF THE DAY :—

1. COSTS IN CRIMINAL CASES TAXATION BILL—Second Reading.

FRIDAY, 20TH. AUGUST

NOTICES OF MOTION :—

1. MR. FAWKNER : To move, That an Address be presented to His Excellency the Lieutenant Governor of Victoria respectfully requesting him that he will make it a condition in the acceptance of Office, or Pay, or Salary, or Gratuity under this Government by any elected Member of this Council, that he shall, before he accepts such Office, Pay, Salary, or Gratuity, resign his seat in the Legislature of this Colony.
2. MR. FAWKNER : To move, That an Address be presented to His Excellency the Lieutenant Governor of Victoria, that he will be pleased to cause to be laid on the table of this House—copies of all the correspondence that has passed between the Local Government and W. N. Gray, Crown Commissioner, and also with Messrs. Hugh Murray and John Learmouth, respecting the lands described as applied for by them severally, at or near Buninyong and Colac, thus described in the Return ordered by the Council to be printed 25th June, 1852 :—
 Applied for 27th April, 1850; John Learmouth, 480 acres, lots A, B, and C, portion 1, 160 acres each, near S.W. corner of Buninyong Township reserve, County of Grant; name of valuator, W. N. Gray, C. C.; valued at £1 per acre, £480 for 480 acres.
 Next, 27th May, 1850; Hugh Murray, 632 acres, section 1, parish of Ellimynt, adjoining east boundary of Colac Township reserve, County of Polworth; valued by W. N. Gray, C. C.; as above, at £1 per acre, 632 acres, £632.
 Together with a copy of instructions to the said valuator as to how he was to arrive at the value of the land; and further, the date at which the decision was arrived at that these lands were only worth twenty shillings per acre; and also, a Return of all lands sold, both at Colac and Buninyong, distinguishing Town lots from Suburban; the date of each sale, the quantity and person to whom sold, the price per acre, and the gross quantity of acres sold and of cash received at each sale, to June 30th, 1852.

ORDERS OF THE DAY :—

1. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.
2. GOVERNMENT PRINTING ESTABLISHMENT.—Consideration of Report.

125

TUESDAY, 24TH AUGUST.

ORDER OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.

WEDNESDAY, 25TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—Second Reading.
2. ASSESSMENT ACT CONTINUATION BILL.—Second Reading.

THURSDAY, 26TH. AUGUST.

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.

FRIDAY, 27TH AUGUST.

ORDER OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—Second Reading.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 19th August.

POLICE—at 10 o'clock.

HORSE AND CATTLE STEALING—at 11 o'clock.

THE MELBOURNE AND GEELONG HARBOURS—at 12 o'clock.

EDUCATION—at 12 o'clock

DISTRICT COUNCILS—at 2 o'clock.

Friday, 20th August.

IMMIGRATION—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 10 o'clock.

THE ASSAY OF GOLD—at 12 o'clock.

EDUCATION—at 12 o'clock.

Tuesday, 24th August.

ROADS AND BRIDGES—at 10 o'clock.

Wednesday 1st September.

THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 30.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 19th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. THE MELBOURNE AND GEELONG HARBOURS COMMITTEE.—On the motion of Dr. Thomson, leave was given by the Council that this Committee, hold a meeting on Saturday next.
3. WHARFAGE DUTIES.—Mr. Westgarth presented a Petition from Joseph Raleigh, of Melbourne, merchant and Wharfinger, praying that this House will, in the event of the Bill now before the House for the consolidation and amendment of the Law relating to Ports, Harbours, and Shipping, in the Colony of Victoria, passing a second reading, cause a Clause to be introduced therein, giving compensation to the Petitioner for the loss he will sustain by such Bill passing into a Law, and permit the Petitioner to appear by counsel, and to bring evidence before this House, at such time and in such manner as to this House may seem fit, for the purpose of supporting his claim to such compensation, and enabling this House to decide upon the extent thereof.
Petition received.
4. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General, the following Orders of the Day were postponed until after the consideration of the 6th Order of the Day :—
 - “ *Immigrant Ships’ Investigation Bill*—To be considered in Committee.”
 - “ *Courts of Requests Bill*—To be further considered in Committee.”
 - “ *Administration of Criminal Justice Improvement Bill*—To be considered in Committee.”
 - “ *Ports, Harbours, and Shipping Law Consolidation Bill*—To be considered in Committee.”
 - “ *General and Quarter Sessions Courts Bill*—Adoption of Report.”
5. CUSTOMS’ REGULATION BILL.—The Order of the Day for further considering this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill, with amendments, the Council ordered the Report to be taken into consideration on Thursday, 2nd September.
Bill as amended, to be printed.
6. POSTPONEMENT OF ORDER OF THE DAY.—On the Motion of the Attorney General, the following Order of the Day was postponed until to-morrow :—
 - “ *Immigrant Ship’s Investigation Bill*—To be considered in Committee.”
7. COURTS OF REQUESTS’ BILL.—The Order of the Day for further considering this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
8. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.—On the Motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
9. POSTPONEMENT OF ORDERS OF THE DAY.—On the Motion of the Attorney General, the consideration of the following Order of the Day, viz.—
 - “ *Ports, Harbour, and Shipping Law Consolidation Bill*—to be considered in Committee,”
 was postponed until Tuesday, 24th August, and the Council ordered the Lieutenant Governor’s Message No. 17, with the accompanying Despatches, to be considered at the same time.
On the Motion of the Attorney General, the following Order of the Day was postponed until to-morrow :—
 - “ *General and Quarter Sessions Courts Bill*—Adoption of Report.”

10. **POSTPONEMENT OF NOTICE OF MOTION.**—Mr. O'Shanassy postponed the Motion standing in his name :—"General Business," No. 1 on the Notice Paper of to-day, until Tuesday 24th August.
11. **POSTPONEMENT OF ORDER OF THE DAY.**—On the motion of Mr. Pohlman, the following Order of the Day was postponed until Tuesday 24th August :—
 "Costs in Criminal Cases Tavation Bill"—Second reading."
 Council adjourned at six o'clock, until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 20TH. AUGUST

NOTICES OF MOTION :—

1. **MR. FAWKNER :** To move, That an Address be presented to His Excellency the Lieutenant Governor of Victoria respectfully requesting him that he will make it a condition in the acceptance of Office, or Pay, or Salary, or Gratuity under this Government by any elected Member of this Council, that he shall, before he accepts such Office, Pay, Salary, or Gratuity, resign his seat in the Legislature of this Colony.
2. **MR. FAWKNER :** To move, That an Address be presented to His Excellency the Lieutenant Governor of Victoria, that he will be pleased to cause to be laid on the table of this House—copies of all the correspondence that has passed between the Local Government and W. N. Gray, Crown Commissioner, and also with Messrs. Hugh Murray and John Learmouth, respecting the lands described as applied for by them severally, at or near Buninyong and Colac, thus described in the Return ordered by the Council to be printed 25th June, 1852 :—
 Applied for 27th April, 1850 ; John Learmouth, 480 acres, lots A, B, and C, portion 1, 160 acres each, near S.W. corner of Buninyong Township reserve, County of Grant ; name of valuator, W. N. Gray, C. C. ; valued at £1 per acre, £480 for 480 acres.
 Next, 27th May, 1850 ; Hugh Murray, 632 acres, section 1, parish of Ellimynt, adjoining east boundary of Colac Township reserve, County of Polworth ; valued by W. N. Gray, C. C. ; as above, at £1 per acre, 632 acres, £632.
 Together with a copy of instructions to the said valuator as to how he was to arrive at the value of the land ; and further, the date at which the decision was arrived at that these lands were only worth twenty shillings per acre ; and also, a Return of all lands sold, both at Colac and Buninyong, distinguishing Town lots from Suburban ; the date of each sale, the quantity and person to whom sold, the price per acre, and the gross quantity of acres sold and of cash received at each sale, to June 30th, 1852.

ORDERS OF THE DAY :—

1. **IMPOUNDING ACT AMENDMENT BILL.**—Second Reading.
2. **GOVERNMENT PRINTING ESTABLISHMENT.**—Consideration of Report.
3. **IMMIGRANT SHIPS' INVESTIGATION BILL.**—To be considered in Committee.
4. **COURTS OF REQUESTS BILL.**—To be further considered in Committee.
5. **ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.**—To be further considered in Committee.
6. **GENERAL AND QUARTER SESSIONS COURTS BILL.**—Adoption of Report.

TUESDAY, 24TH AUGUST.

NOTICES OF MOTION :—

1. **MR. WESTGARTH :** To move, That the Petitions of George Ward Cole and Joseph Raleigh be taken into consideration, and that they be heard by Counsel at the Bar of the Council in support of the prayers of their Petitions.
2. **MR. O'SHANASSY :** To move, That an Address be presented to His Excellency the Lieutenant Governor praying that His Excellency will cause to be laid before this Council—
 (1.) A Return of the Quantity of Land alienated from the Crown from 30th June, 1851, to 1st. July, 1852, specifying the number of acres, the average price per acre, the gross proceeds in town, suburban, and country.
 (2.) Return showing the amount realised at public auction and by private sale on town, suburban, and country, from 30th. June, 1851, to 1st. July, 1852, giving the gross proceeds of the same in each town, suburb, and country in the Colony, for the same period.

129

- (3.) Return of Lands alienated under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, date of application, name of applicant, number of acres applied for, local description, names of valuers, estimated value of improvements, (if any,) valuation per acre, irrespective of improvements, and number of acres alienated.
- (4.) Return of Lands applied for under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, date of application, name of applicant, number of acres applied for, local description, cause of delay.
- (5.) Return of Lands applied for under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, but refused, date of application, name of applicant, number of acres applied for, local description, cause of refusal.
- (6.) Return of Lands applied for under the Pre-emptive Right, and valued, but refused by the applicant ; date of application, name of applicant, number of acres applied for, local description, names of valuers, estimated value of improvements, valuation per acre irrespective of improvements
- (7.) Return under the heads of Town, Suburban, and Country ; with the names of each and local situation of the quantities of waste lands of the Crown in the Colony of Victoria, surveyed, but not alienated, and what impediments exist to prevent their sale, if applied for by the public.
- (8.) Return of the number of Agricultural or other reserves made throughout the Colony of Victoria, with local description, as to extent and situation—the quantity of each reserve already alienated, and shewing the amount realized from the same in each Reserve, under the head of Town, Suburban, and Country.
- (9.) Return under the foregoing heads, quarterly ;—commencing on 1st July, 1852, to illustrate the progress of the sale and settlement of the Crown Lands in the Colony of Victoria.

ORDER OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.
2. PORTS, HARBOURS, AND SHIPPING LAWS CONSOLIDATION BILL.—To be considered in Committee together with Lieutenant Governor's Message, No. 17, and accompanying Despatches.
3. COSTS IN CRIMINAL CASES TAXATION BILL.—Second Reading.

WEDNESDAY, 25TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—Second Reading.
2. ASSESSMENT ACT CONTINUATION BILL.—Second Reading.

THURSDAY, 26TH. AUGUST.

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.

FRIDAY, 27TH AUGUST.

ORDER OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—Second Reading.

THURSDAY, 2ND SEPTEMBER.

Government Business :—

ORDER OF THE DAY :—

1. CUSTOMS REGULATIONS BILL.—Adoption of Report.

MEETINGS
OF
SELECT COMMITTEES.

Friday, 20th August.

IMMIGRATION—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 10 o'clock.

THE ASSAY OF GOLD—at 12 o'clock.

EDUCATION—at 12 o'clock.

Saturday, 21st August.

THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.

Tuesday, 24th August.

ROADS AND BRIDGES—at 10 o'clock.

POLICE—at 12 o'clock.

Thursday, 26th August.

DISTRICT COUNCILS—at 12 o'clock.

Wednesday 1st September.

THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 31.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 20th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. **NEW MOTIVE POWER.**—Mr. Murphy presented a petition from Nathaniel Lipscomb Kentish, Land Surveyor and Civil Engineer, and twenty-three years a Colonist and Government officer in Australia and Van Diemen's Land, praying that this House will take the statements set forth in the Petition into favourable consideration, and will be pleased to authorise the reality of his discovery of a new Motive Power, (calculated to benefit his country and the world,) to be tested by three several experiments, viz. : on a land carriage—a vessel—and a mill, under the direction of the discoverer of the principle or principles in physics, and inventor of the modes of applying the same to propulsion.
Petition received.
3. **ACCEPTANCE OF OFFICE BY AN ELECTED MEMBER.**—Mr. Fawcner moved pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor of Victoria respectfully requesting him that he will make it a condition in the acceptance of Office, or Pay, or Salary, or Gratuity under this Government by any elected Member of this Council, that he shall, before he accepts such Office, Pay, Salary, or Gratuity, resign his seat in the Legislature of this Colony.
Debate ensued.
Question—put and passed.
4. **CORRESPONDENCE RESPECTING SALE OF CERTAIN CROWN LANDS**—Mr. Fawcner moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor of Victoria, that he will be pleased to cause to be laid on the table of this House—copies of all the correspondence that has passed between the Local Government and W. N. Gray, Crown Commissioner, and also with Messrs. Hugh Murray and John Learmouth, respecting the lands described as applied for by them severally, at or near Buninyong and Colac, thus described in the Return ordered by the Council to be printed 25th June, 1852 :—
Applied for 27th April, 1850 ; John Learmouth, 480 acres, lots A, B, and C, portion 1, 160 acres each, near S.W. corner of Buninyong Township reserve, County of Grant ; name of valuator, W. N. Gray, C. C. ; valued at £1 per acre, £480 for 480 acres.
Next, 27th May, 1850 ; Hugh Murray, 632 acres, section 1, parish of Ellimynt, adjoining east boundary of Colac Township reserve, County of Polworth ; valued by W. N. Gray, C. C., as above, at £1 per acre, 632 acres, £632.
Together with a copy of instructions to the said valuator as to how he was to arrive at the value of the land ; and further, the date at which the decision was arrived at, that these lands were only worth twenty shillings per acre ; and also, a Return of all lands sold, both at Colac and Buninyong, distinguishing Town lots from Suburban ; the date of each sale, the quantity and person to whom sold, the price per acre, and the gross quantity of acres sold and of cash received at each sale, to June 30th, 1852.
Debate ensued.
Question—put and passed.
5. **ADDRESSES :—**The Speaker announced to the Council that he had, pursuant to the Resolutions of this Council, presented the following Addresses to His Excellency the Lieutenant-Governor, viz. :—
No. 31. District Council of Grant,—adopted on the 12th August, 1852, on the motion of Mr. Mercer,—
and that His Excellency had, in reply to such Address, been pleased to state, that he would direct the Colonial Secretary to lay upon the Council Table, any such correspondence as might be found.
No. 32. Preemptive right to Crown Lands,—adopted on the 17th August, 1852, on the Motion of Mr. Fawcner—
and that His Excellency had to such address been pleased to reply as follows :—
“ In replying to this Address would take occasion to advert to the expression of opinion, on the part of the Council, which I find has been recorded at an earlier period of the Session (July 28), relative to the propriety of the immediate issuing Leases, bearing

a specified date, under the Orders in Council of the 9th March, 1847, to the Occupants of Crown Lands, in order that Land may be thrown open for sale in quantities to meet the demands of the increasing population of the Colony.

I may remark that it does not appear to be in my power to direct the definitive issue of these Leases without very considerable further delay: the whole question which this issue involves is one I conceive to be of the greatest importance to the Colony.

While, therefore, I consider it my duty to make every effort to comply with the main provisions of the Orders referred to, and to proceed with the measures preparatory to such issue,—and further hold that it is both just and reasonable that the authorised occupant of the Waste Lands of the Crown for pastoral purposes should feel himself secure in the undisturbed occupation of those Lands, so long as the general interests may not demand their final appropriation by sale or otherwise for other purposes,—I am fully disposed to yield to what appears to be the wish of the Council, and to bring the whole subject under the attention of the Home Government, in order that before Leases finally issue, some of the subordinate provisions of the above orders, and certain points upon which there exists a grave discrepancy of opinion, may be duly weighed, explained, and disposed of under Her Majesty's authority, full assurance being attained, that while the interests of one most important class of Colonists are suitably provided for, the general welfare of the Colony, is in no wise perilled. I shall take an early opportunity of communicating upon the subject with the Secretary of State.

In the interval, the claimants for Leases will be enabled to take advantage of the privilege conceded by the Government Notice of the 28th June, 1850, to purchase under pre-emptive right, their homestead section or other limited portion of their runs.

Due notice will be given of the portions of land which it may be proposed formally to exclude on broad public grounds from Lease when issued, though, until finally withdrawn from occupation by sale or grant, the right of the present Licensee to exclusive occupation of the same will remain unquestioned. And lastly in conformity with the powers which the Lieutenant Governor is held to possess, and has already exercised, such portions of the Crown Lands comprised within these Reserves as may be clearly required for the public and general advantage of the Colony, may be brought into the market without being held subject to pre-emptive right.

(Signed) C. J. LA TROBE.

6. POSTPONEMENT OF ORDERS OF THE DAY.—On the Motion of Mr. Fawkner the following Order of the Day was postponed until Friday, 27th August:—

“Impounding Act Amendment Bill—Second reading.”

- On the Motion of Mr. Splatt, the following Order of the Day was postponed until Tuesday, 24th August.

“Government Printing Establishment—Consideration of Report.”

- On the Motion of the Attorney General, the following Orders of the Day were postponed until after the consideration of the 6th Order of the Day.

“Immigrant Ships Investigation Bill—To be considered in Committee.”

“Courts of Requests Bill—To be further considered in Committee.”

7. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.—The Order of the day for further considering this Bill in Committee of the whole Council, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.

The Chairman having reported the Bill with amendments, the Council ordered the Report to be taken into consideration on Thursday the 26th August.

Bill, as amended, to be printed.

8. GENERAL AND QUARTER SESSIONS COURTS BILL.—The Order of the Day for the consideration of the Report upon this Bill having been read; on the Motion of the Attorney General, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman having reported the Bill with further amendments, the Council ordered the Report to be taken into consideration on Wednesday, 25th August.

Bill, as amended, to be printed.

9. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General, the following Orders of the Day were postponed until Wednesday, 25th August.

“Immigrant Ships Investigation Bill—To be considered in Committee.”

“Courts of Requests Bill—To be further considered in Committee.”

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 24TH AUGUST.

NOTICES OF MOTION :—

1. MR. WESTGARTH : To move, That the Petitions of George Ward Cole and Joseph Raleigh be taken into consideration, and that they be heard by Counsel at the Bar of the Council in support of the prayers of their Petitions.
2. MR. O'SHANASSY : To move, That an Address be presented to His Excellency the Lieutenant Governor praying that His Excellency will cause to be laid before this Council—
 - (1.) A Return of the Quantity of Land alienated from the Crown from 30th June, 1851, to 1st. July, 1852, specifying the number of acres, the average price per acre, the gross proceeds in town, suburban, and country.
 - (2.) Return showing the amount realised at public auction and by private sale on town, suburban, and country, from 30th. June, 1851, to 1st. July, 1852, giving the gross proceeds of the same in each town, suburb, and country in the Colony, for the same period.
 - (3.) Return of Lands alienated under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, date of application, name of applicant, number of acres applied for, local description, names of valuers, estimated value of improvements, (if any,) valuation per acre, irrespective of improvements, and number of acres alienated.
 - (4.) Return of Lands applied for under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, date of application, name of applicant, number of acres applied for, local description, cause of delay.
 - (5.) Return of Lands applied for under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, but refused, date of application, name of applicant, number of acres applied for, local description, cause of refusal.
 - (6.) Return of Lands applied for under the Pre-emptive Right, and valued, but refused by the applicant ; date of application, name of applicant, number of acres applied for, local description, names of valuers, estimated value of improvements, valuation per acre irrespective of improvements
 - (7.) Return under the heads of Town, Suburban, and Country ; with the names of each and local situation of the quantities of waste lands of the Crown in the Colony of Victoria, surveyed, but not alienated, and what impediments exist to prevent their sale, if applied for by the public.
 - (8.) Return of the number of Agricultural or other reserves made throughout the Colony of Victoria, with local description, as to extent and situation—the quantity of each reserve already alienated, and shewing the amount realized from the same in each Reserve, under the head of Town, Suburban, and Country.
 - (9.) Return under the foregoing heads, quarterly ;—commencing on 1st July, 1852, to illustrate the progress of the sale and settlement of the Crown Lands in the Colony of Victoria.
3. MR. MURPHY : To move that the Petition of N. L. Kentish be read and taken into consideration.

ORDERS OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.
2. PORTS, HARBOURS, AND SHIPPING LAWS CONSOLIDATION BILL.—To be considered in Committee together with Lieutenant Governor's Message, No. 17, and accompanying Despatches.
3. COSTS IN CRIMINAL CASES TAXATION BILL.—Second Reading.
4. GOVERNMENT PRINTING ESTABLISHMENT.—Consideration of Report.

WEDNESDAY, 25TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—Second Reading.
2. ASSESSMENT ACT CONTINUATION BILL.—Second Reading.
3. GENERAL AND QUARTER SESSIONS COURTS BILL.—Adoption of Report.
4. IMMIGRANT SHIPS' INVESTIGATION BILL.—To be considered in Committee.
5. COURTS OF REQUESTS BILL.—To be further considered in Committee.

THURSDAY, 26TH. AUGUST.

ORDERS OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.
2. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Adoption of Report.

FRIDAY, 27TH AUGUST.

ORDERS OF THE DAY:—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—Second Reading.
2. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.

THURSDAY, 2ND SEPTEMBER.

Government Business:—

ORDER OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

MEETINGS

OF

SELECT COMMITTEES.

Saturday, 21st August.

THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.

Tuesday, 24th August.

ROADS AND BRIDGES—at 10 o'clock.

SEWERAGE AND WATER SUPPLY—At 10 o'clock.

POLICE—at 12 o'clock.

EDUCATION—at 12 o'clock.

Wednesday, 25th August.

IMMIGRATION—at 10 o'clock.

EDUCATION—At 12 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Thursday, 26th August.

THE ASSAY OF GOLD—at 10 o'clock.

DISTRICT COUNCILS—at 12 o'clock.

YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Friday, 27th August.

YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Wednesday 1st September.

THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 32.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 24th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The Colonial Secretary, by Command of His Excellency the Lieutenant Governor, laid upon the Council Table the following Papers :
 - (1.) An Abstract of the General Revenue of the Colony of Victoria, (exclusively of the Crown Revenues) and of the appropriation of the same, from 1st July to 31st December, 1851.
 - (2.) An Abstract of the Crown Revenues of the Colony of Victoria, and of the appropriation of the same, from 1st July to 31st December, 1851.
 - (3.) Statements of the Expenditure of the sums appropriated for defraying the expenses of the several services and purposes specified in Schedule B., parts 1, 2, and 3, to the Act, 13 and 14 Vic., c. 59, from 1st July to 31st December, 1851.

Ordered to be severally printed.

3. SEWERAGE AND SUPPLY OF WATER TO MELBOURNE.—Mr. Pohlman having obtained leave of the Council, brought up a progress Report from the Select Committee on the Sewerage and Supply of Water to Melbourne, and moved that it be read.
Question—put and passed.—Report read.
4. WASTE LANDS.—Mr. O'Shanassy moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor praying that His Excellency will cause to be laid before this Council—
 - (1.) A Return of the Quantity of Land alienated from the Crown from 30th June, 1851, to 1st. July, 1852, specifying the number of acres, the average price per acre, the gross proceeds in town, suburban, and country.
 - (2.) Return showing the amount realised at public auction and by private sale on town, suburban, and country, from 30th. June, 1851, to 1st. July, 1852, giving the gross proceeds of the same in each town, suburb, and country in the Colony, for the same period.
 - (3.) Return of Lands alienated under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, date of application, name of applicant, number of acres applied for, local description, names of valuers, estimated value of improvements, (if any,) valuation per acre, irrespective of improvements, and number of acres alienated.
 - (4.) Return of Lands applied for under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, date of application, name of applicant, number of acres applied for, local description, cause of delay.
 - (5.) Return of Lands applied for under the Pre-emptive Right from 30th. June, 1851, to 1st. July, 1852, but refused, date of application, name of applicant, number of acres applied for, local description, cause of refusal.
 - (6.) Return of Lands applied for under the Pre-emptive Right, and valued, but refused by the applicant ; date of application, name of applicant, number of acres applied for, local description, names of valuers, estimated value of improvements, valuation per acre irrespective of improvements
 - (7.) Return under the heads of Town, Suburban, and Country ; with the names of each and local situation of the quantities of waste lands of the Crown in the Colony of Victoria, surveyed, but not alienated, and what impediments exist to prevent their sale, if applied for by the public.
 - (8.) Return of the number of Agricultural or other reserves made throughout the Colony of Victoria, with local description, as to extent and situation—the quantity of each reserve already alienated, and shewing the amount realized from the same in each Reserve, under the head of Town, Suburban, and Country.
 - (9.) Return under the foregoing heads, quarterly ;—commencing on 1st July, 1852, to illustrate the progress of the sale and settlement of the Crown Lands in the Colony of Victoria.
 Debate ensued.
Question—put and passed.
5. NEW MOTIVE POWER.—Mr. Murphy moved pursuant to notice, that the Petition of N. L. Kentish be read and taken into consideration.
Question—put and passed.—Petition read.

Mr. Murphy then moved, that the Petition and the matter referred to, therein, be referred to a Select Committee, to consist of the following Members, viz :—The Auditor General, Mr. Westgarth, Mr. O'Shanassy, Mr. Wilkinson and the Mover, with power to take evidence. Mr. Fawkner required that the Committee be appointed by Ballot.

Question—that a Select Committee of Five Members be appointed—put and passed.

Whereupon the Council proceeded to the Ballot, and the following Members being reported to have the greatest number of votes, were declared by the Speaker to be Members of such Committee, viz., Mr. Murphy, Mr. A'Beckett, Lieutenant-Colonel Anderson, Mr. Russell, and Mr. Riddell.

6. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL.—Mr. West moved, pursuant to notice, That the Petitions of George Ward Cole and Joseph Raleigh be taken into consideration, and that they be heard by Counsel at the Bar of the Council in support of the prayers of their Petitions.

Question—put and passed.

Counsel admitted to the Bar, and informed by the Speaker that he was to address the Council in support of the Petitions of George Ward Cole and Joseph Raleigh.

Counsel commenced his address.

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

LAW OF EVIDENCE AMENDMENT BILL.

C. J. LA TROBE,

Message No. 20.

Lieutenant Governor.

In pursuance of the provisions of the Statute, 5th and 6th Vict., cap. 76, the Lieutenant Governor transmits to the Council, for its consideration, the draft of "*A Bill to amend the Law of Evidence.*"

*Government Offices,
Melbourne, 24th August, 1852.*

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

Address of Counsel interrupted by the above Message resumed.

Counsel having concluded his address, withdrew.

8. INTRODUCTION OF CONVICT'S PREVENTION BILL.—The order of the day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the chair and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress and obtained leave to sit again 31st August.

9. POSTPONEMENT OF PORTION OF ORDER OF THE DAY.—On the motion of the Attorney General, so much of the 2nd Order of the Day as relates to the consideration of the Lieutenant Governor's Message No. 17, and accompanying Despatches, was postponed until to-morrow.

10. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL.—On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

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

11. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of Mr. Pohlman, the following Orders of the Day were postponed until 27th August :—

"*Costs in Criminal Cases Taxation Bill*"—*Second reading.*

"*Government Printing Establishment,—Consideration of Report.*"

Council adjourned at ten minutes to eight o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 25TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—Second Reading.
2. ASSESSMENT ACT CONTINUATION BILL.—Second Reading.
3. GENERAL AND QUARTER SESSIONS COURTS BILL.—Adoption of Report.
4. IMMIGRANT SHIPS' INVESTIGATION BILL.—To be considered in Committee.
5. COURTS OF REQUESTS BILL.—To be further considered in Committee.
6. LAW OF EVIDENCE AMENDMENT BILL.—Consideration of Lieutenant Governor's Message, No. 20.
7. CONSIDERATION OF LIEUTENANT GOVERNOR'S MESSAGE, No. 17, AND ACCOMPANYING DESPACHES.
8. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL.—To be further considered in Committee.

General Business :—

NOTICES OF MOTION :—

1. MR. CAMPBELL: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the table of this House :—
 - (1.) A Return of the number of claims to leases of runs beyond the settled districts acquired under the sanction of the Proclamation of Sir Charles Fitz Roy, of the 1st January 1848, shewing the estimated extent, the capabilities, and the district in which situated.
 - (2.) A Return of the number of claims to Leases obtained by tender from 1st January 1848, to 1st July 1852, shewing the estimated extent, the capabilities, the amount of premium paid, and the districts in which situated.
2. MR. POHLMAN: to move, That this House do resolve itself into a Committee of the whole for the purpose of considering the Report of the Select Committee on Sewerage, and for adopting an Address to His Excellency the Lieutenant Governor, requesting him to place on the Supplementary Estimates a sum of £1000 towards defraying the expenses of a Trigonometrical Survey of Melbourne, and other matters connected with the same inquiry.

THURSDAY, 26TH. AUGUST.

Government Business :—

ORDER OF THE DAY :—

1. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.—Adoption of Report.

General Business :—

NOTICE OF MOTION :—

1. DR. THOMSON: to move, That an Address be presented to His Excellency the Lieutenant Governor, praying that he will cause to be laid on the Table of the House, the following Returns :—
 - (1.) Copies of all Correspondence between the Sydney Government, or the Surveyor General of New South Wales, with the Executive of Port Phillip, or the Surveyor in charge at Melbourne, in respect to Reserves of Land for sale or other purposes, from the date of the Proclamation of the Orders in Council, under date, October 7th, 1847, to the 1st of July, 1851.
 - (2.) Copies of all Instructions from His Honor the Superintendent of Port Phillip on the same subject, for the same period.
 - (3.) Copies of all Correspondence between the Executive Government of Victoria, and the Surveyor General on the same subject, from the 1st of July, 1851, to the present date.

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.

FRIDAY, 27TH AUGUST.

NOTICES OF MOTION :—

1. MR. MILLER: to move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a Pontoon or other Bridge, to be forthwith thrown over the River Barwon, to supply the place of the Pile Bridge washed away by the floods in May last.
2. MR. FAWKNER, To move: That an Address be presented to His Excellency the Lieutenant-Governor of Victoria, requesting that he will be pleased at the earliest possible opportunity, to apply to the British Government, to send out to this Colony immediately, a sufficient body of Sappers and Miners, with their proper Staff of Engineers, to enable the Colonists to construct, at their own cost, the necessary defences to protect their noble Harbour, and rapidly increasing Towns. Victoria having always been from its very commencement, a self-supporting Colony, it behoves that its people continue to maintain this, its high model character. Therefore, this Council ask respectfully of His Excellency to propose to the Home Government, to send out to this Colony, a body of Sappers and Miners of not less than Two hundred, nor more than Five hundred men, and the proper officers for their control, together with all their equipments, and agree that the expense of their passage, in a ship of war, or transport, shall be paid for, out of the Territorial or Gold Revenue, with this proviso, that any of the men entitled to a discharge, shall receive the same, in this Province, and that these men shall not be removed from this Colony to any other Colony, but allowed their discharge in the Colony, whenever the British Government no longer require their services.

ORDERS OF THE DAY:—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—Second Reading.
2. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.
3. COSTS IN CRIMINAL CASES TAXATION BILL.—Second Reading.
4. GOVERNMENT PRINTING ESTABLISHMENT.—Consideration of Report.

TUESDAY, 31ST AUGUST.

ORDER OF THE DAY:—

1. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.

THURSDAY, 2ND SEPTEMBER.

Government Business:—

ORDER OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

MEETINGS
OF
SELECT COMMITTEES.

Wednesday, 25th August.

- IMMIGRATION—at 10 o'clock.
 EDUCATION—At 12 o'clock.
 THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.
 PRISON DISCIPLINE—at 1 o'clock.

Thursday, 26th August.

- THE ASSAY OF GOLD—at 10 o'clock.
 DISTRICT COUNCILS—at 12 o'clock.
 YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Friday, 27th August.

- THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.
 YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Wednesday 1st September.

- ROADS AND BRIDGES—at 10 o'clock.
 THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 33.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 25th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
 2. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—The Attorney General moved that this Bill be now read a second time.
Question—put and passed. Bill read a second time.
On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
 3. ASSESSMENT ACT CONTINUATION BILL.—The Attorney General moved that this Bill be “now” read a second “time.”
Mr. Fawkner moved, as an amendment, that the word “now” be omitted, and that the words “this day week” be added after the word “time.”
Question—that the word “now” stand part of the question—put and negatived.
Question—that the words proposed to be added, be so added—put and passed.
Question—that this Bill be read a second time this day week—put and passed.
 4. GENERAL AND QUARTER SESSIONS COURTS BILL.—On the motion of the Attorney General, the Council adopted the Report from the Committee of the whole upon this Bill.
Amendments agreed to.
Bill to be read a third time Friday, 27th August.
 5. IMMIGRANT SHIPS INVESTIGATION BILL.—On the motion of the Attorney General, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman having reported the Bill, with amendments, the Council ordered the Report to be taken into consideration on Tuesday, 31st August.
Bill, as amended, to be printed.
 6. COURTS OF REQUESTS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress and obtained leave to sit again to-morrow.
 7. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General the following Orders of the day were postponed until to-morrow:—
“*Law of Evidence Amendment Bill—Consideration of Lieutenant Governor's Message, No. 20.*”
“*Consideration of Lieutenant Governor's Message, No. 17, and accompanying Despatches.*”
“*Ports, Harbours, and Shipping Law Consolidation Bill,—to be further considered in Committee.*”
 8. POSTPONEMENT OF NOTICES OF MOTION.—Mr. Rutledge, on behalf of Mr. Campbell, postponed the Motion standing in his name, No. 1, *General Business*, on the Notice Paper of to-day, until to-morrow.
Mr. Pohlman postponed the Motion standing in his name, No. 2, *General Business*, on the Notice Paper of to-day, until to-morrow.
- Council adjourned at a quarter to seven o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 26TH. AUGUST.

Government Business :—

ORDERS OF THE DAY :—

1. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Adoption of Report.
2. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—To be further considered in Committee.
3. COURTS OF REQUESTS BILL—to be further considered in Committee.
4. LAW OF EVIDENCE AMENDMENT BILL.—Consideration of Lieutenant Governor's Message, No. 20.
5. CONSIDERATION OF LIEUTENANT GOVERNOR'S MESSAGE, NO. 17, AND ACCOMPANYING DESPACHES.
6. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL — To be further considered in Committee.

General Business :—

NOTICES OF MOTION :—

1. DR. THOMSON: to move, That an Address be presented to His Excellency the Lieutenant Governor, praying that he will cause to be laid on the Table of the House, the following Returns :—
 - (1.) Copies of all Correspondence between the Sydney Government, or the Surveyor General of New South Wales, with the Executive of Port Phillip, or the Surveyor in charge at Melbourne, in respect to Reserves of Land for sale or other purposes, from the date of the Proclamation of the Orders in Council, under date, October 7th, 1847, to the 1st of July, 1851.
 - (2.) Copies of all Instructions from His Honor the Superintendent of Port Phillip on the same subject, for the same period.
 - (3.) Copies of all Correspondence between the Executive Government of Victoria, and the Surveyor General on the same subject, from the 1st of July, 1851, to the present date.
2. MR. CAMPBELL: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the table of this House :—
 - (1.) A Return of the number of claims to leases of runs beyond the settled districts acquired under the sanction of the Proclamation of Sir Charles Fitz Roy, of the 1st January 1848, shewing the estimated extent, the capabilities, and the district in which situated.
 - (2.) A Return of the number of claims to Leases obtained by tender from 1st January 1848, to 1st July 1852, shewing the estimated extent, the capabilities, the amount of premium paid, and the districts in which situated.
3. MR. POHLMAN: to move, That this House do resolve itself into a Committee of the whole for the purpose of considering the Report of the Select Committee on Sewerage, and for adopting an Address to His Excellency the Lieutenant Governor, requesting him to place on the Supplementary Estimates a sum of £1000 towards defraying the expenses of a Trigonometrical Survey of Melbourne, and other matters connected with the same inquiry.

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.

FRIDAY, 27TH AUGUST.

NOTICES OF MOTION :—

1. MR. MILLER: to move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a Pontoon or other Bridge, to be forthwith thrown over the River Barwon, to supply the place of the Pile Bridge washed away by the floods in May last.
2. MR. FAWKNER, To move: That an Address be presented to His Excellency the Lieutenant-Governor of Victoria, requesting that he will be pleased at the earliest possible opportunity, to apply to the British Government, to send out to this Colony immediately, a sufficient body of Sappers and Miners, with their proper Staff of Engineers, to enable the Colonists to construct, at their own cost, the necessary defences to protect their noble Harbour, and rapidly increasing Towns. Victoria having always been from its very commencement, a self-supporting Colony, it behoves that its people continue to maintain this, its high model character. Therefore, this Council ask respectfully of His Excellency to propose to the Home Government, to send out to this Colony, a body of Sappers and Miners of not less than Two hundred, nor more than Five hundred men, and the proper officers for their control, together with all their equipments, and agree that the expense of their passage, in a ship of war, or transport, shall be paid for, out of the Territorial or Gold Revenue, with this proviso, that any of the men entitled to a discharge, shall receive the same, in this Province, and that these men shall not be removed from this Colony to any other Colony, but allowed their discharge in the Colony, whenever the British Government no longer require their services.

ORDERS OF THE DAY:—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—Second Reading.
2. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.
3. COSTS IN CRIMINAL CASES TAXATION BILL.—Second Reading.
4. GOVERNMENT PRINTING ESTABLISHMENT.—Consideration of Report.
5. GENERAL AND QUARTER SESSIONS COURTS BILL.—Third reading.

TUESDAY, 31ST AUGUST.

ORDERS OF THE DAY:—

1. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.
2. IMMIGRANT SHIPS' INVESTIGATION BILL.—Adoption of Report.

WEDNESDAY, 1ST SEPTEMBER.

Government Business:—

ORDER OF THE DAY:—

1. ASSESSMENT ACT CONTINUATION BILL.—Second Reading.

THURSDAY, 2ND SEPTEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. CUSTOMS REGULATIONS BILL.—Adoption of Report.

FRIDAY, 3RD SEPTEMBER.

NOTICE OF MOTION:—

1. MR. WESTGARTH: To move, that the 58th and 59th and the portion of the 60th Standing Orders of the House which relate to the proof of notice be suspended to allow the presentation of a petition for a Bill incorporating a Company, to be called the Melbourne and Hobson's Bay Railway Company.

MEETINGS
OF
SELECT COMMITTEES.

Thursday, 26th August.

- THE ASSAY OF GOLD—at 10 o'clock.
DISTRICT COUNCILS—at 12 o'clock.
YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Friday, 27th August.

- THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.
EDUCATION—At 10 o'clock.
YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Tuesday, 31st August.

- IMMIGRATION—at 10 o'clock.
SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—At 12 o'clock.

Wednesday 1st September.

ROADS AND BRIDGES—at 10 o'clock.

THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Thursday, 2nd September.

THE YARRA BEND LUNATIC ASYLUM—At 12 o'clock.

Friday, 3rd September.

THE YARRA BEND LUNATIC ASYLUM—At 12 o'clock.

J. F. PALMER,
Speaker.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 26th. AUGUST, 1852.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until the 1st September next.
“Administration of Criminal Justice Improvement Bill.”—Adoption of Report.
3. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council, having been read, the Speaker left the chair and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 The Chairman having reported the Bill, with amendments, the Council ordered the Report to be taken into consideration on Wednesday 1st September next.
 Bill, as amended, to be printed.
4. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the consideration of the following Order of the Day was postponed until after the consideration of the 6th Order of the Day :—
“ ‘ Courts of Requests Bill ’—to be further considered in Committee.”
5. LAW OF EVIDENCE AMENDMENT BILL.—The Attorney General moved, that the Bill to amend the Law of Evidence, accompanying His Excellency the Lieutenant Governor's Message No. 20, be now read a first time.
 Question—put and passed.—Bill read a first time, to be read a second time, Thursday, 2nd September next, and to be printed.
6. TRANSFER OF CUSTOMS' ESTABLISHMENT.—On the motion of the Colonial Secretary, His Excellency the Lieutenant Governor's Message No. 17, was read by the Clerk.
 The Colonial Secretary then moved, that in accordance with the suggestion contained in His Excellency the Lieutenant Governor's Message, No. 17, the 31st day of December, 1852, be fixed as the most convenient date, in the opinion of this Council on which the control and management of the Customs' Establishments in the Colony of Victoria, should be transferred from the Lords Commissioners of Her Majesty's Treasury to the Colonial Government.
 Question—put and passed.
7. PORTS HARBOURS AND SHIPPING LAW CONSOLIDATION BILL.—The Order of the day for the further consideration of this Bill in Committee of the whole Council, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.
8. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor received and read.

PASSENGERS BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 21.

In pursuance of the provisions of the Statute 5th and 6th Victoria, cap. 76, His Excellency the Lieutenant Governor transmits to the Council, for its consideration, the draft of *“ A Bill to Regulate the Conveyance of Passengers to the Colony of Victoria.”*

*Government Offices,
 Melbourne, 26th August, 1852.*

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

The Speaker then left the chair, and the Council again resolved itself into a Committee of the whole for the further consideration of the Ports, Harbours and Shipping Law Consolidation Bill.

The Chairman having reported the Bill, with amendments, the Council ordered the Report to be taken into consideration on Thursday, the 2nd September, next.
Bill, as amended, to be printed.

9. COURTS OF REQUESTS BILL.—The Order of the day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

10. POSTPONEMENT OF NOTICES OF MOTIONS.—Dr. Thomson postponed the Motion standing in his name, No. 1, "*General Business*" on the Notice Paper of to-day, until Tuesday, 31st August.

Mr. Murphy on behalf of Mr. Campbell, postponed the Motion standing in his name, No. 2, "*General Business*" on the Notice paper of to-day, until Tuesday, 31st August.

Mr. Pohlman postponed the motion standing in his name, No. 3, *General business* on the Notice paper of to-day until to-morrow.

11. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Murphy the following Order of the Day was postponed until Friday 3rd September next.

"*Scab and Catarrh in Sheep Prevention Bill*,"—*Second Reading*."

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 27TH AUGUST.

NOTICES OF MOTION :—

1. MR. MILLER : to move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a Pontoon or other Bridge, to be forthwith thrown over the River Barwon, to supply the place of the Pile Bridge washed away by the floods in May last.
2. MR. FAWKNER, To move : That an Address be presented to His Excellency the Lieutenant-Governor of Victoria, requesting that he will be pleased at the earliest possible opportunity, to apply to the British Government, to send out to this Colony immediately, a sufficient body of Sappers and Miners, with their proper Staff of Engineers, to enable the Colonists to construct, at their own cost, the necessary defences to protect their noble Harbour, and rapidly increasing Towns. Victoria having always been from its very commencement, a self-supporting Colony, it behoves that its people continue to maintain this, its high model character. Therefore, this Council ask respectfully of His Excellency to propose to the Home Government, to send out to this Colony, a body of Sappers and Miners of not less than Two hundred, nor more than Five hundred men, and the proper officers for their control, together with all their equipments, and agree that the expense of their passage, in a ship of war, or transport, shall be paid for, out of the Territorial or Gold Revenue, with this proviso, that any of the men entitled to a discharge, shall receive the same, in this Province, and that these men shall not be removed from this Colony to any other Colony, but allowed their discharge in the Colony, whenever the British Government no longer require their services.
3. MR. POHLMAN : to move, That this House do resolve itself into a Committee of the whole for the purpose of considering the Report of the Select Committee on Sewerage, and for adopting an Address to His Excellency the Lieutenant Governor, requesting him to place on the Supplementary Estimates a sum of £1000 towards defraying the expenses of a Trigonometrical Survey of Melbourne, and other matters connected with the same inquiry.

ORDERS OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—Second Reading.
2. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.
3. COSTS IN CRIMINAL CASES TAXATION BILL.—Second Reading.
4. GOVERNMENT PRINTING ESTABLISHMENT.—Consideration of Report.
5. GENERAL AND QUARTER SESSIONS COURTS BILL.—Third reading.
6. PASSENGERS BILL.—Consideration of Lieutenant Governor's Message, No. 21.
7. COURTS OF REQUESTS BILL—to be further considered in Committee.

145

TUESDAY, 31ST AUGUST.

NOTICES OF MOTION :—

1. DR. THOMSON: to move, That an Address be presented to His Excellency the Lieutenant Governor, praying that he will cause to be laid on the Table of the House, the following Returns :—
 - (1.) Copies of all Correspondence between the Sydney Government, or the Surveyor General of New South Wales, with the Executive of Port Phillip, or the Surveyor in charge at Melbourne, in respect to Reserves of Land for sale or other purposes, from the date of the Proclamation of the Orders in Council, under date, October 7th, 1847, to the 1st of July, 1851.
 - (2.) Copies of all Instructions from His Honor the Superintendent of Port Phillip on the same subject, for the same period.
 - (3.) Copies of all Correspondence between the Executive Government of Victoria, and the Surveyor General on the same subject, from the 1st of July, 1851, to the present date.
2. MR. CAMPBELL: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the table of this House :—
 - (1.) A Return of the number of claims to leases of runs beyond the settled districts acquired under the sanction of the Proclamation of Sir Charles Fitz Roy, of the 1st January 1848, shewing the estimated extent, the capabilities, and the district in which situated.
 - (2.) A Return of the number of claims to Leases obtained by tender from 1st January 1848, to 1st July 1852, shewing the estimated extent, the capabilities, the amount of premium paid, and the districts in which situated.

ORDERS OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.
2. IMMIGRANT SHIPS' INVESTIGATION BILL—Adoption of Report.

WEDNESDAY, 1ST SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. ASSESSMENT ACT CONTINUATION BILL.—Second Reading.
2. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Adoption of Report.
3. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—Adoption of Report.

THURSDAY, 2ND SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. LAW OF EVIDENCE AMENDMENT BILL.—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Adoption of Report.

FRIDAY, 3RD SEPTEMBER.

NOTICE OF MOTION :—

1. MR. WESTGARTH: To move, that the 58th and 59th and the portion of the 60th Standing Orders of the House which relate to the proof of notice be suspended to allow the presentation of a petition for a Bill incorporating a Company, to be called the Melbourne and Hobson's Bay Railway Company.

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.

MEETINGS
OF
SELECT COMMITTEES.

Friday, 27th August.

THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.

EDUCATION—At 10 o'clock.

YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Tuesday, 31st August.

THE ASSAY OF GOLD—at 10 o'clock.

IMMIGRATION—at 10 o'clock.

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—At 12 o'clock.

Wednesday 1st September.

THE ASSAY OF GOLD—At 10 o'clock.

ROADS AND BRIDGES—at 10 o'clock.

THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Thursday, 2nd September.

DISTRICT COUNCILS—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Friday, 3rd September.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 35.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

=====

FRIDAY, 27th. AUGUST, 1852.

1. Council met pursuant to adjournment.
2. The Clerk informed the Council that the Speaker was unable, through illness, to attend the meeting of the Council this day ;
Whereupon, Mr. Pohlman moved, That this Council adjourn until three o'clock on Tuesday next; which Question was put by the Clerk and passed.
Council adjourned until three o'clock on Tuesday next.

JOHN BARKER,

Clerk of the Legislative Council.

=====

NOTICES OF MOTION AND ORDERS OF THE DAY.

=====

Orders of the day that were for consideration on Friday the 27th August.

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—Second Reading.
 2. IMPOUNDING ACT AMENDMENT BILL.—Second Reading.
 3. COSTS IN CRIMINAL CASES TAXATION BILL.—Second Reading.
 4. GOVERNMENT PRINTING ESTABLISHMENT.—Consideration of Report.
 5. GENERAL AND QUARTER SESSIONS COURTS BILL.—Third reading.
 6. PASSENGERS BILL.—Consideration of Lieutenant Governor's Message, No. 21.
 7. COURTS OF REQUESTS BILL—to be further considered in Committee.
- =====

TUESDAY, 31st AUGUST.

NOTICES OF MOTION :—

1. DR. THOMSON: to move, That an Address be presented to His Excellency the Lieutenant Governor, praying that he will cause to be laid on the Table of the House, the following Returns :—
 - (1.) Copies of all Correspondence between the Sydney Government, or the Surveyor General of New South Wales, with the Executive of Port Phillip, or the Surveyor in charge at Melbourne, in respect to Reserves of Land for sale or other purposes, from the date of the Proclamation of the Orders in Council, under date, October 7th, 1847, to the 1st of July, 1851.
 - (2.) Copies of all Instructions from His Honor the Superintendent of Port Phillip on the same subject, for the same period.
 - (3.) Copies of all Correspondence between the Executive Government of Victoria, and the Surveyor General on the same subject, from the 1st of July, 1851, to the present date.
2. MR. CAMPBELL: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the table of this House :—
 - (1.) A Return of the number of claims to leases of runs beyond the settled districts acquired under the sanction of the Proclamation of Sir Charles Fitz Roy, of the 1st January 1848, shewing the estimated extent, the capabilities, and the district in which situated.
 - (2.) A Return of the number of claims to Leases obtained by tender from 1st January 1848, to 1st July 1852, shewing the estimated extent, the capabilities, the amount of premium paid, and the districts in which situated.

ORDERS OF THE DAY :—

1. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.
2. IMMIGRANT SHIPS' INVESTIGATION BILL—Adoption of Report.

WEDNESDAY, 1ST SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. ASSESSMENT ACT CONTINUATION BILL.—Second Reading.
2. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.—Adoption of Report.
3. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—Adoption of Report.

THURSDAY, 2ND SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL.—Adoption of Report.
2. LAW OF EVIDENCE AMENDMENT BILL.—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL.—Adoption of Report.

FRIDAY, 3RD SEPTEMBER.

NOTICE OF MOTION :—

1. MR. WESTGARTH : To move, that the 58th and 59th and the portion of the 60th Standing Orders of the House which relate to the proof of notice be suspended to allow the presentation of a petition for a Bill incorporating a Company, to be called the Melbourne and Hobson's Bay Railway Company.

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 31st August.

THE ASSAY OF GOLD—at 10 o'clock.
 IMMIGRATION—at 10 o'clock.
 SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 12 o'clock.
 EDUCATION—at 12 o'clock.

Wednesday 1st September.

THE ASSAY OF GOLD—At 10 o'clock.
 ROADS AND BRIDGES—at 10 o'clock.
 THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.
 THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Thursday, 2nd September.

DISTRICT COUNCILS—at 10 o'clock.
 THE MELBOURNE GAS AND COKE COMPANY BILL—at 10 o'clock.
 THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Friday, 3rd September.

THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.
 THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Wednesday, 8th September.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

No. 36.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 31st. AUGUST, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. CHIEF COMMISSIONER OF THE MOUNT ALEXANDER DIGGINGS.—Mr. Johnston presented a Memorial from Bryce Ross, resident on Forest Creek Diggings, Mount Alexander, beseeching this Council to take such immediate steps as will cause the removal from office of the present Chief Commissioner of the Mount Alexander Diggings.
Memorial received.
3. RESERVES OF LAND.—Dr. Thomson moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Lieutenant Governor, praying that he will cause to be laid on the Table of this House, the following Returns :—
 - (1.) Copies of all Correspondence between the Sydney Government, or the Surveyor General of New South Wales, with the Executive of Port Phillip, or the Surveyor in charge at Melbourne, in respect to Reserves of Land for sale or other purposes, from the date of the Proclamation of the Orders in Council, under date, October 7th, 1847, to the 1st of July, 1851.
 - (2.) Copies of all instructions from His Honor the Superintendent of Port Phillip on the same subject, for the same period.
 - (3.) Copies of all Correspondence between the Executive Government of Victoria, and the Surveyor General on the same subject, from the 1st of July, 1851, to the present date.
 - (4.) A Return of all places where these Reserves have been made, and the number of acres in each respectively.
 Question put and passed.
4. CLAIMS TO LEASES OF RUNS.—Mr. Campbell moved, pursuant to *amended* Notice, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the table of this House :—
 - (1.) A Return of the number of Transfers of and claims to leases of runs beyond the settled districts acquired under the sanction of the Proclamation of Sir Charles Fitz Roy, of the 1st January 1848, shewing the estimated extent, the capabilities, and the district in which "*situated*."
 - (2.) A Return of the number of claims to Leases obtained by tender from 1st January 1848, to 1st July 1852, shewing the estimated extent, the capabilities, the amount of premium paid, and the districts in which situated.
 Mr. Splatt moved as an amendment, that the following words be added after the word "*situated*" at the end of the 1st paragraph, "also the quantity or number of Stock depastured on each Run at the period of transfer."
Question—That the words proposed to be added be so added—put and passed.
Question—That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid on the table of this House :—
 - (1.) A Return of the number of transfers of, and claims to leases of runs beyond the Settled Districts acquired under the sanction of the Proclamation of Sir Charles Fitz Roy, of the 1st January, 1848, shewing the estimated extent, the capabilities, and the district in which situated; also the quantity or number of Stock depastured on each Run at the period of transfer.
 - (2.) A Return of the number of claims to Leases obtained by tender from 1st January, 1848, to 1st July, 1852, shewing the estimated extent, the capabilities, the amount of premium paid, and the districts in which situated.—Put and passed.
5. INTRODUCTION OF CONVICTS PREVENTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress and obtained leave to set again Friday, 3rd September next.

6. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until Thursday, 2nd September next.
 “*Immigrant Ships Investigation Bill—Adoption of Report.*”
7. MELBOURNE MUNICIPAL FRANCHISE BILL.—Mr. Fawcner moved, that this Bill be now read a second time.
8. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Messages from His Excellency the Lieutenant Governor, received and read.

MARRIAGE BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 22.

In pursuance of the provisions of the Statute 5th and 6th Vict., cap 76, the Lieutenant Governor transmits to the Council, for its consideration, the draft of “*A Bill for Marriages in the Colony of Victoria.*”

*Government Offices,
 Melbourne, 31st August, 1852.*

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

OFFENCES PREVENTION BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 23.

In pursuance of the provisions of the Statute 5th and 6th Vict., cap. 76, the Lieutenant Governor transmits to the Council, for its consideration, the draft of “*A Bill for the better prevention of Offences.*”

*Government Offices,
 Melbourne, 31st August, 1852.*

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

LUNATIC MAINTENANCE BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 24.

In pursuance of the provisions of the Statute 5th and 6th Victoria, cap. 76, the Lieutenant Governor transmits to the Council for its consideration the draft of “*A Bill to make further provision for the care and maintenance of persons of unsound mind.*”

*Government Offices,
 Melbourne, 31st August, 1852.*

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

MELBOURNE MUNICIPAL FRANCHISE BILL.—The Debate upon the second reading of this Bill, interrupted by the above Message, resumed.

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

Mr. Fawcner then moved, That the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the consideration of this Bill.

Question put.

Council divided.

Ayes, 16.
 MR. WESTGARTH,
 THE COLONIAL SECRETARY.
 MR MURPHY,
 THE SOLICITOR GENERAL,
 THE CHAIRMAN OF QUARTER
 SESSIONS,
 MR. STRACHAN,
 MR. JOHNSTON,
 MR. RIDDELL,
 MR. RUSSELL,
 MR. FAWKNER,
 MR. O'SHANASSY,
 MR. MILLER,
 MR. WILKINSON,
 MR. MERCER,
 DR. THOMSON,
 THE ATTORNEY GENERAL, (*Teller.*)

Noes, 2.
 MR. RUTLEDGE,
 MR. SPLATT, (*Teller.*)

The Speaker then left the chair and the Council resolved itself into a Committee of the whole for the consideration of this Bill.

- The Chairman reported progress and obtained leave to sit again Tuesday the 14th September next.
9. **IMPOUNDING ACT AMENDMENT BILL.**—Mr. Fawkner moved that this Bill be now read a second time.
Debate ensued.
Question—put and passed.
Bill read a second time.
Mr. Fawkner then moved that the Speaker leave the chair, and the Council resolve itself into a Committee of the whole for the consideration of this Bill.
Question—put and passed.
The Speaker then left the chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman reported progress and obtained leave to sit again Tuesday the 7th September next.
10. **COSTS IN CRIMINAL CASES TAXATION BILL.**—Mr. Pohlman moved that this Bill be now read a second time.
Question—put and passed.
Bill read a second time.
Mr. Pohlman then moved, that the Speaker leave the Chair and the Council resolve itself into a Committee of the whole for the consideration of this Bill.
Question—put and passed.
The Speaker then left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof
The Chairman reported progress and obtained leave to sit again to-morrow.
11. **GOVERNMENT PRINTING ESTABLISHMENT.**—On the Order of the Day for the consideration of the Report from the Select Committee on this Establishment having been read, Mr. Splatt moved that the Report be read.
Question—put and passed.—Report read.
Mr. Splatt then moved that the Speaker do now leave the Chair and the Council resolve itself into a Committee of the whole, for the consideration of so much of the report as recommends an Address to be presented to his Excellency the Lieutenant Governor, praying that his Excellency will be pleased to place the sum of Five Thousand Pounds on the Estimates for the ensuing year, for the erection of a Building adapted to the wants of the Printing Office, in accordance with a plan submitted to and approved of by the Committee.
Question—put and passed.
The Speaker then left the Chair, and the Committee resolved itself into a Committee of the whole for the consideration thereof.
The Chairman of Committees reported, that there were not present in Committee, ten Members exclusive of the Chairman, whereupon the Speaker counted the Council, and it then appearing there was not present one-third of the Members, exclusive of the Speaker, The Council was adjourned by the Speaker at ten minutes past seven o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 1ST SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. **ASSESSMENT ACT CONTINUATION BILL.**—Second Reading.
2. **ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.**—Adoption of Report.
3. **MASTERS AND SERVANTS ACTS' CONTINUATION BILL.**—Adoption of Report.
4. **MARRIAGE BILL.**—Consideration of Lieutenant Governor's Message, No. 22.
5. **OFFENCES PREVENTION BILL.**—Consideration of Lieutenant Governor's Message, No. 23.
6. **LUNATIC MAINTENANCE BILL.**—Consideration of Lieutenant Governor's Message, No. 24.
7. **COSTS IN CRIMINAL CASES TAXATION BILL.**—To be considered in Committee.

THURSDAY, 2ND SEPTEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. LAW OF EVIDENCE AMENDMENT BILL.—Second Reading.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Adoption of Report.
4. IMMIGRANT SHIPS' INVESTIGATION BILL—Adoption of Report.

General Business:—

NOTICE OF MOTION:—

1. MR. FAWKNER, To move: That an Address be presented to His Excellency the Lieutenant Governor of Victoria, requesting that he will be pleased at the earliest possible opportunity to apply to the British Government, to send out to this Colony immediately, a sufficient body of Sappers and Miners, with their proper Staff of Engineers, to enable the Colonists to construct, at their own cost, the necessary defences to protect their noble Harbour, and rapidly increasing Towns. Victoria having always been from its very commencement, a self-supporting Colony, it behoves that its people continue to maintain this, its high model character. Therefore, this Council ask respectfully of His Excellency to propose to the Home Government, to send out to this Colony, a body of Sappers and Miners of not less than Two hundred, nor more than Five hundred men, and the proper officers for their control, together with all their equipments, and agree that the expense of their passage, in a ship of war, or transport, shall be paid for, out of the Territorial or Gold Revenue, with this proviso, that any of the men entitled to a discharge, shall receive the same, in this Province, and that these men shall not be removed from this Colony to any other Colony, but allowed their discharge in the Colony, whenever the British Government no longer require their services.

FRIDAY, 3RD SEPTEMBER.

NOTICES OF MOTION:—

1. MR. WESTGARTH: To move, that the 58th and 59th and the portion of the 60th Standing Orders of the House which relate to the proof of notice be suspended to allow the presentation of a petition for a Bill incorporating a Company, to be called the Melbourne and Hobson's Bay Railway Company.
2. MR. MILLER: to move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a Pontoon or other Bridge, to be forthwith thrown over the River Barwon, to supply the place of the Pile Bridge washed away by the floods in May last.
3. MR. POHLMAN: to move, That this House do resolve itself into a Committee of the whole for the purpose of considering the Report of the Select Committee on Sewerage, and for adopting an Address to His Excellency the Lieutenant Governor, requesting him to place on the Supplementary Estimates a sum of £1000 towards defraying the expenses of a Trigonometrical Survey of Melbourne, and other matters connected with the same inquiry.

ORDERS OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.
2. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.

TUESDAY, 7TH SEPTEMBER.

ORDER OF THE DAY:—

1. IMPOUNDING ACT AMENDMENT BILL.—To be further considered in Committee.

TUESDAY, 14TH SEPTEMBER.

ORDER OF THE DAY:—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.

153

MEETINGS
OF
SELECT COMMITTEES.

Wednesday 1st September.

THE ASSAY OF GOLD—At 10 o'clock.
ROADS AND BRIDGES—at 10 o'clock.
PRISON DISCIPLINE—at 11 o'clock.
THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL—at 12 o'clock.
THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Thursday, 2nd September.

DISTRICT COUNCILS—at 10 o'clock.
THE MELBOURNE GAS AND COKE COMPANY BILL—at 10 o'clock.
IMMIGRATION—at 10 o'clock.
THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Friday, 3rd September.

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.
THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.
EDUCATION—at 12 o'clock.

Wednesday, 8th September.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 37.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 1st. SEPTEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—Mr. Miller as Chairman of the Select Committee on this Bill, brought up the Report from the Committee, and moved that it be received.
Question—put and passed.
3. GENERAL AND QUARTER SESSIONS COURTS BILL.—The Order of the Day for the third reading of this Bill having been read, the Attorney General moved that the Speaker leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill.
Question—put and passed.
The Speaker then left the Chair and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same.
The Speaker having reported, that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,
Bill on the motion of the Attorney General read a third time and *passed*.
The Attorney General then moved, that the following be the title of the Bill :—“ *An Act to make provision for the better Administration of Justice in Courts of General Sessions in the Colony of Victoria.*”
Question—put and passed.
4. PASSENGERS BILL.—The order of the day for the consideration of the Lieutenant Governor's Message, No. 21, having been read the Attorney General moved, that the Bill accompanying this Message intituled, “ *A Bill to regulate the Conveyance of Passengers to the Colony of Victoria,*” be now read a first time.
Question—put and passed—Bill read a first time and ordered to be read a second time Wednesday, 8th September and to be printed.
5. COURTS OF REQUESTS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again after the consideration of the other Orders for to-day.
6. ASSESSMENT ACT CONTINUATION BILL.—The Attorney General moved that this Bill be “ *now*” read a second “ *time.*”
Mr. Splatt moved as an amendment, that the word “ *now*” be omitted, and that the words “ *this day six months*” be added after the word “ *time.*”
Question—That the word “ *now*” be omitted—put.
Council divided.

Ayes, 10.

MR. SPLATT,
MR. RUTLEDGE,
MR. MERCER,
MR. MURPHY,
MR. RUSSELL,
THE CHAIRMAN OF QUARTER
SESSIONS,
MR. MILLER,
MR. WESTGARTH,
DR. THOMSON,
MR. GOLDSMITH, (*Teller.*)

Noes, 7.

THE ATTORNEY GENERAL,
MR. O'SHANASSY,
MR. FAWKNER,
MR. STRACHAN,
THE SOLICITOR GENERAL,
MR. WILKINSON,
THE COLONIAL SECRETARY. (*Teller.*)

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

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

7. **POSTPONEMENT OF ORDERS OF THE DAY.**—On the motion of the Attorney General, the following Orders of the Day were postponed until Friday, 3rd September.

“ *Administration of Criminal Justice Improvement Bill—Adoption of Report.*”

“ *Masters and Servants Acts' Continuation Bill—Adoption of Report.*”

8. **MARRIAGE BILL.**—The Order of the Day for the consideration of the Lieutenant Governor's Message No. 22, having been read, the Attorney General moved, that the Bill accompanying this Message, intituled, “ *A Bill for Marriages in the Colony of Victoria,*” be now read a first time.

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

9. **OFFENCES PREVENTION BILL.**—The Order of the day for the consideration of the Lieutenant Governor's Message, No. 23, having been read, the Attorney General moved, That the Bill accompanying this Message, intituled, “ *A Bill for the better Prevention of Offences*” be now read a first time.

Question—put and passed. Bill read a first time. Ordered to be read a second time, 15th September, and to be printed.

10. **LUNATIC'S MAINTENANCE BILL.**—The Order of the day for the consideration of the Lieutenant Governor's Message, No. 24, having been read, the Attorney General moved, That the Bill accompanying this Message, intituled, “ *A Bill to make further provision for the care and maintenance of Persons of Unsound Mind,*” be now read a first time.

Question—put and passed. Bill read a first time. Ordered to be read a second time, 15th September, and to be printed.

11. **COSTS IN CRIMINAL CASES TAXATION BILL.**—Mr. Pohlman moved, That the Speaker do now leave the Chair and the Council resolve itself into a Committee of the whole for the consideration of this Bill.

Question—put and passed.

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

The Chairman having reported the Bill with amendments, the Council ordered the report to be taken into consideration on Wednesday, the 8th September.

Bill, as amended, to be printed.

12. **COURTS OF REQUESTS BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof. The Chairman of Committees reported that there were not present in Committee ten members, exclusive of the Chairman, whereupon the Speaker counted the Council, and it then appearing there was not present one-third of the members exclusive of the Speaker, the Council was adjourned by the Speaker at five minutes to seven o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 2ND SEPTEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. **CUSTOMS REGULATIONS BILL**—Adoption of Report.
2. **LAW OF EVIDENCE AMENDMENT BILL.**—Second Reading.
3. **PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL**—Adoption of Report.
4. **IMMIGRANT SHIPS' INVESTIGATION BILL**—Adoption of Report.

General Business:—

NOTICE OF MOTION:—

1. **MR. FAWKNER,** To move: That an Address be presented to His Excellency the Lieutenant Governor of Victoria, requesting that he will be pleased at the earliest possible opportunity to apply to the British Government, to send out to this Colony immediately, a sufficient body of Sappers and Miners, with their proper Staff of Engineers, to enable the Colonists to construct, at their own cost, the necessary defences to protect their noble Harbour, and rapidly increasing Towns. Victoria having always been from its very commencement, a

157

self-supporting Colony, it behoves that its people continue to maintain this, its high model character. Therefore, this Council ask respectfully of His Excellency to propose to the Home Government, to send out to this Colony, a body of Sappers and Miners of not less than Two hundred, nor more than Five hundred men, and the proper officers for their control, together with all their equipments, and agree that the expense of their passage, in a ship of war, or transport, shall be paid for, out of the Territorial or Gold Revenue, with this proviso, that any of the men entitled to a discharge, shall receive the same, in this Province, and that these men shall not be removed from this Colony to any other Colony, but allowed their discharge in the Colony, whenever the British Government no longer require their services.

FRIDAY, 3RD SEPTEMBER.

NOTICES OF MOTION:—

1. MR. WESTGARTH: To move, that the 58th and 59th and the portion of the 60th Standing Orders of the House which relate to the proof of notice be suspended to allow the presentation of a petition for a Bill incorporating a Company, to be called the Melbourne and Hobson's Bay Railway Company.
2. MR. MILLER: to move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a Pontoon or other Bridge, to be forthwith thrown over the River Barwon, to supply the place of the Pile Bridge washed away by the floods in May last.
3. MR. POHLMAN: to move, That this House do resolve itself into a Committee of the whole for the purpose of considering the Report of the Select Committee on Sewerage, and for adopting an Address to His Excellency the Lieutenant Governor, requesting him to place on the Supplementary Estimates a sum of £1000 towards defraying the expenses of a Trigonometrical Survey of Melbourne, and other matters connected with the same inquiry.

ORDERS OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.
2. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.
3. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.—Adoption of Report.
4. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—Adoption of Report.

TUESDAY, 7TH SEPTEMBER.

ORDER OF THE DAY:—

1. IMPOUNDING ACT AMENDMENT BILL.—To be further considered in Committee.

WEDNESDAY, 8TH SEPTEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. PASSENGERS BILL.—Second reading.
2. COSTS IN CRIMINAL CASES TAXATION BILL.—Adoption of Report.

TUESDAY, 14TH SEPTEMBER.

ORDER OF THE DAY:—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.

WEDNESDAY, 15TH SEPTEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. OFFENCES PREVENTION BILL.—Second reading.
2. LUNATIC MAINTENANCE BILL.—Second reading.

MEETINGS
OF
SELECT COMMITTEES.

Thursday, 2nd September.

DISTRICT COUNCILS—at 10 o'clock.

THE MELBOURNE GAS AND COKE COMPANY BILL—at 10 o'clock.

IMMIGRATION—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Friday, 3rd September.

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.

THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

EDUCATION—at 12 o'clock.

PRISON DISCIPLINE—at 12 o'clock.

Tuesday, 7th September.

THE ASSAY OF GOLD—at 10 o'clock.

Wednesday, 8th September.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

ROADS AND BRIDGES—at 1 o'clock.

J. F. PALMER,
Speaker.

No. 38.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 2nd. SEPTEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. SUSPENSION OF STANDING ORDERS.—The Attorney General moved the suspension of Standing Orders, No. 33 and 18, with the view to the resumption of the discussion, in Committee of the whole Council, upon the Courts of Requests Bill.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments,
The Attorney General moved that the Speaker leave the Chair and the Council resolve itself into a Committee of the whole for reconsidering this Bill, whereupon the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the reconsideration thereof.
The Chairman having reported the Bill with further amendments the Council ordered the Report to be taken into consideration Thursday 9th September.
Bill as amended to be printed.
3. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until Thursday, 16th September :—
“ ‘ Customs Regulations Bill’—Adoption of Report.”
4. LAW OF EVIDENCE AMENDMENT BILL.—The Attorney General moved that this Bill be now read a second time.
Question—put and passed.
Bill read a second time.
On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
4. POSTPONEMENT OF ORDERS OF THE DAY.—On the Motion of the Attorney General, the consideration of the following Order of the Day was postponed until Tuesday, 7th September :—
“ ‘ Ports, Harbours, and Shipping Law Consolidation Bill’—Adoption of Report.”
And the consideration of the following Order of the day was postponed until to-morrow :—
“ ‘ Immigrant Ship Investigation Bill’—Adoption of Report.”
5. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Fawkner postponed the motion standing in his name, on the Notice Paper of to-day, until Tuesday, 7th September.
Council adjourned at 20 minutes past five o'clock, until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 3RD SEPTEMBER.

NOTICES OF MOTION :—

1. MR. WESTGARTH: To move, that the 58th and 59th and the portion of the 60th Standing Orders of the House which relate to the proof of notice be suspended to allow the presentation of a petition for a Bill incorporating a Company, to be called the Melbourne and Hobson's Bay Railway Company.

2. MR. MILLER : to move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a Pontoon or other Bridge, to be forthwith thrown over the River Barwon, to supply the place of the Pile Bridge washed away by the floods in May last.
3. MR. POHLMAN : to move, That this House do resolve itself into a Committee of the whole for the purpose of considering the Report of the Select Committee on Sewerage, and for adopting an Address to His Excellency the Lieutenant Governor, requesting him to place on the Supplementary Estimates a sum of £1000 towards defraying the expenses of a Trigonometrical Survey of Melbourne, and other matters connected with the same inquiry.
4. MR. SPLATT : To move, That an Address be presented by this Council to His Excellency the Lieutenant Governor, praying His Excellency to direct that a Copy of a certain letter, bearing date on or about the 26th August, be furnished to this Council, which letter was addressed to His Excellency, on the subject of the Crown Lands of this Colony, and signed by certain Members of this Council in their capacity as Legislative Members thereof, without the consent of this Council.
5. THE COLONIAL SECRETARY : To move, That an Address be presented to His Excellency the Lieutenant Governor embodying the resolution agreed to by this Council on Thursday last, respecting the date of transfer of the Customs Establishment to the Colonial Government.
6. MR. SPLATT : To move, That the House do resolve itself into a Committee of the whole to present an Address to His Excellency, praying that a sum of Five Thousand pounds be placed on the Estimates of the ensuing year, for the purpose of erecting a Government Printing Establishment, in conformity with the Report of the Select Committee.
Also, that the Report of the Select Committee be taken into consideration with a view to its adoption by the House.

ORDERS OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.
2. INTRODUCTION OF CONVICTS PREVENTION BILL.—To be further considered in Committee.
3. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.—Adoption of Report.
4. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—Adoption of Report.
5. LAW OF EVIDENCE AMENDMENT BILL.—To be further considered in Committee.
6. IMMIGRANT SHIPS' INVESTIGATION BILL.—Adoption of Report.

TUESDAY, 7TH SEPTEMBER.

NOTICE OF MOTION :—

1. MR. FAWKNER, To move : That an Address be presented to His Excellency the Lieutenant Governor of Victoria, requesting that he will be pleased at the earliest possible opportunity to apply to the British Government, to send out to this Colony immediately, a sufficient body of Sappers and Miners, with their proper Staff of Engineers, to enable the Colonists to construct, at their own cost, the necessary defences to protect their noble Harbour, and rapidly increasing Towns. Victoria having always been from its very commencement, a self-supporting Colony, it behoves that its people continue to maintain this, its high model character. Therefore, this Council ask respectfully of His Excellency to propose to the Home Government, to send out to this Colony, a body of Sappers and Miners of not less than Two hundred, nor more than Five hundred men, and the proper officers for their control, together with all their equipments, and agree that the expense of their passage, in a ship of war, or transport, shall be paid for, out of the Territorial or Gold Revenue, with this proviso, that any of the men entitled to a discharge, shall receive the same, in this Province, and that these men shall not be removed from this Colony to any other Colony, but allowed their discharge in the Colony, whenever the British Government no longer require their services.

ORDERS OF THE DAY :—

1. IMPOUNDING ACT AMENDMENT BILL.—To be further considered in Committee.
2. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL.—Adoption of Report.

WEDNESDAY, 8TH SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. PASSENGERS BILL.—Second reading.
2. COSTS IN CRIMINAL CASES TAXATION BILL.—Adoption of Report.

161

THURSDAY, 9TH SEPTEMBER.

Government Business:—

ORDER OF THE DAY:—

1. COURTS OF REQUESTS BILL—Adoption of Report.

TUESDAY, 14TH SEPTEMBER.

ORDER OF THE DAY:—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.

WEDNESDAY, 15TH SEPTEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. OFFENCES PREVENTION BILL—Second reading.
2. LUNATIC MAINTENANCE BILL—Second reading.

THURSDAY, 16TH SEPTEMBER.

Government Business:—

ORDER OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

MEETINGS
OF
SELECT COMMITTEES.

Friday, 3rd September.

- THE MELBOURNE GAS AND COKE COMPANY BILL—at 10 o'clock.
SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.
THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.
EDUCATION—at 12 o'clock.

Tuesday, 7th September.

- THE ASSAY OF GOLD—at 10 o'clock.
IMMIGRATION—at 12 o'clock.

Wednesday, 8th September.

- DISTRICT COUNCILS—at 10 o'clock.
THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.
ROADS AND BRIDGES—at 1 o'clock.

J. F. PALMER,
Speaker.

No. 39.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 3rd. SEPTEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. ASSENT TO BILL.—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the "*General Sessions Courts Bill.*"
3. PAPERS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon Council the table the following papers :—
 - (1.) MELBOURNE CITY POLICE.—Return to the Address on this subject adopted on the motion of Mr. Fawkner, 8th July, 1852.
 - (2.) BANK ABSTRACTS.—General Abstract of the sworn Returns of the average Assets and Liabilities, and of the Capital and Profits of the Banks of the Colony of Victoria, for the quarter ending 30th June, 1852.—Ordered to be printed.
4. SCAB IN SHEEP.—Mr. Goldsmith presented a Petition from certain Stockholders in the Colony of Victoria, praying this Council to take the statements set forth in this Petition into favorable consideration, and that the Council would enact a Law providing for the immediate and total destruction of all the Scabby Sheep in the Colony; and further that this Council might take the necessary steps to secure a just indemnity to the owners of such Scabby Sheep when destroyed, the necessary funds for which the Petitioners respectfully submitted might be raised by Assessment for a limited period on the Sheep Stock of the Colony.
Petition received.
5. MELBOURNE AND HOBSON'S BAY RAILWAY COMPANY.—Mr. Westgarth presented a petition from certain merchants and inhabitants of Melbourne praying for leave to present a Petition during the present sittings of the Council, for leave to bring in a bill for the incorporation of the Melbourne and Hobson's Bay Railway Company, with the usual necessary powers for the proper construction and completion of the said line of Railway and the Wharves, Jetties, and other works appertaining thereto.
Petition received.
6. BRIDGE OVER THE BARWON.—Mr. Miller moved pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to cause a Pontoon or other Bridge, to be forthwith thrown over the River Barwon, to supply the place of the Pile Bridge washed away by the floods in May last.
Debate ensued.
Question—put and passed.
7. TRIGONOMETRICAL SURVEY OF MELBOURNE.—Mr. Pohlman moved, pursuant to notice :
That this House do resolve itself into a Committee of the whole for the purpose of considering the Report of the Select Committee on Sewerage, and for adopting an Address to His Excellency the Lieutenant Governor, requesting him to place on the Supplementary Estimates a sum of £1000 towards defraying the expenses of a Trigonometrical Survey of Melbourne, and other matters connected with the same inquiry.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for considering such Report.
The Chairman having reported that the Committee had resolved that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to place on the Supplementary Estimates for the year 1852, or, preferably, to advance out of the Territorial Revenue, a sum of £1000 towards defraying the expenses of a Trigonometrical survey of Melbourne, and other matters connected with the enquiries of the Committee on Water and Sewerage, the Council adopted such resolution.
8. CROWN LANDS.—LETTER TO HIS EXCELLENCY THE GOVERNOR.—Mr. Splatt moved, pursuant to Notice, "*That*" an Address be presented by this Council to His Excellency the Lieutenant Governor, praying His Excellency to direct that a Copy of a certain letter, bearing date on or about the 26th August, be furnished to this Council, which letter was addressed to His Excellency, on the subject of the Crown Lands of this Colony, and signed by certain Members of this Council in their capacity as Legislative Members thereof, without the consent of this Council.
Debate ensued.

Mr. Fawknor moved as an amendment, That all the words after the word "*that*" be omitted with a view to insert the word following "*copies of all correspondence between each and every Member of this Council and His Excellency upon any and all questions whether concerning the 'Orders in Council, 1847,'*" on all subjects connected therewith that have passed from the opening of this Session of the Legislative Council at Melbourne, Victoria, up to the present day.

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

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

Council divided.

Ayes, 8.

MR. SMITH,
MR. FAWKNER,
MR. JOHNSTON,
MR. WESTGARTH,
MR. MILLER,
DR. THOMSON,
MR. WILKINSON,
MR. O'SHANASSY, (*Teller.*)

Noes, 15.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
MR. A'BECKETT,
LIEUT. COL. ANDERSON,
THE AUDITOR GENERAL,
MR. MERCER,
MR. RIDDELL,
THE CHAIRMAN OF QUARTER
SESSIONS,
THE SOLICITOR GENERAL,
MR. GOLDSMITH,
MR. SNODGRASS,
MR. CAMPBELL,
MR. RUTLEDGE,
MR. SPLATT,
MR. MURPHY, (*Teller.*)

Question—That the words "That an Address be presented by this Council to His Excellency the Lieutenant Governor, praying His Excellency to direct that" be omitted—put and passed

9. TRANSFER OF CUSTOMS' ESTABLISHMENT.—The Colonial Secretary moved, pursuant to Notice, That an Address be presented to His Excellency the Lieutenant Governor embodying the resolution agreed to by this Council on Thursday last, respecting the date of transfer of the Customs' Establishment to the Colonial Government.

Question—put and passed.

10. GOVERNMENT PRINTING ESTABLISHMENT.—Mr. Splatt moved, pursuant to notice, That this Council do resolve itself into a Committee of the whole for the purpose of embodying an Address to His Excellency, praying that a sum of Five Thousand Pounds be placed on the Estimates of the ensuing year, for the purpose of erecting a Government Printing Establishment, in conformity with the Report of the Select Committee.

Question—put and passed.

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the purpose of considering such Address.

The Chairman having reported that the Committee had resolved that an Address be presented to His Excellency, praying that a sum of £5000 be placed on the Estimates for the ensuing year, for the purposes of erecting a Government Printing "*Establishment,*"

Mr. Splatt moved that such Resolution be adopted.

Mr. Fawknor moved as an amendment, that the following words be added after the word "*Establishment,*" *the same not to be built of wood.*"

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

Council divided.

Ayes, 7.

MR. SMITH,
MR. GOLDSMITH,
MR. RIDDELL,
MR. MERCER,
MR. FAWKNER,
MR. JOHNSTON,
MR. RUTLEDGE, (*Teller.*)

Noes, 14.

MR. SPLATT,
MR. CAMPBELL,
THE SOLICITOR GENERAL,
THE CHAIRMAN OF QUARTER
SESSIONS,
THE COLONIAL SECRETARY,
DR. THOMSON,
MR. WESTGARTH,
MR. O'SHANASSY,
THE ATTORNEY GENERAL,
MR. WILKINSON,
MR. MURPHY,
MR. SNODGRASS,
THE AUDITOR GENERAL,
MR. MILLER, (*Teller.*)

Question—That an Address be presented to His Excellency the Lieutenant Governor praying that a sum of £5000 be placed on the Estimates for the ensuing year for the purpose of erecting a Government Printing Establishment—put and passed.

Mr. Splatt then moved—That the report from the Select Committee on the Government Printing Establishment be adopted by this Council.

Question—put and passed.

11. SELECT COMMITTEE ON PRISON DISCIPLINE.—On the motion of Mr. Westgarth leave was given to this Committee to meet on Monday next.

12. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Murphy the following Order of the Day was postponed until Friday, 10th September.

“ *Scab and Catarrh in Sheep Prevention Bill.*—*Second Reading.*”

13. INTRODUCTION OF CONVICTS PREVENTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council, having been read, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.

The Chairman having reported that the Committee considered it advisable that the matter referred to the Committee may better proceed by new Bill, the Council adopted such Report.

Mr. Westgarth then brought up a Bill to prevent the introduction into the Colony of Victoria of Convicted Felons, and moved that it be read a first time.

Question—put and passed.—Bill read a first time.—Ordered to be read a second time on Friday, 10th September, and to be printed.

14. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until Tuesday, 7th September:—

“ *Administration of Criminal Justice improvement Bill.*—*Adoption of Report.*”

15. MASTERS AND SERVANTS ACTS CONTINUATION BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council upon this Bill having been read, on the motion of the Attorney General, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted such Report and ordered the Bill to be read a third time Tuesday, 7th September.

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

The Chairman reported progress and obtained leave to sit again Tuesday, 7th September.

17. IMMIGRANT SHIPS INVESTIGATION BILL.—The Order of the Day for the Adoption of the Report of the Committee of the whole Council upon this Bill having been read, on the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill the further Amendments, the Council adopted such Report.

The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, Bill, on the motion of the Attorney General read a third time, and passed.

The Attorney General then moved that the following be the Title of the Bill:—“ *An Act to enable Immigration Boards to make certain enquiries relating to Immigrant Ships.*”

Question—put and passed.

Council adjourned at a quarter past seven o'clock, until three o'clock, on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

 TUESDAY, 7TH SEPTEMBER.

NOTICES OF MOTION :—

1. MR. FAWKNER, To move : That an Address be presented to His Excellency the Lieutenant Governor of Victoria, requesting that he will be pleased at the earliest possible opportunity to apply to the British Government, to send out to this Colony immediately, a sufficient body of Sappers and Miners, with their proper Staff of Engineers, to enable the Colonists to construct, at their own cost, the necessary defences to protect their noble Harbour, and rapidly increasing Towns. Victoria having always been from its very commencement, a self-supporting Colony, it behoves that its people continue to maintain this, its high model character. Therefore, this Council ask respectfully of His Excellency to propose to the Home Government, to send out to this Colony, a body of Sappers and Miners of not less than Two hundred, nor more than Five hundred men, and the proper officers for their control, together with all their equipments, and agree that the expense of their passage, in a ship of war, or transport, shall be paid for, out of the Territorial or Gold Revenue, with this proviso, that any of the men entitled to a discharge, shall receive the same, in this Province, and that these men shall not be removed from this Colony to any other Colony, but allowed their discharge in the Colony, whenever the British Government no longer require their services.
2. MR. WESTGARTH : To move, That an Address be presented to His Excellency the Lieutenant Governor, recommending to His Excellency certain desirable alterations in the system at present pursued with regard to Land Sales, namely.
 - (1.) That instead of the present plan of a payment, of Ten per cent., at time of purchase, the remainder of purchase money being payable within a month, the whole purchase money be paid down at the time of Sale.
 - (2.) That the Crown Grant be in readiness to issue on the day of Sale, or at the earliest time thereafter.

ORDERS OF THE DAY :—

1. IMPOUNDING ACT AMENDMENT BILL.—To be further considered in Committee.
 2. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Adoption of Report.
 3. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Adoption of Report.
 4. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—Third Reading.
 5. LAW OF EVIDENCE AMENDMENT BILL.—To be further considered in Committee.
-

WEDNESDAY, 8TH SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. PASSENGERS BILL.—Second reading.
 2. COSTS IN CRIMINAL CASES TAXATION BILL.—Adoption of Report.
-

THURSDAY, 9TH SEPTEMBER.

Government Business :—

ORDER OF THE DAY :—

1. COURTS OF REQUESTS BILL—Adoption of Report.
-

FRIDAY, 10TH SEPTEMBER.

ORDERS OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.
 2. INTRODUCTION OF CONVICTS PREVENTION BILL.—Second Reading.
-

TUESDAY, 14TH SEPTEMBER.

ORDER OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.

WEDNESDAY, 15TH SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. OFFENCES PREVENTION BILL—Second reading.
2. LUNATIC MAINTENANCE BILL—Second reading.

THURSDAY, 16TH SEPTEMBER.

Government Business :—

ORDER OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

MEETINGS
OF
SELECT COMMITTEES.

Monday, 6th September.

PRISON DISCIPLINE—at 12 o'clock.

Tuesday, 7th September.

THE ASSAY OF GOLD—at 10 o'clock.

NEW MOTIVE POWER—at 10 o'clock.

THE MELBOURNE GAS AND COKE COMPANY BILL—at 10 o'clock.

IMMIGRATION—at 12 o'clock.

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 1 o'clock.

Wednesday, 8th September.

DISTRICT COUNCILS—at 10 o'clock.

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

ROADS AND BRIDGES—at 1 o'clock.

Thursday, 9th September.

THE GEELONG AND MELBOURNE RAILWAY—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Friday, 10th September.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 40.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 7th. SEPTEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. MUNICIPAL FRANCHISE BILL.—Mr. Mercer presented a Petition from the Mayor, Aldermen, and Councillors of the Town of Geelong, under the Corporate Seal of the same Town, praying the Council will be pleased to take the statements contained in the Petition into favourable consideration.

Petition received.

3. REPORT OF THE PENAL BOARD.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Council Table, the Report of the Penal Board on the present and future disposal of the Convicts of the Colony, and moved that the same be referred to the Select Committee on Prison Discipline.

Question—put and passed.

4. ASSENT TO BILL.—The Speaker reported that His Excellency the Lieutenant Governor, had been pleased to give the Royal Assent to the "*Immigrant Ships Investigation Bill.*"

5. SAPPERS AND MINERS.—Mr. Fawcner moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor of Victoria, requesting that he will be pleased at the earliest possible opportunity to apply to the British Government, to send out to this Colony immediately, a sufficient body of Sappers and Miners, with their proper Staff of Engineers, to enable the Colonists to construct, at their own cost, the necessary defences to protect their noble Harbour, and rapidly increasing "*Towns.*" Victoria having always been from its very commencement, a self-supporting Colony, it behoves that its people continue to maintain this, its high model character. Therefore, this Council ask respectfully of His Excellency to propose to the Home Government, to send out to this Colony, a body of Sappers and Miners of not less than Two hundred, nor more than Five hundred men, and the proper officers for their control, together with all their equipments, and agree that the expense of their passage, in a ship of war, or transport, shall be paid for, out of the Territorial or Gold Revenue, with this proviso, that any of the men entitled to a discharge, shall receive the same, in this Province, and that these men shall not be removed from this Colony to any other Colony, but allowed their discharge in the Colony, whenever the British Government no longer require their services.

Mr. Snodgrass moved as an amendment, that all words after the word "*Towns*" be omitted.

Debate ensued.

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

Question—That an Address be presented to His Excellency the Lieutenant Governor of Victoria, requesting that he will be pleased, at the earliest possible opportunity to apply to the British Government, to send out to this Colony immediately, a sufficient body of Sappers and Miners, with their proper Staff of Engineers, to enable the Colonists to construct, at their own cost, the necessary defences to protect their noble Harbour, and rapidly increasing *Towns*—put and passed.

6. LAND SALES.—Mr. Westgarth moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, recommending to His Excellency certain desirable alterations in the system at present pursued with regard to Land "*Sales,*" namely.

(1.) That instead of the present plan of a payment, of Ten per cent., at time of purchase, the remainder of purchase money being payable within a month, the whole purchase money be paid down at the time of Sale.

(2.) That the Crown Grant be in readiness to issue on the day of Sale, or at the earliest time thereafter.

Debate ensued.

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

C. J. LA TROBE,
Lieutenant Governor.

Message No. 25.

The Lieutenant Governor takes an early occasion of laying before the Legislative Council the Copy of a Despatch, (No. 25, of the 2nd June, 1852,) which he has received from the Right Honorable the Secretary of State for the Colonies, adverting to various points of no ordinary interest in the present state and prosperity of the Colony.

2. In doing so it may be proper for him to offer a few brief remarks.

3. The earlier paragraphs, 2 to 6, have especial reference to the Military and Naval arrangements which Her Majesty's Government propose to make for the assistance of the Colony. This subject was brought under the attention of the Council in the Lieutenant Governor's Message, No. 16, of the 10th August.

4. Paragraphs 10 and 11 apprise him that, with the same anxiety to anticipate and meet the public requirements at this juncture, Her Majesty's Government seek to secure the services of a body of not less than fifty selected men from the Irish Mounted Constabulary Force, upon such terms as may be agreed upon, and which Sir John Packington trusts will be willingly confirmed, and carried out by the Legislative Council under financial arrangements afterwards adverted to.

5. It will be seen, also, that in the event of its being intimated that further assistance of this character is desired, the Secretary of State signifies his readiness to do all that lies in his power to meet the views of the Colony. Upon this point it is highly desirable that the Lieutenant Governor should be apprised, with the least possible delay, of the feeling and wishes of the Council, in order that he may take advantage of the earliest opportunity of communicating with the Secretary of State on the measures which it may be expedient to adopt.

6. The succeeding ten paragraphs relate to the general measures taken by the Lieutenant Governor in meeting the extraordinary expenditure which has followed the gold discoveries,—to the past application of the gold revenue to this end,—and the propriety of its future appropriation in aid of the general revenue to the public advantage, under the advice of the Legislative Council;—as also, to the further measures which it may be advisable to adopt, with the assistance of that body, to realise a revenue from the mineral produce of the Colony; and to the powers which it may be proper for the Council to exercise in giving force to any such measures, as well as in applying the unappropriated moiety of the land fund, as far as may be possible and requisite, to purposes rendered urgent by the present crisis.

7. The Lieutenant Governor need not at this time enter further into details, but he would sincerely congratulate the Council upon the general tenor of this despatch. He feels its value, and the advantage of being made aware, at this particular juncture, of the views and decisions of Her Majesty's Government upon points of so much importance to the Colony.

8. If, on the one hand, the Executive Government is seen to be held justified in taking upon itself the responsibility of measures calculated to meet the exigencies of the time past—on the other, the Lieutenant Governor feels that both the Legislative Council and himself are now relieved from many grave doubts and difficulties in the consideration of future measures; for, whatever might be his views of the desirableness and expediency of certain arrangements, and however disposed to exercise the powers which he held himself legally possessed of to the uttermost,—it is undeniable that under any other arrangement than that now freely sanctioned, great obstacles might have interposed in the way of a thoroughly satisfactory consideration and adjustment of the financial questions upon which it would be his duty to ask the advice and concurrence of the Council.

9. It is the Lieutenant Governor's purpose, acting upon the suggestion of the Secretary of State, to bring the question of the expediency of levying an export duty upon gold, at once, under the consideration of the Council. This, with certain other subordinate points bearing upon the realising of a Revenue from the gold discoveries, being disposed of, the Lieutenant Governor trusts he will find it in his power to bring the whole arrangements of the future Revenue and Expenditure under early attention.

*Government Offices,
Melbourne, 7th September, 1852.*

The Colonial Secretary then moved, that the Despatch accompanying the above Message be now read.

Question—put and passed. Despatch read.

Message ordered to be printed together with the accompanying Despatch.

Mr. Fawcner then moved, that the further debate on Mr. Westgarth's motion respecting Land Sales be postponed, together with the consideration of the various Orders of the Day until to-morrow, and that the adjourned debate and Orders for to-day take precedence of the business for to-morrow.

Question—put and passed.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

 WEDNESDAY, 8TH SEPTEMBER.

NOTICE OF MOTION :—

1. MR. WESTGARTH: To move, that the petition of L. Mackinnon and others, praying for the destruction of scabby sheep, and presented to this House by Adolphus Goldsmith, Esq., on the 3rd instant, be printed.

ORDERS OF THE DAY :—

1. ADJOURNED DEBATE on Mr. Westgarth's Motion as to Land Sales.
2. IMPOUNDING ACT AMENDMENT BILL.—To be further considered in Committee.
3. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Adoption of Report.
4. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Adoption of Report.
5. MASTERS AND SERVANTS ACTS' CONTINUATION BILL.—Third Reading.
6. LAW OF EVIDENCE AMENDMENT BILL.—To be further considered in Committee.

Government Business :—

7. PASSENGERS BILL.—Second reading.
8. COSTS IN CRIMINAL CASES TAXATION BILL.—Adoption of Report.

 THURSDAY, 9TH SEPTEMBER.
Government Business :—

ORDER OF THE DAY :—

1. COURTS OF REQUESTS BILL—Adoption of Report.

 FRIDAY, 10TH SEPTEMBER.

NOTICES OF MOTION :—

1. MR. WESTGARTH: To move, that the House resolve itself into a Committee of the whole, for the purpose of adopting an Address to His Excellency, requesting him to place upon the Estimates of the ensuing year, a sum of money in aid of the community of the Jews of this Colony, proportionable to similar aids presently awarded to other religious denominations of the Colony. Same with regard to the Protestant Germans of the Colony.
2. MR. WESTGARTH :—To move, That the House resolve itself into a Committee of the whole, for the purpose of adopting an Address to His Excellency, requesting him to place upon the Estimates of the ensuing year, a sum of money in aid of the community of the Protestant Germans of this Colony, proportionable to similar aids presently awarded to other religious denominations of the Colony.
3. DR. THOMSON: To move, for leave to bring in a Bill to impose an Assessment on Stock, and for the purpose of effectually cradicating the diseases of Scab and Catarrh in Sheep.
4. DR. THOMSON: To move, That an Address be presented to His Excellency the Lieutenant Governor, requesting him to cause to be laid upon the Table of this House :
 - (1) A Return shewing the names of the Visitors paid and unpaid, appointed under the Acts of Council, 7 Vic. No. 14 and 9 Vic. No. 4; and on what days they have respectively attended at the Lunatic Asylum, Yarra Bend, since it was opened in 1848.
 - (2.) A Return shewing the number of persons admitted into the Asylum—and the number of persons discharged as cured for the same period.
 - (3.) A Return shewing how many persons discharged as cured, have been returned to the Asylum as insane; and the cause of the deaths of such persons as have died in the Asylum for the same period.

ORDERS OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.
2. INTRODUCTION OF CONVICTS PREVENTION BILL.—Second Reading.

 TUESDAY, 14TH SEPTEMBER.

ORDER OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.

WEDNESDAY, 15TH SEPTEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. OFFENCES PREVENTION BILL—Second reading.
2. LUNATIC MAINTENANCE BILL—Second reading.

THURSDAY, 16TH SEPTEMBER.

Government Business:—

ORDER OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

MEETINGS
OF
SELECT COMMITTEES.

Wednesday, 8th September.

- DISTRICT COUNCILS—at 10 o'clock.
SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
THE MELBOURNE GAS AND COKE COMPANY BILL—at 10 o'clock.
PRISON DISCIPLINE—at 11 o'clock.
THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.
ROADS AND BRIDGES—at 1 o'clock.

Thursday, 9th September.

- POLICE—at 10 o'clock—to consider Report.
THE GEELONG AND MELBOURNE RAILWAY—at 10 o'clock.
DISTRICT COUNCILS—at 10 o'clock.
THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Friday, 10th September.

- IMMIGRATION—at 10 o'clock.
THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 41.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 8th. SEPTEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Mr. Goldsmith presented a Petition from certain Stockholders and others, praying this Council to refer the above Bill back to the Select Committee, to take evidence thereon, with the view of embodying the principle set forth in the Petition.
Petition received.
3. LAND SALES.—The Order of the Day for the resumption of the debate on this motion read.
Mr. Smith having moved, yesterday, as an amendment, that all the words after the word “Excellency” in the original motion be omitted, with the view to insert in their place the words “a certain alteration in the system at present pursued with regard to Land Sales, viz. : that the Crown Grant be in readiness to issue on payment of the balance of the purchase money.”
Mr. A’Beckett resumed the debate to-day, by seconding the above amendment.
Debate ensued.
Mr. Pohlman moved, as a further amendment, that the following words be added to the amendment proposed by Mr. Smith, “or as soon after as practicable.”
Debate ensued.
Motion by leave withdrawn.
4. ADDRESSES.—The Speaker announced to the Council, that he had, pursuant to the Resolutions of this Council presented the following Addresses to His Excellency the Lieutenant Governor, viz :—
 - No. 33. Acceptance of Office, by an Elected Member of this Council—adopted 20th August, 1852, on the motion of Mr. Fawkner.
and that His Excellency had in reply to such Address, been pleased to state that it appeared to him that a compliance with the wishes of the Council, might be considered an undue interference on his part with the rights of the Constituency ; at the same time, he would think it bad taste in any elected Member of the Legislative Council, to accept office under Government, without affording his Constituents an opportunity of showing whether such acceptance involved any alteration in their relative positions.
 - No. 34. Sale of certain Crown Lands—adopted on 20th August, 1852, on the motion of Mr. Fawkner :
and that His Excellency had, in reply to such Address, been pleased to state, that the Return should be furnished.
 - No. 35. Waste Lands—adopted on the 24th August, 1852, on the motion of Mr. O’Shanassy :
and that His Excellency had, in reply to such Address, been pleased to state, that he had no objection to the production of these Returns, whenever they could be prepared without embarrassment to the general business of the Government. With respect to the Quarterly Return, adverted to in the closing paragraph of the Address, there could be no objection to similar Returns to those now moved for, being laid upon the Council Table at the request of the Council at each successive Session.
 - No. 36. Reserves of Land—adopted on the 31st August, 1852, on the Motion of Dr. Thomson :
and that His Excellency had in reply to such Address, been pleased to state, that he had no objection to the production of any such correspondence and instructions.
 - No. 37. Claims to Leases of Runs—adopted on the 31st August, 1852, on the Motion of Mr. Campbell :
and that His Excellency had in reply to such Address been pleased to state that these Returns should be furnished.

No. 38. Bridge over the River Barwon—adopted on the 3rd September, 1852, on the Motion of Mr. Miller.

and that His Excellency had in reply to such Address been pleased to state that he had given instructions that a Bridge should be erected as soon as might be practicable: and as, under the most favorable circumstances, some considerable time might elapse before it could be finished, he had directed that a Punt should be built and placed upon the river with as little delay as might be.

No. 39. Trigonometrical Survey of Melbourne—adopted on the 3rd September, 1852, on the Motion of Mr. Pohlman:

and that His Excellency had, in reply to such Address, been pleased to state that the request of the Council should be taken into immediate consideration.

No. 40. Transfer of the Customs Establishment—adopted on the 3rd September, 1852, on the motion of the Colonial Secretary:

and that His Excellency had, in reply to such Address, been pleased to state that he was gratified to find the Council concurred in his suggestion.

No. 41. Government Printing Establishment—adopted on the 3rd September, 1852, on the Motion of Mr. Splatt:

and that His Excellency had in reply to such Address been pleased to state that the application on the part of the Council would receive due consideration in framing the Estimates of future Expenditure.

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

The Chairman reported progress and obtained leave to sit again, Wednesday 15th September.

6. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until Tuesday 14th September.

“Ports, Harbours, and Shipping Law Consolidation Bill—adoption of Report.”

7. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.—The Order of the day for considering the adoption of the Report from the Committee of the whole Council on this Bill having been read, on the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.

The Chairman having reported the Bill with further amendments, the Council ordered the Report to be taken into consideration on Friday, 10th September.

Bill as amended to be printed.

8. MASTERS AND SERVANTS' ACTS CONTINUATION BILL.—The Speaker having reported that the Chairman of Committees had certified, that the fair print of this Bill was in accordance with the Bill as reported.—Bill, on the motion of the Attorney General, read a third time and passed.

The Attorney General then moved, That the following be the title of the Bill:—*“An Act to amend and continue two Acts passed in the ninth and eleventh years of the reign of Her present Majesty, respectively intituled, ‘An Act to Amend and Consolidate the laws between Masters and Servants in New South Wales,’ and an Act to amend an Act intituled, ‘An Act to amend and consolidate the laws between Masters and Servants in New South Wales.’”*

Question—put and passed.

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

The Chairman having reported the Bill with further amendments, Mr. a'Beckett moved that the Speaker do leave the Chair and the Council resolve itself into a Committee of the whole for the reconsideration of this Bill.

Question put.

Council divided.

Ayes, 5.

MR. A'BECKETT,
MR. FAWKNER,
MR. O'SHANASSY,
MR. MILLER,
THE CHAIRMAN OF QUARTER
SESSIONS, (*Teller.*)

Noes, 9.

MR. RIDDELL,
MR. WESTGARTH,
THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
MR. MURPHY,
MR. SMITH,
THE ATTORNEY GENERAL,
MR. WILKINSON,
MR. GOLDSMITH, (*Teller.*)

On the motion of the Attorney General, the Council ordered the Report to be taken into consideration on Friday, 10th September.

Bill, as amended, to be printed.

10. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until Friday, 10th September.

“ ‘Passengers’ Bill—Second Reading.”

11. COSTS IN CRIMINAL CASES TAXATION BILL.—On the motion of Mr. Pohlman, the Council adopted the Report from the Committee of the whole upon this Bill.

Amendments agreed to.

Bill to be read a third time to-morrow.

12. DESTRUCTION OF SCABBY SHEEP.—Mr. Westgarth moved, pursuant to Notice, That the petition of L. Mackinnon and others, praying for the destruction of Scabby Sheep, and presented to this House by Adolphus Goldsmith, Esq., on the 3rd instant, be printed—put and passed.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 9TH SEPTEMBER.

Government Business:—

ORDER OF THE DAY:—

1. COURTS OF REQUESTS BILL—Adoption of Report.
2. COSTS IN CRIMINAL CASES TAXATION BILL.—Third Reading.

General Business:—

NOTICE OF MOTION:—

1. MR. FAWKNER: To move, That His Excellency the Lieutenant Governor will be pleased to detain the whole of the Officers and Troops about to arrive in this Colony, until such time as he can communicate to the Home Government, asking them to allow One Regiment of Troops to be stationed at Melbourne for the future.

FRIDAY, 10TH SEPTEMBER.

NOTICES OF MOTION:—

1. MR. WESTGARTH: To move, that the House resolve itself into a Committee of the whole, for the purpose of adopting an Address to His Excellency, requesting him to place upon the Estimates of the ensuing year, a sum of money in aid of the community of the Jews of this Colony, proportionable to similar aids presently awarded to other religious denominations of the Colony. Same with regard to the Protestant Germans of the Colony.
2. MR. WESTGARTH:—To move, That the House resolve itself into a Committee of the whole, for the purpose of adopting an Address to His Excellency, requesting him to place upon the Estimates of the ensuing year, a sum of money in aid of the community of the Protestant Germans of this Colony, proportionable to similar aids presently awarded to other religious denominations of the Colony.
3. DR. THOMSON: To move, for leave to bring in a Bill to impose an Assessment on Stock, and for the purpose of effectually eradicating the diseases of Scab and Catarrh in Sheep.
4. DR. THOMSON: To move, That an Address be presented to His Excellency the Lieutenant Governor, requesting him to cause to be laid upon the Table of this House:
 - (1) A Return shewing the names of the Visitors paid and unpaid, appointed under the Acts of Council, 7 Vic. No. 14 and 9 Vic. No. 4; and on what days they have respectively attended at the Lunatic Asylum, Yarra Bend, since it was opened in 1848.
 - (2) A Return shewing the number of persons admitted into the Asylum—and the number of persons discharged as cured for the same period.
 - (3) A Return shewing how many persons discharged as cured, have been returned to the Asylum as insane; and the cause of the deaths of such persons as have died in the Asylum for the same period.
5. MR. WESTGARTH: To move, That the Petition presented on 3rd instant, from certain parties representing the Melbourne and Hobson's Bay Railway Company, be read and considered.

ORDERS OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.
2. INTRODUCTION OF CONVICTS PREVENTION BILL.—Second Reading.
3. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL—Adoption of Report.
4. LAW OF EVIDENCE AMENDMENT BILL.—Adoption of Report.
5. PASSENGERS BILL.—Second reading.

TUESDAY, 14TH SEPTEMBER.

ORDERS OF THE DAY:—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.
2. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Adoption of Report.

WEDNESDAY, 15TH SEPTEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. OFFENCES PREVENTION BILL—Second reading.
2. LUNATIC MAINTENANCE BILL—Second reading.

General Business:—

ORDER OF THE DAY:—

1. IMPOUNDING ACT AMENDMENT BILL.—To be further considered in Committee.

THURSDAY, 16TH SEPTEMBER.

Government Business:—

ORDER OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 9th September.

- SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
- POLICE—at 10 o'clock—to consider Report.
- THE GEELONG AND MELBOURNE RAILWAY—at 10 o'clock.
- THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.
- PRISON DISCIPLINE—at 12 o'clock.

Friday, 10th September.

- IMMIGRATION—at 10 o'clock.
- THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.
- THE MELBOURNE GAS AND COKE COMPANY BILL—at 10 o'clock.

J. F. PALMER,
Speaker.

No. 42.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 9th. SEPTEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the table the following Return :—
District Council of Grant Correspondence.—Return to the Address on this subject adopted on the motion of Mr. Mercer, on 12th August last.
Ordered to be printed.
3. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until Wednesday, 15th September :—
“*Courts of Requests Bill.*—*Adoption of Report.*”
4. COSTS IN CRIMINAL CASES TAXATION BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported.—Bill, on the motion of Mr. Pohlman, read a third time and passed.
Mr. Pohlman then moved, That the following be the title of the Bill :—“*An Act to enable the Supreme Court of Victoria to compel taxation of Attorneys Bills of Costs in Criminal Cases in the Supreme Court of Victoria.*”
Question—put and passed.
5. MILITARY.—Mr. Fawknor moved, pursuant to amended notice, That an Address be presented to His Excellency the Lieutenant Governor praying that he would be pleased to communicate with His Excellency the Governor General, with a view to the detention of the whole of the Officers and Troops about to arrive in this Colony, until such time as he can communicate with the Home Government asking them to allow one Regiment of Troops to be stationed at Melbourne for the future.
Debate ensued.
6. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor received and read.

GOLD EXPORT DUTY BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 26.

Referring to the concluding paragraph of His Excellency's Message No. 25, of the 7th of September, and in pursuance of the provisions of the Statute 5 & 6 Vic. cap. 76, the Lieutenant Governor transmits to the Council for its consideration the draft of “*A Bill for granting Duties of Customs upon Gold exported from the Colony of Victoria.*”

*Government Offices,
Melbourne, 9th September, 1852.*

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

MILITARY—The debate on Mr. Fawknor's motion interrupted by the above Message—resumed.

Council divided.

Ayes, 12.
THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
MR. RUTLEDGE,
LIEUT. COL. ANDERSON,
MR. RUSSELL,
MR. FAWKNOR,
MR. WESTGARTH,
MR. SNODGRASS,
MR. SMITH,
MR. MILLER,
THE CHAIRMAN OF QUARTER
SESSIONS, (*Teller.*)

Noes, 6.
MR. O'SHANASSY,
MR. SPLATT,
MR. JOHNSTON,
MR. WILKINSON,
MR. DIGHT,
MR. MURPHY, (*Teller.*)

7. ADMINISTRATION OF CRIMINAL JUSTICE BILL.—On the Motion of the Attorney General, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the reconsideration of this Bill.

The Chairman reported the Bill with further amendments.
Council adjourned at a quarter past four o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 10TH SEPTEMBER.

NOTICES OF MOTION:—

1. MR. WESTGARTH: To move, that the House resolve itself into a Committee of the whole, for the purpose of adopting an Address to His Excellency, requesting him to place upon the Estimates of the ensuing year, a sum of money in aid of the community of the Jews of this Colony, proportionable to similar aids presently awarded to other religious denominations of the Colony.
2. MR. WESTGARTH:—To move, That the House resolve itself into a Committee of the whole, for the purpose of adopting an Address to His Excellency, requesting him to place upon the Estimates of the ensuing year, a sum of money in aid of the community of the Protestant Germans of this Colony, proportionable to similar aids presently awarded to other religious denominations of the Colony.
3. DR. THOMSON: To move, for leave to bring in a Bill to impose an Assessment on Stock, and for the purpose of effectually eradicating the diseases of Scab and Catarrh in Sheep.
4. DR. THOMSON: To move, That an Address be presented to His Excellency the Lieutenant Governor, requesting him to cause to be laid upon the Table of this House:
 - (1) A Return shewing the names of the Visitors paid and unpaid, appointed under the Acts of Council, 7 Vic. No. 14 and 9 Vic. No. 4; and on what days they have respectively attended at the Lunatic Asylum, Yarra Bend, since it was opened in 1848.
 - (2.) A Return shewing the number of persons admitted into the Asylum—and the number of persons discharged as cured for the same period.
 - (3.) A Return shewing how many persons discharged as cured, have been returned to the Asylum as insane; and the cause of the deaths of such persons as have died in the Asylum for the same period.
5. MR. WESTGARTH: To move, That the Petition presented on 3rd instant, from certain parties representing the Melbourne and Hobson's Bay Railway Company, be read and considered.
6. MR. SNODGRASS: To move, That this Council adopt an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to take immediate steps for carrying out the recommendations of the Crown Lands Caveat Commissioners already registered, and further to make provision for the settlement of any cases of disputed boundaries of runs that may have arisen since the appointment of such Caveat Commissioners.
7. MR. O'SHANASSY: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid before this Council copies of all Despatches transmitted by him to Her Majesty's Secretary of State for the Colonies, referred to in a Copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, Sir John S. Packington (No. 25, of date 2nd June, 1852,) laid before this Council in His Excellency's Message No. 25, of date the 7th instant.

ORDERS OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Second Reading.
2. INTRODUCTION OF CONVICTS PREVENTION BILL.—Second Reading.
3. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.—Adoption of Report.
4. LAW OF EVIDENCE AMENDMENT BILL.—Adoption of Report.
5. PASSENGERS BILL.—Second reading.
6. GOLD EXPORT DUTY BILL.—Consideration of Lieutenant Governor's Message, No. 26.

TUESDAY, 14TH SEPTEMBER.

NOTICE OF MOTION:—

1. MR. JOHNSTON, To move, that Victoria having now arrived at the position of being the first and most important of the Australian Colonies, as possessing the most extensive commerce—the greatest revenues—the most valuable exports both of gold and wool, and the widest extent of fertile soil; and being, besides, the most centrally situated Colony of the Australian group, is, in the opinion of this House, the proper locality for the seat of Central Government.

This Council resolves, therefore, that an humble and dutiful Address be transmitted to Her Most Gracious Majesty the Queen, through His Excellency the Lieutenant Governor, praying Her Majesty to constitute the Colony of Victoria the place of residence of the Governor General of the Australian Colonies.

ORDERS OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.
2. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Adoption of Report.

WEDNESDAY, 15TH SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. OFFENCES PREVENTION BILL—Second reading.
2. LUNATIC MAINTENANCE BILL—Second reading.
3. COURTS OF REQUESTS BILL—Adoption of Report.

General Business :—

ORDER OF THE DAY :—

1. IMPOUNDING ACT AMENDMENT BILL.—To be further considered in Committee.

THURSDAY, 16TH SEPTEMBER.

Government Business :—

ORDER OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

MEETINGS
OF
SELECT COMMITTEES.

Friday, 10th September.

- POLICE—at 10 o'clock.
 IMMIGRATION—at 10 o'clock.
 THE MELBOURNE GAS AND COKE COMPANY BILL—at 10 o'clock.
 THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.
 PRISON DISCIPLINE—at 12 o'clock.
 NEW MOTIVE POWER—at 2 o'clock.

Tuesday, 14th September.

- SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
 EDUCATION—at 12 o'clock.

Wednesday, 15th September.

- SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
 THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Thursday, 16th September.

- SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
 EDUCATION—at 12 o'clock

J. F. PALMER,
Speaker.

No. 43.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 10th. SEPTEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. GRANT OF MONEY IN AID OF THE JEWS.—Mr. Westgarth moved, pursuant to notice: That the House resolve itself into a Committee of the whole, for the purpose of adopting an Address to His Excellency, requesting him to place upon the Estimates of the ensuing year, a sum of money in aid of the community of the Jews of this Colony, proportionable to similar aids presently awarded to other religious denominations of the Colony.
Debate ensued.
Question—that the Speaker do now leave the Chair,—put.
Council divided.

<p>Ayes, 10.</p> <p>MR. SNODGRASS, MR. MILLER, MR. SMITH, MR. FAWKNER, MR. DIGHT, LIEUT. COL. ANDERSON, MR. WESTGARTH, MR. WILKINSON, MR. JOHNSTON, MR. O'SHANASSY, (<i>Teller.</i>)</p>	<p>Noes, 11.</p> <p>THE COLONIAL SECRETARY, THE ATTORNEY GENERAL, MR. RUTLEDGE, MR. A'BECKETT, THE AUDITOR GENERAL, MR. RUSSELL, MR. RIDDELL, MR. SPLATT, THE SOLICITOR GENERAL, MR. MURPHY, THE CHAIRMAN OF QUARTER SESSIONS, (<i>Teller.</i>)</p>
--	---
3. MELBOURNE AND HOBSON'S BAY RAILWAY BILL.—Mr. Westgarth moved, pursuant to notice, That the petition presented on 3rd instant from certain parties representing the Melbourne and Hobson's Bay Railway Company be read and considered.
Question—put and passed.
Petition read.
On the motion of Mr. Westgarth the Standing Order, No. 58, was suspended, and leave was given for a Petition to be presented for leave to bring in a Bill for the incorporation of a Company to be called the Melbourne and Hobson's Bay Railway Company.
4. RECOMMENDATIONS OF CAVEAT COMMISSIONERS.—Mr. Snodgrass moved, pursuant to notice— That this Council adopt an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to take immediate steps for carrying out the recommendations of the Crown Lands Caveat Commissioners already registered; and further to make provision for the settlement of any cases of disputed boundaries of runs that may have arisen since the appointment of such Caveat Commissioners.
Debate ensued.
Question—put and passed.
5. DESPACHES.—Mr. O'Shanassy moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid before this Council copies of all Despatches transmitted by him to Her Majesty's Secretary of State for the Colonies, referred to in a Copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, Sir John S. Packington (No. 25, of date 2nd June, 1852,) laid before this Council in His Excellency's Message No. 25, of date the 7th instant.
Question—put and passed.
6. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Mr. Murphy moved, That this Bill "*be*" now read a second time.
Mr. Snodgrass moved, as an amendment, that the words after the word "*be*" be omitted "with the view to insert "referred back to the Select Committee on Scab and Catarrh in "Sheep with power to take evidence as to the advisability of inserting a power in the above "Bill, authorising the destruction of all diseased sheep and an assessment upon the sheep "stock in the Colony for making compensation to parties whose sheep may be destroyed."
Question—that the words proposed to be omitted stand part of the question,—put and passed.
Question—that this Bill be now read a second time,—put and passed.
Bill read a second time and ordered to be considered in Committee, Friday, 24th September.

7. **INTRODUCTION OF CONVICTS PREVENTION BILL.**—Mr. Westgarth moved that this Bill be now read a second time.
 Question—put and passed.
 Bill read a second time.
 On the motion of Mr. Westgarth the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
 The Chairman reported the Bill, with amendments, and obtained leave to sit again immediately.
 On the motion of Mr. Murphy, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
 The Chairman having reported the Bill with further amendments, the Council ordered the Report to be taken into consideration on Tuesday, 14th September.
 Bill, as amended, to be printed.
8. **ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.**—On the motion of the Attorney General, the Council adopted the Report from the Committee of the whole upon this Bill.
 Amendments agreed to.
 Bill to be read a third time, Tuesday 14th September.
9. **POSTPONEMENT OF ORDERS OF THE DAY.**—On the motion of the Attorney General, the following Orders of the Day were postponed until Tuesday, 14th September.
 “*Law of Evidence Amendment Bill.*—*Adoption of Report.*”
 “*Passengers Bill.*—*Second Reading.*”
10. **GOLD EXPORT DUTY BILL.**—The Order of the Day for the consideration of the Lieutenant Governor’s Message, No. 26, having been read, the Attorney General moved that the Bill accompanying this Message, intitled, “*A Bill for granting Duties of Customs upon Gold exported from the Colony of Victoria*” be now read a first time.
 Question—put and passed. Bill read a first time, and ordered to be read a second time, Friday, 17th September, and to be printed.
 Council adjourned at ten o’clock until three o’clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 14TH SEPTEMBER.

NOTICES OF MOTION :—

1. **MR. JOHNSTON,** To move, that Victoria having now arrived at the position of being the first and most important of the Australian Colonies, as possessing the most extensive commerce—the greatest revenues—the most valuable exports both of gold and wool, and the widest extent of fertile soil ; and being, besides, the most centrally situated Colony of the Australian group, is, in the opinion of this House, the proper locality for the seat of Central Government.
 This Council resolves, therefore, that an humble and dutiful Address be transmitted to Her Most Gracious Majesty the Queen, through His Excellency the Lieutenant Governor, praying Her Majesty to constitute the Colony of Victoria the place of residence of the Governor General of the Australian Colonies.
2. **MR. RUTLEDGE:** to move, That this House do adjourn on Friday, the 17th instant, to Tuesday, the 26th day of October next.
3. **MR. DIGHT:** to move, That the House resolve itself into a Committee of the whole, for the purpose of adopting an Address to His Excellency the Lieutenant Governor, praying that a sum, not exceeding three thousand pounds, be placed on the Estimates for the ensuing year, for the purpose of draining the Richmond and Collingwood Flat.

ORDERS OF THE DAY :—

1. **MELBOURNE MUNICIPAL FRANCHISE BILL.**—To be further considered in Committee.
2. **PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL.**—Adoption of Report.
3. **INTRODUCTION OF CONVICTS PREVENTION BILL.**—Adoption of Report
4. **ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.**—Third Reading.
5. **LAW OF EVIDENCE AMENDMENT BILL.**—Adoption of Report.
6. **PASSENGERS BILL.**—Second reading.

183

WEDNESDAY, 15TH SEPTEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. OFFENCES PREVENTION BILL—Second reading.
2. LUNATIC MAINTENANCE BILL—Second reading.
3. COURTS OF REQUESTS BILL—Adoption of Report.

General Business:—

ORDER OF THE DAY:—

1. IMPOUNDING ACT AMENDMENT BILL.—To be further considered in Committee.

THURSDAY, 16TH SEPTEMBER.

Government Business:—

ORDER OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

FRIDAY, 17TH SEPTEMBER.

ORDER OF THE DAY:—

1. GOLD EXPORT DUTY BILL.—Second Reading.

FRIDAY, 24TH SEPTEMBER.

ORDER OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be considered in Committee.

MEETINGS
OF
THE SELECT COMMITTEES.

Tuesday, 14th September.

- SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
- THE MELBOURNE GAS AND COKE COMPANY BILL—at 10 o'clock.
- EDUCATION—at 12 o'clock.
- THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Wednesday, 15th September.

- SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
- THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.
- THE NEW MOTIVE POWER—at 2 o'clock.

Thursday, 16th September.

- SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
- EDUCATION—at 12 o'clock.
- THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Friday, 17th September.

- THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Tuesday, 21st September.

THE GEELONG AND MELBOURNE RAILWAY COMPANY BILL.—at 10 o'clock.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY COMPANY
BILL.—at 10 o'clock.

Wednesday, 22nd September.

THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.

J. F. PALMER,
Speaker.

No. 44.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 14th. SEPTEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. ASSENT TO BILLS.—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the following Bills, viz. :—

“ Costs in Criminal Cases Taxation Bill.”
“ Masters and Servants Acts’ continuation Bill.”
3. PUBLIC WORKS IN DISTRICT OF PORTLAND BAY.—Mr. Westgarth presented a Petition from the Inhabitants of the Town and District of Portland Bay praying this Council would extend a just regard to the Western part of the Colony of Victoria, and would approve of a due proportion of public expenditure being appropriated to Public Works in the Town and District of Portland Bay; more particularly, that this Council would address His Excellency requesting he would at once direct the providing the above District with a thoroughly made main line of road, and substantial and durable bridges and should His Excellency place on the Estimates for that and other Public Works in the Town and District of Portland Bay, a Sum of money somewhat compensating for the long accumulated arrears of public expenditure due to that side of the Colony, and somewhat adequate to the larger requirements and juster claims of that extensive District from the public Revenue than the Corporation of an individual town, that this Council would approve of the same.
 Petition received.
4. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—On the motion of Mr. Miller, the second reading of this Bill was ordered for Thursday the 16th instant.
5. ADDRESS FOR CONSTITUTING VICTORIA THE RESIDENCE OF THE GOVERNOR GENERAL OF THE AUSTRALIAN COLONIES.—Mr. Johnston moved, pursuant to notice : That Victoria having now arrived at the position of being the first and most important of the Australian Colonies, as possessing the most extensive commerce—the greatest revenues—the most valuable exports both of gold and wool, and the widest extent of fertile soil; and being, besides, the most centrally situated Colony of the Australian group, is, in the opinion of this House, the proper locality for the seat of Central Government.
 This Council resolves, therefore, that an humble and dutiful Address be transmitted to Her Most Gracious Majesty the Queen, through His Excellency the Lieutenant Governor, praying Her Majesty to constitute the Colony of Victoria the place of residence of the Governor General of the Australian Colonies.
 Debate ensued.
6. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor, received and read.

EMIGRATION DESPATCHES.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 27.

Referring to that portion of the Despatch, No. 25, of the 2nd of June, 1852, from the Right Honorable the Secretary of State, which accompanied Message No. 25, paragraphs 24 to 33, relating to the subject of Emigration, the Lieutenant Governor transmits for the information of the Legislative Council, copies of Despatches, dated respectively the 18th and 28th of May last giving cover to two Reports from Her Majesty's Land and Emigration Commissioners respecting the rate at which it is proposed, for the present, to carry on Immigration to the Australian Colonies, and showing the terms on which ships had been tendered for the conveyance of Immigrants.

*Government Offices,
Melbourne, 14th September, 1852.*

Ordered to be printed, together with the accompanying Despatches.

ADDRESS FOR CONSTITUTING VICTORIA THE RESIDENCE OF THE GOVERNOR GENERAL OF THE AUSTRALIAN COLONIES.—The debate on the above motion, interrupted by the above Message, resumed.

Question—put and passed.

Mr Johnston then moved that the following Members, viz. :—The Speaker, Mr. Westgarth, The Attorney General, Mr. Fawcner, and the Mover, be appointed a Committee to prepare an Address founded on the above resolution.

7. ADJOURNMENT OF THE COUNCIL.—Mr. Rutledge moved pursuant to *amended* notice, that this House do, at its rising on Friday, the 17th instant, adjourn to Tuesday, the 26th October next.
Debate ensued.
Question—put and passed.
8. SUSPENSION OF STANDING ORDER NO. 18.—On the motion of Mr. Pohlman, the above Standing Order was suspended, and leave given to the Select Committee on Sewerage and the Supply of Water Melbourne to sit during the adjournment of the Council.
9. ADDRESS FOR SUM OF MONEY FOR DRAINING RICHMOND AND COLLINGWOOD FLAT.—Mr. Dight moved, pursuant to notice, That the House resolve itself into a Committee of the whole, for the purpose of adopting an Address to His Excellency the Lieutenant Governor, praying that a sum, not exceeding three thousand pounds, be placed on the Estimates for the ensuing year, for the purpose of draining the Richmond and Collingwood Flat.
Question—put and passed.
Whereupon the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the purpose of considering the above Address.
The Chairman reported progress.
10. MELBOURNE AND HOBSON'S BAY RAILWAY BILL.—Mr. Westgarth presented a Petition from certain Inhabitants of the City of Melbourne, in the Colony of Victoria, praying for leave to bring in a Bill to invest the Petitioners and the above Company, with powers for effecting the making and constructing of a Railway between the City and Hobson's Bay, and constructing Wharves, Jetties, Piers, and other necessary erections for the purpose of enabling Ships and Vessels to load and discharge their Cargoes, and land and take Passengers from and to such Railway, in such manner by such ways and means, and under such regulations and restrictions as to the Council shall seem meet, to which Petition was annexed a printed Copy of the proposed Bill.
Petition received.
11. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of Mr. Fawcner, the following Order of the Day was postponed until Tuesday, 26th October next :—
“*Melbourne Municipal Franchise Bill*—*To be further considered in Committee.*”
On the motion of the Attorney General, the following Order of the Day was postponed until to-morrow.
“*Ports, Harbours, and Shipping Law Consolidation Bill*—*Adoption of Report.*”
12. INTRODUCTION OF CONVICTS PREVENTION BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole, upon this Bill having been read, On the motion of Mr. Westgarth, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.
The Chairman reported the Bill with further amendments, and obtained leave to sit again immediately.
On the motion of the Attorney General, the Speaker then left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council adopted the Bill as reported.
Bill to be read a third time on Thursday, 16th September.
13. ADMINISTRATION OF CRIMINAL JUSTICE IMPROVEMENT BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, Bill, on the motion of the Attorney General read a third time and *passed*.
The Attorney General then moved that the following be the title of the Bill, “*An Act for improving the Administration of Criminal Justice.*”
Question—put and passed.
14. LAW OF EVIDENCE AMENDMENT BILL.—The Order of the Day for the consideration of the report from the Committee of the whole, upon this Bill having been read,
On the motion of Mr. A'Beckett, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.
The Chairman having reported the Bill without any further amendment, the Council ordered the report to be taken into consideration to-morrow.
15. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until Thursday 16th September.
“*Passengers' Bill*—*Second Reading.*”
Council adjourned at five minutes past seven o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 15TH SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. OFFENCES PREVENTION BILL—Second reading.
2. LUNATIC MAINTENANCE BILL—Second reading.
3. COURTS OF REQUESTS BILL—Adoption of Report.
4. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL—Adoption of Report.
5. LAW OF EVIDENCE AMENDMENT BILL.—Adoption of Report.

General Business :—

NOTICE OF MOTION :—

1. MR. GOLDSMITH : To move, That the Petition of A. F. Cunningham, and others, presented to this Council, 8th September, instant, be printed.

ORDER OF THE DAY :—

1. IMPOUNDING ACT AMENDMENT BILL.—To be further considered in Committee.
-

THURSDAY, 16TH SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. PASSENGERS BILL.—Second reading.

General Business :—

ORDERS OF THE DAY :—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—Second Reading.
 2. INTRODUCTION OF CONVICTS PREVENTION BILL.—Third Reading.
-

FRIDAY, 17TH SEPTEMBER.

ORDER OF THE DAY :—

1. GOLD EXPORT DUTY BILL.—Second Reading.
-

FRIDAY, 24TH SEPTEMBER.

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be considered in Committee.
-

TUESDAY, 26TH OCTOBER.

ORDER OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.
-

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council ; to move, That the Petition from the Inhabitants of the Town and District of Portland Bay, presented to the Council, 14th September, be taken into consideration.

MEETINGS
OF
THE SELECT COMMITTEES.

Wednesday, 15th September.

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
THE MELBOURNE GAS AND COKE COMPANY BILL—at 11 o'clock.
POLICE—at 12 o'clock.
THE NEW MOTIVE POWER—at 2 o'clock.

Thursday, 16th September.

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
EDUCATION—at 12 o'clock
THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.
ROADS AND BRIDGES—at 1 o'clock.
PRISON DISCIPLINE—at half-past 1 o'clock.

Friday, 17th September.

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Tuesday, 21st September.

THE GEELONG AND MELBOURNE RAILWAY COMPANY BILL.—at 10 o'clock.
THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY COMPANY
BILL.—at 10 o'clock.

Wednesday, 22nd September.

THE MELBOURNE AND GEELONG HARBOURS—at 10 o'clock.

J. F. PALMER,
Speaker.

No. 45.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 15th. SEPTEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. ASSENT TO BILL.—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to

“ The Administration of Criminal Justice Improvement Bill.”
3. DISTRICT COUNCILS.—Mr. Mercer, as chairman of the Select Committee of this Council on District Councils brought up the Report from such Committee, and moved that it be printed and taken into consideration on Tuesday, 26th October next.
Question—put and passed.
4. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Colonial Secretary the following Orders of the Day were postponed until after the consideration of the other Order of the day, viz:—

“ Offences Prevention Bill—Second Reading.”
“ Lunatic Maintenance Bill—Second Reading.”
“ Courts of Requests Bill—Adoption of Report.”
“ Ports, Harbours, and Shipping Law Consolidation Bill—Adoption of Report.”
“ Law of Evidence Amendment Bill—Adoption of Report.”
5. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Rutledge, on behalf of Mr. Goldsmith, postponed the motion standing in his name, No. 1 on the Notice Paper of to-day, until to-morrow.
6. IMPOUNDING ACT AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the chair and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the Bill as reported.
Bill to be read a third time, Friday, 17th September.
7. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until after the consideration of the other Orders of the Day:—

“ Offences Prevention Bill—Second Reading.”
8. LUNATIC MAINTENANCE BILL.—The Attorney General moved, that this Bill be now read a second time.
Question—put and passed.
Bill read a second time.
On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the Bill as reported.
Bill to be read a third time to-morrow.
9. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until to-morrow:—

“ Courts of Requests Bill—Adoption of Report.”
10. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL.—The Order of the Day for consideration of the Report from the whole Council upon this Bill, having been read, on the motion of the Attorney General the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.
The Chairman having reported the Bill, with further amendments, the Council adopted the Bill as reported.
Bill to be read a third time to-morrow.

11. **LAW OF EVIDENCE AMENDMENT BILL.**—The Order of the Day for the consideration of the Report from the whole Council upon this Bill, having been read, on the motion of the Attorney General, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill, with further amendments, the Council adopted the Bill as reported.

Bill to be read a third time to-morrow.

12. **OFFENCES PREVENTION BILL.**—The Attorney General moved that this Bill be now read a second time.

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

On the motion of the Attorney-General, the Speaker left the chair and the Council resolved itself into a Committee of the whole for the consideration thereof.

The Chairman having reported the Bill, with amendments, the Council ordered the report to be taken into consideration to-morrow.

Council adjourned at six o'Clock until three o'Clock, to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 16TH SEPTEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. **CUSTOMS REGULATIONS BILL**—Adoption of Report.
2. **PASSENGERS BILL.**—Second reading.
3. **LUNATIC MAINTENANCE BILL**—Third reading.
4. **COURTS OF REQUESTS BILL**—Adoption of Report.
5. **PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL**—Third Reading.
6. **LAW OF EVIDENCE AMENDMENT BILL.**—Third Reading.
7. **OFFENCES PREVENTION BILL**—Adoption of Report.

General Business :—

NOTICE OF MOTION :—

1. **MR. GOLDSMITH** : To move, That the Petition of A. F. Cunningham, and others, presented to this Council, 8th September, instant, be printed.

ORDERS OF THE DAY :—

1. **BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.**—Second Reading.
2. **INTRODUCTION OF CONVICTS PREVENTION BILL.**—Third Reading.

FRIDAY, 17TH SEPTEMBER.

NOTICES OF MOTION :—

1. **MR. WILKINSON** : To move, That the petition from Portland, presented to the House on Tuesday last, be printed.
2. **MR. RUTLEDGE** : To move, That an address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause the Right Honorable the Secretary of State for the Colonies, in terms of his Despatch dated 2nd June, 1852, to make the necessary arrangements, as soon as practicable, for the sending to this Colony, a body of not less than (500) Five hundred men of the Irish Police Force, in the proportion of (300) Three hundred foot, and (200) Two hundred Cavalry.

ORDERS OF THE DAY :—

1. **GOLD EXPORT DUTY BILL.**—Second Reading.
2. **IMPOUNDING ACT AMENDMENT BILL.**—Third Reading.

FRIDAY, 24TH SEPTEMBER.

ORDER OF THE DAY :—

1. **SCAB AND CATARRH IN SHEEP PREVENTION BILL.**—To be considered in Committee.

191

TUESDAY, 26TH OCTOBER.

ORDERS OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.
2. DISTRICT COUNCILS—Adoption of Report from Select Committee on.

FRIDAY, 29TH OCTOBER.

NOTICE OF MOTION :—

1. MR. JOHNSON : To move for leave to bring in a Bill to alter so much of the Act of the Imperial Parliament passed in the 13th and 14th years of the Reign of Her present Majesty, intituled, "*An Act for the better Government of Her Majesty's Australian Colonies,*" as makes provision for the support of Public Worship—set out, Victoria, Schedule (B), part 3.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council ; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

THE SELECT COMMITTEES.

Thursday, 16th September.

- SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
 THE ASSAY OF GOLD—at 10 o'clock.
 EDUCATION—at 12 o'clock
 THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.
 ROADS AND BRIDGES—at 1 o'clock.
 PRISON DISCIPLINE—at half-past 1 o'clock.

Friday, 17th September.

- SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.
 THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 46.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 16th. SEPTEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESSES.—The Speaker announced to the Council that His Excellency has been pleased to give the following reply to the Address—

No. 19, Remittances for Immigration Purposes, adopted on the 20th July last on the motion of Mr. Splatt, viz. :—

That the Lieutenant Governor is now in a position to inform the Council, that no obstacle now exists in the way of the Government being able to make remittances home, for the purposes of Immigration, or on account of other branches of the Public Service, in such manner, as may be shown to be most advantageous to the Revenue.

And the following reply to the Address—

No. 39, Trigonometrical Survey of Melbourne, adopted on 3rd September instant, on the motion of Mr. Pohlman, viz. :—

That the Lieutenant Governor would state that he considers it expedient that the Surveys and other measures connected with the enquiries of the Committee on Water and Sewerage should be provided for, and that he considers himself justified in placing the expense, whatever it may be, against the Territorial Revenue.

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

No. 42, Sappers and Miners, adopted on the 7th September, 1852, on the motion of Mr. Fawcner,

and that His Excellency had, in reply to such Address, been pleased to state that he would take an early opportunity of bringing the wishes of the Council under the notice of Her Majesty's Government.

No. 43, Military, adopted on the 9th September, 1852, on the motion of Mr. Fawcner, and that His Excellency had, in reply to such Address, been pleased to state that he would lose no time in bringing this application from the Council, under the notice of the Governor General and the Major-General commanding the Troops ; and further, would take an early opportunity of making known the wishes of the Council to the Secretary of State.

No. 44. Recommendations of Caveat Commissioners—adopted on the 10th September, 1852, on the motion of Mr. Snodgrass :

and that His Excellency the Lieutenant Governor had, in reply to such Address, been pleased to state that the suggestions of the Council would meet with the consideration they call for.

No. 45. Despatches—adopted on the 10th September, 1852, on the motion of Mr. O'Shanassy :

and that His Excellency had in reply to such Address, been pleased to state that there could be no objection to the correspondence adverted to being laid before the Council.

3. EDUCATION COMMITTEE.—On the motion of Mr. Murphy, leave was given to the Select Committee of this Council on Education to sit during the adjournment of the Council.
4. PRISON DISCIPLINE.—Mr. Westgarth having obtained leave of the Council, presented a progress Report from the Select Committee of this Council on Prison Discipline, and moved that the same be received and printed.

Question—put and passed.

5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until Wednesday, 27th October next.

“ Customs' Regulations Bill—Adoption of Report.”

6. PASSENGERS' BILL.—The Attorney General moved, that this Bill be now read a second time. Debate ensued.

By leave of the Council the Attorney General withdrew the above motion, and moved that

the consideration of the second reading of this Bill, be postponed until Wednesday, 27th October next.

Question—put and passed.

7. LUNATIC MAINTENANCE BILL.—The Speaker having reported that the Chairman of Committees had reported that the fair print of this Bill was in accordance with the Bill as reported.

Bill, on the motion of the Attorney General, read a third time, and *passed*.

The Attorney General then moved, that the following be the title of the Bill.

“An Act to make further provision for the care and maintenance of persons of unsound mind.”

Question—put and passed.

8. COURTS OF REQUESTS BILL.—The order of the day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read.

On the motion of the Attorney-General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the reconsideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the Bill as reported.

Bill to be read a third time to-morrow.

9. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney-General the following Order of the Day was postponed until to-morrow.

“Ports, Harbours, and Shipping Law, Consolidation Bill—Third reading.”

10. LAW OF EVIDENCE AMENDMENT BILL.—The Order of the Day for the third reading of this Bill having been read,

On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.

The Chairman having reported the Bill, with further amendments, the Council adopted the Bill as reported.

The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as Reported,

Bill on the Motion of the Attorney General read a third time and *passed*.

The Attorney General then moved that the following be the Title of the Bill—

“An Act to Amend the Law of Evidence.”

Question put and passed.

11. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until after the consideration of the other Orders for to-day.

“Offences Prevention Bill—Adoption of Report.”

On the Motion of Dr. Thomson, the following Order of the Day was postponed until after the consideration of the next Order for to-day.

“Bank of New South Wales Act Amendment Bill—Second Reading.”

12. INTRODUCTION OF CONVICTS PREVENTION BILL.—The Order of the Day for the third reading of this Bill having been read,

On the motion of Mr. Johnston, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the Bill as reported.

Bill to be read a third time to-morrow.

13. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—Mr. Miller moved that this Bill be now read a second time

Debate ensued

Council divided.

Ayes, 10.

MR. RUTLEDGE,
MR. WESTGARTH,
MR. SPLATT,
THE ATTORNEY GENERAL,
DR. THOMSON,
MR. RUSSELL,
THE CHAIRMAN OF QUARTER
SESSIONS,
THE COLONIAL SECRETARY,
MR. SMITH,
MR. MILLER, (*Teller*.)

Noes, 8.

MR. WILKINSON,
MR. O'SHANASSY,
MR. FAWKNER,
MR. JOHNSTON,
MR. STRACHAN,
MR. MURPHY,
MR. TURNBULL,
MR. CAMPBELL, (*Teller*.)

Bill read a second time and ordered to be considered in Committee Friday 29th October next.

14. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until to-morrow :

“Offences Prevention Bill—Adoption of Report.”

15. PETITION RESPECTING SCAB AND CATARRH IN SHEEP PREVENTION BILL.—By leave of the Council, Mr. Rutledge on behalf of Mr. Goldsmith, moved that the Petition of Mr. A. F. Cuninghame and others, presented to this Council 8th September instant, be printed.

Question—put and passed.

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

195

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 17TH SEPTEMBER.

NOTICES OF MOTION:—

1. MR. WILKINSON: To move, That the petition from Portland, presented to the House on Tuesday last, be printed.
2. MR. RUTLEDGE: To move, That an address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause the Right Honorable the Secretary of State for the Colonies, in terms of his Despatch dated 2nd June, 1852, to make the necessary arrangements, as soon as practicable, for the sending to this Colony, a body of not less than (500) Five hundred men of the Irish Police Force, in the proportion of (300) Three hundred foot, and (200) Two hundred Cavalry.
3. MR. JOHNSTON: To move, That an Address be presented to the Lieutenant Governor requesting His Excellency to convey to the Right Honorable Sir John S. Pakington, Her Majesty's Secretary of State for the Colonies, the thanks of this Council for the concessions made in his Despatch No. 25, of date the 2nd June, 1852, and the expression of the opinion of this Council, that the kind and conciliatory tone pervading that document, is greatly calculated to foster and encourage those feelings of loyalty and attachment to the Crown and Institutions of the Mother Country, with which it is so desirable that Her Majesty's distant subjects should be imbued.
4. DR. THOMSON: To move, for leave to bring in a Bill to impose an Assessment on Stock, and for the purpose of effectually eradicating the diseases of Scab and Catarrh in Sheep.
5. DR. THOMSON: to move, That an Address be presented to His Excellency the Lieutenant Governor, requesting him to cause to be laid upon the table of this House:
 - (1.) A Return, showing the names of the Visitors, paid and unpaid, appointed under the Acts of Council, 7 Vic. No. 14, and 9 Vic. No. 4; and on what days they have respectively attended at the Lunatic Asylum, Yarra Bend, since it was opened in 1848.
 - (2.) A Return, showing the number of persons admitted into the Asylum—and the number of persons discharged as cured for the same period.
 - (3.) A Return, showing how many persons discharged as cured, have been returned to the Asylum as insane; and the cause of the deaths of such persons as have died in the Asylum for the same period.
6. MR. WESTGARTH: To move, That with reference to certain efforts that are now being made in Van Diemen's Land, for prolonging the term of office of the present Governor of that Colony, with the view by that and other means to continue the system of Transportation—efforts which appear to be made by a small section of Colonists, in order to secure supplies of labor, and which may hereafter be represented to the injury of these Colonies, it is the imperative duty of this House, to seek to nullify all such movements, contrary as they are in their tendency alike to the strongly expressed opinions of the public, of each, and all of the Australian Colonies, and to the highest interests of society in this hemisphere.
That for reasons already repeatedly set forth, the time has, in the opinion of this Council, arrived, when Transportation must cease, and that immediately; therefore that a Committee of this House, to consist of Lieutenant Colonel Anderson, Mr. Miller, Dr. Thomson, Mr. Riddell, and the Mover, be appointed to prepare a loyal and dutiful Address for presentation to Her Majesty and both Houses of Parliament, setting forth these views and praying that no step may be taken on the part of Her Majesty's Government that might have the unhappy effect of delaying, even for the briefest period, the termination of that destroying system from which this Colony in particular is now suffering, and against which the whole of United Australia has so earnestly and repeatedly protested.
7. MR. WESTGARTH: To move, That a Select Committee be appointed to enquire into and report upon the condition of the Post Office Department, with power to take evidence and sit during the adjournment. The Committee to consist of the Colonial Secretary, the Chairman of Quarter Sessions, Mr. Murphy, Mr. Smith, and the Mover.

ORDERS OF THE DAY:—

1. GOLD EXPORT DUTY BILL.—Second Reading.
2. IMPOUNDING ACT AMENDMENT BILL.—Third Reading.
3. COURTS OF REQUESTS BILL.—Third Reading.
4. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL.—Third Reading.
5. INTRODUCTION OF CONVICTS PREVENTION BILL.—Third Reading.
6. OFFENCES PREVENTION BILL.—Adoption of Report.

FRIDAY, 24TH SEPTEMBER.

ORDER OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be considered in Committee.

TUESDAY, 26TH OCTOBER.

ORDERS OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.
2. DISTRICT COUNCILS—Adoption of Report from Select Committee on.

WEDNESDAY, 27TH OCTOBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS' REGULATIONS BILL—Adoption of Report.
2. PASSENGERS BILL.—Second reading.

FRIDAY, 29TH OCTOBER.

NOTICE OF MOTION :—

1. MR. JOHNSON : To move for leave to bring in a Bill to alter so much of the Act of the Imperial Parliament passed in the 13th and 14th years of the Reign of Her present Majesty, intituled, "*An Act for the better Government of Her Majesty's Australian Colonies,*" as makes provision for the support of Public Worship—set out, Victoria, Schedule (B), part 3.

ORDER OF THE DAY :—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—To be considered in Committee.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council ; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

THE SELECT COMMITTEES.

Friday, 17th September.

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 47.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 17th. SEPTEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. ASSENT TO BILLS.—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to

“ The Lunatic Maintenance Bill.”

“ The Law of Evidence Amendment Bill.”
3. MELBOURNE GAS AND COKE COMPANY BILL.—Mr. Miller, as Chairman of the Select Committee of this Council on this Bill, brought up the Report from the Committee and moved that it be received.
Question—put and passed.
On the motion of Mr. Miller, the second reading of this Bill was ordered for Tuesday, 26th October next.
4. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Mr. Murphy, by leave of the Council, moved that the consideration of this Bill in Committee of the whole Council, which stands on the Notice Paper as an Order of the Day for Friday, 24th September, be postponed until Wednesday, 27th October next.
Question—put and passed.
5. PAPERS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the table of the Council the Rules of the Supreme Court of Victoria for regulating the Admission to practice as Barristers, and as Attornies, Solicitors and Proctors in the Supreme Court of the Colony of Victoria, of persons not previously admitted as Barristers or Advocates, or as Attornies, Solicitors, or Writers to the Signet in the Superior Courts of Westminster, Dublin, or Edinburgh.
Ordered to be printed.
6. ADDRESS FOR CONSTITUTING VICTORIA THE RESIDENCE OF THE GOVERNOR GENERAL OF THE AUSTRALIAN COLONIES.—Mr. Johnston, as Chairman of the Select Committee of this Council upon this subject, appointed on 14th September, instant, brought up the Draft of an Address to Her Most Gracious Majesty the Queen, and moved that the same be adopted, signed by the Speaker, and presented by that gentleman to His Excellency the Lieutenant Governor, requesting that he will be pleased to cause the same to be laid before Her Majesty the Queen.

Debate ensued.

Mr. Johnston, by leave of the Council, withdrew the above motion, and moved that the Speaker do now leave the chair and the Council resolve itself into a Committee of the whole, for the consideration of the above Draft Address.

Question—put and passed.

Whereupon the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.

The Chairman reported that the Committee had agreed to the following Address:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

WE, the Legislative Council of the Colony of Victoria, approaching Your Majesty with sentiments of profound veneration, attachment, and loyalty, dutifully request permission to represent:

1. That the province of Port Phillip, which has now the honor as a Colony to bear Your Majesty's distinguished name, has, during the brief period, elapsed since Your Majesty's accession to the Throne, attained a degree of prosperity unexampled in the history of colonization—that our connexion with the Mother Country, and still more intimately with the elder Colony of New South Wales, has uniformly tended to enrich and to invigorate both, without having been, in any one instance, or to any appreciable extent burdensome to either—that our present prospects, under Divine Providence, justify the expectation that our energies will develop proportionably to the resources placed at our disposal, so as speedily to realize all the characteristics of a great and wealthy people: and ultimately to become the centre of Civilization and Christianization to the Eastern Archipelago.

2. That our Geographical position in reference to the different Colonies of the Australasian Group is central beyond that of any other, to which must be added the further advantage of a safe and capacious Harbour,—circumstances, which in the opinion of the Legislative Council, cannot fail to give it a preferable claim to be regarded as the Natural Depôt of European Commerce, as the chief pivot of Postal and Steam communication, as the legitimate seat of an ulterior appellate jurisdiction, as the head quarters of Naval and Military forces, and finally, as the most eligible centre of combined operations, of whatsoever nature, among the confederated British Colonies in this Hemisphere.

3. That the salubrity of our climate and the fertility of our soil, present conditions eminently favourable to the growth and permanence of our prosperity—salubrity, as evinced by an almost total exemption from endemic disease—fertility, as evinced by an exuberance and fecundity, both of vegetable and animal life, almost unexampled:—the numbers of Stock, according to the last Official Returns, (January 1st, 1851,) were 6,032,783 sheep; 278,806 cattle; and 21,219 horses, exclusive of Stock depastured on private lands.

4. That the Land Revenues of Victoria, as contrasted with those of New South Wales, exhibit a marked superiority.

Gross proceeds of Crown Lands sold since the foundation of the Province.....	£1,372,055 19 6,
The gross proceeds of Lands sold in Victoria, for the ten years, from 1841 to 1850 inclusive were.....	£376,544 1 8.
Do., Do., New South Wales for the same period.....	£310,598 17 6.
Amount of Crown Land sold for six months, from January 1st to June 30th, 1851.....	£100,974 1 10.
Do., Do., since July 1, 1851, (the date of Separation) to September 16, 1852.....	£595,214 12 4.

5. That the Gold Fields of Victoria, as compared with those of New South Wales, are more conveniently situated as respects the Capital, and immeasurably more productive. The present weekly yield of Gold, taking the last three months as a criterion, may be estimated at 80,000 ounces, which at 70s. per ounce, gives a gross annual sum of £14,560,000 sterling. The Revenue arising from Gold for the present year, may be estimated at £300,000, under the existing licensing system. But under a more matured system of collection, and assuming that an export duty of 2s. 6d. per ounce on Bullion be imposed, and that the present number of Diggers (estimated at about 60,000,) be increased to 90,000, 5-6ths of whom pay a license, the revenue from Gold *alone* will closely approximate to two millions (£1,870,000) sterling for the year 1853, while the gross Revenue of New South Wales for the same year, from *all* sources combined, cannot according to present indications reach to one third of that amount.

6. That the amount of shipping of the two Colonies affords another point of comparison, and thus becomes an exponent of the degree of their material progress. From the want of official returns from New South Wales this comparison can only be approximated by Customs Duties. The value of Customs Duties for Victoria for 1853, exclusive of Gold, has been estimated by the Chief Collector of Customs, at £431,171, while that for New South Wales, for the same period, under a Tariff differing in some points, but averaging in the main, an equality of conditions, has been estimated by the Colonial Secretary of that Colony at £220,287 8s. 3d.

7. That no circumstance can more strongly evince the enormous rate of progress of this Colony of Victoria than the state of its external commerce.

The official value of Exports for the half-year ending July 5, 1852, was	£3,576,603
Ditto of Imports during the same period	1,253,943

8. That even as regards the criterion of Population, the events of the last twelve months have essentially tended to obliterate the inequality, amounting to upwards of 100,000 souls, by which, in March 1851, New South Wales was favorably contrasted with Victoria. The period of absolute equality, if not already attained, is fast approaching, and it seems probable that before the expiration of the year 1853, the relation between the two Colonies, as regards population, will be directly the converse of what it was at the commencement of the year 1851.

9. That in the opinion of this Council so remarkable a concurrence of circumstances at once indicates the destiny of this Colony, and vindicates its pretensions to be the seat of Supreme Government.

10. Having submitted to Your Majesty this statement of their views as to the eligibility of constituting the Colony of Victoria the seat of Supreme Government, the Legislative Council desire to express a hope that Your Majesty will be graciously pleased to take the same into Your Royal consideration, and further to express their fervent hope that it may please Divine Providence to spare Your Majesty's valuable life, long to occupy the Throne of that Empire to which it is their honor and happiness to belong.

Mr. Johnston moved that the above Address be adopted, and that it be signed by the Speaker, and presented by that gentlemen to His Excellency the Lieutenant Governor, with the request that he will be pleased to cause the same to be laid before Her Majesty.

Question—put and passed.

- 7. GOLD EXPORT DUTY BILL.—Mr. Westgarth presented a Petition from certain Merchants and others trading in the City of Melbourne, praying that the second reading of the said Bill might be postponed, and that in the mean time the Petitioners might have leave to be heard by Counsel and adduce evidence at the bar of this Council against the Bill.

Petition received.

Mr. Westgarth, by leave of the Council, moved that the Petition be read.

Question—put and passed.

Petition read.

- 8. POLICE COMMITTEE.—Mr. Miller, on behalf of the Chairman of the Select Committee of this Council on the Police of this Colony, brought up the Report from the Committee, and moved that the same, together with the Minutes of Evidence taken before the Committee, be printed.

Question—put and passed.

- 9. PAPERS.—NATIVE POLICE.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the table the Return to the Address on this subject, adopted on the motion of Dr. Thomson, on 9th July, 1852.

Ordered to be printed.

- 10. PUBLIC WORKS IN DISTRICT OF PORTLAND BAY.—Mr. Wilkinson moved, pursuant to notice, That the Petition from the inhabitants of the Town and District of Portland Bay, presented to the House on Tuesday last, be printed.

Debate ensued

Question—put and passed.

- 11. SIR J. S. PAKINGTON.—Mr. Johnston moved, pursuant to *amended* notice: That the thanks of this Council are justly due to the Right Honorable Sir John S. Pakington, Her Majesty's principal Secretary of State for the Colonies, for the concessions made by him in his Despatch, No. 25, of date the 2nd June, 1852, and this Council desires to express the opinion that the kind and conciliatory tone pervading that document, is greatly calculated to foster and encourage those feelings of loyalty and attachment to the Crown and Institutions of the Mother Country, with which it is so desirable that the minds of Her Majesty's distant subjects should be imbued;—and that the Speaker do request His Excellency the Lieutenant Governor to forward the above resolution to the Right Honorable the Secretary of State for the Colonies.

Question—put and passed.

- 12. POSTPONEMENT OF NOTICE OF MOTION.—Dr. Thomson postponed the notice of motion standing in his name, No. 4, on the Notice Paper of to-day, until 26th October next.

- 13. LUNATIC ASYLUM.—Dr. Thomson moved, pursuant to notice: That an Address be presented to His Excellency the Lieutenant Governor, requesting him to cause to be laid upon the table of this House:

(1.) A Return, showing the names of the Visitors, paid and unpaid, appointed under the Acts of Council, 7 Vic. No. 14, and 9 Vic. No. 4; and on what days they have respectively attended at the Lunatic Asylum, Yarra Bend, since it was opened in 1848.

(2.) A Return, showing the number of persons admitted into the Asylum—and the number of persons discharged as cured for the same period.

(3.) A Return, showing how many persons discharged as cured, have been returned to the Asylum as insane; and the cause of the deaths of such persons as have died in the Asylum for the same period.

Debate ensued.

Motion, by leave, withdrawn.

- 14. TRANSPORTATION.—Mr Westgarth moved, pursuant to *amended* notice, That with reference to certain efforts that are now being made in Van Diemen's Land for the continuance of the system of Transportation by procuring for the present Governor of that Colony an enlargement of the usual term of office, and by other means—efforts which appear to be made by a small section of Colonists, in order to secure supplies of labor, and which may hereafter be represented to the injury of these Colonies,—it is the imperative duty of this House, to seek to nullify all such movements, contrary as they are in their tendency alike to the strongly expressed opinions of the public, of each and all of the Australian Colonies, and to the highest interests of society in this Hemisphere.

That for reasons already repeatedly set forth, the time has, in the opinion of this Council, arrived, when Transportation must cease, and that immediately; therefore that a Committee of this House, to consist of Lieutenant Colonel Anderson, Mr. Miller, Dr. Thomson,

Mr. Riddell, and the Mover, be appointed to prepare loyal and dutiful Addresses for presentation to Her Majesty and both Houses of Parliament, setting forth these views and praying that no step may be taken on the part of Her Majesty's Government that might have the unhappy effect of delaying, even for the briefest period, the termination of that destroying system from which this Colony in particular is now suffering, and against which the whole of United Australia has so earnestly and repeatedly protested.

It having been ruled, on a point of Order, that this motion was in substance similar to the resolutions of this Council, adopted on 13th July last, Mr. Westgarth, by leave, withdrew the motion.

15. POST OFFICE.—Mr. Westgarth moved, pursuant to notice, That a Select Committee be appointed to enquire into and report upon the condition of the Post Office Department, with power to take evidence and sit during the adjournment of the Council. The Committee to consist of the Colonial Secretary, the Chairman of Quarter Sessions, Mr. Murphy, Mr. Smith, and the Mover.

Debate ensued.

Question—put and passed.

16. GOLD EXPORT DUTY BILL.—The Attorney General moved, That this Bill be now read a second "time."

Mr. Splatt moved, as an amendment, That the word "now" be omitted and that the following words be added after the word "time," "this day six months."

Debate ensued.

Mr. Miller moved, That the debate on this question be adjourned until Wednesday, 27th October next.

Question upon the adjournment—put.

Council divided.

Ayes, 8.

MR. MILLER,
MR. WESTGARTH,
MR. O'SHANASSY,
MR. CAMPBELL,
MR. STRACHAN,
MR. TURNBULL,
MR. DIGHT,
MR. SPLATT, (*Teller.*)

Noes, 18.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
MR. MURPHY,
MR. SMITH,
MR. JOHNSTON,
MR. RUSSELL,
MR. FAWKNER,
MR. RIDDELL,
DR. THOMSON,
LIEUT. COL. ANDERSON,
MR. A'BECKETT,
MR. WILKINSON,
MR. GOLDSMITH,
MR. MERCER,
MR. RUTLEDGE,
THE CHAIRMAN OF QUARTER
SESSIONS, (*Teller.*)

Debate continued.

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

Ayes 19.

THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
MR. GOLDSMITH,
THE AUDITOR GENERAL,
DR. THOMSON,
MR. A'BECKETT,
MR. RIDDELL,
MR. FAWKNER,
MR. RUSSELL,
MR. JOHNSTON,
LIEUT. COL. ANDERSON,
MR. RUTLEDGE,
MR. WILKINSON,
MR. DIGHT,
MR. MERCER,
MR. MURPHY,
MR. SMITH,
MR. POHLMAN,
THE ATTORNEY GENERAL, (*Teller.*)

Noes 7.

MR. MILLER,
MR. WESTGARTH,
MR. O'SHANASSY,
MR. STRACHAN,
MR. CAMPBELL,
MR. TURNBULL,
MR. SPLATT, (*Teller.*)

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

Bill read a second time and ordered to be considered in Committee on Tuesday, 2nd November next.

17. IMPOUNDING ACT AMENDMENT BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported

Bill on the motion of Mr. Fawkner, read a third time and *passed*.

Mr. Fawkner moved that the following be the title of the Bill :

“ An Act to amend an Act intituled ‘ An Act declaratory of the right of Occupants of Crown Lands to impound Cattle and other Animals found trespassing thereon.’ ”

Question—put and passed.

18. COURTS OF REQUESTS BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported

Bill on the motion of the Attorney General read a third time and *passed*.

The Attorney General moved that the following be the title of the Bill :

“ An Act to make provision for the better Administration of Justice in County Courts in the Colony of Victoria.’ ”

Question—put and passed.

19. PORTS, HARBOURS, AND SHIPPING LAW CONSOLIDATION BILL.—The Order of the Day for the third reading of this Bill having been read ;

On the motion of the Attorney General the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the reconsideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the Bill as reported.

The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,

Bill, on the motion of the Attorney General, read a third time, and *passed*.

The Attorney General moved that the following be the title of the Bill :—

“ An Act to consolidate and amend the Law relating to Ports, Harbours, and Shipping in the Colony of Victoria.’ ”

Question—put and passed.

20. INTRODUCTION OF CONVICTS PREVENTION BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported

Bill on the motion of Mr. Westgarth read a third time and *passed*.

Mr. Westgarth moved, That the following be the title of the Bill :

“ An Act to facilitate the apprehension and prevent the introduction into the Colony of Victoria, of Offenders illegally at large.’ ”

Question—put and passed.

21. OFFENCES PREVENTION BILL.—The Order of the Day for the third reading of this Bill having been read ;

On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the Bill as reported.

The Speaker having reported that the chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,

Bill, on the motion of the Attorney General, read a third time and *passed*.

The Attorney General moved that the following be the Title of the Bill :

“ An Act for the better Prevention of Offences.’ ”

Question—put and passed.

Council adjourned at eleven o'clock until three o'clock on Tuesday, 26th October next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 26TH OCTOBER.

NOTICES OF MOTION :—

1. MR. WILKINSON : To move, That an Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to cause to be laid upon the Table of this House, a copy of the contract entered into with the Government, for the conveyance, during the present year, of the Portland Mail.
2. DR. THOMSON : To move, That an Address be presented to His Excellency, the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid upon the table of this House, Copies of all correspondence between the Honorable, the Colonial Secretary, the Superintendent of Bridges, the Clerk of Works at Geelong, and the Crown Lands Commissioners there on the subject of the Barwon Punt
3. DR. THOMSON : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid upon the table of this House, a Return—
 Shewing what duties are performed by the Colonial Surgeon, and Assistant Colonial Surgeon, of Melbourne, respectively,—enumerating the Stations they have to visit; and the number of persons on the Sick List, at each Station, for the last twelve months, classifying them under the usual heads of disease.
4. DR. THOMSON : To move, for leave to bring in a Bill to impose an Assessment on Stock, and for the purpose of effectually eradicating the diseases of Scab and Catarrh in Sheep.

ORDERS OF THE DAY :—

1. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.
2. DISTRICT COUNCILS—Adoption of Report from Select Committee.
3. MELBOURNE GAS AND COKE COMPANY BILL.—Second Reading.

WEDNESDAY, 27TH OCTOBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. PASSENGERS BILL.—Second reading.
3. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be considered in Committee.

FRIDAY, 29TH OCTOBER.

NOTICES OF MOTION :—

1. MR. JOHNSTON : To move for leave to bring in a Bill to alter so much of the Act of the Imperial Parliament passed in the 13th and 14th years of the Reign of Her present Majesty, intituled, "*An Act for the better Government of Her Majesty's Australian Colonies,*" as makes provision for the support of Public Worship—set out, Victoria, Schedule (B), part 3.
2. DR. THOMSON : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to take into immediate consideration the following circumstances in connexion with the urgent necessities of this City and other Towns, regarding sanitary and other improvements.
 - (1.) That the enormous cost of carrying out effectually all such improvements, renders it impossible adequately to meet these wants by votes from the General Revenue.
 - (2.) That the immensely increased value given to those Crown Lands that are within or around the City and other Towns, and the enormous sums contributed to the Public Revenue by the resident Inhabitants, in the purchases from time to time, of Town and Suburban Lands, (on a late occasion at the rate, in some instances, of £6000 per acre,) are circumstances that clearly point out an equitable and advantageous means of effecting these expensive, but necessary improvements.
 - (3.) That His Excellency would, therefore, be pleased, with reference to this City, the Town of Geelong and any other localities in the Colony where municipalities exist, or are supposed to exist, or may hereafter be established, to bring into immediate operation the recommendation of the Right Honorable, the Lords of the Committee of Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, which was approved by Her Majesty, with the advice of Her Majesty's Privy Council, at a Court held at Buckingham Palace, on the first day of May, 1849, by placing at the

disposal of the Local Councils the moiety of the Territorial Revenue realized in the respective Districts, which by Act of Parliament is placed at the disposal of the Lords Commissioners of the Treasury, and by them delegated to the Colonial Government, subject to such deductions and conditions as are imposed by Law, or recommended in the Report of the Privy Council.

ORDER OF THE DAY:—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—To be considered in Committee.

TUESDAY, 2ND NOVEMBER.

NOTICE OF MOTION:—

1. DR. THOMSON: To move, That an humble and dutiful Address be transmitted to Her Majesty the Queen, setting forth the dissatisfaction of this Council with our existing Constitution, and praying Her Majesty to bestow upon the Colony of Victoria similar powers of self Government and a form of Constitution similar to that which Her Majesty, with the advice and consent of the Parliament of Great Britain and Ireland, was pleased to grant in the Fourth year of Her Reign to the United Provinces of Canada.

ORDER OF THE DAY:—

1. GOLD EXPORT DUTY BILL.—To be considered in Committee.

FRIDAY, 5TH NOVEMBER.

NOTICE OF MOTION:—

1. DR. THOMSON: To move, That an Address be presented to His Excellency, the Lieutenant Governor, drawing His Excellency's attention to the inconvenience experienced by this House, from the absence of any responsible Officer of the Revenue Department of the Government, from the Nominee Benches, and submitting the propriety in the event of a vacancy occurring in the number of the Official Nominees, of remedying so obvious a defect in the Constitution of the House.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS
OF
THE SELECT COMMITTEES.

Tuesday, 21st September.

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 10 o'clock.

Wednesday, 27th October.

THE ASSAY OF GOLD—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 48.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 26th. OCTOBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
 2. NEW MEMBER.—The Speaker announced that there had been handed to him Letters Patent under the hand of His Excellency the Lieutenant Governor and the Seal of the Colony of Victoria, bearing date at Melbourne the twenty-sixth day of October, 1852, appointing Hugh Culling Eardley Childers, Esquire, a Non-elective Member of Council, in the place of Charles Hotson Ebdon, Esquire, resigned.
Hugh Culling Eardley Childers, Esquire was then introduced, and having taken the Oath, took his seat in the Council as a Member thereof.
 3. GOLD EXPORT DUTY BILL.—Mr. Westgarth presented a Petition from William M. Bell, styling himself Chairman of the Melbourne Chamber of Commerce, praying that this House will not pass any Bill imposing an Export duty on Gold.
Petition received.
 4. PAPERS.—GOLD FIELDS.—The Colonial Secretary, by command of his Excellency the Lieutenant Governor, laid upon the Table of the Council:—Return to the Address on this subject, adopted on the motion of Mr. Murphy, on 29th June last.
Ordered to be printed.
 5. PORTLAND MAIL.—Mr. Wilkinson moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to cause to be laid upon the Table of this House, a copy of the contract entered into with the Government, for the conveyance during the present year, of the Portland Mail.
Question—put and passed.
 6. COLONIAL SURGEON AND ASSISTANT COLONIAL SURGEON.—Dr. Thomson moved, pursuant to Notice, That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid upon the table of this House,
A Return, shewing what duties are performed by the Colonial Surgeon, and Assistant Colonial Surgeon, of Melbourne, respectively,—enumerating the Stations they have to visit; and the number of persons on the Sick List, at each Station, for the last twelve months, classifying them under the usual heads of disease.
Question—put and passed.
 7. MELBOURNE MUNICIPAL FRANCHISE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Tuesday, 2nd November instant.
 8. POSTPONEMENTS OF ORDERS OF THE DAY.—On the motion of Mr. Mercer the following Order of the Day was postponed until Tuesday, 9th November next:—
“ ‘ District Councils ’—Adoption of Report from Select Committee.”
On the motion of Mr. Miller the following Order of the Day was postponed until Tuesday, 9th November next:—
“ ‘ Melbourne Gas and Coke Company Bill ’—Second Reading.”
- The Council adjourned at twenty-five minutes past three o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 27TH OCTOBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. PASSENGERS BILL.—Second reading.
3. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be considered in Committee.

General Business :—

NOTICES OF MOTION :—

1. MR. WESTGARTH: To move, That the Petition of W. M. Bell, as Chairman of the Chamber of Commerce, against the Export Duty on Gold Bill presented to the Council on the 26th instant, be read and printed.
 2. MR. WESTGARTH: To move for leave to bring in a Bill to incorporate a Company to be called, "*The Melbourne and Hobson's Bay Railway Company.*"
-

THURSDAY, 28TH. OCTOBER.

NOTICE OF MOTION :—

1. MR. SNODGRASS: To move, That this Council do resolve itself into a Committee of the whole, for the purpose of considering the Report of the Select Committee, on the subject of Police, presented to this Council on the 17th of September last.
-

FRIDAY, 29TH OCTOBER.

NOTICES OF MOTION :—

1. MR. JOHNSTON: To move for leave to bring in a Bill to alter so much of the Act of the Imperial Parliament passed in the 13th and 14th years of the Reign of Her present Majesty, intituled, "*An Act for the better Government of Her Majesty's Australian Colonies,*" as makes provision for the support of Public Worship—set out, Victoria, Schedule (B), part 3.
2. DR. THOMSON: To move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to take into immediate consideration the following circumstances in connexion with the urgent necessities of this City and other Towns, regarding sanitary and other improvements.
 - (1.) That the enormous cost of carrying out effectually all such improvements, renders it impossible adequately to meet these wants by votes from the General Revenue.
 - (2.) That the immensely increased value given to those Crown Lands that are within or around the City and other Towns, and the enormous sums contributed to the Public Revenue by the resident Inhabitants, in the purchases from time to time, of Town and Suburban Lands, (on a late occasion at the rate, in some instances, of £6000 per acre,) are circumstances that clearly point out an equitable and advantageous means of effecting these expensive, but necessary improvements.
 - (3.) That His Excellency would, therefore, be pleased, with reference to this City, the Town of Geelong and any other localities in the Colony where municipalities exist, or are supposed to exist, or may hereafter be established, to bring into immediate operation the recommendation of the Right Honorable, the Lords of the Committee of Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, which was approved by Her Majesty, with the advice of Her Majesty's Privy Council, at a Court held at Buckingham Palace, on the first day of May, 1849, by placing at the disposal of the Local Councils the moiety of the Territorial Revenue realized in the respective Districts, which by Act of Parliament is placed at the disposal of the Lords Commissioners of the Treasury, and by them delegated to the Colonial Government, subject to such deductions and conditions as are imposed by Law, or recommended in the Report of the Privy Council.

ORDER OF THE DAY :—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—To be considered in Committee.

207

TUESDAY, 2ND NOVEMBER

NOTICE OF MOTION :—

1. DR. THOMSON : To move, That an humble and dutiful Address be transmitted to Her Majesty the Queen, setting forth the dissatisfaction of this Council with our existing Constitution, and praying Her Majesty to bestow upon the Colony of Victoria similar powers of self Government and a form of Constitution similar to that which Her Majesty, with the advice and consent of the Parliament of Great Britain and Ireland, was pleased to grant in the Fourth year of Her Reign to the United Provinces of Canada.

ORDERS OF THE DAY :—

1. GOLD EXPORT DUTY BILL.—To be considered in Committee.
2. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.

FRIDAY, 5TH NOVEMBER.

NOTICE OF MOTION :—

1. DR. THOMSON : To move, That an Address be presented to His Excellency, the Lieutenant Governor, drawing His Excellency's attention to the inconvenience experienced by this House, from the absence of any responsible Officer of the Revenue Department of the Government, from the Nominee Benches, and submitting the propriety in the event of a vacancy occurring in the number of the Official Nominees, of remedying so obvious a defect in the Constitution of the House.

TUESDAY, 9TH NOVEMBER.

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS—Adoption of Report from Select Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council ; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 27th October.

THE ASSAY OF GOLD—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Thursday, 28th October.

POST OFFICE—at 2 o'clock.

Friday, 29th October.

ROADS AND BRIDGES—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 49.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 27th. OCTOBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
 2. POSTPONEMENT OF THE ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until Wednesday, 10th November next.
“ Customs Regulation Bill—Adoption of Report.”
 3. PASSENGERS BILL.—The Auditor General moved that this Bill be now read a second time.
 Debate ensued.
 Question put and passed—Bill read a second time.
 On the motion of the Auditor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
 The Chairman reported progress and obtained leave to sit again Wednesday, 3rd November next
 4. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—On the motion of Mr. Murphy, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.
 The Chairman reported progress, and obtained leave to sit again on Wednesday, 17th November next.
 - 5 EXPORT DUTY ON GOLD BILL.—MR. WESTGARTH, moved pursuant to *amended* Notice, That the Petition of W. M. Bell, as Chairman of the Chamber of Commerce, against the Export Duty on Gold Bill presented to the Council on the 26th instant, be printed.
 Question—put and passed
 6. MELBOURNE AND HOBSON'S BAY RAILWAY COMPANY.—MR. WESTGARTH, moved pursuant to notice, for leave to bring in a Bill to incorporate a Company to be called, "*The Melbourne and Hobson's Bay Railway Company.*"
 Question—put and passed.
 Ordered, That the mover and seconder do bring in the Bill.—Bill brought up.
 7. PAPERS.—ALLAN'S FORD BRIDGE OVER THE RIVER HOPKINS.—The Colonial Secretary by command of His Excellency the Lieutenant Governor, laid upon the Table of the Council:—Return to the Address on this subject, adopted on the motion of Mr. Rutledge, 16th July last.
- Council adjourned at twenty-five minutes past six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 28TH. OCTOBER.

NOTICE OF MOTION:—

1. MR. SNODGRASS: To move, That this Council do resolve itself into a Committee of the whole, for the purpose of considering the Report of the Select Committee, on the subject of Police, presented to this Council on the 17th of September last.

FRIDAY, 29TH OCTOBER.

NOTICES OF MOTION :—

1. MR. JOHNSTON : To move for leave to bring in a Bill to alter so much of the Act of the Imperial Parliament passed in the 13th and 14th years of the Reign of Her present Majesty, intituled, "*An Act for the better Government of Her Majesty's Australian Colonies,*" as makes provision for the support of Public Worship—set out, Victoria, Schedule (B), part 3.
2. DR. THOMSON : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to take into immediate consideration the following circumstances in connexion with the urgent necessities of this City and other Towns, regarding sanitary and other improvements.
 - (1.) That the enormous cost of carrying out effectually all such improvements, renders it impossible adequately to meet these wants by votes from the General Revenue.
 - (2.) That the immensely increased value given to those Crown Lands that are within or around the City and other Towns, and the enormous sums contributed to the Public Revenue by the resident Inhabitants, in the purchases from time to time, of Town and Suburban Lands, (on a late occasion at the rate, in some instances, of £6000 per acre,) are circumstances that clearly point out an equitable and advantageous means of effecting these expensive, but necessary improvements.
 - (3.) That His Excellency would, therefore, be pleased, with reference to this City, the Town of Geelong and any other localities in the Colony where municipalities exist, or are supposed to exist, or may hereafter be established, to bring into immediate operation the recommendation of the Right Honorable, the Lords of the Committee of Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, which was approved by Her Majesty, with the advice of Her Majesty's Privy Council, at a Court held at Buckingham Palace, on the first day of May, 1849, by placing at the disposal of the Local Councils the moiety of the Territorial Revenue realized in the respective Districts, which by Act of Parliament is placed at the disposal of the Lords Commissioners of the Treasury, and by them delegated to the Colonial Government, subject to such deductions and conditions as are imposed by Law, or recommended in the Report of the Privy Council.

ORDER OF THE DAY :—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—To be considered in Committee.

TUESDAY, 2ND NOVEMBER.

NOTICE OF MOTION :—

1. DR. THOMSON : To move, That an humble and dutiful Address be transmitted to Her Majesty the Queen, setting forth the dissatisfaction of this Council with our existing Constitution, and praying Her Majesty to bestow upon the Colony of Victoria similar powers of self Government and a form of Constitution similar to that which Her Majesty, with the advice and consent of the Parliament of Great Britain and Ireland, was pleased to grant in the Fourth year of Her Reign to the United Provinces of Canada.

ORDERS OF THE DAY :—

1. GOLD EXPORT DUTY BILL.—To be considered in Committee.
2. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.

WEDNESDAY, 3RD NOVEMBER.

Government Business :—

ORDER OF THE DAY :—

1. PASSENGERS BILL.—To be further considered in Committee.

FRIDAY, 5TH NOVEMBER.

NOTICE OF MOTION :—

1. DR. THOMSON : To move, That an Address be presented to His Excellency, the Lieutenant Governor, drawing His Excellency's attention to the inconvenience experienced by this House, from the absence of any responsible Officer of the Revenue Department of the Government, from the Nominee Benches, and submitting the propriety in the event of a vacancy occurring in the number of the Official Nominees, of remedying so obvious a defect in the Constitution of the House.

211

TUESDAY, 9TH NOVEMBER.

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS—Adoption of Report from Select Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Second Reading.

WEDNESDAY, 10TH NOVEMBER.

Government Business :—

ORDER OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

WEDNESDAY, 17TH NOVEMBER.

General Business :—

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council ; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 27th October.

THE ASSAY OF GOLD—at 10 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

Thursday, 28th October.

POST OFFICE—at 2 o'clock.

Friday, 29th October.

ROADS AND BRIDGES—at 12 o'clock.

NEW MOTIVE POWER—at 1 o'clock.

J. F. PALMER,
Speaker.

No. 50.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 28th. OCTOBER, 1852.

1. Council met, pursuant to adjournment.
2. The Clerk informed the Council that the Speaker was unable, through illness, to attend the meeting of the Council this day;
Whereupon, Mr. Murphy moved, That this Council do adjourn until Three o'clock to-morrow; which Question was put by the Clerk, and passed.
Council adjourned until Three o'clock to-morrow.

JOHN BARKER,

Clerk of the Legislative Council.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 29TH OCTOBER.

NOTICES OF MOTION :—

1. MR. JOHNSTON : To move for leave to bring in a Bill to alter so much of the Act of the Imperial Parliament passed in the 13th and 14th years of the Reign of Her present Majesty, intituled, "*An Act for the better Government of Her Majesty's Australian Colonies*," as makes provision for the support of Public Worship—set out, Victoria, Schedule (B), part 3.
2. DR. THOMSON : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to take into immediate consideration the following circumstances in connexion with the urgent necessities of this City and other Towns, regarding sanitary and other improvements.
 - (1.) That the enormous cost of carrying out effectually all such improvements, renders it impossible adequately to meet these wants by votes from the General Revenue.
 - (2.) That the immensely increased value given to those Crown Lands that are within or around the City and other Towns, and the enormous sums contributed to the Public Revenue by the resident Inhabitants, in the purchases from time to time, of Town and Suburban Lands, (on a late occasion at the rate, in some instances, of £6000 per acre,) are circumstances that clearly point out an equitable and advantageous means of effecting these expensive, but necessary improvements.
 - (3.) That His Excellency would, therefore, be pleased, with reference to this City, the Town of Geelong and any other localities in the Colony where municipalities exist, or are supposed to exist, or may hereafter be established, to bring into immediate operation the recommendation of the Right Honorable, the Lords of the Committee of Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, which was approved by Her Majesty, with the advice of Her Majesty's Privy Council, at a Court held at Buckingham Palace, on the first day of May, 1849, by placing at the disposal of the Local Councils the moiety of the Territorial Revenue realized in the respective Districts, which by Act of Parliament is placed at the disposal of the Lords Commissioners of the Treasury, and by them delegated to the Colonial Government, subject to such deductions and conditions as are imposed by Law, or recommended in the Report of the Privy Council.

ORDER OF THE DAY :—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—To be considered in Committee.

TUESDAY, 2ND NOVEMBER.

NOTICE OF MOTION :—

1. DR. THOMSON: To move, That an humble and dutiful Address be transmitted to Her Majesty the Queen, setting forth the dissatisfaction of this Council with our existing Constitution, and praying Her Majesty to bestow upon the Colony of Victoria similar powers of self Government and a form of Constitution similar to that which Her Majesty, with the advice and consent of the Parliament of Great Britain and Ireland, was pleased to grant in the Fourth year of Her Reign to the United Provinces of Canada.

ORDERS OF THE DAY :—

1. GOLD EXPORT DUTY BILL.—To be considered in Committee.
2. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.

WEDNESDAY, 3RD NOVEMBER.

Government Business :—

ORDER OF THE DAY :—

1. PASSENGERS BILL.—To be further considered in Committee.

FRIDAY, 5TH NOVEMBER.

NOTICE OF MOTION :—

1. DR. THOMSON: To move, That an Address be presented to His Excellency, the Lieutenant Governor, drawing His Excellency's attention to the inconvenience experienced by this House, from the absence of any responsible Officer of the Revenue Department of the Government, from the Nominee Benches, and submitting the propriety in the event of a vacancy occurring in the number of the Official Nominees, of remedying so obvious a defect in the Constitution of the House.

TUESDAY, 9TH NOVEMBER.

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS—Adoption of Report from Select Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Second Reading.

WEDNESDAY, 10TH NOVEMBER.

Government Business :—

ORDER OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

WEDNESDAY, 17TH NOVEMBER.

General Business :—

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

215

MEETINGS

OF

SELECT COMMITTEES.

Friday, 29th October.

ROADS AND BRIDGES—at 12 o'clock.

NEW MOTIVE POWER—at 1 o'clock.

Tuesday, 2nd November.

POST OFFICE—at 2 o'clock.

No. 51.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 29th. OCTOBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. POLICE REPORT.—Mr. Westgarth presented a Memorial from certain residents in the Town and District of Portland, praying that this House, in taking into consideration the Report of the Select Committee on Police, will nominate the Town of Portland, as the Head Quarters of the Provincial Inspector for the F. Division of the proposed Police Districts.
Petition received.
3. PUBLIC WORSHIP:—SCHEDULE B ALTERATION BILL.—Mr. Johnston moved, pursuant to notice, for leave to bring in a Bill to alter so much of the Act of the Imperial Parliament passed in the 13th and 14th years of the Reign of Her present Majesty, intituled, “*An Act for the better Government of Her Majesty’s Australian Colonies,*” as makes provision for the support of Public Worship—set out, Victoria, Schedule (B), part 3.
Debate ensued.
4. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Messages from His Excellency the Lieutenant Governor, received and read.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL—

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 28.

In pursuance of the provisions of the Statute 5th and 6th Victoria, c. 76., the Lieutenant Governor transmits to the Council for its consideration, the draft of “*A Bill for Registering Births, Deaths and Marriages.*”

*Government Offices,
Melbourne, 28th October, 1852.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration, Tuesday, 2nd November next.

SPECIAL CONSTABLES—LAWS AMENDMENT BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 29.

In pursuance of the provisions of the Statute 5th and 6th Victoria, cap. 76, the Lieutenant Governor transmits to the Council, for its consideration, the draft of “*A Bill to amend the Laws relating to Special Constables.*”

*Government Offices,
Melbourne, 28th October, 1852.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration, Tuesday, 2nd November, 1852.

POLICE FORCE REGULATION BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 30.

In pursuance of the provisions of the Statute 5th and 6th Victoria, Cap. 76, the Lieutenant Governor transmits to the Council for its consideration, the draft of “*A Bill for the regulation of the Police Force.*”

*Government Offices,
Melbourne, 28th October, 1852.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration, Tuesday, 2nd November, 1852.

GUANO.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 31.

The Lieutenant Governor directs the accompanying Copy of a despatch from The Right Honorable the Secretary of State, with enclosures, on the subject of Guano, to be laid before the Legislative Council.

*Government Offices,
Melbourne, 29th October, 1852.*

Ordered to be printed, together with the accompanying despatch and enclosures.

MILITARY.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 32.

The Lieutenant Governor having brought the application of the Council, contained in their Address No. 43, adopted on the 9th September, 1852, for the detention of the whole of the Officers and Soldiers expected to arrive in this Colony, under the notice of the Governor General, directs a Copy of His Excellency's Reply, to be laid before the Legislative Council, for its information.

*Government Offices,
Melbourne, 29th October, 1852.*

Ordered to be printed, together with the accompanying Reply.

COLONIAL MINERAL SURVEYOR.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 33.

The accompanying correspondence, relating to the appointment of a Mineral Surveyor for this Colony, is transmitted by the Lieutenant Governor for the information of the Legislative Council.

*Government Offices,
Melbourne, 29th. October, 1852.*

Ordered to be printed, together with the accompanying correspondence.

PUBLIC WORSHIP :—SCHEDULE B ALTERATION BILL.

The Debate on this subject having been resumed—

Mr. Pohlman moved, as a point of Order, that the usage and practice of the House of Commons, requiring that no Bill relating to Religion be brought into the House until the proposition shall have been first considered in a Committee of the whole, and agreed to by the House, be affirmed to be the practice of this Council.

Debate ensued.

Question put :—Council divided.

Ayes 15.
THE COLONIAL SECRETARY,
LIEUT. COL. ANDERSON,
THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
MR. RIDDELL,
MR. A'BECKETT,
MR. STRACHAN,
MR. SNODGRASS,
MR. O'SHANASSY,
MR. WILKINSON,
MR. CAMPBELL,
MR. MERCER,
MR. RUTLEDGE,
MR. SMITH,
THE CHAIRMAN OF QUARTER
SESSIONS, (*Teller.*)

Noes, 7.
MR. MILLER,
MR. WESTGARTH,
MR. JOHNSTON,
THE AUDITOR GENERAL,
DR. THOMSON,
MR. FAWKNER,
MR. MURPHY, (*Teller.*)

Debate on Mr Johnston's original Motion resumed.

Question put and passed.—Ordered that the Mover and Seconder do prepare and bring in the Bill.

Mr. Johnston then moved that a Bill intituled, "A Bill to alter the appropriation of the Sum mentioned in the third part of Schedule B, to the Act intituled, 'An Act for the better Government of Her Majesty's Australian Colonies,'" be now read a first time.

Question put and passed.—Bill read a first time, ordered to be printed and read a second time Tuesday, 30th November next.

5. SANITARY AND OTHER IMPROVEMENTS.—Dr. Thomson moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency to take into immediate consideration the following circumstances in connexion with the urgent necessities of this City and other Towns, regarding sanitary and other improvements.

- (1.) That the enormous cost of carrying out effectually all such improvements, renders it impossible adequately to meet these wants by votes from the General Revenue.
- (2.) That the immensely increased value given to those Crown Lands that are within or around the City and other Towns, and the enormous sums contributed to the Public Revenue by the resident Inhabitants, in the purchases from time to time, of Town and Suburban Lands, (on a late occasion at the rate, in some instances, of £6000 per acre,) are circumstances that clearly point out an equitable and advantageous means of effecting these expensive, but necessary improvements.
- (3.) That His Excellency would, therefore, be pleased, with reference to this City, the Town of Geelong and any other localities in the Colony where municipalities exist, or are supposed to exist, or may hereafter be established, to bring into immediate operation the recommendation of the Right Honorable, the Lords of the Committee of Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, which was approved by Her Majesty, with the advice of Her Majesty's Privy Council, at a Court held at Buckingham Palace, on the first day of May, 1849, by placing at the disposal of the Local Councils the moiety of the Territorial Revenue realized in the respective Districts, which by Act of Parliament is placed at the disposal of the Lords Commissioners of the Treasury, and by them delegated to the Colonial Government, subject to such deductions and conditions as are imposed by Law, or recommended in the Report of the Privy Council.

Debate ensued.

Motion by leave withdrawn.

6. PAPERS.—NATIONAL EDUCATION.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Table of this Council the Rules and Regulations of the Commissioners of National Education for the Colony of Victoria, and directions for making application for aid towards the building of School Houses, or for the support of Schools.

Ordered to be printed.

7. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—On the motion of Mr. Miller, the Speaker left the Chair and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.

The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to be taken into consideration on Wednesday, 3rd November, next.

Council adjourned at Ten minutes to Seven o'clock, until Three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 2ND NOVEMBER.

NOTICES OF MOTION :—

1. DR. THOMSON : To move, That an humble and dutiful Address be transmitted to Her Majesty the Queen, setting forth the dissatisfaction of this Council with our existing Constitution, and praying Her Majesty to bestow upon the Colony of Victoria similar powers of self Government and a form of Constitution similar to that which Her Majesty, with the advice and consent of the Parliament of Great Britain and Ireland, was pleased to grant in the Fourth year of Her Reign to the United Provinces of Canada.
2. MR. WESTGARTH : To move, That the Bill intituled, "*A Bill to incorporate a Company to be entitled 'The Melbourne and Hobson's Bay Railway Company,'*" be read a first time.
3. *Contingent.*— On the Bill being read a first time :—
MR. WESTGARTH : To move, That it be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, and the Auditor General, and the Mover.
4. MR. WESTGARTH : To move, That the Petition from Portland complaining of certain recommendations in the Police Report now before the House, as affecting the Town of Portland, be printed.

ORDERS OF THE DAY :—

1. GOLD EXPORT DUTY BILL.—To be considered in Committee.
2. MELBOURNE MUNICIPAL FRANCHISE BILL.—To be further considered in Committee.
- 3 BIRTHS, DEATHS, AND MARRIAGES REGISTRATION BILL.—Consideration of the Lieutenant Governor's Message, No. 28.
- 4 SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—Consideration of the Lieutenant Governor's Message, No. 29.
- 5 POLICE FORCE REGULATION BILL.—Consideration of the Lieutenant Governor's Message, No 30.

WEDNESDAY, 3RD NOVEMBER.

Government Business :—

ORDER OF THE DAY :—

1. PASSENGERS BILL.—To be further considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—Adoption of Report.

FRIDAY, 5TH NOVEMBER.

NOTICE OF MOTION :—

1. DR. THOMSON : To move, That an Address be presented to His Excellency, the Lieutenant Governor, drawing His Excellency's attention to the inconvenience experienced by this House, from the absence of any responsible Officer of the Revenue Department of the Government, from the Nominee Benches, and submitting the propriety in the event of a vacancy occurring in the number of the Official Nominees, of remedying so obvious a defect in the Constitution of the House.

TUESDAY, 9TH NOVEMBER.

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS—Adoption of Report from Select Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Second Reading.

WEDNESDAY, 10TH NOVEMBER.

Government Business :—

ORDER OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

WEDNESDAY, 17TH NOVEMBER.

General Business :—

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

TUESDAY, 30TH NOVEMBER.

ORDER OF THE DAY :—

- 1 PUBLIC WORSHIP :—SCHEDULE B. ALTERATION BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Tuesday, 2nd November.

ROADS AND BRIDGES—at 11 o'clock.

POST OFFICE—at 2 o'clock.

Wednesday, 3rd November.

THE ASSAY OF GOLD—at 12 o'clock.

I. F. PALMER,
Speaker.

No. 52.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 2nd. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
- 2 **NEW MEMBER.**—The Speaker announced that he had received the Return to a Writ he had issued for the election of an elective Member of this Council, for the Electoral District of North Bourke, in the place of Charles Hilton Dight, Esq., deceased, by which it appeared that William Nicholson, Esq., had been duly elected Member to serve in the place of the said Charles Hilton Dight for such Electoral District.

William Nicholson Esq. was then introduced, and having taken the Oath and handed to the Clerk at the Table the following declaration, took his Seat as a Member for the Electoral District of North Bourke in the place of Charles Hilton Dight, Esq., deceased.

I WILLIAM NICHOLSON do declare and testify that I am duly seised at Law or in Equity of an Estate of Freehold for my own use and benefit in Lands or Tenements in the Colony of Victoria of the value of three thousand pounds, sterling money, above all Charges and Incumbrances affecting the same: And further that the Lands or Tenements out of which such Qualification arises are situate in Saint Kilda, in the Parish of South Melbourne, in the County of Bourke and the Colony of Victoria, and consist of—all that piece or parcel of Land, being Allotment number Eighteen, containing by admeasurement, Three Acres, bounded on the north east by a road one chain wide, being a line bearing south east three chains; on the south east by number Nineteen portion, containing three acres, being a line bearing south west ten chains; on the south west by portion number thirteen, containing three acres, being a line bearing north west three chains; and on the north west by portion number seventeen, containing three acres, being a line bearing north east ten chains. And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

(Signed,)

WILLIAM NICHOLSON.

3. **SCAB AND CATARRH IN SHEEP PREVENTION BILL.**—Mr. A'Beckett presented a Petition from C. E. Labilliere, Stockholder, in the Colony of Victoria, praying that this House would take the statements set forth in the Petition into favourable consideration, and would not enact a Law providing for the destruction of Scabby Sheep, without giving the Petitioner, and others circumstanced as he is, a reasonable time to clean their Sheep.
- Petition received.
4. **PAPERS.—GOLD DESPATCHES.**—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Table of the Council:—Return to the Address on this subject, adopted on the motion of Mr. O'Shanassy, 10th September last.
- Ordered to be printed.
5. **POST OFFICE—SELECT COMMITTEE.**—Mr. Westgarth as Chairman of the Select Committee of this Council, on the condition of the Post Office Department of this Colony, brought up the Report from the Committee, and moved that the same be received and printed.
- Question—put and passed.
6. **NEW MOTIVE POWER—SELECT COMMITTEE.**—Mr. Murphy, as Chairman of the Select Committee of this Council, to take into consideration the Petition of Mr. N. L. Kentish, brought up the Report from the Committee, and laid the same upon the Table, and moved that it be received.
- Question—put and passed.
- On the motion of Mr. Rutledge, the Report was read by the Clerk at the Table.
7. **MELBOURNE AND HOBSON'S BAY RAILWAY COMPANY BILL.**—Mr. Westgarth having produced a certificate that the sum of £25 had been paid by the promoters of this Bill into the hands of the Colonial Treasurer, for the public uses of the Colony, moved that this Bill be read a first time.
- Question—put and passed.—Bill read a first time.

Mr. Westgarth then moved, pursuant to *Contingent* notice, that this Bill be referred to a Select Committee, to consist of Mr. Splatt, Mr. Campbell, Dr. Thomson, Mr. Rutledge, The Auditor General, and the Mover.

Question—put and passed.

8. POLICE REPORT.—Mr. Westgarth moved pursuant to notice that the Petition from Portland complaining of certain recommendations in the Police Report now before the House, as affecting the Town of Portland, be printed.

Question put and passed.

9. GOLD EXPORT DUTY BILL.—On the motion of the Auditor General on behalf of the Attorney General, the consideration of the following order of the day was postponed until Tuesday, 16th November inst.

“ ‘ *Gold Export Duty Bill* ’—*To be considered in Committee.*”

10. MELBOURNE MUNICIPAL FRANCHISE BILL.—The order of the day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.

The Chairman having reported the Bill with Amendments, the Council ordered the Report to be taken into consideration on Tuesday 9th inst.

Bill as amended to be printed.

11. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—The Order of the Day for the consideration of the Lieutenant Governor's Message, No. 28, having been read, the Attorney General moved that the Bill accompanying this Message intituled, “ *A Bill for Registering Births, Deaths, and Marriages,*” be now read a first time.

Question put and passed.—Bill read a first time, ordered to be read a second time Wednesday, 10th November instant, and to be printed.

12. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—The Order of the Day for the consideration of the Lieutenant Governor's Message, No. 29, having been read, the Attorney General moved that the Bill accompanying the Message intituled, “ *A Bill to amend the Laws relating to Special Constables,*” be now read a first time.

Question put and passed.—Bill read a first time, ordered to be read a second time Thursday, 11th November instant, and to be printed.

13. POLICE FORCE REGULATION BILL.—The Order of the Day for the consideration of the Lieutenant Governor's Message No. 30, having been read, the Attorney-General moved that the Bill accompanying the Message intituled “ *A Bill for the Regulation of the Police Force,*” be now read a first time.

Question put and passed.—Bill read a first time, ordered to be read a second time Thursday, 11th. November instant, and to be printed.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 3RD NOVEMBER.

Government Business :—

ORDER OF THE DAY :—

1. PASSENGERS BILL.—To be further considered in Committee.

General Business :—

NOTICE OF MOTION :—

1. MR. MURPHY: To move, That there be a Call of the House for Tuesday, the 23rd day of November instant, for the consideration of Mr. Johnston's Motion standing No. 1 on the Notice Paper for that day.

ORDER OF THE DAY :—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—Adoption of Report.

225

FRIDAY, 5TH NOVEMBER.

NOTICE OF MOTION :—

1. DR. THOMSON : To move, That an Address be presented to His Excellency, the Lieutenant Governor, drawing His Excellency's attention to the inconvenience experienced by this House, from the absence of any responsible Officer of the Revenue Department of the Government, from the Nominee Benches, and submitting the propriety in the event of a vacancy occurring in the number of the Official Nominees, of remedying so obvious a defect in the Constitution of the House.

TUESDAY, 9TH NOVEMBER.

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS—Adoption of Report from Select Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Second Reading.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Adoption of Report.

WEDNESDAY, 10TH NOVEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—Second Reading.

THURSDAY, 11TH NOVEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—Second Reading.
2. POLICE FORCE REGULATION BILL.—Second Reading.

TUESDAY, 16TH NOVEMBER.

NOTICE OF MOTION :—

1. MR. MURPHY : To move, That this Council is of opinion that the whole numbers of its Members should be increased to at least Fifty-four.
That a Bill to effect this object should be introduced into this House for consideration during the Recess.

ORDERS OF THE DAY :—

1. GOLD EXPORT DUTY BILL.—To be considered in Committee.

WEDNESDAY, 17TH NOVEMBER.

General Business :—

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

TUESDAY, 23RD NOVEMBER.

NOTICE OF MOTION :—

1. MR. JOHNSTON : To move, That this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

TUESDAY, 30TH NOVEMBER.

ORDER OF THE DAY:—

1 PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETING

OF

SELECT COMMITTEE.

Wednesday, 3rd November.

THE ASSAY OF GOLD—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 53.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 3rd. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. ROADS AND BRIDGES SELECT COMMITTEE.—Mr. Miller as Chairman of the Select Committee of this Council on the present state of the Roads and Bridges of this Colony, brought up the Report from the Committee, and moved that the same be received and printed.
Question.—put and passed.
3. NEW MEMBER.—The Speaker announced that there had been handed to him Letters Patent, under the hand of His Excellency the Lieutenant Governor and Seal of the Colony of Victoria, bearing date at Melbourne the 26th day of October, 1852, appointing Archibald Michie, Esq., a non-elective Member of Council, in the place of William Clerke Haines, Esq., resigned.
Archibald Michie, Esq., was then introduced, and having taken the Oath, took his Seat in the Council as a Member thereof.
4. PASSENGERS BILL.—The order of the day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the further consideration thereof.
5. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor received and read :—

C. J. LA TROBE,
Lieutenant Governor.

Message No. 34.

The Lieutenant Governor transmits to the Legislative Council Estimates of the Ways and Means, and of the probable Expenditure of the Colonial Government of Victoria, for the year 1853.

2. The preparation of these Estimates, which would according to ordinary usage have been laid before the Council in the early part of the Session, was, in the first instance, of necessity, delayed until the final adoption of the Tariff Bill. Within a few days after that measure received the sanction of the Legislature, the receipt of the important Despatch from the Secretary of State, under date 2nd June, 1852, placed upon an entirely new footing the Financial powers of the Council, and the ability of the Executive to meet their wishes. It is with sincere satisfaction that the Lieutenant Governor again congratulates the Council upon the removal of the main obstacle which has been hitherto interposed to prevent the hearty co-operation of the Executive and Legislative departments of the Government, and that he expresses his conviction that their harmony will, henceforward, be productive of great advantage both to the Public Service and to the general welfare of the Colony.

3. The Estimates for 1853 cannot on this occasion be accompanied, in the usual manner, by a detailed Statement of the additional provision which will be required during the present year. The reasons for this omission will be found in another part of this Message.

4. The Lieutenant Governor would first direct attention to the Estimated Ways and Means of 1853. It will be seen that the total amount of these is £1,733,600; and that the chief items comprised in this sum are,

Customs	£434,800	0	0
Postage	17,900	0	0
Pilotage, Licenses, Fees, Fines, and Miscellaneous Receipts	37,900	0	0
Gold Licenses and Leases	505,000	0	0
Escort and Treasury Fees	63,000	0	0
Export Duty on Gold	375,000	0	0
Transfer from the Territorial Revenue	300,000	0	0

5. The probable Revenue arising from Duties on Imports has been calculated from a consideration of the increased consumption of Foreign Goods which may be anticipated to arise from the vast Immigration now setting in, due regard being had to the working of the New Tariff. Upon the assumption that one hundred thousand souls will be added to the population of Victoria before the close of 1853, it may be anticipated that the amount of Imports during that year, compared with those introduced in 1852, will be in the proportion of at least 4 to 5. Taking the Revenue which would have been raised under the New Tariff upon the actual quantity

of duty-paying articles entered at the Custom House during the first six months of this year as £153,483, and allowing an increase of 12·5 per cent. for the remaining six months, the Estimate cannot be considered extravagant.

6. The operations of the Post Office have steadily increased during the present year. If no check to this progressive movement occurs, the number of letters passing through the Post will, in 1853, be not less than one million and a half, and the probable amount of Postage £17,900. The receipts for 1851 having been only £8676 7s. 3d., this great improvement, notwithstanding the exemption of newspapers from payment, cannot but be satisfactory to the country.

7. The amount paid into the Treasury for Pilotage during the first six months of this year was £1566 4s. 9d., and in consequence of the great increase in the number of vessels which are expected to visit the different Ports of the Colony in 1853, the Revenue under this head will probably reach £4000. A moderate increase under the heads "Auction Duty," "Licenses," and "Fees of Office," has been allowed; and for obvious reasons no diminution in the amount of "Fines and Forfeitures" is to be anticipated.

8. To the probable proceeds of Licenses to dig for Gold has been added the Revenue which is expected to accrue from Leases of Auriferous Lands under the terms of the Notice of 20th October last. The probable number of Licenses to be issued in each month has been set down at 27,500, being about the average of the months of August and September last.

9. The Fees for the Escort of Gold from the workings to Melbourne and Geelong are not intended to produce a Revenue, beyond the cost of carriage, and of the necessary Police protection on the road. The proposed reorganization of this service will be explained to the House at the proper time.

10. The expediency of levying a duty, on all gold intended for export from the Colony, having been affirmed by the Legislature, the Lieutenant Governor has proposed a rate of duty which, while it offers little or no encouragement to contraband traffic, will produce the very lowest revenue consistent, in his opinion, with the requirements of the Colony. It will be for the Council, after an examination of the Estimates of Expenditure now laid before them, to decide whether the basis upon which his opinion was founded, is correct.

11. In addition to the ways and means already detailed, the sum of £300,000 is proposed to be transferred from the Territorial to the General Revenue during the year 1853. The Lieutenant Governor is empowered by the terms of Sir John Pakington's Despatch of the 2nd June last, to make, with the advice of his Executive Council, provision from the unappropriated moiety of the former fund for such extraordinary services as may be rendered urgent by the present crisis. But rather than retain in his own hands the responsibility of appropriating so great an amount to the general uses of the Colony, he has resolved to place at the unfettered disposal of the Council the largest sum which in his opinion the primary and other charges upon the Land Fund will prudently allow. And he confidently anticipates that the liberality and judgment with which the Legislature will meet him, will justify the change which he has made with respect to the temporary administration of so large a portion of this revenue.

12. Adverting now to the Estimates of Expenditure, it will be observed that the rates and services proposed for 1853, are not contrasted, in the manner anticipated in the 15th paragraph of the Financial minute, dated the 1st November, 1851, with those of former years. It will be evident that from the totally altered state of the Colony, no benefit could arise from this comparison in the present instance. The arrangement of the Estimate has also been in some respects varied from that previously adopted; and the Lieutenant Governor would particularly mention the classification of the departments named in the Schedule to the Constitutional Act among the other Civil Establishments. It will be seen that, by the presentation of the Estimates for these departments in complete detail, the Council will have, as far as can be, all the advantages of an exclusive control over the appropriation required for these services.

13. The unprecedented rise which has taken place in wages and prices of every description, and the greatly increased duties in, and responsibilities of, each department of the service, have necessitated a corresponding augmentation in the salaries of Public Officers of all classes. The Lieutenant Governor has used every endeavour equitably to adjust these salaries, with due regard to the importance and duties of each office and the necessary expenses incurred by the holders. But he considers it only just to remark, that the salaries which he has named are the very lowest at which, in his opinion, efficient Public servants can be obtained.

14. In remarking upon the detailed estimates, the Lieutenant Governor does not propose on the present occasion, to adopt the plan hitherto pursued, of noticing every alteration or new arrangement submitted for the approval of the Council. From the great changes which the necessities of the times have compelled him to effect in every branch of the service, such a minute examination would have extended this message to an inconvenient length; and it is therefore intended to allude only to the leading features of the proposed appropriation; leaving to the proper Officers the duty of giving to the Council, when the Estimates are under scrutiny, the fullest possible explanation.

EXECUTIVE AND LEGISLATIVE DEPARTMENTS.

15. It will be seen that it is proposed to establish Sub-Treasuries at Geelong and Portland; an arrangement which will be calculated to expedite the financial business of the Government in the Western Districts.

The salary of the Speaker of the Legislative Council has been set down at a sum more in accordance with the dignity and importance of his office, than that proposed in the Session of

1851; and the Lieutenant Governor wishes it to be understood, that in respect to any further addition to that salary, he is disposed to yield prompt attention to such suggestions as the Council may think fit to make.

ADMINISTRATION OF JUSTICE.

16. This estimate comprises a large additional provision, rendered necessary by the passing of the Acts establishing General and Quarter Sessions and County Courts, 16 Victoria, Nos. 3 and 11; and the Lieutenant Governor anticipates that the ready administration of Justice will be greatly facilitated by the establishment of these Courts.

CUSTOMS.

17. This service is now for the first time brought under the control of the Council. The number of officers proposed in this estimate will, it is anticipated, suffice for the collection at the ports of the proposed export duty on gold.

POST OFFICE.

18. It has not been found possible, nor under existing circumstances could it be deemed necessary, to make the Post Office a self-supporting establishment; but considering that the carriage of newspapers occasions a great, if not the greater, part of the expense of this department, the probable revenue collected in 1853, will be found to bear as favourable a comparison with the expenditure, as it has heretofore done. The amount set down for the conveyance of mails in the interior will provide for a more frequent communication between Melbourne and the Gold Fields, should the Council consider such a course advisable.

COMMISSIONERS FOR THE GOLD FIELDS.

19. The constant changes which have been experienced since the first discovery of Gold, both in the yield of the principal fields and the extent of population employed in mining, have rendered it absolutely impossible to arrive at a satisfactory estimate, either of the number of officers whom it may be necessary to appoint to the superintendence of the workings, or of the expenses which the Government may be compelled to incur in this service. But while there is every probability that a larger staff may be found to be necessary for the thorough supervision and protection of the miners, the Lieutenant Governor has no intention of filling up even the number of appointments stated in the estimate, until the exigencies of the service require him to do so.

DEPARTMENTS OF PORTS AND HARBOURS.

20. In consequence of the danger which has been found to attend vessels entering the Heads without pilots, it is intended to station two pilot schooners at a short distance outside, and to employ first class pilots in bringing vessels to the light ship; for this, provision is proposed in the Estimate.

The frequent communication with the Heads which will be rendered necessary by the establishment there of a Sanatory Station, and the conveyance of public officers and of stores to the outports, should be provided for; and it is proposed to appropriate sums sufficient to purchase and keep in commission a Government steam vessel; which if the Council think fit, can be procured from England without delay.

POLICE, GAOL, AND PENAL.

21. In forming this Estimate the Lieutenant Governor has availed himself of many valuable suggestions contained in the printed Report of the Select Committee of Council on Police. He is sensible that the amount he asks the Council to appropriate for this service may appear to be enormous; but he feels assured they will concur with him in the conviction that the protection of life and property, and the prevention of the increase of crime with which we are threatened, cannot be secured at too great a cost.

In consequence of the difficulty which has been experienced in securing the attendance of second Magistrates at the Police Benches of the interior, it is proposed to appoint the Commissioners of Crown Lands District Magistrates, who should periodically attend each Bench in their respective Districts. On this account, and in consideration of the transfer which it is proposed to make from the Land Fund, the Salaries of these Officers will be borne upon the General Revenue.

The Water Police has been reorganized in accordance with the expressed wishes of the Council, and placed under the control of an Officer, unconnected with the Harbour Master's department. An Inspector and ten men will be stationed at Point Henry to protect the increasing commerce of Geelong.

MILITARY.

22. The Council having in an early part of this Session addressed the Lieutenant Governor to take the necessary steps for the retention in the Colony of the whole Military Force then on the voyage from England, it is unnecessary to dwell upon the necessity of the provision for the four companies which have since arrived.

It will be seen that in addition to the pay to which, according to the regulations of the service, these Officers and men are entitled, it is proposed to give to the Lieutenant Colonel a Colonial allowance of 15s., and to the other Officers an allowance of 7s. 6d. each per diem; and to double the pay of the Non-Commissioned Officers and privates. According to this scheme no

deduction will be made for rations. It is also proposed to give to the Assistant Commissary General and to the Officers and men comprising the Guard stationed at Melbourne, the same Colonial allowance which the Forces wholly maintained at the expense of the Colony will receive.

It is proposed to secure, if practicable, the services of One hundred and fifty Pensioners from Van Diemen's Land during 1853. The engagements of the men now serving terminate on the 31st January next, and with a view of marking the general sense of their efficiency, it is intended to remit to all those who may adhere to their agreement the regulation stoppage of $3\frac{1}{2}$ d. per diem which has been hitherto made in their pay.

PUBLIC WORKS.

24. The Amount which is proposed to be expended upon Roads and Bridges, may appear, at first sight, unnecessarily large; but viewing the immense traffic upon the Main Lines of Road in the Country, and the comparatively small sum hitherto appropriated for their formation, and maintenance, it is considered that, provided the supply of labor continues to be abundant, and its price bears a reasonable proportion to that of the necessaries of life, £300,000 may be judiciously invested in these undertakings.

25. The want of direct communication, between Melbourne and Hobson's Bay, has been repeatedly urged upon the Lieutenant Governor, and if no steps should be taken to carry out this object by private enterprise, the Government will undertake the Expenditure of the sum of £30,000, now proposed upon the Estimates for 1853, for this service, under such arrangements as the Council may see fit to recommend. The removal of the obstructions to the free navigation of Corio Harbour, and that of the Bar at the mouth of the Moyne, are also proposed to be commenced.

26. Among the Public Buildings which will soon be urgently required, and for the erection which, in 1853, some provision is proposed to be made, are a Government House, Legislative Council Chambers, and Public Offices, in Melbourne. The necessity for the other Public Buildings, proposed to be erected, or enlarged, in 1853, will be explained to the Council at the appropriate time.

STORE AND TRANSPORT.

27. The creation of a New Department, which in the absence of an appropriate designation, has been styled that of the Colonial Barrack Master, has been called for by the great extension of the Public Service. It will be the duty of this Officer to take charge of, and be responsible for, all Stores and Furniture obtained for issue to the Military, Police, and Civil departments of the Government.

The necessity for organizing a service for the Transport of Stores and Provisions to the Gold Fields and the localities in the interior, where a Police or other force is stationed, has been urged upon the Government, and will call for the consideration of the Council.

EDUCATION.

28. A Select Committee having been appointed to consider and report upon the system of Primary Education which should obtain in this Colony, the Lieutenant Governor has refrained from doing more than place upon the Estimates the sum of £40,000 for the establishment and support of Schools; leaving the Council to decide under what regulations this fund should be administered, or in what manner it should be divided. A further sum of £10,000 is proposed to be set apart for the establishment of the University of Melbourne; and if the Council agrees with the Lieutenant Governor in thinking the early initiation of this Institution desirable, he invites them without delay to consider the principles upon which it should be founded.

MEDICAL.

29. The medical and general superintendence of the Insane at the Yarra Bend Lunatic Asylum are proposed to be combined in one Officer. In respect to this Institution, the Lieutenant Governor will be very happy to give due attention to any suggestions emanating from the Select Committee appointed by the Council to enquire into, and report upon, the subject.

ECCLESIASTICAL.

30. The congregation at the Gold Fields of large numbers of persons of all classes and characters, and the circumstance of their being beyond the reach of the ordinary ministrations of Religion, determined the Government in the early part of the present year to appropriate a portion of the Gold Revenue to the payment of Stipends, under certain conditions, to a limited number of Ministers of the four assisted denominations. Provision is proposed to be made in the present Estimate for the continuance of this aid in the ensuing year. It is proposed also to appropriate a like sum for Stipends to Gael Chaplains.

MISCELLANEOUS DEPARTMENTS.

31. It has been considered desirable to establish a General Registry for the Registration of Births, Deaths, and Marriages, and of Deeds, and for the compilation of general Statistics. The Registrar-General will be appointed also Chief Marriage Registrar, under the new Marriage Act, shortly to be submitted to the Council.

SCIENTIFIC.

32. The correspondence relative to the employment of Mr. Swainson, and the appointment of a Mineralogist has been laid before the Legislative Council.

Speedy communication between Melbourne and the Heads, to the advantages of which it is unnecessary now to refer, is proposed to be effected by a line of Electric Telegraph *via* Geelong. If the Council consent to the appropriation of a sufficient sum for this purpose it is intended to send to England for the necessary material without delay.

33. The total proposed appropriation for the several Services detailed in the Estimates, being £1,749,042 9s. 7d.

And the amount of anticipated Revenue as has been already stated £1,733,600 0s. 0d.

The excess of Expenditure over Income during the year 1853, will be £15,442 9s. 7d.

It remains therefore to consider the probable position of the Revenue on the 31st December, 1852.

34. The Lieutenant Governor has determined to avail himself in the fullest degree of the powers given to him by Sir John Pakington's Despatch of the 2nd of June last, and therefore proposes to place at the disposal of the Council the whole proceeds of the Revenue arising from the discovery of Gold, since the 1st October, 1851; and debit the General Revenue with the entire expense directly or indirectly incurred in connection therewith. According to this arrangement, and in consideration of the large transfer which he contemplates making from the Land Fund, all expenses in the first instance defrayed from the Crown Revenue during the present year, beyond the services named in the Imperial Acts, will be submitted to the Legislative Council. It is also intended that the rates of salary exceeding £250 per annum which may now be determined by the Council for 1853, should date back from the 1st May last, since which time the extravagant price of necessaries has been most severely felt, and from which the junior clerks and subordinate servants of the Government who receive fixed annual salaries have already been paid their increase. As soon, therefore, as the financial arrangements for the year have been discussed and decided upon by the Legislative Council, and the rates of salary determined, the Lieutenant Governor will transmit a Supplementary Estimate of the additional provision necessarily required for the year 1852.

35. Upon the assumption however that the general features of the scheme now submitted, will be adopted by the Council, the available balance of the general revenue upon the 1st October last will have amounted to about £154,000, and as in consequence of the public works now in progress, the general expenses of the Government during the last quarter of the year, are not likely to fall short of the revenue, the balance at the close of the year may be reckoned at the above named sum. Deducting from this surplus the anticipated deficit upon the year 1853, the sum of £138,557 10s. 5d. is the estimated balance of the general revenue on the 31st December, 1853.

36. With the Supplementary Estimate for 1852, the Lieutenant Governor will transmit for the information of the Legislative Council, a statement shewing the probable amount and appropriation of the Land Fund for the present and ensuing years respectively.

*Government Offices,
Melbourne, 3rd November, 1852.*

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

PASSENGERS BILL.—The Speaker then left the Chair and the Council again resolved itself into a Committee of the whole for the further consideration of this Bill.

The Chairman reported progress and obtained leave to sit again on Friday, 5th November, inst.

6. CALL OF THE HOUSE.—Mr. Murphy moved pursuant to Notice, That there be a Call of the House for Tuesday, the 23rd day of November instant, for the consideration of Mr. Johnston's Motion standing No. 1 on the Notice Paper for that day.

Question—put and passed.

7. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—On the motion of Mr. Miller, the Council adopted the Report from the Committee of the whole upon this Bill. Amendments agreed to. Bill to be read a third time on Wednesday, 10th. November instant.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 4TH NOVEMBER.

Government Business:—

ORDER OF THE DAY:—

1. ESTIMATES FOR 1853—Consideration of the Lieutenant Governor's Message, No. 34.

FRIDAY, 5TH NOVEMBER.

NOTICE OF MOTION :—

1. DR. THOMSON : To move, That an Address be presented to His Excellency, the Lieutenant Governor, drawing His Excellency's attention to the inconvenience experienced by this House, from the absence of any responsible Officer of the Revenue Department of the Government, from the Nominee Benches, and submitting the propriety in the event of a vacancy occurring in the number of the Official Nominees, of remedying so obvious a defect in the Constitution of the House.

ORDER OF THE DAY :—

1. PASSENGERS BILL.—To be further considered in Committee.

TUESDAY, 9TH NOVEMBER.

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS—Adoption of Report from Select Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Second Reading.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Adoption of Report.

WEDNESDAY, 10TH NOVEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—Second Reading.

General Business :—

ORDER OF THE DAY :—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—Third Reading.

THURSDAY, 11TH NOVEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—Second Reading.
2. POLICE FORCE REGULATION BILL.—Second Reading.

TUESDAY, 16TH NOVEMBER.

NOTICE OF MOTION :—

1. MR. MURPHY : To move, That this Council is of opinion that the whole numbers of its Members should be increased to at least Fifty-four.
That a Bill to effect this object should be introduced into this House for consideration during the Recess.

ORDERS OF THE DAY :—

1. GOLD EXPORT DUTY BILL.—To be considered in Committee.

WEDNESDAY, 17TH NOVEMBER.

General Business :—

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

TUESDAY, 23RD NOVEMBER.

NOTICE OF MOTION :—

1. MR. JOHNSTON: To move, That this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

TUESDAY, 30TH NOVEMBER.

ORDER OF THE DAY :—

- 1 PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETING

OF

SELECT COMMITTEE.

Friday, 5th November.

THE ASSAY OF GOLD—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 54.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 4th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESSES.—The Speaker announced to the Council that he had, pursuant to the resolutions of the Council, presented the following Addresses to His Excellency the Lieutenant Governor, viz. :—
 - No. 46. Portland Mail—adopted on the 26th October, 1852, on the motion of Mr. Wilkinson,
and that His Excellency had in reply to such Address been pleased to state that he would cause a copy of the Contract to be laid before the Council.
 - No. 47. Colonial Surgeon and Assistant Colonial Surgeon—adopted on the 26th October, 1852, on the motion of Dr. Thomson,
and that His Excellency had in reply to such Address, been pleased to state that there could be no objection to the wish of the Council being complied with.
3. ESTIMATES, 1853.—The Order of the day for the consideration of the Lieutenant Governor's Message No. 34, having been read, The Auditor General moved that the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the consideration of such Message, with the accompanying Abstracts and Estimates.
Question—put and passed
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman reported progress and obtained leave to sit again on Tuesday 16th November, instant.
Council adjourned at 20 minutes past 4 o'clock until 3 o'clock tomorrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 5TH NOVEMBER.

NOTICES OF MOTION :—

1. DR. THOMSON : To move, That an Address be presented to His Excellency, the Lieutenant Governor, drawing His Excellency's attention to the inconvenience experienced by this House, from the absence of any responsible Officer of the Revenue Department of the Government, from the Nominee Benches, and submitting the propriety in the event of a vacancy occurring in the number of the Official Nominees, of remedying so obvious a defect in the Constitution of the House.
2. MR. RUTLEDGE : To move, That the Copies of the Correspondence relating to Allan's Ford Bridge, over the River Hopkins, laid upon the Council Table by the Colonial Secretary, on the 27th October last, be printed.
3. MR. RUTLEDGE : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency will give directions that either the Postmaster or some Officer under his directions, should, as occasion may seem to require, visit, inspect, and report upon, the various Post Offices of the Interior.

ORDER OF THE DAY :—

1. PASSENGERS BILL.—To be further considered in Committee.

TUESDAY, 9TH NOVEMBER.

ORDERS OF THE DAY:—

1. DISTRICT COUNCILS—Adoption of Report from Select Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Second Reading.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Adoption of Report.

WEDNESDAY, 10TH NOVEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—Second Reading.

General Business:—

ORDER OF THE DAY:—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—Third Reading.

THURSDAY, 11TH NOVEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—Second Reading.
2. POLICE FORCE REGULATION BILL.—Second Reading.

TUESDAY, 16TH NOVEMBER.

NOTICE OF MOTION:—

1. MR. MURPHY: To move, That this Council is of opinion that the whole numbers of its Members should be increased to at least Fifty-four.
That a Bill to effect this object should be introduced into this House for consideration during the Recess.

ORDERS OF THE DAY:—

1. GOLD EXPORT DUTY BILL.—To be considered in Committee.
2. ESTIMATES FOR 1853.—To be further considered in Committee.

WEDNESDAY, 17TH NOVEMBER.

General Business:—

ORDER OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

TUESDAY, 23RD NOVEMBER.

NOTICE OF MOTION:—

1. MR. JOHNSTON: To move, That this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

No. 55.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 5th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—GOVERNMENT BOTANIST.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Table of the Council, a Copy of Correspondence respecting the appointment of William Swainson, Esq., as Government Botanist.
Ordered to be printed.
3. REPRESENTATION OF REVENUE DEPARTMENT IN COUNCIL.—Dr. Thomson moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, drawing His Excellency's attention to the inconvenience experienced by this House, from the absence of any responsible Officer of the Revenue Department of the Government, from the Neminee Benches, and submitting the propriety, in the event of a vacancy occurring in the number of the Official Nominces, of remedying so obvious a defect in the Constitution of the House.
Question—put and negatived.
4. CORRESPONDENCE RELATING TO ALLAN'S FORD BRIDGE OVER THE RIVER HOPKINS.—Mr. Rutledge moved, pursuant to notice, That the Copies of the Correspondence relating to Allan's Ford Bridge, over the River Hopkins, laid upon the Council Table by the Colonial Secretary, on the 27th October last, be printed.
Debate ensued.
Question—put and passed.
5. POST OFFICE INSPECTION.—Mr. Rutledge moved, pursuant to notice, That an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency will give directions that either the Postmaster or some Officer under his directions, should, as occasion may seem to require, visit, inspect, and report upon, the various Post Offices of the Interior.
Debate ensued.
Question—put and passed.
6. GOLD EXPORT DUTY BILL.—Mr. Westgarth presented a petition from John Harrison, and William Henry Bucirde, Colonists of Victoria, now following the occupation of Gold Diggers at Mount Alexander, praying this House that no export duty on Gold may be imposed, unless the license fee be entirely abolished.
Petition received.
7. PASSENGERS BILL.—The Order of the Day, for the further consideration of this Bill in Committee of the whole Council, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Tuesday, 9th instant.
Council adjourned at 5 o'clock, until 3 o'clock, on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 9TH NOVEMBER.

ORDERS OF THE DAY:—

1. DISTRICT COUNCILS—Adoption of Report from Select Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Second Reading.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Adoption of Report.
4. PASSENGERS BILL.—To be further considered in Committee.

WEDNESDAY, 10TH NOVEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—Second Reading.

General Business :—

ORDER OF THE DAY :—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—Third Reading.

THURSDAY, 11TH NOVEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—Second Reading.
2. POLICE FORCE REGULATION BILL.—Second Reading.

TUESDAY, 16TH NOVEMBER.

NOTICE OF MOTION :—

1. MR. MURPHY : To move, That this Council is of opinion that the whole numbers of its Members should be increased to at least Fifty-four.
That a Bill to effect this object should be introduced into this House for consideration during the Recess.

ORDERS OF THE DAY :—

1. GOLD EXPORT DUTY BILL.—To be considered in Committee.
2. ESTIMATES FOR 1853.—To be further considered in Committee.

WEDNESDAY, 17TH NOVEMBER.

General Business :—

ORDER OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

TUESDAY, 23RD NOVEMBER.

NOTICE OF MOTION :—

1. MR. JOHNSTON : To move, That this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

TUESDAY, 30TH NOVEMBER.

ORDER OF THE DAY :—

1. PUBLIC WORSHIP :—SCHEDULE B. ALTERATION BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

J. F. PALMER,
Speaker.

237

TUESDAY, 30TH NOVEMBER.

ORDER OF THE DAY:—

1 PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETING

OF

SELECT COMMITTEE.

Friday, 5th November.

THE ASSAY OF GOLD—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 56.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 9th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Messages from His Excellency the Lieutenant Governor received and read.

JURORS.

C. J. LA TROBE, *Message No. 35.*
Lieutenant Governor.

In pursuance of the provisions of the Statute 5 and 6 Victoria, Cap. 76, the Lieutenant Governor transmits to the Council for its consideration the draft of "*A Bill to make provisions for summoning Jurors in certain Districts.*"

Government Offices,
Melbourne, 9th November, 1852.

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

SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL.

C. J. LA TROBE, *Message No. 36.*
Lieutenant Governor,

In pursuance of the provisions of the Statute 5 and 6 Victoria, c. 76, the Lieutenant Governor transmits to the Council, for its consideration, "*A Bill to consolidate and amend the Laws relating to the Savings' Bank of Port Phillip.*"

Government Offices,
Melbourne, 9th November, 1852.

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

3. GOLD EXPORT DUTY BILL.—Mr. Westgarth presented a Petition from certain Colonists of Victoria, now following the occupation of Gold Diggers at Bendigo, praying that the Gold Export Duty Bill may not be passed into law.
Petition received.

4. POSTPONEMENT OF ORDER OF THE DAY.—On the Motion of Mr. Rutledge, on behalf of Mr. Mercer, the following Order of the Day was postponed until Friday, 12th November instant.

"District Councils"—Adoption of Report from Select Committee."

5. MELBOURNE GAS AND COKE COMPANY BILL.—Mr. Miller moved that this Bill be now read a second time.

Question—put and passed.

Bill read a second time, and ordered to be considered in Committee, Friday 12th November instant.

6. MELBOURNE MUNICIPAL FRANCHISE BILL.—On the Motion of Mr. Fawcner, the Council adopted the Report from the Committee of the whole upon this Bill. Amendments agreed to. Bill to be read a third time, Friday, 12th November instant.

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

The Chairman having reported the Bill, with amendments, the Council ordered the Report to be taken into consideration on Tuesday, 16th November, instant.

Bill, as amended, to be printed.

Council adjourned at 4 o'clock, until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

 WEDNESDAY, 10TH NOVEMBER.
Government Business:—

ORDERS OF THE DAY:—

1. CUSTOMS REGULATIONS BILL.—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—Second Reading.
3. JURORS BILL.—Consideration of the Lieutenant Governor's Message, No. 35.
4. SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—Consideration of the Lieutenant Governor's Message, No. 36.

General Business:—

ORDER OF THE DAY:—

1. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—Third Reading.
-

THURSDAY, 11TH NOVEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—Second Reading.
 2. POLICE FORCE REGULATION BILL.—Second Reading.
-

FRIDAY, 12TH NOVEMBER.

NOTICE OF MOTION:—

1. MR. WESTGARTH: To move, That Petitions from certain Gold Diggers, at Bendigo and Mount Alexander, against the proposed Export Duty on Gold,—be printed.

ORDERS OF THE DAY:—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee
 2. MELBOURNE GAS AND COKE COMPANY BILL.—To be considered in Committee.
 3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Third Reading.
-

TUESDAY, 16TH NOVEMBER.

NOTICE OF MOTION:—

1. MR. MURPHY: To move, That this Council is of opinion that the whole numbers of its Members should be increased to at least Fifty-four.
That a Bill to effect this object should be introduced into this House for consideration during the Recess.

ORDERS OF THE DAY:—

1. GOLD EXPORT DUTY BILL.—To be considered in Committee.
 2. ESTIMATES FOR 1853.—To be further considered in Committee.
 3. PASSENGERS BILL.—Adoption of Report.
-

WEDNESDAY, 17TH NOVEMBER.

General Business:—

ORDER OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

243

TUESDAY, 23RD NOVEMBER.

NOTICE OF MOTION :—

1. MR. JOHNSTON: To move, That this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

TUESDAY, 30TH NOVEMBER.

ORDER OF THE DAY :—

- 1 PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

J. F. PALMER,
Speaker.

No. 57.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 10th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
 2. RULES FOR ADMISSION OF BARRISTERS AND ATTORNEYS IN SUPREME COURT OF VICTORIA.—Mr. Fawcner presented a Petition from Singleton Rockfort of Melbourne, Barrister at Law, praying this Council to express its disapproval of the Rules for regulating the admission of Barristers, Attorneys, and officers in the Supreme Court of Victoria, (laid upon the table of the Council 17th. September, 1852,) in the manner and form prescribed by the Act of the Lieutenant-Governor of this Colony and of this Council, passed in the last Session of this Council, and intitled “*An Act for the better Administration of Justice in the Colony of Victoria.*”
Petition received.
 3. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed, until Wednesday, the 24th November, instant.
“*Customs Regulations Bill.—Adoption of Report.*”
 4. BIRTHS, DEATHS, AND MARRIAGES REGISTRATION BILL.—The Attorney General moved, That this Bill be now read a second time.
Question put and passed.
Bill read a second time, ordered to be considered in Committee, Wednesday, 24th November, instant.
 5. JURORS’ BILL.—The Order of the Day of the consideration of the Lieutenant Governor’s Message, No. 35, having been read the Attorney General moved, That the Bill accompanying the Message, intitled “*A Bill to make provision for Summoning Jurors in certain Districts,*” be now read a first time.
Question put and passed
Bill read a first time, ordered to be read a second time, Wednesday, 17th November, and to be printed.
 6. SAVINGS’ BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—The Order of the Day for the consideration of the Lieutenant Governor’s Message No. 36, having been read, the Attorney General moved that the Bill accompanying the Message, intitled “*A Bill to consolidate and amend the Laws relating to the Savings’ Bank of Port Phillip,*” be now read a first time.
Question—put and passed.
Bill read a first time, and ordered to be read a second time on Friday, 19th November instant, and to be printed.
 7. BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported. Bill on the Motion of Mr. Miller, read a third time and passed.
Mr. Miller moved that the following be the Title of the Bill “*An Act to amend An Act intitled An Act to incorporate the Proprietors of a certain Banking Company, called the Bank of New South Wales, and for other purposes therein mentioned.*”
Question—put and passed.
- Council adjourned at 4 o’clock, until 3 o’clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 11TH NOVEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—Second Reading.
2. POLICE FORCE REGULATION BILL.—Second Reading.

General Business:—

NOTICE OF MOTION:—

- 1 MR. FAWKNER: To move, That the Petition of S. Rochfort, Barrister-at-Law, be referred to a Committee of Five Members, viz:—Mr. Pohlman, Mr. Michie, Mr. Miller, Mr. Johnston, and the Mover, to enquire into the same, and report to the Council their decision thereon.
-

FRIDAY, 12TH NOVEMBER.

NOTICE OF MOTION:—

1. MR. WESTGARTH: To move, That Petitions from certain Gold Diggers, at Bendigo and Mount Alexander, against the proposed Export Duty on Gold,—be printed.

ORDERS OF THE DAY:—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee
 2. MELBOURNE GAS AND COKE COMPANY BILL.—To be considered in Committee.
 3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Third Reading.
-

TUESDAY, 16TH NOVEMBER.

NOTICE OF MOTION:—

1. MR. MURPHY: To move, That this Council is of opinion that the whole numbers of its Members should be increased to at least Fifty-four.
That a Bill to effect this object should be introduced into this House for consideration during the Recess.

ORDERS OF THE DAY:—

1. GOLD EXPORT DUTY BILL.—To be considered in Committee.
 2. ESTIMATES FOR 1853.—To be further considered in Committee.
 3. PASSENGERS BILL.—Adoption of Report.
-

WEDNESDAY, 17TH NOVEMBER.

Government Business:—

ORDER OF THE DAY:—

1. JURORS BILL.—Second Reading.

General Business:—

ORDER OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.
-

FRIDAY, 19TH NOVEMBER.

ORDER OF THE DAY:—

1. SAVINGS' BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—Second Reading.

247

TUESDAY, 23RD NOVEMBER.

NOTICE OF MOTION :—

1. MR. JOHNSTON : To move, That this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

 WEDNESDAY, 24TH NOVEMBER.
Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—To be considered in Committee.

 TUESDAY, 30TH NOVEMBER.

ORDER OF THE DAY :—

- 1 PUBLIC WORSHIP :—SCHEDULE B. ALTERATION BILL.—Second Reading.

 CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council ; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

 MEETING

OF

SELECT COMMITTEE.

Thursday, 11th November.

THE YARRA BEND LUNATIC ASYLUM—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 58.

VOTES AND PROCEEDING

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 11th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. POPULATION OF TOWNS AND VILLAGES.—By leave of the Council, Mr. Murphy moved that an Address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to cause to be laid upon the Table of this Council, A Return of the names of the different Towns and Villages of the Colony, exclusive of Melbourne and Geelong, where the population at the last Census exceeded fifty,—with the number of the Inhabitants of each, and the County or Police District within which it is situated; distinguishing public from private Townships.
Question—put and passed.
3. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—The Attorney General moved, that this Bill be now read a second time.
Question—put and passed.
Bill read a second time.
On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.
The Chairman having reported the Bill, with amendments, the Council ordered the report to be taken into consideration, on Thursday, 18th November instant.
Bill, as amended, to be printed.
4. POLICE FORCE REGULATION BILL.—The Attorney General having moved that this Bill be now read a second time, and debate having ensued, with the consent of the Council, withdrew the above Motion, and moved that the second reading of this Bill be postponed until Tuesday, 16th November instant.
Question—put and passed.
5. RULES FOR ADMISSION OF BARRISTERS, &C. INTO SUPREME COURT OF VICTORIA.—Mr. Johnston on behalf of Mr. Fawkner, moved, pursuant to notice, that the Petition of S. Rochfort, Barrister-at-Law, be referred to a Committee of Five Members, viz:—Mr. Pohlman, Mr. Michie, Mr. Miller, Mr. Johnston, and the Mover, to enquire into the same, and report to the Council their decision thereon.
Question—put and passed.
6. SUSPENSION OF STANDING ORDER.—On the Motion of the Attorney General, Standing Order, No. 18, was suspended, and the Attorney General moved that the Council do now adjourn until Tuesday, 16th November next, at 3 o'clock.
Question—put and passed.
Council adjourned at 10 minutes to 5 o'clock, until 3 o'clock on Tuesday next, accordingly.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 16TH NOVEMBER.

NOTICES OF MOTION:—

1. MR. WESTGARTH: To move, That Petitions from certain Gold Diggers, at Bendigo and Mount Alexander, against the proposed Export Duty on Gold,—be printed.
2. MR. MURPHY: To move, That this Council is of opinion that the whole numbers of its Members should be increased to at least Fifty-four.
That a Bill to effect this object should be introduced into this House for consideration during the Recess.
3. THE ATTORNEY GENERAL: To move for leave to bring in a Bill for the better prevention of Horse and Cattle Stealing.

4. THE ATTORNEY GENERAL: To move for leave to bring in a Bill to consolidate and amend the Laws relating to Steam Navigation, and to the Boats and Lights to be carried and signals to be made by sea going vessels.
5. THE ATTORNEY GENERAL: To move for leave to bring in a Bill to enable the City Council of the City of Melbourne to stop, divert, alter and widen certain streets in Fitz Roy Ward, and to open additional thoroughfares therein.

ORDERS OF THE DAY:—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee
2. MELBOURNE GAS AND COKE COMPANY BILL.—To be considered in Committee.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Third Reading.
4. GOLD EXPORT DUTY BILL.—To be considered in Committee.
5. ESTIMATES FOR 1853.—To be further considered in Committee.
6. PASSENGERS BILL.—Adoption of Report.
7. POLICE FORCE REGULATION BILL.—Second Reading.

WEDNESDAY, 17TH NOVEMBER.

Government Business:—

ORDER OF THE DAY:—

1. JURORS BILL.—Second Reading.

General Business:—

ORDER OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

THURSDAY, 18TH NOVEMBER.

Government Business:—

ORDER OF THE DAY:—

1. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—Adoption of Report.

FRIDAY, 19TH NOVEMBER.

ORDER OF THE DAY:—

1. SAVINGS' BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—Second Reading.

TUESDAY, 23RD NOVEMBER.

NOTICE OF MOTION:—

1. MR. JOHNSTON: To move, That this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

WEDNESDAY, 24TH NOVEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—To be considered in Committee.

251

TUESDAY, 30TH NOVEMBER.

ORDER OF THE DAY:—

1 PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council ; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETING

OF

SELECT COMMITTEE.

Tuesday, 16th November.

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

J. F. PALMER,

Speaker.

No. 59.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 16th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. IMMIGRATION.—Mr. Westgarth, with leave of the Council, presented a Memorial from certain Colonists of Australia, resident in London and moved that it be read by the Clerk of the Council.
Question put and passed—Memorial read.
3. EXPORT DUTY ON GOLD.—Mr. Westgarth moved, pursuant to notice, That the Petitions from certain Gold Diggers, at Bendigo and Mount Alexander, against the proposed Export Duty on Gold,—be printed.
Question put and passed.
4. INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—Mr. Murphy moved, pursuant to *amended* notice, That a Select Committee be appointed for the purpose of considering, and reporting upon, the propriety of increasing the whole number of the Members of this Council, and the means by which such increase may be effected, the Committee to consist of the Attorney General, the Auditor General, the Speaker, Mr. Westgarth, Mr. O'Shanassy, Mr. Smith, Dr. Thomson, and the Mover, and to report within one month.
Debate ensued.
Mr. Campbell required that the Committee be appointed by Ballot.
Question—that a Select Committee of Members be appointed for the purpose of considering and reporting upon the propriety of increasing the whole number of the Members of this Council, and the means by which such increase may be effected, to report within one month—put and passed.
Whereupon the Council proceeded to the Ballot, and the following Members being reported to have the greatest number of votes, were declared by the Speaker to be the Members of Committee, viz.—The Attorney General, Mr. Murphy, The Auditor General, The Speaker, Mr. Westgarth, Mr. O'Shanassy, Mr. Smith, and Dr. Thomson.
5. HORSE AND CATTLE STEALING PREVENTION BILL.—The Attorney General moved pursuant to notice, that leave be given to bring in a Bill for the better prevention of Horse and Cattle Stealing.
Question put and passed.—
Ordered, that the Mover and Seconder prepare and bring in the Bill.
6. STEAM NAVIGATION LAWS AMENDMENT BILL.—The Attorney General moved pursuant to notice, that leave be given to bring in a Bill to consolidate and amend the Laws relating to Steam Navigation, and to the Boats and Lights to be carried and Signals to be made by Sea-going Steam Vessels.
Question put and passed.—
Ordered, that the Mover and Seconder prepare and bring in the Bill.
7. FITZROY WARD STREETS BILL.—The Attorney General having pursuant to notice, moved for and obtained leave to bring in a Bill to enable the City Council of the City of Melbourne, to stop, divert, alter, and widen certain Streets in Fitzroy Ward, and to open additional thoroughfares therein.
Bill intituled,—“*A Bill to enable the Council of the City of Melbourne, to stop, divert, alter and widen certain Streets in Fitzroy Ward, and to open additional thoroughfares therein*”—presented.
Read a first time—ordered to be read a second time on Tuesday, 30th November, instant,—and to be printed.
8. POSTPONEMENT OF ORDER OF THE DAY.—On the Motion of Mr. Strachan, on behalf of Mr. Mercer, the following Order of the day was postponed until Tuesday, 23rd November, instant.

“‘District Councils’—Adoption of Report from Select Committee.”

9. MELBOURNE GAS AND COKE COMPANY BILL.—On the motion of Mr. O'Shanassy, on behalf of Mr. Miller, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again on Tuesday, 23rd November, instant.

10. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Nicholson, on behalf of Mr. Fawcner, the following Order of the Day was postponed until Tuesday, 23rd November, instant.

“*Melbourne Municipal Franchise Bill—Third reading.*”

11. GOLD EXPORT DUTY BILL.—On the motion of the Attorney General the Speaker left the chair, and the Council resolved into a Committee of the whole for the consideration of this Bill.

The Chairman reported progress and obtained leave to sit again on Wednesday, 24th November instant.

12. ESTIMATES FOR 1853.—The Order of the day for the further consideration of these Estimates having been read, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the consideration thereof

The Chairman reported progress and obtained leave to sit again on Tuesday, 30th November instant.

- 13.—POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General the following Orders of the Day were postponed until to-morrow:—

“*Passengers Bill—Adoption of Report.*”

“*Police Force Regulation Bill.—Second Reading.*”

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 17TH NOVEMBER.

Government Business:—

NOTICE OF MOTION:—

1. THE ATTORNEY GENERAL: To move for leave to bring in a Bill to authorize the Corporation of the City of Melbourne to damask and destroy their Common Seal, and to adopt another Seal in lieu thereof.

ORDERS OF THE DAY:—

1. JURORS BILL.—Second Reading.
2. PASSENGERS BILL.—Adoption of Report.
3. POLICE FORCE REGULATION BILL.—Second Reading.

General Business:—

ORDER OF THE DAY:—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

THURSDAY, 18TH NOVEMBER.

Government Business:—

ORDER OF THE DAY:—

1. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—Adoption of Report.

FRIDAY, 19TH NOVEMBER.

NOTICE OF MOTION:—

1. MR. WESTGARTH: To move that the memorial of certain Colonists of Australia resident in London, presented by him to the House on the 16th instant, be printed.

ORDER OF THE DAY:—

1. SAVINGS' BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—Second Reading.

255

TUESDAY, 23RD NOVEMBER.

NOTICE OF MOTION :—

1. MR. JOHNSTON: To move, That this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee
2. MELBOURNE GAS AND COKE COMPANY BILL.—To be further considered in Committee.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Third Reading.

WEDNESDAY, 24TH NOVEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—To be considered in Committee.
3. GOLD EXPORT DUTY BILL.—To be further considered in Committee.

TUESDAY, 30TH NOVEMBER.

ORDERS OF THE DAY :—

1. PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.
2. FITZROY WARD STREETS' BILL.—Second Reading.
3. ESTIMATES FOR 1853—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETING

OF

SELECT COMMITTEE.

Thursday, 18th November.

- MELBOURNE AND HOBSON'S BAY RAILWAY BILL—at 10 o'clock.
 INCREASE OF NUMBER OF MEMBERS OF COUNCIL—at 2 o'clock.

J. F. PALMER,
Speaker.

No. 60.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 17th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
 2. CITY OF MELBOURNE CORPORATION SEAL BILL.—The Attorney General having, pursuant to notice, moved for and obtained leave to bring in a Bill to authorise the Corporation of the City of Melbourne to damask and destroy their Common Seal, and to adopt another Seal in lieu thereof.
Bill intituled "*A Bill to authorise the Corporation of the City of Melbourne to damask and destroy their Common Seal and to adopt another Seal in lieu thereof*" presented—read a first time—ordered to be read a second time on Wednesday, 24th November, and to be printed.
 3. JURORS BILL.—The Attorney General moved that this Bill be now read a second time.
Question—put and passed.
Bill read a second time, and ordered to be considered in Committee, Thursday, 18th November instant.
 4. HORSE AND CATTLE STEALING PREVENTION BILL.—The Attorney General presented a Bill for the better protection of Cattle, and the better prevention of Cattle Stealing.
Bill intituled "*A Bill for the better protection of Cattle, and the better prevention of Cattle Stealing*" brought up—read a first time.—Ordered to be read a second time on Thursday, 25th instant, and to be printed.
 5. PASSENGERS BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council, upon this Bill having been read,—on the motion of the Auditor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the purpose of reconsidering the 1st Clause of this Bill.
The Chairman having reported the Bill, with further amendments,—on the motion of the Auditor General, the Speaker again left the chair, and the Council resolved itself into a Committee of the whole for the purpose of reconsidering the Bill.
The Chairman having reported the Bill, with further amendments, the Council adopted the Bill as reported.
Bill to be read a third time, Wednesday, 24th November instant.
 6. POLICE FORCE REGULATION BILL.—The Attorney General moved that this Bill be now read a second time.
Question—put and passed.
Bill read a second time and ordered to be considered in Committee, Thursday, 18th November instant.
 7. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—The Order of the day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair and the Council resolved itself into a Committee of the whole, for the further consideration thereof; the Chairman reported progress and obtained leave to sit again, Wednesday, 24th November instant.
- Council adjourned at half-past six o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 18TH NOVEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—Adoption of Report.
2. JURORS BILL.—To be considered in Committee.
3. POLICE FORCE REGULATION BILL.—To be considered in Committee.

FRIDAY, 19TH NOVEMBER.

NOTICE OF MOTION :—

1. MR. WESTGARTH: To move that the memorial of certain Colonists of Australia resident in London, presented by him to the House on the 16th instant, be printed.

ORDER OF THE DAY :—

1. SAVINGS' BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—Second Reading.

TUESDAY, 23RD NOVEMBER.

NOTICE OF MOTION :—

1. MR. JOHNSTON: To move, That this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee
2. MELBOURNE GAS AND COKE COMPANY BILL.—To be further considered in Committee.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Third Reading.

WEDNESDAY, 24TH NOVEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—To be considered in Committee.
3. GOLD EXPORT DUTY BILL.—To be further considered in Committee.
4. PASSENGERS BILL.—Third Reading.

General Business :—

ORDERS OF THE DAY :—

1. CITY OF MELBOURNE CORPORATION SEAL BILL.—Second Reading.
2. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

THURSDAY, 25TH NOVEMBER.

Government Business :—

ORDER OF THE DAY :—

1. HORSE AND CATTLE STEALING PREVENTION BILL.—Second Reading.

TUESDAY, 30TH NOVEMBER.

ORDERS OF THE DAY :—

1. PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.
2. FITZROY WARD STREETS BILL.—Second Reading.
3. ESTIMATES FOR 1853—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 18th November.

MELBOURNE AND HOBSON'S BAY RAILWAY BILL—at 10 o'clock.
INCREASE OF NUMBER OF MEMBERS OF COUNCIL—at 2 o'clock.

J. F. PALMER,
Speaker.

No. 61.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 18th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. SYDNEY ROAD.—Mr. Snodgrass presented a Petition from certain Inhabitants of Kilmore, and its vicinity, and Travellers through Kilmore, praying this Council would be pleased to recommend to His Excellency the Lieutenant Governor to adopt such measures as His Excellency might think fit, for the purpose of forming and repairing that part of the Sydney Road between Mr. Budd's Big Hill, and Green's Pinch.

Petition received.

3. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—On the motion of the Attorney General, the Council adopted the Report from the Committee of the whole upon this Bill—amendments agreed to—Bill to be read a third time on Friday, 19th November, instant.
4. JURORS BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council, having been read.—On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.

The Chairman reported progress, and obtained leave to sit again Friday 19th November instant

5. POLICE FORCE REGULATION BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council, having been read. On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.

The Chairman reported progress, and obtained leave to sit again on Friday, the 19th instant.

6. STEAM NAVIGATION LAWS AMENDMENT BILL.—The Attorney General presented a Bill for amending the Laws relating to Steam Navigation Bill, intituled "*A Bill to consolidate and amend the Laws relating to Steam Navigation, and to the Boats and Lights to be carried, and the Signals to be made, by Sea going Vessels,*" brought up,—read a first time,—ordered to be read a second time on Friday, 26th November instant,—and to be printed.

Council adjourned at ten minutes past six o'clock, until three o'clock tomorrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 19TH NOVEMBER

NOTICE OF MOTION:—

1. MR. WESTGARTH: To move that the memorial of certain Colonists of Australia resident in London, presented by him to the House on the 16th instant, be printed.

ORDERS OF THE DAY:—

1. SAVINGS' BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—Second Reading.
2. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—Third Reading.
3. JURORS BILL.—To be further considered in Committee.
4. POLICE FORCE REGULATION BILL.—To be further considered in Committee.

TUESDAY, 23RD NOVEMBER.

NOTICE OF MOTION :—

1. MR. JOHNSTON: To move, That this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee
2. MELBOURNE GAS AND COKE COMPANY BILL.—To be further considered in Committee.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Third Reading.

WEDNESDAY, 24TH NOVEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—To be considered in Committee.
3. GOLD EXPORT DUTY BILL.—To be further considered in Committee.
4. PASSENGERS BILL.—Third Reading.

General Business :—

ORDERS OF THE DAY :—

1. CITY OF MELBOURNE CORPORATION SEAL BILL.—Second Reading.
2. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

THURSDAY, 25TH NOVEMBER.

Government Business :—

ORDER OF THE DAY :—

1. HORSE AND CATTLE STEALING PREVENTION BILL.—Second Reading.

FRIDAY, 26TH NOVEMBER.

ORDER OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—Second Reading.

TUESDAY, 30TH NOVEMBER.

ORDERS OF THE DAY :—

1. PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.
2. FITZROY WARD STREETS BILL.—Second Reading.
3. ESTIMATES FOR 1853—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 19th November.

MELBOURNE AND HOBSON'S BAY RAILWAY BILL—at 11 o'clock.
INCREASE OF NUMBER OF MEMBERS OF COUNCIL—at 2 o'clock.

J. F. PALMER,
Speaker.

No. 62.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 19th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. IMMIGRATION.—Mr. Westgarth moved, pursuant to notice, that the Memorial of certain Colonists of Australia, resident in London, presented by him to the House, on the 16th instant, be printed.
Debate ensued.
Question put.
Council divided.

Ayes, 7.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
MR. WESTGARTH,
MR. A'BECKETT,
MR. WILKINSON,
MR. SNODGRASS,
THE AUDITOR GENERAL, (*Teller*.)

Noes 6.

MR. GOLDSMITH,
MR. NICHOLSON,
MR. MURPHY,
MR. O'SHANASSY,
MR. FAWKNER,
MR. CAMPBELL, (*Teller*.)

3. PAPERS.—PORTLAND MAIL.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Table of the Council:—Return to the Address on this subject, adopted on the motion of Mr. Wilkinson, 26th October, 1852.
Ordered to be printed.
4. ADDRESSES.—The Speaker announced to the Council, that he had, pursuant to the Resolutions of the Council, presented the following Addresses to His Excellency the Lieutenant Governor, viz. :—
 - No. 48. Inspection of Post Offices,—adopted on the 5th November, on the motion of Mr. Rutledge,
and that His Excellency had in reply to such Address been pleased to thank the Council for its suggestion; and to state that he would take measures to carry it into effect.
 - No. 49. Population of Towns and Villages,—adopted on the motion of Mr. Murphy, on the 11th November, 1852,
and that His Excellency had in reply to such Address been pleased to state that he would direct the Return to be laid before the Council.
5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until Wednesday, 24th November instant.
“*Savings Bank of Port Phillip Laws Amendment Bill*’—*Second Reading*.”
6. SPECIAL CONSTABLES—LAWS AMENDMENT BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,—Bill on the motion of the Attorney General, read a third time and *passed*.
The Attorney General moved, That the following be the Title of the Bill,—“*An Act to amend the Laws relating to Special Constables*.”
Question—put and passed.
7. JURORS BILL.—The Order of the Day for the further consideration in Committee of this Bill having been read, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the Report to be taken into consideration on Wednesday, 24th November instant.—Bill, as amended, to be printed.
8. POLICE FORCE REGULATION BILL.—The Order of the Day for the further consideration in Committee of this Bill having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration on Thursday, 25th November instant.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 23RD NOVEMBER.

NOTICE OF MOTION :—

1. MR. JOHNSTON: To move, That this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee
2. MELBOURNE GAS AND COKE COMPANY BILL.—To be further considered in Committee.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Third Reading.

WEDNESDAY, 24TH NOVEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—To be considered in Committee.
3. GOLD EXPORT DUTY BILL.—To be further considered in Committee.
4. PASSENGERS BILL.—Third Reading.
5. SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—Second Reading.
6. JURORS BILL.—Adoption of Report.

General Business :—

ORDERS OF THE DAY :—

1. CITY OF MELBOURNE CORPORATION SEAL BILL.—Second Reading.
2. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

THURSDAY, 25TH NOVEMBER.

Government Business :—

ORDER OF THE DAY :—

1. HORSE AND CATTLE STEALING PREVENTION BILL.—Second Reading.
2. POLICE FORCE REGULATION BILL.—Consideration of Report.

FRIDAY, 26TH NOVEMBER.

ORDER OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—Second Reading.

TUESDAY, 30TH NOVEMBER.

ORDERS OF THE DAY :—

1. PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.
2. FITZROY WARD STREETS BILL.—Second Reading.
3. ESTIMATES FOR 1853—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

263
MEETINGS
OF
SELECT COMMITTEES.

Tuesday, 23rd November.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL—at 2 o'clock.

Wednesday, 24th November.

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

J. F. PALMER,
Speaker.

No. 63.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 23rd. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. CALL OF THE HOUSE.—The Clerk having by direction of the Speaker read the Order of the Council for the Call of the House this day, Mr. Murphy moved, That pursuant to such Order the names of the Members of this House be now called over.

Question—put and passed.

Whereupon the Clerk called over the names of the Members of the Council, and all the Members having answered in their places except Thomas Hamilton Osborne, Esquire, and the name of the Gentleman having been called again and no answer made, Mr. Murphy moved, That pursuant to the XIV and XVI Clauses of the Standing Orders, Thomas Hamilton Osborne, Esquire, be adjudged guilty of contempt and be fined in the sum of £20.

Question—put and passed.

2. WANT OF CONFIDENCE IN GOVERNMENT.—Mr. Johnson moved, pursuant to notice, “*That*” this House occupying the position of authorised organ for expressing the opinion of the Colonists of Victoria, cannot, without being guilty of a dereliction of duty, longer abstain from distinctly recording its conviction, that the administration of the Executive Government is not characterized by such an amount of Intelligence, Promptitude, and Vigour, as is imperatively called for, by the exigencies of the times, and absolutely essential to the peace and welfare of the Colony.

Debate ensued.

Mr. Murphy moved, as an amendment, that all the words after the word “*that*” be omitted with a view to insert the words “the present juncture of affairs peculiarly demands that the public business of the Colony should be conducted with vigour and ability.

“That owing, as it is presumed, to an injudicious recognition of claims to office on the ground of past services, several Departments of the Public Service are at present so feebly administered as considerably to diminish the confidence of the Colonists in the General Government.

“That while this Council protests against the paramount interests of the Colonies being sacrificed to any such secondary considerations, it is prepared to entertain any measures which may be proposed for reasonably rewarding the services of superannuated Servants of the Crown.

“That an Address, embodying the above Resolutions, be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to adopt suitable and prompt means for giving greater efficiency to various branches of the Public Service.”

Debate ensued.

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

Council divided.

Ayes, 13.

MR. MILLER,
MR. O'SHANASSY,
MR. WESTGARTH,
MR. FAWKNER,
MR. SPLATT,
MR. STRACHAN,
MR. TURNBULL,
DR. THOMSON,
MR. JOHNSTON,
MR. NICHOLSON,
MR. RUTLEDGE,
MR. CAMPBELL,
MR. MERCER, (*Teller.*)

Noes, 15.

THE ATTORNEY GENERAL,
MR. MURPHY,
MR. SMITH,
MR. GOLDSMITH,
THE COLONIAL SECRETARY,
LIEUT. COL. ANDERSON,
MR. RUSSELL,
MR. A'BECKETT,
MR. RIDDELL,
THE SOLICITOR GENERAL,
MR. WILKINSON,
MR. MICHIE,
MR. SNODGRASS,
THE AUDITOR GENERAL,
THE CHAIRMAN OF GENERAL
SESSIONS, (*Teller.*)

Question, that the words proposed to be inserted in the place of the words omitted, be so inserted, put.

Council divided.

Ayes, 1.
Mr. MURPHY,

Noes, 27.
THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
MR. A'BECKETT,
LIEUT. COL. ANDERSON,
MR. CAMPBELL,
MR. FAWKNER,
MR. GOLDSMITH,
MR. JOHNSTON,
MR. MICHIE,
MR. MERCER,
MR. MILLER,
MR. O'SHANASSY,
MR. NICHOLSON,
MR. RIDDELL,
MR. RUSSELL,
MR. RUTLEDGE,
MR. SMITH,
MR. SNODGRASS.
MR. SPLATT,
MR. STRACHAN,
DR. THOMSON,
MR. TURNBULL,
MR. WESTGARTH,
MR. WILKINSON,
THE CHAIRMAN OF GENERAL
SESSIONS, (*Teller.*)

4. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Auditor-General, the following Orders of the Day were postponed until Wednesday, 24th. instant :—

“*District Councils.*’—*Adoption of Report from Select Committee.*”

“*Melbourne Gas and Coke Company Bill.*’—*To be further considered in Committee.*”

“*Melbourne Municipal Franchise Bill.*’—*Third reading.*”

Council adjourned at quarter-past one o'clock until three o'clock, Wednesday, 24th. instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 24TH NOVEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—To be considered in Committee.
3. GOLD EXPORT DUTY BILL.—To be further considered in Committee.
4. PASSENGERS BILL.—Third Reading.
5. SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—Second Reading.
6. JURORS BILL.—Adoption of Report.

General Business :—

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee
2. MELBOURNE GAS AND COKE COMPANY BILL.—To be further considered in Committee.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Third Reading.
4. CITY OF MELBOURNE CORPORATION SEAL BILL.—Second Reading.
5. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

267

THURSDAY, 25TH NOVEMBER.

Government Business:—

ORDER OF THE DAY:—

1. HORSE AND CATTLE STEALING PREVENTION BILL.—Second Reading.
2. POLICE FORCE REGULATION BILL.—Consideration of Report.

FRIDAY, 26TH NOVEMBER.

ORDER OF THE DAY:—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—Second Reading.

TUESDAY, 30TH NOVEMBER.

ORDERS OF THE DAY:—

1. PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.
2. FITZROY WARD STREETS BILL.—Second Reading.
3. ESTIMATES FOR 1853—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 24th November.

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

Thursday, 25th November.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—at 2 o'clock.

J. F. PALMER,
Speaker.

No. 64.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 24th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until Wednesday, 8th December next.
“ ‘ Custom’s Regulation Bill’—Adoption of Report.”
3. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—On the motion of the Attorney-General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration thereof
 The Chairman reported progress, and obtained leave to sit again Thursday, 25th November instant.
4. GOLD EXPORT DUTY BILL.—The Order of the Day for the further consideration of this Bill in Committee having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 The Chairman reported progress, and obtained leave to sit again this day six months.
5. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General, the following Orders of the Day were postponed until Thursday, 25th November instant:—
“ ‘ Passengers’ Bill’—Third reading.”
“ ‘ Savings’ Bank of Port Phillip Laws Amendment Bill’—Second Reading.”
6. JURORS BILL.—The Order of the Day, for the consideration of the Report from the Committee of the whole Council on this Bill, having been read—on the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the reconsideration thereof.
 The Chairman having reported the Bill, with further amendments, the Council adopted the Bill as reported, and ordered the Bill to be read a third time, Thursday, 25th November, instant.
7. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of The Attorney General, the following Orders of the Day were postponed until Thursday, 25th November, instant.
“ ‘ District Councils.’—Adoption of Report from Select Committee.”
“ ‘ Melbourne Gas and Coke Company Bill.’—To be further considered in Committee.”
“ ‘ Melbourne Municipal Franchise Bill.’—Third Reading.”
“ ‘ City of Melbourne Corporation Seal Bill.’—Second Reading.”
“ ‘ Scab and Catarrh in Sheep Prevention Bill.’—To be further considered in Committee.”

The Council adjourned at 8 o'clock, until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 25TH NOVEMBER.

Government Business:—

ORDER OF THE DAY:—

1. HORSE AND CATTLE STEALING PREVENTION BILL.—Second Reading.
2. POLICE FORCE REGULATION BILL.—Consideration of Report.
3. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.
4. PASSENGERS BILL.—Third Reading.
5. SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—Second Reading.
6. JURORS BILL.—Third Reading.

General Business :—

NOTICE OF MOTION :—

1. MR. SNODGRASS: To move, That this Council do address His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct that steps be immediately taken for the formation of that part of the line of road recently laid out by Mr. Surveyor White, and comprising that portion of the new line extending from the "Big Hill" to "Green's Pinch."

ORDERS OF THE DAY :—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee
2. MELBOURNE GAS AND COKE COMPANY BILL.—To be further considered in Committee.
3. MELBOURNE MUNICIPAL FRANCHISE BILL.—Third Reading.
4. CITY OF MELBOURNE CORPORATION SEAL BILL.—Second Reading.
5. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

FRIDAY, 26TH NOVEMBER.

ORDER OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—Second Reading.

TUESDAY, 30TH NOVEMBER.

ORDERS OF THE DAY :—

1. PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.
2. FITZROY WARD STREETS BILL.—Second Reading.
3. ESTIMATES FOR 1853—To be further considered in Committee.

WEDNESDAY, 8TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 25th November.

MELBOURNE AND HOBSON'S BAY RAILWAY BILL—at 11 o'clock.
 INCREASE OF NUMBER OF MEMBERS OF COUNCIL—at 2 o'clock.

Friday, 26th November.

MR. ROCHFORD'S PETITION—at 2 o'clock.

J. F. PALMER,
Speaker.

No. 65.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 25th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. BIRTHS, DEATHS, AND MARRIAGES REGISTRATION BILL.—Mr. Westgarth presented a Petition from The Reverend Andrew Ross, Presbyterian Minister, resident at Portland, praying that the 17th and 20th Clauses of the said Bill may be expunged therefrom, and that no provisions in such Bill may be sanctioned by this Council, to which Presbyterians cannot as cordially assent as other religious Denominations.
Petition received.
Mr. Westgarth with leave of the Council moved, that the above Petition be referred to the Committee of the whole Council, upon the consideration of the Births, Deaths, and Marriages Registration Bill.
Question.—put and passed.
3. HORSE AND CATTLE STEALING PREVENTION BILL.—The Attorney General moved that this Bill be now read a second time.
Question.—put and passed.
Bill read a second time. Ordered to be considered in Committee on Thursday, 2nd December, next.
4. POLICE FORCE REGULATION BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read :—On the motion of the Attorney-General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council ordered the Report to be taken into consideration on Wednesday, first day of December next.—Bill, as amended, to be printed.
5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney-General, the consideration of the following Order of the Day was postponed until after the sixth Order for to-day :—
“ ‘ Births, Deaths and Marriages Registration Bill.’—To be further considered in Committee.”
6. PASSENGERS BILL.—The Order of the Day for the third reading of this Bill having been read :—On the motion of the Auditor-General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the Bill as reported and ordered it to be read a third time Friday, 26th. instant.
7. SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL.—The Attorney General moved that this Bill be now read a second time.
Debate ensued.
With leave of the Council, the Attorney General withdrew the above Bill, and moved that the subject of amending the Laws relating to the Savings Bank of Port Phillip, be referred to a Select Committee, to consist of The Auditor General, Mr. Miller, Mr. Fawkner, Mr. Russell, Mr. Nicholson, Mr. Rutledge, and the Mover, with power to take Evidence.
Question.—put and passed.
8. JURORS BILL.—The Order of the Day for the third reading of this Bill having been read :—On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill, with further amendments, the Council adopted the Bill as reported.
9. JURORS BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported :—Bill on the Motion of the Attorney General, read a third time and *passed*.

The Attorney General moved that the following be the Title of the Bill, "*An Act to alter the Laws relative to Jurors and Juries in certain Districts.*"

Question.—put and passed.

10. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again on Wednesday, 1st December, next.

11. SYDNEY ROAD.—Mr. Snodgrass moved pursuant to Notice,—That this Council do address His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct that steps be immediately taken for the formation of that part of the line of road recently laid out by Mr. Surveyor White, and comprising that portion of the new line extending from the "Big Hill" to "Green's Pinch."

Debate ensued.

Mr. Snodgrass, moved, that the Debate on the Motion be postponed until to-morrow.

Question.—put and passed.

12. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Fawkner, the following Order of the Day was postponed until Wednesday, 1st December next.

"*District Councils.*—*Adoption of Report from Select Committee.*"

13. MELBOURNE GAS AND COKE COMPANY BILL.—The Order of the Day for the further consideration in Committee of this Bill having been read—the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again on Friday, 26th November, inst.

14. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Fawkner, the following Order of the day was postponed until Friday, 26th November, instant.

"*Melbourne Municipal Franchise Bill*—*Third reading.*"

15. CITY OF MELBOURNE CORPORATION SEAL BILL.—The Attorney General moved that this Bill be now read a second time.

Question put and passed.—Bill read a second time, ordered to be considered in Committee on Friday, 26th November instant.

16. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until Friday, 26th November instant:—

"*Scab and Catarrh in Sheep Prevention Bill*—*to be further considered in Committee.*"

17. MELBOURNE AND HOBSON'S BAY RAILWAY BILL.—On the application of the Auditor General, leave was given to the Select Committee on this Bill to meet on Saturday, 27th November instant.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 26TH NOVEMBER.

Adjourned debate on Mr. Snodgrass' Motion relating to Sydney Road.

ORDERS OF THE DAY:—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—Second Reading.
2. PASSENGERS BILL.—Third Reading.
3. MELBOURNE GAS AND COKE COMPANY BILL.—To be further considered in Committee.
4. MELBOURNE MUNICIPAL FRANCHISE BILL.—Third Reading.
5. CITY OF MELBOURNE CORPORATION SEAL BILL.—To be considered in Committee.
6. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

273

TUESDAY, 30TH NOVEMBER.

ORDERS OF THE DAY :—

1. PUBLIC WORSHIP:—SCHEDULE B. ALTERATION BILL.—Second Reading.
2. FITZROY WARD STREETS BILL.—Second Reading.
3. ESTIMATES FOR 1853—To be further considered in Committee.

WEDNESDAY, 1ST DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. POLICE FORCE REGULATION BILL.—Adoption of Report.
2. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee

THURSDAY, 2ND DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. HORSE AND CATTLE STEALING PREVENTION BILL.—To be considered in Committee.

WEDNESDAY, 8TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council ; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 26th November.

MR. ROCHFORD'S PETITION—at 2 o'clock.

Saturday, 27th November.

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

Tuesday, 30th November.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—at 2 o'clock.

J. F. PALMER,
Speaker.

No. 66.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 26th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Dr. Thomson presented a Petition from certain Stockholders, praying the Council to enact a Law providing for the immediate and total destruction of all the Scabby Sheep in the Colony, and further to take the necessary steps to secure a just indemnity to the owners of such Scabby Sheep when destroyed, the necessary funds for which the Petitioners respectfully submitted might be raised by an Assessment for a limited period on the Sheep Stock of the Colony.
Petition received.
Dr. Thomson, with leave of the Council, moved that the above Petition be referred to the Committee of the whole Council, upon the consideration of the Scab and Catarrh in Sheep Prevention Bill.
Question—put and passed.
3. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Mr. Rutledge presented a Petition from certain Stockholders in the Colony of Victoria, praying the Council would see fit to take into consideration the Petition of Lachlan Mackinnon, and others, presented to this Council in September last; and also the statement the Petitioners had thought advisable to include in their Petition.
Petition received.
Mr. Rutledge, with leave of the Council, moved that the above Petition be referred to the Committee of the whole Council, upon the consideration of the Scab and Catarrh in Sheep Prevention Bill.
Question—put and passed.
4. SYDNEY ROAD.—The debate on Mr Snodgrass' motion,—That this Council do address His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct that steps be immediately taken for the formation of that part of the line of road recently laid out by Mr. Surveyor White, and comprising that portion of the new line extending from the "Big Hill" to "Green's Pinch"—resumed.
Question—put and passed.
5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of The Attorney General, the following Order of the Day was postponed until Wednesday, 1st December next.
" *Steam Navigation Laws amendment Bill.*"—*Second reading.*"
6. PASSENGERS BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported :—Bill, on the motion of the Auditor General, read a third time and *passed*.
The Auditor General moved, That the following be the Title of the Bill :—" *An Act to regulate the Conveyance of Passengers to the Colony of Victoria.*"
Question—put and passed.
7. MELBOURNE GAS AND COKE COMPANY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Tuesday, 30th November instant.
8. MELBOURNE MUNICIPAL FRANCHISE BILL.—The Order of the Day, for the third reading of this Bill, having been read :—On the motion of Mr. Fawkner the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the Bill as reported, and ordered the Bill to be read a third time Tuesday, 30th November instant.

9. CITY OF MELBOURNE CORPORATION SEAL BILL.—The Order of the Day for the committal of this Bill having been read :—On the motion of the Attorney General the Speaker left the Chair and the Council resolved itself into a Committee of the whole, for the consideration thereof.

The Chairman having reported the Bill with amendments, the Council adopted the Bill as reported, and ordered the Bill to be read a third time Tuesday, 30th November instant.

10. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read,—the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.

The Chairman reported progress and obtained leave to sit again on Tuesday, 30th November instant.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 30TH NOVEMBER.

ORDERS OF THE DAY :—

1. PUBLIC WORSHIP :—SCHEDULE B. ALTERATION BILL.—Second Reading.
2. FITZROY WARD STREETS BILL.—Second Reading.
3. ESTIMATES FOR 1853.—To be further considered in Committee.
4. MELBOURNE GAS AND COKE COMPANY BILL.—To be further considered in Committee.
5. MELBOURNE MUNICIPAL FRANCHISE BILL.—Third Reading.
6. CITY OF MELBOURNE CORPORATION SEAL BILL.—Third Reading.
7. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

WEDNESDAY, 1ST DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. POLICE FORCE REGULATION BILL.—Adoption of Report.
2. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.
3. STEAM NAVIGATION LAWS AMENDMENT BILL.—Second Reading.

General Business :—

NOTICES OF MOTION :—

1. MR. A'BECKETT : To move, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor, requesting him to introduce a Bill, enabling the Government to raise, from time to time, by way of loan secured upon the Revenues of the Colony, such sums as may be necessary to construct the Roads and Bridges that may, for the advancement of its general interests, be from time to time required.
2. THE AUDITOR GENERAL : To call the attention of the House to the 28th paragraph of His Excellency's Financial Message, No. 34, relative to the proposed initiation of the University of Melbourne, and to move that a Committee consisting of Seven Members, to be named by Ballot, be appointed to take into consideration the expediency of establishing such University, and the principles on which it should be founded; with power to take evidence.

ORDER OF THE DAY :—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee

THURSDAY, 2ND DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. HORSE AND CATTLE STEALING PREVENTION BILL.—To be considered in Committee.

277

TUESDAY, 7TH DECEMBER.

NOTICE OF MOTION :—

1. MR. MURPHY : To move, For leave to bring in a Bill to repeal so much of An Act to regulate the Licensing of Auctioneers, and the collection of Duties on property sold by them, as relates to the payment of a duty on Sales by way of Auction.

WEDNESDAY, 8TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council ; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Saturday, 27th November.

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

Tuesday, 30th November.

SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL—at 1 o'clock.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL—at 2 o'clock.

MR. ROCHFORD'S PETITION—at 2 o'clock.

THE YARRA BEND LUNATIC ASYLUM—at half-past two o'clock.

Wednesday, 1st December.

THE ASSAY OF GOLD—at 11 o'clock.

J. F. PALMER,
Speaker.

No. 67.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 30th. NOVEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. SERJEANT AT ARMS.—Edward Cotton, Esq., having been introduced, and having handed to the Speaker a Commission from His Excellency the Lieutenant Governor, bearing date at Melbourne, the 29th day of November, 1852, appointing him Serjeant at Arms of the Legislative Council of the said Colony, during the pleasure of the Lieutenant Governor of the said Colony for the time being, subject to the approval of Her Majesty, Her Heirs and Successors,—the oaths of Allegiance and of Office were administered to Mr. Cotton.
3. ADDRESS.—The Speaker announced to the Council, that he had, pursuant to the Resolution of this Council, presented the following Address to His Excellency the Lieutenant Governor, viz :—

No. 50.—Sydney Road.—Adopted on the 25th November, 1852, on the motion of Mr. Snodgrass.

and that His Excellency had, in reply to such Address, been pleased to state, that he found the work was in progress, and would give directions that it should be proceeded with without unnecessary delay.

4. ASSENT TO BILLS.—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the following Bills, viz. :—

“*Jurors Bill.*”

“*Special Constables—Laws Amendment Bill.*”

“*Passengers Bill.*”

“*Bank of New South Wales Act Amendment Bill.*”

5. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Messages from His Excellency the Lieutenant Governor received and read.

VAGRANCY PREVENTION BILL.

C. J. LA TROBE,

Message No. 37.

Lieutenant Governor.

In pursuance of the Statute 5th and 6th Vic., c. 76, the Lieutenant Governor transmits to the Council, for its consideration, the draft of “*A Bill for the better prevention of Vagrancy, and other Offences.*”

*Government Offices,
Melbourne, 30th November, 1852.*

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

STANDARD WEIGHTS AND SCALES.

C. J. LA TROBE,

Message No. 38.

Lieutenant Governor.

In accordance with the instructions of the Secretary of State, the Lieutenant Governor directs the accompanying copy of a Despatch from the Right Honorable Sir John Pakington, together with its enclosures, to be laid on the table of the Legislative Council for its information.

*Government Offices,
Melbourne, 30th November, 1852.*

Ordered to be printed, together with the accompanying Despatch and enclosures.

C. J. LA TROBE,

Message No. 39.

Lieutenant Governor.

The Lieutenant Governor transmits for the information of the Legislative Council the accompanying Extract from a Despatch from the Right Honorable the Secretary of State (August 2nd, 1852, No. 48) conveying the approval of Her Majesty's Government of the steps which have been taken with the necessary concurrence of the Council, for the

more efficient arrangement of the Judicial Establishment of the Province, and Sir John Pakington's expression of his sense of the liberality of the Council in voting the Funds which were necessary for placing that Establishment on an efficient footing.

*Government Offices,
Melbourne, 30th November, 1852.*

Ordered to be printed, together with the accompanying Extract.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 40.

The Lieutenant Governor transmits, for the information of the Council, the accompanying Copy of a Despatch from the Right Honorable the Secretary of State, dated July 16th, 1852, No. 37, giving cover to the Copy of a Report of the Land and Emigration Commissioners, on the mode of keeping the Emigration Accounts of New South Wales and Victoria respectively, and enclosing a Statement of the cost in England of the Ships despatched to Sydney and Port Phillip, from 1847 to 1851.

*Government Offices,
Melbourne, 30th November, 1852.*

Ordered to be printed, together with the accompanying Despatch and enclosures.

6. PUBLIC WORSHIP.—SCHEDULE B. ALTERATION BILL.—Mr. O'Shanassy presented a Petition from the Roman Catholics of Victoria, praying that this Council would not pass any Law which would deprive them of their religious equality, guaranteed to them by Sir Richard Bourke's Church Act,—or of the pecuniary aid which that Act had hitherto afforded to them,—or of the prospect of increasing such aid proportionately to their number and their wants.

Petition received.

7. PUBLIC WORSHIP.—SCHEDULE B ALTERATION BILL.—Mr. Westgarth presented a Petition from the Inhabitants of the City of Melbourne and Colony of Victoria, praying that the Bill in progress through this Council, for the Amendment of that part of the Constitutional Act which relates to Public Worship, and the consequent abolition of all State support to Religion might be passed into Law.

Petition received.

8. PUBLIC WORSHIP.—SCHEDULE B ALTERATION BILL.—Mr. Johnston moved that this Bill be *now* read a second "*time*."

Debate ensued.

Mr. Pohlman moved as an amendment, that the word "*now*" be omitted, and that the following words, "this day six months" be added after the word "*time*."

Question—That the word "*now*" stand part of the question put—Council divided.

Ayes, 8.
MR. MILLER,
MR. WESTGARTH,
MR. JOHNSTON,
MR. FAWKNER,
DR. THOMSON,
MR. NICHOLSON,
MR. WILKINSON,
MR. MURPHY, (*Teller*.)

Noes, 15.
THE ATTORNEY GENERAL,
MR. SMITH,
THE COLONIAL SECRETARY,
THE AUDITOR GENERAL,
MR. O'SHANASSY,
LIEUT. COL. ANDERSON,
MR. RUSSELL,
MR. MICHIE,
MR. A'BECKETT,
THE SOLICITOR GENERAL,
MR. RIDDELL,
MR. CAMPBELL,
MR. SPLATT,
MR. RUTLEDGE,
THE CHAIRMAN OF GENERAL
SESSIONS, (*Teller*.)

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

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

9. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until Friday, 3rd December next.

"*' Fitzroy Ward Streets Bill.'*—*Second Reading.*"

and on the motion of the Auditor General, the following Order of the Day was postponed until Tuesday, 7th December next.

"*' Estimates for 1853.'*—*To be further considered in Committee.*"

10. MELBOURNE GAS AND COKE COMPANY BILL.—The Order of the Day for the further consideration in Committee of the whole Council having been read, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman having reported the Bill, with amendments,—On the motion of Mr. Miller, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.

The Chairman having reported the Bill, with a further amendment, the Council ordered the Bill as amended to be taken into consideration on Tuesday, 7th December next.

11. MELBOURNE MUNICIPAL FRANCHISE BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported:—Bill on the motion of Mr. Fawkner, read a third time and *passed*.

Mr. Fawkner moved that the following be the Title of the Bill—*An Act to amend "The Melbourne Corporation Act," in the matter of the Qualification of Citizenship.*

Question put and passed.

12. CITY OF MELBOURNE CORPORATION SEAL BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported:—Bill, on the motion of the Attorney General, read a third time and *passed*.

The Attorney General moved that the following be the title of the Bill: "*An Act to authorise the Corporation of the City of Melbourne to damask and destroy their Common Seal and to adopt another Seal in lieu thereof.*"

Question put and passed.

13. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Murphy, the following Order of the Day was postponed until Wednesday, 1st December next:—

"Scab and Catarrh in Sheep Prevention Bill"—To be further considered in Committee."

Council adjourned at 25 minutes to eight o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 1ST DECEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. POLICE FORCE REGULATION BILL.—Adoption of Report.
2. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.
3. STEAM NAVIGATION LAWS AMENDMENT BILL.—Second Reading.
4. VAGRANCY PREVENTION BILL.—Consideration of Lieutenant Governor's Message, No 37.
5. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

General Business:—

NOTICES OF MOTION:—

1. MR. A'BECKETT: To move, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor, requesting him to introduce a Bill, enabling the Government to raise, from time to time, by way of loan secured upon the Revenues of the Colony, such sums as may be necessary to construct the Roads and Bridges that may, for the advancement of its general interests, be from time to time required.
2. THE AUDITOR GENERAL: To call the attention of the House to the 28th paragraph of His Excellency's Financial Message, No. 34, relative to the proposed initiation of the University of Melbourne, and to move that a Committee consisting of Seven Members, to be named by Ballot, be appointed to take into consideration the expediency of establishing such University, and the principles on which it should be founded; with power to take evidence.
3. MR. O'SHANASSY: To move, That the Petition of the Roman Catholics of Victoria, against the Bill for the alteration of 3rd part of Schedule B., 13 & 14 *Vic. c. 76.*,—be printed.
4. MR. WESTGARTH: To move, That the Petition of the Inhabitants of the City of Melbourne and Colony of Victoria, praying that the Bill for the abolition of State Aid to Religion,—be printed.
5. MR. SPLATT: To move, That this Council, as the Guardian of the public interests, is anxious to record its entire disapproval of the permission enjoyed by the South Australian armed Escort to visit the Victoria Gold Fields, and His Excellency the Lieutenant Governor is earnestly entreated by this Council, to take the requisite steps to prevent the present, or any other armed Escort whatsoever, from South Australia, or New South Wales, from visiting the Gold Fields of the Colony of Victoria.

That in the opinion of this Council, the Victoria Government Escorts should be kept in the most efficient state, and that no charge whatever should be made by this Government for escorting Gold from the Gold Fields of Victoria, to Melbourne and Geelong.

That an Address embodying the foregoing resolutions be presented to His Excellency the Lieutenant Governor.

ORDER OF THE DAY:—

1. DISTRICT COUNCILS.—Adoption of Report from Select Committee

THURSDAY, 2ND DECEMBER.

Government Business:—

ORDER OF THE DAY:—

1. HORSE AND CATTLE STEALING PREVENTION BILL.—To be considered in Committee.

FRIDAY, 3RD DECEMBER.

ORDER OF THE DAY:—

1. FITZROY WARD STREETS BILL.—Second Reading.

TUESDAY, 7TH DECEMBER.

NOTICE OF MOTION:—

1. MR. MURPHY: To move, For leave to bring in a Bill to repeal so much of An Act to regulate the Licensing of Auctioneers, and the collection of Duties on property sold by them, as relates to the payment of a duty on Sales by way of Auction.

ORDERS OF THE DAY:—

1. ESTIMATES FOR 1853.—To be further considered in Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.

WEDNESDAY, 8TH DECEMBER.

Government Business:—

ORDER OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS
OF
SELECT COMMITTEES.

Wednesday, 1st December.

THE ASSAY OF GOLD—at 11 o'clock.

Thursday, 2nd December.

SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 68.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 1st DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor received and read.

C. J. LA TROBE, *Message, No 41.*
Lieutenant Governor.

 1. The Lieutenant Governor herewith submits to the Legislative Council, an Estimate of the additional provision required to meet the deficiencies in certain Sums voted upon the Supplementary Estimate for 1851, amounting to £1270 15s. 11d.
 2. A sum of £100 is included in this Estimate to meet the Salary of the Master in Equity and Chief Commissioner of Insolvent Estates, from 1st July to 31st December, 1851, at the rate of £400 per annum, in lieu of £200 per annum, the rate previously estimated.
 3. The other items specified in this Estimate are for expenses necessarily incurred in 1851, over and above the Sums appropriated for the several Services respectively, and will be more fully explained in the House.

*Government Offices,
Melbourne, 1st December, 1852.*

Ordered to be printed, together with the accompanying Estimate, and taken into consideration on Friday, 3rd December instant.
3. POLICE FORCE REGULATION BILL.—The Order of the Day for the adoption of the Report from the Committee of the whole Council upon this Bill having been read:—On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.

The Chairman having reported the Bill, with a further amendment, the Council ordered the Bill as reported to be printed, and taken into consideration Friday, 3rd December instant.
4. BIRTHS DEATHS AND MARRIAGES REGISTRATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again on Thursday, 2nd December instant.
5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until Thursday 2nd December instant.

“ Steam Navigation Laws Amendment Bill—Second Reading.”
6. VAGRANCY PREVENTION BILL.—The Order of the Day for the consideration of the Lieutenant Governor's Message, No. 37, having been read, the Attorney General moved that the Bill accompanying the Message intituled *“ A Bill for the better Prevention of Vagrancy and other Offences ”* be now read a first time.

Question put and passed.

Bill read a first time :—ordered to be read a second time, Wednesday, 8th December inst., and to be printed.
7. POSTPONEMENT OF ORDER OF THE DAY.—On the Motion of Mr. Murphy, the following Order of the day was postponed until Friday the 3rd December, instant.

“ Scab and Catarrh in Sheep prevention Bill—to be further considered in Committee.”
8. UNIVERSITY OF MELBOURNE.—On the Motion of the Auditor General, the 28th paragraph of His Excellency the Lieutenant Governor's Financial Message, No. 34, was read by the Clerk.

The Auditor General then moved that a Committee consisting of seven Members, to be named by Ballot, be appointed to take into consideration the expediency of establishing

such University, and the principles on which it should be founded; with power to take evidence.

Debate ensued.

Question—put and passed.

Whereupon the Council proceeded to the Ballot, and the following Members being reported to have the greatest number of Votes, were declared by the Speaker to be the Members of such Committee, viz. The Attorney General, The Auditor General, The Chairman of General Sessions, Mr. O'Shanassy, The Speaker, Mr. Fawkner, and Mr. Murphy.

On the Motion of the Auditor General, leave was given to this Committee to sit on Saturdays and Mondays.

9. PUBLIC WORSHIP.—SCHEDULE B., ALTERATION BILL.—Mr. O'Shanassy moved, pursuant to Notice, that the Petition of the Roman Catholics of Victoria, against the Bill for the alteration of 3rd part of Schedule B., 13 & 14 *Vic. c 76.*,—be printed.

Question—put and passed.

10. PUBLIC WORSHIP.—SCHEDULE B., ALTERATION BILL.—Dr. Thomson on behalf of Mr. Westgarth, moved, pursuant to Notice, That the Petition of the Inhabitants of the City of Melbourne and Colony of Victoria, praying that the Bill for the abolition of State Aid to Religion may be passed into Law,—be printed.

Question—put and passed.

11. DISTRICT COUNCILS.—The Order of the Day for the consideration of the Report from the Select Committee upon District Councils, having been read, on the motion of Mr. Rutledge, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of the last Clause thereof.

The Chairman reported progress, and obtained leave to sit again this day six months.

The Council adjourned at twenty-five minutes to six o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 2ND DECEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. HORSE AND CATTLE STEALING PREVENTION BILL.—To be considered in Committee.
2. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.
3. STEAM NAVIGATION LAWS AMENDMENT BILL.—Second Reading.

FRIDAY, 3RD DECEMBER.

ORDERS OF THE DAY:—

1. FITZROY WARD STREETS BILL.—Second Reading.
2. ADDITIONAL ESTIMATES FOR 1851.—Consideration of Lieutenant Governor's Message, No. 41.
3. POLICE FORCE REGULATION BILL.—Adoption of Report.
4. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.

TUESDAY, 7TH DECEMBER.

NOTICES OF MOTION:—

1. MR. MURPHY: To move, For leave to bring in a Bill to repeal so much of An Act to regulate the Licensing of Auctioneers, and the collection of Duties on property sold by them, as relates to the payment of a duty on Sales by way of Auction.
2. MR. SPLATT: To move, That this Council, as the Guardian of the public interests, is anxious to record its entire disapproval of the permission enjoyed by the South Australian armed Escort to visit the Victoria Gold Fields, and His Excellency the Lieutenant Governor is earnestly entreated by this Council, to take the requisite steps to prevent the present, or any other armed Escort whatsoever, from South Australia, or New South Wales, from visiting the Gold Fields of the Colony of Victoria.

That in the opinion of this Council, the Victoria Government Escorts should be kept in the most efficient state, and that no charge whatever should be made by this Government for escorting Gold from the Gold Fields of Victoria, to Melbourne and Geelong.

That an Address embodying the foregoing resolutions be presented to His Excellency the Lieutenant Governor.

ORDERS OF THE DAY :—

1. ESTIMATES FOR 1853.—To be further considered in Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.

WEDNESDAY, 8TH DECEMBER.

Government Business:—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. VAGRANCY PREVENTION BILL.—Second Reading.

General Business :—

NOTICE OF MOTION :—

1. MR. A'BECKETT : To move, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor, requesting him to introduce a Bill, enabling the Government to raise, from time to time, by way of loan secured upon the Revenues of the Colony, such sums as may be necessary to construct the Roads and Bridges and other Public Works that may, for the advancement of its general interests, be from time to time required.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 2nd December.

SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL—at 12 o'clock.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL—at 2 o'clock.

Friday, 3rd December.

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

Monday, 6th December.

UNIVERSITY OF MELBOURNE—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 69.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 2nd DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. HORSE AND CATTLE STEALING PREVENTION BILL.—The Order of the day for considering this Bill in Committee of the whole Council having been read :—On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
3. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Messages from His Excellency The Lieutenant Governor, received and read.

ESTIMATES FOR 1853.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 42.

The Lieutenant Governor submits to the Legislative Council, for its consideration, the arrangement under which he proposes that the Salaries assigned to Public Servants during the year 1853 be divided into two parts, the one being the ordinary stipend fixed with reference to the state of the Revenue and the probable duties and responsibilities of each office, the other a temporary allowance granted in consideration of the great increase which has taken place in the current rates of wages, charges, and prices of every description.

2. The Salaries, named in the Estimates for 1853, for Heads of Departments and Superior Officers being the entire amounts which it is proposed to grant during that year, the following scale will shew the portions intended to be paid as temporary allowances only ; the difference in each case being the fixed stipend attached to the office.

Amount of Salary named in the Estimates.		Amount to be deducted as temporary allowance.
	Not exceeding £500 per annum	One Half.
Exceeding	£500 and not exceeding £750 ,,	£250.
,,	£750 ,, £900 ,,	£300.
,,	£900 ,, £1100 ,,	£350.
,,	£1100 ,, £1500 ,,	£400.
,,	£1500	£500.

3. It is proposed that a moiety of the salary named for each clerk or subordinate officer receiving an annual rate of pay, should be regarded as a temporary allowance.

4. Under this arrangement, it is not proposed to include the salaries of the Commissioners and others stationed at the Gold Fields, whose duties cannot be considered to be of a permanent character. Exceptions must also be made where Public Officers receive fixed allowances, to meet certain specified expenses ; but in these cases, full explanation will be afforded to the Council when the Estimates are under discussion.

5. As the remuneration of Constables, Boatmen, Turnkeys, and others receiving a daily rate of pay mainly depends upon, and should to a certain extent vary with, the state of the labour market, it has not been considered necessary to propose any division of the amounts appropriated for these Officers. But while, on the one hand, the Lieutenant Governor will be prepared to increase these Salaries, should the circumstances of the Colony require him so to do, on the other, he will not consider himself bound to allow the entire rates voted by the Council, should a permanent fall in wages and prices justify such a reduction.

*Government Offices,
Melbourne, 2nd December, 1852.*

Ordered to be printed and taken into consideration Tuesday, 7th December, instant.

IMMIGRATION.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 43.

The Lieutenant Governor transmits for the information of the Legislative Council, Copies of the undermentioned Despatches from the Right Honorable the Secretary of State relating to Immigration, viz :—

1. Opinion of Counsel on the possibility of preventing Government Emigrants from proceeding to the Gold Fields before the expiration of a certain period. (Dated 10th July, 1852.)
2. On the encouragement to be afforded to the Emigration, to a limited extent, of persons of Semi-European origin from India to Australia. (Dated 17th July, 1852.)
3. On the Working of the Land and Emigration Deposit Regulations. (Dated 29th July, 1852.)

Government Offices,
Melbourne, 2nd December, 1852.

Ordered to be printed, together with the accompanying Despatches.

HORSE AND CATTLE STEALING PREVENTION BILL.—The Speaker having left the Chair, the Council again resolved itself into a Committee of the whole for the consideration of this Bill.

The Chairman reported the Bill, and obtained leave to sit again immediately.

On the motion of the Attorney General, the Speaker left the Chair, and the Council again resolved into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill, with amendments, the Council ordered the Bill, as reported, to be printed, and taken into consideration on Wednesday, 8th December.

4. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until Friday, 3rd December instant.

“ ‘Births Deaths and Marriages Registration Bill’—To be further considered in Committee.”

5. STEAM NAVIGATION LAWS AMENDMENT BILL.—The Attorney General moved, that this Bill be now read a second time.

Question put and passed.—Bill read a second time.—Ordered to be considered in Committee on Tuesday, 14th December instant.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 3RD DECEMBER.

ORDERS OF THE DAY:—

1. FITZROY WARD STREETS BILL.—Second Reading.
2. ADDITIONAL ESTIMATES FOR 1851.—Consideration of Lieutenant Governor's Message, No. 41.
3. POLICE FORCE REGULATION BILL.—Adoption of Report.
4. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.
5. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.

TUESDAY, 7TH DECEMBER.

NOTICES OF MOTION:—

1. MR. MURPHY : To move, For leave to bring in a Bill to repeal so much of An Act to regulate the Licensing of Auctioneers, and the collection of Duties on property sold by them, as relates to the payment of a duty on Sales by way of Auction.
2. MR. SPLATT : To move, That this Council, as the Guardian of the public interests, is anxious to record its entire disapproval of the permission enjoyed by the South Australian armed Escort to visit the Victoria Gold Fields, and His Excellency the Lieutenant Governor is earnestly entreated by this Council, to take the requisite steps to prevent the present, or any other armed Escort whatsoever, from South Australia, or New South Wales, from visiting the Gold Fields of the Colony of Victoria.
That in the opinion of this Council, the Victoria Government Escorts should be kept in the most efficient state, and that no charge whatever should be made by this Government for escorting Gold from the Gold Fields of Victoria, to Melbourne and Geelong.
That an Address embodying the foregoing resolutions be presented to His Excellency the Lieutenant Governor.

3. MR. RUTLEDGE :—To move, That this House resolve itself into a Committee of the whole, for the purpose of considering the propriety of increasing the amount appropriated for Public Worship, as set down in Schedule B., part 3, to the Act, 13 & 14 Vic., c. 59.

ORDERS OF THE DAY :—

1. ESTIMATES FOR 1853.—To be further considered in Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
3. ESTIMATES FOR 1853.—Consideration of Lieutenant Governor's Message, No. 42.

WEDNESDAY, 8TH DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL.—Adoption of Report.
2. VAGRANCY PREVENTION BILL.—Second Reading.
3. HORSE AND CATTLE STEALING PREVENTION BILL.—Adoption of Report.

General Business :—

NOTICE OF MOTION :—

1. MR. A'BECKETT : To move, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor, requesting him to introduce a Bill, enabling the Government to raise, from time to time, by way of loan secured upon the Revenues of the Colony, such sums as may be necessary to construct the Roads and Bridges and other Public Works that may, for the advancement of its general interests, be from time to time required.

TUESDAY, 14TH DECEMBER.

ORDER OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—To be considered in Committee.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 3rd December.

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

SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL—at 1 o'clock.

Monday, 6th December.

UNIVERSITY OF MELBOURNE—at 12 o'clock.

Tuesday, 7th December.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL—at half-past one o'clock.

J. F. PALMER,
Speaker.

No. 70.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 3rd DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. ASSENT TO BILLS.—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the following Bills, viz.,—
“Melbourne Municipal Franchise Bill.”
“City of Melbourne Corporation Seal Bill.”
3. T. H. OSBORNE, ESQ.—The Speaker having reported that he had received from T. H. Osborne, Esq., a letter submitting several statements in extenuation of his absence from the Council on 23rd November last, and the letter having been read by the Clerk,
 Mr. Rutledge moved that Mr. Osborne be excused from the payment of the fine of £20 imposed by the Council on the said 23rd day of November.
 Question—put and passed.
4. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the consideration of the following Order of the Day was postponed until after the other Orders for to-day :—
“Fitzroy Ward Streets Bill—Second Reading.”
5. SUPPLEMENTARY ESTIMATES FOR 1851.—The Order of the Day for the consideration of the Lieutenant Governor's Message, No. 41, having been read, on the motion of the Auditor General the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the consideration of such Message and the accompanying Supplementary Estimates for 1851.
 The Chairman reported that the Committee had gone through the various items in the Supplementary Estimate for 1851, and brought up the following resolutions :—
 - (1.) Resolved, that a Sum not exceeding £45 13s. be appropriated to defray the Supplementary Charge of his Excellency the Lieutenant Governor's Department for the year 1851.
 - (2.) Resolved, that a Sum not exceeding £71 19s. be appropriated to defray the Supplementary Charge of the Colonial Storekeeper's Department for the year 1851.
 - (3.) Resolved, That a Sum not exceeding £542 19s. 10d. be appropriated to defray the Supplementary charge of the Government Printer's Department for the year 1851.
 - (4.) Resolved, That a Sum not exceeding £240 0s. 1d. be appropriated to defray the Supplementary Charge for Public Buildings, Roads, and Bridges, for the year 1851.
 - (5.) Resolved, That a Sum not exceeding £270 4s. be appropriated to defray the Supplementary Charge for the Administration of Justice for the year 1851.
 - (6.) Resolved, That a Sum not exceeding £100 be appropriated to defray the Supplementary Charge for the Master in Equity and Chief Commissioner of Insolvent Estates for the year 1851.
6. POLICE FORCE REGULATION BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read, on the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.
 The Chairman having reported the Bill with further amendments, the Council adopted the Bill as reported, and ordered the Bill to be read a third time, Tuesday, 7th day of December instant.
7. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
8. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency The Lieutenant Governor received and read.

SUPPLEMENTARY ESTIMATES FOR 1852.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 44.

With reference to the 34th paragraph of the Financial Message, No. 34, of the 3rd November last, the Lieutenant Governor now transmits to the Legislative Council Sup-

plementary Estimates and Statements of Expenditure, for the service of the year 1852, accompanied by an explanatory Minute.

*Government Offices,
Melbourne, 3rd December, 1852.*

Ordered to be printed together with the accompanying Minute and Estimates, and taken into consideration, Tuesday, 7th day of December, instant.

SCAB AND CATARRH IN SHEEP PREVENTION BILL.—The Speaker having left the Chair, the Council again resolved itself into a Committee of the whole, for the further consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again on Tuesday, 7th December inst.

9. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until Tuesday, 7th December inst.

“ ‘Births, Deaths, and Marriages Registration Bill.’—To be further considered in Committee.”

and the following Order of the Day was postponed until Tuesday, 14th December inst.

“ ‘Fitzroy Ward Streets Bill.’—Second Reading.”

Council adjourned at half-past six o'clock, until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 7TH DECEMBER.

NOTICES OF MOTION:—

1. MR. MURPHY: To move, For leave to bring in a Bill to repeal so much of An Act to regulate the Licensing of Auctioneers, and the collection of Duties on property sold by them, as relates to the payment of a duty on Sales by way of Auction.
2. MR. SPLATT: To move, That this Council, as the Guardian of the public interests, is anxious to record its entire disapproval of the permission enjoyed by the South Australian armed Escort to visit the Victoria Gold Fields, and His Excellency the Lieutenant Governor is earnestly entreated by this Council, to take the requisite steps to prevent the present, or any other armed Escort whatsoever, from South Australia, or New South Wales, from visiting the Gold Fields of the Colony of Victoria.
That in the opinion of this Council, the Victoria Government Escorts should be kept in the most efficient state, and that no charge whatever should be made by this Government for escorting Gold from the Gold Fields of Victoria, to Melbourne and Geelong.
That an Address embodying the foregoing resolutions be presented to His Excellency the Lieutenant Governor.
3. MR. RUTLEDGE: To move, That this House resolve itself into a Committee of the whole, for the purpose of considering the propriety of increasing the amount appropriated for Public Worship, as set down in Schedule B., part 3, to the Act, 13 & 14 Vic., c. 59.
4. MR. CAMPBELL: to move, that a Committee of seven Members be elected by Ballot to enquire into and report upon the management of the Gold Fields, with power to take evidence.

ORDERS OF THE DAY:—

1. ESTIMATES FOR 1853.—To be further considered in Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
3. ESTIMATES FOR 1853.—Consideration of Lieutenant Governor's Message, No. 42.
4. POLICE FORCE REGULATION BILL.—Third Reading.
5. SUPPLEMENTARY ESTIMATES FOR 1852.—Consideration of Lieutenant Governor's Message, No. 44.
6. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—To be further considered in Committee.
7. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.

WEDNESDAY, 8TH DECEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. CUSTOMS REGULATIONS BILL.—Adoption of Report.
2. VAGRANCY PREVENTION BILL.—Second Reading.
3. HORSE AND CATTLE STEALING PREVENTION BILL.—Adoption of Report.

General Business :—

NOTICE OF MOTION :—

1. MR. A'BECKETT: To move, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor, requesting him to introduce a Bill, enabling the Government to raise, from time to time, by way of loan secured upon the Revenues of the Colony, such sums as may be necessary to construct the Roads and Bridges and other Public Works that may, for the advancement of its general interests, be from time to time required.

FRIDAY, 10TH DECEMBER.

NOTICES OF MOTION :—

1. MR. FAWKNER: To move for leave to bring in a Bill to alter and amend the Act intituled—
“*An Act for regulating Buildings and party Walls, and for preventing mischiefs by Fire in the City of Melbourne.*”
2. MR. FAWKNER: To move that this Council do present an Address to His Excellency the Lieutenant Governor, that he will be pleased to cause to be laid upon the table of this House a list of all Officers appointed to act upon the various Gold Fields of this Colony,—together with the dates of their several appointments—and removals or resignation, if any. Together with the Orders issued from time to time to all persons in charge, either as Gold Commissioners, Inspectors, or under any other title. The disposal of all Chief, or District, or Petty Constables, or Pensioners,—pointing out where posted, and what duties they had to perform. And further, whether half-monthly Licences were issued at any time upon the Diggings, and if so, by whom, and whether ordered by the Governor or by the Officer in local charge.

TUESDAY, 14TH DECEMBER.

ORDERS OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—To be considered in Committee.
2. FITZROY WARD STREETS BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.
-

MEETINGS

OF

SELECT COMMITTEES.

Monday, 6th December.

UNIVERSITY OF MELBOURNE—at 12 o'clock.

Tuesday, 7th December.

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

INCREASE OF NUMBER OF MEMBERS OF COUNCIL—at half-past one o'clock.

J. F. PALMER,
Speaker.

No. 71.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 7th DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the table of the Council,
Report from the Denominational School Board of what they believe to be the Educational requirements of this Colony.
- Ordered to be printed.

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

HOBSON'S BAY RAILWAY.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 45.

The Lieutenant Governor takes the opportunity of submitting to the consideration of the Legislative Council the enclosed Copy of a Letter, with the accompanying Plan, received from the Provisional Committee of a Company now being formed for the purpose of securing Railroad communication with the Beach.

It will be seen that, beyond other facilities, it is requested that aid, in the shape of a loan of £50,000 from the Public Revenue, should be given to the Company.

The object, so far as it promises to secure the advantages of prompt and safe communication with Hobson's Bay, is of too great moment not to command the most favorable attention; and the Lieutenant Governor has expressed himself in favor of the establishment of a Railway communication, in preference to any other scheme, and willing to forward this object as far as may lie in his power. At the same time, as it appears that so much difference of opinion exists, even among practical scientific men, as to the particular mode in which the object should be secured—the Lieutenant Governor considers that the most satisfactory course will be for him to seek the concurrence of the Council to an appropriation of the funds, whether temporary, or otherwise, which, even if drawn with the consent of Her Majesty's Government, from the unappropriated moiety of the Territorial Revenue and applicable to purposes of internal improvements, would not be so applied, he conceives, under the circumstances, without the advice of the Legislature.

*Government Offices,
Melbourne, 7th December, 1852.*

Ordered to be printed together with the accompanying Letter, and taken into consideration, Tuesday, 14th December, instant.

4. AUCTION DUTIES REPEAL BILL.—Mr. Murphy moved, pursuant to notice, For leave to bring in a Bill to repeal so much of An Act to regulate the Licensing of Auctioneers, and the collection of Duties on property sold by them, as relates to the payment of a duty on Sales by way of Auction.

Question put and passed—Ordered that the Mover and Seconder do prepare and bring in the Bill.

5. ARMED ESCORTS.—Mr. Splatt moved, pursuant to notice, That this Council, as the Guardian of the public interests, is anxious to record its entire disapproval of the permission enjoyed by the South Australian armed Escort to visit the Victoria Gold Fields, and His Excellency the Lieutenant Governor is earnestly entreated by this Council, to take the requisite steps to prevent the present, or any other armed Escort whatsoever, from South Australia, or New South Wales, from visiting the Gold Fields of the Colony of Victoria.

That in the opinion of this Council, the Victoria Government Escorts should be kept in the most efficient state, and that no charge whatever should be made by this Government, for escorting Gold from the Gold Fields of Victoria, to Melbourne and Geelong.

That an Address embodying the foregoing resolutions be presented to His Excellency the Lieutenant Governor.

Debate ensued.

Council divided.

Ayes, 2.

MR. SPLATT,
THE ATTORNEY GENERAL, (*Teller*)

Noes, 18.

THE COLONIAL SECRETARY,
MR. MILLER,
MR. WESTGARTH,
MR. O'SHANASSY,
MR. FAWKNER,
MR. STRACHAN,
MR. RUSSELL,
MR. TURNBULL,
LIEUT. COL. ANDERSON,
MR. RIDDELL,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
MR. WILKINSON,
MR. NICHOLSON,
MR. GOLDSMITH,
MR. CAMPBELL,
MR. RUTLEDGE,
MR. MURPHY, (*Teller*.)

6. PUBLIC WORSHIP—SCHEDULE B INCREASE BILL.—Mr. Rutledge moved, pursuant to notice, That this House resolve itself into a Committee of the whole, for the purpose of considering the propriety of increasing the amount appropriated for Public Worship, as set down in Schedule B., part 3, to the Act, 13 & 14 *Vic.*, c. 59.

Question put.

Council divided.

Ayes, 10.

THE AUDITOR GENERAL,
LIEUT. COL. ANDERSON,
MR. SPLATT,
MR. RIDDELL,
THE SOLICITOR GENERAL,
MR. O'SHANASSY,
MR. RUTLEDGE,
MR. GOLDSMITH,
MR. CAMPBELL,
THE COLONIAL SECRETARY, (*Teller*.)

Noes 8.

MR. MILLER,
MR. WESTGARTH,
THE ATTORNEY GENERAL,
MR. FAWKNER,
MR. STRACHAN,
MR. TURNBULL,
MR. NICHOLSON,
MR. MURPHY, (*Teller*.)

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the purpose of considering the propriety of increasing the amount appropriated for Public Worship, as set down in Schedule B. part 3 to the Act 13 and 14 *Vic.*, c. 59.

The Chairman having reported that the Committee was of opinion that the sum of £6000 appropriated for Public Worship in this Colony by Schedule B, part 3 to the Australian Colonies Act, 13 and 14 *Vic.*, c. 59, is wholly inadequate to the purposes contemplated, and that the same should be altered and increased to the sum of £30,000; and that a Bill should be introduced into this Council for carrying the above Resolution into effect:—

On the Motion of Mr. Rutledge, the Council adopted the above Report.

7. AUCTION DUTIES REPEAL BILL.—Mr. Murphy presented a Bill for Repealing Duties on Sales by Auction.

Bill intituled, "*A Bill to repeal so much of an Act to regulate the licensing of Auctioneers and the collection of Duties on property sold by them, as relates to the payment of a Duty on Sales by way of Auction,*" brought up and read a first time:—Ordered to be read a second time, Tuesday, 21st December, instant; and to be printed.

8. MANAGEMENT OF GOLD FIELDS—Mr. Campbell moved, pursuant to *amended* notice, That a Committee of seven Members, viz.:—Mr. Campbell, Mr. Nicholson, The Colonial Secretary, Mr. Miller, Mr. O'Shanassy, Mr. Fawkner, and the Auditor General, be appointed to enquire into and report upon the management of the Gold Fields, with power to take evidence.

Debate ensued.

Question put and passed.

9. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Auditor General, the following Order of the Day was postponed until after the consideration of the 3rd Order of the Day:—

"*Estimates for 1853—To be further considered in Committee.*"

10. MELBOURNE GAS AND COKE COMPANY BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council on this Bill having been read—On the motion of Mr. Miller, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.
The Chairman having reported the Bill, with a further amendment, the Council ordered the Report to be taken into consideration on Tuesday, 14th December instant.
11. ESTIMATES FOR 1853.—LIEUTENANT GOVERNOR'S MESSAGE No. 42.—The Order of the Day for the consideration of the Lieutenant Governor's Message, No. 42, having been read, the Auditor General moved, That the consideration thereof be referred to the Committee of the whole Council on the Estimates for 1853.
Question—put and passed.
12. ESTIMATES FOR 1853.—The Order of the Day for the further consideration of the Estimates for 1853, and for the consideration of the Lieutenant Governor's Message, No. 42, having been read, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman reported progress and obtained leave to sit again on Wednesday, 8th December instant
13. POLICE FORCE REGULATION BILL.—The Order of the Day for the third reading of this Bill having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the Bill as reported, and ordered the Bill to be read a third time, Tuesday, 14th December inst., and to be printed.
14. SUSPENSION OF STANDING ORDER.—On the motion of the Auditor General, the Council ordered the Suspension of the 17th Standing Order.
15. SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the consideration of the Lieutenant Governor's Message No. 44, having been read, the Auditor-General moved that the consideration of the Message No. 44, together with the accompanying Supplementary Estimates, be referred to the Committee of the whole Council upon the General Estimates for 1853.
Question put and passed.
16. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the Report to be taken into consideration Tuesday, 14th. December instant. Bill as amended to be printed.
16. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until Tuesday, 14th. December instant :—
“*Births, Deaths, and Marriages Registration Bill.*—To be further considered in Committee.”
Council adjourned at twenty minutes to nine o'clock until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 8TH DECEMBER.

Government Business :—

NOTICE OF MOTION :—

1. THE AUDITOR GENERAL : To move, That, during the consideration of the Estimates, the House do meet at two o'clock, and adjourn for one hour at six o'clock.

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. VAGRANCY PREVENTION BILL.—Second Reading.
3. HORSE AND CATTLE STEALING PREVENTION BILL.—Adoption of Report.
4. ESTIMATES FOR 1853 :—
LIEUTENANT GOVERNOR'S MESSAGE, No. 42 :— } To be further considered in Committee.
SUPPLEMENTARY ESTIMATES FOR 1852 :— }

General Business :—

NOTICE OF MOTION :—

1. MR. A'BECKETT : To move, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor, requesting him to introduce a Bill, enabling the Government to raise, from time to time, by way of loan secured upon the Revenues of the Colony, such sums as may be necessary to construct the Roads and Bridges and other Public Works that may, for the advancement of its general interests, be from time to time required.

FRIDAY, 10TH DECEMBER.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move for leave to bring in a Bill to alter and amend the Act intituled—
“ *An Act for regulating Buildings and party Walls, and for preventing mischiefs by Fire in the City of Melbourne.*”
2. MR. FAWKNER : To move that this Council do present an Address to His Excellency the Lieutenant Governor, that he will be pleased to cause to be laid upon the table of this House a list of all Officers appointed to act upon the various Gold Fields of this Colony,—together with the dates of their several appointments—and removals or resignation, if any. Together with the Orders issued from time to time to all persons in charge, either as Gold Commissioners, Inspectors, or under any other title. The disposal of all Chief, or District, or Petty Constables, or Pensioners,—pointing out where posted, and what duties they had to perform. And further, whether half-monthly Licences were issued at any time upon the Diggings, and if so, by whom, and whether ordered by the Governor or by the Officer in local charge.

TUESDAY, 14TH DECEMBER.

NOTICE OF MOTION :—

1. MR. WESTGARTH : to move that this House resolve itself into a Committee of the whole, for the purpose of framing an Address to His Excellency the Lieutenant Governor, praying that His Excellency, in consideration of the great advantages resulting to these Colonies from the discovery of the Australian Gold Fields, would place upon the Estimates for 1853, such an amount as may be considered adequate to the occasion on the part of this Colony, to be presented to the discoverer, Mr. Hargraves.

ORDERS OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—To be considered in Committee.
2. FITZROY WARD STREETS BILL.—Second Reading.
3. MELBOURNE AND HOBSON'S BAY RAILWAY.—Consideration of Lieutenant Governor's Message, No. 45.
4. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
5. POLICE FORCE REGULATION BILL.—Third Reading.
6. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Adoption of Report.
7. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.

TUESDAY, 21ST DECEMBER.

ORDER OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

- MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council ; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 8th December.

- SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL—at 12 o'clock.
MANAGEMENT OF THE GOLD FIELDS—at 1 o'clock.
UNIVERSITY OF MELBOURNE—at half-past one o'clock.

J. F. PALMER,
Speaker.

No. 72.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 8th DECEMBER, 1852.

- 1 Council met, pursuant to adjournment.—The Speaker took the Chair.
 2. PUBLIC WORSHIP—SCHEDULE B INCREASE BILL.—The Solicitor General presented a Bill for altering Schedule B to the Act for the better government of Her Majesty's Australian Colonies.
Bill intituled "*A Bill to alter and increase the Sum mentioned in the third part of Schedule B to the Act intituled 'An Act for the better government of Her Majesty's 'Australian Colonies.'*" Brought up—Read a first time—Ordered to be read a second time Wednesday, 22nd December instant, and to be printed.
 3. MEETING OF COUNCIL.—The Auditor General moved, pursuant to notice, that during the consideration of the Estimates, the House do meet at two o'clock, and adjourn for one hour at six o'clock.
Debate ensued.
Question—put and passed.
 4. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Solicitor General, the following Order of the Day was postponed until Tuesday, 14th December instant :—
"*' Customs' Regulations Bill'—Adoption of Report.*"
 5. VAGRANCY PREVENTION BILL.—The Solicitor General moved, that this Bill be now read a second time.
Question—put and passed.
Bill read a second time, and ordered to be considered in Committee on Tuesday, 14th December, instant.
 6. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Solicitor General, the following Order of the Day was postponed until Wednesday, 14th December instant :—
"*' Horse and Cattle Stealing Prevention Bill'—Adoption of Report.*"
 7. ESTIMATES FOR 1853.—THE LIEUTENANT GOVERNOR'S MESSAGE, No. 42: SUPPLEMENTARY ESTIMATES FOR 1853.—The Order of the Day for the further consideration of the Estimates for 1853, the Lieutenant Governor's Message, No. 42, and the Supplementary Estimates for 1852 having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
- Council adjourned at twenty-five minutes to eleven o'clock, until two o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 9TH DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. ESTIMATES FOR 1853 :—
LIEUTENANT GOVERNOR'S MESSAGE, No. 42 :— } To be further considered in Committee.
SUPPLEMENTARY ESTIMATES FOR 1852 :— }

FRIDAY, 10TH DECEMBER.

NOTICES OF MOTION :—

1. MR. FAWKNER : To move for leave to bring in a Bill to alter and amend the Act intituled—
“*An Act for regulating Buildings and party Walls, and for preventing mischiefs by Fire in the City of Melbourne.*”
2. MR. FAWKNER : To move that this Council do present an Address to His Excellency the Lieutenant Governor, that he will be pleased to cause to be laid upon the table of this House a list of all Officers appointed to act upon the various Gold Fields of this Colony,—together with the dates of their several appointments—and removals or resignation, if any. Together with the Orders issued from time to time to all persons in charge, either as Gold Commissioners, Inspectors, or under any other title.
The disposal of all Chief, or District, or Petty Constables, or Pensioners,—pointing out where posted, and what duties they had to perform.
And further, whether half-monthly Licences were issued at any time upon the Diggings, and if so, by whom, and whether ordered by the Governor or by the Officer in local charge.

TUESDAY, 14TH DECEMBER.

NOTICES OF MOTION :—

1. MR. WESTGARTH : to move that this House resolve itself into a Committee of the whole, for the purpose of framing an Address to His Excellency the Lieutenant Governor, praying that His Excellency, in consideration of the great advantages resulting to these Colonies from the discovery of the Australian Gold Fields, would place upon the Estimates for 1853, such an amount as may be considered adequate to the occasion on the part of this Colony, to be presented to the discoverer, Mr. Hargraves.
2. MR. STRACHAN : To move, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor requesting that he may be pleased to place on the Estimates for the year 1853, the sum of £10,000, to be transmitted to England for the purchase of an Iron Steamer and Dredge, Steam Tug and necessary Punts, securing at the same time the services of competent workmen to fit up the same on their arrival in the Colony.

ORDERS OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—To be considered in Committee.
2. FITZROY WARD STREETS BILL.—Second Reading.
3. MELBOURNE AND HOBSON'S BAY RAILWAY—Consideration of Lieutenant Governor's Message, No. 45.
4. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
5. POLICE FORCE REGULATION BILL.—Third Reading.
6. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Adoption of Report.
7. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.
8. CUSTOMS REGULATIONS BILL—Adoption of Report.
9. VAGRANCY PREVENTION BILL.—To be considered in Committee.
10. HORSE AND CATTLE STEALING PREVENTION BILL.—Adoption of Report.

TUESDAY, 21ST DECEMBER.

ORDER OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—Second Reading.

WEDNESDAY, 22ND DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL—Second Reading.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH: On the Estimates of Expenditure for the year 1853, being brought before the Council; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS
OF
SELECT COMMITTEES.

Friday, 10th December.

MANAGEMENT OF THE GOLD FIELDS—at 11 o'clock.

UNIVERSITY OF MELBOURNE—at half-past one o'clock.

Tuesday, 14th December.

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

Wednesday, 15th December.

SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 73.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 9th DECEMBER, 1852.

- 1 Council met, pursuant to adjournment.—The Speaker took the Chair.
2. INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—Mr. Murphy as Chairman of the Committee of this Council for the purpose of considering and reporting upon the propriety of increasing the whole number of Members of this Council, and the means by which such increase may be effected, brought up the Report from the Committee, and moved that it be printed and taken into consideration on Tuesday, 14th December instant.

Question—put and passed.

3. POINT OF ORDER.—NEW MEMBER FOR GRANT.—Mr. Fawkner having stated that John Myles, Esq., had been returned Member for the Electoral District of the County of Grant, and was in attendance, and desirous of taking the Oath and his Seat as such Member; a point of order was raised that in consequence of no Return having been yet made to the Speaker's Writ for holding such election, Mr. Myles could not be admitted to take his Seat.

Whereupon Mr Fawkner moved that John Myles, Esq., of Geelong, who has been represented as having been duly elected Member for the Electoral District of the County of Grant be now admitted to be sworn and to take his Seat in this House as the Member for the said County of Grant.

Debate ensued.

Question put

Council divided—

Ayes, 9.

THE SOLICITOR GENERAL,
MR. FAWKNER,
THE AUDITOR GENERAL,
MR. NICHOLSON,
MR. MILLER,
MR. RUTLEDGE,
MR. WESTGARTH,
MR. GOLDSMITH,
THE COLONIAL SECRETARY, (*Teller.*)

Noes, 10.

MR. MURPHY,
MR. SMITH,
MR. RIDDELL,
THE CHAIRMAN OF GENERAL SESSIONS,
MR. O'SHANASSY,
MR. STRACHAN,
LIEUT. COL. ANDERSON,
MR. A'BECKETT,
MR. WILKINSON,
MR. SPLATT, (*Teller.*)

4. ADJOURNMENT.—Mr. Fawkner moved, that this House do now adjourn, until seven o'clock this evening.

Debate ensued.

Question put.

Council divided.

Ayes, 11.

THE CHAIRMAN OF GENERAL
SESSIONS,
LIEUT. COL. ANDERSON,
MR. NICHOLSON,
MR. A'BECKETT,
MR. STRACHAN,
MR. WILKINSON,
MR. RIDDELL,
MR. RUTLEDGE,
MR. MILLER,
MR. FAWKNER,
MR. O'SHANASSY, (*Teller.*)

Noes, 7.

MR. MURPHY,
MR. SMITH,
THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL
THE AUDITOR GENERAL,
MR. GOLDSMITH,
MR. SPLATT, (*Teller.*)

Council adjourned at three o'clock, until seven o'clock accordingly.

SEVEN O'CLOCK.

Council met pursuant to adjournment: The Speaker took the Chair.

5. NEW MEMBER.—The Speaker announced that he had received a Return to the Writ he had issued, for the election of a Member of this Council, for the Electoral District of the County of Grant, in the place of John Henry Mercer, Esquire, resigned; by which it appeared that John Myles, Esquire, had been duly elected to serve in the place of the said John Henry Mercer, for such Electoral District.

John Myles, Esquire was then introduced, and having taken the Oath and handed to the Clerk at the Table the following Declaration, took his Seat as a Member for the Electoral District of the County of Grant, in the place of John Henry Mercer, Esquire, resigned.

I, John Myles, do declare and testify that I am duly seised at Law or in Equity of an Estate of Freehold for my own use and benefit in Lands or Tenements in the Colony of Victoria of the yearly value of One Hundred Pounds sterling Money, above all charges and Incumbrances affecting the same: And further that the Lands or Tenements out of which such Qualification arises are situate in Dwelling Houses and Lands attached, situate on the Bank of the Bay of Corio, County of Grant, occupied by myself, and named Thomond. And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

(Signed) JOHN MYLES.

Melbourne,
9th December, 1852.

6. ESTIMATES FOR 1853.—THE LIEUTENANT GOVERNOR'S MESSAGE, No. 42: SUPPLEMENTARY ESTIMATES FOR 1853.—The Order of the Day for the further consideration of the Estimates for 1853, the Lieutenant Governor's Message, No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported that the Committee had agreed to the following Resolution, viz.:—that in the opinion of this Committee the exigencies of this Colony are so great, that the unappropriated moiety of the Land Fund is necessary for the general wants of this Colony; and that the Chairman do report such resolution to the Council and ask leave to sit again to-morrow.

Mr. O'Shanassy moved that the above Resolution be adopted, and that an Address embodying the same be presented to His Excellency the Lieutenant Governor by the Colonial Secretary and the Auditor General.

Question.—put and passed—and leave given to the Committee to sit again to-morrow.

Council adjourned at eleven o'clock, until two o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 10TH DECEMBER.

NOTICES OF MOTION:—

1. MR. FAWKNER: To move for leave to bring in a Bill to alter and amend the Act intituled—
“*An Act for regulating Buildings and party Walls, and for preventing mischiefs by Fire in the City of Melbourne.*”
2. MR. FAWKNER: To move that this Council do present an Address to His Excellency the Lieutenant Governor, that he will be pleased to cause to be laid upon the table of this House a list of all Officers appointed to act upon the various Gold Fields of this Colony.—together with the dates of their several appointments—and removals or resignation, if any. Together with the Orders issued from time to time to all persons in charge, either as Gold Commissioners, Inspectors, or under any other title. The disposal of all Chief, or District, or Petty Constables, or Pensioners,—pointing out where posted, and what duties they had to perform. And further, whether half-monthly Licences were issued at any time upon the Diggings, and if so, by whom, and whether ordered by the Governor or by the Officer in local charge.
3. MR. A'BECKETT: To move, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor, requesting him to introduce a Bill, enabling the Government to raise, from time to time, by way of loan secured upon the Revenues of the Colony, such sums as may be necessary to construct the Roads and Bridges and other Public Works that may, for the advancement of its general interests, be from time to time required.

ORDER OF THE DAY:—

1. ESTIMATES FOR 1853:—
LIEUTENANT GOVERNOR'S MESSAGE, No. 42:—
SUPPLEMENTARY ESTIMATES FOR 1852:—
- } To be further considered in Committee.

TUESDAY, 14TH DECEMBER.

NOTICES OF MOTION :—

1. MR. WESTGARTH : to move that this House resolve itself into a Committee of the whole, for the purpose of framing an Address to His Excellency the Lieutenant Governor, praying that His Excellency, in consideration of the great advantages resulting to these Colonies from the discovery of the Australian Gold Fields, would place upon the Estimates for 1853, such an amount as may be considered adequate to the occasion on the part of this Colony, to be presented to the discoverer, Mr. Hargraves.
2. MR. STRACHAN : To move, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor requesting that he may be pleased to place on the Estimates for the year 1853, the sum of £10,000, to be transmitted to England for the purchase of an Iron Steamer and Dredge, Steam Tug and necessary Punts, securing at the same time the services of competent workmen to fit up the same on their arrival in the Colony.

ORDERS OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—To be considered in Committee.
2. FITZROY WARD STREETS BILL.—Second Reading.
3. MELBOURNE AND HOBSON'S BAY RAILWAY—Consideration of Lieutenant Governor's Message, No. 45.
4. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
5. POLICE FORCE REGULATION BILL.—Third Reading.
6. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Adoption of Report.
7. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.
8. CUSTOMS REGULATIONS BILL.—Adoption of Report.
9. VAGRANCY PREVENTION BILL.—To be considered in Committee.
10. HORSE AND CATTLE STEALING PREVENTION BILL.—Adoption of Report.

TUESDAY, 21ST DECEMBER.

ORDER OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—Second Reading.

WEDNESDAY, 22ND DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL.—Second Reading.

CONTINGENT NOTICE OF MOTION.

MR. WESTGARTH : On the Estimates of Expenditure for the year 1853, being brought before the Council ; to move, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be taken into consideration.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 10th December.

MANAGEMENT OF THE GOLD FIELDS—at 11 o'clock.
UNIVERSITY OF MELBOURNE—at half-past one o'clock.

Tuesday, 14th December.

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

Wednesday, 15th December.

SAVINGS BANK OF PORT PHILLIP LAWS AMENDMENT BILL—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 74.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 10th DECEMBER, 1852.

- 1 Council met, pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESS.—The Colonial Secretary announced to the Council that pursuant to the Resolution of this Council, the following Address had been presented to His Excellency the Lieutenant Governor, viz :—

No. 51. Crown Revenue—adopted on the motion of Mr. O'Shanassy :—
and that His Excellency had been pleased to reply in the following terms :

The Lieutenant Governor has received an Address from the Legislative Council, No. 51, representing, "That in the opinion of the Council, the exigencies of the Colony are so great, that the unappropriated Moiety of the Land Fund is necessary for the General Wants of this Colony."

In reply, the Lieutenant Governor would point out to the Council, that in the Estimates of future Expenditure now under consideration, he has apprised the Council of the amount of Expenditure, which in his opinion, the Public Service of the Colony would call for, in the year 1853. He is quite ready, as far as lies in his power, to pay proper attention to any further and additional appropriation which the Council may judge it expedient to make, for that year.

He would also state, that in the case of its being found that the General Revenue of 1853, with the assistance of the £300,000 transferred, as proposed, from the Territorial Revenue is insufficient to meet the requisite Expenditure, he should hold it his duty, under the advice of his Executive Council, to make up the deficiency, as far as may be, from the balance of the unappropriated moiety of the Land Fund.

The Lieutenant Governor considers that under the recent authority conveyed to him on the part of Her Majesty's Government, he possesses the power of doing so.

But if the object of the Council in its present Address be, to induce the Lieutenant Governor to pledge himself to an unconditional transfer of the unappropriated moiety of the Land Fund to the General Revenue, to be placed on the Ways and Means—the Lieutenant Governor must state his regret that a compliance with the wish of the Council, is, at this time, quite out of his power.

It is clear that he never could be held justified in taking that course, without the express sanction of Her Majesty's Government.

The opinion of the Council shall be brought under the notice of the Home Government, without unnecessary delay.

*Government Offices,
Melbourne, 10th December, 1852.*

3. PORTLAND PETITION.—Mr. Westgarth moved, pursuant to *amended Contingent* notice, That the Petition from the Inhabitants of the Town and District of Portland, presented to the Council, 14th September, be referred for consideration to the Committee of the whole Council on the Estimates.

Question—put and passed.

4. MELBOURNE BUILDING ACT AMENDMENT BILL.—Mr. Fawcner moved, pursuant to notice, for leave to bring in a Bill to alter and amend the Act, intituled, "*An Act for regulating Buildings and Party Walls, and for preventing Mischiefs by Fire in the City of Melbourne.*"

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

5. GOLD FIELDS.—Mr. Fawcner moved pursuant to notice, that this Council do present an Address to His Excellency the Lieutenant Governor, that he will be pleased to cause to be laid upon the table of this House a list of all Officers appointed to act upon the various Gold Fields of this Colony,—together with the dates of their several appointments—and removals or resignation, if any.

Together with the Orders issued from time to time to all persons in charge, either as Gold Commissioners, Inspectors, or under any other title.

The disposal of all Chief, or District, or Petty Constables, or Pensioners,—pointing out where posted, and what duties they had to perform.

And further, whether half-monthly Licences were issued at any time upon the Diggings, and if so, by whom, and whether ordered by the Governor or by the Officer in local charge.

Question—put and passed.

6. **LOAN.**—Mr. A'Beckett moved pursuant to notice, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor, requesting him to introduce a Bill, enabling the Government to raise, from time to time, by way of loan secured upon the Revenues of the Colony, such sums as may be necessary to construct the Roads and Bridges and other Public Works that may, for the advancement of its general interests, be from time to time required.

Debate ensued.

Question—put and negatived.

7. **ESTIMATES FOR 1853.**—THE LIEUTENANT GOVERNOR'S MESSAGE, No. 42 : SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the consideration of the Estimates for 1853, the Lieutenant Governor's Message, No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again on Tuesday next.

Council adjourned at twenty minutes to ten o'clock, until two o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 14TH DECEMBER.

NOTICES OF MOTION :—

1. **MR. WESTGARTH :** to move that this House resolve itself into a Committee of the whole, for the purpose of framing an Address to His Excellency the Lieutenant Governor, praying that His Excellency, in consideration of the great advantages resulting to these Colonies from the discovery of the Australian Gold Fields, would place upon the Estimates for 1853, such an amount as may be considered adequate to the occasion on the part of this Colony, to be presented to the discoverer, Mr. Hargraves.
2. **MR. STRACHAN :** To move, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor requesting that he may be pleased to place on the Estimates for the year 1853, the sum of £10,000, to be transmitted to England for the purchase of an Iron Steam Dredge, Steam Tug and necessary Punts, securing at the same time the services of competent workmen to fit up the same on their arrival in the Colony.
3. **MR. FAWKNER :** To move, That an Address be presented to His Excellency the Lieutenant Governor, requesting him to withhold the remittance of all Monies for Immigration purposes, save for Female Immigration, to equalise, as far as may be, sexes, and that this postponement be made for six months, or until one month after this Council meets in the Session for 1853.
4. **MR. MILLER :** To move, That the Report from the Select Committee on Roads and Bridges be taken into consideration, and adopted by the House.

That an Address be presented to His Excellency the Lieutenant Governor, praying him to carry out the recommendations of the Committee on Roads and Bridges, viz. :—

That the Road Acts now in force be repealed, and that a Road Act be made and passed similar in its provisions, so far as they apply to the circumstances of Victoria, to the Road Act of Van Diemen's Land, 15 Victoria No. 8, and to the Road Ordinance of the Colony of South Australia of the year 1849, No. 14, and that the Road Act for Victoria should specially provide,—

- (1.) That a Road Board should be appointed, to be called "*The Central Road Board*," to consist of Five Members, two to be nominated by His Excellency the Lieutenant Governor, and three by this Council, to be elected by Ballot from Members of the Council who are willing to serve. The Members of the Road Board to continue in office for twelve months, and to be eligible for re-election. The Central Road Board to have exclusive power, subject to the approval of His Excellency the Lieutenant Governor, of aligning, making, maintaining, or improving any new or existing main line of Road, and any Bridge on such main line; and also of all Parish Roads and Cross Roads, until District Road Boards are appointed.
- (2.) That the Central Road Board shall distribute all Votes made for the service of the Department of Roads and Bridges, and that all grants from the Territorial Revenue should also be placed at their disposal, and that the Board should have power to apportion to each line and district, the amount to which it may appear to be entitled. The Board should also be authorized to cause Toll Gates to be erected, and to collect and appropriate tolls, publishing accounts of receipt and expenditure annually in the Government Gazette.
- (3.) That the Central Road Board should appoint their own Secretary and Treasurer, and determine the amount of their salaries.

- (4.) That His Excellency the Lieutenant Governor should appoint an Inspector General of Roads and a sufficient staff of Engineers, Clerks, and other Officers, to act under the direction of the Central Road Board. The Inspector General of Roads to have a seat at the Road Board, but without the power of voting.
- (5.) That the Central Road Board should meet at least once a week in the City of Melbourne, that Three Members should form a Quorum, and that each member should be allowed One Guinea for every attendance at the Board.
- (6.) That His Excellency the Lieutenant Governor should be empowered by proclamation to declare any portion of the Colony to be a Road District, to define the boundaries of every Road District, and to give a specific name to every such District.
- (7.) That at any time after such Proclamation, it shall be lawful for any number, not less than five landholders and five householders in any proclaimed District, to require any Police Magistrate or Justice of the Peace residing within such Road District, to convene a public Meeting of the land and householders in each District, to elect not less than five nor more than nine members to form a District Road Board, each Member to hold office for one year, and to be eligible for re-election.
- (8.) That each District Road Board shall have power to make, maintain, or improve any new or existing Parish or Cross Road, and to erect or maintain any new or existing Bridge within the limits of the District, subject only to the general Plan of the Central Road Board.
- (9.) That each District Road Board may appoint its own Secretary, Treasurer, and Collector, and determine the amount of payment to these Officers, and to all labourers employed under their orders, and that an account of the Receipts and Expenditure of the District Road Board should be published yearly in the Government Gazette.
- (10.) That at the first Public Meeting for the Election of the members of the Local Board, and at every subsequent annual meeting, the landholders and householders then present, should be empowered to make an assessment of the amount to be charged on all Lands in their Districts, whether such Lands shall belong to Her Majesty, Her Heirs, or Successors, or not; the amount of such assessment not to exceed in any one year one penny per acre on all grass lands; two pence per acre for cultivated lands; and six pence in the pound on the actual Rental of any Messuage, Tenement, or Dwelling House.
- (11.) That the Chairman of each Local Road Board shall have a seat at the Central Board and be entitled to speak, but not to vote.

ORDERS OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—To be considered in Committee.
2. FITZROY WARD STREETS BILL.—Second Reading.
3. MELBOURNE AND HOBSON'S BAY RAILWAY—Consideration of Lieutenant Governor's Message, No. 45.
4. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
5. POLICE FORCE REGULATION BILL.—Third Reading.
6. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Adoption of Report.
7. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.
8. CUSTOMS REGULATIONS BILL.—Adoption of Report.
9. VAGRANCY PREVENTION BILL.—To be considered in Committee.
10. HORSE AND CATTLE STEALING PREVENTION BILL.—Adoption of Report.
11. INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—Consideration of Report from Select Committee on.
12. ESTIMATES FOR 1853 :—
 LIEUTENANT GOVERNOR'S MESSAGE, No. 42 :— } To be further considered in Committee.
 SUPPLEMENTARY ESTIMATES FOR 1852 :—

TUESDAY, 21ST DECEMBER.

ORDER OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—Second Reading.

WEDNESDAY, 22ND DECEMBER.

Government Business :—

ORDER OF THE DAY :—

- 1 PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL.—Second Reading.

MEETINGS
OF
SELECT COMMITTEES.

Tuesday, 14th December.

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

MANAGEMENT OF THE GOLD FIELDS—at 11 o'clock.

UNIVERSITY OF MELBOURNE—at 12 o'clock.

Wednesday, 15th December.

SAVINGS BANK OF PORT PHILLIP LAWS—at 12 o'clock.

J. F. PALMER,
Speaker.

No. 75.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 14th DECEMBER, 1852.

- 1 Council met, pursuant to adjournment.—The Speaker took the Chair.
2. FITZROY WARD STREETS BILL.—Mr. O'Shanassy presented a Petition from certain Proprietors in Fitzroy Ward, Melbourne, praying that the Bill now before this Council for altering and widening certain Streets in Fitzroy Ward, be properly watched in its passage through this Council, and that it may be just and equitable to all, especially that the 8th clause of the Bill shall confine the City Corporation to the purchase of the ground and other property only through which the streets shall pass, unless with the sanction and consent of the Proprietors or Agents of Proprietors.
Petition received.
3. RETURN TO ADDRESS—COLONIAL SURGEON AND ASSISTANT COLONIAL SURGEON.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the table of the Council,
A Return to the Address on this subject, adopted on the motion of Dr. Thomson, on the 26th October, 1852.
Ordered to be printed.
4. SUSPENSION OF STANDING ORDER.—The Standing Order, No. 17, having, on the motion of Mr. O'Shanassy, been suspended, Mr. O'Shanassy moved that the Petition presented by him to this Council this day, with reference to the Fitzroy Ward Streets Bill, be taken into consideration with the second Order for to-day.
Question put and passed.
5. MELBOURNE BUILDING ACT AMENDMENT BILL.—Mr. Fawkner presented a Bill for amending the Melbourne Building Act Bill, intituled "*A Bill to amend an Act intituled 'An Act for regulating Buildings and Party Walls, and for preventing 'Mischiefs by Fire in the City of Melbourne,'*" brought up, read a first time, ordered to be read a second time on Tuesday, 28th December instant, and to be printed.
6. STEAM DREDGE.—Mr. Strachan moved, pursuant to notice, That this House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor requesting that he may be pleased to place on the Estimates for the year 1853, the sum of £10,000, to be transmitted to England for the purchase of an Iron Steam Dredge, Steam Tug and necessary Punts, securing at the same time the services of competent workmen to fit up the same on their arrival in the Colony.
Question put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman having reported that the Committee had resolved that an Address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to place on the Estimates for the year 1853, the sum of £10,000, to be transmitted to England for the purchase of an Iron Steam Dredge, Steam Tug, and necessary Punts, securing at the same time the services of competent workmen to fit up the same on their arrival in the Colony, the Council adopted such Report, and ordered the Address to be presented accordingly.
7. IMMIGRATION.—Mr. Fawkner moved pursuant to amended notice—That an Address be presented to His Excellency the Lieutenant Governor, requesting him to withhold the remittance of all Monies for Immigration purposes, save for Female Immigration, in order to equalise the proportion of the sexes.

Debate ensued.

Council divided.

Ayes, 12.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
LIEUT. COL. ANDERSON,
THE SOLICITOR GENERAL,
MR. STRACHAN,
MR. FAWKNER,
MR. WESTGARTH,
MR. MILLER,
DR. THOMSON,
MR. NICHOLSON,
MR. O'SHANASSY,
THE AUDITOR GENERAL, (*Teller.*)

Noes 6.

MR. SMITH,
MR. SPLATT,
MR. CAMPBELL,
MR. RUTLEDGE,
MR. WILKINSON,
MR. MURPHY, (*Teller.*)

8. FITZROY WARD STREETS BILL.—Mr Smith presented a Petition from certain Citizens, Owners of Land, and other Inhabitants of Fitzroy Ward, praying this Council to pass the Fitzroy Ward Streets Bill into Law during the present Session of the Council.
Petition received, and ordered to be taken into consideration with the Second Order for to-day.
9. ROADS AND BRIDGES.—Mr. Miller moved pursuant to *amended Notice*, that the Report from the Select Committee on Roads and Bridges having been considered by the House, it is the opinion of the House that the Road Acts now in force should be repealed, and a Road Act made and passed suitable to the present circumstances of the Colony.
Debate ensued.
Question.—put and passed.
10. STEAM NAVIGATION LAWS AMENDMENT BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council, having been read.—On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman having reported the Bill with Amendments, the Council ordered the Bill as reported to be taken into consideration Friday, 17th December, instant, and to be printed.
11. FITZROY WARD STREETS BILL.—The Order of the Day for the second reading of this Bill, and for the consideration of the two Petitions relating to this Bill and presented this day, having been read—On the motion of the Attorney General, the two Petitions were read by the Clerk.
The Attorney-General then moved that this Bill be now read a second time.
Debate ensued.
Council divided.

Ayes, 4.

THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
MR. MICHIE,
THE AUDITOR GENERAL, (*Teller*.)

Noes, 10.

MR. WESTGARTH,
THE CHAIRMAN OF GENERAL SESSIONS,
MR. O'SHANASSY,
MR. FAWKNER,
MR. RIDDELL,
MR. STRACHAN,
MR. MURPHY,
MR. TURNBULL,
MR. WILKINSON,
MR. RUTLEDGE, (*Teller*)

12. MELBOURNE AND HOBSON'S BAY RAILWAY.—The Order of the Day for the consideration of the Lieutenant Governor's Message, No. 45, having been read, The Auditor General moved that such Message be, with its Enclosure, referred to the Select Committee on the Melbourne and Hobson's Bay Railway Bill.
Question—put and passed.
13. MELBOURNE GAS AND COKE COMPANY BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read—
On the Motion of Mr. Miller the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration of this Bill.
The Chairman reported that there was not present in Committee ten Members exclusive of the Chairman,
Whereupon the Speaker counted the Council, and it appearing that there was then present one-third of the Members exclusive of the Chairman,
On the motion of Mr. Miller, the Speaker left the Chair, and the Council again resolved itself into a Committee of the whole for the further consideration of the above Bill.
The Chairman reported progress, and obtained leave to sit again Friday, 17th December instant.
14. POLICE FORCE REGULATION BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported.
Bill, on the motion of the Attorney General, read a third time and *passed*.
The Attorney General moved, that the following be the title of the Bill:—" *An Act for the Regulation of the Police Force.*"
Question put and passed.
15. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General, the following Orders of the Day were postponed until Wednesday, 15th Dec. inst :
" *Scab and Catarrh in Sheep Prevention Bill.*"—*Adoption of Report.*"
" *Births, Deaths, and Marriages Registration Bill.*"—*To be further considered in Committee.*"
" *Customs Regulations Bill.*"—*Adoption of Report.*"
" *Vagrancy Prevention Bill.*"—*To be considered in Committee.*"
" *Horse and Cattle Stealing Prevention Bill.*"—*Adoption of Report.*"
" *Increase of Number of Members of Council.*"—*Consideration of Report from Select Committee on.*"
" *Estimates for 1853:—*
" *Lieutenant Governor's Message, No. 42:—* } *To be further considered in*
" *Supplementary Estimates for 1852:—* } *Committee.*"
- Council adjourned at twenty minutes to eleven o'clock until two o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 15TH DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.
2. CUSTOMS REGULATIONS BILL—Adoption of Report.
3. VAGRANCY PREVENTION BILL.—To be considered in Committee.
4. HORSE AND CATTLE STEALING PREVENTION BILL.—Adoption of Report.
5. ESTIMATES FOR 1853 :—
 LIEUTENANT GOVERNOR'S MESSAGE, No. 42 :— } To be further considered in Committee.
 SUPPLEMENTARY ESTIMATES FOR 1852 :—

General Business :—

ORDERS OF THE DAY :—

1. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Adoption of Report.
2. INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—Consideration of Report from Select Committee on.

FRIDAY, 17TH DECEMBER.

NOTICE OF MOTION :—

1. MR. WESTGARTH : to move that this House resolve itself into a Committee of the whole, for the purpose of framing an Address to His Excellency the Lieutenant Governor, praying that His Excellency, in consideration of the great advantages resulting to these Colonies from the discovery of the Australian Gold Fields, would place upon the Estimates for 1853, such an amount as may be considered adequate to the occasion on the part of this Colony, to be presented to the discoverer, Mr. Hargraves.

ORDERS OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—Adoption of Report.
2. MELBOURNE GAS AND COKE COMPANY BILL.—To be further considered in Committee.

TUESDAY, 21ST DECEMBER.

ORDER OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—Second Reading.

WEDNESDAY, 22ND DECEMBER.

Government Business :—

ORDER OF THE DAY :—

- 1 PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL—Second Reading.

TUESDAY, 28TH DECEMBER.

ORDER OF THE DAY :—

1. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 15th December.

MANAGEMENT OF THE GOLD FIELDS—at 11 o'clock.
 SAVINGS BANK OF PORT PHILLIP LAWS—at 12 o'clock.

Thursday, 16th December.

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at half-past ten o'clock.
 THE MELBOURNE AND GEELONG HARBOUR—at half-past twelve o'clock.

J. F. PALMER,
Speaker.

No. 76.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 15th DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
 2. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again Friday, 17th December, instant.
 3. CUSTOMS REGULATIONS BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill, having been read—On the motion of the Attorney-General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman reported progress, and obtained leave to sit again Thursday, 16th December, instant.
 4. VAGRANCY PREVENTION BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council having been read—On the motion of the Attorney General, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the Bill as reported to be taken into consideration Wednesday, 22nd December instant. Bill as amended to be printed.
 5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until Friday, 17th. December instant :—
“ *Horse and Cattle Stealing Prevention Bill.*—*Adoption of Report.*”
 6. ESTIMATES FOR 1853—THE LIEUTENANT GOVERNOR’S MESSAGE, No. 42—SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the consideration of the Estimates for 1853—The Lieutenant Governor’s Message, No. 42, and the Supplementary Estimates for 1852 having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Thursday, 16th Dec. inst.
 7. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of Mr. Murphy, the following Orders of the Day were postponed until Friday, 17th December instant :
“ *Scab and Catarrh in Sheep Prevention Bill.*—*Adoption of Report.*”
“ *Increase of Number of Members of Council.*—*Consideration of Report from “Select Committee on.”*”
- Council adjourned at a quarter past ten o’clock until two o’clock to-morrow

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 16TH DECEMBER.

Government Business:—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—To be further considered in Committee.
 2. ESTIMATES FOR 1853 :—
LIEUTENANT GOVERNOR’S MESSAGE, No. 42 :—
SUPPLEMENTARY ESTIMATES FOR 1852 :—
- } To be further considered in Committee.

FRIDAY, 17TH DECEMBER.

NOTICE OF MOTION :—

1. MR. WESTGARTH : to move that this House resolve itself into a Committee of the whole, for the purpose of framing an Address to His Excellency the Lieutenant Governor, praying that His Excellency, in consideration of the great advantages resulting to these Colonies from the discovery of the Australian Gold Fields, would place upon the Estimates for 1853, such an amount as may be considered adequate to the occasion on the part of this Colony, to be presented to the discoverer, Mr. Hargraves.

ORDERS OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—Adoption of Report.
2. MELBOURNE GAS AND COKE COMPANY BILL.—To be further considered in Committee.
3. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.
4. HORSE AND CATTLE STEALING PREVENTION BILL.—Adoption of Report.
5. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Adoption of Report.
6. INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—Consideration of Report from Select Committee on.

TUESDAY, 21ST DECEMBER.

ORDER OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—Second Reading.

WEDNESDAY, 22ND DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL—Second Reading.
2. VAGRANCY PREVENTION BILL.—Adoption of Report.

TUESDAY, 28TH DECEMBER.

ORDER OF THE DAY :—

1. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 16th December.

- SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at half-past ten o'clock.
 THE YARRA BEND LUNATIC ASYLUM—at half-past ten o'clock.
 THE MELBOURNE AND GEELONG HARBOUR—at half-past twelve o'clock.

J. F. PALMER,
Speaker.

No. 77.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 16th DECEMBER, 1852.

- 1 Council met, pursuant to adjournment.—The Speaker took the Chair.
2. CUSTOMS REGULATIONS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair and the Council resolved itself into a Committee of the whole, for the further consideration thereof.
The Chairman having reported the Bill with further amendments, the Council ordered the Bill as reported, to be taken into consideration, Thursday, 23rd December, instant.
Bill as amended to be printed.
3. ESTIMATES FOR 1853—LIEUTENANT GOVERNOR'S MESSAGE No. 42—SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the further consideration of the Estimates for 1853, the Lieutenant Governor's Message No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
Council adjourned at 25 minutes past 10 o'clock, until two o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 17th DECEMBER.

NOTICE OF MOTION :—

1. MR. WESTGARTH : to move that this House resolve itself into a Committee of the whole, for the purpose of framing an Address to His Excellency the Lieutenant Governor, praying that His Excellency, in consideration of the great advantages resulting to these Colonies from the discovery of the Australian Gold Fields, would place upon the Estimates for 1853, such an amount as may be considered adequate to the occasion on the part of this Colony, to be presented to the discoverer, Mr. Hargraves.

ORDERS OF THE DAY :—

1. STEAM NAVIGATION LAWS AMENDMENT BILL.—Adoption of Report.
2. MELBOURNE GAS AND COKE COMPANY BILL.—To be further considered in Committee.
3. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—To be further considered in Committee.
4. HORSE AND CATTLE STEALING PREVENTION BILL.—Adoption of Report.
5. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Adoption of Report.
6. INCREASE OF NUMBER OF MEMBERS OF COUNCIL. — Consideration of Report from Select Committee on.
7. ESTIMATES FOR 1853 :—
LIEUTENANT GOVERNOR'S MESSAGE, No. 42 :— } To be further considered in Committee.
SUPPLEMENTARY ESTIMATES FOR 1852 :— }

TUESDAY, 21st DECEMBER.

ORDER OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—Second Reading.

WEDNESDAY, 22ND DECEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL—Second Reading.
2. VAGRANCY PREVENTION BILL.—Adoption of Report.

THURSDAY, 23RD DECEMBER.

Government Business:—

ORDER OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

TUESDAY, 28TH DECEMBER.

ORDER OF THE DAY:—

1. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.

MEETING
OF
SELECT COMMITTEE.

Tuesday, 21st December.

MANAGEMENT OF THE GOLD FIELDS—at 11 o'clock.

J. F. PALMER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 17th DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. MR. HARGRAVES.—Mr. Westgarth moved, pursuant to notice, that this House resolve itself into a Committee of the whole, for the purpose of framing an Address to His Excellency the Lieutenant Governor, praying that His Excellency, in consideration of the great advantages resulting to these Colonies from the discovery of the Australian Gold Fields, would place upon the Estimates for 1853, such an amount as may be considered adequate to the occasion on the part of this Colony, to be presented to the discoverer, Mr. Hargraves.
Debate ensued.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman reported progress, and obtained leave to sit again this day six months.
3. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of Mr. Murphy the following Orders of the Day were postponed until after the consideration of the first five Orders of the Day.
“*Steam Navigation Laws Amendment Bill.*—*Adoption of Report.*”
“*Melbourne Gas and Coke Company Bill.*—*To be further considered in “Committee.”*”
“*Births Deaths and Marriages Registration Bill.*—*To be further considered in “Committee.”*”
“*Horse and Cattle Stealing Prevention Bill.*—*Adoption of Report.*”
“*Scab and Catarrh in Sheep Prevention Bill.*—*Adoption of Report.*”
4. INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—Mr. Murphy moved, That the Report from the Select Committee, appointed to consider upon the propriety of increasing the number of Members of this Council, be adopted.
Debate ensued.
Question—put and passed.—Ordered, That a Bill be brought in to carry out the recommendation contained in the above Report.
5. STEAM NAVIGATION LAWS AMENDMENT BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read:—On the motion of the Attorney General the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof
The Chairman having reported the Bill, with further amendments, the Council ordered the Bill as reported, to be taken into consideration on Tuesday, 21st December instant.
Bill, as amended, to be printed.
6. MELBOURNE GAS AND COKE COMPANY BILL.—The Order of the Day, for the further consideration of this Bill in Committee of the whole Council, having been read, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with a further amendment, the Council ordered the Bill, as reported, to be taken into consideration Tuesday, 21st December instant.
7. BIRTHS, DEATHS, AND MARRIAGES REGISTRATION BILL.—The Order of the Day, for the further consideration of this Bill in Committee of the whole Council, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the Bill as reported to be taken into consideration Tuesday, 21st December instant.
Bill as amended to be printed.
8. HORSE AND CATTLE STEALING PREVENTION BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read:—On the Motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill as so reported, to be read a third time on Tuesday, 21st December instant.
9. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read:—On the Motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill as so reported, to be read a third time, on Tuesday, 21st December instant.

10. ESTIMATES FOR 1853—LIEUTENANT GOVERNOR'S MESSAGE No. 42—SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the further consideration of the Estimates for 1853, the Lieutenant Governor's Message No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again Tuesday 21st December instant.

Council adjourned at half-past ten o'clock, until two o'clock, on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 21ST DECEMBER.

ORDERS OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—Second Reading.
2. STEAM NAVIGATION LAWS AMENDMENT BILL.—Adoption of Report.
3. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
4. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—Adoption of Report.
5. HORSE AND CATTLE STEALING PREVENTION BILL.—Third Reading.
6. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Third Reading.
7. ESTIMATES FOR 1853 :—

LIEUTENANT GOVERNOR'S MESSAGE, No. 42 :—	}	To be further considered in Committee.
SUPPLEMENTARY ESTIMATES FOR 1852 :—		

WEDNESDAY, 22ND DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL—Second Reading.
2. VAGRANCY PREVENTION BILL.—Adoption of Report.

THURSDAY, 23RD DECEMBER.

Government Business :—

ORDER OF THE DAY :—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.

TUESDAY, 28TH DECEMBER.

ORDER OF THE DAY :—

1. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.

MEETING

OF

SELECT COMMITTEE.

Tuesday, 21st December.

MANAGEMENT OF THE GOLD FIELDS—at 11 o'clock.

J. F. PALMER,
Speaker.

No. 79.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 21st DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. YARRA BEND LUNATIC ASYLUM.—Dr. Thomson brought up the Report from the Select Committee of this Council, appointed on the 2nd July, 1852, to enquire into the condition and management of the Yarra Bend Lunatic Asylum, and moved that it be printed, together with the evidence, and considered with the Estimates for the Yarra Bend Lunatic Asylum.
Question—put and passed.
3. AUCTION DUTIES REPEAL BILL.—Mr. Murphy moved that this Bill be now read a second time.
Question put and passed—Bill read a second time—Ordered to be considered in Committee on Wednesday, 29th December, instant.
4. STEAM NAVIGATION LAWS AMENDMENT BILL.—On the Motion of the Attorney General the Council adopted the Report from the Committee of the whole Council upon this Bill.—Amendments agreed to—Bill to be read a third time on Thursday, 23rd December, inst.
5. POSTPONEMENT OF ORDERS OF THE DAY.—On the Motion of Mr. Miller the following Order of the Day was postponed until Wednesday, 29th December, instant.
“ ‘Melbourne Gas and Coke Company Bill.’—Adoption of Report.”
On the Motion of the Attorney General the following Order of the Day was postponed until Thursday, 23rd December, instant.
“ ‘Births, Deaths, and Marriages Registration Bill.’—Adoption of Report.”
6. HORSE AND CATTLE STEALING PREVENTION BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,—Bill, on the motion of the Attorney General, read a third time and passed.
The Attorney General moved that the following be the title of the Bill, “*An Act for the better protection of Cattle and the better prevention of Cattle Stealing.*”
Question—put and passed.
7. POSTPONEMENT OF ORDER OF THE DAY.—On the Motion of the Attorney General, the following Order of the day was postponed until after the consideration of the 7th Order of to-day.
“ ‘Scab and Catarrh in Sheep prevention Bill’—Third reading.”
8. ESTIMATES FOR 1853—LIEUTENANT GOVERNOR’S MESSAGE No. 42—SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the further consideration of the Estimates for 1853, the Lieutenant Governor’s Message No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
Council adjourned at twenty-five minutes to eleven o’clock, until two o’clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 22ND DECEMBER.

Government Business:—

NOTICE OF MOTION:—

1. THE ATTORNEY GENERAL: To move, That this Council do resolve itself into a Committee of the whole, to consider the propriety of bringing in a Bill to alter the first part of Schedule B., to the Act intituled, “*An Act for the better Government of Her Majesty’s Australian Colonies.*”

ORDERS OF THE DAY :—

1. PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL—Second Reading.
2. VAGRANCY PREVENTION BILL.—Adoption of Report.
3. ESTIMATES FOR 1853 :—
 LIEUTENANT GOVERNOR'S MESSAGE, No. 42 :— } To be further considered in Committee.
 SUPPLEMENTARY ESTIMATES FOR 1852 :—

General Business :—

NOTICE OF MOTION :—

1. MR. RUTLEDGE : To move, That this Council do adjourn at its rising on Friday next, the 24th, to Wednesday, the 29th instant.

THURSDAY, 23RD DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CUSTOMS REGULATIONS BILL.—Adoption of Report.
2. STEAM NAVIGATION LAWS AMENDMENT BILL.—Third Reading.
3. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—Adoption of Report.

FRIDAY, 24TH DECEMBER.

NOTICES OF MOTION :—

1. MR. RUTLEDGE : To move, That this Council do resolve itself into a Committee of the whole, to consider the propriety of bringing in a Bill to alter and increase the sum appropriated to the payment of the Salary of the Lieutenant Governor of the Colony of Victoria.

TUESDAY, 28TH DECEMBER.

ORDER OF THE DAY :—

1. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.

WEDNESDAY, 29TH DECEMBER.

General Business :—

ORDERS OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—To be considered in Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 22nd December.

MANAGEMENT OF THE GOLD FIELDS—at 11 o'clock.

Thursday, 23rd December.

UNIVERSITY OF MELBOURNE—at 12 o'clock.

Friday, 24th December.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY COMPANY
 BILL—at 10 o'clock.
 THE GEELONG AND MELBOURNE RAILWAY COMPANY BILL—at 10 o'clock.

J. F. PALMER,
Speaker.

No. 80.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 22nd DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL.—Mr. Westgarth presented a Petition signed by W. Westgarth, requesting that the Bill now in progress through this Council for the augmentation of the existing Grant for Ecclesiastical purposes might not pass into law.
Petition received.
3. POSTPONEMENT OF BUSINESS.—On the motion of the Attorney General the consideration of the business standing in the Notice Paper of to-day as "*Government Business*," was postponed until after the consideration of the motion standing in Mr. Rutledge's name on the Notice Paper of to-day.
4. ADJOURNMENT OF THE HOUSE.—Mr. Rutledge moved, pursuant to Notice, that this Council do adjourn at its rising on "*Friday next, the 24th*," to Wednesday, the 29th December instant.
Mr. Murphy moved as an amendment, that the words "*Friday next, the 24th*," be omitted, with the view to insert in their place the words "*Thursday next, the 23rd*."
Question—that the words proposed to be omitted stand part of the question—put and negatived.
Question—that the words proposed to be inserted in the place of the words omitted be so inserted—put and passed.
Question—that this Council do adjourn at its rising on Thursday next, the 23rd, to Wednesday, the 29th December instant—put and passed.
5. PRISON DISCIPLINE COMMITTEE REPORT.—Mr. Westgarth, by leave of the Council, moved that the Progress Report from the Select Committee of this Council on Prison Discipline be considered by the Committee of the whole Council with the Estimates for the Gaol and Penal Establishments.
Question put and passed.
6. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—The Attorney General, by leave of the Council, moved that the order for reading this Bill a third time be restored to the Notice Paper for to-morrow.
Question put and passed.
7. CONSTITUTIONAL ACT—SCHEDULE B., 1ST PART, ALTERATION BILL (1).—The Attorney General moved, pursuant to notice, that this Council do resolve itself into a Committee of the whole to consider the propriety of bringing in a Bill to alter the First Part of Schedule B. to the Act intituled "*An Act for the better Government of Her Majesty's Australian Colonies*."
Debate ensued.
Question put.
Council divided.

Ayes, 16.
MR. RUTLEDGE,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL,
THE CHAIRMAN OF GENERAL
SESSIONS,
MR. RIDDELL,
MR. WESTGARTH,
MR. MILLER,
MR. STRACHAN,
DR. THOMSON,
MR. NICHOLSON,
MR. O'SHANASSY,
MR. MYLES,
MR. WILKINSON,
MR. MURPHY,
MR. SMITH,
MR. SNODGRASS, (*Teller*.)

No. 1.
MR. FAWKNER, (*Teller*)

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, to consider the propriety of bringing in a Bill to alter the first part of Schedule B, to the Act intituled, "*An Act for the better Government of Her Majesty's Australian Colonies.*"

The Chairman reported progress, and obtained leave to sit again, Wednesday, the 29th December instant.

8. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Rutledge, the following Order of the Day was postponed until Wednesday, 29th December instant.

“*Public Worship—Schedule B increase Bill—Second reading.*”

9. VAGRANCY PREVENTION BILL.—On the motion of the Attorney General, the Council adopted the Report from the Committee of the whole upon this Bill—Amendments agreed to—Bill to be read a third time on Thursday, 23rd December instant.
10. ESTIMATES FOR 1853—LIEUTENANT GOVERNOR'S MESSAGE No. 42—SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the further consideration of the Estimates for 1853, the Lieutenant Governor's Message No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

11. ADJOURNMENT.—The Attorney General, by leave of the Council, moved that the Council do adjourn until 4 o'clock to-morrow.

Council adjourned at five minutes to ten o'clock, until 4 o'clock to-morrow, accordingly.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 23RD DECEMBER.

Government Business:—

ORDERS OF THE DAY:—

1. CUSTOMS REGULATIONS BILL—Adoption of Report.
2. STEAM NAVIGATION LAWS AMENDMENT BILL.—Third Reading.
3. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—Adoption of Report.
4. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—Third Reading.
5. VAGRANCY PREVENTION BILL.—Third Reading.
6. ESTIMATES FOR 1853:—
LIEUTENANT GOVERNOR'S MESSAGE, No. 42:— } To be further considered in Committee.
SUPPLEMENTARY ESTIMATES FOR 1852:—

General Business:—

NOTICE OF MOTION:—

1. MR. WESTGARTH: To move: That the Petition presented by him on the 22nd instant, against the increase of the State aid to Religion be printed.

FRIDAY, 24TH DECEMBER.

NOTICE OF MOTION:—

1. MR. RUTLEDGE: To move, That this Council do resolve itself into a Committee of the whole, to consider the propriety of bringing in a Bill to alter and increase the sum appropriated to the payment of the Salary of the Lieutenant Governor of the Colony of Victoria.

TUESDAY, 28TH DECEMBER.

ORDER OF THE DAY:—

1. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.

WEDNESDAY, 29TH DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CONSTITUTIONAL ACT—SCHEDULE B. 1ST PART ALTERATION BILL (1).—To be further considered in Committee.
- 2 PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL—Second Reading.

General Business :—

ORDERS OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—To be considered in Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 23rd December.

UNIVERSITY OF MELBOURNE—at 12 o'clock.

Wednesday, 29th December.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY COMPANY
BILL—at 10 o'clock.

THE GEELONG AND MELBOURNE RAILWAY COMPANY BILL—at 10 o'clock.

J. F. PALMER,
Speaker.

No. 81.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 23rd DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Fawcner the following Order of the Day standing for consideration on Tuesday, 28th December, was postponed until Wednesday, 29th December, instant :—
“Melbourne Building Act Amendment Bill.—Second Reading.”
3. PAPERS—WASTE LANDS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the table of the Council a Return to the Address on this subject adopted on the motion of Mr. O'Shanassy, 24th August, 1852.
 Ordered to be printed.
4. RULES FOR ADMISSION OF BARRISTERS &C., INTO THE SUPREME COURT OF VICTORIA.—Mr. Fawcner, as Chairman of the Select Committee of this Council, to which the Petition of S. Rochfort, Barrister at Law, was referred for enquiry, brought up the Report from such Committee, and moved that it be received, printed, and taken into consideration on Friday, 31st December, instant.
 Question—put and passed.
5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Westgarth, the consideration of the several Orders on the Notice Paper for to-day was postponed until after the consideration of the motion standing in Mr. Westgarth's name, on the Notice Paper of to-day.
6. PUBLIC WORSHIP.—SCHEDULE (B) INCREASE BILL.—Mr. Westgarth moved pursuant to notice, that the Petition presented by him on the 22nd instant, against the increase of the State Aid to Religion be printed.
 Question—put and passed.
7. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until Friday, the 31st December instant :—
“Customs Regulation Bill.—Adoption of Report.”
8. STEAM NAVIGATION LAWS AMENDMENT BILL.—The Order of the Day for the third reading of this Bill, having been read,—On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the re-consideration thereof.
 The Chairman having reported the Bill, with further amendments, the Council adopted the same, and ordered the Bill, as reported, to be read a third time, on Wednesday, 29th December instant.
9. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General, the following Order of the Day, was postponed until Friday, the 31st December instant.
“Births, Deaths, and Marriages Registration Bill.—Adoption of Report.”
 And the following Orders of the Day, were postponed until after the consideration of the 6th Order for to-day.
“Scab and Catarrh in Sheep Prevention Bill.—Third reading.”
“Vagrancy Prevention Bill.—Third reading.”
10. ESTIMATES FOR 1853—LIEUTENANT GOVERNOR'S MESSAGE No. 42—SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the further consideration of the Estimates for 1853, the Lieutenant Governor's Message No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 The Chairman reported progress and obtained leave to sit again on Wednesday 29th December instant.
11. SCAB AND CATARRH IN SHEEP PREVENTION BILL.—The Order of the Day for the third reading of this Bill having been read,—On the motion of the Attorney General the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
 The Chairman having reported the Bill, with further amendments, the Council adopted the same as reported.
 The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—
 Bill,—On the motion of the Attorney General read a third time and *passed*.
 The Attorney General then moved that the following be the title of the Bill, “*An Act for preventing the extension of the disease called Scab in Sheep.*”
 Question—put and passed.

12. VAGRANCY PREVENTION BILL.—The Order of the Day for the third reading of this Bill having been read,—On the motion of the Attorney General the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the re-consideration thereof. The Chairman having reported the Bill with further amendments, the Council adopted the same as reported. The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill on the motion of the Attorney General read a third time and *passed*. The Attorney General then moved that the following be the title of the Bill—“*An Act for the better prevention of Vagrancy and other offences.*” Question put and passed. Council adjourned at twenty-five minutes to eleven o'clock until two o'clock on Wednesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 29TH DECEMBER.

Government Business :—

ORDERS OF THE DAY :—

1. CONSTITUTIONAL ACT—SCHEDULE B. 1ST PART ALTERATION BILL (1). — To be further considered in Committee.
2. PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL—Second Reading.
3. STEAM NAVIGATION LAWS AMENDMENT BILL.—Third Reading.
4. ESTIMATES FOR 1853 :—
 LIEUTENANT GOVERNOR'S MESSAGE, No. 42 :— } To be further considered in Committee.
 SUPPLEMENTARY ESTIMATES FOR 1852 :— }

General Business :—

NOTICE OF MOTION :—

1. MR. RUTLEDGE: To move, That this Council do resolve itself into a Committee of the whole, to consider the propriety of bringing in a Bill to alter and increase the sum appropriated to the payment of the Salary of the Lieutenant Governor of the Colony of Victoria.

ORDERS OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—To be considered in Committee.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
3. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.

FRIDAY, 31ST DECEMBER.

ORDERS OF THE DAY :—

1. S. ROCHFORD'S PETITION.—Consideration of Report from Select Committee on.
2. CUSTOMS REGULATIONS BILL—Adoption of Report.
3. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—Adoption of Report.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 29th December.

- THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY COMPANY BILL—at 10 o'clock.
 THE GEELONG AND MELBOURNE RAILWAY COMPANY BILL—at 10 o'clock.
 UNIVERSITY OF MELBOURNE—at 11 o'clock.
 THE LIBRARY—at 1 o'clock.

Thursday, 30th December.

- MANAGEMENT OF THE GOLD FIELDS—at 11 o'clock.

J. F. PALMER,
Speaker.

No. 82.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 29th DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. PETITION.—Mr. Nicholson presented a Petition from the members of the Colonial Reform Association, and other residents of the Colony of Victoria, praying that the Bill for increasing the grant in support of Religion, now before the Council, may not be allowed to become a Law.
Petition received.
Mr. Nicholson by leave of the Council then moved that this Petition be taken into consideration, with the second Order for to-day.
Question—put and passed.
3. PETITION.—Dr. Thomson presented a Petition from certain Inhabitants of Geelong, praying this Council not to pass into a Law, the Bill for the increase of State Grants to Religious Denominations.
Petition received.
Dr. Thomson by leave of the Council, then moved that this Petition be taken into consideration with the second Order for to-day.
Question—put and passed.
4. ASSENT TO BILLS.—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the following Bills, viz :—
“ *Cattle Stealing Prevention Bill.*”
“ *Scab in Sheep Prevention Bill.*”
“ *Vagrancy Prevention Bill.*”
5. PAPERS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Table of the Council
 - (1.) Correspondence respecting the Sale of certain Crown Lands—A Return to the Address on this subject, adopted on the motion of Mr. Fawkner, 20th August, 1852.
Ordered to be printed.
 - (2.) Commissioners of Crown Lands—A Return to the Address on this subject, adopted on the motion of Dr. Thomson, 9th July, 1852.
Ordered to be printed.
6. CONSTITUTIONAL ACT, SCHEDULE B., 1ST PART, ALTERATION BILL—(1.) The Order of the day for the further considering in Committee of the whole Council, the propriety of bringing in a Bill to alter so much of the first part of Schedule B., to the Act intituled, “ *An Act for the better Government of Her Majesty’s Australian Colonies,*” as relates to the Salary of the Judge, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.
The Chairman reported that the Committee had resolved that it was not considered expedient to bring in a Bill to amend so much of the 1st part of Schedule B to the Act intituled “ *An Act for the better Government of Her Majesty’s Australian Colonies,*” as relates to the Salary of the Judge.
7. PUBLIC WORSHIP—SCHEDULE B INCREASE BILL.—Mr. Rutledge moved that this Bill be now read a second time.
Debate ensued.
8. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Messages from His Excellency the Lieutenant Governor received and read.
POLICE FORCE REGULATION BILL.
C. J. LA TROBE,
Lieutenant Governor.

Message, No. 46.

Agreeably to the provisions of the Act for the better Government of Her Majesty’s Australian Colonies, the Lieutenant Governor has to propose the following amendment to the Bill which has been passed by the Council and presented to His Excellency for the Royal Assent, intituled “ *An Act for the regulation of the Police Force.*”

2. The amendment which His Excellency proposes is, that a proviso be added to the 4th section of the Bill in the following words, viz :—

“ Provided that in the event of the non-appointment, or in the absence of any Chief Constable in, at, or for any place or district in the said Colony, any Sergeant of the said Force for the time being appointed to, or stationed at, or nearest to the place of holding any Court of Petty Sessions in, at, or for such place or district, shall, and may do all the acts, perform all the duties, and exercise all the powers and authorities required or empowered by any Law, Statute, or Act of Council to be done, performed, or exercised by such Chief Constable.

*Government Offices,
Melbourne, 29th December, 1852.*

Ordered to be printed and taken into consideration, Thursday, 30th December, 1852.

EMIGRATION FROM THE HIGHLANDS AND ISLANDS OF SCOTLAND.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 47.

Referring to former Messages on the subject of Immigration, the Lieutenant Governor transmits for the information of the Council, the copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, giving cover to certain documents respecting a Society which has been established for assisting Emigration from the Western Highlands and Islands of Scotland to Australia.

*Government Offices,
Melbourne, 29th December, 1852.*

Ordered to be printed.

NUMBER OF MEMBERS OF COUNCIL INCREASE BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 48.

In pursuance of the provisions of the Imperial Act, the Lieutenant Governor transmits for the consideration of the Council, the draft of “ *A Bill to alter the Victoria Electoral Act of 1851, and to increase the number of Members of the Legislative Council of the Colony of Victoria.*”

*Government Offices,
Melbourne, 29th December, 1852.*

Ordered to be printed, and together with the accompanying Bill taken into consideration Thursday, 30th December, 1852.

PUBLIC WORSHIP—SCHEDULE B. INCREASE BILL.—The debate upon the second reading of this Bill, interrupted by the above messages, resumed.

Question put.

Council divided.

Ayes, 13.
THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL,
THE SOLICITOR GENERAL,
THE CHAIRMAN OF GENERAL
SESSIONS,
LIEUT. COL. ANDERSON,
MR. MICHIE,
MR. RUSSELL,
MR. STRACHAN,
MR. O'SHANASSY,
MR. SMITH,
MR. CAMPBELL,
MR. RUTLEDGE, (*Teller.*)

Noes 6.
MR. NICHOLSON,
MR. WESTGARTH,
MR. WILKINSON,
DR. THOMSON,
MR. MYLES,
MR. MILLER, (*Teller.*)

Mr. Rutledge then moved, that the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the consideration of the above Bill.

Question—put and passed.

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

The Chairman having reported that the Committee recommended the Bill be withdrawn, and a Bill be introduced amending the Act 7, William IV., No. 3, extending the provisions, and empowering the Lieutenant Governor to expend annually a Sum not exceeding a certain amount for the purposes contemplated by that Act,—the Council adopted the above resolution.

9. ADDRESSES.—The Speaker announced to the Council that he had, pursuant to the Resolutions of this Council, presented the following addresses to His Excellency the Lieutenant Governor, viz :—

No. 52, Gold Fields—adopted on the 10th December, 1852, on the motion of Mr. Fawknor.

and that His Excellency had, in reply to such Address, been pleased to state that the Returns in question should be furnished :

No. 53, Iron Steam Dredge, &c., adopted on the 14th December, 1852, on the motion of Mr. Strachan,

and that His Excellency had in reply to such Address, been pleased to state he would take the proposal of the Council into immediate consideration.

No. 54. Immigration :—adopted 14th December, 1842, on the Motion of Mr. Fawknor, and that His Excellency had been pleased to reply to such Address in the following terms, viz. :—

“Reference to the Correspondence of the Lieutenant Governor with the Home Government, will shew that he has not been unmindful of the duty of seeking to secure an ample Female Emigration to this Colony, more especially under its present circumstances ; and the opinion thus expressed by the Council, will have its due weight in any future arrangements which may be made, for the promotion of further Emigration at the Public Expense to this Colony.”

10. POSTPONEMENT OF ORDERS OF THE DAY.—On the Motion of the Attorney General, the following Order of the Day was postponed until Friday, 31st December, instant,—

“*Steam Navigation Laws Amendment Bill,*—*Third Reading.*”

and on the Motion of the Auditor General, the following Order of the Day was postponed until after the consideration of the other business for to-day,—

“*Estimates for 1852.*”

“*Lieutenant Governor’s Message, No. 42.*”

“*Supplementary Estimates for 1852.*”

} *To be further considered in Committee.*

11. AUCTION DUTIES REPEAL BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council having been read, on the motion of Mr. Murphy the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.

The Chairman reported progress, and obtained leave to sit again Wednesday, 5th January, 1853.

12. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of Mr. Miller, the following Order of the day was postponed until Tuesday, 4th January, 1853.

“*Melbourne Gas and Coke Company Bill*—Adoption of Report.”

And on the motion of Mr. O’Shanassy, the following Order of the day was postponed until Tuesday, 4th January, 1853.

“*Melbourne Building Act amendment Bill.*—Second reading.”

13. ESTIMATES FOR 1853—LIEUTENANT GOVERNOR’S MESSAGE NO. 42—SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the further consideration of the Estimates for 1853, the Lieutenant Governor’s Message No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again Thursday, 30th December 1852.

Council adjourned at a quarter past ten o’clock, until two o’clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 30TH DECEMBER.

Government Business :—

NOTICE OF MOTION :—

1. THE ATTORNEY GENERAL, : To move, That the Report of Committee of the whole Council, upon the Custom’s Regulation Bill, be adopted.

ORDERS OF THE DAY :—

1. POLICE FORCE REGULATION BILL.—Consideration of Lieutenant Governor’s Message, No. 46.
2. NUMBER OF MEMBERS OF COUNCIL INCREASE BILL.—Lieutenant Governor’s Message, No. 48.

3. ESTIMATES FOR 1853 :—

LIEUTENANT GOVERNOR’S MESSAGE, NO. 42 :—
SUPPLEMENTARY ESTIMATES FOR 1852 :—

} To be further considered in Committee

FRIDAY, 31ST DECEMBER.

NOTICE OF MOTION :—

1. MR. RUTLEDGE: To move, That this Council do resolve itself into a Committee of the whole, to consider the propriety of bringing in a Bill to alter and increase the sum appropriated to the payment of the Salary of the Lieutenant Governor of the Colony of Victoria.

ORDERS OF THE DAY :—

1. S. ROCHFORD'S PETITION.—Consideration of Report from Select Committee on.
2. CUSTOMS REGULATIONS BILL—Adoption of Report.
3. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—Adoption of Report.
4. STEAM NAVIGATION LAWS AMENDMENT BILL.—Third Reading.

TUESDAY, 4TH JANUARY, 1853.

ORDERS OF THE DAY :—

1. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
2. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.

WEDNESDAY, 5TH JANUARY, 1853.

General Business :—

ORDER OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—To be further considered in Committee.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 30th December.

- MELBOURNE AND HOBSON'S BAY RAILWAY BILL—at 10 o'clock.
 MANAGEMENT OF THE GOLD FIELDS—at 11 o'clock.

Friday, 31st December.

- THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY COMPANY
 BILL—at 10 o'clock.
 THE GEELONG AND MELBOURNE RAILWAY COMPANY BILL—at 10 o'clock.

J. F. PALMER,
Speaker.

No. 83.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 30th DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. EDUCATION.—Mr. Murphy, as Chairman of the Select Committee of this Council, appointed to enquire into and report upon the present systems for the instruction of youth in this Colony receiving support from the Public Revenue, brought up the Report from such Committee, and moved that it be received, printed, and taken into consideration, with Estimates on the subject on Education.

Question—put and passed.

3. POSTPONEMENT OF NOTICE OF MOTION.—The Attorney General with the leave of the Council, postponed the Notice of Motion standing in his name on the paper of to-day, until after the consideration of the Orders for to-day.
4. POLICE FORCE REGULATION BILL.—The order for the day for the consideration of the Lieutenant Governor's Message, No 46, having been read,—On the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.

The Chairman having reported that the Committee had agreed to the amendment proposed by His Excellency the Lieutenant Governor, the Attorney General moved that this Council do now adopt the amendment so agreed to.

Question—put and passed.

The Attorney General then moved that the Bill be re-printed, with the amendment so agreed to, and again presented to His Excellency the Lieutenant Governor for the Royal Assent, accompanied by the following Message,—to be presented by the Speaker :—

“ Message from the Legislative Council to His Excellency the Lieutenant Governor, in answer to an amendment, proposed by His Excellency to be made in a Bill presented to his Excellency, for Her Majesty's Assent, intituled ‘ An Act for the regulation of the Police Force.’ ”

Agreeably to the provisions of the Act for the Government of New South Wales and of the Act for the better Government of Her Majesty's Australian Colonies, the Legislative Council have taken into consideration an amendment proposed to the Council to be made in the said Bill by His Excellency the Lieutenant Governor in his Message No. 46, of the 29th inst., and having agreed to the same beg to present the said Bill to His Excellency for Her Majesty's Assent, with the said Amendment as agreed to.

Question—put and passed.

5. NUMBER OF MEMBERS OF COUNCIL INCREASE BILL.—The Order of the Day for the Lieutenant Governor's Message, No. 48, having been read, the Attorney General moved that the Bill accompanying the Message, intituled “ *A Bill to alter ‘ the Victoria Electoral Act of 1851, and to increase the number of Members of the Legislative Council of the Colony of Victoria,’*” be now read a first time.

Question—put and passed.

Bill read a first time, ordered to be read a second time on Thursday, 6th January, 1853, and to be printed.

6. ESTIMATES FOR 1853—LIEUTENANT GOVERNOR'S MESSAGE No. 42 — SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the further consideration of the Estimates for 1853, the Lieutenant Governor's Message No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

PUBLIC WORSHIP PROMOTION BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 49.

In pursuance of the provisions of the Act for the better Government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Council for its consideration, the draft of “ *A Bill more effectually to promote the erection of Buildings*”

“for Public Worship, and to provide for the Maintenance of Ministers of Religion in the Colony of Victoria.”

The Lieutenant Governor, on behalf of Her Majesty, recommends to the Council to make provision for the specific Public Services referred to by that Bill.

*Government Offices,
Melbourne, 30th December, 1852.*

Ordered to be printed, and, together the accompanying Bill, taken into consideration on Friday, 31st December instant.

ESTIMATES FOR 1852—THE LIEUTENANT GOVERNOR'S MESSAGE, NO 42—SUPPLEMENTARY ESTIMATES FOR 1853.—The Speaker having left the chair, the Council again resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again after the disposal of the other Business for to-day.

8. CUSTOM'S REGULATIONS BILL.—The Attorney General moved, pursuant to *amended* notice, that the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the re-consideration of this Bill.

Question—put and passed.

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

The Chairman having reported the Bill, with further amendments, the Council adopted the same, and ordered the Bill, as reported, to be read a third time, Friday, 31st December instant.

9. NEW MEMBER.—The Speaker announced that he had received the return to a Writ he had issued for the election of an Elective Member of this Council for the Electoral District of the united towns of Belfast and Warrnambool, in the place of Thomas Hamilton Osborne, Esquire, resigned, by which it appeared that Lauchlan MacKinnon, Esquire, had been duly elected Member to serve in the place of the said Thomas Hamilton Osborne for such Electoral District.

10. ESTIMATES FOR 1853.—LIEUTENANT-GOVERNOR'S MESSAGE, NO. 42.—SUPPLEMENTARY ESTIMATES FOR 1852.—On the motion of the Auditor-General the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress and obtained leave to sit again Friday, 31st. December inst. Council adjourned at ten minutes past ten o'clock until two o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 31ST DECEMBER.

NOTICE OF MOTION :—

1. MR. RUTLEDGE: To move, That this Council do resolve itself into a Committee of the whole, to consider the propriety of bringing in a Bill to alter and increase the sum appropriated to the payment of the Salary of the Lieutenant Governor of the Colony of Victoria.

ORDERS OF THE DAY :—

1. S. ROCHFORD'S PETITION.—Consideration of Report from Select Committee on.
2. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—Adoption of Report.
3. STEAM NAVIGATION LAWS AMENDMENT BILL.—Third Reading.
4. PUBLIC WORSHIP PROMOTION BILL.—Consideration of Lieutenant Governor's Message, No. 49.
5. CUSTOMS REGULATIONS BILL.—Third Reading.
6. ESTIMATES FOR 1853 :—
LIEUTENANT GOVERNOR'S MESSAGE, No. 42 :— } To be further considered in Committee.
SUPPLEMENTARY ESTIMATES FOR 1852 :— }

TUESDAY, 4TH JANUARY, 1853.

ORDERS OF THE DAY :—

1. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
2. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.

WEDNESDAY, 5TH JANUARY, 1853.

General Business :—

ORDER OF THE DAY :—

1. AUCTION DUTIES REPEAL BILL.—To be further considered in Committee.

THURSDAY, 6TH JANUARY, 1853.

Government Business :—

ORDER OF THE DAY :—

1. NUMBER OF MEMBERS OF COUNCIL INCREASE BILL.—Second Reading.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 31st December.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY COMPANY
BILL—at 10 o'clock.

THE GEELONG AND MELBOURNE RAILWAY COMPANY BILL—at 10 o'clock.

THE MANAGEMENT OF THE GOLD FIELDS—at 11 o'clock.

THE MELBOURNE AND GEELONG HARBOUR—to settle Report at 12 o'clock.

Tuesday, 4th January, 1853.

UNIVERSITY OF MELBOURNE—at 12 o'clock.

THE LIBRARY—at 1 o'clock.

J. F. PALMER,
J. F. PALMER,
Speaker.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 31st DECEMBER, 1852.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. **NEW MEMBER SWORN.**—Lauchlan Mc’Kinnon, Esq., was introduced, and took the Oath, and having handed to the Clerk at the Table the following Declaration, took his seat as Member for the Electoral District of the United Towns of Belfast and Warrnambool, in room of Thomas Hamilton Osborne, Esq., resigned.

“ I, Lauchlan Mc’Kinnon, do declare and testify that I am duly seised at Law or in equity of an Estate of Freehold for my own use and benefit in Lands or Tenements in the Colony of Victoria of the yearly value of One Hundred Pounds, Sterling Money, above all charges and Incumbrances affecting the same: And further that the Lands or Tenements out of which such Qualification arises are situate in Brunswick-street, Collingwood, in the City of Melbourne, and consist of a dwelling house and out offices, and now in my own occupation as a residence. And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

(Signed) L. Mc’KINNON.
3. **CONSTITUTION ACT.—SCHEDULE B.—1ST PART ALTERATION BILL, (2)**—Mr. Rutledge moved pursuant to Notice, that this Council do resolve itself into a Committee of the whole, to consider the propriety of bringing in a Bill to alter and increase the sum appropriated to the payment of the Salary of the Lieutenant Governor of the Colony of Victoria.

Question.—put and passed.

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

The Chairman having reported that the Committee had resolved, that a Bill be brought in to alter and increase the sum appropriated to the payment of the Salary of the Lieutenant Governor of Victoria.—The Council adopted such Resolution, and ordered a Bill to be brought in accordingly.
4. **POSTPONEMENT OF ORDERS OF THE DAY.**—On the Motion of Mr. Pohlman, the following Order of the Day was postponed until Friday, 7th January, 1853 :—

“ *S. Rochfort’s Petition.*’—*Consideration of Report from Select Committee on.*”

On the Motion of the Auditor General, the following Orders of the Day were postponed until Wednesday, 5th January, 1853.

“ *Births, Deaths, and Marriages Registration Bill.*’—*Adoption of Report.*”

“ *Steam Navigation Laws Amendment Bill.*’—*Third Reading.*”
5. **PUBLIC WORSHIP PROMOTION BILL.**—The Order of the Day for the consideration of the Lieutenant Governor’s Message, No. 49, having been read, Mr. Rutledge moved—that the Bill accompanying this Message intituled, “ *a Bill more effectually to promote the erection of Buildings for Public Worship, and to provide for the maintenance of Ministers of Religion in the Colony of Victoria,*” be now read a first time.

Question—put and passed.

Bill read a first time, ordered to be read a second time, Wednesday 5th day of January, 1853, and to be printed.
6. **POSTPONEMENT OF ORDER OF THE DAY.**—On the motion of the Auditor General, the following Order of the Day was postponed until after the consideration of the 6th Order for to-day.

“ *Customs Regulations Bill.*’—*Third Reading.*”
7. **ESTIMATES FOR 1853—LIEUTENANT GOVERNOR’S MESSAGE NO. 42—SUPPLEMENTARY ESTIMATES FOR 1852.**—The Order of the Day for the further consideration in Committee of the whole Council of the Estimates for 1853, the Lieutenant Governor’s Message No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again after the disposal of the other business for to-day.

8. CUSTOMS' REGULATIONS BILL.—The Order of the Day for the third reading of this Bill having been read—On the motion of the Attorney General, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the reconsideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the same as reported.

The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported:—Bill on the motion of the Attorney General read a third time and *passed*.

The Attorney General then moved that the following be the title of the Bill, "*An Act for the General Regulation of the Customs in the Colony of Victoria.*"

Question—put and passed.

The Attorney General then, with leave of the Council, moved, that the Honorable the Colonial Secretary do present the above Bill to His Excellency the Lieutenant Governor, for Her Majesty's Assent.

Question—put and passed.

9. CONSTITUTION ACT—SCHEDULE B, 1ST PART, INCREASE BILL (2).—Mr. Rutledge presented a Bill, intituled, "*A Bill to alter and increase the sum appropriated to the payment of the Salary of the Governor of the Colony of Victoria.*"

Bill read a first time, ordered to be read a second time, Wednesday, 5th January, 1853, and to be printed.

10. ESTIMATES FOR 1853.—LIEUTENANT-GOVERNOR'S MESSAGE, No. 42.—SUPPLEMENTARY ESTIMATES FOR 1852.—On the motion of the Auditor-General the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again on Tuesday next.

Council adjourned at twenty minutes to ten o'clock, until two o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 4TH JANUARY, 1853.

ORDERS OF THE DAY:—

1. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
2. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.
3. ESTIMATES FOR 1853:—

LIEUTENANT GOVERNOR'S MESSAGE, No. 42:—	}	To be further considered in Committee.
SUPPLEMENTARY ESTIMATES FOR 1852:—		

WEDNESDAY, 5TH JANUARY, 1853.

Government Business:—

ORDERS OF THE DAY:—

1. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—Adoption of Report.
2. STEAM NAVIGATION LAWS AMENDMENT BILL.—Third Reading.
3. PUBLIC WORSHIP PROMOTION BILL.—Second Reading.
4. CONSTITUTION ACT—SCHEDULE B.—1ST PART ALTERATION BILL, (2).—Second Reading.

General Business:—

ORDER OF THE DAY:—

1. AUCTION DUTIES REPEAL BILL.—To be further considered in Committee.

THURSDAY, 6TH JANUARY, 1853.

Government Business:—

ORDER OF THE DAY:—

1. NUMBER OF MEMBERS OF COUNCIL INCREASE BILL.—Second Reading.

FRIDAY, 7TH JANUARY, 1853.

ORDER OF THE DAY :—

I. S. ROCHEFORT'S PETITION.—Consideration of Report from Select Committee on.

MEETINGS
OF
SELECT COMMITTEES.

Tuesday, 4th January, 1853.

THE GEELONG AND MELBOURNE RAILWAY COMPANY BILL—at 10 o'clock.

UNIVERSITY OF MELBOURNE—at 12 o'clock.

THE LIBRARY—at 1 o'clock.

Wednesday, 5th January, 1853.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY COMPANY
BILL—at 10 o'clock.

J. F. PALMER,
Speaker.

No. 85.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 4th JANUARY, 1853.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
 2. UNIVERSITY OF MELBOURNE.—The Auditor General, having obtained leave of the Council, brought up a progress report from the Select Committee of this Council, appointed to consider the expediency of establishing an University of Melbourne, and moved that it be read by the Clerk.
Question—put and passed.
Report read—Ordered to be printed, and taken into consideration, Wednesday, 5th January, 1853.
 3. LIBRARY COMMITTEE.—Mr. Pohlman, on behalf of the Honorable the Speaker the Chairman of this Committee, having obtained leave of the Council, brought up a progress Report from the Select Committee of this Council on this subject, and moved that it be read by the Clerk.
Question—put and passed.
Report read—Ordered to be printed, and taken into consideration, Wednesday, 5th January, 1853.
 4. ASSENT TO BILL.—The Colonial Secretary reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to "*The Customs' Regulations Bill.*"
 5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Westgarth, on behalf of Mr. Miller, the following Order of the Day was postponed until Friday, 7th January, 1853.
" *Melbourne Gas and Coke Company Bill.*—*Adoption of Report.*"
 6. MELBOURNE BUILDING ACT AMENDMENT BILL.—Mr. Fawcner moved that this Bill be now read a second time.
Debate ensued.
Question—put and negatived.
 7. ESTIMATES FOR 1853—LIEUTENANT GOVERNOR'S MESSAGE NO. 42 — SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the further consideration in Committee of the whole Council of the Estimates for 1853, the Lieutenant Governor's Message No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again to-morrow.
 8. SUSPENSION OF STANDING ORDER.—On the motion of Mr. Westgarth, the Standing Order No. 17, was suspended, to enable him to give a notice of motion.
- Council adjourned at twenty minutes to eight, until two o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 5TH JANUARY, 1853.

Government Business :—

ORDERS OF THE DAY :—

1. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—Adoption of Report.
 2. STEAM NAVIGATION LAWS AMENDMENT BILL.—Third Reading.
 3. PUBLIC WORSHIP PROMOTION BILL.—Second Reading.
 4. CONSTITUTION ACT—SCHEDULE B.—1ST PART ALTERATION BILL, (2.)—Second Reading.
 5. ESTIMATES FOR 1853 :—
LIEUTENANT GOVERNOR'S MESSAGE, No. 42 :—
SUPPLEMENTARY ESTIMATES FOR 1852 :—
- } To be further considered in Committee.

General Business:—

NOTICE OF MOTION:—

1. MR. WESTGARTH: To move, That this House do resolve itself into a Committee of the whole to consider the propriety of addressing His Excellency the Lieutenant Governor, to increase the Salary proposed for the Chief Post Master by the sum of £200, and the Salary of the Colonial Surgeon, by the sum of £100.

ORDER OF THE DAY:—

1. AUCTION DUTIES REPEAL BILL.—To be further considered in Committee.
2. UNIVERSITY OF MELBOURNE.—Consideration of Report from Select Committee on.
3. LIBRARY COMMITTEE.—Consideration of Report from Select Committee on.

THURSDAY, 6TH JANUARY, 1853.

Government Business:—

ORDER OF THE DAY:—

1. NUMBER OF MEMBERS OF COUNCIL INCREASE BILL.—Second Reading.

FRIDAY, 7TH JANUARY, 1853.

ORDERS OF THE DAY:—

1. S. ROCHFORD'S PETITION.—Consideration of Report from Select Committee on.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
3. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.

M E E T I N G S

OF

S E L E C T C O M M I T T E E S .

Wednesday, 5th January, 1853.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY COMPANY
BILL—at 10 o'clock.

SAVINGS BANK OF PORT PHILLIP LAWS—at 10 o'clock.

J. F. PALMER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 5th JANUARY, 1853.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. PETITION.—Mr. Westgarth presented a Petition from the Rev. William Jarrett, submitting whether the interests of true Religion and the peace and welfare of this Community would not be best consulted, by refusing to pass the Bill for the promotion of Public Worship, or at least by postponing its consideration till public sentiments had been more effectually tested on the question, as it doubtless would be by the enlarged representation of the Country which is shortly expected.
Petition—received.
Mr. Westgarth then with leave of the Council moved,—that the above Petition be referred for consideration to the Committee of the whole Council, upon the Public Worship Promotion Bill.
Question—put and passed.
3. BIRTHS, DEATHS, AND MARRIAGES, REGISTRATION BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill, having been read.—On the Motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time on Tuesday, 11th January, instant.
4. POSTPONEMENT OF ORDER OF THE DAY.—On the Motion of the Attorney General, the following Order of the Day was postponed until after the consideration of the other Orders of Government Business for to day :—
“*Steam Navigation Laws amendment Bill.*—*Third Reading.*”
5. PUBLIC WORSHIP PROMOTION BILL.—Mr. Rutledge moved that this Bill be now read a second time.
Question put and passed. Bill read a second time.
On the motion of Mr. Pohlman, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported the Bill with amendments.
On the motion of Mr. Rutledge, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Friday, 7th. January instant. Bill as amended, to printed.
6. MANAGEMENT OF THE GOLD FIELDS.—Mr. Campbell, as Chairman of the Select Committee of the Council on this subject, with leave of the Council, brought up a progress Report from the Committee, and moved that it be received.
Question put and passed.—Report ordered to be printed, together with the Evidence, and referred to the Committee of the whole Council upon the Estimates.
7. CONSTITUTION ACT, SCHEDULE B., FIRST PART ALTERATION BILL (2).—Mr. Rutledge moved that this bill be now read a second time.
Question put and passed.
On the motion of Mr. Rutledge the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill to be read a third time on Thursday, 6th January inst.
8. ESTIMATES FOR 1853—LIEUTENANT GOVERNOR'S MESSAGE NO. 42 — SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the further consideration in Committee of the whole Council of the Estimates for 1853, the Lieutenant Governor's Message No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress and obtained leave to sit again to-morrow.

9. STEAM NAVIGATION LAWS AMENDMENT BILL.—The Order of the Day for the third reading of this Bill having been read, On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with a further amendment, the Council adopted the same as reported.

The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill on the motion of the Attorney General read a third time and *passed*.

The Attorney General then moved that the following be the title of the Bill:—“*An Act to consolidate and amend the Laws relating to Steam Navigation and to the Boats and Lights to be carried, and the Signals to be made by sea-going Vessels.*”

Question—put and passed.

10. INCREASE OF SALARIES.—Mr. Westgarth moved, pursuant to notice that this House do resolve itself into a Committee of the whole to consider the propriety of addressing His Excellency the Lieutenant Governor, to increase the Salary proposed for the Chief Post Master by the sum of £200, and the Salary of the Colonial Surgeon, by the sum of £100.

Question—put and passed.

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

The Chairman having reported that the Committee had resolved that an Address be presented to His Excellency the Lieutenant Governor, to increase the Salary proposed for the Chief Post Master by the sum of £200, and the Salary of the Colonial Surgeon, by the sum of £100.

The Council adopted the same.

11. POSTPONEMENT OF ORDERS OF THE DAY.—On the Motion of Mr. Murphy, the following Orders of the day were postponed until Thursday, 6th January, instant.

“*Auction Duties Repeal Bill.*—*To be further considered in Committee.*”

“*University of Melbourne.*—*Consideration of Report from Select Committee on.*”

“*Library Committee.*—*Consideration of Report from.*”

Council adjourned at eleven o'clock, until two o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 6TH JANUARY.

Government Business:—

ORDERS OF THE DAY:—

1. NUMBER OF MEMBERS OF COUNCIL INCREASE BILL.—Second Reading.
2. CONSTITUTION ACT,—SCHEDULE B.—1ST PART ALTERATION BILL, (2.)—Third Reading.
3. ESTIMATES FOR 1853:—
 LIEUTENANT GOVERNOR'S MESSAGE, No. 42:—
 SUPPLEMENTARY ESTIMATES FOR 1852:— } To be further considered in Committee.

General Business:—

ORDERS OF THE DAY:—

1. AUCTION DUTIES REPEAL BILL.—To be further considered in Committee.
2. UNIVERSITY OF MELBOURNE.—Consideration of Report from Select Committee on.
3. LIBRARY COMMITTEE.—Consideration of Report from Select Committee on.

FRIDAY, 7TH JANUARY.

ORDERS OF THE DAY:—

1. S. ROCHFORD'S PETITION.—Consideration of Report from Select Committee on.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
3. MELBOURNE BUILDING ACT AMENDMENT BILL.—Second Reading.
4. PUBLIC WORSHIP PROMOTION BILL.—Adoption of Report

TUESDAY, 11TH JANUARY.

ORDER OF THE DAY:—

1. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—Third Reading.

MEETINGS
OF
SELECT COMMITTEES.

Thursday, 6th January, 1853.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY COMPANY
BILL—at 10 o'clock.

THE GEELONG AND MELBOURNE RAILWAY COMPANY BILL—at 11 o'clock.

THE MELBOURNE AND GEELONG HARBOUR—at 12 o'clock.

J. F. PALMER,
Speaker.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 6th JANUARY, 1853.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. PETITION. Mr. O'Shanassy presented a Petition from certain persons seeking the recommendation of this Council to His Excellency the Lieutenant Governor, that efficient measures be adopted for establishing public baths at Melbourne, in the manner pointed out in the Petition.
Petition received.
3. PAPERS.—RESERVES OF LAND.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the table of the Council—A Return to the Address on this subject, adopted on the motion of Dr. Thomson, 31st August, 1852.
Ordered to be printed.
4. NUMBER OF MEMBERS OF COUNCIL INCREASE BILL.—The Attorney General moved that this Bill be now read a second time.
Question—put and passed—Bill read a second time.
On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill as amended to be read a third time on Tuesday, 11th January, 1853.
5. MELBOURNE AND MOUNT ALEXANDER RAILWAY BILL.—GEE LONG AND MELBOURNE RAILWAY BILL.—On the motion of Dr. Thomson, leave was given to the Committees on these Bills to hold their Sittings on Saturday next.
On the motion of the Auditor General, leave was also given to Committee on the Melbourne and Hobson's Bay Railway Bill, to hold its sitting on Saturday.
6. CONSTITUTION ACT.—SCHEDULE B., ALTERATION BILL, (2)—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of Mr. Campbell, read a third time and passed.
Mr. Campbell moved that the following be the Title of the Bill:—*"An Act to alter and increase the Sum appropriated to the payment of the Salary of the Governor of the Colony of Victoria."*
Question—put and passed.
7. POSTPONEMENT OF ORDER OF THE DAY. On the motion of the Auditor General, the following Order of the Day was postponed until after the consideration of the other Government Orders for to-day.
*"Estimates for 1853.—Lieutenant Governor's Message, No. 42.—Supplementary
"Estimates for 1853.—To be further considered in Committee."*
8. AUCTION DUTIES REPEAL BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.
The Chairman having reported the Bill, with amendments, the Council adopted the same, and ordered the Bill, as amended, to be read a third time on Tuesday, 11th January, 1853.
9. UNIVERSITY OF MELBOURNE.—The Order of the Day for the consideration of the Report from the Select Committee of this Council on this subject having been read,—On the motion of the Auditor General, the Speaker left the Chair and the Council resolved itself into a Committee of the whole, to consider the propriety of addressing his Excellency the Lieutenant Governor, requesting him to place upon the Estimates for 1853, the Sum of £20,000, to be expended upon the erection of the University of Melbourne, under the superintendence of the governing body of that Institution.
The Chairman having reported that the Committee had resolved, that an Address be presented to His Excellency, requesting him to place upon the Estimates for the 1853, the sum of £20,000, to be expended upon the erection of the University of Melbourne, under the

Superintendence of the governing body of that Institution, the Council adopted such resolution, and ordered that an Address, embodying the same be presented to His Excellency the Lieutenant Governor.

10. LIBRARY COMMITTEE.—The Order of the Day for the consideration of the Report from the Library Committee, having been read,—On the motion of the Auditor General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of such Report.

The Chairman having reported that the Committee had resolved that it is desirable that the Legislative Council Chambers should occupy central ground, and that any erection, for that object, would be most advantageously placed, on the high ground, near St. Peter's Church, between Bourke-street and Little Bourke-street, the Council adopted such resolution and ordered that an address, embodying the same be presented to His Excellency the Lieutenant Governor.

11. ESTIMATES FOR 1853.—LIEUTENANT GOVERNOR'S MESSAGE, No. 42.—SUPPLEMENTARY ESTIMATES FOR 1852.—The Order of the Day for the further consideration in Committee of the whole Council of the Estimates for 1853, the Lieutenant Governor's Message, No. 42, and the Supplementary Estimates for 1852, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

ESTIMATES—

C. J. LA TROBE,

Message, No. 50.

Lieutenant Governor.

The Lieutenant Governor herewith transmits to the Legislative Council, two Estimates of additional provision required to be made for the Public Service, for the years 1852, £3433 6s. 8d., and 1853, £105,714 0s. 7d. respectively.

It will be seen, that the greater portion of this additional provision, is proposed, in accordance with the wishes expressed by the Council, during the consideration of the original Estimates.

*Government Offices,
Melbourne, 6th January, 1853.*

Ordered to be printed, together with its enclosures, and referred for consideration to the Committee sitting upon the Estimates.

13. ESTIMATES FOR 1853.—LIEUTENANT GOVERNOR'S MESSAGE, No. 42.—SUPPLEMENTARY ESTIMATES FOR 1852.—LIEUTENANT GOVERNOR'S MESSAGE, No. 50.—On the motion of the Auditor-General the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

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

Council adjourned at six o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 7TH JANUARY.

ORDERS OF THE DAY:—

1. S. ROCHFORD'S PETITION.—Consideration of Report from Select Committee on.
2. MELBOURNE GAS AND COKE COMPANY BILL.—Adoption of Report.
3. PUBLIC WORSHIP PROMOTION BILL.—Adoption of Report
4. ESTIMATES FOR 1853:—

LIEUTENANT GOVERNOR'S MESSAGE, No. 42:—	}	To be further considered in Committee.
SUPPLEMENTARY ESTIMATES FOR 1852:—		
LIEUTENANT GOVERNOR'S MESSAGE, No. 50:—		

TUESDAY, 11TH JANUARY.

ORDERS OF THE DAY:—

1. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—Third Reading.
2. NUMBER OF MEMBERS OF COUNCIL INCREASE BILL.—Third Reading.
3. AUCTION DUTIES REPEAL BILL.—Third Reading.

349

MEETINGS

OF

SELECT COMMITTEES.

Friday, 7th January, 1853.

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

THE GEELONG AND MELBOURNE RAILWAY BILL—at 11 o'clock.

Saturday, 8th January.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL—
at 10 o'clock.

THE GEELONG AND MELBOURNE RAILWAY BILL—at 11 o'clock.

J. F. PALMER,
Speaker.

No. 88.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 7th JANUARY, 1853.

1. Council met, pursuant to adjournment.—The Speaker took the Chair.
2. PUBLIC BATHS.—Mr. O'Shanassy, with leave of the Council, moved that the Petition presented by him yesterday, respecting the establishment of Public Baths at Melbourne, be printed.
Question put and passed.
3. S. ROCHFORD'S PETITION.—The Order of the Day for the consideration of the Report from the Select Committee of this Council to whom this Petition was referred, having been read,—On the motion of Mr. Pohlman, the Report was read by the Clerk.
Mr. Pohlman then moved "*that*" the above Report be adopted.
Mr. Russell moved as an amendment, that all the words after the word "*that*" be omitted, with the view to insert the words "*this Report be referred back to the Select Committee for further consideration.*"
Question—that the words proposed to be omitted stand part of the question—put and negatived.
Question—that the words proposed to be inserted in the place of the words omitted, be so inserted—put and passed.
Question—that this Report be referred back to the Select Committee for further consideration—put and passed.
4. MELBOURNE GAS AND COKE COMPANY BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read,—On the motion of Mr. Miller, the Speaker left the chair and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill as amended to be read a third time on Tuesday, 11th January, 1853.
5. PUBLIC WORSHIP PROMOTION BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read,—On the motion of the Attorney General, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman reported the Bill with further amendments.
On the motion of the Attorney General the Speaker left the Chair, and the Council again resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same and ordered the Bill, as amended, to be read a third time on Tuesday, 11th January, 1853.
6. ESTIMATES FOR 1853.—LIEUTENANT GOVERNOR'S MESSAGE, No. 42.—SUPPLEMENTARY ESTIMATES FOR 1852.—LIEUTENANT GOVERNOR'S MESSAGE, No. 50.—The Order of the Day for the further consideration of the Estimates for 1853, The Lieutenant Governor's Message, No. 42, The Supplementary Estimates for 1852, and the Lieutenant Governor's Message, No. 50, having been read, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Tuesday, 11th January, 1853.

Council adjourned at 10 minutes to seven o'clock, until 3 o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 11TH JANUARY.

NOTICES OF MOTION :—

1. THE AUDITOR GENERAL : To move for leave to bring in a Bill to establish and endow an University in the City of Melbourne.
2. THE AUDITOR GENERAL : To move for leave to bring in a Bill for applying certain sums arising from the revenue receivable in Victoria to the service thereof for the year 1853, and for further appropriating the said Revenue.

ORDERS OF THE DAY :—

1. BIRTHS, DEATHS AND MARRIAGES, REGISTRATION BILL.—Third Reading.
2. NUMBER OF MEMBERS OF COUNCIL INCREASE BILL.—Third Reading.
3. AUCTION DUTIES REPEAL BILL.—Third Reading.
4. MELBOURNE GAS AND COKE COMPANY BILL.—Third Reading.
5. PUBLIC WORSHIP PROMOTION BILL.—Third Reading.
9. ESTIMATES FOR 1853 :—

LIEUTENANT GOVERNOR'S MESSAGE, No. 42 :—	}	To be further considered in Committee.
SUPPLEMENTARY ESTIMATES FOR 1852 :—		
LIEUTENANT GOVERNOR'S MESSAGE, No. 50 :—		

MEETINGS

OF

SELECT COMMITTEES.

*Saturday, 8th January.*THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL—
at 10 o'clock.

THE GEELONG AND MELBOURNE RAILWAY BILL—at 11 o'clock.

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

SEWERAGE AND SUPPLY OF WATER TO MELBOURNE—at 11 o'clock.

Tuesday, 11th January, 1853.

THE MELBOURNE UNIVERSITY—at 12 o'clock.

J. F. PALMER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 11th JANUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. NEW MEMBER.—The Speaker announced that he had received the Return to a Writ he had issued for the election of an elective Member of the Council for the Electoral District of the City of Melbourne, in the place of James Stewart Johnston, Esq., resigned, by which it appeared that Augustus Frederick Adolphus Greeves, Esq., had been duly elected Member to serve in the place of the said James Stewart Johnston, for such Electoral District.

Augustus Frederick Adolphus Greeves, Esq., was then introduced, and having taken the Oath, and handed to the Clerk at the Table the following Declaration, took his Seat as a Member for the Electoral District of the City of Melbourne, in the place of James Stewart Johnston, Esq., resigned.

I, Augustus Frederick Adolphus Greeves, do declare and testify that I am duly seised at Law or in Equity of an Estate of Freehold for my own use and benefit in Lands or Tenements in the Colony of Victoria, of the value of two thousand pounds sterling money, above all charges and incumbrances affecting the same: and further, that the Lands or Tenements out of which such Qualification arises are situate in the City of Melbourne, allotment 12 of section 12, consisting of Houses, Land, and Appurtenances: And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

(Signed)

AUGUSTUS F. A. GREEVES.

3. PETITION.—Mr. Miller presented a Petition from certain Ministers and Circuit Stewards of the Wesleyan Church, strongly urging this Council to defer the third reading of the Public Worship Promotion Bill for at least one week in order that an opportunity might be afforded of calling together from the various parts of the Colony the Committee appointed by the Wesleyan Church to guard their Civil and Religious privileges.
Petition received.
Mr. Miller, with leave of the Council, then moved that the above Petition be taken into consideration upon the third reading of the Public Worship Promotion Bill.
Question put and passed.
4. SEWERAGE AND SUPPLY OF WATER TO MELBOURNE.—Mr. Westgarth, on the part of the Honorable the Speaker the Chairman of the Select Committee of this Council upon Sewerage and the Supply of Water to the City of Melbourne, brought up the Report from the Committee and moved that it be received, and, together with the Evidence, Appendices and Plans, printed and taken into consideration on Thursday 13th January, 1853.
Question put and passed.
5. SAVINGS BANK OF PORT PHILLIP LAWS.—Mr. Miller brought up the report from the Select Committee of this Council upon this subject, and moved that it be received and printed together with the evidence taken before the Committee.
Question put and passed.
6. MELBOURNE AND HOBSON'S BAY RAILWAY BILL.—Mr. Westgarth, as Chairman of the Select Committee on this Bill, brought up the Report from the Committee, and moved that it be received.
Question put and passed.
7. UNIVERSITY OF MELBOURNE.—The Auditor General, as Chairman of the Select Committee to which this subject was referred, brought up the Report from the Select Committee, and moved that it be received and printed.
Question put and passed.
8. ASSENT TO BILLS.—The Speaker announced to the Council that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the following Bills, viz. :—
“Police Regulation Act.”
“Steam Navigation Act.”
And that His Excellency had been pleased to reserve, for the signification of Her Majesty's pleasure thereon, the following Bill :—
“Constitution Act,—Schedule B.—1st Part Alteration Bill, (2.)”

9. UNIVERSITY OF MELBOURNE.—The Auditor General moved pursuant to *amended* notice, that this Council resolve itself into a Committee of the whole, to consider the expediency of endowing an University at Melbourne.

Question—put and passed.

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

The Chairman having reported that, in the opinion of the Committee, it was expedient to endow an University at Melbourne, and that the Committee recommended that a Bill having this object be forthwith introduced,—the Council adopted such Report.

10. APPROPRIATION BILL, 1853.—The Auditor General having, pursuant to notice, moved for and obtained leave to bring in a Bill for applying certain Sums arising from the Revenue receivable in Victoria, to the service thereof for the year 1853, and for further appropriating the said Revenue—Bill brought in, read a first time, ordered to be printed, and read a second time Tuesday, 18th January, 1853.

11. BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL.—The Order of the Day for the third reading of this Bill having been read,—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the same.

12. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Messages from His Excellency the Lieutenant Governor received and read.

UNIVERSITY OF MELBOURNE ENDOWMENT BILL.

C. J. LA TROBE,

Message No. 51.

Lieutenant Governor.

In pursuance of the provisions of the Act for the better government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Council for its consideration, the draft of "*A Bill to incorporate and endow the University of Melbourne.*"

2. The Lieutenant Governor, on behalf of Her Majesty, recommends to the Council to make provision for the specific public services referred to in that Bill.

Government Offices,

Melbourne, 11th January, 1853.

Ordered to be printed, together with the accompanying Bill.

ROADS BILL.

C. J. LA TROBE,

Message No. 52.

Lieutenant Governor.

In pursuance of the provisions of the Act for the better government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Council for its consideration, the Draft of "*A Bill for the making and improving of Roads in the Colony of Victoria.*"

Government Offices,

Melbourne, 11th January, 1853.

Ordered to be printed together with the accompanying Bill.

SHERIFF'S DEPUTIES BILL.

C. J. LA TROBE,

Message No. 53.

Lieutenant Governor.

In pursuance of the provisions of the Act for the better Government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Council for its consideration, the draft of "*A Bill to enable the Sheriff of the Colony of Victoria to appoint Deputies.*"

Government Offices,

Melbourne, 11th January, 1853.

Ordered to be printed, together with the accompanying Bill.

SAVINGS BANKS BILL.

C. J. LA TROBE,

Message No. 54.

Lieutenant Governor.

In pursuance of the provisions of the Act for the better government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Council for its consideration the draft of "*A Bill to consolidate and amend the Laws relating to the Savings Bank of Port Phillip, and to establish Savings Banks in the Colony of Victoria.*"

Government Offices,

Melbourne, 11th January, 1853.

Ordered to be printed, together with the accompanying Bill.

SHIPPING DUES, SEAMEN AND WATER POLICE BILL.

C. J. LA TROBE,

Message No. 55.

Lieutenant Governor.

In pursuance of the provisions of the Act for the better government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Council for its consideration the draft of "*A Bill to abolish certain Dues on Shipping, and to amend the Law relating to Seamen and Water Police.*"

Government Offices,

Melbourne, 11th January, 1853.

Ordered to be printed, together with the accompanying Bill.

OFFENDER'S CONTROUL BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 56.

In pursuance of the provisions of the Act for the better government of Her Majesty's Australian Colonies the Lieutenant Governor transmits to the Council for its consideration, the draft of "*A Bill to make provision for the better controul and disposition of Offenders.*"

*Government Offices,
Melbourne, 11th January, 1853.*

Ordered to be printed, together with the accompanying Bill.

FORFEITED RECOGNIZANCES ENFORCEMENT BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 57.

In pursuance of the provisions of the Act for the better government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Council for its consideration, the draft of "*A Bill for the more effectual enforcement of forfeited Recognizances.*"

*Government Offices,
Melbourne, 11th January, 1853.*

Ordered to be printed, together with the accompanying Bill.

PUBLIC HOUSE LICENSING AMENDMENT BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 58.

In pursuance of the provisions of the Act for the better government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Council for its consideration, the draft of "*A Bill further to amend an Act to consolidate and amend the Law relating to the Licensing of Public Houses, and to regulate the Sale of fermented and spirituous Liquors in New South Wales.*"

*Government Offices,
Melbourne, 11th January, 1853.*

Ordered to be printed, together with the accompanying Bill.

TOWNS POLICE ACT AMENDMENT BILL.

C. J. LA TROBE,
Lieutenant Governor.

Message, No. 59.

In pursuance of the provisions of the Act for the better Government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Council, for its consideration, the Draft of "*A Bill to amend 'An Act for regulating the Police in the Towns of Parramatta, Windsor, Maitland, Bathurst, and other Towns respectively, and for removing and preventing nuisances and obstructions, and for the better alignment of Streets therein.'*"

*Government Offices,
Melbourne, 11th January, 1853.*

Ordered to be printed, together with the accompanying Bill.

13. SUSPENSION OF STANDING ORDER.—The Attorney General, with leave of the Council, moved the suspension of Standing Order, No. 18.
Question—put and passed.
14. UNIVERSITY OF MELBOURNE ENDOWMENT BILL.—On the motion of the Auditor General, this Bill, accompanying His Excellency the Lieutenant Governor's Message No. 51, was read a first time, and ordered to be read a second time Friday, 14th January, 1853.
15. ROADS BILL.—On the motion of the Attorney General, this Bill, accompanying His Excellency the Lieutenant Governor's Message No. 52, was read a first time, and ordered to be read a second time Tuesday, 18th January, 1853.
16. SHERIFFS' DEPUTIES BILL.—On the motion of the Attorney General, this Bill, accompanying His Excellency the Lieutenant Governor's Message No. 53, was read a first time, and ordered to be read a second time Wednesday, 12th January, 1853.
17. SAVINGS' BANK BILL.—On the motion of the Attorney General, this Bill, accompanying His Excellency the Lieutenant Governor's Message No. 54, was read a first time, and ordered to be read a second time Friday, 14th January, 1853.
18. SHIPPING DUES, SEAMEN AND WATER POLICE BILL.—On the motion of the Attorney General, this Bill, accompanying His Excellency the Lieutenant Governor's Message No. 55, was read a first time, and ordered to be read a second time Friday, 14th January, 1853.
19. OFFENDERS' CONTROUL BILL.—On the motion of the Attorney General this Bill, accompanying His Excellency the Lieutenant Governor's Message No. 56, was read a first time, and ordered to be read a second time Thursday, 13th January, 1853.
20. FORFEITED RECOGNIZANCES ENFORCEMENT BILL.—On the motion of the Attorney General, this Bill, accompanying His Excellency the Lieutenant Governor's Message No. 57, was read a first time, and ordered to be read a second time Friday, 14th January, 1853.

21. PUBLIC HOUSE LICENSING AMENDMENT BILL.—On the motion of the Attorney General, this Bill, accompanying His Excellency the Lieutenant Governor's Message No. 58, was read a first time, and ordered to be read a second time Tuesday, 18th January, 1853.
22. TOWNS' POLICE ACT AMENDMENT BILL.—On the motion of the Attorney General, this Bill, accompanying His Excellency the Lieutenant Governor's Message No. 59, was read a first time, and ordered to be read a second time Friday, 14th January, 1853.
23. BIRTHS, DEATHS, AND MARRIAGES REGISTRATION BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill on the motion of the Attorney General, read a third time and *passed*.

The Attorney General then moved, that the following be the title of the Bill "*An Act for Registering Births, Deaths, and Marriages in the Colony of Victoria.*"

Question put and passed.

24. NUMBER OF MEMBERS OF COUNCIL INCREASE BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill on the motion of the Attorney General read a third time and *passed*.

The Attorney General then moved that the following be the title of the Bill, "*An Act to alter 'The Victoria Electoral Act of 1851,' and to increase the number of Members of the Legislative Council of the Colony of Victoria.*"

Question put and passed.

25. AUCTION DUTIES REPEAL BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill on the motion of the Attorney General read a third time and *passed*.

The Attorney General then moved that the following be the title of the Bill, "*An Act to amend an Act intituled 'An Act to regulate the licensing of Auctioneers, and the collection of duties on property sold by Auction.'*"

Question put and passed.

26. THE MELBOURNE GAS AND COKE COMPANY BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill on the motion of Mr. Miller read a third and *passed*.

Mr. Miller then moved that the following be the title of the Bill, "*An Act for lighting with Gas the City of Melbourne in the Colony of Victoria, and to enable certain Persons associated under the name, style, or title of 'The City of Melbourne Gas and Coke Company to sue and be sued in the name of the Secretary for the time being of the said Company, and for other purposes therein mentioned.'*"

Question put and passed.

27. PUBLIC WORSHIP PROMOTION BILL.—The Order of the Day for the third reading of this Bill having been read:—On the Motion of the Attorney General, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the same.

The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—On the motion of Mr. Miller the petition presented by him this day from certain ministers and circuit stewards of the Wesleyan church, was read by the Clerk—The Attorney General moved that this Bill be "*now*" read a third "*time*."

Mr. Miller moved as an amendment, that the word "*now*" be omitted, and that after the word "*time*" the words "*this day week*" be added.

Debate ensued.

Question—that the word "*now*" stand part of the question—put.

Council divided.

Ayes, 7.

MR. SMITH,
MR. O'SHANASSY,
MR. SPLATT,
MR. RIDDELL,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
THE ATTORNEY GENERAL, (*Teller*.)

Noes 6.

MR. NICHOLSON,
MR. MACKINNON,
MR. WILKINSON,
MR. GREEVES,
LIEUT. COL. ANDERSON,
MR. MILLER, (*Teller*.)

Question—that this Bill be now read a third time—put and passed.

Question—that this Bill do now pass—put and passed.

The Attorney General then moved, that the following be the title of the Bill, "*An Act more effectually to promote the erection of Buildings for Public Worship, and to provide for the Maintenance of Ministers of Religion in the Colony of Victoria.*"

Question put and passed.

28. ESTIMATES FOR 1853.—LIEUTENANT GOVERNOR'S MESSAGE, No. 42.—SUPPLEMENTARY ESTIMATES FOR 1852.—LIEUTENANT GOVERNOR'S MESSAGE, No. 50.—The Order of the Day for the further consideration of the Estimates for 1853, The Lieutenant Governor's Message, No. 42, The Supplementary Estimates for 1852, and the Lieutenant Governor's Message, No. 50, having been read, the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported that the Committee had gone through the various items in the Supplementary Estimates for the year 1852, and the Estimates of Expenditure for the year 1853, and the additions proposed thereto by the Lieutenant Governor's Message, No. 50, and brought up the following Resolutions:

I. *Estimates of Expenditure and Additions thereto for the year 1853.*

- (1.) Resolved—That a sum not exceeding £2611 be appropriated to defray the Salaries and Contingencies of His Excellency the Lieutenant Governor's Department for the year 1853.
- (2.) Resolved—That a sum not exceeding £6155 be appropriated to defray the Salaries and Contingencies of the Legislative Council Department for the year 1853.
- (3.) Resolved—That a sum not exceeding £9339 be appropriated to defray the Salaries and Contingencies of the Colonial Secretary's Department for the year 1853, in addition to the amount appropriated by the Act 13 and 14 Vic., c. 59, schedule B, part 2.
- (4.) Resolved—That a sum not exceeding £8300 be appropriated to defray the Salaries and Contingencies of the Colonial Treasurer's Department for the year 1853, in addition to the amount appropriated by the Act 13 and 14 Vic., c. 59, schedule B, part 2.
- (5.) Resolved—That a sum not exceeding £5324 be appropriated to defray the Salaries and Contingencies of the Auditor General's Department for the year 1853, in addition to the amount appropriated by the Act 13 and 14 Vic., c. 59, schedule B, part 2.
- (6.) Resolved—That a sum not exceeding £250 be appropriated to defray the Salary and Contingencies of the Executive Council Department for the year 1853, in addition to the amount appropriated by the Act 13 and 14 Vic., c. 59, schedule B, part 2.
- (7.) Resolved—That a sum not exceeding £36,730 be appropriated to defray the Salaries and Contingencies of the Department for the Administration of Justice for the year 1853, in addition to the amount appropriated by the Act 13 and 14 Vic., c. 59, schedule B, part 1.
- (8.) Resolved—That a sum not exceeding £35,145, 10s. be appropriated to defray the Salaries and Contingencies of the Customs' Department for the year 1853.
- (9.) Resolved—That a sum not exceeding £64,622 be appropriated to defray the Salaries and Contingencies of the Post Office Department for the year 1853.
- (10.) Resolved—That a sum not exceeding £63,106 be appropriated to defray the Salaries and Contingencies of the Department of the Commissioners of the Gold Fields for the year 1853.
- (11.) Resolved—That a sum not exceeding £42,580 be appropriated to defray the Salaries and Contingencies of the Department of Ports and Harbours for the year 1853, being £5425, 15s. for the Harbour Master's Department, Williamstown; £1559 for the Harbour Master's Department, Melbourne; £2030, 10s for the Harbour Master's Department, Geelong; £1686, 10s. for the Harbour Master's Department, Portland; £1626, 10s. for the Harbour Master's Department, Port Albert; £1626, 10s. for the Harbour Master's Department, Belfast; £16,019 for the Pilots, Port Philip Bay; £6855, 10s. for Government Vessels; £4428, 15s. for Light Houses and Light Vessels; and £1322 for Signal Stations.
- (12.) Resolved—That a sum not exceeding £315,579, 10s. be appropriated to defray the Salaries and Contingencies of the Police Establishments of the said Colony for the year 1853, being £256,733, 10s. for the General Police Force Establishment; £720 for the establishment of the District Magistrate for Bourke; £710 for the establishment of the District Magistrate for Western Port; £710 for the establishment of the District Magistrate for Portland Bay and Grant; £710 for the establishment of the District Magistrate for Gipps Land; £710 for the establishment of the District Magistrate for Wimmera; £710 for the establishment of the District Magistrate for Murray; £14,206 for the Water Police Establishment at Williamstown; £2700 for the Water Police Establishment, Geelong; £18,400 for the Detective Police Establishment; £19,270 for the Petty Sessions Establishments as hereafter set forth, viz.: £2600 for the Petty Sessions Establishment, Melbourne; £926 for the Petty Sessions Establishment, County of Bourke; £1640 for the Petty Sessions Establishment, Geelong, and County of Grant; £1100 for the Petty Sessions Establishment at Portland; £1126 for the Petty Sessions Establishment at Castlemaine; £1126 for the Petty Sessions Establishment, Bendigo; £1126 for the Petty Sessions Establishment at Buninyong; £1126 for the Petty Sessions Establishment at May Day Hills; £1100 for the Petty Sessions Establishment at Belfast; £1050 for the Petty Sessions Establishment, Swan Hill; £300 for the Petty Sessions Establishment, Maiden's Punt; £300 for the Petty Sessions Establishment, Burn Bank; £300 for the Petty Sessions Establishment, Carisbrook; £1100 for the Petty Sessions Establishment, Alberton; £800 for the Petty Sessions Establishment, Kilmore; £1050 for the Petty Sessions Establishment, Kyneton; £300 for the Petty Sessions Establishment, The Leigh; £300 for the Petty Sessions Establishment, Bacchus Marsh; £300 for the Petty Sessions Establishment, The Hopkins; £300 for the Petty Sessions Establishment, Warrnambool; £300 for the Petty Sessions Establishment, Pearson's Station; £300 for the

- Petty Sessions Establishment, McKay's Inn, Wattle Creek; £300 for the Petty Sessions Establishment, Flooding Creek; £300 for the Petty Sessions Establishment, Benalla; £300 for the Petty Sessions Establishment, Gisborne; £300 for the Petty Sessions Establishment, Chepstowe; £300 for the Petty Sessions Establishment, Colac; £300 for the Petty Sessions Establishment, The Grange; £300 for the Petty Sessions Establishment, Horsham; £300 for the Petty Sessions Establishment, Seymour; £300 for the Petty Sessions Establishment, Wangarratta.
- (13.) Resolved—that a sum not exceeding £95,549, 5s. be appropriated to defray the Salaries and Contingencies of Gaol and Penal Establishments for the year 1853, being £31,120, 15s. for Gaol Establishments, as hereafter set forth, viz.: £12,388, 5s. for the Gaol Establishment, Melbourne; £3094 for the Western Gaol Establishment, Melbourne; £1057, 10s. for the Eastern Gaol Establishment, Melbourne; £4632 for the Gaol Establishment, Geelong; £2437, 5s. for the Gaol Establishment, Portland; £2487, 5s. for the Gaol Establishment, Belfast; £2487, 5s. for the Gaol Establishment, Castlemaine; and £2487, 5s. for the Gaol Establishment, Kyneton; and £63,428, 10s. for Penal Establishments.
- (14.) Resolved—That a sum not exceeding £3564 be appropriated to defray the Salaries and Contingencies of the Coroner's Establishments for the year 1853.
- (15.) Resolved—That a sum not exceeding £52,834, 19s. 7d. be appropriated to defray the charge for Military for the year 1853, being £46,137, 9s. 7d. for the Pay, Allowances, and Contingencies of Four Companies of the Line; £1947, 10s. for the Colonial Pay and Allowances of the Guard and Commissariat; and £4750 for the Pay, Allowances, and Contingencies of the Enrolled Pensioners.
- (16.) Resolved—that a sum not exceeding £719,924 be appropriated to defray the charge for Public Works for the year 1853, being £9,156 for the Salaries and Contingencies for the Colonial Engineer's Department: £409,000 for Roads, Bridges, and other Works as hereafter set forth, viz.—£300,000 for the formation and repairs of Roads and for the construction and repairs of Bridges throughout the Colony, £10,000 for forming approaches to the Wharves at Melbourne and Geelong, (being £6,000 for Melbourne and £4,000 for Geelong), £23,000 for extending the Jetties at Williamstown, Geelong, and Warrnambool, being £12,000 for Williamstown, £10,000 for Geelong, and £1,000 for Warrnambool,) £30,000 towards establishing a direct communication between Melbourne and Hobson's Bay, £20,000 towards removing the Bars at Geelong and Port Fairy, £16,000 for extending Wharves at Melbourne and Geelong, (being £10,000 for Melbourne and £6,000 for Geelong,) and £10,000 for other Public Works on Land: £29,100 for Vessels and Public Works (Marine), as hereafter set forth, viz.—£3,000 for the purchase and equipment of a Light-Vessel for Hobson's Bay, £3,000 for the purchase of two Pilot Vessels, £4,000 for the purchase of a Screw Steamer and expense of passage from England, £6,000 for the purchase and hire of Ships for the use of the Government, £1,500 for Buoys, Beacons, Anchors and Chains for Port Phillip, £1200 for Buoys and Moorings, Port Fairy and Warrnambool, £400 for Buoys and Moorings, Port Albert, and £10,000 for the purchase of an Iron Steam Dredge, Steam Tug, and necessary Punts in England: £4,468 for the Salaries and Contingencies of the Colonial Architect's Department: £259,200 for Public Buildings, as hereafter set forth, viz.—£10,000 towards the erection of a Government House, Melbourne, £10,000 towards the erection of a Legislative Council Chambers, Melbourne, £10,000 for providing additional Public Offices, Melbourne, £10,000 towards the erection of a new Post Office, Melbourne, £5,000 towards the erection of a Lunatic Asylum for the dangerous Insane, Melbourne, £1,500 for building a new Shed at the Custom House, Melbourne, £600 for building a new Signal House and Battery, Melbourne, £10,000 towards the extension of the Gaol Wall and Buildings, Melbourne, £10,000 for building Police Barracks, Melbourne, £5,000 for the erection of an Orphan Asylum, Melbourne, £300 for the erection of a Morgue at Melbourne; £500 for providing a Fire Engine and constructing a Shed for the same, Melbourne; £2000 for repairs and alterations to various Public Buildings and Offices, Melbourne; £10,000 towards the completion of the Gaol, Geelong; £4000 for the erection of a Powder Magazine, Geelong; £900 for building a new Custom-house Shed, Geelong; £1500 for altering and improving Public Buildings and Offices, Geelong; £3000 for the erection of Watch-houses at Ashby and New Town, near Geelong; £1500 for the erection of Cottages and a Flag Staff at the Public Gardens, Geelong; £3000 for alterations and repairs at the Gaol, Portland; £800 for additions and repairs to the Police Office, Portland; £100 for Out-offices to the Custom-house, Portland; £500 for the erection of a Custom-house Shed and Office, Sandridge; £6000 towards the erection of Gaols at Belfast and Kyneton; £38,000 for the erection of Courts and Watch-houses for General and County Courts and Courts of Petty Sessions; £30,000 for the erection of Buildings at the Gold Fields, (viz.: £15,000 for Quarters and Stables for the Police, £5000 for Public Offices, and £10,000 for the extension of Gaols, Court-houses, and other buildings); £15,000 towards the erection of a Light-house at the Heads; £10,000 for the erection of a Government Hospital for Typhoid and Choleraic Diseases; £9000 for the purchase and erection of six Iron Buildings for prisoners at the Stockades; £1000 for additional Buildings at Pentridge Stockade; £30,000 for the erection of Police Stations, and the formation of Police Paddocks on the main lines of road; £4000 for the erection of five Police Stations, viz.: at Brighton, St. Kilda, Prahran, Heidelberg, and Sandridge; £3000 for the erection of Pilots' Quarters at Shortland's Bluff; £1000 for the purchase of two Iron Warehouses for the Colonial Storekeeper; £5000 for the erection of a Sanatorium at the Heads; £5000 for building Military Barracks for Detachments, and

£2000 for general repairs and for fencing; £6000 for the Rents of Public Offices and temporary Courts; and £3000 for Furniture for Public Buildings, and Offices and Courts of Justice.

- (17.) Resolved—That a sum not exceeding £66,093 be appropriated to defray the charge of Stores and Transport of the said Colony for the year 1853, being £2454, 10s. for the Salaries and Contingencies of the Colonial Storekeeper's Department; £1766, 10s. for the Salaries and Contingencies of the Colonial Barrack-master's Department; £61,875 for the Transport Service, being £40,000 for the conveyance of Provisions, Stores, and Building Materials; and £21,875 for the conveyance of Gold from the Gold Fields to Melbourne and Geelong.
- (18.) Resolved—That a sum not exceeding £70,000 be appropriated to defray the charge for Education for the year 1853, being £450 for the Salaries and Contingencies of the Denominational School Board to 31st day of March, 1853; £5800 for the establishment and support of Denominational Schools to 31st March, 1853, as hereafter set forth, viz.: £2807, 19s. 6d. for Church of England Schools; £870, 12s. for Presbyterian Schools; £374, 2s. for Wesleyan Methodist Schools; £323, 9s. 6d. for Schools of other Protestant Denominations; £1351, 1s. for Roman Catholic Schools; and £72, 16s. for the purchase of Books, Maps, and School Apparatus; £6250 for the establishment and support of National Schools to 31st March, 1853; £37,500 for the erection of School-houses, and for the establishment and support of Schools for the last three quarters of the year 1853; and £20,000 to be expended upon the erection of the University of Melbourne, under the superintendence of the Governing Body.
- (19.) Resolved—That a sum not exceeding £15,851, 10s. be appropriated to defray the charge of the Medical Establishment for the year 1853, being £6857, 10s. to defray the Salaries and Contingencies of the Colonial Surgeon's Establishment; and £3994 to defray the Salaries and Contingencies of the Lunatic Asylum Establishment.
- (20.) Resolved—That a sum not exceeding £4200 be appropriated to defray charges for the special Ecclesiastical Services for the year 1853, hereafter set forth, viz.: £1800 for Stipends for 12 Clergymen at the Gold Fields for six months; and £2400 for Stipends for Clergy for Gaol and Penal Establishments.
- (21.) Resolved—That a sum not exceeding £4828, 5s. be appropriated to defray the charge for the Scientific Departments for the year 1853, being £1100 for the Salary, Contingencies, and Allowances to the Government Botanists; £1878, 5s. for the Salaries and Contingencies for the Department of the Botanic Gardens, Melbourne; £1050 for the Salary and Contingencies of the Government Geologist; £500 for the compilation of Meteorological Tables at Melbourne, Shortland's Bluff, and Cape Otway, and the purchase of Instruments; and £300 for the purchase of an Astronomical Clock, Transit Instruments, and the erection of a Mast and Time Ball.
- (22.) Resolved—That a sum not exceeding £14,452, 10s. be appropriated to defray the charge for the Miscellaneous Departments for the year 1853, being £1575 for the Salaries and Contingencies of the Registrar General's Department; £350 for the Secretary to the Tender and Survey Board; £11,825 for the Salaries and Contingencies of the Government Printer's Department; £482, 10s. for the Salaries and Contingencies of the Powder Magazine Department; and £220 for the Salary and Contingencies of the Colonial Agent General.
- (23.) Resolved—That a sum not exceeding £22,100 be appropriated to defray the charge for Grants in aid of Charitable and Useful Institutions for the year 1853, being £1500 towards the maintenance of the Benevolent Asylum, Melbourne, on condition of an equal amount being raised by private subscription; £4500 for the Benevolent Asylum, Geelong, (being £1000 for outfit, £2000 towards the erection of the building on condition of an equal amount being raised by private subscription, and £1500 towards the maintenance of the Institution on the same condition); £650 for the Benevolent Asylum, Belfast, (being £500 towards the erection of the Building, on condition of an equal amount being raised by private subscription, and £150 towards the maintenance of the Institution upon the same condition); £1500 towards the maintenance of the Hospital, Melbourne, on condition of an equal amount being raised by private subscription; £13,000 towards a Public Library, Melbourne, (being £10,000 for the erection of the Library, and £3000 for the purchase of Books and expenses of management); £650 to the Mechanics' Institution, Melbourne, (being £500 towards the erection of a Theatre at the Institution, and £150 towards the maintenance of the Institution), and £300 in aid of the award of Prizes by the Industrial Society.
- (24.) Resolved—That a sum not exceeding £4040 be appropriated to defray the charge for the Miscellaneous Expenditure for the year 1853, being £1000 as a Reward for the discovery of an available Coal Field; £300 as a Reward for the discovery of a new good line of road to Gipps Land; £500 towards the expenses of laying out the new General Cemetery; £800 for preparing the Electoral Lists; £100 for Newspapers for Record and for the Secretary of State; £100 for purchase of copies of the new Map of Victoria; £100 for the purchase of thirty copies of Callaghan's Acts of Council for the use of Public Offices; £100 for erecting Pounds and Allowances to Poundkeepers; £1000 for Drawbacks and Refund of Duties and other Revenues; and £40 as a Gratuity to William Buckley.

2. *Supplementary Estimate for the year 1852.*

- (1.) Resolved—That a sum not exceeding £854 be appropriated to defray the supplementary charge of His Excellency the Lieutenant Governor's Department, for the year 1852.
- (2.) Resolved—That a sum not exceeding £2380 1s. 4d., be appropriated to defray the supplementary charge of the Legislative Council Department, for the year 1852.
- (3.) Resolved—That a sum not exceeding £9940 be appropriated to defray the supplementary charge for the Post Office Department, for the year 1852.
- (4.) Resolved—That a sum not exceeding £8822 be appropriated to defray the supplementary charge for the Harbour Master's Department for the Port of Melbourne, for the year 1852.
- (5.) Resolved—That a sum not exceeding £602 be appropriated to defray the supplementary charge for the Harbour Master's Department at Geelong, for the year 1852.
- (6.) Resolved—That a sum not exceeding £494 be appropriated to defray the supplementary charge of the Harbour Master's Department at Port Albert, for the year 1852.
- (7.) Resolved—That a sum not exceeding £4667 be appropriated to defray the supplementary charge for the Department of the Pilots, Port Phillip Bay, for the year 1852.
- (8.) Resolved—That a sum exceeding £600 be appropriated to defray the supplementary charge for the Pilot Schooner *Boomerang*, for the year 1852.
- (9.) Resolved—That a sum not exceeding £298 be appropriated to defray the supplementary charge for the Light-house at Gellibrand's Point, for the year 1852.
- (10.) Resolved—That a sum not exceeding £414 be appropriated to defray the Supplementary charge for the Light-house at Shortland's Bluff, for the year 1852.
- (11.) Resolved—That a sum not exceeding £691 be appropriated to defray the supplementary charge for the Light-house at Cape Otway, for the year 1852.
- (12.) Resolved—That a sum not exceeding £216 be appropriated to defray the supplementary charge for the Telegraph Stations, for the year 1852.
- (13.) Resolved—That a sum not exceeding £783 be appropriated to defray the supplementary charge for the Colonial Storekeeper's Department, for the year 1852.
- (14.) Resolved—That a sum not exceeding £4982 be appropriated to defray the supplementary charge for the Government Printer's Department, for the year 1852.
- (15.) Resolved—That a sum not exceeding £527 be appropriated to defray the supplementary charge for the Botanic Gardens, for the year 1852.
- (16.) Resolved—That a sum not exceeding £169 be appropriated to defray the supplementary charge for the Powder Magazine Department, for the year 1852.
- (17.) Resolved—That a sum not exceeding £12,694 6s. 8d. be appropriated to defray the supplementary charge for the Police Melbourne, for the year 1852.
- (18.) Resolved—That a sum not exceeding £6532 be appropriated to defray the supplementary charge for the Police, County of Bourke, for the year 1852.
- (19.) Resolved—That a sum not exceeding £1942, be appropriated to defray the supplementary charge for the Police, Geelong, and County of Grant, for the year 1852.
- (20.) Resolved—That a sum not exceeding £1519 be appropriated to defray the supplementary charge for the Police at Portland for the year 1852.
- (21.) Resolved—That a sum not exceeding £776 be appropriated to defray the supplementary charge for the Police at Belfast for the year 1852.
- (22.) Resolved—That a sum not exceeding £866 be appropriated to defray the supplementary charge for the Police, Kilmore, for the year 1852.
- (23.) Resolved—That a sum not exceeding £880, be appropriated to defray the supplementary charge for the Police, Swan Hill, for the year 1852.
- (24.) Resolved—That a sum not exceeding £1065, be appropriated to defray the supplementary charge for the Police, Alberton, for the year 1852.
- (25.) Resolved—That a sum not exceeding £595, be appropriated to defray the supplementary charge for the Police, Mount Macedon, for the year 1852.
- (26.) Resolved—That a sum not exceeding £450, be appropriated to defray the supplementary charge for the Police, Burn Bank, for the year 1852.
- (27.) Resolved—That a sum not exceeding £7,031, be appropriated to defray the supplementary charge for the Police at Benalla and twelve other places, for the year 1852.
- (28.) Resolved—That a sum not exceeding £700, be appropriated to defray the supplementary charge for the distribution of the Police Reward Fund, Rewards, and other general expenses of the Police Force, for the year 1852.
- (29.) Resolved—That a sum not exceeding £693, be appropriated to defray the supplementary charge for the Native Police for the year 1852.
- (30.) Resolved—That a sum not exceeding £2,500, be appropriated to defray the supplementary charge for the Quarantine Establishment, for the year 1852.
- (31.) Resolved—That a sum not exceeding £600, be appropriated to defray the supplementary charge for the Coroners' Establishment, for the year 1852.
- (32.) Resolved—That a sum not exceeding £250, be appropriated to defray the supplementary charge for Unassisted Immigration, for the year 1852.
- (33.) Resolved—That a sum not exceeding £6,375, be appropriated to defray the supplementary charge for the Melbourne Gaol Establishment for the year 1852.
- (34.) Resolved—That a sum not exceeding £1,732, be appropriated to defray the supplementary charge for the Geelong Gaol Establishment, for the year 1852.
- (35.) Resolved—That a sum not exceeding £350, be appropriated to defray the supplementary charge for the Portland Bay Gaol Establishment for the year 1852.

- (36.) Resolved—That a sum not exceeding £12,163, be appropriated to defray the supplementary charge for the Penal Establishments, for the year 1852.
- (37.) Resolved—That a sum not exceeding £9,782, be appropriated to defray the supplementary charge for Military, for the year 1852.
- (38.) Resolved—That a sum not exceeding £1,276, be appropriated to defray the supplementary charge for the Colonial Architect's Department for the year 1852.
- (39.) Resolved—That a sum not exceeding £1,477, be appropriated to defray the supplementary charge for the Department of the Superintendent of Bridges, for the year 1852.
- (40.) Resolved—That a sum not exceeding £734, be appropriated to defray the supplementary charge for the Engineer's Department, for the year 1852.
- (41.) Resolved—That a sum not exceeding £700, be appropriated to defray the supplementary charge connected with the Mineralogical Surveyor, for the year 1852.
- (42.) Resolved—That a sum not exceeding £14,400, be appropriated to defray the supplementary charge for Roads and Bridges, and other Public Works of the said Colony, for the year 1852.
- (43.) Resolved—That a sum not exceeding £23,500, be appropriated to defray the supplementary charge for Vessels and Public Works, in arrear for the year 1852.
- (44.) Resolved—That a sum not exceeding £99,450 be appropriated to defray the Supplementary Charge for Public Buildings for the year 1852.
- (45.) Resolved—That a sum not exceeding £6,471 be appropriated to defray the Supplementary Charge for Education during the year 1852.
- (46.) Resolved—That a sum not exceeding £1235 13s. 4d. be appropriated to defray the Supplementary Charge for the Colonial Surgeon's Department for the year 1852.
- (47.) Resolved—That a sum not exceeding £978 be appropriated to defray the Supplementary Charge for the Lunatic Asylum for the year 1852.
- (48.) Resolved—That a sum not exceeding £11,460 be appropriated to defray the Supplementary Charge for Grants in aid of Charitable and Useful Institutions for the year 1852.
- (49.) Resolved—That a sum not exceeding £9,970 be appropriated to defray the Supplementary Charge for Miscellaneous Services for the year 1852.
- (50.) Resolved—That a sum not exceeding £11,178 be appropriated to defray the Supplementary Charge for the Administration of Justice for the year 1852, in addition to the amount voted during the year 1851, and the amount appropriated by Schedule B., Part 1, to the Act 13 and 14 Vic., c. 59.
- (51.) Resolved—That a sum not exceeding £5,480 be appropriated to defray the Supplementary Charge for the Colonial Secretary's Departments, for the year 1852, in addition to the amount appropriated by Schedule B., Part 2, to the Act 13 & 14 Vic., c. 59.
- (52.) Resolved—That a sum not exceeding £2262 be appropriated to defray the Supplementary Charge for the Colonial Treasurer's Department for the year 1852, in addition to the amount appropriated by Schedule B., part 2, to the Act 13 and 14 Vic., c. 59.
- (53.) Resolved—That a sum not exceeding £3,205 be appropriated to defray the Supplementary Charge for the Auditor General's Department for the year 1852, in addition to the amount appropriated by Schedule B., part 2, to the Act 13 and 14 Vic., c. 59.
- (54.) Resolved—That a sum not exceeding £242 be appropriated to defray the Supplementary Charge for the Executive Council Department for the year 1852, in addition to the amount appropriated by Schedule B., Part 2, to the Act 13 and 14 Vic., c. 59.
- The Auditor General moved that these Resolutions, and also the Resolutions reported to the Council, Friday, 3d Dec., 1852, be now agreed to.
- Question put and passed.

Council adjourned at ten minutes to 5 o'clock until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 12TH JANUARY.

Government Business :—

ORDER OF THE DAY :—

1. SHERIFF'S DEPUTIES BILL.—Second Reading.

General Business :—

NOTICE OF MOTION :—

1. MR. WESTGARTH : To move the Melbourne and Hobson's Bay Railway Bill be read a second time.

THURSDAY, 13TH JANUARY.

Government Business :—

ORDERS OF THE DAY :—

1. OFFENDERS' CONTROUL BILL.—Second Reading.
2. SEWERAGE AND SUPPLY OF WATER TO MELBOURNE.—Consideration of Report from Select Committee on.

FRIDAY, 14TH JANUARY.

ORDERS OF THE DAY :—

1. UNIVERSITY OF MELBOURNE ENDOWMENT BILL.—Second Reading.
2. SAVINGS BANK BILL.—Second reading.
3. SHIPPING DUES, SEAMEN AND WATER POLICE LAW AMENDMENT BILL.—Second Reading.
4. FORFEITED RECOGNIZANCES ENFORCEMENT BILL.—Second Reading.
5. TOWN POLICE ACT AMENDMENT BILL.—Second Reading.

TUESDAY, 18TH JANUARY.

ORDERS OF THE DAY :—

1. APPROPRIATION BILL.—Second Reading.
2. ROADS BILL.—Second Reading.
3. PUBLIC HOUSE LICENSING AMENDMENT BILL.—Second Reading.

MEETINGS

OF

SELECT COMMITTEES.

Thursday, 13th January.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL—
at 10 o'clock.

THE GEELONG AND MELBOURNE RAILWAY BILL—at 11 o'clock.

J. F. PALMER,
Speaker.

No. 90.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 12th JANUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ADDRESS.—The Speaker announced to the Council, that he had, pursuant to the Resolution of the Council, presented the following Address to His Excellency the Lieutenant Governor, viz :—
 No. 53—Salaries of Chief Postmaster and the Colonial Surgeon, adopted on the 5th January, 1853, on the motion of Mr. Westgarth,
 and that His Excellency had, in reply to such Address, been pleased to state, that in conformity to the wish expressed by the Legislative Council, he had directed that the Salary of the Chief Postmaster be increased by the sum of £200 ; and the Salary of the Colonial Surgeon by £100.
3. ASSENT TO BILL.—The Speaker reported that His Excellency had been pleased to give the Royal Assent to
 “ *The Melbourne Gas and Coke Company Bill.*”
4. SHERIFF'S DEPUTIES BILL.—The Attorney General moved that this Bill be now read a second time.
 Question—put and passed.—Bill read a second time.
 On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.
 The Chairman having reported the Bill, without amendment, the Council ordered the Bill to be read a third time Friday, 14th January, 1853.
5. MELBOURNE AND HOBSON'S BAY RAILWAY BILL.—Mr. Westgarth moved, pursuant to notice, that this Bill be now read a second time.
 Question—put and passed.—Bill read a second time.
 On the motion of Mr. Westgarth, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.
 The Chairman reported progress, and obtained leave to sit again to-morrow.
 Council adjourned at twenty minutes to six o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 13TH JANUARY.

Government Business :—

ORDERS OF THE DAY :—

1. OFFENDERS' CONTROUL BILL.—Second Reading.
2. SEWERAGE AND SUPPLY OF WATER TO MELBOURNE.—Consideration of Report from Select Committee on.

General Business :—

NOTICES OF MOTION :—

1. MR. SPLATT : To move : That the House resolve itself into a Committee of the whole for the purpose of adopting an Address to His Excellency the Lieutenant Governor, praying—
 (1.) That if it should be found necessary, and appear advisable, for the protection of life and property in several parts of the Colony, His Excellency be respectfully requested to increase the present number of Stipendiary Magistrates, Police Benches, and Police Forces, in such localities, and in such numbers, as may appear to His Excellency best suited to meet the requirements of each case.
 (2.) That this House pledges itself to indemnify His Excellency for any expenditure which may be incurred for the above object.

2. MR. SPLATT: to move: That in consequence of the apathy evinced in the recent Elections, this House do request His Excellency the Lieutenant Governor to reserve the Bill for increasing the number of Members of this Council, for the signification of Her Majesty's pleasure thereon.

ORDER OF THE DAY:—

- 1 MELBOURNE AND HOBSON'S BAY RAILWAY BILL.—To be further considered in Committee.

FRIDAY, 14TH JANUARY.

ORDERS OF THE DAY:—

1. UNIVERSITY OF MELBOURNE ENDOWMENT BILL.—Second Reading.
2. SAVINGS BANK BILL.—Second reading.
3. SHIPPING DUES, SEAMEN AND WATER POLICE BILL.—Second Reading.
4. FORFEITED RECOGNIZANCES ENFORCEMENT BILL.—Second Reading.
5. TOWN POLICE ACT AMENDMENT BILL.—Second Reading.
6. SHERIFF'S DEPUTIES BILL.—Third Reading.

TUESDAY, 18TH JANUARY.

ORDERS OF THE DAY:—

1. APPROPRIATION BILL.—Second Reading.
2. ROADS BILL.—Second Reading.
3. PUBLIC HOUSE LICENSING AMENDMENT BILL.—Second Reading.

MEETINGS
OF
SELECT COMMITTEES.

Thursday, 13th January.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL—
at 10 o'clock.

THE GEELONG AND MELBOURNE RAILWAY BILL—at 11 o'clock.

ON IMMIGRATION—at 2 o'clock.

Friday, 14th January.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL—
at 2 o'clock.

J. F. PALMER,
Speaker.

No. 91.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 13th JANUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. IMMIGRATION.—Mr Splatt, as Chairman of the Select Committee of this Council, appointed on the 23rd July last, to enquire into, and report upon, the working of the then System of Immigration, brought up the Report from the Select Committee and moved, that it be received, printed, and taken into consideration on Tuesday, 18th January, 1853.
Question—put and passed.
3. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until after the consideration of the other business for to-day.
“*Offenders Controul Bill.*—*Second Reading.*”
And on the Motion of Mr. Westgarth, the following Order of the Day was postponed until Tuesday next.
“*Sewerage and Supply of Water to Melbourne.*—*Consideration of Report from Select Committee, on.*”
4. MELBOURNE AND HOBSON’S BAY RAILWAY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration on Friday, 14th January, 1853.
5. POSTPONEMENT OF ORDER OF THE DAY.—On the Motion of the Attorney General, the following Order of the Day was postponed until Friday, 14th January, 1853.
“*Offenders’ Controul Bill.*—*Second Reading.*”
Council adjourned at quarter to four o’clock, until three o’clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 14TH JANUARY.

ORDERS OF THE DAY :—

1. UNIVERSITY OF MELBOURNE ENDOWMENT BILL.—Second Reading.
2. SAVINGS BANK BILL.—Second reading.
3. SHIPPING DUES, SEAMEN AND WATER POLICE BILL.—Second Reading.
4. FORFEITED RECOGNIZANCES ENFORCEMENT BILL.—Second Reading.
5. TOWN POLICE ACT AMENDMENT BILL.—Second Reading.
6. SHERIFF’S DEPUTIES BILL.—Third Reading.
7. MELBOURNE AND HOBSON’S BAY RAILWAY BILL.—Adoption of Report.
8. OFFENDERS’ CONTRoul BILL.—Second Reading.

TUESDAY, 18TH JANUARY.

NOTICES OF MOTION :—

1. *Contingent*—On the Report from the Select Committee of this Council, on Immigration, being adopted by the Council :—
MR. SPLATT : To move, That an Address, accompanied by a Copy of this Report and Evidence, be presented to His Excellency the Lieutenant Governor, praying His Excellency to carry out as far as possible, the views adopted in the Report.

2. MR. SPLATT: To move: That the House resolve itself into a Committee of the whole for the purpose of adopting an Address to His Excellency the Lieutenant Governor, praying—
- (1.) That if it should be found necessary, and appear advisable, for the protection of life and property in several parts of the Colony, His Excellency be respectfully requested to increase the present number of Stipendiary Magistrates, Police Benches, and Police Forces, in such localities, and in such numbers, as may appear to His Excellency best suited to meet the requirements of each case.
 - (2.) That this House pledges itself to indemnify His Excellency for any expenditure which may be incurred for the above object.
3. MR. SPLATT: to move: That in consequence of the apathy evinced in the recent Elections, this House do request His Excellency the Lieutenant Governor to reserve the Bill for increasing the number of Members of this Council, for the signification of Her Majesty's pleasure thereon.

ORDERS OF THE DAY:—

1. APPROPRIATION BILL.—Second Reading.
2. ROADS BILL.—Second Reading.
3. PUBLIC HOUSE LICENSING AMENDMENT BILL.—Second Reading.
4. IMMIGRATION.—Consideration of Report from Select Committee on.
5. SEWERAGE AND SUPPLY OF WATER TO MELBOURNE.—Consideration of Report from Select Committee on.

MEETINGS

OF

SELECT COMMITTEES.

Friday, 14th January.

THE GEELONG AND MELBOURNE RAILWAY BILL—at 11 o'clock.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL—
at 2 o'clock.

J. F. PALMER,
Speaker.

No. 92.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 14th JANUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. MELBOURNE AND GEELONG HARBOURS.—Dr. Thomson, as Chairman of the Select Committee of this Council, appointed to enquire into the best means of improving the Harbours of Melbourne and Geelong, brought up the Report from the Committee, and moved that it be received, and together with the Evidence taken before the Committee, printed.
Question—put and passed.
3. POSTPONEMENT OF THE ORDER OF THE DAY.—On the motion of the Auditor General, the following Order of the Day was postponed until after the consideration of the other Orders for to-day.
“ ‘ *University of Melbourne Endowment Bill.* ’—*Second Reading.* ”
4. SAVINGS’ BANK BILL.—The Attorney General moved, That this Bill be now read a second time.
Debate ensued.
Question—put and passed. Bill read a second time, and ordered to be considered in Committee, Tuesday, 18th January, 1853.
5. PETITION.—Mr. Westgarth, with leave of the Council, presented a Petition from the Corporation of the Commercial Bank, Sydney, praying that leave might be given to present a Petition for, and introduce a Bill into the Council, to extend the Powers of the Petitioners in the particulars, and for effecting other the purposes, particularly set forth in such Bill. Petition received.
6. SHIPPING DUES SEAMEN AND WATER POLICE BILL.—The Attorney General moved that this Bill be now read a second time.
Question—put and passed. Bill read a second time.
On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council adopted the same and ordered the Bill to be read a third time, Tuesday, 18th January, 1853.
7. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Solicitor General, the following Orders of the Day were postponed until Tuesday, 18th January, 1853.
“ ‘ *Forfeited Recognizances Bill.* ’ *Second Reading.* ”
“ ‘ *Towns’ Police Act Amendment Bill.* ’ *Second Reading.* ”
8. SHERIFF’S DEPUTIES BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,—Bill, on the motion of the Solicitor General read a third time and *passed*. The Solicitor General moved that the following be the Title of the Bill—*An Act to enable the Sheriff of the Colony of Victoria to appoint Deputies.*
Question—put and passed.
9. MELBOURNE AND HOBSON’S BAY RAILWAY BILL.—On the motion of Mr. Westgarth the Council adopted this Bill, as reported from the Committee of the whole, and ordered the Bill to be read a third time, Tuesday, 18th January, 1853.
10. OFFENDERS’ CONTRoul BILL.—The Attorney General moved that this Bill be now read a second time.
Question—put and passed. Bill read a second time.
On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole upon this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration, Tuesday, 18th January, 1853.
11. UNIVERSITY OF MELBOURNE ENDOWMENT BILL.—The Auditor General moved that this Bill be now read a second time.
Question—put and passed. Bill read a second time.
On the motion of the Auditor General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again, Tuesday, 18th January, 1853.
Council adjourned at twenty-five minutes to seven o’clock, until three o’clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 18TH JANUARY.

NOTICES OF MOTION :—

1. *Contingent*—On the Report from the Select Committee of this Council, on Immigration, being adopted by the Council :—
MR. SPLATT : To move, That an Address, accompanied by a Copy of this Report and Evidence, be presented to His Excellency the Lieutenant Governor, praying His Excellency to carry out as far as possible, the views adopted in the Report.
2. MR. SPLATT : To move : That the House resolve itself into a Committee of the whole for the purpose of adopting an Address to His Excellency the Lieutenant Governor, praying—
(1.) That if it should be found necessary, and appear advisable, for the protection of life and property in several parts of the Colony, His Excellency be respectfully requested to increase the present number of Stipendiary Magistrates, Police Benches, and Police Forces, in such localities, and in such numbers, as may appear to His Excellency best suited to meet the requirements of each case.
(2.) That this House pledges itself to indemnify His Excellency for any expenditure which may be incurred for the above object.
3. MR. SPLATT : to move : That in consequence of the apathy evinced in the recent Elections, this House do request His Excellency the Lieutenant Governor to reserve the Bill for increasing the number of Members of this Council, for the signification of Her Majesty's pleasure thereon.
4. MR. WESTGARTH : To move, That, in compliance with the prayer of the Petition presented by him, 14th January, 1853, leave be given to the Corporation of the Commercial Bank, Sydney, to present a Petition for leave to introduce a Bill for extending the powers of the Bank, and for effecting other purposes.

ORDERS OF THE DAY :—

1. APPROPRIATION BILL.—Second Reading.
2. ROADS BILL.—Second Reading.
3. PUBLIC HOUSE LICENSING AMENDMENT BILL.—Second Reading.
4. IMMIGRATION.—Consideration of Report from Select Committee on.
5. SEWERAGE AND SUPPLY OF WATER TO MELBOURNE.—Consideration of Report from Select Committee on.
6. SAVINGS BANK BILL.—To be considered in Committee.
7. SHIPPING DUES, SEAMEN AND WATER POLICE BILL.—Third Reading.
8. FORFEITED RECOGNIZANCES ENFORCEMENT BILL.—Second Reading.
9. TOWNS' POLICE ACT AMENDMENT BILL.—Second Reading.
10. MELBOURNE AND HOBSON'S BAY RAILWAY BILL.—Third Reading.
11. OFFENDERS' CONTROUL BILL.—Adoption of Report.
12. UNIVERSITY OF MELBOURNE ENDOWMENT BILL.—To be further considered in Committee.

MEETINGS

OF

SELECT COMMITTEES.

Tuesday, 18th January.

ROCHFORD'S PETITION—at 2 o'clock.

J. F. PALMER,
Speaker.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 18th JANUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PAPERS,—CLAIMS OF LEASES OF RUNS.—The Colonial Secretary, by command of His Excellency the Lieutenant Governor, laid upon the Table of the Council—Return to the Address on this subject, adopted on the motion of Mr. Campbell, 31st August, 1852.
Ordered to be printed.
3. ASSENT TO BILLS.—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the undermentioned Bills, viz. :—
“ ‘ Births, Deaths, and Marriages Registration Act.’ ”
“ ‘ Auction Duties Repeal Act.’ ”
“ ‘ Public Worship Promotion Act.’ ”
- 4.—PETITION.—Mr. Greeves presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, under the Common Seal of the City, praying that this Council would be pleased to reject so much of the Report of the Select Committee on the Sewerage and Supply of Water for Melbourne as proposes to abrogate the powers of the Corporation of Melbourne for forming Sewers and constructing Water-works, and not give the sanction of the House to any proposal for depriving the Citizens of Melbourne of their right of self-government in this respect.
Petition received.
Mr. Greeves, with leave of the Council, then moved that the above Petition be taken into consideration with the fifth order for to-day and printed.
Question—put and passed.
5. STIPENDIARY MAGISTRATES, &c.—Mr. Splatt moved, pursuant to notice, That the House resolve itself into a Committee of the whole for the purpose of adopting an Address to His Excellency the Lieutenant Governor, praying—
(1.) That if it should be found necessary, and appear advisable, for the protection of life and property in several parts of the Colony, His Excellency be respectfully requested to increase the present number of Stipendiary Magistrates, Police Benches, and Police Forces, in such localities, and in such numbers, as may appear to His Excellency best suited to meet the requirements of each case.
(2.) That this House pledges itself to indemnify His Excellency for any expenditure which may be incurred for the above object.
Debate ensued.
Committee divided—

Ayes, 9.

THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
MR. MICHIE,
MR. RIDDELL,
MR. SPLATT,
MR. MACKINNON,
MR. GOLDSMITH,
THE COLONIAL SECRETARY, (*Teller.*)

Noes, 9.

MR. SMITH,
MR. MILLER,
MR. WESTGARTH,
MR. GREEVES,
MR. O'SHANASSY,
MR. FAWKNER,
MR. STRACHAN,
MR. NICHOLSON,
MR. MURPHY, (*Teller.*)

The numbers being equal, the Speaker gave his vote with the Ayes, and declared the question to have passed in the affirmative.

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

The Chairman reported that a question of order had been raised in Committee, viz. :—That the matter referred to the Committee had been already decided by the Council during the present Session; and asked leave to sit again after the disposal of such question of order, should the same be decided in the negative.

Mr. Murphy then moved that the motion of Mr. Splatt is not in order, for the reason stated in the above Report.

Debate ensued.

Council divided—

Ayes, 13.

MR. SMITH,
MR. MURPHY,
MR. WILKINSON,
MR. NICHOLSON,
MR. MILLER,
MR. MACKINNON,
MR. MICHIE,
MR. GREEVES,
MR. STRACHAN,
MR. A'BECKETT,
MR. FAWKNER,
MR. O'SHANASSY,
MR. WESTGARTH, (*Teller.*)

Noes, 8.

MR. SPLATT,
MR. CAMPBELL,
MR. GOLDSMITH,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL,
MR. RIDDELL,
THE SOLICITOR GENERAL,
THE COLONIAL SECRETARY, (*Teller.*)

6. COMMERCIAL BANK OF SYDNEY POWERS EXTENSION BILL.—Mr. Westgarth moved, pursuant to amended notice, that the Standing Order, No. 58, be suspended.

Debate ensued.

Question—put and negatived.

7. APPROPRIATION BILL.—The Auditor General moved that this Bill be now read a second time.

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

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

The Chairman having reported the Bill with an amendment, the Council adopted the same, and ordered the Bill to be read a third time, Wednesday, 19th January, 1853.

8. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General the following Orders of the Day were postponed until Wednesday, 19th January, 1853:—

“ ‘Roads Bill,’—*Second reading.*”

“ ‘Public Houses Licensing Amendment Bill,’—*Second reading.*”

9. IMMIGRATION.—The Order of the Day for the consideration of the Report from the Select Committee of this Council on Immigration having been read, Mr. Splatt moved that this Report be now adopted.

Debate ensued.

Mr. Splatt, with leave of the Council, withdrew the above Motion, and moved that the consideration of this Order of the Day be postponed until Friday, 21st January, 1853.

Question—put and passed.

10. SEWERAGE AND SUPPLY OF WATER TO MELBOURNE.—The Order of the Day for the consideration of the Report from the Select Committee of this Council on Sewerage and Supply of Water to Melbourne having been read—On the motion of Mr. Greeves, the Petition of the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, presented to the House this day, was read by the Clerk.

On the motion of Mr. Greeves, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of the above Report.

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

11. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney-General the following Orders of the Day were postponed until Wednesday, 19th January, 1853:—

“ ‘Savings' Bank Bill.’—*To be considered in Committee.*”

“ ‘Shipping Dues, Seamen, and Water Police Bill.’—*Third reading.*”

And the following Order of the Day was postponed until Thursday, 20th January, 1853:—

“ ‘Forfeited Recognizances Enforcement Bill.’—*Second reading.*”

12. TOWNS' POLICE ACT AMENDMENT BILL.—The Attorney-General moved that this Bill be now read a second time.

Question put and passed. Bill read a second time and ordered to be considered in Committee Wednesday, 19th January, 1853.

13. MELBOURNE AND HOBSON'S BAY RAILWAY BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported.

Bill on the motion of Mr. Westgarth read a third time and passed.

Mr. Westgarth moved that the following be the title of the Bill :—“ *An Act to incorporate a Company to be called the Melbourne and Hobson's Bay Railway Company.*”

Question—put and passed.

14. **OFFENDERS' CONTROUL BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole Council, upon this Bill, having been read—On the motion of the Attorney-General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the same and ordered the Bill to be read a third time Wednesday, 19th January, 1853.

15. **UNIVERSITY OF MELBOURNE ENDOWMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman having reported the Bill with amendments, the Council ordered the Report to be taken into consideration Thursday, 19th January, 1853.

Council adjourned at 20 minutes past 8 o'clock until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 19TH JANUARY.

Government Business :—

ORDERS OF THE DAY :—

1. **APPROPRIATION BILL.**—Third Reading.
2. **ROADS BILL.**—Second Reading.
3. **PUBLIC HOUSE LICENSING AMENDMENT BILL.**—Second Reading.
4. **SEWERAGE AND SUPPLY OF WATER TO MELBOURNE.**—Further consideration of Report from Select Committee on.
5. **SAVINGS BANK BILL.**—To be considered in Committee.
6. **SHIPPING DUES, SEAMEN AND WATER POLICE BILL.**—Third Reading.
7. **TOWNS' POLICE ACT AMENDMENT BILL.**—To be considered in Committee.
8. **OFFENDERS' CONTROUL BILL.**—Third Reading.

THURSDAY, 20TH JANUARY.

Government Business :—

ORDERS OF THE DAY :—

1. **FORFEITED RECOGNIZANCES ENFORCEMENT BILL.**—Second Reading.
2. **UNIVERSITY OF MELBOURNE ENDOWMENT BILL.**—Adoption of Report.

FRIDAY, 21ST JANUARY.

ORDER OF THE DAY :—

1. **IMMIGRATION.**—Consideration of Report from Select Committee on.

MEETINGS

OF

SELECT COMMITTEES.

Wednesday, 19th January.

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

J. F. PALMER,
Speaker.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 19th JANUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. APPROPRIATION BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on the motion of the Auditor General, read a third time and *passed*.

The Auditor General moved that the following be the title of the Bill:—“*An Act for applying certain Sums arising from the Revenue receivable in the Colony of Victoria to the service thereof, for the Year One thousand eight hundred and fifty-three, and for further appropriating the said Revenue.*”

Question—put and passed.

3. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney-General the following Orders of the Day were postponed until Thursday, 20th January, 1853:—
- “*Roads Bill.*”—*Second Reading.*”
- “*Public House Licensing Amendment Bill.*”—*Second reading.*”

4. SEWERAGE AND SUPPLY OF WATER TO MELBOURNE.—The Order of the Day for the further consideration of the Report from the Select Committee of this Council on Sewerage and Supply of Water to Melbourne having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported that the Committee had agreed to the following Resolutions, founded upon the above Report:—

- (I.) That the execution and future management of all matters appertaining to Water Supply and Sewerage, should be entrusted to a Board of three Commissioners to be appointed by His Excellency the Lieutenant Governor, in pursuance of the recommendation of the Select Committee, and that a Bill for this purpose and for repealing so much of the Corporation Act as refers to these matters (Clauses 86 to 91) be introduced.
- (II.) That in pursuance of the recommendation of the Select Committee, an Address to His Excellency the Lieutenant Governor, that he will be pleased to advance out of the Territorial Revenue, a sum not exceeding £200,000 for the execution of Sewerage, and that he will also cause a Bill to be introduced to authorize the advance of a sum not exceeding £200,000, out of the Ordinary Revenue, for the execution of Water Works, the latter sum to be considered as a loan, not bearing interest, to be repaid by equal instalments in a period of 25 years, the three first years to be excepted.
- (III.) That the question as to eligibility of any particular scheme for supplying the City of Melbourne with water, be left to the Board of Commissioners to be appointed by His Excellency the Lieutenant Governor.
- (IV.) That an Address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to advance the Sum of £42,000 out of the Public Revenues of the Colony to be appropriated by the Corporation of the City of Melbourne to the following purposes, viz:—

(1.) Laying down Water Channels	£9,000
(2.) The Opening of Culs de Sac	25,000
(3.) The Prevention of improper deposits	1,000
(4.) The Drainage of the Swamps adjacent to the City	6,500
(5.) Officers' Salaries	500
	£42,000

On the motion of Mr. Murphy, the Council adopted the above resolutions, and ordered Addresses to be presented to His Excellency the Lieutenant Governor accordingly.

5. ASSENT TO BILL.—The Speaker announced that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the “*Number of Members of Council Increase Bill.*”

6. SAVINGS' BANK BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council having been read—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.

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

7. SHIPPING DUES, SEAMEN, AND WATER POLICE BILL.—The Order of the day for the third reading of this Bill having been read;—On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time, Friday, 21st January, 1853.

8. TOWN'S POLICE ACT AMENDMENT BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council having been read,—On the Motion of the Attorney General, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the consideration thereof.

The Chairman having reported the Bill with Amendments, the Council ordered the same to be considered on Friday, 21st January, 1853.—Bill as amended to be printed.

9. OFFENDERS' CONTROUL BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,—Bill on the motion of the Attorney General, read a third time and *passed*. The Attorney General moved, that the following be the title of the Bill—“*An Act to make provision for the better Controul and Disposal of Offenders.*”

Question, put and passed.

Council adjourned at five minutes past eight o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 20TH JANUARY.

Government Business :—

ORDERS OF THE DAY :—

1. FORFEITED RECOGNIZANCES ENFORCEMENT BILL.—Second Reading.
2. UNIVERSITY OF MELBOURNE ENDOWMENT BILL.—Adoption of Report.
3. ROADS BILL.—Second Reading.
4. PUBLIC HOUSE LICENSING AMENDMENT BILL.—Second Reading.
5. SAVINGS BANK BILL.—To be further considered in Committee.

FRIDAY, 21ST JANUARY.

ORDERS OF THE DAY :—

1. IMMIGRATION.—Consideration of Report from Select Committee on.
2. SHIPPING DUES, SEAMEN AND WATER POLICE BILL.—Third Reading.
3. TOWNS' POLICE ACT AMENDMENT BILL.—Adoption of Report.

TUESDAY, 25TH JANUARY.

NOTICE OF MOTION :—

1. MR. WESTGARTH: To move, that this House do address His Excellency the Lieutenant Governor, calling His Excellency's attention to the great benefits that may be anticipated to result from the establishment of a Museum of Economic Geology in this Colony, and assuring His Excellency that this House will not withhold its sanction from any appropriation that may be found necessary for the formation of such a Museum as may practically assist in directing mineralogical research and in developing the great mineral resources of the Colony.

J. F. PALMER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 20th JANUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. RULES FOR ADMISSION OF BARRISTERS, &C., INTO THE SUPREME COURT OF VICTORIA.—Mr. Fawkner as Chairman of the Select Committee of this Council to which the Petition of S. Rochfort, Esq., Barrister-at-Law was referred for enquiry, brought up the further Report from the Committee, and moved that it be received, printed and taken into consideration, Wednesday, 26th January, 1853.
Question—put and passed.
3. GEELONG AND MELBOURNE RAILWAY BILL.—Dr. Thomson as Chairman of the Select Committee on this Bill, brought up the Report from the Committee, and moved that it be received and the Bill read a second time, Thursday, 27th January, instant.
Question—put and passed.
4. FORFEITED RECOGNIZANCES ENFORCEMENT BILL.—On the motion of the Attorney General the first Order of the Day was discharged from the Paper.
5. UNIVERSITY OF MELBOURNE ENDOWMENT BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read;—On the motion of the Auditor General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
6. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor received and read :—
C. J. LA TROBE, *Message No. 60.*
Lieutenant Governor.

The two projects which have been set on foot within the last six months for the establishment of Rail Road communication between Melbourne and Mount Alexander and the Murray, on the one hand, and between Melbourne and Geelong on the other, have both come under the notice of the Council during the present Session.

2. The Lieutenant Governor considers it proper to apprise the Council in few words, of the general view which he has been induced to take up to this date, with the concurrence of his Executive Council, of these respective schemes.

3. In the case of the Mount Alexander and Murray Railway Company, His Excellency is prepared to recommend for the approval and sanction of the Home Government that a guarantee of five per cent. interest per annum should be given by Government upon a paid up capital of One Million sterling, chargeable upon the available balance of the unappropriated moiety of the Land Revenue of the Colony.

4. His Excellency has stipulated that the public and general interests should be protected by Legislative enactment, as in the case of the Sydney and Goulburn Railway Company.

5. He has conceded that a locality should be selected as a General Railway Terminus, in the Capital, and every facility afforded by the Crown, as far as respects the acquisition of any land required for the purposes of the Company, both at that point, and along the contemplated line.

6. Further, in order to enable the Company, in the event of the project receiving the sanction of the Legislature, to proceed at once in making the preliminary and detailed Surveys of the proposed line, the Lieutenant Governor has intimated his willingness, under the advice of his Executive Council, to sanction the application of a sum not exceeding five thousand pounds to this end, to be expended and duly accounted for in such form as may be held satisfactory, and to be charged against the above mentioned unappropriated moiety of the Land Fund.

7. With regard to the Melbourne and Geelong Railway Company, the Lieutenant Governor has, in general terms, expressed his willingness to deal with their proposal upon the same principles, i. e., by guaranteeing the payment of Interest, at a similar rate, upon a certain amount of paid up Capital, and affording all proper facilities to the acquisition of the necessary lands, upon the same general conditions; it is also proposed to devote the sum of £500 towards the preliminary Surveys, but the Lieutenant Governor is not in possession of data which would enable him to afford the Council, at this time, full information on every important point.

8. It must be fully understood, that the definitive carrying out of these measures, must depend upon the view which the Legislative Council may take of these important

projects, and the concurrence of Her Majesty's Government; but the Lieutenant Governor would take occasion to testify the great degree of interest which he attaches to them, and his anxiety to do all that lies in his power, consistently with prudence and attention to other great and general interests, to promote them.

9. The Lieutenant Governor cannot doubt the propriety of the course which he has proposed to pursue, in the case of these two schemes, embracing as they do a projected line of internal communication of such undoubted importance and value to the whole Colony; but he would at once state to the Council, that with respect to others of a like character, which may hereafter be presented for consideration, it will be more satisfactory to him to submit them to the Legislative Council, and defer to its judgment, before giving pledges which might involve any considerable present or future expenditure of the public funds, from whatever source derived.

*Government Offices,
Melbourne, 20th January, 1853.*

Ordered to be printed.

7. UNIVERSITY OF MELBOURNE ENDOWMENT BILL.—The Speaker having left the Chair the Council again resolved itself into a Committee of the whole, for the further consideration of this Bill.

The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time, Friday, 21st January instant.

8. ASSENT TO BILLS.—The Speaker announced that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the undermentioned Bills, viz—

*“Melbourne and Hobson's Bay Railway Bill.”
“Appropriation Bill.”*

9. ROADS BILL.—The Attorney General moved that this Bill be “now” read a second “time.” Debate ensued.

Mr. Campbell moved as an amendment, that the word “now” be omitted, and that the words “this day week” be added, after the word “time.”

Question—That the word “now” stand part of the question—put and negatived.

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

Question—That this Bill be read a second time this day week—put and passed.

10. PUBLIC HOUSE LICENSING AMENDMENT BILL.—The Attorney General moved that this Bill be now read a second time.

Debate ensued.

Council divided.

Ayes, 10.

MR. O'SHANASSY,
DR. THOMSON,
MR. SMITH,
MR. MURPHY,
MR. STRACHAN,
MR. RUSSELL,
THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 5.

MR. CAMPBELL.
MR. WESTGARTH,
MR. GREEVES,
MR. FAWKNER,
MR. WILKINSON, (*Teller.*)

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

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

11. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until to-morrow.

“Savings' Bank Bill.”—To be further considered in Committee.”

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 21ST JANUARY.

ORDERS OF THE DAY:—

1. IMMIGRATION.—Consideration of Report from Select Committee on.
2. SHIPPING DUES, SEAMEN AND WATER POLICE BILL.—Third Reading.
3. TOWNS' POLICE ACT AMENDMENT BILL.—Adoption of Report.
4. UNIVERSITY OF MELBOURNE ENDOWMENT BILL.—Third Reading.
5. PUBLIC HOUSE LICENSING AMENDMENT BILL.—To be further considered in Committee.
6. SAVINGS BANK BILL.—To be further considered in Committee.

TUESDAY, 25TH JANUARY.

NOTICES OF MOTION :—

1. MR. WESTGARTH : To move, that this House do address His Excellency the Lieutenant Governor, calling His Excellency's attention to the great benefits that may be anticipated to result from the establishment of a Museum of Economic Geology in this Colony, and assuring His Excellency that this House will not withhold its sanction from any appropriation that may be found necessary for the formation of such a Museum as may practically assist in directing mineralogical research and in developing the great mineral resources of the Colony.
2. DR. THOMSON : To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that he will cause to be laid upon the Table of this House,
 - (1.) A Return from every Bench of Petty Sessions in the Colony ; shewing the names of all gentlemen in the Commission of the Peace, residing in the District ; the number of days each of these Magistrates have attended the Bench ; and the number of cases disposed of by each.
 - (2.) A Return from each Bench of Petty Sessions, exhibiting the number of persons committed, or discharged for indictable offences, distinguishing males from females ; the number of persons dealt with by summary jurisdiction, under the following heads : Drunkenness, Obscene Language, Master and Servant's Act, Town's Police Act, Assaults, Vagrant's Act, Horse and Cattle Stealing Prevention Act, and other offences.
 - (3.) These Returns to be made every six months, commencing from the 1st July, 1851.
3. MR. MURPHY : To move, That the Report of the Select Committee, appointed to consider the subject of Education, be adopted.
4. *Contingent.*—On the Adoption of the above Report :—
MR. MURPHY : To move, For leave to bring in a Bill to carry out the recommendations of the Report.

WEDNESDAY, 26TH JANUARY.

General Business :—

ORDER OF THE DAY :—

1. SUPREME COURT RULES.—S. ROCHFORD'S PETITION.—Consideration of Report from Select Committee on.

THURSDAY, 27TH JANUARY.

Government Business :—

ORDER OF THE DAY :—

1. ROADS BILL.—Second Reading.

General Business :—

ORDER OF THE DAY :—

1. GEELONG AND MELBOURNE RAILWAY BILL.—Second Reading.

MEETING
OF
SELECT COMMITTEES.

Friday, 21st January.

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL—
at 11 o'clock.

J. F. PALMER,
Speaker.

No. 96.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, ²¹~~20~~ JANUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITION.—Mr. Westgarth presented a Memorial from the Residents in the Town and District of Portland, praying this Council would on the Appropriation Bill being considered, refuse to sanction the allowance of £950 in the Estimates voted for Portland and Belfast conjointly, unless the Western County Court and Court of General Sessions for the Western District be held at the Town of Portland, and moved that the Memorial be received.
Debate ensued.
Question—put and passed.
3. PETITION.—Mr. Miller presented a Petition from certain Electors and other Inhabitants in and near the Town of Warrnambool, praying this Council to take into favorable consideration the statements set forth in the Petition respecting the union of the Town of Warrnambool with that of Belfast, for the purpose of returning Members to this Council, and to afford the Petitioners such relief as to the Council might seem just and fit.
Petition received.
4. ASSAY OF GOLD.—Mr. Fawkner brought up the Report from the Select Committee of this Council upon this subject, together with the Evidence taken before this Committee, and moved that it be received, printed, and taken into consideration Thursday, 27th January, instant.
Question—put and passed.
5. IMMIGRATION.—The Order of the Day for the consideration of the Report from the Select Committee of this Council upon this subject, having been read.—Mr. Splatt moved “that” the Report be now adopted.
Debate ensued.
Mr. Westgarth moved as an Amendment, that all the words after the word “that” be omitted, with the view to insert the words, “in the opinion of this Council the present system of Emigration is defective, as regards both its restricted character, and the great expense with which it is attended.”
2. “That it appears to be expedient to revert to a Bounty system, under the controul of the Colonial Executive.
3. “That no portion of the Public Revenues should be expended upon the introduction of Males, except so many married men as may be required for the preservation of order and morality on board Emigrant Ships.
“That an Address embodying these Resolutions be presented to His Excellency the Lieutenant Governor, and that he be requested to move the Home Government to introduce into the Imperial Parliament a Bill to carry out the second of these Resolutions.”
Debate ensued.
Question—That the words proposed to be omitted stand part of the question,—put and negatived.
Question—That the words proposed to be inserted in the place of the words omitted, be so inserted—put.
Council divided.

Ayes, 4.
MR. A'BECKETT,
MR. WESTGARTH,
MR. FAWKNER,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 11.
MR. MURPHY,
MR. CAMPBELL,
MR. WILKINSON,
MR. GOLDSMITH,
DR. THOMSON,
MR. MILLER,
MR. GREEVES,
MR. SPLATT,
MR. O'SHANASSY,
MR. RUSSELL,
THE ATTORNEY GENERAL, (*Teller.*)

Mr. Campbell then moved, that the following words be inserted in the place of the words omitted—"the Report be referred back to the Select Committee for reconsideration."

Question—put and passed.

Question—That the Report be referred back to the Select Committee, for reconsideration—put and passed.

6. **SHIPPING DUES, SEAMEN AND WATER POLICE BILL.**—The Order of the Day for the third reading of this Bill having been read—On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill, with further amendments, the Council adopted the same.

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

The Attorney General then moved: That the following be the Title of the Bill, "*An Act to abolish certain Dues on Shipping, and to amend the Law relating to Seamen and Water Police.*"

Question—put and passed.

7. **TOWNS POLICE ACT AMENDMENT BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole Council, upon this Bill having been read—On the motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the re-consideration thereof.

The Chairman having reported the Bill, with further amendments, the Council ordered the same to be considered on Tuesday, 25th January, instant—Bill, as amended, to be printed.

8. **UNIVERSITY OF MELBOURNE ENDOWMENT BILL.**—The Order of the Day for the third reading of this Bill having been read—On the motion of the Auditor General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for re-consideration thereof.

The Chairman having reported the Bill, with a further amendment, the Council adopted the same.

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

The Auditor General moved that the following be the title to the Bill—"An Act to incorporate and endow the University of Melbourne."

Question put and passed.

9. **PUBLIC HOUSE LICENSING AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration as the first Order of the Day on Tuesday, 25th January instant.

10. **SAVINGS' BANK BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read—The Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.

The Chairman reported progress, and obtained leave to sit again, Tuesday, 25th January, instant.

Council adjourned at half-past six o'clock, until three o'clock Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 25TH JANUARY.

NOTICES OF MOTION:—

1. **MR. WESTGARTH:** To move, that this House do address His Excellency the Lieutenant Governor, calling His Excellency's attention to the great benefits that may be anticipated to result from the establishment of a Museum of Economic Geology in this Colony, and assuring His Excellency that this House will not withhold its sanction from any appropriation that may be found necessary for the formation of such a Museum as may practically assist in directing mineralogical research and in developing the great mineral resources of the Colony.
2. **DR. THOMSON:** To move, That an Address be presented to His Excellency the Lieutenant Governor, praying that he will cause to be laid upon the Table of this House,
 - (1.) A Return from every Bench of Petty Sessions in the Colony; shewing the names of all gentlemen in the Commission of the Peace, residing in the District; the number of days each of these Magistrates have attended the Bench; and the number of cases disposed of by each.

(2.) A Return from each Bench of Petty Sessions, exhibiting the number of persons committed, or discharged for indictable offences, distinguishing males from females; the number of persons dealt with by summary jurisdiction, under the following heads: Drunkenness, Obscene Language, Master and Servant's Act, Town's Police Act, Assaults, Vagrant's Act, Horse and Cattle Stealing Prevention Act, and other offences.

(3.) These Returns to be made every six months, commencing from the 1st July, 1851.

3. MR. MURPHY: To move, That the Report of the Select Committee, appointed to consider the subject of Education, be adopted.

4. *Contingent*.—On the adoption of the above Report:—

MR. MURPHY: To move, For leave to bring in a Bill to carry out the recommendations of the Report.

ORDERS OF THE DAY:—

1. PUBLIC HOUSE LICENSING AMENDMENT BILL.—Adoption of Report.
2. TOWNS' POLICE ACT AMENDMENT BILL.—Adoption of Report.
3. SAVINGS BANK BILL.—To be further considered in Committee.

WEDNESDAY, 26TH JANUARY.

General Business:—

ORDER OF THE DAY:—

1. SUPREME COURT RULES.—S. ROCHFORD'S PETITION.—Consideration of Report from Select Committee on.

THURSDAY, 27TH JANUARY.

Government Business:—

ORDER OF THE DAY:—

1. ROADS BILL.—Second Reading.

General Business:—

ORDERS OF THE DAY:—

1. GEELONG AND MELBOURNE RAILWAY BILL.—Second Reading.
2. ASSAY OF GOLD.—Consideration of Report from Select Committee.

MEETING

OF

SELECT COMMITTEE.

Tuesday, 25th January.

IMMIGRATION—at 2 o'clock.

J. F. PALMER,
Speaker.

No. 97.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 25th JANUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. MUSEUM OF ECONOMIC GEOLOGY.—Mr. Westgarth moved, pursuant to *amended* notice, that the Speaker do leave the Chair and the Council resolve itself into a Committee of the whole for the purpose of considering the propriety of addressing His Excellency the Lieutenant Governor, calling His Excellency's attention to the great benefits that may be anticipated to result from the establishment of a Museum of Economic Geology in this Colony, and assuring His Excellency that this House will not withhold its sanction from any appropriation that may be found necessary for the formation of such a Museum as may practically assist in directing mineralogical research and in developing the great mineral resources of the Colony.
 Question—put and passed.
 Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
 The Chairman having reported that the Council had resolved that an address be presented to His Excellency the Lieutenant Governor, calling His Excellency's attention to the great benefits that may be anticipated to result from the establishment of a Museum of Economic Geology in this Colony, and assuring His Excellency that this House will not withhold its sanction from any appropriation that may be found necessary for the formation of such a Museum as may practically assist in directing mineralogical research and in developing the great mineral resources of the Colony. On the motion of Mr. Westgarth the Council adopted the above resolution.
3. ASSENT TO BILLS.—The Speaker announced that His Excellency the Lieutenant Governor had been pleased to give the Royal assent to the undermentioned Bills, viz.:
 “*Sheriffs' Deputies Bill.*”
 “*Offenders Controul Bill.*”
 “*Shipping Dues, Seamen, and Water Police Bill.*”
 “*University of Melbourne Endowment Bill.*”
4. PETTY SESSIONS RETURNS.—Dr. Thomson moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Lieutenant Governor, praying that he will cause to be laid upon the Table of this House,
 (1.) A Return from every Bench of Petty Sessions in the Colony; showing the names of all gentlemen in the Commission of the Peace, residing in the District, and the distances they live from the Bench; the number of days each of these Magistrates have attended the Bench; and the number of cases disposed of by each.
 (2.) A Return from each Bench of Petty Sessions, exhibiting the number of persons committed, or discharged for indictable offences; the number of persons dealt with, by summary jurisdiction, under the following heads: Drunkenness, Obscene Language, Master and Servant's Act, Town's Police Act, Assaults, Vagrant's Act, Horse and Cattle Stealing Prevention Act, and other offences, distinguishing males from females
 (3.) These Returns to be from the 1st July, 1851 to 31st December, 1852.
 Debate ensued.
 Question—put and passed.
5. ADDRESSES.—The Speaker announced to the Council that he had, pursuant to the resolutions of this Council, presented the following addresses to His Excellency the Lieutenant Governor, viz.:
 No. 56. Sewerage and Water Works.—Adopted on the 19th January, 1853, on the motion of Mr. Murphy;
 and that His Excellency had been pleased to reply to such address in the following terms:
 The Lieutenant Governor has received the address of the Legislative Council, No. 56, respecting provision for the extension of Sewerage and of Water Works for the City of Melbourne.
 In reply, the Lieutenant Governor would inform the Council, that having consulted his Executive Council, he has determined to recommend to the Secretary of State that a Sum, not exceeding £200,000, be advanced out of the unappropriated moiety of the Land Fund by instalments during the next three years, for the execution of proper Sewerage for the City of Melbourne, under the supervision of the contemplated Water and Sewerage Commission.

He will also include in the Bill to incorporate that Commission, which he is about to send down to the Council, a clause authorising an advance from the general revenue of a similar sum for the execution of Works for the Supply of Water to the City, under the same supervision, the advance to be considered as a loan upon the terms proposed by the Council.

No. 57. Advance of Money out of the Public Revenues for the cleansing and improving of the City of Melbourne ;

and that His Excellency had been pleased to reply to such address in the following terms :

This request is not presented at a time and under the full explanation upon every point which might be held desirable to fully justify so large and unusual an appropriation from the Public Revenue; but, in consideration of the urgent necessity which undoubtedly exists, that the City Council of the Metropolis should have ample means at hand to effect such sanitary measures as may be in their power, I am disposed to consider, with the concurrence of my Executive Council, and the Legislative Council, that I may, at this time, with due regard to general interests, devote the sum of £25,000 towards this object, upon condition that full and detailed accounts of the expenditure should be handed in for the information of the Lieutenant Governor, and that it will be included in the Supplementary Estimate for the year.

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

MELBOURNE INCORPORATION ACT AMENDMENT BILL,

C. J. LA TROBE,

No. 61.

Lieutenant Governor.

In pursuance of the provisions of the Act for the better government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Legislative Council for its consideration, the draft of " *A Bill to amend in certain respects an Act, intitled, ' An Act to incorporate the Inhabitants of the Town of Melbourne ;' and ' to make further provision for the cleansing and improvement of the City of Melbourne.*"

*Government Offices,
Melbourne, 25th January, 1853.*

Ordered to be printed.

MELBOURNE WATER AND SEWERAGE COMMISSION BILL,

C. J. LA TROBE,

No. 62.

Lieutenant Governor.

In pursuance of the provisions of the Act for the better government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Legislative Council for its consideration, the draft of " *A Bill to establish a Board of Commissioners for the better Sewerage and Drainage of the City of Melbourne, and for ' supplying the same with Water.*"

*Government Offices,
Melbourne, 25th January, 1853.*

Ordered to be printed.

7. SUSPENSION OF STANDING ORDER, No. 18.—On the Motion of the Attorney General, the 18th Standing Order of this Council was ordered to be suspended.
8. MELBOURNE INCORPORATION ACT AMENDMENT BILL.—The Attorney General moved that this Bill accompanying His Excellency the Lieutenant Governor's Message, No. 61, be now read a first time.
Question—put and passed — Bill read a first time, ordered to be read a second time Thursday, 27th January, instant, and to be printed.
9. MELBOURNE WATER AND SEWERAGE COMMISSION BILL.—The Attorney General moved that this Bill accompanying His Excellency the Lieutenant Governor's Message, No. 62, be now read a first time.
Question—put and passed.—Bill read a first time, ordered to be read a second time Thursday, 27th January, instant, and to be printed.
10. EDUCATION.—Mr. Murphy moved pursuant to Notice, that the Report of the Select Committee appointed to consider the subject of Education, be adopted.
Debate ensued.
Question—put and passed.
Mr. Murphy then moved pursuant to *Contingent* Notice, that leave be given to bring in a Bill to carry out the recommendation of the above Report.
Question—put and passed.—Ordered that the Mover and Seconder do prepare and bring in the Bill.
- 11 PUBLIC HOUSE LICENSING AMENDMENT BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill, having been read. On the Motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof. The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time Wednesday, 26th January, instant.

12. **TOWNS' POLICE ACT AMENDMENT BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill, having been read. On the Motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof. The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time Thursday, 27th January, instant.
- 13 **POSTPONEMENT OF ORDER OF THE DAY.**—On the Motion of the Attorney General, the following Order of the Day was postponed until Wednesday, 26th January, instant “*Savings' Bank Bill,*”—*To be further considered in Committee.* Council adjourned at half-past six o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 26TH JANUARY.

Government Business :—

NOTICE OF MOTION :—

1. **THE AUDITOR GENERAL :** To move that the House resolve itself into a Committee of the whole for the consideration of His Excellency the Lieutenant Governor's Message, No. 60, received on the 20th instant.

ORDERS OF THE DAY :—

1. **PUBLIC HOUSE LICENSING AMENDMENT BILL.**—Third Reading.
2. **SAVINGS BANK BILL.**—To be further considered in Committee.

General Business :—

ORDER OF THE DAY :—

1. **SUPREME COURT RULES.—S. ROCHFORD'S PETITION.**—Consideration of Report from Select Committee on.

THURSDAY, 27TH JANUARY.

Government Business :—

ORDERS OF THE DAY :—

1. **ROADS BILL.**—Second Reading.
2. **MELBOURNE INCORPORATION ACT AMENDMENT BILL.**—Second Reading.
3. **MELBOURNE WATER AND SEWERAGE COMMISSION BILL.**—Second Reading.
4. **TOWNS' POLICE ACT AMENDMENT BILL.**—Third Reading.

General Business :—

ORDERS OF THE DAY :—

1. **GEELONG AND MELBOURNE RAILWAY BILL.**—Second Reading.
2. **ASSAY OF GOLD.**—Consideration of Report from Select Committee.

J. F. PALMER,
Speaker.

No. 99.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 27th JANUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ROADS BILL.—The Attorney General moved, that this Bill be now read a second time.
Debate ensued.
Mr. Greeves moved the previous question.
Debate ensued.
Question—that this question be now put—put.
Council divided.

Ayes, 12.
MR. FAWKNER,
THE SOLICITOR GENERAL,
MR. MILLER,
MR. WESTGARTH,
DR. THOMSON,
MR. MYLES,
MR. NICHOLSON,
MR. SNODGRASS,
MR. WILKINSON,
LIEUT. COL. ANDERSON,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 6.
MR. CAMPBELL,
MR. MURPHY,
MR. SMITH,
MR. GREEVES,
MR. O'SHANASSY,
MR. SPLATT, (*Teller.*)

- Question—That this Bill be now read a Second time—put and passed. Bill read a Second time.
- On the motion of the Attorney General the Speaker left the Chair and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.
- The Chairman reported progress and obtained leave to sit again to-morrow.
3. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL.—Mr. Westgarth, as Chairman of the Select Committee of this Council, to which this Bill was referred, brought up the Report from the Committee, and moved that it be received.
Question—put and passed.
 4. MELBOURNE INCORPORATION ACT AMENDMENT BILL.—The Attorney General moved that this Bill be now read a Second time.
Debate ensued.
Question—put and passed. Bill read a second time and ordered to be considered in Committee, Friday, 28th January, instant.
 5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until Friday, 28th January instant:—
“*Melbourne Water and Sewerage Commission Bill*—*Second reading.*”
 6. TOWNS' POLICE ACT AMENDMENT BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported,—Bill, on the motion of the Attorney General, read a third time and passed.
The Attorney General moved that the following be the title of the Bill,—“*An Act to amend an Act intituled ‘An Act for regulating the Police in the Towns of Parra-
“ matta, Windsor, Maitland, Bathurst, and other Towns respectively, and for
“ removing and preventing Nuisances and Obstructions, and for the better alignment
“ of streets therein.’*”
Question—put and passed.

7. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of Dr. Thomson, the following Order of the Day was postponed until Tuesday, 1st February, 1853 :—

“ *Geelong and Melbourne Railway Bill*—*Second Reading*.”

And on the motion of Mr. Fawkner, the following Order of the Day was postponed until Friday, 28th January instant :—

“ *Assay of Gold*—*Consideration of Report from Select Committee on.*”

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 28TH JANUARY.

NOTICE OF MOTION :—

1. MR. WESTGARTH : To move that this House, viewing the large population now congregating in the interior and in the vicinity of the territories of adjacent Colonies, considers that an assimilation of the Colonial Tariffs has become an object of great and increasing importance, more particularly as regards several dutiable articles of large and general consumption.—That an Address be therefore presented to His Excellency the Lieutenant Governor, praying that His Excellency would be pleased to bring this subject under the notice of the respective Governments of the adjacent Colonies, with an especial reference to the articles of Spirits, Wines, and Tobacco, in order that such propositions may be submitted to the different Legislatures as may best accomplish the important object in view.

ORDERS OF THE DAY :—

1. SAVINGS' BANK BILL.—Third Reading.
2. ROADS BILL.—To be further considered in Committee.
3. MELBOURNE INCORPORATION ACT AMENDMENT BILL.—To be considered in Committee.
4. MELBOURNE WATER AND SEWERAGE COMMISSION BILL.—Second Reading.
5. ASSAY OF GOLD.—Consideration of Report from Select Committee.

TUESDAY, 1ST FEBRUARY.

ORDER OF THE DAY :—

1. GEELONG AND MELBOURNE RAILWAY BILL.—Second Reading.

J. F. PALMER,
Speaker.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 28th JANUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. ASSENT TO BILLS.—The Speaker announced that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the undermentioned Bills—viz. :
“ Public House Licensing Amendment Bill.”
“ Towns Police Act Amendment Bill.”
3. ADDRESSES.—The Speaker announced to the Council that he had pursuant to the Resolutions of this Council, presented the following Addresses to His Excellency the Lieutenant Governor.
 No. 58.—Museum of Economic Geology, adopted on the 25th day of January, 1853, on the motion of Mr. Westgarth, and that His Excellency had in reply to such Address, been pleased to state, that the subject should meet with the attention it merits, whenever it might be in his power to lay a Supplementary Estimate before the Legislature.
 No. 59.—Petty Sessions Returns—adopted on the 25th January, 1853, on the motion of Dr. Thomson, and that His Excellency had in reply to such Address, been pleased to state, that he would give directions that the Returns asked for should be prepared during the recess.
 No. 60. Railway Communication,—adopted on the 26th January, 1853, on the motion of the Auditor General, and that His Excellency had in reply to such Address, been pleased to state, that the request of the Council should be complied with.
4. COLONIAL TARIFFS.—Mr. Westgarth moved, pursuant to Notice, that this House, viewing the large population now congregating in the interior and in the vicinity of the territories of adjacent Colonies, considers that an assimilation of the Colonial Tariffs has become an object of great and increasing importance, more particularly as regards several dutiable articles of large and general consumption.—That an Address be therefore presented to His Excellency the Lieutenant Governor, praying that His Excellency would be pleased to bring this subject under the notice of the respective Governments of the adjacent Colonies, with an especial reference to the articles of Spirits, Wines, and Tobacco, in order that such propositions may be submitted to the different Legislatures as may best accomplish the important object in view.
 Debate ensued.
 Question—put and passed.
5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General, the following Order of the Day was postponed until after the consideration of the other Orders for to-day:—
“ ‘ Savings’ Bank Bill’—Third Reading.”
6. ROADS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
 The Chairman reported progress, and obtained leave to sit again Tuesday, 1st February, 1853.
7. MELBOURNE INCORPORATION ACT AMENDMENT BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council having been read—On the motion of the Attorney General, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the consideration thereof.
 The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration, Tuesday, 1st February next. Bill as amended to be printed.
8. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General the following Order of the Day was postponed until Tuesday, 1st February next.
“ ‘ Melbourne Water and Sewerage Commission Bill.’—Second Reading.”
 and on the motion of Mr. Fawkner, the following Order of the Day was also postponed until Tuesday, 1st February next.
“ ‘ Assay of Gold’—Consideration of Report from Select Committee on.”

9. SAVINGS' BANK BILL.—The Order of the Day for the third reading of this Bill having been read,—On the motion of the Attorney General the Speaker left the Chair and the Council resolved itself into a Committee of the whole, for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time, on Tuesday, 1st February next. Council adjourned at half-past eight o'clock, until three o'clock on Tuesday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 1ST FEBRUARY.

NOTICES OF MOTION :—

1. MR. WESTGARTH : To move that the Melbourne, Mount Alexander, and Murray River Railway Bill be read a second time.
2. MR. FAWKNER : To move that this House do present a Petition to Her Majesty the Queen, praying Her Majesty with the advice of Her Majesty's Privy Council, forthwith to repeal the Orders in Council made at Osborne House, Isle of Wight, the 9th of March, 1847, in the following form :—

TO HER MOST GRACIOUS MAJESTY THE QUEEN.

The Humble Petition of the Legislative Council of Victoria

SHEWETH,

That at the time when the Orders in Council, dated 9th March, 1847, relating to granting Leases of Waste Lands of the Crown in this Colony were made, the population of this Colony consisted of only a few thousand souls.

That the Waste Lands of this Colony could not then have been sold and occupied advantageously.

That now the population of this Colony numbers about a quarter of a million of souls, with a weekly increase of between one and two thousand.

That 60,000,000 of acres of the Lands of the Colony only bring in to the Treasury, under the above Orders, about £14,000 per annum.

That a charge for leave to occupy a space of Crown Lands near the town, sufficient for a tent (say 10 feet by 20 feet) is imposed of the amount of £13 per annum, whilst under the Orders above named, many thousands of acres are held for only £10 per annum.

That thousands of the present inhabitants of this Colony are prepared to buy portions of these Lands, and that rates of from £1 to more than £100 per acre, according to the situation of the Lands, (town, suburban or country) have been obtained. Thus Lands worth high sums are let at a mere nominal rate,—injurious to the rest of the community,—defrauding the revenue, enhancing the price of food in the interior, and preventing the improvement and settlement of this fine fruitful Colony and to the injury thereof and of Great Britain; keeping uselessly shut up many fine sheep runs which might otherwise produce many millions of pounds of wool and tallow to add to our exports.

By selling such portions of these Lands as are fit for agricultural purposes, large sums of money would be produced to enable immigration to continue in an accelerated ratio, thus conferring a great benefit on the Mother Country by relieving her labor market, and emptying her Union Poorhouses.

And therefore Your Majesty's Petitioners pray that Your Majesty will be pleased to take into your Majesty's Royal consideration the propriety of repealing the Orders in Council made at Osborne House on the 9th March, 1847.

And Your Majesty's Petitioners will ever pray, &c.

That an Address be presented to His Excellency the Lieutenant Governor, requesting him to forward the above Petition to the Right Honorable the Secretary of State for the Colonies, for presentation to Her Most Gracious Majesty the Queen.

ORDERS OF THE DAY :—

1. GEELONG AND MELBOURNE RAILWAY BILL.—Second Reading.
2. ROADS BILL.—To be further considered in Committee.
3. MELBOURNE INCORPORATION ACT AMENDMENT BILL.—Adoption of Report.
4. MELBOURNE WATER AND SEWERAGE COMMISSION BILL.—Second Reading.
5. ASSAY OF GOLD.—Consideration of Report from Select Committee on.
6. SAVINGS' BANK BILL.—Third Reading.

J. F. PALMER,
Speaker.

No. 101.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 1st FEBRUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. PETITION.—Mr. Greeves presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne under the Common Seal of the City, praying this Council would be graciously pleased to reject so much of the Bills now before the Council,—one to amend in certain respects an Act intituled “*An Act to Incorporate the Inhabitants of the Town of Melbourne and to make further provision for the Cleansing and Improvement of the City of Melbourne,*” and the other to establish “*A Board of Commissioners for the better Sewerage and Draining, and of supplying Water to the City of Melbourne,*” as tends to deprive the Citizens of Melbourne of the power of Self Government vested in them by Law, and as proposes the creation of a Corporation composed of Crown Nominees and invested with Municipal powers within the bounds of the Incorporation of Melbourne, and that this Council would make such alterations in the Bills referred to, as, while the right of the Executive Government to see to the application of the funds granted from the Public Revenue either by way of Gift or Loan, is fully provided for, will neither interfere with the right of Self Government vested by Law in the Citizens of Melbourne, nor abrogate their right of being taxed only by their Representatives.

Petition received.

2. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL.—Mr. Westgarth moved, pursuant to Notice, that this Bill be now read a second time.

Question—put and passed.

Bill read a second time, and ordered to be considered in Committee, on Wednesday, 2nd February instant.

3. ORDERS IN COUNCIL.—Mr. Fawkner moved, pursuant to notice, That this House do present a Petition to Her Majesty the Queen, praying Her Majesty with the advice of Her Majesty's Privy Council, forthwith to repeal the Orders in Council made at Osborne House, Isle of Wight, the 9th of March, 1847—in the following form :—

TO HER MOST GRACIOUS MAJESTY THE QUEEN.

The Humble Petition of the Legislative Council of Victoria

SHEWETH,

That at the time when the Orders in Council, dated 9th March, 1847, relating to granting Leases of Waste Lands of the Crown in this Colony were made, the population of this Colony consisted of only a few thousand souls.

That the Waste Lands of this Colony could not then have been sold and occupied advantageously.

That now the population of this Colony numbers about a quarter of a million of souls, with a weekly increase of between one and two thousand.

That 60,000,000 of acres of the Lands of the Colony only bring in to the Treasury, under the above Orders, about £14,000 per annum.

That a charge for leave to occupy a space of Crown Lands near the town, sufficient for a tent (say 10 feet by 20 feet) is imposed of the amount of £13 per annum, whilst under the Orders above named, many thousands of acres are held for only £10 per annum.

That thousands of the present inhabitants of this Colony are prepared to buy portions of these Lands, and that rates of from £1 to more than £100 per acre, according to the situation of the Lands, (town, suburban or country) have been obtained. Thus Lands worth high sums are let at a mere nominal rate,—injurious to the rest of the community,—defrauding the revenue, enhancing the price of food in the interior, and preventing the improvement and settlement of this fine fruitful Colony and to the injury thereof and of Great Britain; keeping uselessly shut up many fine sheep runs which might otherwise produce many millions of pounds of wool and tallow to add to our exports.

By selling such portions of these Lands as are fit for agricultural purposes, large sums of money would be produced to enable immigration to continue in an accelerated ratio, thus conferring a great benefit on the Mother Country by relieving her labor market, and emptying her Union Poorhouses.

And therefore Your Majesty's Petitioners pray that Your Majesty will be pleased to take into your Majesty's Royal consideration the propriety of repealing the Orders in Council made at Osborne House on the 9th March, 1847.

And Your Majesty's Petitioners will ever pray, &c.

That an Address be presented to His Excellency the Lieutenant Governor, requesting him to forward the above Petition to the Right Honorable the Secretary of State for the Colonies, for presentation to Her Most Gracious Majesty the Queen.

The putting of this motion having been intercepted by a point of Order raised by Mr. Murphy,

Mr. Splatt moved, that the subject included in the above motion having been substantially decided upon by this Council during this present Session, the Question be not put.

Debate ensued.

Question upon Mr. Splatt's motion put.

Council divided.

Ayes 15.

DR. THOMSON,
MR. GREEVES,
MR. WESTGARTH,
MR. WILKINSON,
MR. SPLATT,
MR. RUSSELL,
THE ATTORNEY GENERAL,
THE COLONIAL SECRETARY,
LIEUT. COL. ANDERSON,
MR. RIDDELL,
MR. CAMPBELL,
MR. MURPHY,
MR. SMITH,
MR. MILLER,
THE AUDITOR GENERAL, (*Teller.*)

No. 4.

MR. MYLES,
MR. O'SHANASSY,
MR. NICHOLSON,
MR. FAWKNER, (*Teller*)

4. GEELONG AND MELBOURNE RAILWAY BILL.—Dr. Thomson moved, that this Bill be now read a second time.

Question put and passed—Bill read a second time.

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

The Chairman reported progress, and obtained leave to sit again Wednesday, 2nd February.

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

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

6. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered the consideration of the following Orders of the Day to be postponed until Wednesday, 2nd February, instant.

“*Melbourne Incorporation Act Amendment Bill—Adoption of Report.*”

“*Melbourne Water and Sewerage Commission Bill—Second Reading.*”

“*Assay of Gold—Consideration of Report from Select Committee on.*”

“*Savings Bank Bill—Third Reading.*”

Council adjourned at ten minutes past seven o'clock until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 2ND FEBRUARY.

Government Business:—

ORDERS OF THE DAY:—

1. ROADS BILL.—To be further considered in Committee.
2. MELBOURNE INCORPORATION ACT AMENDMENT BILL.—Adoption of Report.
3. MELBOURNE WATER AND SEWERAGE COMMISSION BILL.—Second Reading.
4. SAVINGS BANK BILL.—Third Reading.

General Business :—

NOTICE OF MOTION :—

1. MR. GREEVES: To move that the Petition from the Corporation of the City of Melbourne against the Melbourne Incorporation Act Amendment Bill, and the Melbourne Water and Sewerage Commission Bill, presented 1st February, be printed.

ORDERS OF THE DAY :—

1. THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL—To be considered in Committee.
2. THE GEELONG AND MELBOURNE RAILWAY BILL.—To be further considered in Committee.
3. ASSAY OF GOLD.—Consideration of Report from Select Committee.

MEETING

OF

SELECT COMMITTEE.

Wednesday, 2nd February.

IMMIGRATION—at 2 o'clock.

J. F. PALMER,
Speaker.

No. 102.

—

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 2nd FEBRUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
 2. IMMIGRATION.—Mr. Splatt, as Chairman of the Select Committee on this subject, brought up the further report from the Committee, and moved that it be received, printed, and taken into consideration on Thursday, 3rd February instant.
Question—put and passed.
 3. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General, the following Orders of the Day were postponed until after the third Order for to-day.
“*Roads Bill*—To be further considered in Committee.”
“*Melbourne Incorporation Act Amendment Bill*—Adoption of Report.”
 4. MELBOURNE WATER AND SEWERAGE COMMISSION BILL.—The Order of the Day for the second reading of this Bill having been read:—On the motion of the Attorney General, the Petition against the Bill, from the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, presented to the Council by Mr. Greaves, 1st February instant, be read by the Clerk.
The Attorney General then moved that this Bill be now read a second time.
Debate ensued.
Question put and passed—Bill read a second time.
On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow.
 5. POSTPONEMENT OF ORDERS OF THE DAY.—On the motion of the Attorney General, the following Orders of the Day were postponed until Thursday, the 3rd February instant.
“*Roads Bill*—To be further considered in Committee.”
“*Melbourne Incorporation Act Amendment Bill*—Adoption of Report.”
“*Savings Bank Bill*—Third Reading.”
 6. MR. GREEVES: Moved, pursuant to notice, that the Petition from the Corporation of the City of Melbourne, presented by him to this Council on the 1st of February instant, be printed.
Question—put and passed.
 7. POSTPONEMENT OF ORDERS OF THE DAY.—The Council ordered the consideration of the following Orders of the Day to be postponed until Thursday, the 3rd of February instant:—
“*The Melbourne, Mount Alexander, and Murray River Railway Bill*—To be considered in Committee”
“*The Geelong and Melbourne Railway Bill*—To be further considered in Committee.”
“*Assay of Gold*—Consideration of Report from Select Committee.”
- Council adjourned at five minutes to eight o'clock until 3 o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 3RD FEBRUARY.

Government Business:—

ORDERS OF THE DAY:—

1. MELBOURNE WATER AND SEWERAGE COMMISSION BILL.—To be further considered in Committee.
2. ROADS BILL.—To be further considered in Committee.
3. MELBOURNE INCORPORATION ACT AMENDMENT BILL.—Adoption of Report.
4. SAVINGS BANK BILL.—Third Reading.

General Business :—

NOTICES OF MOTION :—

1. *Contingent*—On the Report from the Select Committee of this Council on Immigration being adopted—

MR. SPLATT: To move that an Address, accompanied by a copy of the Report and Evidence, be presented to His Excellency the Lieutenant Governor, praying His Excellency to carry out, as far as possible, the views adopted in the Report.

2. MR. O'SHANASSY: To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid before this Council a General Return on the subject of Crown Lands, similar to the one adopted by this Council on the 24th August last (now in the hands of the Government Printer) to illustrate the progress of the sale and settlement of the Colony, commencing on 1st July, 1852, and ending on 31st December, 1852.

ORDERS OF THE DAY :—

1. IMMIGRATION.—Consideration of Report from Select Committee.
2. THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL.—To be considered in Committee.
3. THE GEELONG AND MELBOURNE RAILWAY BILL.—To be further considered in Committee.
4. ASSAY OF GOLD.—Consideration of Report from Select Committee.

FRIDAY, 4TH FEBRUARY.

NOTICE OF MOTION :—

1. MR. MACKINNON: To move :—

- (1.) That however much this House may have had occasion to differ from His Excellency the Lieutenant Governor on subjects of general policy, it does, nevertheless, most heartily tender to His Excellency the cordial expression of its thanks for the promptitude with which he gave the Royal Assent to the Act passed in the present session of this Council, intituled "*An Act to facilitate the apprehension and prevent the introduction into the Colony of Victoria of Offenders illegally at large,*" an Act which is universally looked upon in this Colony as the only available safe-guard by which its society could be protected from the continuous inroad of the most desperate and degraded of Britain's criminals from the suffering neighbour Colony of Van Diemen's Land.
- (2.) That the Lieutenant Governor of Van Diemen's Land having expressed himself strongly hostile to this measure, and declared his determination of using every exertion to procure its disallowance by Her Majesty's Government, this Council does most emphatically protest against any such interference with a measure that was rendered necessary to the safety and well-being of this Colony in consequence of its proximity to the penal Colony of Van Diemen's Land.
- (3.) That this House feels called upon to declare its conviction, that the utmost degree of dissatisfaction and indignation would pervade the Colony if the solemn act of its Legislature on a subject so vitally important to its best and dearest interest should be set aside through the representations of an authority specially appointed to carry out that noxious system against which this Council has, in common with the Legislatures of *all* the surrounding Colonies, repeatedly protested.
- (4.) That this House does most cordially identify itself with the sentiments contained in a Despatch addressed by His Excellency the Lieutenant Governor to the Right Honorable Earl Grey, and dated 4th December, 1851, in which His Excellency states—"That the "time has now come when the necessities of the Parent State must be met by yet "stronger obligations, and that both for her own sake as well as for that of her Colonies "in this quarter of the globe, it must be conceded that it is absolutely necessary that the "transportation of convicts to the Australian Colonies should altogether cease."
- (5.) That His Excellency the Lieutenant Governor be respectfully requested to forward the foregoing resolutions to Her Majesty the Queen.

J. F. PALMER,
Speaker.

No. 103.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 3rd FEBRUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair
2. MELBOURNE WATER AND SEWERAGE COMMISSION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council, having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported this Bill.
On the Motion of the Attorney General the Speaker left the Chair, and the Council again resolved itself into a Committee of the whole Council for the re-consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Friday, 4th February instant.—Bill as amended to be printed.
3. SUSPENSION OF STANDING ORDER.—On the Motion of the Attorney General, the Council ordered the Standing Order, No. 17, to be suspended.
4. ROADS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman reported the Bill.
On the Motion of the Attorney General, the Speaker left the Chair, and the Council again resolved itself into a Committee of the whole for the re-consideration of this Bill.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration Friday, 3rd February, instant.
5. MELBOURNE INCORPORATION ACT AMENDMENT BILL.—The order of the day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read,—On the motion of the Attorney General the Council adopted the Bill as reported, and ordered the same to be read a third time Friday, 4th February, instant.
6. SAVINGS' BANK BILL.—The order of the day for the third reading of this Bill having been read,—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time after the consideration of the 1st order (general business) for to-day.
7. POSTPONEMENT OF NOTICE OF MOTION.—Mr. Splatt, with leave of the Council, postponed the motion standing his name, No. 1, on the Notice Paper of to-day, until after the consideration of the first Order (General Business) for to-day.
8. WASTE LANDS.—Mr. O'Shanassy moved, pursuant to notice—That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will cause to be laid before this Council a General Return on the subject of Crown Lands, similar to the one adopted by this Council on the 24th August last (now in the hands of the Government Printer) to illustrate the progress of the sale and settlement of the Colony, commencing on 1st July, 1852, and ending on 31st December, 1852.
Question—put and passed.
9. IMMIGRATION.—The Order of the Day for the consideration of the further report from the Select Committee of this Council on this subject, having been read, Mr Splatt moved—That the Report be adopted.
Debate ensued.
Question—put and passed.
Mr. Splatt then moved, pursuant to *contingent* notice—That an Address, accompanied by a copy of the Report and Evidence, be presented to His Excellency the Lieutenant Governor, praying His Excellency to carry out, as far as possible, the views adopted in the Report.
Question—put and passed.
10. SAVINGS' BANKS BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, Bill, on the motion of the Attorney General, read a third time and *passed*.
The Attorney General moved, that the following be the Title of the Bill,—“*An Act to Consolidate and Amend the Laws relating to Savings' Banks.*”
Question—put and passed,
11. MELBOURNE, MOUNT ALEXANDER AND MURRAY RIVER RAILWAY BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council having been read—On the motion of Dr. Thomson the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman reported progress and obtained leave to sit again to-morrow.

12. **GEELONG AND MELBOURNE RAILWAY BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair and the Council resolved itself into a Committee of the whole, for the further consideration thereof.

The Chairman having reported the Bill with amendments, the Council ordered the same to be taken into consideration Friday, 4th February, instant.

13. **POSTPONEMENT OF THE ORDER OF THE DAY.**—On the motion of the Auditor General the following Order of the Day was postponed until Friday, 4th February, instant.

“ ‘*Assay of Gold.*’—*Consideration of Report from Select Committee, on.*”

Council adjourned at twenty minutes past ten o'clock, until three o'clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, 4TH FEBRUARY.

NOTICES OF MOTION :—

1. **MR. MACKINNON :** To move :—

(1.) That however much this House may have had occasion to differ from His Excellency the Lieutenant Governor on subjects of general policy, it does, nevertheless, most heartily tender to His Excellency the cordial expression of its thanks for the promptitude with which he gave the Royal Assent to the Act passed in the present session of this Council, intituled “*An Act to facilitate the apprehension and prevent the introduction into the Colony of Victoria of Offenders illegally at large,*” an Act which is universally looked upon in this Colony as the only available safe-guard by which its society could be protected from the continuous inroad of the most desperate and degraded of Britain’s criminals from the suffering neighbour Colony of Van Diemen’s Land.

(2.) That the Lieutenant Governor of Van Diemen’s Land having expressed himself strongly hostile to this measure, and declared his determination of using every exertion to procure its disallowance by Her Majesty’s Government, this Council does most emphatically protest against any such interference with a measure that was rendered necessary to the safety and well-being of this Colony in consequence of its proximity to the penal Colony of Van Diemen’s Land.

(3.) That this House feels called upon to declare its conviction, that the utmost degree of dissatisfaction and indignation would pervade the Colony if the solemn act of its Legislature on a subject so vitally important to its best and dearest interest should be set aside through the representations of an authority specially appointed to carry out that noxious system against which this Council has, in common with the Legislatures of *all* the surrounding Colonies, repeatedly protested.

(4.) That this House does most cordially identify itself with the sentiments contained in a Despatch addressed by His Excellency the Lieutenant Governor to the Right Honorable Earl Grey, and dated 4th December, 1851, in which His Excellency states—“That the time has now come when the necessities of the Parent State must be met by yet stronger obligations, and that both for her own sake as well as for that of her Colonies in this quarter of the globe, it must be conceded that it is absolutely necessary that the transportation of convicts to the Australian Colonies should altogether cease.”

(5.) That His Excellency the Lieutenant Governor be respectfully requested to forward the foregoing resolutions to Her Majesty the Queen.

2. **MR. MYLES :** To move, That the House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Lieutenant Governor, requesting him to be pleased to order such surveys as will be necessary to ascertain the best mode of supplying Water to Geelong and its suburbs, and constructing an effective system of underground Sewerage for the benefit of that most important and populous Town.

And, that His Excellency will be pleased to cause Estimates to be made out by the proper Officers of the sums that may be deemed necessary to complete such supply of Water, and such Sewerage.

And, that His Excellency will be further pleased to place on the Supplementary Estimates such amount of money as shall be deemed needful to accomplish these very essential and highly sanitary measures, in order that at the next meeting of this Council steps can be taken to carry out these works contemporaneously with the supply of Water and Sewerage for the City of Melbourne and its suburbs.

3. **THE ATTORNEY GENERAL :** To move, that this House do sit for the despatch of business on Saturday and Monday next.

ORDERS OF THE DAY :—

1. **MELBOURNE WATER AND SEWERAGE COMMISSION BILL.**—Adoption of Report.
2. **ROADS BILL.**—Adoption of Report.
3. **MELBOURNE INCORPORATION ACT AMENDMENT BILL.**—Third reading.
4. **MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL.**—To be further considered in Committee.
5. **GEELONG AND MELBOURNE RAILWAY BILL.**—Adoption of Report.
6. **ASSAY OF GOLD.**—Consideration of Report from Select Committee.

J. F. PALMER,
Speaker.

No. 104.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 4th FEBRUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair
2. LIBRARY COMMITTEE.—Mr. Westgarth on behalf of the Honorable the Speaker the Chairman of the Library Committee, brought up a Report from the Committee, and moved that it be received and read.
Question—put and passed.—Report read by the Clerk.
Mr. Westgarth then moved that the Report be printed and taken into consideration Saturday 5th February instant.
Question—put and passed.
3. CONVICTS PREVENTION BILL.—Mr. Mackinnon moved pursuant to *amended* Notice :—
 - (1.) That this House does, most heartily tender to His Excellency the cordial expression of its thanks for the promptitude with which he gave the Royal Assent to the Act passed in the present session of this Council, intituled "*An Act to facilitate the apprehension and prevent the introduction into the Colony of Victoria of Offenders illegally at large,*" an Act which is universally looked upon in this Colony as the only available safe-guard by which its society could be protected from the continuous inroad of the most desperate and degraded of Britain's criminals from the suffering neighbour Colony of Van Diemen's Land.
 - (2.) That the Lieutenant Governor of Van Diemen's Land having expressed himself strongly hostile to this measure, and declared his determination of using every exertion to procure its disallowance by Her Majesty's Government, this Council does most emphatically protest against any such interference with a measure that was rendered necessary to the safety and well-being of this Colony in consequence of its proximity to the penal Colony of Van Diemen's Land.
 - (3.) That this House feels called upon to declare its conviction, that the utmost degree of dissatisfaction and indignation would pervade the Colony if the solemn act of its Legislature on a subject so vitally important to its best and dearest interest should be set aside through the representations of an authority specially appointed to carry out that noxious system against which this Council has, in common with the Legislatures of *all* the surrounding Colonies, repeatedly protested.
 - (4.) That this House does most cordially identify itself with the sentiments contained in a Despatch addressed by His Excellency the Lieutenant Governor to the Right Honorable Earl Grey, and dated 4th December, 1851, in which His Excellency states—"That the time has now come when the necessities of the Parent State must be met by yet stronger obligations, and that both for her own sake as well as for that of her Colonies in this quarter of the globe, it must be conceded that it is absolutely necessary that the transportation of convicts to the Australian Colonies should altogether cease."
 - (5.) That an Address be presented to His Excellency the Lieutenant Governor requesting that he will forward the foregoing resolutions to Her Majesty the Queen.
Question—put and passed.
4. SUPPLY OF WATER AND SEWERAGE TO GEELONG.—Mr. Myles moved pursuant to Notice :—
That the House resolve itself into a Committee of the whole to consider the propriety of presenting an Address to His Excellency the Lieutenant Governor, requesting him to be pleased to order such surveys as will be necessary to ascertain the best mode of supplying Water to Geelong and its suburbs, and constructing an effective system of underground Sewerage for the benefit of that most important and populous Town.
And, that His Excellency will be pleased to cause Estimates to be made out by the proper Officers of the sums that may be deemed necessary to complete such supply of Water, and such Sewerage.
And, that His Excellency will be further pleased to place on the Supplementary Estimates such amount of money as shall be deemed needful to accomplish these very essential and highly sanitary measures, in order that at the next meeting of this Council steps can be taken to carry out these works contemporaneously with the supply of Water and Sewerage for the City of Melbourne and its suburbs.
Question—put and passed.

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

The Chairman having reported that the Committee had resolved that an Address be presented to His Excellency the Lieutenant Governor, requesting him to be pleased to order such surveys as will be necessary to ascertain the best mode of supplying Water to Geelong and its suburbs, and constructing an effective system of underground Sewerage for the benefit of that most important and populous Town.

And, that His Excellency will be pleased to cause Estimates to be made out by the proper Officers of the sums that may be deemed necessary to complete such supply of Water, and such Sewerage. On the motion of Mr. Myles the Council adopted the resolution, and ordered an Address to be presented to His Excellency accordingly.

5. MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Message from His Excellency the Lieutenant Governor received and read.

PENSIONS BILL.

C. J. LA TROBE,

Message No. 63.

Lieutenant Governor.

In pursuance of the provisions of the Act for the better Government of Her Majesty's Australian Colonies, the Lieutenant Governor transmits to the Council for its consideration, the Draft of "*A Bill for regulating the Pensions, Compensations, and Allowances to be made to Persons in respect of their having held Civil Offices in Her Majesty's Service, in the Colony of Victoria*"

Government Offices,

Melbourne, 4th February, 1853.

Ordered to be printed.

6. SUSPENSION OF STANDING ORDER.—On the Motion of the Attorney General, the Council ordered the Standing Order, No. 17, to be suspended.
7. PRISONS' BILL.—The Attorney General then moved, that the Bill accompanying His Excellency the Lieutenant Governor's Message, No. 63, be read a first time.
Question—put and passed.
Bill read a first time and ordered to be printed.
8. DAYS OF BUSINESS.—The Attorney General moved, pursuant to *amended* notice, That this House do sit for the despatch of business on Saturday and Monday next and meet at the hour of three o'clock on each day.
Question—put and passed.
9. MELBOURNE WATER AND SEWERAGE COMMISSION BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read, on the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time Saturday, 5th February instant.
10. POSTPONEMENT OF ORDER OF THE DAY.—On the Motion of the Attorney General, the following Order of the Day was postponed until Saturday, 5th February instant :—
"*Roads' Bill*"—*Adoption of Report.*"
11. MELBOURNE INCORPORATION ACT AMENDMENT BILL.—The Order of the Day for the third reading of this Bill having been read, on the Motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time Saturday, 5th February instant.
12. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council having been read, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration thereof.
The Chairman having reported the Bill with amendments,—On the motion of Mr. Murphy the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration on Saturday, 5th February instant.
13. GEELONG AND MELBOURNE RAILWAY BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read, On the motion of Dr. Thomson, the Speaker left the chair and the Council resolved itself a Committee of the whole for the re-consideration thereof,

The Chairman having reported the Bill with further amendments, the Council adopted the same and ordered the Bill to be read a third time on Saturday, 5th February instant.

14. EDUCATION COMMISSION BILL.—Mr. Murphy brought up a Bill to incorporate a Board of Commissioners of General Education in the Colony of Victoria, and to make further provision for the same, and moved that it be read a first time.

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

15. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of Mr. Westgarth, the following Order of the Day was postponed until Monday, 7th February inst.

“*Assay of Gold*’—*Consideration of Report from Select Committee on.*”

Council adjourned at five minutes to ten o’clock, until three o’clock to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

SATURDAY, 5TH FEBRUARY.

NOTICE OF MOTION :—

1. DR. THOMSON : To move that an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to authorize a guarantee to the Geelong and Melbourne Railway Company of £5 per cent on £300,000 of their proposed capital.

ORDERS OF THE DAY :—

1. LIBRARY COMMITTEE.—Consideration of Report from Select Committee.
2. MELBOURNE WATER AND SEWERAGE COMMISSION BILL.—Third Reading.
3. ROADS BILL.—Adoption of Report.
4. MELBOURNE INCORPORATION ACT AMENDMENT BILL.—Third reading.
5. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL—Adoption of Report.
6. GEELONG AND MELBOURNE RAILWAY BILL.—Third Reading.

MONDAY, 7TH FEBRUARY.

ORDER OF THE DAY :—

1. ASSAY OF GOLD.—Consideration of Report from Select Committee on.

J. F. PALMER,
Speaker.

No. 105.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

SATURDAY, 5th FEBRUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. GEELONG AND MELBOURNE RAILWAY.—Dr. Thomson moved, pursuant to *amended* notice, that this House resolve itself into a Committee of the whole, to consider the propriety of presenting an Address to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to authorise a guarantee to the Geelong and Melbourne Railway Company of £5 per cent. on £300,000 of their proposed capital.
Question—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman reported that the Committee had not agreed to present an Address in the terms of the above motion.
3. PETITION.—Mr. Greeves presented a Petition from the Mayor, Aldermen, Councillors and Citizens of the City of Melbourne, praying this Council (for the reasons set forth in the Petition) not to assent to the passing of the Melbourne, Mount Alexander and Murray River Railway Company's Bill, unless the objectionable features (referred to in the Petition) are expunged.
Petition received, and referred to the Committee of the whole Council upon this Bill.
4. LIBRARY COMMITTEE.—The Order of the Day for the consideration of the Report from the Select Committee on the Library, having been read—Mr. Westgarth moved that the Report be now adopted by the Council.
Question—put and passed.
5. POSTPONEMENT OF ORDER OF THE DAY.—On the motion of the Attorney General the consideration of the following Order was postponed until after the other Orders for to-day :
“ *Melbourne Water and Sewerage Commission Bill*—*Third reading.*”
6. ROADS BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read,—On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council ordered the same to be taken into consideration after the other Orders for to-day.
7. MELBOURNE INCORPORATION ACT AMENDMENT BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill, on motion of the Attorney General, read a third time and *passed*.
The Attorney General moved that the following be the Title of the Bill:—“ *An Act to amend in certain respects an Act intituled an Act to incorporate the Inhabitants of the Town of Melbourne, and to make further provision for the cleansing and improvement of the City of Melbourne.*”
Question—put and passed.
8. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole Council upon this Bill having been read,—On the motion of Dr. Thomson the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time Monday, 7th February instant.
9. GEELONG AND MELBOURNE RAILWAY BILL.—The Order of the Day for the third reading of this Bill having been read,—On the motion of Dr. Thomson the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the re-consideration thereof.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time Monday 7th February inst.

10. MELBOURNE WATER AND SEWERAGE COMMISSION BILL.—The Order of the day for the third reading of this Bill having been read—On the Motion of the Attorney General the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the same.

The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported—Bill on the Motion of the Attorney General, read a third time and *passed*.

The Attorney General then moved that the following be the Title of the Bill—“*An Act to establish a Board of Commissioners for the better Sewerage and Drainage of the City of Melbourne, and for supplying Water thereto, and to the Suburbs thereof*”

Question—put and passed.

11. ROADS BILL.—On the Motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill to be read a third time Monday, 7th February, instant.

Council adjourned at five o'clock, until three o'clock on Monday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

MONDAY, 7TH FEBRUARY.

NOTICE OF MOTION :—

1. MR. WILKINSON: To move that the House do resolve itself into a Committee of the whole for the purpose of taking into consideration the Petition from the inhabitants of Portland, in relation to the holding of County Courts and Courts of General Sessions at Portland, with a view of addressing His Excellency the Lieutenant Governor, that he will be pleased to extend the sittings of those Courts to Portland, or otherwise relieve the inhabitants of that township and the settlers residing in the counties of Normanby, Dundas, and Follet from being obliged to take a long and expensive journey to Belfast to prosecute light offences and to sustain trivial causes.

ORDERS OF THE DAY :—

1. ASSAY OF GOLD.—Consideration of Report from Select Committee on.
2. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL—Third Reading.
3. GEELONG AND MELBOURNE RAILWAY BILL.—Third Reading.
4. ROADS BILL.—Third Reading.

J. F. PALMER,
Speaker.

No. 106.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

MONDAY, 7th FEBRUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR.—The following Messages from His Excellency The Lieutenant Governor received and read.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 64.

Agreeable to the provisions of the Act for the better Government of Her Majesty's Australian Colonies, the Lieutenant Governor has to propose the following amendment to the Bill which has been passed by the Council and presented to His Excellency for the Royal Assent, intituled "*An Act to establish a Board of Commissioners for the better Sewerage and Draining of the City of Melbourne, and supplying Water thereto, and to the Suburbs thereof*"—

The Amendment which His Excellency proposes is, that the following words be added to the seventeenth Section; that is to say: "and in the Clauses and Sections herewith incorporated, the expression 'Special Act' shall mean this Act, and the word 'prescribed,' shall be construed to refer to any matter prescribed or provided for in this Act, and the expression 'the Lands and Streams,' shall mean the Lands and Streams of Water, which, by this Act are authorized to be taken or used for the purposes hereof; and the expression 'The Works' or 'The Undertaking,' shall mean the Water Works and the works connected therewith, and any other works or undertaking by this Act authorized to be constructed or executed; and the expression 'The Promoters of the Undertaking' or 'The Undertakers,' shall mean the said Board of Commissioners."

*Government Offices,
Melbourne, 7th February, 1853.*

Ordered to be printed.

C. J. LA TROBE,
Lieutenant Governor.

Message No. 65.

The Lieutenant Governor hastens to transmit to the Legislative Council before the termination of the Session, copies of two despatches just received from The Right Honorable the Secretary of State for the Colonies, viz:—

1st.—No. 58, dated 16th September, 1852, on the subject of Sales of large Blocks of Land to Private Individuals, under the fifteenth Section of the Imperial Act, 5th and 6th Vict., c. 36.

2nd.—No. 62, of the 2nd October, 1852, relative to the application of the unappropriated Moiety of the Land Fund.

*Government Offices,
Melbourne, 7th February, 1853.*

Ordered to be printed, together with the accompanying Enclosures.

3. ADDRESSES.—The Speaker announced that he had presented the following addresses to His Excellency the Lieutenant Governor, viz:—

No. 61. COLONIAL TARIFFS—adopted on the 28th January, 1853, on the motion of Mr. Westgarth, and that His Excellency had, in reply to such Address, been pleased to state that he would gladly comply with the request of the Council.

No. 62. WASTE LANDS—adopted on the 3rd February, 1853, on the motion of Mr. O'Shanassy, and that His Excellency had, in reply to such Address, been pleased to state that the Returns should be prepared.

No. 63. IMMIGRATION—adopted on the 3rd February, 1853, on the motion of Mr. Splatt, and that His Excellency had, in reply to such Address, been pleased to state that the Report should be sent to the Secretary of State for his information and that he should be glad to avail himself of the suggestions in it so far as the circumstances in which the Colony is placed might enable him to do so.

No. 64. TRANSPORTATION—adopted on the 4th February, 1853, on the motion of Mr. MacKinnon,

and that His Excellency had, in reply to such Address, been pleased to state that he would take an early opportunity of complying with the wishes of the Council.

No. 65. WATER SUPPLY AND SEWERAGE TO GEELONG—adopted on the 4th February, 1853, on the motion of Mr. Myles,

and that His Excellency had, in reply to such Address, been pleased to state that the wish expressed by the Council would meet with the consideration the subject calls for.

4. ASSENT TO BILLS.—The Speaker announced that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the following Bills, viz. —

“ *Savings' Bank's Bill.*”

“ *Melbourne Incorporation Act Amendment Bill.*”

5. MELBOURNE WATER AND SEWERAGE COMMISSION BILL.—The Attorney General moved the suspension of Standing Order No. 18.

Question put and passed.

The Attorney General then moved that the Speaker do leave the chair, and the Council resolve itself into a Committee of the whole for the consideration of the Lieutenant Governor's Message No. 64.

Question put and passed.

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

The Chairman having reported that the Committee had agreed to the amendment proposed by His Excellency the Lieutenant Governor, the Attorney General moved that this Council do now adopt the amendment so agreed to.

Question put and passed.

The Attorney General then moved that the Bill be reprinted with the amendment so agreed to, and again presented to His Excellency the Lieutenant Governor for the Royal Assent, accompanied by the following Message, to be presented by the Speaker:—

Message from the Legislative Council to His Excellency the Lieutenant Governor in answer to an amendment proposed by His Excellency to be made in a Bill presented to His Excellency for Her Majesty's Assent intitled—“ An Act to establish a Board of Commissioners for the better Sewerage and Draining of the “ City of Melbourne, and supplying Water thereto, and to the suburbs thereof.”

Agreeably to the provisions of the Act for the government of New South Wales and of the Act for the better government of Her Majesty's Australian Colonies, the Legislative Council have taken into consideration an Amendment proposed to the Council to be made in the said Bill by His Excellency the Lieutenant Governor in his Message No. 64, of the 7th instant, and having agreed to the same beg to present the said Bill to His Excellency for Her Majesty's Assent, with the said amendment as agreed to.

Question—put and passed.

6. SUSPENSION OF STANDING ORDER.—The Colonial Secretary moved the suspension of Standing Order No. 18.

Question put and passed.

The Colonial Secretary then moved, that the Council do on its rising to-day adjourn until to-morrow at 12 o'clock.

Question put and passed.

7. COUNTY COURTS AND COURTS OF GENERAL SESSIONS, PORTLAND.—Mr. Wilkinson moved, pursuant to notice, That the House do resolve itself into a Committee of the whole for the purpose of taking into consideration the Petition from the inhabitants of Portland, in relation to the holding of County Courts and Courts of General Sessions at Portland, with a view of addressing His Excellency the Lieutenant Governor, that he will be pleased to extend the sittings of those Courts to Portland, or otherwise relieve the inhabitants of that township and the settlers residing in the counties of Normanby, Dundas, and Follet from being obliged to take a long and expensive journey to Belfast to prosecute light offences and to sustain trivial causes.

Question put and passed.

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

The Chairman reported that a point of Order had arisen in Committee, viz., that the above Petition from the Inhabitants of Portland was out of order, inasmuch as it was in contravention of the 54th Standing Order of this Council, and obtained leave to sit again as such point of Order should be disposed of.

On the motion of the Auditor General the 54th Standing Order and also the two paragraphs in the Petition contravening such Standing Order, were read by the Clerk.

22. Already in September last I forwarded a full Report upon the working and tendency in this Colony, as far as these could be described or estimated, of the system introduced under the Orders in Council of March, 1847; and recommended the various questions at issue to the most serious attention of Her Majesty's Government.

23. I am prepared to carry out my promise to bring the opinions of the Council relative to the unappropriated moiety of the Land Fund under the attention of the Home Government. I coincide in opinion with the Council that the whole might, in the present state and prospects of the Colony, be expended upon the general wants of the community.

24. I would thank the Council for the support it has given to the view I have taken with respect to the various Railway Companies; and for the regard it has evinced to the interests of Religion generally, the Public Health, Education, and Science.

25. The evidence of outward advance, and of the unexampled prosperity with which it has pleased God to favour this Colony, are so clear and undoubted, that it is scarcely necessary for me at this time to adduce proof by an appeal to the details of Revenue. But I may assure the Council that the resources of the Colony will in every respect, to all appearance, prove amply sufficient to meet the extraordinary amount of expenditure which the exigencies of the times, or the propriety of originating and carrying forward works of primary importance to the public welfare and convenience, have rendered necessary or desirable. The Gold Revenue must, from its very character, be a fluctuating one; but I have no reason to anticipate its failure, or the general continued productiveness of the widely extended Gold Fields of the Colony.

26. The year that has closed, since I last had the honor of addressing you in this place, has been, from first to last, one without parallel in the history of British Colonies, whether viewed in regard to the influence which the events signaling it have exercised upon the community itself, or upon the Parent State. My feeling, and I am persuaded it is one in which the Council will participate, is that of deep and unfeigned thankfulness to God, that a period of so much difficulty, excitement, and temptation, should have passed over us, leaving record of so little to be permanently deplored. We may well bless God, that although social and domestic disarrangement, and even great increase of crime, may have been marked as attendant upon the extraordinary circumstances in which the Colony has been so unexpectedly thrown, general order, obedience to the law, and respect to constituted authority,—however embarrassed in the discharge of its functions,—have been preserved. That notwithstanding reasonable apprehension at one time, and the seeming pressure upon the resources within reach, want and scarcity, as well as heavy and general disease, have been averted from our door; that, however perilled, our great staple product,—for such we must still regard it, whatever more dazzling interest may temporarily arise,—has not been sacrificed; that every branch of industry, however suspended for a while, again flourishes; and that in spite of our Gold, and the evils and excitement inseparable upon its sudden acquisition, we may still stand forward and vindicate our character as a people that fear God and honour the Queen.

I now declare this Council to stand prorogued until Friday the 15th of April next.

(Signed)

C. J. LA TROBE,

Lieutenant Governor.

*Government Offices,
Melbourne, 8th February, 1853.*

His Excellency then retired, being conducted to the door by the Speaker, and the Council stood prorogued accordingly to Friday, 15th day of April next.

J. F. PALMER,

Speaker.

Mr. Westgarth then, with leave of the Council, withdrew the above Petition.

The Speaker then left the Chair, and the Council again resolved itself into a Committee of the whole.

The Chairman having reported that the Committee recommended Mr. Wilkinson have leave to amend his Notice of Motion.

Mr. Wilkinson moved, that the House do resolve itself into a Committee of the whole for the purpose of addressing His Excellency the Lieutenant Governor, that he will be pleased to extend the sittings of County Courts and Courts of General Sessions to Portland, or otherwise relieve the inhabitants of that township and the settlers residing in the counties of Normanby, Dundas, and Follet from being obliged to take a long and expensive journey to Belfast to prosecute light offences and to sustain trivial causes.

Question put and negatived.

8. ASSAY OF GOLD.—The Order of the Day for the consideration of the Report from the Select Committee of this Council upon this subject having been read,—Mr. Westgarth moved that the Report be now adopted.

Debate ensued.

Motion by leave withdrawn.

9. MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY BILL.—The Order of the Day for the third reading of this Bill having been read,—On the motion of Mr. Westgarth, the Speaker left the Chair and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The chairman having reported the Bill with further amendments, the Council adopted the same.

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

Mr. Westgarth moved, that the following be the Title to the Bill—“*An Act to incorporate a Company to be called ‘The Melbourne, Mount Alexander, and Murray River Railway Company.’*”

Question put and passed.

10. GEELONG AND MELBOURNE RAILWAY BILL.—The Speaker having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported:—Bill on the motion of Dr. Thomson read a third time and *passed*.

Dr. Thomson then moved that the following be the title of the Bill: “*An Act to incorporate a Company to be called the Geelong and Melbourne Railway Company.*”

Question put and passed.

11. ROADS BILL.—The order of the day for the third reading of this Bill having been read: On the motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the re-consideration thereof.

The Chairman having reported the Bill with further amendments, the Council adopted the same.

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

The Attorney General moved that the following be the title of the Bill: “*An Act for making and improving Roads in the Colony of Victoria.*”

Question put and passed.

Council adjourned at twenty minutes to six o'clock, until twelve o'clock to-morrow.

J. F. PALMER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 8th FEBRUARY, 1853.

1. Council met pursuant to adjournment.—The Speaker took the Chair.
2. **ASSENT TO BILLS.**—The Speaker reported that His Excellency the Lieutenant Governor had been pleased to give the Royal Assent to the following Bills:—
“The Melbourne Water and Sewerage Commission Bill.”
“The Roads Bill.”
“The Melbourne, Mount Alexander, and Murray River Railway Company Bill.”
“The Geelong and Melbourne Railway Company Bill.”
3. **BUSINESS OF THE SESSION.**—The Speaker reported that of fifty-seven Bills introduced into the Council during the Session, forty-six had passed and been assented to; one had passed, but had been reserved for the signification of Her Majesty's pleasure thereon; one had lapsed in Committee of the whole Council; one had lapsed in the Council; two had been negatived on motion for the second reading; two had been withdrawn; two had been disposed of by the question “this day six months”; and of the remaining four no proceedings had been taken since the first readings thereof.
 The Speaker also announced that thirty Select Committees had been appointed, of which twenty-two had taken evidence; and legislative enactments had resulted from the proceedings of fourteen of such Committees.
4. **PROROGATION.**—His Excellency the Lieutenant Governor having arrived at the Chamber, and having been duly announced by the Sergeant at Arms, was received by the Speaker, and by him conducted to an elevated seat provided for him near the Speaker's Chair, and read the following speech.—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,

I am happy to have it in my power to release you from the duties of a very protracted and heavy Session.

2. I thank you for the assiduity with which you have taken into consideration the various suggestions brought directly under your attention, or which have presented themselves incidentally during its progress.

3. No less than forty-seven Bills have passed the Legislature and been presented for the Royal Assent. A mere summary of these alone would lead me to detain you far longer than usual or desirable at this time; but there are some of too great importance to be passed over without brief remark.

4. The introduction of the new Tariff presents itself as one of the earliest and most important measures of the Session. I have it already in my power to congratulate you upon its complete success. The marked increase in the Customs Revenue, consequent upon the new Act coming into operation, may fairly, in great measure, be attributed to the enlightened policy under which it was framed.

5. I am confident that most beneficial results cannot fail to follow the operation of the Acts passed for the establishment of County Courts and of General Sessions. The formation of the latter will materially assist the Magistracy in their administration of justice, and may, it is hoped, contribute to an uniformity of decisions. My desire is, through a judicious extension of similar machinery, to bring justice readily within the reach of every member of the community.

6. Nothing but the critical and unexampled position in which the country was found to be placed with respect to the convict population of Van Diemen's Land, would have justified me in unhesitatingly assenting in the name of Her Majesty to so stringent a measure as the “Act to facilitate the apprehension of offenders illegally at large.” I am satisfied, however, that such measure was imperatively necessary as one of self-protection. It was no imaginary anticipation of probable evil, but a lively sense of present, pressing, and alarming necessity which dictated it—and the results have most incontestably proved the propriety of its enactment.

7. The Council has long been aware of my desire to relieve the Shipping and Mercantile interests from any undue burdens or restrictions. This has now been, I believe, effected by the new Harbour Regulations and Pilotage Act. The Pilotage charges, as now enforced, may be undoubtedly held insufficient of themselves to defray the increased expenditure of the greatly

augmented Pilot Establishment; but I entertain no doubt that the extended commerce consequent upon the vast resort of Shipping from every quarter of the world to our Ports, will more than compensate for any deficiency in such particular branch of Revenue.

8. By the introduction of the Criminal Law Amendment Act many very unnecessary formalities have been dispensed with.

9. I look upon the General Registration Act as of no small importance to the Colony. It promises to secure the correct compilation of much valuable statistical information; mark the progress of the Colony; facilitate the proof of births, deaths, and marriages; assist in tracing pedigree; and, by securing the publicity of deaths occurring under unusual or suspicious circumstances, contribute to the suppression of crime.

10. I thank you for the important enactment passed during the Session relating to the organization of the Constabulary Force, and the extension of the means of securing the maintenance of peace, and of preserving order in the Cities and populous Districts. I anticipate the best results from the clauses prohibiting the carrying of loaded fire-arms or offensive weapons.

11. I have felt it my duty to give a ready assent, in Her Majesty's name, to the Bill proposing additional and liberal provision for Public Worship, as tending to encourage a disposition amongst the members of the community to interest themselves in the support of Religion.

12. Serious inconvenience and loss resulting to Owners and Masters of Vessels by the desertion of Seamen, will, I trust, be prevented in some measure by the Act passed in this view. It was unquestionably called for by the circumstances of the times.

13. The alterations in the law placing Public Houses within certain Districts under stricter surveillance, and licensing places of refreshment, will materially assist the Police in preserving order in those localities.

14. Such being the wish of the Council, I have given ready assent, in Her Majesty's name, to the Bill for altering the Electoral Act of 1851, and increasing the number of Members of the Legislative Council. At the same time, I am led to consider that this measure must only be held preparatory to an early and full consideration of the present arrangements made under the Constitutional Act; and of the propriety of exercising those powers which have been confided to the Legislature by its provisions.

15. I have to thank the Council for having liberally met my views in providing for the general expenses of the public service, whether ordinary or extraordinary; and for having justified the anticipation expressed in my Financial Minute. Every effort will be made to apply the very large sums voted by the Council for Public Works and Internal Improvements, under various and important heads, with effect. I regret that the amount proposed by me for the protection of life and property may have been held too high. I need not assure the Council that under this, as of every other head, every economy will be exercised.

16. The Bill which you have been pleased to pass to alter and increase the sum appropriated to the payment of the Salary of the Governor of Victoria, will, as the Royal instructions require, be forwarded for the consideration of Her Majesty. In the meanwhile, it is but becoming in the Lieutenant Governor to offer his acknowledgements to the Council for the temper in which it has originated and passed this measure.

17. I appreciate the disposition evinced by the Council to support the Executive Government in times of no small difficulty; and would more particularly advert to the very large expenditure during the past year, unavoidably incurred without its sanction, which the Council has cheerfully and readily met by its Supplementary Appropriations. By its concurrence in the proposed payment of arrear salaries in the case of the service generally, it will be satisfactory to know, that it has not only enabled me to redeem a conditional pledge, and do justice to those to whose steady performance of duty in times of great difficulty the Colony is so much indebted,—but, in the case of the subordinate classes of public officers, has relieved many from very great and inevitable pressure and distress.

18. It is satisfactory also for me to gather its general concurrence in the system of administration established at the Gold Fields, and in the manner of raising a revenue from that source. I trust the abundant income flowing in through other channels may show that the Export Duty on Gold, which the Council has declined at this time to impose, may safely be dispensed with.

19. I regret that it has not been in my power to introduce a Postage Act, as I had anticipated at the opening of the Session. I can but trust that the public advantage may be found in the end to have been consulted by its temporary delay.

20. Your Resolutions relative to Transportation, and Petition for the establishment of a Branch Mint, together with your various Addresses upon subjects of greater or less interest, presented in the earlier part of the Session,—which I have been requested to transmit for the consideration of Her Majesty or Her Ministers,—are in all probability by this time in the hands of the Secretary of State. I most sincerely congratulate the Council upon the assurance we have received within the last few days that Her Majesty recognizes the expediency of abolishing the present system of Transportation to Van Diemen's Land.

21. With respect to Immigration, I am ever anxious to watch the times, estimate the real wants of the community, and secure, as far as in me lies, the judicious expenditure of the funds drawn from the Colony for its furtherance.

SELECT COMMITTEES

APPOINTED DURING THE SESSION OF 1852-1853.

REPLY TO THE LIEUTENANT GOVERNOR'S OPENING SPEECH.

THE COLONIAL SECRETARY, MR. SPLATT, MR. MILLER, MR. O'SHANASSY,	} Appointed 22nd June, 1852.	{ MR. STRACHAN, MR. RIDDELL, MR. WESTGARTH (mover).
--	---------------------------------	---

STANDING ORDERS.

THE SPEAKER, THE ATTORNEY GENERAL, THE CHAIRMAN OF COMMITTEES,	} Appointed 25th June, 1852.	{ MR. MILLER, MR. SPLATT.
--	---------------------------------	------------------------------

LIBRARY.

THE SPEAKER, MR. FAWKNER, MR. WESTGARTH,	} Appointed 25th June, 1852.	{ MR. POHLMAN, MR. RIDDELL.
--	---------------------------------	--------------------------------

ELECTIONS AND QUALIFICATIONS.

MR. RUTLEDGE, MR. SPLATT, MR. SNODGRASS, MR. STRACHAN,	} Appointed 2nd July, 1852.	{ MR. CAMPBELL, MR. MERCER, MR. MURPHY.
---	--------------------------------	---

YARRA BEND LUNATIC ASYLUM.

THE ATTORNEY GENERAL, MR. POHLMAN, DR. THOMSON, MR. WESTGARTH,	} Appointed 2nd July, 1852.	{ MR. FAWKNER, MR. RUTLEDGE, MR. JOHNSTON (mover).
---	--------------------------------	--

CATARRH AND SCAB IN SHEEP.

THE ATTORNEY GENERAL, MR. RUTLEDGE, MR. RIDDELL, MR. GOLDSMITH,	} Appointed 2nd July, 1852.	{ MR. CAMPBELL, MR. SNODGRASS, MR. SPLATT, MR. MURPHY (mover).
--	--------------------------------	---

PRINTING ESTABLISHMENT.

THE AUDITOR GENERAL, MR. MILLER, MR. MURPHY,	} Appointed 6th July, 1852.	{ MR. WILKINSON, MR. SPLATT (mover).
--	--------------------------------	---

POLICE.

MR. SNODGRASS (mover), THE ATTORNEY GENERAL, MR. CAMPBELL, MR. MILLER,	} Appointed 7th July, 1852.	{ MR. SPLATT, MR. SMITH, MR. FAWKNER.
---	--------------------------------	---

EDUCATION.

MR. POHLMAN, MR. MURPHY (mover), MR. O'SHANASSY, THE ATTORNEY GENERAL, THE SPEAKER,	} Appointed 8th July, 1852.	{ MR. FAWKNER, MR. JOHNSTON, MR. HAINES, MR. MILLER.
---	--------------------------------	---

HORSE AND CATTLE STEALING.

THE ATTORNEY GENERAL, MR. RIDDELL, MR. O'SHANASSY,	} Appointed 8th July, 1852.	{ MR. MILLER, MR. SNODGRASS (mover).
--	--------------------------------	---

PRISON DISCIPLINE.

THE ATTORNEY GENERAL, MR. POHLMAN, MR. WESTGARTH (mover),	} Appointed 9th July, 1852.	{ DR. THOMSON, MR. RUTLEDGE, MR. WILKINSON.
---	--------------------------------	---

MELBOURNE AND GEELONG HARBOURS.

THE AUDITOR GENERAL, MR. STRACHAN, MR. WESTGARTH, MR. SPLATT,	} Appointed 13th July, 1852.	{ MR. MILLER, MR. JOHNSTON, MR. MERCER, DR. THOMSON (mover).
--	---------------------------------	---

ROADS AND BRIDGES.

MR. MILLER (mover), MR. SNODGRASS, MR. HAINES, MR. RUTLEDGE, MR. DIGHT,	} Appointed 14th July, 1852.	{ MR. SPLATT, MR. TURNBULL, MR. FAWKNER, MR. RIDDELL, MR. WILKINSON.
---	---------------------------------	--

DISTRICT COUNCILS.

MR. RIDDELL, MR. RUTLEDGE, MR. STRACHAN,	} Appointed 14th July, 1852.	{ MR. SNODGRASS, MR. MERCER (mover).
--	---------------------------------	---

ASSAY OF GOLD.

MR. MILLER, MR. WESTGARTH, MR. O'SHANASSY,	} Appointed 16th July, 1852.	{ THE AUDITOR GENERAL, MR. FAWKNER (mover).
--	---------------------------------	--

THE BANK OF NEW SOUTH WALES ACT AMENDMENT BILL.

MR. WESTGARTH, MR. SPLATT, DR. THOMSON,	}	Appointed 21st July, 1852.	{	MR. POULMAN, MR. STRACHAN, MR. MILLER (mover).
---	---	-------------------------------	---	--

IMMIGRATION.

THE COLONIAL SECRETARY, MR. WESTGARTH, MR. MILLER,	}	Appointed 23rd July, 1852.	{	MR. O'SHANASSY, DR. THOMSON, MR. SPLATT (mover).
--	---	-------------------------------	---	--

SEWERAGE AND SUPPLY OF WATER.

THE SPEAKER, MR. RUSSELL, MR. POULMAN,	}	Appointed 27th July, 1852.	{	MR. JOHNSTON, MR. WESTGARTH.
--	---	-------------------------------	---	---------------------------------

MELBOURNE GAS AND COKE COMPANY BILL.

THE COLONIAL SECRETARY, MR. JOHNSTON, MR. O'SHANASSY,	}	Appointed 3rd August, 1852.	{	MR. WILKINSON, DR. THOMSON, MR. MILLER (mover).
---	---	--------------------------------	---	---

THE MELBOURNE, MOUNT ALEXANDER, AND MURRAY RIVER RAILWAY COMPANY BILL.

MR. SPLATT, MR. CAMPBELL, DR. THOMSON,	}	Appointed 10th August, 1852.	{	MR. RUTLEDGE, THE AUDITOR GENERAL, MR. WESTGARTH (mover).
--	---	---------------------------------	---	---

THE GEELONG AND MELBOURNE RAILWAY COMPANY BILL.

MR. SPLATT, MR. CAMPBELL, MR. WESTGARTH,	}	Appointed 10th August, 1852.	{	MR. RUTLEDGE, THE AUDITOR GENERAL, DR. THOMSON (mover).
--	---	---------------------------------	---	---

NEW MOTIVE POWER.

MR. MURPHY (mover), MR. A'BECKETT, LIEUT. COLONEL ANDERSON,	}	Appointed 24th August, 1852.	{	MR. RUSSELL, MR. RIDDELL.
---	---	---------------------------------	---	------------------------------

ADDRESS TO THE QUEEN FOR CONSTITUTING VICTORIA THE RESIDENCE OF THE GOVERNOR GENERAL OF THE AUSTRALIAN COLONIES.

THE SPEAKER, MR. WESTGARTH, THE ATTORNEY GENERAL,	}	Appointed 14th September, 1852.	{	MR. FAWKNER, MR. JOHNSTON (mover).
---	---	------------------------------------	---	---------------------------------------

POST OFFICE DEPARTMENT.

THE COLONIAL SECRETARY, MR. POHLMAN, MR. MURPHY,	} Appointed 17th September, 1852.	{ MR. SMITH, MR. WESTGARTH (mover).
--	--------------------------------------	--

MELBOURNE AND HOBSON'S BAY RAILWAY COMPANY BILL.

MR. SPLATT, MR. CAMPBELL, DR. THOMSON,	} Appointed 2nd November, 1852.	{ MR. RUTLEDGE, THE AUDITOR GEN. MR. WESTGARTH (mover).
--	------------------------------------	---

RULES FOR THE ADMISSION OF BARRISTERS AND OTHERS INTO THE SUPREME COURT.

MR. POHLMAN, MR. MICHIE, MR. MILLER,	} Appointed 11th November, 1852.	{ MR. JOHNSTON, MR. FAWKNER (mover).
--	-------------------------------------	---

INCREASE IN THE NUMBER OF MEMBERS OF COUNCIL.

THE ATTORNEY GENERAL, MR. MURPHY (mover), THE AUDITOR GENERAL, THE SPEAKER,	} Appointed 16th November, 1852.	{ MR. WESTGARTH, MR. O'SHANASSY, MR. SMITH, DR. THOMSON.
--	-------------------------------------	---

SAVINGS' BANK OF PORT PHILLIP.

THE AUDITOR GENERAL, MR. MILLER, MR. FAWKNER, MR. RUSSELL,	} Appointed 25th November, 1852.	{ MR. NICHOLSON, MR. RUTLEDGE, THE ATTORNEY GENERAL (mover).
---	-------------------------------------	---

UNIVERSITY OF MELBOURNE.

THE ATTORNEY GENERAL, THE AUDITOR GENERAL (mover), THE CHAIRMAN OF GENERAL SESSIONS,	} Appointed 1st December, 1852.	{ MR. O'SHANASSY, THE SPEAKER, MR. FAWKNER, MR. MURPHY.
---	------------------------------------	--

MANAGEMENT OF THE GOLD FIELDS.

MR. CAMPBELL (mover), MR. NICHOLSON, THE COLONIAL SECRETARY, MR. MILLER,	} Appointed 7th December, 1852.	{ MR. O'SHANASSY, MR. FAWKNER, THE AUDITOR GENERAL.
---	------------------------------------	---

VICTORIA.

LEGISLATIVE COUNCIL.

No. 1.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

(*Extracted from the Minutes.*)

SESSION 1852.

WEDNESDAY, 4th AUGUST, 1852.

No. 1.—GENERAL AND QUARTER SESSIONS COURTS BILL.—Clause VIII.
 Motion made and question put—That the blank in line 26 be filled up with word “one.”—(*The Attorney General.*)
 Committee divided.

Ayes 8.
 THE SOLICITOR GENERAL,
 THE COLONIAL SECRETARY,
 MR. A'BECKETT,
 MR. MERCER,
 MR. WILKINSON,
 MR. SMITH,
 MR. CAMPBELL,
 MR. RIDDELL, (*Teller.*)

Noes 6.
 MR. O'SHANASSY,
 MR. FAWKNER,
 MR. RUTLEDGE,
 LIEUT. COL. ANDERSON,
 MR. STRACHAN,
 THE CHAIRMAN OF QUARTER
 SESSIONS, (*Teller.*)

THURSDAY, 5th AUGUST, 1852.

No. 2.—LIEUTENANT GOVERNOR'S SALARY.—Motion made “*That*” it is the opinion of this Committee that the Salary of His Excellency the Lieutenant Governor should be increased to the amount of £4500.—(*Mr. Rutledge.*)
 Question proposed—That all the words after the word “*that,*” be omitted with a view to insert the words “in the opinion of this Committee the salary of the Lieutenant Governor “*of*” Victoria should be increased to £5000 per annum ; but this Committee is of opinion that until this Council has the control of all the Revenues of this Colony, this Council should decline to sanction a vote for the payment of the increased salary out of the General Revenue.—(*Mr. Miller.*)
 Question proposed—That all the words after the word “*of*” in the above question be omitted with a view to insert the words “this Colony is wholly inadequate to support the dignity of his Office, and that it ought to be increased. (*The Honorable the Speaker.*)
 Question—That the words proposed to be omitted from the question proposed by Mr. Miller stand part of that question—put.
 Committee divided.

Ayes 10.
 MR. WESTGARTH,
 MR. MILLER,
 MR. SPLATT,
 MR. FAWKNER,
 MR. STRACHAN,
 MR. TURNBULL,
 MR. DIGHT,
 MR. WILKINSON,
 DR. THOMSON,
 MR. O'SHANASSY, (*Teller.*)

Noes 15.
 MR. MERCER,
 MR. SMITH,
 THE SPEAKER,
 THE COLONIAL SECRETARY,
 LIEUT. COL. ANDERSON,
 THE ATTORNEY GENERAL,
 THE SOLICITOR GENERAL,
 THE AUDITOR GENERAL,
 MR. RIDDELL,
 MR. RUSSELL,
 MR. A'BECKETT,
 MR. SNODGRASS,
 MR. RUTLEDGE,
 MR. CAMPBELL,
 THE CHAIRMAN OF QUARTER
 SESSIONS, (*Teller.*)

Question—That the words proposed to be inserted in Question proposed by Mr. Miller, in the place of the words omitted, be so inserted—put.
Committee divided.

Ayes 15.

THE SPEAKER,
MR. RUTLEDGE,
THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
LIEUT. COL. ANDERSON,
THE AUDITOR GENERAL,
MR. A'BECKETT,
MR. RUSSELL,
MR. RIDDELL,
MR. MERCER,
THE SOLICITOR GENERAL,
MR. CAMPBELL,
MR. SMITH,
MR. SNODGRASS,
THE CHAIRMAN OF QUARTER
SESSIONS, (*Teller.*)

Noes 10.

MR. DIGHT,
MR. TURNBULL,
MR. WILKINSON,
MR. STRACHAN,
DR. THOMPSON,
MR. FAWKNER,
MR. SPLATT,
MR. MILLER,
MR. O'SHANASSY,
MR. WESTGARTH, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 2.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1852.

THURSDAY, 12th AUGUST, 1852.

No. 1.—*Tariff Bill.—Table A.*

Motion made and Question put—That the blank opposite the words “*Coffee the pound,*” be filled up with 1d.—(*The Attorney General.*)

Committee divided.

Ayes 13.
 DR. THOMSON,
 THE COLONIAL SECRETARY,
 MR. RUSSELL,
 MR. WILKINSON,
 MR. RIDDELL.
 MR. RUTLEDGE,
 THE AUDITOR GENERAL,
 THE SOLICITOR GENERAL,
 THE ATTORNEY GENERAL,
 MR. SPLATT,
 MR. MILLER,
 THE CHAIRMAN OF QUARTER
 SESSIONS,
 MR. WESTGARTH, (*Teller*)

Noes 6.
 MR. MERCER,
 MR. FAWKNER,
 MR. SMITH,
 MR. STRACHAN,
 MR. TURNBULL,
 MR. O'SHANASSY, (*Teller.*)

No. 2.—Motion made and Question put—That the blank opposite the words “*Spirits or strong Waters, namely—Spirits or Strong Waters of any strength not exceeding the strength of proof by Sykes's Hydrometer, and so in proportion for any greater or less strength than the strength of proof, the gallon,*” be filled up with 6s.—(*Mr. Westgarth.*)

Committee divided.

Ayes, 6.
 MR. WESTGARTH,
 THE ATTORNEY GENERAL,
 THE SOLICITOR GENERAL,
 MR. RUSSELL,
 DR. THOMSON,
 MR. O'SHANASSY, (*Teller*)

Noes, 14.
 MR. SMITH,
 MR. MILLER,
 THE CHAIRMAN OF QUARTER SESSIONS,
 THE SPEAKER,
 MR. WILKINSON,
 MR. MERCER,
 MR. FAWKNER,
 MR. STRACHAN,
 MR. TURNBULL,
 MR. RIDDELL.
 THE AUDITOR GENERAL,
 MR. RUTLEDGE,
 THE COLONIAL SECRETARY,
 MR. SPLATT, (*Teller*)

No. 3.—Question proposed—That the blank opposite the words, "*Tea the pound*," be filled up with "2d."—(*The Attorney General*.)

Motion made and Question put—That the blank opposite the words "*Tea the pound*," be filled up with "1d."—*Mr. Strachan*.

Committee divided.

Ayes, 13.
 THE CHAIRMAN OF QUARTER
 SESSIONS,
 THE AUDITOR GENERAL,
 THE SOLICITOR GENERAL,
 MR. RUTLEDGE,
 MR. MERCER,
 MR. RIDDELL,
 MR. O'SHANASSY,
 MR. RUSSELL,
 MR. STRACHAN,
 MR. TURNBULL,
 MR. SMITH,
 MR. FAWKNER,
 MR. MILLER, (*Teller*.)

Noes, 7.
 MR. SPLATT,
 THE SPEAKER,
 THE COLONIAL SECRETARY,
 THE ATTORNEY GENERAL,
 DR. THOMSON,
 MR. WILKINSON,
 MR. WESTGARTH, (*Teller*.)

No. 4.—Motion made and Question put—That after the words "*Tobacco, Cigars and Snuff, the pound 2s.*" there be inserted the words and figures, "*unmanufactured Tobacco the pound, 1s. 3d.*"—(*Mr. O'Shanassy*.)

Committee divided.

Ayes, 6.
 MR. RUTLEDGE,
 MR. MERCER,
 MR. RUSSELL,
 MR. O'SHANASSY,
 MR. FAWKNER,
 THE AUDITOR GENERAL, (*Teller*.)

Noes, 13.
 MR. SMITH,
 THE COLONIAL SECRETARY,
 MR. MILLER,
 MR. WESTGARTH,
 DR. THOMSON,
 THE ATTORNEY GENERAL,
 THE CHAIRMAN OF QUARTER
 SESSIONS,
 MR. WILKINSON,
 THE SOLICITOR GENERAL,
 MR. STRACHAN,
 MR. TURNBULL,
 THE SPEAKER,
 MR. SPLATT, (*Teller*.)

No. 5.—*Upon Recommittal of the Tariff Bill, same day*.—Question proposed that the figure "1" after the words "*Tea the pound*" be omitted and the figure "2" be inserted in its place. (*The Attorney General*.)

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

Committee divided.

Ayes, 11.
 MR. SMITH,
 THE AUDITOR GENERAL,
 THE SOLICITOR GENERAL,
 MR. RUTLEDGE,
 MR. MERCER,
 MR. RUSSELL,
 MR. O'SHANASSY,
 MR. STRACHAN,
 MR. TURNBULL,
 MR. FAWKNER,
 MR. MILLER, (*Teller*.)

Noes, 8.
 MR. WESTGARTH,
 THE CHAIRMAN OF QUARTER
 SESSIONS,
 THE ATTORNEY GENERAL,
 DR. THOMSON,
 MR. WILKINSON,
 THE COLONIAL SECRETARY,
 THE SPEAKER,
 MR. SPLATT, (*Teller*.)

FRIDAY, 13th AUGUST, 1852.

Tariff Bill—Table A.

No. 6.—Motion made and question put—That after the word "*Coffee*" the words and figures "*the pound 1d.*" be omitted, and the words "*the hundred weight 10s.*" be inserted in lieu thereof.—(*Mr. Westgarth.*)

Committee divided.

Ayes, 12.
 MR. MILLER,
 THE ATTORNEY GENERAL,
 MR. RUTLEDGE,
 THE SOLICITOR GENERAL,
 MR. A'BECKETT,
 MR. RUSSELL,
 MR. WESTGARTH,
 THE SPEAKER,
 MR. WILKINSON,
 THE COLONIAL SECRETARY,
 THE CHAIRMAN OF QUARTER
 SESSIONS,
 MR. SPLATT, (*Teller.*)

Noes, 6.
 MR. CAMPBELL,
 MR. O'SHANASSY,
 MR. FAWKNER,
 MR. STRACHAN,
 MR. TURNBULL,
 MR. MERCER, (*Teller.*)

No. 7.—Motion made and question put—That the words "*Spirits or Strong Waters, namely*" "*Spirits or Strong Waters*" be omitted, and the word "*Brandy*" be inserted in lieu thereof, and that "7s." opposite same words be omitted and that "8s." be inserted in place thereof.—(*Mr. Strachan.*)

Committee divided.

Ayes, 6.
 MR. FAWKNER,
 MR. STRACHAN,
 MR. TURNBULL,
 MR. A'BECKETT,
 MR. MERCER,
 MR. CAMPBELL, (*Teller.*)

Noes, 12.
 THE SOLICITOR GENERAL,
 MR. WESTGARTH,
 THE SPEAKER,
 MR. O'SHANASSY,
 THE CHAIRMAN OF QUARTER
 SESSIONS,
 THE ATTORNEY GENERAL,
 MR. RUSSELL,
 MR. WILKINSON,
 MR. MILLER,
 MR. RUTLEDGE,
 THE COLONIAL SECRETARY,
 MR. SPLATT, (*Teller.*)

No. 8.—Question proposed—That the words and figures "*Sugar, raw, refined, or candied, and*" "*Molasses, the hundred weight 2s. 6d.*" be omitted.—(*Mr. Splatt.*)

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

Committee divided.

Ayes, 3.
 MR. WILKINSON,
 MR. MERCER,
 MR. FAWKNER, (*Teller.*)

Noes, 15.
 THE SOLICITOR GENERAL,
 MR. WESTGARTH,
 MR. O'SHANASSY,
 THE ATTORNEY GENERAL,
 THE SPEAKER,
 THE CHAIRMAN OF QUARTER SESSIONS,
 MR. A'BECKETT,
 MR. RUSSELL,
 MR. TURNBULL,
 MR. STRACHAN,
 MR. MILLER,
 MR. RUTLEDGE,
 THE COLONIAL SECRETARY,
 MR. CAMPBELL,
 MR. SPLATT, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 3.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

(*Extracted from the Minutes.*)

SESSION 1852.

THURSDAY, 26th AUGUST, 1852.

- No. 1.—*Ports, Harbours, and Shipping Law Consolidation Bill.*—Question proposed—That the blank in the proposed Schedule A., for minimum rate of Pilotage be filled up with “Five” Pounds.—(*The Attorney General.*)
 Motion made and Question put—That the blank be filled up with “Four” Pounds.—(*Mr. Strachan.*)

Ayes, 2.
 MR. STRACHAN,
 MR. FAWKNER, (*Teller*)

Noes, 16.
 MR. MERCER,
 THE SOLICITOR GENERAL,
 MR. WESTGARTH,
 MR. RUTLEDGE,
 THE COLONIAL SECRETARY.
 MR. DIGHT,
 MR. WILKINSON,
 MR. SMITH,
 MR. O'SHANASSY,
 DR. THOMSON,
 MR. JOHNSTON,
 MR. MILLER,
 THE ATTORNEY GENERAL,
 LIEUT. COL. ANDERSON,
 MR. RIDDELL,
 THE CHAIRMAN OF QUARTER
 SESSIONS, (*Teller.*)

- No. 2.—*Courts of Requests Bill.*—Clause 36.—*That it shall be lawful for any Plaintiff or Defendant to examine the adverse party as a witness, provided that in any cross examination of such witnesses no question shall be allowed to be put, except such as arise out of the examination in chief: Provided that upon any assessment of damages the parties, their wives, and all other persons may be examined either on behalf of the Plaintiff or Defendant upon Oath or Solemn Affirmation, in those cases in which persons are allowed to make Affirmation instead of taking an Oath to be administered by the proper officer of the Court.*

Motion made and Question put—That Clause 36 stand part of the Bill.—(*The Attorney General.*)

Committee divided.

Ayes, 6.
 MR. SMITH,
 THE ATTORNEY GENERAL,
 THE SOLICITOR GENERAL,
 MR. JOHNSTON,
 MR. WILKINSON,
 THE COLONIAL SECRETARY,
 (*Teller.*)

Noes, 11.
 THE SPEAKER,
 MR. FAWKNER,
 THE CHAIRMAN OF QUARTER SESSIONS,
 MR. MILLER,
 MR. SPLATT,
 DR. THOMSON,
 MR. RIDDELL,
 MR. A'BECKETT,
 MR. CAMPBELL,
 MR. RUTLEDGE,
 MR. O'SHANASSY, (*Teller.*)

No. 3.—Clause proposed—That on the hearing or trial of any action or on any other proceeding under this Act, the parties thereto, *their wives* and all other persons may be examined either on behalf of the Plaintiff and Defendant upon Oath or Solemn Affirmation in those cases, in which persons are by Law allowed to make affirmation instead of taking an Oath to be administered by the proper officer of the Court.—(*Mr. Pohlman.*)

Motion made—That the words "*their wives*" be omitted.—(*The Attorney General.*)

Question—That the words "*their wives,*" proposed to be omitted, stand part of the proposed Clause—put
Committee divided.

Ayes, 4.

MR. O'SHANASSY,
MR. SPLATT,
MR. FAWKNER,
THE CHAIRMAN OF QUARTER
SESSIONS, (*Teller.*)

Noes, 9.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
MR. SMITH,
MR. WILKINSON,
THE SPEAKER,
MR. A'BECKETT,
MR. RIDDELL,
DR. THOMSON, (*Teller.*)

VICTORIA.
 LEGISLATIVE COUNCIL.

No. 4.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

(*Extracted from the Minutes.*)

SESSION 1852.

TUESDAY, 31st AUGUST, 1852.

No. 1.—*Government Printing Establishment.*—Question proposed—That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to place on the Estimates of Expenditure for the ensuing year, the sum of £5000, for the purpose of building a Printing Office, in accordance with the Report of the Select Committee enquiring into the Printing Establishment connected with this House.—(*Mr. Splatt.*)

Motion made and Question put—That an address be presented to His Excellency the Lieutenant Governor, that he will place on the Estimates for the ensuing year, a sum not exceeding £2000 for an Iron Building to serve as a Printing Establishment, and that he will be pleased to take immediate steps to procure a proper building from England.—(*The Speaker.*)

Committee divided.

Ayes, 4.
 THE SPEAKER,
 MR. O'SHANASSY,
 MR. FAWKNER,
 MR. RUTLEDGE, (*Teller.*)

Noes, 6.
 THE COLONIAL SECRETARY,
 THE ATTORNEY GENERAL,
 THE SOLICITOR GENERAL,
 MR. SPLATT,
 MR. WILKINSON,
 THE CHAIRMAN OF QUARTER
 SESSIONS, (*Teller.*)

WEDNESDAY, 1st SEPTEMBER, 1852.

No. 2.—*Courts of Requests Bill.*—Clause proposed to follow Clause XLV.—That it shall be lawful for any Doctor of Medicine, Licenciate of any College of Physicians or other legally qualified Practitioner in Medicine, to sue for the recovery of any fees or other remuneration for time occupied in journeying to, attending upon, or prescribing for, or for any professional aid or service rendered to any person in like manner, as any debt or demand may be recovered by any other person, under the provisions of this Act.

Motion made and Question put—That the Clause stand part of the Bill.—(*Mr. Pohlman.*)

Committee divided.

Ayes, 4.
 MR. RUTLEDGE,
 MR. MILLER,
 MR. WILKINSON,
 THE CHAIRMAN OF QUARTER
 SESSIONS, (*Teller.*)

Noes, 5.
 THE SPEAKER,
 MR. FAWKNER,
 THE SOLICITOR GENERAL,
 THE COLONIAL SECRETARY,
 THE ATTORNEY GENERAL, (*Teller.*)

THURSDAY, 2nd SEPTEMBER, 1852.

No. 3.—*Courts of Requests Bill*.—Question—That Clause proposed to follow Clause XLV, stand part of the Bill.

It appearing by the Division Lists, that there were not present in Committee ten members, exclusive of the Chairman, at the time of the Division on the 1st instant.

Committee divided.

Ayes, 7.	Noes, 7.
MR. SMITH,	MR. RUSSELL,
MR. STRACHAN,	THE SPEAKER,
MR. SPLATT,	MR. FAWKNER,
MR. MILLER,	THE ATTORNEY GENERAL,
MR. WILKINSON,	MR. JOHNSTON,
MR. MERCER,	LIEUT. COL. ANDERSON,
MR. O'SHANASSY, (<i>Teller</i> .)	THE COLONIAL SECRETARY, (<i>Teller</i> .)

And the Tellers having declared the numbers for the "Ayes" and "Noes" to be respectively seven, or equal, the Chairman gave his vote with the "Ayes."

FRIDAY, 3rd SEPTEMBER, 1852.

No. 4.—*Government Printing Establishment*.—Motion made and Question put—That an Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to place upon the Estimates for the ensuing year the Sum of £5000, for the purpose of erecting a Government Printing Establishment.—(*Mr. Splatt*.)

Committee divided.

Ayes 11.	Noes, 10.
THE CHAIRMAN OF QUARTER	MR. GOLDSMITH.
SESSIONS,	MR. MERCER,
THE COLONIAL SECRETARY,	MR. CAMPBELL,
MR. SNODGRASS,	MR. RUTLEDGE,
MR. WILKINSON,	DR. THOMSON,
MR. MILLER,	MR. FAWKNER,
MR. WESTGARTH,	MR. JOHNSTON,
THE ATTORNEY GENERAL,	THE SPEAKER,
THE SOLICITOR GENERAL,	MR. SMITH,
THE AUDITOR GENERAL,	MR. O'SHANASSY, (<i>Teller</i> .)
MR. RIDDELL,	
MR. SPLATT, (<i>Teller</i> .)	

VICTORIA.
 LEGISLATIVE COUNCIL.

No. 5.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

(*Extracted from the Minutes.*)

SESSION 1852.

WEDNESDAY, 8th SEPTEMBER, 1852.

No. 1.—*Law of Evidence Bill.*—Clause 1.—*So much of section one of the Act of the Governor and Legislative Council of the Colony of New South Wales, passed in the eighth year of the reign of Her present Majesty, intituled, "An Act for improving the Law of Evidence," as provides that the said Act shall "not render competent any party to any suit, action, or proceeding individually named in the record, or any lessor of the Plaintiff or tenant of premises sought to be recovered in ejectment, or the landlord or other person in whose right any Defendant in replevin may make cognizance, or any person in whose immediate and individual behalf any action may be brought or defended, either wholly or in part, or the husband or wife of such persons respectively," is hereby repealed.*

Motion made and Question put—That Clause 1 stand part of the Bill.—(*Mr. Pohlman.*)

Ayes, 4.
 MR. FAWKNER,
 MR. RUTLEDGE,
 MR. O'SHANASSY,
 THE CHAIRMAN OF QUARTER
 SESSIONS, (*Teller.*)

Noes, 9.
 MR. WESTGARTH,
 THE COLONIAL SECRETARY,
 THE SOLICITOR GENERAL
 MR. WILKINSON,
 MR. JOHNSTON,
 THE ATTORNEY GENERAL,
 THE SPEAKER,
 MR. RIDDELL.
 MR. GOLDSMITH, (*Teller.*)

FRIDAY, 10th SEPTEMBER, 1852.

No. 2.—*Introduction of Felons Prevention Bill.*—Clause 2.—*"That the Colony of Van Diemen's Land, being virtually a public gaol of the United Kingdom of Great Britain and Ireland, it shall be lawful to treat all persons coming therefrom as coming from a common gaol, and no person coming from the said Colony while it continues to be a place to which convicted felons may by law be transported, shall be allowed to land in any of the ports or other places of the Colony of Victoria, without having previously shewn to the satisfaction of some officer to be appointed for that purpose by the Lieutenant Governor of the said Colony, or in the absence of any such officer, to a Justice of the Peace, having jurisdiction within the said Colony, or any part thereof, that he or she is at full liberty to be and reside in any part of the British dominions: and any free person who shall land from the Colony of Van Diemen's Land, or its dependencies, in any of the ports or other places of the Colony of Victoria, without having previously shewn to the satisfaction of such officer or Justice of the Peace, as aforesaid, that he, or she, is at full liberty to be,*

“ and reside in any part of the British dominions ; and without having obtained from such officer or Justice of the Peace, as aforesaid, a certificate to that effect, shall on conviction before any two Justices of the Peace, having jurisdiction within the said Colony, or any portion thereof, forfeit and pay for every such offence, a sum not less than ten pounds, nor more than one hundred pounds.

Motion made and Question put—That Clause 2 stand part of the Bill.—(Mr. Westgarth.)

Ayes, 6.

MR. O'SHANASSY,
MR. JOHNSTON,
MR. MILLER,
MR. FAWKNER,
MR. WESTGARTH,
MR. RUSSELL, (*Teller.*)

Noes 8.

MR. RIDDELL,
THE AUDITOR GENERAL,
THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
MR. WILKINSON,
MR. A'BECKETT,
MR. SNODGRASS,
THE CHAIRMAN OF QUARTER
SESSIONS, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 6.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1852.

FRIDAY, 17th SEPTEMBER, 1852.

No. 1.—*Address to the Queen for constituting Victoria the residence of the Governor General of the Australian Colonies.*—Clause 1—That the province of Port Phillip, which has now the honor as a Colony to bear Your Majesty's distinguished name, has, during the brief period elapsed since Your Majesty's accession to the throne, attained a degree of prosperity unexampled in the history of Colonization—that our connexion with the Mother Country, and still more intimately with the "*parent*" Colony of New South Wales, has uniformly tended to enrich and to invigorate both, without having been, in any one instance, or to any appreciable extent, burdensome to either—that our present prospects, under Divine Providence, justify the expectations that our energies will develop proportionate to the resources placed at our disposal, so as speedily to realize all the characteristics of a great and wealthy people, and ultimately to become the centre of Civilization and Christianization to the Eastern Archipelago.

Motion made and Question put—That the word "*parent*" be struck out, and the word "*elder*" be inserted in lieu thereof.—(*The Honorable the Speaker.*)

Ayes, 24.

THE COLONIAL SECRETARY,
 THE ATTORNEY GENERAL,
 THE SPEAKER,
 THE SOLICITOR GENERAL,
 THE AUDITOR GENERAL,
 MR. O'SHANASSY,
 MR. A'BECKETT,
 LIEUT. COL. ANDERSON,
 MR. FAWKNER,
 MR. RUSSELL,
 MR. MERCER,
 MR. MILLER,
 MR. SPLATT,
 MR. JOHNSTON,
 DR. THOMSON,
 MR. DIGHT,
 MR. SMITH,
 MR. STRACHAN,
 MR. GOLDSMITH,
 MR. WILKINSON,
 MR. TURNBULL,
 MR. RIDDELL,
 MR. WESTGARTH,
 THE CHAIRMAN OF QUARTER
 SESSIONS, (*Teller.*)

Noes, 2.

MR. CAMPBELL,
 MR. RUTLEDGE, (*Teller.*)

VICTORIA.
 LEGISLATIVE COUNCIL.

No. 7.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

(*Extracted from the Minutes.*)

SESSION 1852.

WEDNESDAY, 27th OCTOBER, 1852.

No. 1.—*Passengers' Bill*.—Clause 3.—If any ship to which the "*Passengers' Act, 1849*," does not extend shall arrive in the "*Colony*," and it shall appear that the Master thereof have neglected to issue to any Passenger a sufficient quantity of water and wholesome provisions (unless such Passenger shall have in writing agreed to supply himself with such water or provisions) or to have sold or permitted to be sold to any Passenger any Spirits or Strong Waters during the voyage, such Master shall be liable for every such offence to a penalty not exceeding *Twenty* pounds, nor less than *Five* pounds sterling.

Motion made and Question put—That after the word "*Colony*" there be inserted the words "*from any Port within Her Majesty's Dominions*."—(*Mr. Westgarth.*)

Committee divided.

Ayes 10.
 MR. MILLER,
 MR. CAMPBELL,
 MR. WESTGARTH,
 MR. MERCER,
 MR. WILKINSON,
 MR. STRACHAN,
 MR. A'BECKETT,
 MR. TURNBULL,
 THE COLONIAL SECRETARY,
 MR. SNODGRASS, (*Teller.*)

Noes, 11.
 THE SPEAKER,
 MR. RIDDELL,
 DR. THOMSON,
 MR. O'SHANASSY,
 MR. JOHNSTON,
 THE AUDITOR GENERAL,
 MR. RUTLEDGE,
 LIEUT. COL. ANDERSON,
 THE SOLICITOR GENERAL,
 THE ATTORNEY GENERAL,
 MR. SPLATT, (*Teller.*)

No. 2.—Clause 3.—Motion made and Question put—That clause 3 be struck out of the *Bill*.—(*Mr. Strachan.*)

Committee divided.

Ayes, 11.
 THE COLONIAL SECRETARY,
 THE SPEAKER,
 MR. CAMPBELL,
 THE ATTORNEY GENERAL,
 THE SOLICITOR GENERAL,
 MR. A'BECKETT,
 MR. STRACHAN,
 MR. MERCER,
 MR. WILKINSON,
 MR. TURNBULL,
 MR. SNODGRASS, (*Teller.*)

Noes, 11.
 MR. RIDDELL,
 DR. THOMSON,
 MR. WESTGARTH,
 MR. O'SHANASSY,
 MR. SPLATT,
 MR. JOHNSTON,
 MR. FAWKNER,
 THE AUDITOR GENERAL,
 MR. RUTLEDGE,
 LIEUT. COL. ANDERSON,
 MR. MILLER, (*Teller.*)

The Tellers having declared the numbers for the "*Ayes*" and the "*Noes*" to be respectively 11, or equal, the Chairman gave his vote for the "*Noes*," and declared the Question not carried.

No. 3.—Clause 9 (*as amended*).—Within Twenty-four hours after the arrival of any Ship as aforesaid, the Master shall deliver to the Emigration Agent at the port of arrival, or to such Officer as the Lieutenant Governor shall appoint, the List of Passengers, endorsed by the Emigration Officer, and shall pay to the said Emigration Agent a rate of *Five* Shillings for every statute adult arrived in such Ship, and shall take a receipt for such payment, and shall deliver such receipt to the Collector or other proper Officer of Customs at the port before making entry of such Ship; and no entry shall be deemed to have been legally made, or to have any legal effect whatever until such receipt shall have been so delivered; and if any Master neglect to pay such rate, within the time aforesaid, he shall be liable to the payment of a penalty not exceeding *One Hundred Pounds* nor less than *Fifty Pounds* sterling, in addition to the amount of such rate.

Motion made and Question put—That Clause 9, as amended, stand part of the Bill.—(*The Auditor General.*)

Committee divided.

Ayes, 17.	Noes, 4.
THE SPEAKER,	MR. TURNBULL,
THE SOLICITOR GENERAL,	MR. STRACHAN,
THE AUDITOR GENERAL,	MR. JOHNSTON,
LIEUT. COL. ANDERSON,	MR. CAMPBELL, (<i>Teller.</i>)
MR. RUTLEDGE,	
MR. MERCER,	
MR. SNODGRASS,	
MR. MILLER,	
MR. SPLATT,	
MR. WESTGARTH,	
THE COLONIAL SECRETARY,	
MR. A'BECKETT,	
MR. FAWKNER,	
MR. O'SHANASSY,	
DR. THOMSON,	
MR. WILKINSON,	
THE ATTORNEY GENERAL, (<i>Teller.</i>)	

FRIDAY, 29th OCTOBER, 1852.

No. 4.—*Bank of New South Wales Act amendment Bill.*—Motion made and Question put—That this Bill be now read a First time.—(*Mr. Miller.*)

Committee divided.

Ayes, 10.	Noes, 6.
MR. WILKINSON,	MR. JOHNSTON,
THE SPEAKER,	THE SOLICITOR GENERAL,
MR. MILLER,	MR. STRACHAN,
DR. THOMSON,	MR. FAWKNER,
MR. A'BECKETT,	MR. O'SHANASSY,
THE AUDITOR GENERAL,	MR. CAMPBELL, (<i>Teller.</i>)
MR. SNODGRASS,	
MR. RUTLEDGE,	
THE COLONIAL SECRETARY,	
THE ATTORNEY GENERAL, (<i>Teller.</i>)	

No. 5.—Clause 4 (*as amended*).—For the purposes of this Act, unassayed Gold shall be deemed to be "*Bullion*," and in the accounts of the said Corporation, and in the statements and general abstracts of the assets and liabilities which are required by Law to be made out and published, it shall be lawful for the said Corporation to include the same when melted down into ingots under the name of Bullion.

Question proposed—That after the word "*Bullion*" there be inserted the words "*and all uncoined Gold, whether assayed or not, be valued at the price of Three Pounds Five Shillings for every ounce.*"—(*Mr. Miller.*)

Question proposed—That the words “ Five Shillings ” be omitted for the words proposed to be inserted.—(*Mr. Fawcner.*)

Question put—That the words “ Five Shillings ” stand part of the Question.

Committee divided.

Ayes, 5.
 MR. RUTLEDGE,
 THE ATTORNEY GENERAL,
 THE AUDITOR GENERAL,
 MR. WILKINSON,
 MR. MILLER, (*Teller.*)

Noes, 5.
 THE SPEAKER,
 DR. THOMSON,
 MR. FAWKNER,
 MR. STRACHAN,
 MR. O'SHANASSY, (*Teller.*)

The Tellers having declared the numbers for the “ Ayes ” and the “ Noes ” to be respectively 5, or equal, the Chairman gave his vote for the “ Noes,” and declared the Question not carried.

VICTORIA.

LEGISLATIVE COUNCIL.

No. 8.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.*(Extracted from the Minutes.)*

SESSION 1852.

WEDNESDAY, 3rd NOVEMBER.

No. 1.—*Passengers' Bill.*—Clause I.—Be it enacted by His Excellency the Lieutenant Governor of the Colony of Victoria, by and with the advice and consent of the Legislative Council thereof, that if “any” Ship to which “The Passengers’ Act, 1849,” does not extend, shall arrive in any Port within the Colony, from any place not within the Colony, having on board a greater number of Persons, including the Master and Crew and Cabin Passengers, than in the proportion of one person to every two tons of the tonnage of such ship, or whatever may be the tonnage of such ship, with a greater number of Passengers on board, exclusive of *bona fide* Cabin Passengers, than in the proportion of one Passenger for every twelve clear superficial feet of the space occupied by such passengers, and appropriated for their use, and unoccupied by stores not being their personal luggage, or if any Passenger be in any case carried on an Orlop Deck, the Master of such Ship shall be liable, on such conviction as hereinafter is mentioned, to the payment of a penalty not exceeding five pounds sterling for each Person or Passenger so carried in excess or improperly.

Question proposed—That the word “any,” after the word “if,” and before the word “Ship,” in the third line of the Clause, be omitted.—(*The Speaker.*)

Question put—That the word “any” stand part of the Clause.

Committee divided.

Ayes 15.

THE COLONIAL SECRETARY,
LIEUT. COL. ANDERSON,
THE CHAIRMAN OF QUARTER
SESSIONS,
MR. RUTLEDGE,
MR. O'SHANASSY,
MR. MICHIE,
MR. FAWKNER,
DR. THOMSON,
MR. GOLDSMITH,
MR. JOHNSTON,
MR. SPLATT,
MR. MILLER,
MR. NICHOLSON,
MR. CAMPBELL,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 8.

THE SOLICITOR GENERAL,
THE ATTORNEY GENERAL,
THE SPEAKER,
MR. SMITH,
MR. SNODGRASS,
MR. STRACHAN,
MR. TURNBULL,
MR. WILKINSON, (*Teller.*)

No. 2.—Clause II.—If any Ship to which “The Passengers’ Act 1849” does not extend, but carrying a greater number of Passengers than in the proportion of one Passenger to every “twenty”-five tons of the tonnage of such Ship, shall arrive in any Port within the Colony, having on board, as cargo, any Gunpowder, Vitriol, Guano, Green Hides, or any other article likely to have endangered the health or life of the Passengers, or having any of her cargo on deck, then the Master of such Ship shall be liable, on such conviction as hereinafter is mentioned, to the payment of a penalty not exceeding one hundred pounds.

Question proposed—That the word “*twenty*,” after the word “*every*,” and before the word “*five*,” in the third line of the Clause, be omitted.—(*Mr. Strachan.*)

Question put—That the word “*twenty*” stand part of the clause.

Committee divided.

Ayes, 13.

THE COLONIAL SECRETARY,
LIEUT. COL. ANDERSON,
MR. FAWKNER,
MR. O'SHANASSY,
MR. RUTLEDGE,
THE CHAIRMAN OF QUARTER
SESSIONS,
DR. THOMSON,
MR. JOHNSTON,
MR. CAMPBELL,
MR. MILLER,
MR. NICHOLSON,
MR. SPLATT,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 10.

THE SPEAKER,
MR. SMITH,
MR. MICHIE,
THE ATTORNEY GENERAL,
MR. STRACHAN,
THE SOLICITOR GENERAL,
MR. GOLDSMITH,
MR. TURNBULL,
MR. SNODGRASS,
MR. WILKINSON, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 9.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.*(Extracted from the Minutes.)*

SESSION 1852.

TUESDAY, 16th NOVEMBER.

No. 1.—*Gold Export Duty Bill.*—Motion made—That this Bill be now read a first time.—
*(The Attorney General.)*Motion made and Question put—That the Chairman report progress, and ask leave to sit
again this day six months.—*(Mr. Strachan.)*

Committee divided.

Ayes, 9.

MR. CAMPBELL,
MR. O'SHANASSY,
MR. MICHIE,
MR. WESTGARTH,
MR. STRACHAN,
MR. NICHOLSON,
MR. TURNBULL,
THE SPEAKER,
MR. SPLATT, (*Teller.*)

Noes, 12.

THE AUDITOR GENERAL,
THE ATTORNEY GENERAL,
DR. THOMSON,
MR. GOLDSMITH,
MR. RIDDELL,
THE SOLICITOR GENERAL,
MR. WILKINSON,
MR. SNODGRASS,
MR. A'BECKETT,
THE COLONIAL SECRETARY,
MR. SMITH,
THE CHAIRMAN OF GENERAL
SESSIONS, (*Teller.*)

WEDNESDAY, 17th NOVEMBER.

No. 2.—*Passenger's Bill.*—Motion made—That the Chairmen do now Report the Bill to the
House, with amendments.—*(The Auditor General.)*Motion made and Question put—That the Chairmen do now report progress, and ask leave
to sit again this day six months.—*(The Honorable the Speaker.)*

Committee divided.

Ayes, 6.

MR. CAMPEBL,
THE SPEAKER,
MR. RIDDELL,
MR. STRACHAN,
MR. SNODGRASS,
MR. GOLDSMITH. (*Teller.*)

Noes, 11.

MR. SPLATT,
MR. WESTGARTH,
MR. O'SHANASSY,
MR. FAWKNER,
LIEUT. COL. ANDERSON,
THE AUDITOR GENERAL,
THE ATTORNEY GENERAL,
MR. MERCER,
THE SOLICITOR GENERAL,
THE CHAIRMAN OF GENERAL SESSIONS,
MR. RUSSELL, (*Teller.*)

No. 4. *Scab and Catarrh in Sheep Prevention Bill.*—*Clause proposed.*—If any person shall drive or conduct any sheep upon or across any land whatever, where other sheep are depastured and kept, or upon or along any road which may intersect or form a boundary line of any such land without giving 12 hours previous notice to the owner of such land of his intention to drive or conduct such sheep as aforesaid, he shall forfeit and pay for every such offence any sum not exceeding Fifty Pounds: provided that notice given at the homestead or principal station of such owner shall be deemed sufficient notice.

Motion made and Question put—That the proposed clause stand part of the Bill.—(*Mr. Goldsmith.*)

Committee divided.

Ayes, 9.
 THE SPEAKER,
 THE ATTORNEY GENERAL,
 MR. SPLATT,
 LIEUT. COL. ANDERSON,
 MR. GOLDSMITH,
 MR. MERCER,
 MR. CAMPBELL,
 MR. STRACHAN,
 THE AUDITOR GENERAL, (*Teller.*)

Noes, 3.
 MR. O'SHANASSY,
 MR. RIDDELL,
 MR. SNODGRASS (*Teller.*)

No. 5.—*Scab and Catarrh in Sheep Prevention Bill.*—*Clause proposed.*—That from the passing of this Act it shall not be lawful for any person to turn out, keep, depasture, drive or conduct any sheep infected with Scab, or the disease called Influenza or Catarrh, and any person so driving, conducting, turning out, keeping, or depasturing any such sheep so infected with the disease called Scab, or disease called Influenza or Catarrh, shall upon conviction before any two Justices of the Peace, forfeit and pay any sum not exceeding One Hundred Pounds: always provided, that it shall and may be lawful for any person being the owner or superintendent of any such sheep so infected with the disease termed Scab, or the disease known as Influenza or Catarrh, to give notice of the same to the nearest Magistrate, such notice to be in the Form A. annexed, specifying the numbers and the brands of such sheep so infected, and stating his intention of destroying the same. Whereupon such Justice shall certify that such notice has been duly served upon such Justice, and all such sheep so infected have been destroyed, and such owner or superintendent, upon proof of such destruction of such sheep so infected as above, shall on production of such certificate, not be deemed liable for the payment of such Fine as provided for in this Act, but shall be entitled to demand such an amount of compensation as shall indemnify him for the destruction of such sheep so infected, as shall be provided for by this Act: always provided, that such certificate of such Justice and such claim for compensation be made within six months from this Bill coming into effect.

Motion made and Question put—That the proposed clause stand part of the Bill.—(*Mr. Snodgrass.*)

Committee divided.

Ayes, 6.
 MR. CAMPBELL,
 THE SPEAKER,
 MR. MERCER,
 MR. GOLDSMITH,
 MR. SNODGRASS,
 THE AUDITOR GENERAL, (*Teller.*)

Noes, 5.
 MR. O'SHANASSY,
 THE ATTORNEY GENERAL,
 MR. STRACHAN,
 MR. RIDDELL,
 MR. SPLATT, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 10.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1852.

WEDNESDAY, 24th NOVEMBER.

No. 1.—*Gold Export Duty Bill.*—Motion made and Question put—That the Chairman report progress, and ask leave to sit again this day six months.—(*Mr. Strachan.*)
Committee divided.

Ayes, 12.

MR. MILLER,
MR. O'SHANASSY,
MR. A'BECKETT,
MR. STRACHAN,
MR. JOHNSTON,
MR. FAWKNER,
MR. WESTGARTH,
MR. NICHOLSON,
THE SPEAKER,
MR. CAMPBELL,
MR. MICHIE,
MR. SPLATT, (*Teller.*)

Noes, 11.

MR. SMITH,
DR. THOMSON,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL,
LIEUT. COL. ANDERSON,
MR. GOLDSMITH,
THE CHAIRMAN OF GENERAL SESSIONS,
THE SOLICITOR GENERAL,
MR. RUTLEDGE,
MR. WILKINSON,
MR. SNODGRASS, (*Teller.*)

TUESDAY, 26th NOVEMBER.

No. 2.—*Scab and Catarrh in Sheep Prevention Bill.*—*Clause proposed.*—That from the passing of this Act it shall not be lawful for any person to turn out, keep, depasture, drive or conduct any sheep infected with Scab, or the disease called Influenza or Catarrh, and any person so driving, conducting, turning out, keeping, or depasturing any such sheep so infected with the disease called Scab, or disease called Influenza or Catarrh, shall upon conviction before any two Justices of the Peace, forfeit and pay any sum not exceeding One Hundred Pounds: always provided, that it shall and may be lawful for any person being the owner or superintendent of any such sheep so infected with the disease termed Scab, or the disease known as Influenza or Catarrh, to give notice of the same to the nearest Magistrate, such notice to be in the Form A. annexed, specifying the numbers and the brands of such sheep so infected, and stating his intention of destroying the same. Whereupon such Justice shall certify that such notice has been duly served upon such Justice, and all such sheep so infected have been destroyed, and such owner or superintendent, upon proof of such destruction of such sheep so infected as above, shall on production of such certificate, not be deemed liable for the payment of such Fine as provided for in this Act, but shall be entitled to demand such an amount of compensation as shall indemnify him for the destruction of such sheep so infected, as shall be provided for by this Act: always provided, that such certificate of such Justice and such claim for compensation be made within six months from this Bill coming into effect.

Motion made and Question put—That the proposed clause stand part of the Bill.—(*Mr. Snodgrass.*)

Council divided.

Ayes, 4.

THE SPEAKER,
DR. THOMSON,
MR. CAMPELL,
MR. SNODGRASS, (*Teller.*)

Noes, 11.

MR. FAWKNER,
THE ATTORNEY GENERAL,
MR. SPLATT,
MR. MILLER,
THE SOLICITOR GENERAL,
MR. RUTLEDGE,
MR. O'SHANASSY,
MR. A'BECKETT,
MR. JOHNSTON,
MR. WILKINSON,
MR. RUSSELL, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 11.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1852.

WEDNESDAY, 1st DECEMBER.

No. 1.—*Police Force Regulation Bill*.—*Clause XII*.—Any Constable or other Member of the Police Force who shall neglect or refuse to obey and execute any Warrant hereby directed to be by him executed or shall be guilty of any other misconduct neglect violation of or absence from duty shall forfeit and pay any such penalty not exceeding for the first offence five pounds or for the second or any subsequent offence twenty pounds as any “two” Justices of the Peace on their own view or after examination upon oath of one or more credible witness or witnesses or upon confession of the party shall in their discretion think proper in a summary way to impose or inflict.

Motion made—that the word “two” in the sixth line of the above clause be omitted with the view to insert the word “one” in the place thereof.—*(Mr. Smith.)*

Question—That the word proposed to be omitted stand part of the Clause—put.

Committee divided.

Ayes, 9.
 MR. WILKINSON,
 MR. MILLER,
 MR. O'SHANASSY,
 THE SPEAKER,
 MR. A'BECKETT,
 MR. FAWKNER,
 MR. NICHOLSON,
 THE CHAIRMAN OF GENERAL
 SESSIONS,
 MR. CAMPBELL, (*Teller*.)

Noes, 9.
 LIEUT. COL. ANDERSON,
 THE COLONIAL SECRETARY,
 THE ATTORNEY GENERAL,
 MR. SPLATT,
 DR. THOMSON,
 THE AUDITOR GENERAL,
 MR. RUTLEDGE,
 THE SOLICITOR GENERAL,
 MR. SMITH, (*Teller*.)

The Tellers having declared the numbers for the “Ayes” and “Noes” to be, respectively, 9, or equal, the Chairman gave his vote for the “Ayes” and declared the question to have passed in the affirmative.

THURSDAY, 2nd DECEMBER.

No. 2.—*Cattle Stealing Prevention Bill*.—*Clause II*.—If it shall appear to any Justice of the Peace by complaint or information on oath that any Cattle suspected to have been stolen is in the possession of any person it shall be lawful for such Justice to issue a summons to such person requiring him to appear at a time and place mentioned in such summons before any two Justices of the Peace or if such Justice shall think fit to issue a warrant in the first instance to apprehend and bring such person at a time and place mentioned in such warrant before any two Justices of the Peace and also if such Justice shall think fit to issue his warrant to any Constable commanding him to seize any such Cattle suspected to have been stolen and detain the same until such information or complaint shall have been disposed of and if on the appearance of such person so summoned or apprehended or on proof of the service of such summons personally or by leaving

the same at the usual or last known place of abode of such person days before he was required to appear it shall seem to such Justices after hearing evidence on oath or affirmation that such Cattle is the property of the person making complaint or laying the information it shall be lawful for such Justice to adjudge him to be the owner of such Cattle and to issue a warrant under their hands and seals to any Constable of the said Colony commanding him forthwith to seize such Cattle wheresoever the same may be found and to restore and give peaceable possession thereof to the person so adjudged to be the owner as "*aforesaid*:" Provided that the execution of such warrant shall be stayed for such time as such Justices may order if the person in whose possession such Cattle suspected to be stolen may be or be found shall forthwith enter into a bond to the complainant with two sufficient sureties to the satisfaction of such Justices to such amount as they may think reasonable conditioned to prosecute to conviction within the time aforesaid the person guilty of having stolen such Cattle and such conviction within the time aforesaid shall supersede the order and adjudication so made and warrant so granted by such Justices as aforesaid: Provided also that it shall be lawful for such Justices on the application of such person and notice to the said complainant to extend the time aforesaid if under the circumstances they shall deem it reasonable so to "*do*" Provided always that nothing herein contained shall be construed or taken to discharge any person from any criminal prosecution for felony to be afterwards brought against such person or to prevent the Justices committing such person for trial.

Motion made—That all the words after the word "*aforesaid*" in the 18th line of the said clause of the said Bill down to and including the word "*do*," in the 27th line be omitted.—
(*Mr Strachan.*)

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

Committee divided.

Ayes, 2.
THE SOLICITOR GENERAL,
THE ATTORNEY GENERAL, (*Teller.*)

Noes, 10.
MR. SMITH,
THE CHAIRMAN OF GENERAL SESSIONS,
MR. WILKINSON,
MR. JOHNSTON,
MR. RUTLEDGE,
MR. RIDDELL,
MR. O'SHANASSY,
THE AUDITOR GENERAL,
MR. CAMPBELL.
MR. STRACHAN, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 12.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1852.

TUESDAY, 7TH DECEMBER, 1852.

1. *Public Worship.*—*Schedule B, Part 3, 13th and 14th Vic., c. 59.*—Resolution proposed.—
“That this Committee is of opinion that the sum of £6,000, appropriated for Public
“Worship in this Colony by Schedule B, Part 3, to the Australian Colonies’ Act 13 and
“14 Vic., c. 59, is wholly inadequate to the purposes contemplated, and that the same
“should be altered and increased to the sum of £30,000, and that a Bill be introduced
“into this Council for carrying the above resolution into effect.”—(*Mr. Rutledge.*)
Motion made and question put—That the Chairman report progress, and ask leave to sit
again this day fortnight.—(*Mr. Nicholson.*)
Committee divided.

Ayes, 8.

MR. TURNBULL,
MR. MILLER,
MR. WILKINSON,
MR. WESTGARTH,
MR. FAWKNER,
MR. STRACHAN,
MR. NICHOLSON,
THE ATTORNEY GENERAL, (*Teller.*)

Nocs, 14.

THE COLONIAL SECRETARY,
MR. MICHIE,
MR. O’SHANASSY,
THE AUDITOR GENERAL,
MR. RIDDELL,
LIEUT. COL. ANDERSON,
THE CHAIRMAN OF GENERAL SESSIONS,
THE SOLICITOR GENERAL,
MR. A’BECKETT,
MR. GOLDSMITH,
MR. RUTLEDGE,
MR. CAMPBELL,
THE SPEAKER,
MR. SPLATT, (*Teller.*)

WEDNESDAY, 8TH DECEMBER.

2. *Finance, 1852-3.*—*General Estimates.*—Question proposed—That a sum not exceeding
£1,200 be appropriated to defray the salary of the Colonial Treasurer for the year 1853.—
(*The Auditor General.*)
Motion made and question put—That a sum not exceeding £1,000 be appropriated to defray
the salary of the Colonial Treasurer for the year 1853.—(*Mr. Miller.*)
Committee divided.

Ayes, 8.

MR. WILKINSON,
MR. FAWKNER,
MR. STRACHAN,
MR. TURNBULL,
MR. MILLER,
MR. SMITH,
MR. NICHOLSON,
MR. RUTLEDGE, (*Teller.*)

Nocs, 10.

THE COLONIAL SECRETARY,
THE SPEAKER,
MR. GOLDSMITH,
MR. WESTGARTH,
MR. O’SHANASSY,
THE AUDITOR GENERAL,
LIEUT. COL. ANDERSON,
THE CHAIRMAN OF GENERAL SESSIONS,
THE SOLICITOR GENERAL,
MR. A’BECKETT, (*Teller.*)

THURSDAY, 9TH DECEMBER.

3. Question proposed—"That" a sum not exceeding £1,500 be appropriated to defray the salary of the Colonial Secretary for the year 1853.—(*The Auditor General.*)

Amendment proposed—That all the words after the word "That" in the above question be omitted, with the view to insert the words "*in the opinion of this Committee the exigencies of this Colony are so great, that the unappropriated moiety of the Land Fund is necessary for the general wants of this Colony.*"—(*Mr. O'Shanassy.*)

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

Ayes, 10.

THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
LIEUT. COL. ANDERSON,
THE COLONIAL SECRETARY,
THE CHAIRMAN OF GENERAL
SESSIONS,
MR. MICHIE,
MR. A'BECKETT,
MR. SMITH,
MR. GOLDSMITH,
MR. RIDDELL, (*Teller.*)

Noes, 10.

THE SPEAKER,
MR. MILLER,
MR. FAWKNER,
MR. STRACHAN,
MR. TURNBULL,
MR. WILKINSON,
MR. MYLES,
MR. NICHOLSON,
MR. RUTLEDGE,
MR. O'SHANASSY, (*Teller.*)

The Tellers having declared the numbers for the "Ayes" and the "Noes" to be respectively ten, or equal, the Chairman gave his vote for the "Noes," and declared the question to be negatived.

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

Committee divided.

Ayes, 10.

THE SPEAKER,
MR. MILLER,
MR. RUTLEDGE,
MR. TURNBULL,
MR. WILKINSON,
MR. MYLES,
MR. STRACHAN,
MR. FAWKNER,
MR. NICHOLSON,
MR. O'SHANASSY, (*Teller.*)

Noes, 10.

MR. SMITH,
THE AUDITOR GENERAL,
THE CHAIRMAN OF GENERAL SESSIONS,
MR. MICHIE,
MR. A'BECKETT,
THE COLONIAL SECRETARY,
LIEUT. COL. ANDERSON,
THE SOLICITOR GENERAL,
MR. GOLDSMITH,
MR. RIDDELL, (*Teller.*)

The Tellers having declared the numbers for the "Ayes" and the "Noes" to be respectively ten, or equal, the Chairman gave his vote for the "Ayes," and declared the question to have passed in the affirmative.

FRIDAY, 10TH DECEMBER.

5. Question proposed—That a sum not exceeding £400 be appropriated to defray the salary of a Treasury Clerk; and that a sum not exceeding £250 be appropriated to defray the salary of an Assistant Treasury Clerk at Portland, for the year 1853.—(*The Auditor General.*)

Amendment proposed—That the word "Portland" be omitted from the Question, and the word "Belfast" be inserted in the place thereof.—(*Mr. Rutledge.*)

Question—That the word proposed to be omitted stand part of the question—put.
Committee divided.

Ayes, 12.

MR. MILLER,
LIEUT. COL. ANDERSON,
MR. STRACHAN,
MR. FAWKNER,
MR. NICHOLSON,
MR. MYLES,
MR. SMITH,
MR. WILKINSON,
MR. O'SHANASSY,
MR. A'BECKETT,
THE SPEAKER,
THE CHAIRMAN OF GENERAL
SESSIONS, (*Teller.*)

Noes, 5.

MR. RIDDELL,
MR. SPLATT,
MR. GOLDSMITH,
MR. CAMPBELL,
MR. RUTLEDGE, (*Teller.*)

6. Question proposed—That a sum not exceeding £900 be appropriated to defray the salary of the Sub-Collector of Customs at Geelong for the year 1853.—(*The Auditor General.*)

Motion made and question put—That a sum not exceeding £800 be appropriated to defray the salary of the Sub-Collector of Customs at Geelong for the year 1853.—(*Mr. Rutledge.*)

Committee divided.

Ayes, 11.
 MR. CAMPBELL,
 MR. MILLER,
 MR. RUTLEDGE,
 MR. SMITH,
 MR. GOLDSMITH,
 LIEUT. COL. ANDERSON,
 MR. NICHOLSON,
 MR. O'SHANASSY,
 MR. RUSSELL,
 MR. FAWKNER,
 MR. SPLATT, (*Teller.*)

Noes, 10.
 THE COLONIAL SECRETARY,
 THE SPEAKER,
 THE AUDITOR GENERAL,
 MR. A'BECKETT,
 MR. STRACHAN,
 MR. RIDDELL,
 THE SOLICITOR GENERAL,
 MR. WILKINSON,
 MR. MYLES,
 THE CHAIRMAN OF GENERAL
 SESSIONS, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 13.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1852.

TUESDAY, 14TH DECEMBER.

1. *The Melbourne Gas and Coke Company Bill.*—*Clause XXV.*—That it shall be lawful for the Directors of the said Company to contract with the Corporate authorities of the City of Melbourne or the Commissioners Trustees Surveyors or persons having control direction or management of the highways or any of them within the limits of this Act and with any other person or persons whomsoever for supplying or lighting with gas any street or building whatsoever belonging to them or in which they or any of them are interested or over which they or any of them have the direction or control within the said limits in such manner and under such stipulations as such Directors shall think proper consistently with the powers and authorities hereby granted Provided always that if the charges that may be made by the said Directors under and by virtue of this Act for such supply of gas shall be found to produce a greater sum than *fifteen* pounds per annum for every one hundred pounds of the paid up capital of the said Company then and in such case the said Directors shall at their first meeting after it shall have been ascertained that such greater sum has been produced reduce the said charges so as that the same shall not produce to the said Company a greater rate of clear annual profits divisible upon the subscribed and paid up capital stock of the said Company than the said sum of *fifteen* pounds annually for every one hundred pounds of such capital and in order that the true state of such profits may be known it shall be the duty of the Directors of the said Company so soon as the profits of the said Company exceed *ten* pounds for every one hundred pounds by the year to publish in the *Government Gazette* annually a full and true statement and account of the monies received disbursed and expended by them and every such statement shall be verified by the Secretary of the said Company by solemn declaration to be made before a Justice of the Peace.

Question proposed—That the words “fifteen” standing in the 11th and 17th lines respectively in this Clause be omitted, and the words “twenty-five” be inserted in the respective places thereof.—(*Mr. Miller.*)

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

Committee divided.

Ayes, 4.
MR. FAWKNER,
MR. SMITH,
MR. MICHIE,
MR. STRACHAN, (*Teller.*)

Noes, 5.
THE SPEAKER,
MR. O'SHEANASSY,
MR. MILLER,
THE ATTORNEY GENERAL,
THE CHAIRMAN OF GENERAL
SESSIONS, (*Teller.*)

WEDNESDAY, 15TH DECEMBER.

2. *Finance*—1852-3.—*General Estimates*.—Question proposed.—That a sum not exceeding £700 be appropriated to defray the salary of the Crown Solicitor for the year 1853.—(*The Auditor General*.)

Motion made and question put—That a sum not exceeding £560 be appropriated to defray the salary of the Crown Solicitor for the year 1853.—(*Mr. Fawkner*.)

Committee divided.

Ayes, 1.

MR. FAWKNER, (*Teller*.)

Noes, 21.

MR. MILLER,
MR. SPLATT,
MR. O'SHANASSY,
THE AUDITOR GENERAL,
MR. MICHIE,
DR. THOMSON,
THE ATTORNEY GENERAL,
THE CHAIRMAN OF GENERAL SESSIONS,
LIEUT. COL. ANDERSON,
MR. RIDDELL,
MR. STRACHAN,
THE SPEAKER,
THE SOLICITOR GENERAL,
THE COLONIAL SECRETARY,
MR. CAMPBELL,
MR. RUTLEDGE,
MR. MYLES,
MR. WILKINSON,
MR. RUSSELL,
MR. A'BECKETT,
MR. SMITH, (*Teller*.)

3. Question proposed—That a sum not exceeding £500 be appropriated to defray the salary of the Under Sheriff for the year 1853.—(*The Auditor General*.)

Motion made and question put—That the item proposed be omitted from the Estimates.—(*Dr. Thomson*.)

Committee divided.

Ayes, 8.

MR. TURNBULL,
MR. NICHOLSON,
DR. THOMSON,
MR. FAWKNER,
MR. MYLES,
MR. SMITH,
MR. WILKINSON,
MR. STRACHAN, (*Teller*.)

Noes, 13.

THE ATTORNEY GENERAL,
MR. O'SHANASSY,
MR. WESTGARTH,
MR. MICHIE,
THE CHAIRMAN OF GENERAL SESSIONS,
MR. RUSSELL,
LIEUT. COL. ANDERSON,
MR. A'BECKETT,
THE SOLICITOR GENERAL,
MR. RUTLEDGE,
THE AUDITOR GENERAL,
MR. RIDDELL,
THE COLONIAL SECRETARY, (*Teller*.)

4. Motion made and question put—That a sum not exceeding £400 be appropriated to defray the salary of the Deputy Sheriff of Portland for the year 1853.—(*The Auditor General*.)

Committee divided.

Ayes, 15.

THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
THE ATTORNEY GENERAL,
MR. WESTGARTH,
THE AUDITOR GENERAL,
MR. RIDDELL,
MR. FAWKNER,
DR. THOMSON,
MR. RUSSELL,
MR. TURNBULL,
MR. O'SHANASSY,
MR. STRACHAN,
MR. WILKINSON,
THE SPEAKER,
THE CHAIRMAN OF GENERAL SESSIONS, (*Teller*.)

Noes, 7.

MR. RUTLEDGE,
MR. NICHOLSON,
MR. A'BECKETT,
MR. MYLES,
MR. MICHIE,
LIEUT. COL. ANDERSON,
MR. SMITH, (*Teller*.)

5. Question proposed—That a sum not exceeding £800 be appropriated to defray the salary of the Master in Equity for the year 1853.—(*The Auditor General.*)

Motion made and question put—That the consideration of the above item be postponed.

Committee divided.

Ayes, 9.

MR. MICHIE,
DR. THOMSON,
MR. WESTGARTH,
MR. RUSSELL,
MR. A'BECKETT,
MR. WILKINSON,
MR. MYLES,
MR. FAWKNER,
MR. O'SHANASSY, (*Teller.*)

Noes, 13.

MR. RUTLEDGE,
MR. NICHOLSON,
THE SPEAKER,
THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE CHAIRMAN OF GENERAL SESSIONS,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
MR. RIDDELL,
LIEUT. COL. ANDERSON,
MR. STRACHAN,
MR. TURNBULL,
MR. SMITH, (*Teller.*)

6. Question proposed—That a sum not exceeding £1500 be appropriated to defray the Travelling Expenses of the Judges and their Associates.—(*The Auditor General.*)

Motion made and question put—That a sum not exceeding £1000 be appropriated to defray the Travelling Expenses of the Judges and their Associates.—(*Dr. Thomson.*)

Committee divided.

Ayes, 9.

MR. NICHOLSON,
MR. TURNBULL,
MR. FAWKNER,
MR. O'SHANASSY,
THE SPEAKER,
DR. THOMSON,
MR. WILKINSON,
MR. MYLES,
MR. STRACHAN, (*Teller.*)

Noes, 13.

MR. RUTLEDGE,
MR. A'BECKETT,
THE SOLICITOR GENERAL,
THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
MR. WESTGARTH,
MR. RUSSELL,
THE AUDITOR GENERAL,
THE CHAIRMAN OF GENERAL SESSIONS,
LIEUT. COL. ANDERSON,
MR. RIDDELL,
MR. MICHIE,
MR. SMITH, (*Teller.*)

THURSDAY, 16TH DECEMBER.

7. Question proposed—That a sum not exceeding £500 be appropriated to defray the salary of the Clerk of the Peace and Registrar of the County Court (also Deputy Registrar of Births, Deaths and Marriages,) at Buninyong for the year 1853.

Motion made and question put—That after the word "Buninyong" the words "and Colac" be added.—(*Dr. Thomson.*)

Committee divided.

Ayes, 12.

MR. NICHOLSON,
MR. O'SHANASSY,
MR. FAWKNER,
DR. THOMSON,
MR. RIDDELL,
MR. SMITH,
MR. MYLES,
MR. WILKINSON,
MR. CAMPBELL,
MR. MILLER,
THE SPEAKER,
MR. STRACHAN, (*Teller.*)

Noes, 4.

LIEUT. COL. ANDERSON,
THE AUDITOR GENERAL,
MR. RUSSELL,
THE ATTORNEY GENERAL, (*Teller.*)

8. Motion made and question put—That a sum not exceeding £700 be appropriated to defray the salary of the Clerk of the Peace and Registrar of the County Court (also Deputy Registrar of Births, Deaths, and Marriages), and of the Bailiff of the County Court, and Crier and Messenger to the General Sessions Court at Alberton for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 7.

LIEUT. COL. ANDERSON,
THE AUDITOR GENERAL,
THE ATTORNEY GENERAL,
MR. RUSSELL,
MR. RIDDELL,
MR. STRACHAN,
MR. CAMPBELL, (*Teller.*)

Noes, 9.

THE SPEAKER,
MR. NICHOLSON,
MR. MYLES,
MR. MILLER,
DR. THOMSON,
MR. O'SHANASSY,
MR. FAWKNER,
MR. WILKINSON,
MR. SMITH, (*Teller.*)

9. Motion made and question put—That a sum not exceeding £350 be appropriated to defray the salary of a Clerk of the Peace (also Deputy Registrar of Births, Deaths, and Marriages, and Clerk of Petty Sessions) at Horsham for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 8.

MR. RUTLEDGE,
LIEUT. COL. ANDERSON,
THE ATTORNEY GENERAL,
MR. RIDDELL,
MR. RUSSELL,
MR. CAMPBELL,
MR. SPLATT,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 10.

THE SPEAKER,
MR. NICHOLSON,
MR. MYLES,
MR. WILKINSON,
MR. MILLER,
DR. THOMSON,
MR. O'SHANASSY,
MR. FAWKNER,
MR. STRACHAN,
MR. SMITH, (*Teller.*)

10. Motion made and question put—That a sum not exceeding £350 be appropriated to defray the salary of a Clerk of the Peace (also Deputy Registrar of Births, Deaths, and Marriages, and Clerk of Petty Sessions) at Kyneton for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 8.

LIEUT. COL. ANDERSON,
MR. RUTLEDGE,
THE ATTORNEY GENERAL,
MR. RIDDELL,
MR. SPLATT,
MR. RUSSELL,
MR. CAMPBELL,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 10.

THE SPEAKER,
MR. NICHOLSON,
MR. MYLES,
MR. WILKINSON,
MR. O'SHANASSY,
MR. MILLER,
DR. THOMSON,
MR. FAWKNER,
MR. STRACHAN,
MR. SMITH, (*Teller.*)

11. Motion made and question put—That a sum not exceeding £350 be appropriated to defray the salary of a Clerk of the Peace (also Deputy Registrar of Births, Deaths, and Marriages, and Clerk of Petty Sessions) at Wangarratta for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 8.

THE SPEAKER,
MR. RUTLEDGE,
LIEUT. COL. ANDERSON,
THE ATTORNEY GENERAL,
MR. RIDDELL,
MR. SPLATT,
MR. CAMPBELL,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 9.

MR. NICHOLSON,
MR. MYLES,
MR. WILKINSON,
MR. MILLER,
DR. THOMSON,
MR. O'SHANASSY,
MR. FAWKNER,
MR. STRACHAN,
MR. SMITH, (*Teller.*)

12. Question proposed—That a sum not "exceeding" £1600 be appropriated to defray the salaries of two Chairmen of General Sessions and Judges of County Courts at £800 each for the year 1853.—(*The Auditor General.*)

Amendment proposed—That all the words after the word "exceeding" be omitted from the above question, with the view to insert the following:—"£800 be appropriated to defray the salary of one Chairman of General Sessions and Judge of County Court."—(*Mr. Fawkner.*)

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

Committee divided.

Ayes, 7.
 MR. RUTLEDGE,
 LIEUT. COL. ANDERSON,
 THE ATTORNEY GENERAL,
 MR. RIDDELL,
 THE SOLICITOR GENERAL,
 MR. A'BECKETT,
 THE AUDITOR GENERAL, (*Teller.*)

Noes, 11.
 MR. CAMPBELL,
 MR. NICHOLSON,
 MR. MYLES,
 MR. WILKINSON,
 THE SPEAKER,
 MR. MILLER,
 DR. THOMSON,
 MR. O'SHANASSY,
 MR. FAWKNER,
 MR. STRACHAN,
 MR. SMITH, (*Teller.*)

13. Motion made and question put—That a sum not exceeding £638 15s. be appropriated to defray the pay and allowances of the Lieutenant Colonel of the four Companies of the Line now stationed at Melbourne for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 20.
 THE SPEAKER,
 DR. THOMSON,
 THE CHAIRMAN OF GENERAL
 SESSIONS,
 MR. WESTGARTH,
 THE COLONIAL SECRETARY,
 THE ATTORNEY GENERAL,
 LIEUT. COL. ANDERSON,
 MR. RIDDELL,
 THE SOLICITOR GENERAL,
 MR. FAWKNER,
 MR. NICHOLSON,
 MR. MYLES,
 MR. WILKINSON,
 MR. TURNBULL,
 MR. A'BECKETT,
 MR. MICHIE,
 MR. SMITH,
 MR. MILLER,
 MR. RUTLEDGE,
 THE AUDITOR GENERAL, (*Teller.*)

Noes, 2.
 MR. STRACHAN,
 MR. O'SHANASSY, (*Teller.*)

14. Motion made and question put—That a sum not exceeding £46,137 9s. 7d. be appropriated to defray the pay and allowances of the four Companies of the Line now stationed at Melbourne for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 18.
 DR. THOMSON,
 THE COLONIAL SECRETARY,
 LIEUT. COL. ANDERSON,
 THE SPEAKER,
 MR. RIDDELL,
 THE SOLICITOR GENERAL,
 THE ATTORNEY GENERAL,
 MR. TURNBULL,
 MR. MYLES,
 MR. WILKINSON,
 MR. FAWKNER,
 MR. A'BECKETT,
 MR. NICHOLSON,
 MR. SMITH,
 MR. RUTLEDGE,
 MR. WESTGARTH,
 MR. MILLER,
 THE AUDITOR GENERAL, (*Teller.*)

Noes, 2.
 MR. STRACHAN,
 MR. O'SHANASSY, (*Teller.*)

15. Question proposed—That a sum not exceeding £1000 be appropriated to defray the salary of one Chief Inspector of Police for the year 1853.—(*The Auditor General.*)
 Motion made and question put—That a sum not exceeding £800 be appropriated to defray the salary of one Chief Inspector of Police for the year 1853.—(*Mr. O'Shanassy.*)

Committee divided.

Ayes, 9.
 THE SPEAKER,
 DR. THOMSON,
 MR. O'SHANASSY,
 MR. NICHOLSON,
 MR. FAWKNER,
 MR. SMITH,
 MR. WILKINSON,
 MR. MYLES,
 MR. STRACHAN, (*Teller.*)

Noes, 11.
 THE COLONIAL SECRETARY,
 THE ATTORNEY GENERAL,
 MR. MILLER,
 MR. WESTGARTH,
 THE CHAIRMAN OF GENERAL SESSIONS,
 LIEUT. COL. ANDERSON,
 MR. RIDDELL,
 MR. A'BECKETT,
 MR. RUTLEDGE,
 THE SOLICITOR GENERAL,
 THE AUDITOR GENERAL, (*Teller.*)

FRIDAY, 17TH DECEMBER.

16. *Mr. Hargraves.*—Question proposed—That an Address be presented to His Excellency the Lieutenant Governor praying that in consideration of the great advantages resulting to these Colonies from the discovery of the Australian Gold Fields, His Excellency would place upon the Estimates for 1853, such an amount as may be considered adequate to the occasion on the part of this Colony to be presented to the discoverer, Mr. Hargraves.—(*Mr. Westgarth*)

Motion made and question put—That the Chairman report progress, and ask leave to sit again this day six months.—(*Mr. Fawkner.*)
 Committee divided.

Ayes, 12.
 LIEUT. COL. ANDERSON,
 MR. MICHIE,
 MR. STRACHAN,
 MR. FAWKNER,
 MR. O'SHANASSY,
 MR. RUTLEDGE,
 MR. MYLES,
 MR. NICHOLSON,
 THE SPEAKER,
 MR. WILKINSON,
 MR. SMITH,
 THE COLONIAL SECRETARY, (*Teller.*)

Noes, 7.
 DR. THOMSON,
 THE ATTORNEY GENERAL,
 MR. WESTGARTH,
 MR. RUSSELL,
 THE AUDITOR GENERAL,
 THE SOLICITOR GENERAL,
 MR. MILLER, (*Teller.*)

17. *Finance, 1852-3.—General Estimates.*—Motion made and question put—That a sum not exceeding £700 be appropriated to defray the salary of a Paymaster for the Police Force for the year 1853.—(*The Auditor General.*)
 Committee divided.

Ayes, 16.
 THE COLONIAL SECRETARY,
 THE CHAIRMAN OF GENERAL
 SESSIONS,
 MR. MICHIE,
 THE ATTORNEY GENERAL,
 LIEUT. COL. ANDERSON,
 MR. RIDDELL,
 MR. RUSSELL,
 MR. WESTGARTH,
 DR. THOMSON,
 MR. WILKINSON,
 THE SPEAKER,
 MR. A'BECKETT,
 THE SOLICITOR GENERAL,
 MR. CAMPBELL,
 MR. MILLER,
 THE AUDITOR GENERAL, (*Teller.*)

Noes, 8.
 MR. RUTLEDGE,
 MR. NICHOLSON,
 MR. MYLES,
 MR. FAWKNER,
 MR. O'SHANASSY,
 MR. STRACHAN,
 MR. TURNBULL,
 MR. SMITH, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 14.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1852.

TUESDAY, 21st DECEMBER.

1. *Finance, 1852-3.—General Estimates.*—Question proposed—That a sum not “*exceeding*” £4800 be appropriated to defray the salaries of eight District Inspectors at £600 each for the year 1853.—*(The Auditor General.)*

Motion made—That all the words and figures after the word “*exceeding*” in the above question be omitted, with the view to insert the following, “£2400 be appropriated to defray the salaries of four District Inspectors at £600 each for the year 1853.”—*(Mr. Fawkner.)*

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

Ayes, 9.

THE ATTORNEY GENERAL,
THE AUDITOR GENERAL,
MR. RIDDELL,
LIEUT. COL. ANDERSON,
MR. RUSSELL,
MR. SNODGRASS,
MR. RUTLEDGE,
MR. CAMPBELL,
THE COLONIAL SECRETARY, *(Teller.)*

Noes, 10.

MR. O'SHANASSY,
MR. NICHOLSON,
MR. WILKINSON,
MR. MYLES,
MR. MILLER,
MR. FAWKNER,
MR. WESTGARTH,
DR. THOMSON,
THE SPEAKER,
MR. SMITH, *(Teller.)*

2. Motion made—That the following be inserted in the place of the words omitted in the above question—“£3600 be appropriated to defray the salaries of six District Inspectors at £600 each for the year 1853.”—*(The Auditor General.)*

Question put—That a sum not exceeding £2400 be appropriated to defray the salaries of four District Inspectors at £600 each for the year 1853.
Committee divided.

Ayes, 10.

THE SPEAKER,
MR. SMITH,
MR. MYLES,
MR. WILKINSON,
MR. NICHOLSON,
MR. MILLER,
DR. THOMSON,
MR. O'SHANASSY,
MR. FAWKNER,
MR. WESTGARTH, *(Teller.)*

Noes, 9.

MR. CAMPBELL,
THE ATTORNEY GENERAL,
MR. RIDDELL,
LIEUT. COL. ANDERSON,
THE AUDITOR GENERAL,
MR. RUSSELL,
MR. SNODGRASS,
THE COLONIAL SECRETARY,
MR. RUTLEDGE, *(Teller.)*

3. Question proposed—That a sum not “*exceeding*” £10,000 be appropriated to defray the salaries of thirty Sub-Inspectors; ten at £400 each, and twenty at £300 each, for the year 1853. (*The Auditor General.*)

Motion made—That all the words and figures after the word “*exceeding*” in the above question be omitted, with a view to insert the following, “£7000 be appropriated to defray the salaries of twenty Sub-Inspectors :—Ten at £400 each, and Ten at £300 each, for the year 1853.”—(*Dr. Thomson.*)

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

Committee divided.

Ayes, 10.	Noes, 10.
MR. A'BECKETT,	MR. NICHOLSON,
MR. RUSSELL,	MR. WILKINSON,
LIEUT. COL. ANDERSON,	MR. MYLES,
MR. RIDDELL,	MR. MILLER,
THE AUDITOR GENERAL,	MR. WESTGARTH,
THE COLONIAL SECRETARY,	MR. O'SHANASSY,
MR. RUTLEDGE,	DR. THOMSON,
MR. CAMPBELL,	MR. FAWKNER,
MR. SNODGRASS.	THE SPEAKER,
THE ATTORNEY GENERAL, (<i>Teller.</i>)	MR. SMITH, (<i>Teller.</i>)

The Tellers having declared that the numbers for the “Ayes” and the “Noes” were respectively ten, or equal, the Chairman gave his vote for the “Noes,” and declared the question to be negatived.

4. Question proposed—That a sum not “*exceeding*” £58,400 be appropriated to defray the salaries of four hundred constables at 8s. each per diem for the year 1853.—(*The Auditor General.*)

Motion made—That all the words and figures after the word “*exceeding*” in the above question, be omitted, with the view to insert the following, “£43,800 be appropriated to defray the salaries of Three Hundred Constables at 8s. per diem, for the year 1853.”—(*Mr. Miller.*)

Committee divided.

Ayes, 10.	Noes, 10.
THE COLONIAL SECRETARY,	MR. NICHOLSON,
MR. RIDDELL,	THE SPEAKER,
LIEUT. COL. ANDERSON,	MR. WILKINSON,
MR. A'BECKETT,	MR. MYLES,
MR. RUSSELL,	MR. MILLER,
MR. CAMPBELL,	MR. WESTGARTH,
MR. SNODGRASS,	MR. O'SHANASSY,
MR. RUTLEDGE,	MR. FAWKNER,
THE ATTORNEY GENERAL,	DR. THOMSON,
THE AUDITOR GENERAL, (<i>Teller.</i>)	MR. SMITH, (<i>Teller.</i>)

The Tellers having declared that the numbers for the “Ayes” and “Noes” were respectively ten, or equal, the Chairman gave his vote for the “Noes,” and declared the question to be negatived.

5. Question proposed—That a sum not exceeding £10,950 be appropriated to defray the salaries of sixty Sergeants of Foot Police at 10s. each per diem, for the year 1853.—(*The Auditor General.*)

Motion made and question put—That £9125 be appropriated to defray the salaries of fifty Sergeants of Foot Police at 10s. each per diem, for the year 1853.—(*Mr. Fawkner.*)

Committee divided.

Ayes, 8.	Noes, 6.
THE SPEAKER,	THE ATTORNEY GENERAL,
MR. O'SHANASSY,	THE AUDITOR GENERAL,
MR. MYLES,	MR. A'BECKETT,
MR. NICHOLSON,	LIEUT. COL. ANDERSON,
DR. THOMSON,	THE COLONIAL SECRETARY,
MR. FAWKNER,	MR. SMITH, (<i>Teller.</i>)
MR. RUSSELL,	
MR. WESTGARTH, (<i>Teller.</i>)	

6. Question proposed—That a sum not exceeding £86,250 be appropriated to defray the charges for Provisions and Stores for the Establishment of the General Police Force for the year 1853.—(*The Auditor General.*)

Motion made and question put—That a sum not exceeding £65,800 be appropriated to defray the charges for Provisions and Stores for the Establishment of the General Police Force for the year 1853.—(*Mr. Fawkner.*)

Committee divided.

Ayes, 13.

MR. WESTGARTH,
DR. THOMSON,
MR. RIDDELL,
MR. STRACHAN,
MR. FAWKNER,
MR. NICHOLSON,
MR. MYLES,
MR. WILKINSON,
MR. TURNBULL,
MR. SMITH,
MR. RUTLEDGE,
THE SPEAKER,
MR. O'SHANASSY, (*Teller.*)

Noes, 7.

THE AUDITOR GENERAL,
LIEUT. COL. ANDERSON,
MR. RUSSELL,
THE COLONIAL SECRETARY,
MR. SNODGRASS,
MR. A'BECKETT,
THE ATTORNEY GENERAL, (*Teller.*)

7. Question proposed—That a sum not exceeding £700 be appropriated to defray the salary of the Stipendiary Magistrate at Melbourne for the year 1853.—(*The Auditor General.*)
Motion made and question put—That the Chairman report progress, and ask leave to sit again to-morrow.—(*Mr. Fawkner.*)
Committee divided.

Ayes, 8.

DR. THOMSON,
MR. WESTGARTH,
MR. O'SHANASSY,
MR. FAWKNER,
MR. NICHOLSON,
MR. WILKINSON,
MR. MYLES,
MR. RUSSELL, (*Teller.*)

Noes, 11.

THE SPEAKER,
THE COLONIAL SECRETARY,
MR. RIDDELL,
THE ATTORNEY GENERAL,
MR. A'BECKETT,
THE AUDITOR GENERAL,
MR. STRACHAN,
MR. SNODGRASS,
LIEUT. COL. ANDERSON,
MR. RUTLEDGE,
MR. SMITH, (*Teller.*)

8. Motion made and question put—That a sum not exceeding £700 be appropriated to defray the salary of a Stipendiary Magistrate at Melbourne for the year 1853.—(*The Auditor General.*)
Committee divided.

Ayes, 12.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
LIEUT. COL. ANDERSON,
MR. RUSSELL,
MR. STRACHAN,
THE AUDITOR GENERAL,
MR. A'BECKETT,
MR. SMITH,
MR. RUTLEDGE,
THE SPEAKER,
MR. RIDDELL,
MR. SNODGRASS, (*Teller.*)

Noes, 7.

MR. NICHOLSON,
MR. MYLES,
MR. WILKINSON,
MR. FAWKNER,
MR. O'SHANASSY,
DR. THOMSON,
MR. WESTGARTH, (*Teller.*)

WEDNESDAY, 22ND DECEMBER.

9. *Finance, 1852-3.—General Estimates.*—Motion made and question put—That a sum not exceeding £600 be appropriated to defray the salary of a Stipendiary Magistrate for Geelong and the County of Grant for the year 1853.—(*The Auditor General.*)
Committee divided.

Ayes, 12.

THE ATTORNEY GENERAL,
THE COLONIAL SECRETARY,
LIEUT. COL. ANDERSON,
MR. A'BECKETT,
THE SPEAKER,
MR. RUTLEDGE,
MR. SNODGRASS,
MR. MILLER,
MR. CAMPBELL,
THE AUDITOR GENERAL,
MR. STRACHAN,
THE CHAIRMAN OF GENERAL
SESSIONS, (*Teller.*)

Noes, 6.

DR. THOMSON,
MR. O'SHANASSY,
MR. FAWKNER,
MR. WILKINSON,
MR. MYLES,
MR. NICHOLSON, (*Teller.*)

10. Question proposed—That a sum not exceeding £350 be appropriated to defray the salary of the Clerk to the Bench at Geelong and the County of Grant for the year 1853.—(*The Auditor General.*)

Motion made and question put—That the consideration of the above question be postponed.
Committee divided.

Ayes, 6.

MR. SNODGRASS,
MR. A'BECKETT,
MR. STRACHAN,
MR. MYLES,
DR. THOMSON,
THE CHAIRMAN OF GENERAL
SESSIONS, (*Teller.*)

Noes, 12.

MR. NICHOLSON,
MR. WILKINSON,
MR. FAWKNER,
THE AUDITOR GENERAL,
MR. MILLER,
THE ATTORNEY GENERAL,
THE COLONIAL SECRETARY,
MR. RUTLEDGE,
LIEUT. COL. ANDERSON,
MR. O'SHANASSY,
THE SPEAKER,
MR. CAMPBELL, (*Teller.*)

11. Motion made and question put—That a sum not exceeding £600 be appropriated to defray the salary of a Stipendiary Magistrate at Swan Hill for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 10.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
LIEUT. COL. ANDERSON,
MR. RUSSELL,
MR. A'BECKETT,
THE AUDITOR GENERAL,
MR. SNODGRASS,
MR. CAMPBELL,
THE CHAIRMAN OF GENERAL
SESSIONS,
MR. RUTLEDGE, (*Teller.*)

Noes, 8.

THE SPEAKER,
MR. O'SHANASSY,
MR. FAWKNER,
MR. STRACHAN,
MR. NICHOLSON,
MR. MYLES,
MR. WILKINSON,
MR. MILLER, (*Teller.*)

12. Motion made and question put—That a sum not exceeding £600 be appropriated to defray the salary of a Stipendiary Magistrate at Maiden's Punt for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 7.

MR. CAMPBELL,
MR. SPLATT,
THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
MR. A'BECKETT,
MR. RIDDELL,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 11.

THE SPEAKER,
MR. RUTLEDGE,
MR. NICHOLSON,
MR. MYLES,
MR. WILKINSON,
MR. WESTGARTH,
MR. O'SHANASSY,
MR. STRACHAN,
MR. FAWKNER,
MR. TURNBULL,
MR. SMITH, (*Teller.*)

13. Motion made and question put—That a sum not exceeding £250 be appropriated to defray the salary of a Clerk of the Bench at Maiden's Punt for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 10.

MR. SNODGRASS,
MR. SPLATT,
MR. SMITH,
MR. CAMPBELL,
MR. WESTGARTH,
THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
MR. A'BECKETT,
MR. RIDDELL,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 9.

THE SPEAKER,
MR. FAWKNER,
MR. STRACHAN,
MR. TURNBULL,
MR. WILKINSON,
MR. MYLES,
MR. NICHOLSON,
MR. RUTLEDGE,
MR. O'SHANASSY, (*Teller.*)

14. Motion made and question put—That a sum not exceeding £600 be appropriated to defray the salary of a Stipendiary Magistrate at Serpentine Creek for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 8.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
MR. SPLATT,
MR. SNODGRASS,
MR. CAMPBELL,
MR. A'BECKETT,
THE AUDITOR GENERAL,
MR. RIDDELL, (*Teller.*)

Noes, 11.

THE SPEAKER,
MR. SMITH,
MR. WESTGARTH,
MR. FAWKNER,
MR. TURNBULL,
MR. STRACHAN,
MR. WILKINSON,
MR. MYLES,
MR. NICHOLSON,
MR. RUTLEDGE,
MR. O'SHANASSY, (*Teller.*)

15. Motion made and question put—That a sum not exceeding £600 be appropriated to defray the salary of a Stipendiary Magistrate at Carisbrook for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 8.

THE AUDITOR GENERAL,
THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
MR. RIDDELL,
MR. A'BECKETT,
MR. CAMPBELL,
MR. SNODGRASS,
MR. SPLATT, (*Teller.*)

Noes, 11.

THE SPEAKER,
MR. SMITH,
MR. O'SHANASSY,
MR. WESTGARTH,
MR. FAWKNER,
MR. STRACHAN,
MR. TURNBULL,
MR. WILKINSON,
MR. MYLES,
MR. NICHOLSON,
MR. RUTLEDGE, (*Teller.*)

16. Question proposed—That a sum not exceeding £300 be appropriated to defray the salary of the Clerk of the Bench at Alberton for the year 1853.—(*The Auditor General.*)

Motion made and question put—That a sum not exceeding £250 be appropriated to defray the salary of the Clerk of the Bench at Alberton for the year 1853.—(*Mr. Rutledge.*)

Committee divided.

Ayes, 7.

MR. WILKINSON,
MR. MYLES,
MR. FAWKNER,
MR. NICHOLSON,
MR. O'SHANASSY,
MR. WESTGARTH,
MR. RUTLEDGE, (*Teller.*)

Noes, 12.

THE COLONIAL SECRETARY,
MR. SNODGRASS,
MR. CAMPBELL,
THE AUDITOR GENERAL,
MR. A'BECKETT,
MR. RIDDELL,
MR. TURNBULL,
MR. STRACHAN,
THE SOLICITOR GENERAL,
MR. SMITH,
THE SPEAKER,
MR. SPLATT, (*Teller.*)

17. Motion made and question put—That a sum not exceeding £300 be appropriated to defray the salary and contingencies of the Clerk of the Bench at McKay's Inn, Wattle Creek, for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 10.

THE COLONIAL SECRETARY,
MR. RIDDELL,
MR. STRACHAN,
MR. WESTGARTH,
MR. TURNBULL,
MR. A'BECKETT,
MR. SMITH,
MR. SNODGRASS,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 7.

THE SPEAKER,
MR. O'SHANASSY,
MR. FAWKNER,
MR. WILKINSON,
MR. MYLES,
MR. NICHOLSON,
MR. RUTLEDGE, (*Teller.*)

THURSDAY, 23RD DECEMBER.

18. *The Scab and Catarrh in Sheep Prevention Bill.—Clause III.*—If any person shall drive or conduct any sheep upon or across any land whatever where other sheep are depastured and kept or upon or along any road which may intersect or form a boundary line of any such land without giving twelve hours previous notice to the occupier of such land of his intention to drive or conduct such sheep as aforesaid he shall forfeit and pay for every such offence any sum not exceeding fifty pounds Provided that notice given at the house homestead or principal station of such occupier shall be deemed sufficient notice.

Motion made and question put—That Clause III stand part of the Bill.—(*The Attorney General.*)

Committee divided.

Ayes, 11.
 MR. SMITH,
 MR. WESTGARTH,
 THE ATTORNEY GENERAL,
 MR. RIDDELL,
 MR. O'SHANASSY,
 MR. RUTLEDGE,
 MR. STRACHAN,
 MR. FAWKNER,
 MR. MYLES,
 THE AUDITOR GENERAL,
 MR. A'BECKETT, (*Teller.*)

Noes, 2.
 THE SPEAKER,
 MR. SNODGRASS, (*Teller.*)

19. *Finance, 1852-3.—General Estimates.*—Motion made and question put—That a sum not exceeding £300 be appropriated to defray the salary and contingencies of the Clerk of the Bench at the Devil's River for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 7.
 MR. RIDDELL,
 THE COLONIAL SECRETARY,
 LIEUT. COL. ANDERSON,
 THE AUDITOR GENERAL,
 MR. SMITH,
 MR. SNODGRASS,
 THE ATTORNEY GENERAL, (*Teller.*)

Noes, 7.
 THE SPEAKER,
 MR. O'SHANASSY,
 MR. FAWKNER,
 MR. STRACHAN,
 MR. WILKINSON,
 MR. MYLES,
 MR. RUTLEDGE, (*Teller.*)

The Tellers having declared the numbers for the "Ayes" and "Noes" to be respectively seven, or equal, the Chairman gave his vote for the "Noes," and declared the question to be negatived.

20. Motion made and question put—That a sum not exceeding £300 be appropriated to defray the salary and contingencies of the Clerk of the Bench at Barrow's Inn, Campaspie, for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 6.
 THE ATTORNEY GENERAL,
 LIEUT. COL. ANDERSON,
 THE COLONIAL SECRETARY,
 MR. RIDDELL,
 MR. SNODGRASS,
 THE AUDITOR GENERAL, (*Teller.*)

Noes, 8.
 THE SPEAKER,
 MR. SMITH,
 MR. O'SHANASSY,
 MR. FAWKNER,
 MR. STRACHAN,
 MR. WILKINSON,
 MR. MYLES,
 MR. RUTLEDGE, (*Teller.*)

21. Motion made and question put—That a sum not exceeding £710 be appropriated to defray the salary and contingencies of the District Magistrate for Portland Bay and Grant for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 13.
 THE SPEAKER,
 MR. RUTLEDGE,
 MR. SNODGRASS,
 THE COLONIAL SECRETARY,
 MR. RIDDELL,
 LIEUT. COL. ANDERSON,
 MR. WESTGARTH,
 MR. RUSSELL,
 MR. TURNBULL,
 MR. A'BECKETT,
 THE ATTORNEY GENERAL,
 MR. SMITH,
 THE AUDITOR GENERAL, (*Teller.*)

Noes, 6.
 MR. FAWKNER,
 MR. STRACHAN,
 MR. WILKINSON,
 MR. MYLES,
 MR. NICHOLSON,
 MR. O'SHANASSY, (*Teller.*)

22. Motion made and question put—That a sum not exceeding £710 be appropriated to defray the salary and contingencies of the District Magistrate for Gipps' Land for the year 1853.—(*The Auditor General.*)
Committee divided.

Ayes, 12.
THE SPEAKER,
MR. RUTLEDGE,
THE COLONIAL SECRETARY,
MR. RIDDELL,
LIEUT. COL. ANDERSON,
MR. RUSSELL,
MR. TURNBULL,
MR. A'BECKETT,
MR. SMITH,
MR. SNODGRASS,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 7.
MR. NICHOLSON,
MR. MYLES,
MR. WILKINSON,
MR. O'SHANASSY,
MR. FAWKNER,
MR. STRACHAN,
MR. WESTGARTH, (*Teller.*)

23. Motion made and question put—That a sum not exceeding £710 be appropriated to defray the salary and contingencies of the District Magistrate for the Wimmera for the year 1853.—(*The Auditor General.*)
Committee divided.

Ayes, 12.
THE SPEAKER,
MR. RUTLEDGE,
THE COLONIAL SECRETARY,
MR. RIDDELL,
LIEUT. COL. ANDERSON,
MR. RUSSELL,
MR. TURNBULL,
MR. SNODGRASS,
MR. SMITH,
MR. A'BECKETT,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 7.
MR. NICHOLSON,
MR. MYLES,
MR. WILKINSON,
MR. STRACHAN,
MR. FAWKNER,
MR. O'SHANASSY,
MR. WESTGARTH, (*Teller.*)

24. Motion made and question put—That a sum not exceeding £710 be appropriated to defray the salary and contingencies of the District Magistrate for the Murray for the year 1853.—(*The Auditor General.*)
Committee divided.

Ayes, 11.
MR. A'BECKETT,
THE ATTORNEY GENERAL,
MR. SNODGRASS,
MR. SMITH,
MR. RUSSELL,
LIEUT. COL. ANDERSON,
MR. RIDDELL,
THE COLONIAL SECRETARY,
THE AUDITOR GENERAL,
THE SPEAKER,
MR. RUTLEDGE, (*Teller.*)

Noes, 7.
MR. WESTGARTH,
MR. O'SHANASSY,
MR. FAWKNER,
MR. STRACHAN,
MR. MYLES,
MR. WILKINSON,
MR. NICHOLSON, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 15.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

*(Extracted from the Minutes.)***SESSION 1852.**WEDNESDAY, 29TH DECEMBER.

1. *Constitution Act.—Schedule B, (first part) Alteration Bill (No. 1.)*—Motion made and question put—That this Committee recommend that a Bill be brought in, to alter so much of the first part of Schedule B to the Act 13 and 14 Vic., c. 59, intituled “*An Act for the better Government of Her Majesty’s Australian Colonies,*” as relates to the salary of the Judge.—*(The Attorney General.)*

Committee divided.

Ayes, 7.

THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
THE CHAIRMAN OF GENERAL
SESSIONS,
LIEUT. COL. ANDERSON,
MR. O’SCHANASSY,
THE COLONIAL SECRETARY, *(Teller.)*

Noes, 9.

THE SPEAKER,
MR. WESTGARTH,
DR. THOMSON,
MR. STRACHAN,
MR. NICHOLSON,
MR. WILKINSON,
MR. MYLES,
MR. RIDDELL,
MR. MILLER, *(Teller.)*

2. *Finance, 1852-3.*—Motion made and question put—That a sum not exceeding £5270 15s. be appropriated to defray the salaries of the Superintendent Officers and Warders of a Prison Hulk at Portland.—*(The Auditor General)*

Committee divided.

Ayes, 10.

THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
LIEUT. COL. ANDERSON,
THE CHAIRMAN OF GENERAL
SESSIONS,
THE SOLICITOR GENERAL,
MR. A’BECKETT,
MR. O’SCHANASSY,
MR. MYLES,
MR. WILKINSON,
THE AUDITOR GENERAL, *(Teller.)*

Noes, 6.

THE SPEAKER.
MR. NICHOLSON,
MR. RUTLEDGE,
MR. WESTGARTH,
MR. STRACHAN,
MR. SMITH, *(Teller.)*

Question proposed—That a sum not exceeding £6000 be appropriated to defray the charges for forming approaches to the Wharves at Melbourne and Geelong.—(*The Auditor General.*)

Motion made and question put—That the consideration of the above question be postponed. (*Mr. Smith.*)

Committee divided.

Ayes, 12.

THE SPEAKER,
THE ATTORNEY GENERAL,
MR. O'SHANASSY,
THE AUDITOR GENERAL,
MR. MYLES,
MR. NICHOLSON,
MR. STRACHAN,
MR. WESTGARTH,
THE SOLICITOR GENERAL,
MR. POHLMAN,
MR. SMITH,
THE COLONIAL SECRETARY, (*Teller.*)

Noes, 2.

MR. SNODGRASS,
MR. RUTLEDGE, (*Teller.*)

THURSDAY, 30TH DECEMBER.

4. Question proposed—That a sum not exceeding £4000 be appropriated to defray the charge for the erection of a Powder Magazine at Geelong.—(*The Auditor General*)

Motion made and question put—That a sum not exceeding £2000 be appropriated to defray the charge for the purchase of a Hulk for a Powder Magazine for Geelong.—(*Mr. Snodgrass.*)

Committee divided.

Ayes, 5.

THE SPEAKER,
MR. RUTLEDGE,
MR. NICHOLSON,
MR. SMITH,
MR. SNODGRASS, (*Teller.*)

Noes, 7.

THE SOLICITOR GENERAL,
THE ATTORNEY GENERAL,
THE COLONIAL SECRETARY,
MR. MYLES,
MR. WILKINSON,
THE CHAIRMAN OF GENERAL SESSIONS,
THE AUDITOR GENERAL, (*Teller.*)

5. Question proposed—That a sum not exceeding £38,000 be appropriated to defray the charge for the erection of Courts and Watch-houses for General and County Courts and Courts of Petty Sessions.—(*The Auditor General.*)

Motion made and question put—That the Chairman report progress and ask leave to sit again to-morrow.—(*Mr. Nicholson.*)

Committee divided.

Ayes, 3.

MR. SMITH,
MR. WILKINSON,
MR. NICHOLSON, (*Teller.*)

Noes, 8.

THE SOLICITOR GENERAL,
MR. RUTLEDGE,
MR. MYLES,
MR. SNODGRASS,
THE COLONIAL SECRETARY,
THE CHAIRMAN OF GENERAL SESSIONS,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL, (*Teller.*)

FRIDAY, 31ST DECEMBER.

6. Question proposed—That a sum not exceeding £9000 be appropriated to defray the charge for the purchase and erection of six Iron Buildings for Prisoners at the Stockades, at £1500 each.—(*The Auditor General.*)

Amendment proposed—That all the words after the word "appropriated" be omitted with the view to insert in their place the words as follows: "£3000 to the purchase of two Iron Buildings for Prisoners at the Stockades, and £6000 towards the completion of the Wing of the Melbourne Gaol."—(*Mr. O'Shanassy.*)

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

Ayes, 10.

MR. SNODGRASS,
THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
MR. RIDDELL,
LIEUT. COL. ANDERSON,
THE ATTORNEY GENERAL,
MR. MYLES,
MR. MILLER,
MR. WILKINSON,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 5.

THE SPEAKER,
MR. SMITH,
MR. O'SHANASSY,
MR. STRACHAN,
MR. RUTLEDGE, (*Teller.*)

7. Question—That a sum not exceeding £9000 be appropriated to defray the charge for the purchase and erection of six Iron Buildings for Prisoners at the Stockades, at £1500 each.

Committee divided.

Ayes, 10.

THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
THE ATTORNEY GENERAL,
LIEUT. COL. ANDERSON,
MR. MILLER,
MR. WILKINSON,
MR. MYLES,
MR. SNODGRASS,
MR. RIDDELL, (*Teller.*)

Noes, 5.

THE SPEAKER,
MR. SMITH,
MR. O'SHANASSY,
MR. STRACHAN,
MR. RUTLEDGE, (*Teller.*)

8. Motion made and question put—That a sum not exceeding £1000 be appropriated to defray the charge for additional buildings at Pentridge Stockade.

Committee divided.

Ayes, 9.

THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
THE AUDITOR GENERAL,
THE ATTORNEY GENERAL,
MR. RIDDELL,
THE CHAIRMAN OF GENERAL
SESSIONS,
MR. WILKINSON,
LIEUT. COL. ANDERSON,
MR. SNODGRASS, (*Teller.*)

Noes, 7.

THE SPEAKER,
MR. SMITH,
MR. MILLER,
MR. WESTGARTH,
MR. MYLES,
MR. O'SHANASSY,
MR. RUTLEDGE, (*Teller.*)

9. Question proposed—That a sum not exceeding £30,000 be appropriated to defray the charge for the erection of Police Stations and the formation of Police Paddocks on the main lines of road.—(*The Auditor General.*)

Motion made and question put—That a sum not exceeding £20,000 be appropriated to defray the charge for the erection of Police Stations and the formation of Police Paddocks on the main lines of road.—(*Mr. Rutledge.*)

Committee divided.

Ayes, 5.

THE SPEAKER,
MR. SMITH,
MR. O'SHANASSY,
MR. MYLES,
MR. RUTLEDGE, (*Teller.*)

Noes, 9.

THE COLONIAL SECRETARY,
THE SOLICITOR GENERAL,
THE CHAIRMAN OF GENERAL SESSIONS,
THE ATTORNEY GENERAL,
MR. RUSSELL,
MR. STRACHAN,
MR. MACKINNON,
THE AUDITOR GENERAL,
MR. SNODGRASS, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 16.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

*(Extracted from the Minutes.)***SESSION 1852--3.**

TUESDAY, 4TH JANUARY.

1. *Finance, 1852-3.*—Motion made and question put—That a sum not exceeding £600 be appropriated to defray the salary of the Health Officer at the Heads.—(*The Auditor General.*)

Committee divided.

Ayes, 10.	Noes, 6.
THE SPEAKER,	MR. RUTLEDGE,
THE COLONIAL SECRETARY,	MR. CAMPBELL,
THE SOLICITOR GENERAL,	MR. NICHOLSON,
MR. SNODGRASS,	MR. WESTGARTH,
LIEUT. COL. ANDERSON,	DR. THOMSON,
MR. RUSSELL,	MR. MILLER, (<i>Teller.</i>)
MR. FAWKNER,	
MR. WILKINSON,	
THE ATTORNEY GENERAL,	
THE AUDITOR GENERAL, (<i>Teller.</i>)	

2. Motion made and question put—That a sum not exceeding £10,000 be appropriated towards the establishment of a Line of Electro-Telegraphic communication between Shortlands Bluff and Melbourne *via* Geelong.—(*The Auditor General.*)

Committee divided.

Ayes, 6.	Noes, 6.
THE ATTORNEY GENERAL,	DR. THOMSON,
THE COLONIAL SECRETARY,	MR. RIDDELL,
THE AUDITOR GENERAL,	MR. CAMPBELL,
THE SOLICITOR GENERAL,	LIEUT. COL. ANDERSON,
MR. FAWKNER,	THE SPEAKER,
MR. RUTLEDGE, (<i>Teller.</i>)	MR. MILLER, (<i>Teller.</i>)

The Tellers having declared that the numbers for the "Ayes" and "Noes" were respectively six, or equal, the Chairman gave his vote for the "Noes," and declared the question to be negatived.

- 3 Motion made and question put—That a sum not exceeding £40 be appropriated as a gratuity to William Buckley.—(*The Auditor General.*)

Committee divided.

Ayes, 10.
 DR. THOMSON,
 LIEUT. COL. ANDERSON,
 MR. RIDDELL,
 THE SOLICITOR GENERAL,
 THE COLONIAL SECRETARY,
 MR. WESTGARTH,
 MR. RUTLEDGE,
 MR. CAMPBELL,
 THE AUDITOR GENERAL,
 THE ATTORNEY GENERAL, (*Teller.*)

Noes, 2.
 THE SPEAKER,
 MR. FAWKNER, (*Teller.*)

WEDNESDAY, 5TH JANUARY.

4. *Public Worship Promotion Bill.*—*Clause III.*—It shall be lawful for the said Lieutenant Governor with the advice of the Executive Council by warrant under his hand directed as aforesaid to authorise from time to time the issue from the General Revenue of stipends towards the support of the Ministers of Religion duly appointed to officiate in any Building for the purpose of Public Worship to be erected in manner aforesaid or in any place of Public Worship erected and of which Trustees have been or shall be duly appointed for the maintenance thereof such stipends being issued at the several rates hereinafter mentioned that is to say in case it shall be shown to the satisfaction of the said Lieutenant Governor and Executive Council that there is resident within a reasonable distance of the Building or proposed Building for the purpose of Public Worship a population of one hundred adult persons and such persons shall subscribe a declaration setting forth their desire to attend such Building for Public Worship it shall be lawful to issue to the Minister thereof in manner aforesaid a sum not exceeding two hundred pounds a year and in case of a population of one hundred and fifty adults as aforesaid who shall subscribe such declaration a sum not exceeding three hundred pounds a year and in case of a population of three hundred adults who shall subscribe such declaration a sum not exceeding _____ pounds a year which shall be the highest stipend to be issued under the provisions of this Act towards the support of any one officiating Minister of Religion Provided that no sum shall be issued in aid of the stipend of any Minister as aforesaid unless a sum equal to _____ part thereof shall have accrued or been paid in each year for or towards the maintenance of such Minister.

Question proposed—That the blank occurring in the 17th line of this clause be filled up with the words “four hundred.”—(*The Attorney General.*)

Motion made and question put—That the blank occurring in the 17th line of this clause be filled up with the words “three hundred and fifty.”—(*Mr. Rutledge.*)

Committee divided.

Ayes, 9.
 MR. NICHOLSON,
 MR. WILKINSON,
 MR. MYLES,
 MR. RUTLEDGE,
 MR. O'SHANASSY,
 MR. SNODGRASS,
 MR. MILLER,
 MR. SMITH,
 MR. CAMPBELL, (*Teller.*)

Noes, 11.
 THE COLONIAL SECRETARY,
 THE SPEAKER,
 THE SOLICITOR GENERAL,
 DR. THOMSON,
 LIEUT. COL. ANDERSON,
 MR. MACKINNON,
 MR. STRACHAN,
 THE AUDITOR GENERAL,
 THE ATTORNEY GENERAL,
 THE CHAIRMAN OF GENERAL SESSIONS,
 MR. RIDDELL, (*Teller.*)

5. *Clause VI.*—In case any sum not less than fifty pounds for any one year shall be raised by private contributions towards the maintenance of a Minister of Religion in any part of the said Colony in which there shall be no building for public worship at which persons of the creed of such Minister can be reasonably expected to attend and there shall also appear reasonable cause for delaying the erection of a permanent building for public worship for the use of such persons under the foregoing provisions it shall be lawful for the said Lieutenant Governor with the advice of the Executive Council to cause to be issued from the General Revenue of the said Colony in manner aforesaid towards the maintenance of such Minister any sum not exceeding _____ the amount of such private contributions Provided that the highest rate of stipend to be issued by the Government shall not exceed four hundred pounds.

Motion made and question put—That the blank occurring in the 9th line of this clause be filled up with the word “twice.”—(*The Honorable the Speaker.*)

Committee divided.

Ayes, 11.
 MR. A'BECKETT,
 THE SPEAKER,
 LIEUT. COL. ANDERSON,
 MR. RUTLEDGE,
 MR. RIDDELL,
 MR. STRACHAN,
 MR. MYLES,
 THE SOLICITOR GENERAL,
 THE COLONIAL SECRETARY,
 THE ATTORNEY GENERAL,
 THE AUDITOR GENERAL, (*Teller.*)

Noes, 6.
 MR. WILKINSON,
 MR. SMITH,
 MR. O'SHANASSY,
 THE CHAIRMAN OF GENERAL SESSIONS,
 MR. RUTLEDGE,
 MR. CAMPBELL, (*Teller.*)

6. *Clause X.*—As soon as conveniently may be after the completion of any Building for Public Worship under the provisions of this Act pews sittings or benches in any such Building to be marked with the words "Free seats" amounting to not less than one part of the whole of the sittings in every such Building for Public Worship shall also be appropriated and set apart for the use of poor persons resorting thereto upon which pews sittings or benches so to be appropriated no rent whatever shall at any time be charged or imposed.

Motion made and question put—That the blank occurring in the 4th line of this clause be filled up with the word "fourth."—(*The Auditor General.*)

Committee divided.

Ayes, 11.
 THE SOLICITOR GENERAL,
 THE ATTORNEY GENERAL,
 THE COLONIAL SECRETARY,
 MR. SMITH,
 MR. MACKINNON,
 THE AUDITOR GENERAL,
 MR. A'BECKETT,
 LIEUT. COL. ANDERSON,
 MR. MYLES,
 MR. WILKINSON,
 MR. RIDDELL, (*Teller.*)

Noes, 8.
 THE SPEAKER,
 THE CHAIRMAN OF GENERAL SESSIONS,
 MR. WESTGARTH,
 MR. CAMPBELL,
 MR. O'SHANASSY,
 MR. STRACHAN,
 MR. SNODGRASS,
 MR. RUTLEDGE, (*Teller.*)

7. *Clause X.*—Motion made and question put—That this clause stand part of the Bill.—(*The Attorney General.*)

Committee divided.

Ayes, 10.
 THE ATTORNEY GENERAL,
 THE AUDITOR GENERAL,
 THE SOLICITOR GENERAL,
 THE COLONIAL SECRETARY,
 MR. SMITH,
 MR. A'BECKETT,
 MR. MACKINNON,
 MR. MYLES,
 MR. WILKINSON,
 MR. RIDDELL, (*Teller.*)

Noes, 9.
 THE SPEAKER,
 MR. RUTLEDGE,
 THE CHAIRMAN OF GENERAL SESSIONS,
 LIEUT. COL. ANDERSON,
 MR. CAMPBELL,
 MR. O'SHANASSY,
 MR. STRACHAN,
 MR. SNODGRASS,
 MR. WESTGARTH, (*Teller.*)

THURSDAY, 6TH JANUARY.

8. *Finance, 1852-3.*—Motion made and question put—That a sum not exceeding £10,000 be appropriated to defray the charge for the erection of a Government Hospital for typhoid and choleraic diseases.—(*The Auditor General.*)

Committee divided.

Ayes, 9.
 THE ATTORNEY GENERAL,
 THE SOLICITOR GENERAL,
 THE AUDITOR GENERAL,
 MR. O'SHANASSY,
 MR. CAMPBELL,
 LIEUT. COL. ANDERSON,
 MR. SMITH,
 MR. SNODGRASS,
 THE COLONIAL SECRETARY, (*Teller.*)

Noes, 5.
 THE SPEAKER,
 MR. MYLES,
 MR. MILLER,
 MR. STRACHAN,
 MR. SPLATT, (*Teller.*)

9. Motion made and question put—That a sum not exceeding £30,000 be appropriated towards establishing a direct communication between Melbourne and Hobson's Bay.—(*The Auditor General.*)
Committee divided.

Ayes, 10.	Noes, 5.
THE SOLICITOR GENERAL, LIEUT. COL. ANDERSON, MR. SPLATT, THE ATTORNEY GENERAL, MR. O'SHANASSY, MR. SNODGRASS, MR. MILLER, MR. SMITH, THE COLONIAL SECRETARY, THE AUDITOR GENERAL, (<i>Teller.</i>)	THE SPEAKER, MR. MYLES, MR. STRACHAN, MR. WILKINSON, MR. RUTLEDGE, (<i>Teller.</i>)

10. Motion made and question put—That a sum not exceeding £3372 15s. be appropriated to defray the salaries and contingencies for a Stockade at Kilmore.—(*The Auditor General.*)
Committee divided.

Ayes, 6.	Noes, 7.
MR. SMITH, MR. SNODGRASS, THE ATTORNEY GENERAL, LIEUT. COL. ANDERSON, THE SOLICITOR GENERAL, THE AUDITOR GENERAL, (<i>Teller.</i>)	THE SPEAKER, MR. CAMPBELL, MR. O'SHANASSY, MR. MYLES, MR. STRACHAN, MR. WILKINSON, MR. WESTGARTH, (<i>Teller.</i>)

FRIDAY, 7TH JANUARY.

11. *Military.*—Motion made and question put—That a sum not exceeding £227 15s. 7d. be appropriated to the pay of the Colonel of the 40th Regiment of the Line for the year 1853.—(*The Auditor General.*)

Committee divided.

Ayes, 5.	Noes, 10.
THE COLONIAL SECRETARY, THE ATTORNEY GENERAL, THE SOLICITOR GENERAL, THE CHAIRMAN OF GENERAL SESSIONS, THE AUDITOR GENERAL, (<i>Teller.</i>)	THE SPEAKER, MR. MILLER, MR. WESTGARTH, MR. WILKINSON, MR. O'SHANASSY, MR. STRACHAN, MR. RUTLEDGE, MR. NICHOLSON, MR. MYLES, MR. SMITH, (<i>Teller.</i>)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 17.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(*Extracted from the Minutes.*)

SESSION 1852--3.

TUESDAY, 18TH JANUARY.

1. *Appropriation Bill, Clause III.*—Out of the produce of the said Taxes Duties Rates and Imposts there shall and may be appropriated to the Public Service and issued and applied any sum or sums of money not exceeding thirty-six thousand seven hundred and thirty pounds towards defraying the Salaries and Contingencies incident to the Administration of Justice in the said Colony in the year One thousand eight hundred and fifty-three in addition to the amount appropriated for this purpose by Schedule B, part 1, to the said Act of Parliament.

Motion made and question put—That Clause III stand part of the Bill.—(*The Auditor General.*)

Committee divided.

Ayes, 17.

MR. RIDDELL,
THE COLONIAL SECRETARY,
THE ATTORNEY GENERAL,
THE SOLICITOR GENERAL,
MR. MICHIE,
MR. STRACHAN,
MR. GREEVES,
MR. A'BECKETT,
MR. NICHOLSON,
MR. WILKINSON,
MR. O'SHANASSY,
MR. SMITH,
MR. GOLDSMITH,
MR. WESTGARTH,
MR. CAMPBELL,
MR. SPLATT,
THE AUDITOR GENERAL, (*Teller.*)

Noes, 2.

MR. MACKINNON,
MR. FAWKNER, (*Teller.*)

2. *Sewerage and the Supply of Water to Melbourne.*—Motion made and question put—That the Chairman do now report progress.—(*Mr. Smith.*)

Committee divided.

Ayes, 6.

MR. SMITH,
MR. WILKINSON,
MR. GREEVES,
MR. NICHOLSON,
MR. MILLER,
MR. WESTGARTH, (*Teller.*)

Noes, 11.

MR. SPLATT,
MR. A'BECKETT,
THE SOLICITOR GENERAL,
THE SPEAKER,
THE ATTORNEY GENERAL,
MR. MICHIE,
MR. O'SHANASSY,
MR. GOLDSMITH,
MR. FAWKNER,
MR. STRACHAN,
THE COLONIAL SECRETARY, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 18.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

(Extracted from the Minutes.)

SESSION 1852--3.

TUESDAY, 25TH JANUARY.

1. *Public House Licensing Act Amendment Bill, Clause VI.*—It shall be lawful for two or more Justices of the Peace acting for and usually residing within any such Special Licensing District in Petty Sessions assembled to issue in manner hereinafter mentioned a Certificate authorising a License to be called "a District Publican's License" which License shall be in the form set forth in the Schedule marked B to this Act annexed and shall authorise the person thereby licensed to sell liquor in any quantity in the house or on the premises therein specified and also a Certificate authorising a License to be called a "Special Retail License" which License shall be in the form set forth in the Schedule marked C to this Act annexed and shall authorise the person thereby licensed to sell any liquor in any quantity not less than one pint in the house or on the premises therein specified provided that no part of such liquor be drunk in such house or on such premises and also a Certificate authorising a License to be called "a Refreshment License" in the form set forth in the Schedule marked D to this Act annexed and such License shall authorise the person thereby licensed to sell any refreshment in any quantity in the house or on the premises provided that no such Refreshment License shall authorise in any way the sale or disposal of any liquors And every License to be issued under the provisions of this Act shall continue in force until the Thirtieth day of June in each year and no longer and every such license shall be personal and shall not be in any way assigned or transferred or the interest therein parted with.

Motion made and question put—That the words printed in *italic* in the above clause stand part of the clause.—(*The Attorney General.*)

Committee divided.

Ayes, 7.

THE ATTORNEY GENERAL,
THE AUDITOR GENERAL,
THE SOLICITOR GENERAL,
MR. RUSSELL,
MR. O'SHANASSY,
MR. MICHIE,
THE COLONIAL SECRETARY, (*Teller.*)

Noes, 9.

THE SPEAKER,
MR. NICHOLSON,
MR. WILKINSON,
MR. MILLER,
DR. THOMSON,
MR. FAWKNER,
MR. GREEVES,
MR. WESTGARTH,
MR. CAMPBELL, (*Teller.*)

THURSDAY, 27TH JANUARY.

2. *Roads Bill, Clause II.*—A Board of Commissioners for the formation construction improvement management and maintenance of Roads and Bridges in the said Colony as hereinafter mentioned shall be and is hereby established to be styled "The Central Road Board" and the said Board shall consist of *five members three* to be nominated by His Excellency the Lieutenant Governor of the said Colony and two to be selected by the Legislative Council thereof by ballot such nomination and election to be made before the first day of January in each year and every such Member shall hold office for the space of one year from the first day of January and shall be eligible for re-appointment and re-election And in the event of any vacancy by death resignation or otherwise during any current year it shall be lawful for the Lieutenant Governor of the said Colony to appoint such person as he shall see fit to fill such vacancy who shall hold office no longer than that person might have done whose place he shall be so appointed to fill.—(*The Attorney General.*)

Motion made—That the above clause be omitted and the following inserted in the place thereof:—"That His Excellency the Lieutenant Governor do forthwith appoint a Director General of Roads and all such necessary Assistants as shall be found requisite to carry out the requirements of this Act."—(*Mr. Fawkner.*)

Question—That the above clause stand part of the question—put.

Committee divided.

Ayes, 11.	Noes, 4.
THE ATTORNEY GENERAL,	THE SPEAKER.
THE SOLICITOR GENERAL,	MR. FAWKNER,
THE COLONIAL SECRETARY,	MR. O'SHANASSY,
LIEUT. COL. ANDERSON,	MR. SPLATT, (<i>Teller.</i>)
MR. NICHOLSON,	
MR. MILLER,	
MR. WILKINSON,	
MR. MYLES,	
DR. THOMSON,	
MR. GREEVES,	
THE AUDITOR GENERAL, (<i>Teller.</i>)	

FRIDAY, 28TH JANUARY.

3. *Roads Bill, Clause X.*—It shall be lawful for His Excellency the Lieutenant Governor from time to time to proclaim by notice in the *Government Gazette* the Roads in the said Colony which shall be and be deemed Main Roads under the provisions of this Act "and any such Proclamation if necessary to revoke."—(*The Attorney General.*)

Question proposed—That the words "and any such proclamation if necessary to revoke" be omitted from the above clause.—(*Mr. O'Shanassy.*)

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

Committee divided.

Ayes, 8.	Noes, 7.
THE SPEAKER,	MR. MILLER,
THE ATTORNEY GENERAL,	MR. NICHOLSON,
LIEUT. COL. ANDERSON,	MR. GREEVES,
THE SOLICITOR GENERAL,	MR. MYLES,
MR. MICHIE,	MR. O'SHANASSY,
THE COLONIAL SECRETARY,	MR. FAWKNER,
MR. RUSSELL,	MR. WILKINSON, (<i>Teller.</i>)
THE AUDITOR GENERAL, (<i>Teller.</i>)	

4. *Roads Bill, Clause XXX.*—It shall be lawful for the landholders and householders who shall be present at the meeting first holden under the authority of this Act for the election in manner aforesaid of the members of any District Road Board and at any and every annual meeting thereafter holden for the election of members for such District Road Board to fix the rate of assessment to be chargeable upon and paid as hereinafter provided by the several owners and occupiers of lands messuages tenements and dwelling houses within such Road District whether such lands shall belong to Her Majesty Her Heirs and Successors or to any person or persons whatsoever for the purpose of raising the necessary funds to be expended by the Commissioners of such District in carrying out in such Road District the several objects of this Act such rate however to be uniformly assessed on all such lands messuages tenements and dwelling houses and in no case to exceed in one year the sum of _____ per acre on pasture lands the sum of _____ per acre on cultivated lands and the sum of _____ in the pound on the actual annual rental or

annual valued rental (such value to be ascertained and determined by the Board for such Road District) of such messuages tenements or dwelling house and every such owner or occupier is hereby required to pay and shall pay to such Central Board such rate so assessed as aforesaid accordingly Provided that the relative rates of assessment on the different descriptions of property shall be in the proportions aforesaid Provided also that for the purpose of fixing or determining the rate of assessment hereinbefore authorised to be made the votes of the said landholders and householders shall from time to time be taken in the same manner as is hereinbefore directed for the election of members Provided also that no unoccupied lands in any such Road District belonging to Her Majesty Her Heirs and Successors shall be assessed Provided further that the payment of rate so assessed as aforesaid in respect of lands within any such Road District shall exempt the owner or occupier of any messuage tenement or dwelling house upon such lands and occupied therewith from payment of any rate in respect of such messuage tenement or dwelling house and in like manner the payment of rate so assessed as aforesaid in respect of any messuage tenement or dwelling house within any such Road District shall exempt the owner or occupier of any lands whereon the same is situate and which are occupied therewith from the payment of any rate in respect of such lands Provided also that no new rate shall be so assessed as aforesaid for any such Road District as aforesaid until all rates previously assessed by such Road District shall have been expended and applied as by this Act is directed.—(*The Attorney General.*)

Motion made and question put—That the first blank occurring in the above clause be filled up with the words “two-pence.”—(*Mr. Greeves.*)

Committee divided.

Ayes, 7.
 THE AUDITOR GENERAL,
 THE SOLICITOR GENERAL,
 MR. O'SHANASSY,
 MR. FAWKNER,
 MR. MYLES,
 MR. GREEVES,
 THE ATTORNEY GENERAL, (*Teller.*)

Noes, 4.
 LIEUT. COL. ANDERSON,
 MR. MILLER,
 THE SPEAKER,
 THE COLONIAL SECRETARY, (*Teller.*)

5. *Roads Bill, same clause (XXX).*—Question proposed—That the second blank occurring in the above clause be filled up with the words “one shilling.”—(*The Attorney General.*)

Motion made and question put—That the second blank be filled up with the words “six-pence.”—(*Mr. Greeves.*)

Committee divided.

Ayes, 5.
 MR. FAWKNER,
 MR. MYLES,
 MR. GREEVES,
 MR. MILLER,
 MR. O'SHANASSY, (*Teller.*)

Noes, 6.
 THE SPEAKER,
 THE ATTORNEY GENERAL,
 LIEUT. COL. ANDERSON,
 THE SOLICITOR GENERAL,
 THE COLONIAL SECRETARY,
 THE AUDITOR GENERAL, (*Teller.*)

Motion made and question put—That the second blank in the above clause be filled up with the words “one shilling.”

Committee divided.

Ayes, 6.
 THE SPEAKER,
 LIEUT. COL. ANDERSON,
 THE ATTORNEY GENERAL,
 THE COLONIAL SECRETARY,
 THE AUDITOR GENERAL,
 THE SOLICITOR GENERAL, (*Teller.*)

Noes, 5.
 MR. GREEVES,
 MR. MYLES,
 MR. O'SHANASSY,
 MR. FAWKNER,
 MR. MILLER, (*Teller.*)

VICTORIA.

LEGISLATIVE COUNCIL.

No. 19.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.*(Extracted from the Minutes.)*

SESSION 1852--3.

THURSDAY, 3RD FEBRUARY.

1. *Melbourne Water and Sewerage Commission Bill, Clause III.*—The said Board shall be and is hereby constituted a body politic and corporate under the name and style aforesaid and as such shall have perpetual succession and be able and capable to sue and be sued and to prosecute and inform in all Courts of Law as well criminal as civil and in Courts of Equity and to accept purchase and hold to them and their successors for ever as members of the said Corporation to and for the uses thereof real estate of every kind nature and description and to sell assign exchange demise grant alienate release acquit and convey the same and also to procure receive and take acquire have and possess to and for the same uses all goods chattels and personal property whatsoever And the said Board shall have and use a Common Seal bearing the impression of the Royal Arms of England and having inscribed on the margin the words “Sewerage and Water Commission.”

Motion made and question put—That the above clause stand part of the Bill.—(*The Attorney General.*)

Committee divided.

Ayes, 7.
THE COLONIAL SECRETARY,
MR. O'SHANASSY,
THE SPEAKER,
THE ATTORNEY GENERAL,
THE AUDITOR GENERAL,
LIEUT. COL. ANDERSON,
MR. SPLATT, (*Teller.*)

Noes, 4.
MR. MYLES,
MR. GREEVES,
MR. WILKINSON,
MR. MILLER, (*Teller.*)

2. *Melbourne Water and Sewerage Commission Bill, Clause I.*—So much of an Act of the Governor and Legislative Council of the Colony of New South Wales passed in the sixth year of the Reign of Her Majesty Queen Victoria intituled “*An Act to incorporate the Inhabitants of the Town of Melbourne*” and also so much of an Act of the said Governor and Council of New South Wales passed in the eighth year of the Reign of Her said Majesty Queen Victoria intituled “*An Act to amend an Act passed in the sixth year of the Reign of Her present Majesty intituled ‘An Act to incorporate the Inhabitants of the Town of Melbourne’*” and so much of an Act of the said Governor

and Council passed in the thirteenth year of the Reign of Her Majesty Queen Victoria intituled "*An Act for regulating Buildings and Party Walls and for preventing mischiefs by fire in the City of Melbourne*" as invests the Council of the said Town or City of Melbourne with power to construct make and continue common sewers drains water courses public wells and pumps in along or across any of the streets lanes roads highways passages or other places within the said Town and also to adopt any of the common sewers drains or water courses wells or pumps which then were or thereafter should be made within the same and to hold construct and maintain such works as might be necessary for supplying the inhabitants of the said Town with an abundant supply of fresh water and to levy a rate to be charged by such Council for the supply of water shall be and the same are hereby repealed.

Motion made and question put—That the above clause stand part of the Bill.—(*The Attorney General.*)

Committee divided.

Ayes, 7.	Noes, 6.
MR. SPLATT, THE ATTORNEY GENERAL, THE AUDITOR GENERAL, LIEUT. COL. ANDERSON, MR. O'SHANASSY, THE SPEAKER, THE COLONIAL SECRETARY, (<i>Teller.</i>)	MR. SMITH, MR. MYLES, MR. GREEVES, DR. THOMSON, MR. WILKINSON, MR. MILLER, (<i>Teller.</i>)

3. *Geelong and Melbourne Railway.*—Motion made and question put—That an address be presented to His Excellency the Lieutenant Governor praying that His Excellency will be pleased to authorise a guarantee to the Geelong and Melbourne Railway Company of £5 per cent on £300,000 of their proposed capital.—(*Dr. Thomson.*)

Committee divided.

Ayes, 5.	Noes, 5.
MR. WILKINSON, MR. WESTGARTH, MR. MILLER, DR. THOMSON, MR. O'SHANASSY, (<i>Teller.</i>)	THE COLONIAL SECRETARY, DR. GREEVES, THE AUDITOR GENERAL, LIEUT. COL. ANDERSON, THE ATTORNEY GENERAL, (<i>Teller.</i>)

The Tellers having reported that the numbers of the "Ayes" and "Noes," were respectively five, or equal, the Chairman gave his vote for the "Noes" and declared the question negatived.

