

VICTORIA



VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE

COUNCIL

SESSION

1876

THE HON: THE PRESIDENT
OF THE LEGISLATIVE COUNCIL.

VICTORIA.



VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

DURING THE SESSION

1876,

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

By Authority:

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RETURN OF MEMBERS OF THE LEGISLATIVE COUNCIL, 11TH JULY, 1876, AT THE
OPENING OF THE TWENTY-FOURTH SESSION OF PARLIAMENT.

Names arranged in the Order of Retirement.	Elected at—		Remarks.
	Nomination.	Polling.	
CENTRAL PROVINCE:			
The Honorables—			
Theodotus John Sumner	15th Aug., 1874.		
Frederick Thomas Sargood ... ..	... ..	12th May, 1874.	
George Ward Cole	10th Dec., 1870.		
Thomas Turner a'Beckett	20th April, 1870.		
James Graham	20th Sept., 1866.		
SOUTH PROVINCE:			
The Honorables—			
Thomas Ferrier Hamilton	18th Aug., 1874.		
Frank Stanley Dobson	17th Aug., 1872.		
James Balfour ... ..	... ..	19th June, 1874.	
John Pinney Bear ... ..	... ..	3rd Oct., 1868.	
William Arthur Callander a'Beckett	... ..	16th Sept., 1868.	
SOUTH-WESTERN PROVINCE:			
The Honorables—			
Henry Cuthbert	25th Aug., 1874.		
James Henty	23rd Aug., 1872.		
John Cumming	24th Aug., 1870.		
Caleb Joshua Jenner	29th Sept., 1868.		
George Frederick Belcher ... ..	... ..	9th April, 1875.	
WESTERN PROVINCE:			
The Honorables—			
Thomas Bromell ... ..	... ..	11th Sept., 1874.	
Niel Black	30th Aug., 1872.		
Sir Samuel Wilson ... ..	... ..	22nd June, 1875 ...	Elected instead of the Honorable Thomas McKellar, resigned.
Robert Simson	6th Oct., 1868.		
William Skene	14th Dec., 1870.		
NORTH-WESTERN PROVINCE:			
The Honorables—			
Nicholas Fitzgerald	4th Sept., 1874.		
William Campbell ... ..	... ..	16th Sept., 1872.	
Sir William Henry Fancourt Mitchell	2nd Sept., 1870.		
Francis Robertson ... ..	... ..	2nd Nov., 1868.	
Alexander Fraser	4th July, 1872.		
EASTERN PROVINCE:			
The Honorables—			
John Alston Wallace	4th Sept., 1874.		
Sir Francis Murphy	5th Dec., 1872.		
William Highett	2nd Sept., 1870.		
William Wilson	13th Jan., 1875.		
Robert Stirling Anderson	2nd Nov., 1875	Accepted an office of profit and re-elected.

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„ 3. Stamp Statute 1869—Notice and Rules under.—Order in Council (12th June, 1875).
„ 4. Sandhurst—Order to mine on certain lands at (29th May, 1876)—(12th June, 1876).
„ 5. Polling Places.—Amherst Division of Maryborough Mining District (27th March, 1876).
„ 6. Castlemaine.—Mining on excepted land authorized (22nd May, 1876).
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„ 8. Statistical Register, Colony of Victoria (1875)—
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„ 9. Public Library, &c.—Report of Trustees for year 1875.
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„ 12. Penal Establishments and Gaols.—Report (1875).
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„ 16. Auriferous Land.—New form of Crown Grant.—Order in Council (10th April, 1876).
„ 17. Mineral Statistics for 1875.
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„ 23. Pilot Board of Victoria.—Accounts for year ending 31st August, 1875.
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„ 36. Railway Construction Act 1873, 37 Vict. No. 475.—Estimate of Expenditure, 1876-7—£350,110.
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„ 38. North-Eastern Railway Line.—Estimate of Expenditure, 1876-7—£9,025.
„ 39. Railway Lines—Ballarat and Ararat, Castlemaine and Dunolly, and Ballarat and Maryborough.—Estimate of Expenditure, 1876-7—£8,265.

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- 29th Aug. 40. Railway Bridges and other works of Railway Extension.—Estimate of Expenditure, 1876-7—
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- „ 41. Education Act 1872.—Amended Regulations, 5 and 25 (14th August, 1876).
- 31st Aug. 42. Dunolly Division of Maryborough Mining District.—Polling Places (14th August, 1876).
- 5th Sep. 43. Land Act 1869.—Regulation (28th August, 1876).
- „ 44. Maryborough Mining District—Order in Council appointing Polling Places in (24th August, 1876).
- 19th Sep. 45. Friendly Societies.—Report of Royal Commission.
- „ 46. Castlemaine Mining District—Polling Place for St. Andrew's Division of.—Order in Council (4th September 1876).
- 26th Sep. 47. Statistical Register of Colony of Victoria.—Part V.—Production.
- „ 48. Fisheries Act 1873.—Notice as to Mouths of Rivers and Boundaries (14th September, 1876).
- 3rd Oct. 49. Observatory—Melbourne.—Eleventh Report of Board of Visitors—to 20th June, 1876).
- 10th Oct. 50. Yan Yean Water Supply.—Cash Statement (1st July, 1875, to 30th June, 1876).
- 24th Oct. 51. Victorian Railways.—Report of Board of Land and Works, for year ending 30th June, 1876.
- 31st Oct. 52. Trade Marks Regulation Act 1876—General Rules under (23rd October, 1876).
- „ 53. Australasian Statistics for 1875, with Introductory Report by the Government Statist.
- „ 54. Statistical Register, Colony of Victoria, 1875.—Part VI.—Law, Crime, &c.
- 14th Nov. 55. Statistical Register, Victoria, 1875.—Part VII.—Accumulation.
- 21st Nov. 56. Railways—Victorian.—Report of Observations in Europe and America by Engineer-in-Chief of Railways (26th July, 1876).
- „ 57. Deceased Persons—Duties on Estates of—Rules under (13th November, 1876).
- „ 58. Savings Banks.—Returns for year ending 30th June, 1876.
- 28th Nov. 59. Land Act 1869.—Amending Regulation (20th November, 1876).
- 5th Dec. 60. Mining Surveyors and Registrars—Reports of, for quarter ended 30th September, 1876.
- „ 61. Receiver of Mining Rents, &c., at Wood's Point.—Order in Council (20th November, 1876).
- 12th Dec. 62. Health—Central Board of.—Sixteenth Report (30th November, 1876).
- „ 63. Statistical Register of Victoria (1875)—
Part VIII.—Vital Statistics, &c.
Part IX.—Religious, Moral, and Intellectual Progress.
- 14th Dec. 64. Victorian Railways.—Estimate for Works of Construction (£20,000) proposed during twelve months ending 30th June, 1877.
- „ 65. Victorian Railways.—Purchase of Railway Plant and Materials.—Estimate of Expenditure (£175,000) during twelve months ending 30th June, 1877.
- 21st Dec. 66. Kew Lunatic Asylum—Report of Board upon.
- „ 67. Friendly Societies—Statistics of, for 1875.

VICTORIA.

SUMMARY OF PROCEEDINGS ON BILLS IN THE LEGISLATIVE COUNCIL DURING THE SESSION 1876.

No.	SHORT TITLES OF BILLS.	By whom and when initiated.	PROGRESS.																	Number of Act.	REMARKS.
			First Reading.	Second Reading.	Committal.	Report.	Re-committal.	Report after Re-committal.	Adoption of Report.	Third Reading.	Passing.	Sent to Legislative Assembly.	Returned from Legislative Assembly.		Amendments considered.	Re-transmitted to Legislative Assembly.	Assent.	Published as Supplement to Government Gazette.			
			1876.	1876.	1876.	1876.	1876.	1876.	1876.	1876.	1876.	1876.	1876.	1876.	1876.	1876.	1876.	1876.	1876.		
1	Juries Bill	Honorable R. S. Anderson .. 11 July	11 July	25 July	25 July	3 Oct.	4 Oct.	4 Oct.	10 Oct.	10 Oct.	10 Oct.	10 Oct.	10 Oct.	21 Dec.	20 Dec.	20 Dec.	20 Dec.	22 Dec.	22 Dec.	DLX.	
2	Trade Marks Bill	Honorable R. S. Anderson .. 18 July	18 July	25 July	25 July	27 July	..	..	27 July	1 August	1 August	1 August	31 August	..	..	..	..	19 Sept.	22 Sept.	DXXXIX.	Motion for second reading withdrawn, 1 Aug.
3	Landlord and Tenant Statute 1864 Amendment Bill	Honorable W. A. C. a'Beckett .. 25 July	25 July	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
4	Consolidated Revenue Bill	Message from Legislative Assembly 27 July	27 July	27 July	27 July	27 July	..	..	27 July	27 July	27 July	..	..	..	..	..	..	27 July	28 July	DXXXVI.	
5	Railway Loan Act 1876 Amendment Bill	Message from Legislative Assembly 27 July	27 July	27 July	27 July	27 July	..	..	27 July	27 July	27 July	..	..	..	..	..	..	27 July	28 July	DXXXV.	
6	Justices of the Peace Bill	Honorable R. S. Anderson .. 1 August	1 August	22 August	22 August	31 August	31 August	6 Sept. 17 Oct. 18 Oct.	26 Oct.	26 Oct.	26 Oct.	26 Oct.	26 Oct.	26 Oct.	20 Dec.	20 Dec.	..	22 Dec.	22 Dec.	DLXV.	
7	Public Works Loan Account Application Bill	Message from Legislative Assembly 22 August	22 August	29 August	29 August	29 August	..	..	29 August	29 August	29 August	..	..	..	..	..	..	31 August	1 Sept.	DXXXVII.	
8	Rights and Easements Bill	Honorable R. S. Anderson .. 22 August	22 August	29 August	29 August	6 Sept.	19 Sept.	..	..	..	..	..	..	..	..	..	..	..	..	..	Not reported from Committee.
9	Local Government Act 1874 Amendment Bill	Message from Legislative Assembly 31 August	31 August	31 August	31 August	31 August	..	..	31 August	31 August	31 August	..	..	..	..	..	..	31 August	1 Sept.	DXXXVIII.	
10	Australasian Dramatic and Musical Association Bill	Message from Legislative Assembly 6 Sept.	19 Sept.	26 Sept.	27 Sept.	27 Sept.	..	..	3 Oct.	4 Oct.	4 Oct.	..	..	..	..	..	..	24 Oct.	27 Oct.	DXLII.	
11	Supreme Court Jurisdiction and Procedure Bill	Honorable R. S. Anderson .. 12 Sept.	12 Sept.	4 Oct.	4 Oct.	18 Oct.	18 Oct.	18 Oct.	31 Oct.	31 Oct.	31 Oct.	31 Oct.	..	..	..	..	..	..	..	..	Not returned from Legislative Assembly.
12	Consolidated Revenue Bill (2)	Message from Legislative Assembly 19 Sept.	19 Sept.	19 Sept.	19 Sept.	19 Sept.	..	..	19 Sept.	19 Sept.	19 Sept.	..	..	..	..	..	..	19 Sept.	22 Sept.	DXLI.	
13	Education Law Amendment Bill	Message from Legislative Assembly 19 Sept.	19 Sept.	26 Sept.	26 Sept.	3 Oct.	..	..	3 Oct.	3 Oct.	3 Oct.	..	..	..	..	..	..	24 Oct.	27 Oct.	DXLII.	
14	Colonial Bank of Australasia Bill	Message from Legislative Assembly 19 Sept.	26 Sept.	3 Oct.	4 Oct.	4 Oct.	..	..	10 Oct.	17 Oct.	17 Oct.	..	..	..	..	..	..	2 Nov.	3 Nov.	DXLIV.	
15	Old Metal Dealers Bill	Message from Legislative Assembly 26 Sept.	26 Sept.	3 Oct.	3 Oct.	3 Oct.	17 Oct.	..	17 Oct.	18 Oct.	18 Oct.	18 Oct.	18 Oct.	24 Oct.	..	..	..	2 Nov.	3 Nov.	DXLVI.	
16	Emerald Hill Council Bill	Message from Legislative Assembly 3 Oct.	4 Oct.	10 Oct.	17 Oct.	17 Oct.	..	..	18 Oct.	24 Oct.	24 Oct.	..	..	..	..	..	..	2 Nov.	3 Nov.	DXLVII.	
17	Local Governing Bodies Loan Acts Amendment Bill	Message from Legislative Assembly 10 Oct.	10 Oct.	17 Oct.	17 Oct.	17 Oct.	..	..	17 Oct.	17 Oct.	17 Oct.	..	..	..	..	..	..	24 Oct.	27 Oct.	DXLIII.	
18	Obscene Books Sale Prevention Bill	Honorable R. S. Anderson .. 17 Oct.	17 Oct.	18 Oct.	18 Oct.	18 Oct.	..	..	18 Oct.	18 Oct.	18 Oct.	18 Oct.	24 Oct.	..	..	..	..	24 Oct.	27 Oct.	DXLIV.	
19	Electoral Act Amendment Bill	Message from Legislative Assembly 18 Oct.	18 Oct.	26 Oct.	26 Oct.	26 Oct.	..	..	31 Oct.	31 Oct.	31 Oct.	31 Oct.	2 Nov.	..	..	..	..	2 Nov.	3 Nov.	DXLVIII.	
20	Mining on Private Property Bill	Message from Legislative Assembly 24 Oct.	24 Oct.	31 Oct.	31 Oct.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Not reported from Committee.
21	Increase of Number of Members of Council Bill	Sir C. Sladen 26 Oct.	26 Oct.	8 Nov.	8 Nov.	15 Nov.	..	..	15 Nov.	15 Nov.	15 Nov.	15 Nov.	..	..	..	..	..	..	..	..	Not returned from Legislative Assembly.
22	Friendly Societies Statute Amendment Bill	Message from Legislative Assembly 8 Nov.	8 Nov.	15 Nov.	15 Nov.	15 Nov.	..	..	15 Nov.	15 Nov.	15 Nov.	..	..	..	..	..	..	30 Nov.	1 Dec.	DXLIX.	
23	Melbourne Harbour Trust Bill	Message from Legislative Assembly 14 Nov.	14 Nov.	21 Nov.	21 Nov.	21 Nov.	28 Nov.	28 Nov.	5 Dec.	5 Dec.	5 Dec.	5 Dec.	12 Dec.	..	..	..	..	22 Dec.	22 Dec.	DLL.	
24	Pharmacy Bill	Message from Legislative Assembly 14 Nov.	14 Nov.	28 Nov.	28 Nov.	5 Dec.	5 Dec.	5 Dec.	12 Dec.	12 Dec.	12 Dec.	12 Dec.	20 Dec.	..	..	..	..	22 Dec.	22 Dec.	DLVIII.	
25	Expiring Law (Fences) Continuation Bill	Honorable R. S. Anderson .. 21 Nov.	21 Nov.	28 Nov.	28 Nov.	28 Nov.	..	..	28 Nov.	28 Nov.	28 Nov.	28 Nov.	12 Dec.	..	..	..	..	22 Dec.	22 Dec.	DLIII.	
26	Expiring Law (Diseases of Stock) Continuation Bill	Honorable R. S. Anderson .. 21 Nov.	21 Nov.	28 Nov.	28 Nov.	28 Nov.	..	..	28 Nov.	28 Nov.	28 Nov.	28 Nov.	12 Dec.	..	..	..	..	22 Dec.	22 Dec.	DLIY.	
27	Consolidated Revenue Bill (3)	Message from Legislative Assembly 28 Nov.	28 Nov.	28 Nov.	28 Nov.	28 Nov.	..	..	28 Nov.	28 Nov.	28 Nov.	..	..	..	..	..	..	30 Nov.	1 Dec.	DL.	
28	Public Houses Bill	Message from Legislative Assembly 12 Dec.	12 Dec.	14 Dec.	14 Dec.	14 Dec.	19 Dec.	19 Dec.	20 Dec.	20 Dec.	20 Dec.	20 Dec.	21 Dec.	..	21 Dec.	21 Dec.	..	22 Dec.	22 Dec.	DLXVI.	
29	Expiring Law (Drawbacks) Continuation Bill	Message from Legislative Assembly 14 Dec.	14 Dec.	14 Dec.	14 Dec.	14 Dec.	..	..	14 Dec.	14 Dec.	14 Dec.	..	..	..	..	..	..	22 Dec.	22 Dec.	DLY.	
30	Bills of Sale Bill	Message from Legislative Assembly 14 Dec.	14 Dec.	19 Dec.	19 Dec.	19 Dec.	..	..	19 Dec.	19 Dec.	19 Dec.	..	..	..	..	..	..	22 Dec.	22 Dec.	DLVII.	
31	Sale of Poisons Bill	Message from Legislative Assembly 14 Dec.	14 Dec.	19 Dec.	19 Dec.	19 Dec.	..	..	20 Dec.	20 Dec.	20 Dec.	20 Dec.	21 Dec.	..	..	..	..	22 Dec.	22 Dec.	DLIX.	
32	Local Government Act 1874 Amendment Bill	Message from Legislative Assembly 14 Dec.	14 Dec.	19 Dec.	19 Dec.	19 Dec.	..	..	21 Dec.	21 Dec.	21 Dec.	21 Dec.	21 Dec.	21 Dec.	..	..	..	22 Dec.	22 Dec.	DLXIV.	
33	Stoppage in Transitu Prevention Bill	Honorable R. S. Anderson .. 14 Dec.	14 Dec.	19 Dec.	19 Dec.	19 Dec.	..	..	19 Dec.	19 Dec.	19 Dec.	19 Dec.	21 Dec.	..	..	..	..	22 Dec.	22 Dec.	DLXI.	
34	Melbourne General Market Site Bill	Message from Legislative Assembly 19 Dec.	19 Dec.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Second reading negatived, 20 December, 1876.
35	County Courts Statute Amendment Bill	Message from Legislative Assembly 19 Dec.	19 Dec.	19 Dec.	19 Dec.	19 Dec.	..	..	19 Dec.	19 Dec.	19 Dec.	..	..	..	..	..	..	22 Dec.	22 Dec.	DLYI.	
36	Local Government Act 1874 Amendment Bill (2)	Message from Legislative Assembly 20 Dec.	20 Dec.	21 Dec.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Lapsed.
37	Crossed Cheques Bill	Message from Legislative Assembly 20 Dec.	20 Dec.	21 Dec.	21 Dec.	21 Dec.	..	..	21 Dec.	21 Dec.	21 Dec.	..	..	..	..	..	..	22 Dec.	22 Dec.	DLXII.	
38	State Forests Bill	Message from Legislative Assembly 21 Dec.	21 Dec.	21 Dec.	21 Dec.	21 Dec.	..	..	21 Dec.	21 Dec.	21 Dec.	21 Dec.	21 Dec.	21 Dec.	..	..	..	22 Dec.	22 Dec.	DLXIII.	
39	Appropriation Bill	Message from Legislative Assembly 21 Dec.	21 Dec.	21 Dec.	21 Dec.	21 Dec.	..	..	21 Dec.	21 Dec.	21 Dec.	..	..	..	..	..	..	22 Dec.	22 Dec.	DLI	

RECAPITULATION.

Bills initiated during the Session	39
Passed and assented to	32
Not returned from Legislative Assembly	2
Second reading negatived	1
Motion for second reading withdrawn	1
Not reported from Committee of the whole Council	2
Lapsed	1
Total	39

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 11TH JULY, 1876.

Pursuant to Proclamation the Council met.

At Two o'clock the Clerk of the Council read the Proclamation convening the Parliament:—

PROCLAMATION

By His Excellency SIR GEORGE FERGUSON BOWEN, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

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

Given under my Hand and the Seal of the Colony, at Melbourne, this sixth day of June, in the year of our Lord One thousand eight hundred and seventy-six, and in the thirty-ninth year of Her Majesty's reign.

(L.S.)

G. F. BOWEN.

By His Excellency's Command,
JAMES McCULLOCH.

GOD SAVE THE QUEEN!

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

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

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

I have called you together at the earliest opportunity after your recent protracted sittings for the purpose of obtaining your advice and assistance.

The Loan authorized by Parliament last Session has been placed in the hands of the Contracting Banks for negotiation in the London market. A copy of the agreement made with the Contracting Banks will be presented to you.

I am glad to be in a position to inform you that your liberality in providing for the erection of State-school buildings has enabled my Advisers to make arrangements for the immediate erection of those most urgently required, and that in a short period ample school accommodation will be provided throughout Victoria.

Of the various lines of Railway in course of construction, it is expected that 65 miles will be open before the end of the present year, 200 miles more in March next, and the remainder before December, 1877. The opening of these lines will make a total of 956 miles of Railway available for traffic in Victoria.

Various proposals have been submitted to the Government for the construction of a duplicate Telegraph Cable between this continent and the lines connected with England. When fuller information is obtained it is the intention of my Advisers to invite a Conference of the representatives of the different Australasian Colonies to deal with the subject.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I am glad to inform you that the estimate of Revenue for the financial year just closed has been fully realized, and that the finances of the country are now in a satisfactory condition.

The Estimates for the present year will be laid before you without delay. Whilst a strict economy has been observed in their preparation, adequate provision has been made for the requirements of the Public Service.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

It is nearly eighteen years since the present Electoral Act was passed, and during that period the population of Victoria has increased from five hundred thousand to eight hundred and twenty-five thousand persons. Large tracts of public territory formerly occupied for pastoral purposes only have now become settled with thriving communities, which have not their due share of representation in Parliament. To secure a full representation of the people, and of the various interests which have grown up with the progress of settlement, it is essential that a re-adjustment should be made of the Electoral Districts. It is the intention of my Advisers to submit for your consideration a measure dealing with this important subject, and in contemplation of this reform such measures only will be submitted as are immediately required.

The imperfect state of the law relating to Education has hitherto impeded the efforts made to enforce the compulsory clauses of the Act, and a measure to amend it in this respect will be laid before you.

Our Railways have become of such magnitude that their efficient and economical working is now a question of serious importance. My Advisers have had under their consideration a change in the existing system of management, which it is believed will prove of great public advantage. A Bill to effect this object will be laid before you.

My Advisers have investigated the numerous claims for Railway Extension which have been pressed upon them, and have prepared a measure for your consideration authorizing the construction of a number of lines which they believe will, in addition to increasing the means of communication, afford a reasonable prospect of paying a fair return upon the outlay.

A measure to regulate Mining on Private Property for gold and silver is most urgently required, and, as both Houses have concurred in the necessity of dealing with this subject, my Advisers hope that the Bill which they propose to lay before you will receive your sanction.

The necessity for the efficient maintenance and improvement of the Port of Melbourne demands prompt attention. Experience proves that the most effective means to accomplish these ends is to establish a Harbor Trust. A Bill has been prepared with this object, and will be immediately placed before you.

The abolition of Tolls on our public highways after the thirty-first day of August next renders it desirable that provision should be made for the maintenance of Main Roads. A Bill will accordingly be introduced for this purpose.

The amendment of the laws relating to the sale of Wines, Beer, and Spirits has become of pressing urgency. A Bill has been prepared which it is believed will have the effect of removing many of the evils in connection with the trade; and in view of the serious consequences arising from the defects in the present state of the law, I am sure this measure will receive your earnest consideration.

A Bill for effecting an important amendment in the present Land Act will be submitted for your consideration.

Several measures of importance have been prepared, and will be presented to you for your consideration as the progress of public business will permit. Among these will be Bills for amending the law relating to Coroners and for making provision for the Registration of Trade Marks and the regulation of Marine Stores.

I commend to your careful consideration these and such other measures as may be brought before you; and I trust that your labors may, under the blessing of Divine Providence, conduce to the happiness and prosperity of the people.

Melbourne, 11th July, 1876.

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

His Excellency the Governor left the Council Chamber.

The President took the Chair.

The President read the Prayer.

DECLARATIONS OF MEMBERS.—The Honorable the President, and the Honorables T. T. a'Beckett, F. T. Sargood, R. S. Anderson, G. W. Cole, A. Fraser, C. J. Jenner, J. Graham, W. Skene, R. Simson, F. Robertson, T. F. Hamilton, Sir S. Wilson, Sir F. Murphy, W. Campbell, W. Highett, W. A. C. a'Beckett, W. Wilson, T. J. Sumner, T. Bromell, and J. Cumming severally delivered to the Clerk the Declarations required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, WILLIAM HENRY FANCOURT MITCHELL, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the full value of Two thousand five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are

situate in the parish of Emberton, in the county or reputed county of Dalhousie, the description of which lands and tenements are as follow :—

“Four thousand seven hundred acres (4700) of the Barfold estate.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of Metcalfe are rated in the rate-books of such municipal district as follows :—

“No. 103, South Riding; owner, W. H. F. Mitchell; occupier, ditto. Barfold estate in Emberton, 4700 acres. Full net annual value, £1500.

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

“W. H. F. MITCHELL.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, THOMAS TURNER A'BECKETT, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the county of Bourke, the description of which lands and tenements are as follow :—

“1. Part of allotment 19, block 14, city of Melbourne, in Little Collins street, with buildings thereon, known as the Bishop's Registry and Cottenham Chambers.

“2. Part of Crown portion 139B, parish of Prahran, east of St. Kilda; part of Crown allotment 139A in the parish aforesaid; and part of Crown allotment A, portion 144, in the parish aforesaid, with dwelling-house and out-buildings erected on portion 139B.

“3. Portion of Dendy's special survey, having a frontage to Church street and Well street, Brighton, consisting of one acre and a half, with dwelling-house and other buildings erected thereon.

“4. Part of allotment B of portion 69, parish of Prahran, at the corner of Wellington street and High street, St. Kilda, having a frontage of forty feet to High street by a depth of ninety-two feet six inches along Wellington street, on which are erected two shops and dwelling-houses.

“And I further declare that such of the said lands and tenements as are situate in the municipal districts of St. Kilda and Brighton, and in the city of Melbourne, are rated in the rate-books of such municipal districts and city respectively as follows :—

“No. 1. Rated in the city of Melbourne rate-book at £400 per annum.

“No. 2. Rated in the municipal district of St. Kilda at over £240 per annum.

“No. 3. Rated in the municipal district of Brighton at over £100 per annum.

“No. 4. Rated in the municipal district of St. Kilda at over £150 per annum.

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

“THOS. T. A'BECKETT.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, FREDERICK THOMAS SARGOOD, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the full value of Twenty-five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Prahran, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

“Forty-five acres of land and dwelling house, situated in East St. Kilda, and known as Rippon Lea.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of St. Kilda are rated in the rate-books of such municipal district as follow :—At £605 per annum.

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

“F. T. SARGOOD.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, ROBERT STIRLING ANDERSON, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Boroondara, South Melbourne, Holden, and West Melbourne, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

“Freehold land and premises at Kew, where I reside.

“Freehold land and premises at Emerald Hill.

“Freehold land and premises at Sunbury.

“And land and premises in West Melbourne.

“And I further declare that such of the said lands and tenements as are situate in the municipal districts of Kew, Emerald Hill, Bulla, and Melbourne, are rated in the rate-books of such municipal districts as follows :—In excess of Two hundred and fifty pounds per annum.

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

“ROBERT S. ANDERSON.”

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, GEORGE WARD COLE, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Jika-jika, in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

"Allotment 4 of section 2, fronting Flinders and Little Flinders streets, with bonded stores, houses, &c., &c.

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

"Cole's Bonded Stores, Flinders street, at over £350 per annum.

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

"GEORGE WARD COLE."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, ALEXANDER FRASER, 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 five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Prahran, in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

"No. 1. Part allotment 139A, parish of Prahran, county of Bourke, having a frontage to Alma street of 100 feet by a depth of 300 feet to Chapel street, with dwelling-house and other buildings thereon erected, being in my own occupation.

"No. 2. Part allotment 139A, parish of Prahran, county of Bourke, having a frontage of 370 feet to Argyle street, with improvements.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of St. Kilda are rated in the rate-books of such municipal district as follows:—

"No. 1. Rated in the rate-book of the district of St. Kilda at Two hundred and twenty pounds per annum.

"No. 2. Rated in the rate-book of the district of St. Kilda at Fifty pounds per annum.

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

"ALEX. FRASER."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, CALEB JOSHUA JENNER, 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 five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Ballarat and St. Kilda, in the counties or reputed counties of Ballarat and Grenville, the description of which lands and tenements are as follow:—

"42 feet frontage to Armstrong street, Ballarat, by a depth of 165 feet, on which is erected a stone warehouse.

"6 acres of land, Brighton road, St. Kilda, known as Alfriston, on which is erected a residence, and other improvements.

"And I further declare that such of the said lands and tenements as are situate in the municipal districts of Ballarat and St Kilda are rated in the rate-books of such municipal districts respectively as follows:—Over Two hundred and fifty pounds per annum.

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

"C. J. JENNER."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, JAMES GRAHAM, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Melbourne, in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

"Allotments Nos. 11, 12, and portions of No. 10, block No. 11, situate in Bourke, Russell, and Little Collins streets, in the city of Melbourne, with the several buildings erected thereon.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of Melbourne are rated in the rate-books of such municipal district as follows:—Over Two hundred and fifty pounds sterling per annum.

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

"JAS. GRAHAM."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I WILLIAM SKENE, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the full value of Two thousand five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further,

that the lands and tenements out of which such qualification arises are situate in the parishes of Kanoualla and Warrigure, in the county or reputed county of Dundas, the description of which lands and tenements are as follow:—

“The freehold property known as Skene.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of Dundas are rated in the rate-books of such municipal district as follows:—Over Two hundred and fifty pounds a year.

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

“WILLIAM SKENE.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, ROBERT SIMSON, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Brewster, in the county or reputed county of Ripon, the description of which lands and tenements are as follow:—

“Five thousand four hundred and twenty-three acres of freehold land.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of the shire of Ripon are rated in the rate-books of such municipal district as follows:—

Description of Property.	Situation.	Riding or Division.	Electoral District and Division.	Full Net Annual Value.
5423 acres	Brewster ...	North 1	Ripon and Hampden, Raglan ...	Over £700.

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

“ROBERT SIMSON.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, FRANCIS ROBERTSON, 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 over Two thousand five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Newham, Edgecomb, Doutta Galla, and Maribyrnong, in the counties or reputed counties of Bourke and Dalhousie, the description of which lands and tenements are as follow:—

“Eight allotments in the parish of Newham, two allotments in Edgecomb, one allotment in Maribyrnong, and one allotment in Doutta Galla.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of the shire of Newham, the shire of Kyneton, the Keilor road board, and the boroughs of Essendon and Flemington, are rated in the rate-books of such municipal districts as follows:—At over Two hundred and fifty pounds per annum.

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

“FRANCIS ROBERTSON.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, THOMAS FERRIER HAMILTON, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the full value of Three thousand pounds sterling money, above all charges and incumbrances affecting the same: And further that the lands and tenements out of which such qualification arises are situate in the parish of Gisborne, in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

“Section 32, Gisborne, and allotment 29, section 35, same parish; total, seven hundred and forty-nine acres.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of Gisborne Shire are rated in the rate-books of such municipal district as follow:—

No. on Roll.	Owner.	Net Annual Rental Value.	Electoral Division.
449 525	T. F. Hamilton	{ £165 } { 135 } £300	Division— South Province.

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

“THOMAS F. HAMILTON.”

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, SAMUEL WILSON, 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 net annual value of over one thousand pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Ercildoun, in the county or reputed county of Ripon, the description of which lands and tenements are as follow:—

"Freehold land of a value of over Two thousand five hundred pounds sterling.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of the shire of Lexton are rated in the rate-books of such municipal district as follows:—20,506 acres pasture land and tenements, at a net annual value of £6889.

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

"SAM^L. WILSON."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, FRANCIS MURPHY, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the full value of Two thousand five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Ballarat and Mooroduc, in the counties or reputed counties of Grenville and Mornington, the description of which lands and tenements are as follow:—

"Part of Government allotment No. 5, section 6, township of Ballarat, in Lydiard street, with the buildings erected thereon.

"Five acres, part of section 9, parish of Mooroduc, adjoining the town of Mornington.

"Lots 1 and 12 of section 9, adjoining former.

"Allotment 17 of section 25, parish of Mooroduc.

"And I further declare that such of the lands and tenements as are situate in the municipal districts of Ballarat and Mornington are rated in the rate-books of such municipal districts respectively as follows:—

"Of the annual value of £250.

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

"FRANS. MURPHY."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, WILLIAM CAMPBELL, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Carlsruhe and the city of Melbourne, in the counties or reputed counties of Dalhousie and Bourke, the description of which lands and tenements are as follow:—

"1. Six hundred and forty acres, parish of Carlsruhe.

"2. Allotment of land and building in King street, in the city of Melbourne.

"And I further declare that such of the said lands and tenements as are situate in the municipal districts of Kyneton and Melbourne are rated in the rate-books of such municipal districts as follow:—

Freehold	About two miles from Kyneton	...	} In excess of £250 a year.
Ditto	King street, Melbourne	...	

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

"W. CAMPBELL."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, WILLIAM HIGHETT, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the value of Two thousand five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Maindample, in the county or reputed county of Delatite, the description of which lands and tenements are as follow:—

"Freehold estate of upwards of five thousand acres.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of Mansfield are rated in the rate-books of such municipal district as follows:—At over Two hundred and fifty pounds per annum.

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

"WILLIAM HIGHETT."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, WILLIAM ARTHUR CALLANDER A'BECKETT, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Jika-jika, in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

"1. Part 1 of section 8, of allotment 20, city of Melbourne.

"2. Allotment 3 of section 4, city of Melbourne.

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

"1. Over £250 per annum. 2. Over £100 per annum.

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

"W. A. C. A'BECKETT."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, WILLIAM WILSON, 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 freehold value of Three thousand pounds sterling money, above all charges and incumbrances affecting the same: And further that the lands and tenements out of which such qualification arises are situate in the parish of _____ in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

"Dwelling place known as Dalquhurn, on the Dandenong Road.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of St. Kilda are rated in the rate-books of such municipal district as follows:—

"At Three hundred and thirty pounds per annum.

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

"WILLIAM WILSON."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, THEODORUS JOHN SUMNER, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the full value of Two thousand five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of _____ in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

"All those lands and tenements in the borough of Brunswick, known as Stony Park, Willow Bank, and lands thereunto adjacent.

"And I further declare that such of the said lands and tenements as are situate in the municipal districts of Brunswick and Northcote are rated in the rate-books of such municipal districts as follows:—At no less than Three thousand pounds.

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

"THEO. JNO. SUMNER."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, THOMAS BROMELL, 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 five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Cavendish, Karrawalla, Karabel, and Mocanger, in the county or reputed county of Dundas, the description of which lands and tenements are as follow:—

"Ten thousand acres, with dwelling-house, wool shed, and appurtenances.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of Dundas are rated in the rate-books of such municipal district as follows:—Over two hundred and fifty pounds per annum.

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

"THOMAS BROMELL."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, JOHN CUMMING, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Terinallum, in the county or reputed county of Hampden, the description of which lands and tenements are as follow:—

"Freehold land in the parish of Terinallum.

"And I further declare that such of the said lands and tenements as are situate in the shire of Mortlake are rated in the rate-books of such municipal district as follows:—In excess of Two hundred and fifty pounds a year.

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

"JOHN CUMMING."

COMMISSION.

COMMISSION TO SWEAR IN NEW MEMBERS.—The President announced that, in virtue of the Commission hereunder set forth, he would be prepared to swear in any new Members who might be introduced.

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

To the Honorable WILLIAM HENRY FANCOURT MITCHELL, President of Our Legislative Council of Our Colony of Victoria.

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

WITNESS Our trusty and well-beloved the Right Honorable JOHN HENRY THOMAS VISCOUNT CANTERBURY, of the City of Canterbury in the County of Kent, and BARON BOTTESFORD, of Bottesford, in the County of Leicester, in the Peerage of the United Kingdom of Great Britain and Ireland, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the Colony of Victoria, &c., &c., &c., at Melbourne, this twenty-eighth day of October, One thousand eight hundred and seventy, and in the thirty-fourth year of Our reign.

(L.S.)

CANTERBURY.

By His Excellency's Command,
JAMES McCULLOCH.

Entered on Record by me, in Register of Patents,
Book 13, page 445, this twenty-eighth day of
October, One thousand eight hundred and
seventy.

W. H. ODGERS.

JURIES LAW AMENDMENT BILL.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That leave be given to introduce a Bill to amend the laws relating to Juries.

Question—put and passed

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 18th instant.

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

The Honorable T. T. a'Beckett moved, That a Select Committee be appointed to prepare an Address in reply to the Speech of His Excellency the Governor.

Question—put and passed.

The Honorable T. T. a'Beckett moved, That such Committee consist of the Honorables F. T. Sargood, W. Campbell, H. Cuthbert, C. J. Jenner, J. Graham, J. Cumming, and the Mover.

Question—put and passed.

The Select Committee retired to prepare the Address.

The Honorable T. T. a'Beckett brought up the Address prepared by the Committee, and moved, That the same be read.

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

To His Excellency Sir GEORGE FERGUSON BOWEN, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY—

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

We thank Your Excellency for having called us together at the earliest opportunity after our recent protracted sittings for the purpose of obtaining our advice and assistance.

We learn with satisfaction that the Loan authorized by Parliament last Session has been placed in the hands of the Contracting Banks for negotiation in the London market, and that a copy of the agreement made with the Contracting Banks will be presented to us.

We are gratified to hear that Your Excellency is in a position to inform us that the liberal provision made for the erection of State-school buildings has enabled your Advisers to make arrangements for the immediate erection of those most urgently required, and that in a short period ample school accommodation will be provided throughout Victoria.

We inform Your Excellency that we are glad to hear that of the various lines of Railway in course of construction it is expected that 65 miles will be opened before the end of the present year, 200 miles more in March next, and the remainder before December, 1877; and that the opening of these lines will make a total of 956 miles of Railway available for traffic in Victoria.

We assure Your Excellency that we receive with satisfaction the announcement that various proposals have been submitted to the Government for the construction of a duplicate Telegraph Cable between this Continent and the lines connected with England, and that when fuller information is obtained it is the intention of your Advisers to invite a Conference of the representatives of the different Australasian Colonies to deal with the subject.

We notice that during the period of eighteen years since the present Electoral Act was passed the population of Victoria has increased from five hundred thousand to eight hundred and twenty-five thousand persons, and we observe that large tracts of public territory formerly occupied for pastoral purposes only have now become settled with thriving communities, which have not their due share of representation in Parliament. We therefore concur with Your Excellency that to secure a full representation of the people, and of the various interests which have grown up with the progress of settlement, it is essential that a re-adjustment should be made of the Electoral Districts; and we are glad to learn that it is the intention of your Advisers to submit for our consideration a measure dealing with this important subject, and that in contemplation of this reform such measures only will be submitted as are immediately required.

We regret to learn from Your Excellency that the imperfect state of the law relating to Education has hitherto impeded the efforts made to enforce the compulsory clauses of the Act, and it affords us satisfaction to know that a measure to amend it in this respect will be laid before us.

We concur in thinking that our Railways have become of such magnitude that their efficient and economical working is now a question of serious importance. We are gratified with the assurance that your Advisers have had under their consideration a change in the existing system of management, which it is believed will prove of great public advantage, and that a Bill to effect this object will be laid before us.

We thank Your Excellency for intimating that your Advisers have investigated the numerous claims for Railway extension which have been pressed upon them, and have prepared a measure for our consideration authorizing the construction of a number of lines which they believe will, in addition to increasing the means of communication, afford a reasonable prospect of paying a fair return upon the outlay.

We concur in the opinion that a measure to regulate Mining on Private Property for gold and silver is most urgently required, and, as we are informed, both Houses have concurred in the necessity of dealing with this subject, we assure Your Excellency that the Bill which your Advisers propose to lay before us will receive our best consideration.

We recognize the fact that the necessity for the efficient maintenance and improvement of the Port of Melbourne demands attention. We concur that experience proves that the most effective means to accomplish these ends is to establish a Harbor Trust. We shall bestow every attention on the Bill which has been prepared with this object.

We inform Your Excellency that we concur in the opinion that the abolition of Tolls on our public highways after the thirty-first day of August next renders it desirable that provision should be made for the maintenance of main roads. We are gratified to learn that a Bill will accordingly be introduced for this purpose.

We thank Your Excellency for informing us that the amendment of the laws relating to the sale of Wines, Beer, and Spirits has become of pressing urgency; that a Bill has been prepared which it is believed will have the effect of removing many of the evils in connection with the trade; in view of the serious consequences arising from the defects in the present state of the law, we desire to assure Your Excellency that this measure will receive our earnest consideration.

We shall likewise give every attention to the Bill for effecting an important amendment in the present Land Act.

It affords us satisfaction to know that several measures of importance have been prepared, and will be presented to us for our consideration as the progress of public business will permit; and that among these will be Bills for amending the law relating to Coroners and for making provision for the Registration of Trade Marks and the regulation of Marine Stores.

We assure Your Excellency that we shall give our most careful consideration to these and such other measures as may be brought before us; and we reciprocate the hope that our labors may, under the blessing of Divine Providence, conduce to the happiness and prosperity of the people.

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

Debate ensued.

Question—put and passed.

The Honorable R. S. Anderson moved, That the Address be presented to His Excellency the Governor by the President and such Members as may desire to accompany him, at half-past three o'clock on Tuesday next, at the Treasury Buildings.

Question—put and passed.

CHAIRMAN OF COMMITTEES.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorable C. J. Jenner be Chairman of Committees.

Question—put and passed.

DAYS OF BUSINESS.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for the despatch of business during the present Session, and that half-past four o'clock be the time of meeting on each day; and that on Wednesday in each week the transaction of Government business shall take precedence of all other business.

Question—put and passed.

STANDING ORDERS COMMITTEE.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorables the President, T. T. a'Beckett, C. J. Jenner, Sir F. Murphy, and H. Cuthbert be appointed a Select Committee on the Standing Orders of the House.

Question—put and passed.

PRINTING COMMITTEE.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorables N. Black, J. Cumming, W. Highett, T. Bromell, and J. Wallace be appointed a Printing Committee; and that Papers presented to the House be referred to the said Committee for report.

Question—put and passed.

LIBRARY COMMITTEE (JOINT).—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorables the President, F. T. Sargood, Dr. Dobson, F. Robertson, and J. Graham, be members of the Joint Committee of both Houses to manage the Library.

Question—put and passed.

PARLIAMENT BUILDINGS COMMITTEE (JOINT).—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorables the President, J. Henty, W. Campbell, J. Balfour, and R. S. Anderson, be members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.

Question—put and passed.

REFRESHMENT ROOMS COMMITTEE (JOINT).—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorables T. J. Sumner, T. F. Hamilton, R. Simson, A. Fraser, and G. F. Belcher, be members of the Joint Committee of both Houses to manage the Refreshment Rooms.

Question—put and passed.

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

VICTORIA.

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

The Honorable Thomas Turner a'Beckett,
The Honorable Robert Stirling Anderson,
The Honorable Henry Cuthbert,
The Honorable James Balfour,
The Honorable William Highett,
The Honorable Theodotus John Sumner, and
The Honorable Frederick Thomas Sargood,

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

Given under my hand this eleventh day of July, 1876.

W. H. F. MITCHELL,
President of the Legislative Council.

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Papers :—

1. Friendly Societies—List of Registered, 1875.
2. Diseases and Deaths.—Return of,—Chief Medical Officer, 1875.
3. Stamp Statute 1869.—Notice and Rules under,—Order in Council (12th June, 1875).
4. Sandhurst—Order to mine on certain lands at (29th May, 1876)—(12th June, 1876).
5. Polling Places, Amherst Division of Maryborough Mining District (27th March, 1876).
6. Castlemaine.—Mining on excepted land authorized (22nd May, 1876).
7. Mining Surveyors and Registrars.—Reports for Quarter ending 31st March, 1876.
8. Statistical Register, Colony of Victoria, 1875 :—
Part I.—Blue Book.
Part II.—Population.
Part III.—Finance, &c.
9. Public Library, &c.—Report of Trustees for year 1875.
10. Post Office and Telegraph Department.—Report, 1875.
11. Post Office Savings Banks.—Statement of Accounts, 1875.
12. Penal Establishments and Gaols.—Report, 1875.

Ordered severally to lie on the Table.

PAPER.—The Honorable R. S. Anderson laid on the Table the following Paper :—
Volunteer Statute—Additional Regulation under (10th April, 1876).

Ordered to lie on the Table.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House at its rising this day adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at a quarter past four o'clock until half-past four o'clock on Tuesday the 18th instant.

ORDER OF THE DAY.

TUESDAY, 18TH JULY, 1876.

ORDER OF THE DAY :—

JURIES LAW AMENDMENT BILL.—To be read a second time.

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

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 18TH JULY, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

REPLY OF HIS EXCELLENCY TO ADDRESS OF COUNCIL.—The President announced to the Council that the Address to His Excellency the Governor, in reply to his Speech opening the Parliament, adopted on the 11th instant, had been presented in accordance with the resolution of the House to His Excellency, and that His Excellency had been pleased to make thereto the following reply :—

MR. PRESIDENT AND HONORABLE GENTLEMEN :

In the Queen's name I thank you for this renewed expression of your loyalty and attachment to Her Majesty's Throne and Person.

I am confident that you will give your careful consideration to the measures which will be brought before you, and that you will co-operate with the other branches of the Legislature in promoting the welfare of the Colony.

G. F. BOWEN.

Government Offices,
Melbourne, 18th July, 1876.

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

DECLARATIONS OF MEMBERS.—The Honorables J. P. Bear, G. F. Belcher, J. Henty, and Dr. Dobson, severally delivered to the Clerk the Declarations required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, JOHN PINNEY BEAR, 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 five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Doutta Galla, Lancefield, and borough or parish of Brighton, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

“A. About 343 acres of land, with buildings thereon, on the Keilor Road, within the road board of Keilor, county of Bourke, known as ‘Cheverstone’ farm.

“B. About 280 acres of land, with buildings thereon, at Romsey, in the parish of Lancefield, county of Bourke, known as ‘Romsey Barton.’

“C. About ten acres of land fronting the Esplanade, at Brighton, and known as the Esplanade portion of the Moorabbin property, in the borough or parish of Brighton, county of Bourke.

“And I further declare that such of the said lands and tenements as are situate in the municipal districts above mentioned are rated in the rate-books of such municipal districts respectively as follows :—At over Two hundred and fifty pounds sterling per annum.

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

“J. P. BEAR.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, GEORGE FREDERICK BELCHER, do declare and testify that I am duly seized at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria, of the value of Seven thousand pounds sterling money, above all charges and incumbrances affecting the same: And further that the lands and tenements out of which such qualification arises are situate in the town of Geelong, in the county or reputed county of Grant, the description of which lands and tenements are as follow:—

“All that block of land (with buildings erected thereon) situate at the corner of Moorabool and Great Ryrie streets, town of Geelong aforesaid, being part of allotment No. 18, of block No. 35, Geelong.

“And I further declare that such of the said lands and tenements as are situate in the town of Geelong are rated in the rate-books of such municipal district as follow:—

No. 1	Shop,	rated at	£72	per annum.
” 2	”	”	72	”
” 3	”	”	110	”
” 4	”	”	170	”
” 5	”	”	144	”
” 6	”	”	72	”
” 7	”	”	100	”

£740 annual valuation.

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

“G. F. BELCHER.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, JAMES HENTY, do declare and testify that I am duly seized at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria, of the annual value of Five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Duneed, Pakenham, Nar-nar-Goon, and town of Geelong, in the counties or reputed counties of Grant and Mornington, the description of which lands and tenements are as follow:—

“(5000) Five thousand acres of freehold land; offices and stores, Brougham place, Geelong.

“And I further declare that such of the said lands or tenements as are situate in the municipal districts of Barrabool, Berwick, and town of Geelong, are rated in the rate-books of such municipal districts as follows:—

“In excess of Five hundred pounds (£500) per annum.

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

“JAS. HENTY.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, FRANK STANLEY DOBSON, do declare and testify that I am duly seized at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria, of the value of Two thousand five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Hawthorn, in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

“Houses and land in the borough of Hawthorn.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of Hawthorn are rated in the rate-books of such municipal district as follows:—Over Two hundred and fifty pounds a year.

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

“F. STANLEY DOBSON.”

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Papers:—

1. Sanatory Station.—Report of Chief Medical Officer, 1875.
2. State Forests—Licences for exclusive use of.—Issue of.—Order in Council (8th June, 1876).
3. Auriferous Land.—New form of Crown grant.—Order in Council (10th April, 1876).
4. Mineral Statistics for 1875.
5. Mines, Chief Inspector of.—Report of, for 1875.

Ordered severally to lie on the Table.

TRADE MARKS BILL.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That leave be given to introduce a Bill to establish a Register of Trade Marks.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 25th instant.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 25th instant:—

“*Juries Law Amendment Bill*”—To be read a second time.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.
Question—put and passed.

The Council adjourned at a quarter to five o'clock until half-past four o'clock on Tuesday the 25th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 25TH JULY, 1876.

1. The Hon. F. T. SARGOOD: To ask the Honorable the Commissioner of Trade and Customs—
 - (1.) What answer has been received from the Home Government to the questions submitted to it by the Volunteer Commission, as to the terms on which Imperial troops can be obtained for this Colony; and if he will lay all papers referring thereto on the table of this House.
 - (2.) What steps the Government propose to take with regard to the Volunteer Force and the defence generally of the Colony, having in view the evidence taken before the Royal Commission on this subject and their recommendations.
2. The Hon. W. A. C. A'BECKETT: To call attention to a Commission to swear a Member, signed by Lord Canterbury.

NOTICE OF MOTION:—

1. The Hon. W. A. C. A'BECKETT: To move for leave to introduce a Bill to amend the law relating to Real Property.

ORDERS OF THE DAY:—

1. TRADE MARKS BILL.—To be read a second time.
2. JURIES LAW AMENDMENT BILL.—To be read a second time.

MEETING OF SELECT COMMITTEE.

Tuesday, 25th July.

REFRESHMENT ROOMS (JOINT)—at half-past three o'clock.

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

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OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 25TH JULY, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

DECLARATIONS OF MEMBERS.—The Honorables J. A. Wallace and J. Balfour delivered to the Clerk the Declarations required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, JOHN ALSTON WALLACE, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria, of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same : And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Wooragee, Bright, Nepean, and Fingal, in the counties or reputed counties of Mornington, Delatite, and Bogong, the description of which lands and tenements are as follow :—

“Six hundred and sixty-six acres of land in the parish of Wooragee ; lands and dwelling-houses in the parish of Bright ; one hundred and sixty-two acres of land in the parish of Nepean ; five hundred and sixty-five acres of land in the parish of Fingal ; town allotments in the townships of Beechworth and Stanley.

“And I further declare that such of the said lands and tenements as are situate in the municipal districts of Beechworth, Bright, and Flinders, and Kangerong, are rated in the rate-books of such municipal districts respectively as follows :—

“At over Two hundred and fifty pounds per annum.

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

“JOHN A. WALLACE.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, JAMES BALFOUR, 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 five hundred pounds sterling money, above all charges and incumbrances affecting the same : And further that the lands and tenements out of which such qualification arises are situate in the parishes of Melbourne and Boroondara, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

“Land and tenements situated in Little Collins street, Melbourne.

“Land and tenements situated in Little Flinders street, Melbourne.

“Land situated in the parish of Boroondara.

“And I further declare that such of the said lands and tenements as are situate in the municipal districts of Melbourne and Kew are rated in the rate-books of such municipal districts as follows :—Over Two hundred and fifty pounds per annum.

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

“JAMES BALFOUR.”

LANDLORD AND TENANT STATUTE 1864 AMENDMENT BILL.—The Honorable W. A. C. a'Beckett, in accordance with *amended* notice, moved, That leave be given to bring in a Bill to amend the law relating to Landlords and Tenants.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable W. A. C. a'Beckett, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 1st proximo.

TRADE MARKS BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

Ordered.

JURIES LAW AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

Ordered.

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

Question—put and passed.

The Council adjourned at half-past five o'clock until half-past four o'clock on Thursday, the 27th instant.

ORDERS OF THE DAY.

THURSDAY, 27TH JULY, 1876.

ORDERS OF THE DAY:—

1. TRADE MARKS BILL.—To be further considered in Committee.
2. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.

TUESDAY, 1ST AUGUST.

1. The Hon. F. T. SARGOOD: To ask the Honorable the Commissioner of Trade and Customs—
 - (1.) What answer has been received from the Home Government to the questions submitted to it by the Volunteer Commission, as to the terms on which Imperial troops can be obtained for this Colony; and if he will lay all papers referring thereto on the table of this House.
 - (2.) What steps the Government propose to take with regard to the Volunteer Force and the defence generally of the Colony, having in view the evidence taken before the Royal Commission on this subject and their recommendations.

ORDER OF THE DAY:—

1. LANDLORD AND TENANT STATUTE 1864 AMENDMENT BILL.—To be read a second time.

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

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 27TH JULY, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper :—

Railway Loan Act No. 531—Correspondence relating to. (July 1876.)

Ordered to lie on the Table.

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

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

The Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

The Honorable R. S. Anderson moved, That the third reading of the Bill be made an Order of the Day for Tuesday next.

Question—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Railway Loan Act 1876.'*"

Also a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of Forty thousand six hundred and ninety-three pounds seventeen shillings to the service of the year One thousand eight hundred and seventy-five and six, and the sum of Five hundred and seventy-four thousand nine hundred pounds to the service of the year One thousand eight hundred and seventy-six and seven;*" with which they desire the concurrence of the Legislative Council.

C. MACMAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 27th July, 1876.

CONSOLIDATED REVENUE BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That this Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be “*An Act to apply out of the Consolidated Revenue the sum of Forty thousand six hundred and ninety-three pounds seventeen shillings to the service of the year One thousand eight hundred and seventy-five and six, and the sum of Five hundred and seventy-four thousand nine hundred pounds to the service of the year One thousand eight hundred and seventy-six and seven.*”

Question—put and passed.

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

RAILWAY LOAN ACT 1876 AMENDMENT BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be “*An Act to amend ‘The Railway Loan Act 1876.’*”

Question—put and passed.

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

ROYAL ASSENT TO BILLS.—The President announced that he had received a communication from the Private Secretary to His Excellency the Governor, intimating that it is the intention of His Excellency to proceed to the Legislative Council Chamber this day, at six o'clock, to Assent, in Her Majesty's name, to certain Bills passed by the Legislative Council and the Legislative Assembly.

JURIES LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

Ordered.

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

ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber; who being come with their Speaker, His Excellency was pleased to assent in Her Majesty's name to the following Bills:—

“*An Act to amend ‘The Railway Loan Act 1876.’*”

“*An Act to apply out of the Consolidated Revenue the sum of Forty thousand six hundred and ninety-three pounds seventeen shillings to the service of the year One thousand eight hundred and seventy-five and six, and the sum of Five hundred and seventy-four thousand nine hundred pounds to the service of the year One thousand eight hundred and seventy-six and seven.*”

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

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

“G. F. BOWEN,
“Governor.”

A Schedule of the Bills assented to was delivered to Mr. Speaker.

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

The Council adjourned at ten minutes past six o'clock until half-past four o'clock on Tuesday, the 1st proximo.

ORDERS OF THE DAY.

TUESDAY, 1ST AUGUST 1876.

1. The Hon. F. T. SARGOOD: To ask the Honorable the Commissioner of Trade and Customs—
- (1.) What answer has been received from the Home Government to the questions submitted to it by the Volunteer Commission, as to the terms on which Imperial troops can be obtained for this Colony; and if he will lay all papers referring thereto on the table of this House.
 - (2.) What steps the Government propose to take with regard to the Volunteer Force and the defence generally of the Colony, having in view the evidence taken before the Royal Commission on this subject and their recommendations.

NOTICE OF MOTION:—

1. The Hon. R. S. ANDERSON: To move for leave to introduce a Bill to amend the Law relating to Justices of the Peace and for other purposes.

ORDERS OF THE DAY:—

1. LANDLORD AND TENANT STATUTE 1864 AMENDMENT BILL.—To be read a second time.
2. TRADE MARKS BILL.—To be read a third time.
3. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.

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

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OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 1ST AUGUST, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Papers :—

1. Land Act 1869—Additional Regulations—Order in Council. (24th July, 1876.)
2. Land Act 1869—Admission Fees chargeable by Trustees, &c.—Order in Council. (24th July, 1876.)

Ordered severally to lie on the Table.

DECLARATION OF MEMBER.—The Honorable H. Cuthbert delivered to the Clerk the declaration required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, HENRY CUTHBERT, 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 Four thousand pounds sterling money, above all charges and incumbrances affecting the same : And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Cardigan, Burrumbeet, and Ballarat, in the counties of Grenville and Ripon, the description of which lands and tenements are as follow :—

“Freehold land and premises, parish of Cardigan, where I reside.

“Other freehold land in said parish.

“Freehold land and premises in the city of Ballarat.

“Freehold land and premises in the parish of Burrumbeet and land in the parish of Ballarat.

“And I further declare that such of the said lands and tenements as are situate in the municipal districts of Ballarat, and Shire of Ballarat, are rated in the rate-books of such municipal districts as follows :—At over Two hundred and fifty pounds per annum.

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

“HENRY CUTHBERT.”

JUSTICES OF THE PEACE BILL.—The Honorable R. S. Anderson, in accordance with notice, moved, That leave be given to introduce a Bill to amend the law relating to Justices of the Peace, and for other purposes.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 8th instant.

LANDLORD AND TENANT STATUTE 1864 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable W. A. C. a'Beckett moved, That the Bill be now read a second time.

Debate ensued.

Motion by leave withdrawn.

TRADE MARKS BILL.—The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported from a Committee of the whole Council, the Bill, on the motion of the Honorable R. S. Anderson, was read a third time, and *passed*. The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to establish a Register of Trade Marks.*"

Question—put and passed.

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

JURIES LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

Ordered.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House at its rising, this day, adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at twenty-five minutes to seven o'clock until half-past four o'clock on Tuesday, the 8th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 8TH AUGUST, 1876.

1. The Hon. R. SIMSON : To ask the Honorable the Commissioner of Trade and Customs if the Government purpose exercising any or what control over the Charitable Institutions of the Colony, in consideration of the large Grant in Aid to these Institutions, £120,000 sterling, put on the Estimates for them during the current year.

Government Business.

NOTICE OF MOTION:—

1. The Hon. R. S. ANDERSON : To move for leave to bring in a Bill for confirming the Title to certain Rights and Easements.

ORDERS OF THE DAY:—

1. JUSTICES OF THE PEACE BILL.—To be read a second time.
2. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 8TH AUGUST, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

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

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 15TH AUGUST, 1876.

1. The Hon. R. SIMSON : To ask the Honorable the Commissioner of Trade and Customs if the Government purpose exercising any or what control over the Charitable Institutions of the Colony, in consideration of the large Grant in Aid to these Institutions, £120,000 sterling, put on the Estimates for them during the current year.

NOTICE OF MOTION:—

1. The Hon. R. S. ANDERSON : To move for leave to bring in a Bill for confirming the Title to certain Rights and Easements.

ORDERS OF THE DAY:—

1. JUSTICES OF THE PEACE BILL.—To be read a second time.
2. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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LEGISLATIVE COUNCIL.

TUESDAY, 15TH AUGUST, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRIT, RETURN OF, CENTRAL PROVINCE.—The President announced to the Council that a Writ issued by him for the election of a Member to serve for the Central Province, from and after the 27th instant, had been returned to him, and that the Returning Officer had certified “that James Graham was duly elected in pursuance of” the Writ.

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Papers :—

1. Statistical Register of Colony of Victoria, 1875. Part IV.—Interchange.
2. Pilot Board of Victoria.—Accounts for Year ending 31st August, 1875.
3. Insane, Hospitals for.—Report—Inspector of Lunatic Asylums, for year ending 31st December, 1875.
4. University of Melbourne.—Report—from 1st June, 1875, to 31st May, 1876.
5. Industrial and Reformatory Schools.—Amendments of Regulations for Boarding-out Children (19th July 1876).
6. Industrial and Reformatory Schools.—Report of Inspector for year 1875.

Ordered severally to lie on the Table.

PAPER.—The Honorable R. S. Anderson laid on the Table the following Paper :—
Supreme Court—Regulæ Generales (15th August, 1876).

Ordered to lie on the Table.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at twenty minutes to five o'clock until half-past four o'clock on Tuesday, the 22nd instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 22ND AUGUST, 1876.

1. The Hon. R. SIMSON : To ask the Honorable the Commissioner of Trade and Customs if the Government purpose exercising any or what control over the Charitable Institutions of the Colony, in consideration of the large Grant in Aid to these Institutions, £120,000 sterling, put on the Estimates for them during the current year.

NOTICE OF MOTION:—

1. The Hon. R. S. ANDERSON : To move for leave to bring in a Bill for confirming the Title to certain Rights and Easements.

ORDERS OF THE DAY:—

1. JUSTICES OF THE PEACE BILL.—To be read a second time.
2. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 22ND AUGUST, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to sanction the issue and expenditure of certain sums from 'The Public Works Loan Account 1872' for salaries, wages, and contingences for the service of the year ending the thirtieth day of June, 'One thousand eight hundred and seventy-seven,'*" with which they desire the concurrence of the Legislative Council.

C. MACMAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 22nd August, 1876.

PUBLIC WORKS LOAN ACCOUNT APPLICATION BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for the next day of meeting.

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Papers :—

1. Schedule D—Statement of Expenditure under (1875-6).

2. Mining Surveyors and Registrars—Reports of, for Quarter ending 30th June, 1876.

Ordered severally to lie on the Table.

PETITION.—The Honorable G. F. Belcher presented a Petition from the Corporation of the Town of Geelong, and under the seal thereof, praying that certain alterations may be made in the Juries Law Amendment Bill.

Petition received.

The Petition was read at the Table by the Clerk.

ASSIZE COURTS AND GENERAL SESSIONS—TRIALS AT.—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That there be laid before this House a Return, showing the number of prisoners tried in the various Courts of Assize and General Sessions in the colony in each of the past three years, showing the number of convictions and acquittals, distinguishing the cases in which juries have disagreed on their finding, and the final result of such disagreement.

Debate ensued.

Question—put and passed.

RIGHTS AND EASEMENTS BILL.—The Honorable R. S. Anderson, in accordance with notice, moved for leave to bring in a Bill for confirming the Title to certain Rights and Easements.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 29th instant.

JUSTICES OF THE PEACE BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

Ordered.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 29th instant :—

“*Juries Law Amendment Bill*”—To be further considered in Committee.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at a quarter-past six o'clock until half-past four o'clock on Tuesday, the 29th instant.

ORDERS OF THE DAY.

TUESDAY, 29TH AUGUST, 1876.

1. The Hon. G. F. BELCHER: To draw the attention of the Honorable Member representing the Government in this House to the present unsatisfactory working of the 10th section of the Lunacy Statute; and to ask whether it is intended to bring in a Bill to amend this portion of the Act; and, failing to do so, to enquire whether an Amending Act, brought in by a private Member, would receive the support of the Government.
2. The Hon. F. T. SARGOOD: To ask the Honorable the Commissioner of Trade and Customs—
 - (1.) Whether any reports have recently been received from the Agent-General or Colonel Scratchley advising that whatever guns, rifles, torpedoes, and other defence stores may be required should be ordered at once, as, in the event of war being declared, it would then be almost impossible to obtain them at any price.
 - (2.) Whether the Government has decided to act upon this recommendation; and, if so, is there any objection to lay upon the Table of this House a schedule of the guns and other military stores to be ordered by the next out-going mail.
 - (3.) Whether it is the intention of the Government to order 38-ton guns for the *Cerberus*.
 - (4.) Whether the Government has had under its consideration the importance of requesting Colonel Scratchley to select and send out at once an officer, thoroughly acquainted with modern marine artillery, to act as second officer of the *Cerberus*.
 - (5.) Whether the Government propose carrying out the recommendation of the Royal Commission “to disband the present volunteer force;” and, if not, what steps are to be taken to put it in an efficient state, and prevent the present absolute waste of public money.

ORDERS OF THE DAY:—

1. PUBLIC WORKS LOAN ACCOUNT APPLICATION BILL.—To be read a second time.
2. RIGHTS AND EASEMENTS BILL.—To be read a second time.
3. JUSTICES OF THE PEACE BILL.—To be further considered in Committee.
4. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 29TH AUGUST, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRITS—ISSUE OF—FOR PERIODIC ELECTIONS.—The President laid on the Table a statement of the issue of Writs for the periodic elections in 1876, for the election of Members to serve for the several Provinces in the Legislative Council, as hereunder set forth :—

Province.	Issue of Writ.	Day before which Nomination to be made.	Polling Day.	Return of Writ.
	1876.	1876.	1876.	1876.
Central	7th August ...	15th August ...	28th August * ...	4th September.
South	7th August ...	18th August ...	29th August ...	4th September.
South Western ...	15th August ...	25th August ...	4th September ...	11th September.
Western	21st August ...	29th August ...	11th September ...	25th September.
North Western ...	28th August ...	5th September ...	16th September ...	25th September.
Eastern	28th August ...	5th September ...	16th September ...	25th September.

* The periodic day (27th) being Sunday, by the Act 32 Vict., No. 334, the polling day was thrown over to the 28th.

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Papers :—

1. Insane, Hospitals for.—Report of Inspector of Lunatic Asylums, for year ending 31st December, 1874.
2. Aborigines, Twelfth Report of Board for Protection of (30th June, 1876).
3. Land Act 1869.—Additional Regulation (21st August 1876).

Ordered severally to lie on the Table.

PAPERS.—The Honorable R. S. Anderson laid on the Table the following Papers :—

1. Fisheries Act 1873.—Notice under 11th August, 1876.
2. Loan Act, 39 Victoria No. 531 and Act 37 Vict. No. 475.—Estimate of Expenditure, 1876–7, £638,890.
3. Railway Construction Act 1873, 37 Vict. No 475.—Estimate of Expenditure, 1876–7, £350,110.
4. Railway Construction Act.—Estimate of Expenditure, 1876–7, £71,000.
5. North-Eastern Railway Line.—Estimate of Expenditure, 1876–7, £9,025.
6. Railway Lines, Ballarat and Ararat, Castlemaine and Dunolly, and Ballarat and Maryborough.—Estimate of Expenditure, 1876–7, £8,265.
7. Railway Bridges and other works of Railway extension.—Estimate of Expenditure, 1876–7, £53,800.
8. Education Act 1872.—Amended Regulations, 5 and 25 (14th August, 1876).

Ordered severally to lie on the Table.

ASSIZE COURTS AND GENERAL SESSIONS—TRIALS AT.—The Honorable R. S. Anderson laid on the Table a Return to the Order of the Council made on the 22nd instant.

The Honorable H. Cuthbert moved, That the Return be printed.

Debate ensued.

Question—put and passed.

SWEARING IN OF NEW MEMBER.—The Honorable James Graham being introduced, took and subscribed the oath required by the thirty-second clause of the Constitution Act, and delivered to the Clerk the declaration required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, JAMES GRAHAM, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises, are situate in the parish of Melbourne, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

“Allotments Nos. 11, 12, and portions of No. 10, block No. 11, situate in Bourke, Russell, and Little Collins streets, in the city of Melbourne, with the several buildings erected thereon.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of Melbourne are rated in the rate-books of such municipal district as follows :— Over Two hundred and fifty pounds sterling per annum.

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

“JAS. GRAHAM.”

PUBLIC WORKS LOAN ACCOUNT APPLICATION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the report be now adopted.

Question—put and passed.

The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Hon. R. S. Anderson, was read a third time and *passed*.

The Honorable R. S. Anderson moved, That the title of the Bill be “*An Act to sanction the issue and expenditure of certain sums from ‘The Public Works Loan Account 1872’ for salaries, wages, and contingencies for the service of the year ending the thirtieth day of June, One thousand eight hundred and seventy-seven.*”

Question—put and passed.

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

RIGHTS AND EASEMENTS BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

Ordered.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Thursday, the 31st instant :—

“*Justices of the Peace Bill*”—To be further considered in Committee.

“*Juries Law Amendment Bill*”—To be further considered in Committee.

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

Question—put and passed.

The Council adjourned at six o'clock until half-past four o'clock on Thursday, the 31st instant.

ORDERS OF THE DAY.

THURSDAY, 31ST AUGUST, 1876.

ORDERS OF THE DAY :—

1. **JUSTICES OF THE PEACE BILL.**—To be further considered in Committee.
2. **JURIES LAW AMENDMENT BILL.**—To be further considered in Committee.

TUESDAY, 5TH SEPTEMBER.

1. The Hon. G. F. BELCHER: To draw the attention of the Honorable Member representing the Government in this House to the present unsatisfactory working of the 10th section of the Lunacy Statute; and to ask whether it is intended to bring in a Bill to amend this portion of the Act; and, failing to do so, to enquire whether an Amending Act, brought in by a private Member, would receive the support of the Government.

ORDER OF THE DAY :—

1. **RIGHTS AND EASEMENTS BILL.**—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 31st AUGUST, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRIT—RETURN OF—WESTERN PROVINCE.—The President announced to the Council that the Writ issued by him for the election of a Member to serve for the Western Province, from and after the 11th proximo, had been returned to him, and that the Returning Officer had certified “that Sir Charles Sladen, K.C.M.G., of Geelong, was duly elected in pursuance of” the Writ.

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper :—

Dunolly Division of Maryborough Mining District—Polling places (14th August, 1876).
Ordered to lie on the Table.

JUSTICES OF THE PEACE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

The Honorable R. S. Anderson moved, That the Bill be now re-committed.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the Report be made an Order of the Day for Tuesday next.

Question—put and passed.

JURIES LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

Ordered.

The Council adjourned during pleasure.

At six o'clock the President resumed the Chair.

The Council adjourned during pleasure.

At ten o'clock the President resumed the Chair.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to amend the Local Government Act 1874,*” with which they desire the concurrence of the Legislative Council.

C. MACMAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 31st August, 1876.

LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That this Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend the Local Government Act 1874.*"

Question—put and passed.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to establish a Register of Trade Marks,*" and acquaint the Legislative Council that they have agreed to the same without amendment.

Legislative Assembly Chamber,
Melbourne 31st August 1876.

C. MAC MAHON,
Speaker.

ROYAL ASSENT TO BILLS.—The President announced to the Council that he had received a communication from the Private Secretary to His Excellency the Governor, intimating that it is the intention of His Excellency to proceed to the Legislative Council Chamber this day, at eleven o'clock, to assent in Her Majesty's name to certain Bills passed by the Legislative Council and the Legislative Assembly.

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

ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber; who being come with their Speaker, His Excellency was pleased to assent, in Her Majesty's name, to the following Bills :—

"An Act to sanction the issue and expenditure of certain sums from 'The Public Works Loan Account 1872' for salaries, wages, and contingencies for the service of the year ending the thirtieth day of June, One thousand eight hundred and seventy-seven."

"An Act to amend 'The Local Government Act 1874.'"

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

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

"G. F. BOWEN,
"Governor."

A Schedule of the Bills assented to was delivered to Mr. Speaker.

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

The Council adjourned at ten minutes past eleven o'clock until half-past four o'clock on Tuesday, the 5th proximo.

ORDERS OF THE DAY.

TUESDAY, 5TH SEPTEMBER, 1876.

1. The Hon. G. F. BELCHER: To draw the attention of the Honorable Member representing the Government in this House to the present unsatisfactory working of the 10th section of the Lunacy Statute; and to ask whether it is intended to bring in a Bill to amend this portion of the Act; and, failing to do so, to enquire whether an Amending Act, brought in by a private Member, would receive the support of the Government.

ORDERS OF THE DAY :—

1. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.
2. JUSTICES OF THE PEACE BILL.—Adoption of Report.
3. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 5TH SEPTEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRIT—RETURN OF—SOUTH PROVINCE.—The President announced to the Council that the Writ issued by him for the election of a Member to serve for the South Province, from and after the 29th ultimo, had been returned to him, and that the Returning Officer had certified “that James Buchanan, J.P., of Berwick, farmer, was duly elected in pursuance of” the Writ.

SWEARING IN OF MEMBER.—The Honorable James Buchanan, being introduced, took and subscribed the oath required by the thirty-second clause of the Constitution Act, and delivered to the Clerk the declaration required by the Act 32 Victoria, No. 334, as hereunder set forth :—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, JAMES BUCHANAN, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the annual value of two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same : And further, that the lands and tenements out of which such qualification arises are situate in the parish of Berwick, in the county or reputed county of Mornington, the description of which lands and tenements are as follow :—

“Land and houses situate in the parish of Berwick.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of Berwick are rated in the rate-books of such municipal district as follows :—At over Two hundred and fifty pounds per annum.

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

“JAMES BUCHANAN.”

SOUTH-WESTERN PROVINCE ELECTION.—The President informed the Council that he had received a telegram from the Returning Officer for the South-Western Province, stating that “George Frederick Belcher is duly elected a Member of the Legislative Council to represent the South-Western Province.”

The Honorable R. S. Anderson moved, That the Honorable George Frederick Belcher be allowed to take his seat in the Council.

Question—put and passed.

SWEARING IN OF MEMBER.—The Honorable G. F. Belcher, being introduced, took and subscribed the oath required by the thirty-second clause of the Constitution Act, and delivered to the Clerk the declaration required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, GEORGE FREDERICK BELCHER, 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 seven thousand pounds sterling money, above all charges and incumbrances affecting the same : And further, that the lands and tenements out of which such qualification arises are situate in the town of

Geelong, in the county or reputed county of Grant, the description of which lands and tenements are as follow :—

“ All that block of land (with buildings erected thereon) situate at the corner of Moorabool and Great Ryrie streets, Town of Geelong aforesaid, being part of allotment No. 18, of block No. 35, Geelong.

“ And I further declare that such of the said lands and tenements as are situate in the Town of Geelong are rated in the rate-books of such municipal district as follows :—

No. 1	Shop,	rated at	£72	per annum.
” 2	”	”	72	”
” 3	”	”	110	”
” 4	”	”	170	”
” 5	”	”	144	”
” 6	”	”	72	”
” 7	”	”	100	”

£740 annual valuation.

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

“ G. F. BELCHER.”

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Papers :—

1. Land Act 1869—Regulation. (28th August 1876.)
2. Maryborough Mining District—Order in Council appointing Polling Places in. (24th August 1876.)

Ordered severally to lie on the Table.

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

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

Ordered.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Wednesday, the 6th instant :—

“ *Justices of the Peace Bill* ”—Adoption of Report.

“ *Juries Law Amendment Bill* ”—To be further considered in Committee.

The Council adjourned at half-past six o'clock until half-past four o'clock on Wednesday, the 6th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 6TH SEPTEMBER, 1876.

1. The Hon. J. BALFOUR : To ask the Honorable Member representing the Government why no action is being taken to stop the carrying on of the Chinese Lotteries in Melbourne, notwithstanding the Act passed last Session for their suppression.

Government Business.

ORDERS OF THE DAY :—

1. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.
2. JUSTICES OF THE PEACE BILL.—Adoption of Report.
3. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.

TUESDAY, 12TH SEPTEMBER.

NOTICE OF MOTION :—

1. The Hon. R. S. ANDERSON : To move for leave to introduce a Bill to improve the Jurisdiction and Procedure of the Supreme Court, and for other purposes connected therewith.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 6TH SEPTEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

DECLARATION OF MEMBER.—The Honorable Niel Black delivered to the Clerk the declaration required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, NIEL BLACK, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the full value of Five thousand pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Terang and Glenormiston, in the county or reputed county of Hampden, the description of which lands and tenements are as follow :—

“Freehold estate of upwards of twelve thousand acres, known as Mount Noorat and the Sisters.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of Hampden are rated in the rate-books of such municipal district as follows :— Over Two hundred and fifty pounds a year.

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

“NIEL BLACK.”

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

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

The Honorable R. S. Anderson moved, That the adoption of the Report be made an Order of the Day for Tuesday, 19th September.

Question—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to establish and regulate a Permanent Fund in connection with the Australasian Dramatic and Musical Association,*” with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 6th September, 1876.

AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—The Honorable H. Cuthbert moved, That a Message be sent to the Legislative Assembly, requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings from the Select Committee of the Legislative Assembly, appointed during the present session of Parliament, on this Bill,

Question—put and passed.

JUSTICES OF THE PEACE BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being called on, the Honorable H. Cuthbert moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

Question—That the Order of the Day be discharged—put and passed.

Question—That the Bill be now re-committed—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the Report be made an Order of the Day for Tuesday next.

Question—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 12th instant :—

“*Juries Law Amendment Bill*”—To be further considered in Committee.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at half-past six o'clock until half-past four o'clock on Tuesday, the 12th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 12TH SEPTEMBER, 1876.

NOTICES OF MOTION :—

1. The Hon. R. S. ANDERSON : To move for leave to introduce a Bill to improve the Jurisdiction and Procedure of the Supreme Court, and for other purposes connected therewith.
2. The Hon. H. CUTHBERT : To move, That the fees payable under the Standing Orders of this House relating to Private Bills in respect of the Australasian Dramatic and Musical Association Bill be remitted.

ORDERS OF THE DAY :—

1. JUSTICES OF THE PEACE BILL.—Adoption of Report.
2. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.

TUESDAY, 19TH SEPTEMBER.

ORDER OF THE DAY :—

1. RIGHTS AND EASEMENTS BILL.—Adoption of Report.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 12TH SEPTEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRITS—RETURN OF—SOUTH-WESTERN AND EASTERN PROVINCES.—The President announced to the Council that the Writ issued by him for the election of a Member to serve for the South-Western Province, from and after the 4th instant, had been returned to him, and that the Returning Officer had certified “that George Frederick Belcher is duly returned in pursuance of” the Writ; also that the Writ issued by the President for the election of a Member to serve for the Eastern Province, from and after the 16th instant, had been returned to him, and that the Returning Officer had certified “that the Honorable Robert Stirling Anderson, of Melbourne, Commissioner of Trade and Customs, is duly elected in pursuance of” the Writ.

SWEARING IN OF MEMBER.—The Honorable Sir Charles Sladen being introduced, took and subscribed the oath required by the thirty-second clause of the Constitution Act, and delivered to the Clerk the declaration required by the Act 32 Victoria No. 334, as hereunder set forth:—

“In compliance with the provisions of the Act 32 Victoria No. 334, I, CHARLES SLADEN, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Whoorel, in the county or reputed county of Polwarth, the description of which lands and tenements are as follow:—

“The property known as Ripple Vale, lately occupied by myself, and now in the occupation of Mr. James Ford Strachan.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of Winchelsea shire are rated in the rate-books of such municipal district as follows:—At over Two hundred and fifty pounds per annum.

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

“CHARLES SLADEN.”

LIBRARY COMMITTEE (JOINT).—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorable James Graham be a member of the Joint Committee of both Houses to manage the Library.

Question—put and passed.

SUPREME COURT JURISDICTION AND PROCEDURE BILL.—The Honorable R. S. Anderson, in accordance with notice, moved, That leave be given to bring in a Bill to improve the Jurisdiction and Procedure of the Supreme Court, and for other purposes connected therewith.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 19th instant.

AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—The Honorable H. Cuthbert, in accordance with notice, moved, That the fees payable under the Standing Orders of this House relating to Private Bills, in respect of the Australasian Dramatic and Musical Association Bill, be remitted.

Amendment moved by the Honorable R. S. Anderson, That all the words after the word "That" be omitted, with a view to insert the following words instead thereof, 1;—"the subject of the fees payable in respect of Private Bills be referred to the Standing Orders Committee of this honorable House for consideration and report.

2. "That the fees to be paid in respect of the Australasian Dramatic and Musical Association Bill abide the decision of this honorable House upon such Report.

3. "That leave be given to proceed with such Bill, without payment of fees, until such Report be adopted."

Debate ensued.

Original motion by leave withdrawn.

Question—

1. "That the subject of the fees payable in respect of Private Bills be referred to the Standing Orders Committee of this honorable House for consideration and report.

2. "That the fees to be paid in respect of the Australasian Dramatic and Musical Association Bill abide the decision of this honorable House upon such Report.

3. "That leave be given to proceed with such Bill, without payment of fees, until such Report be adopted,"—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council Copies of the Report and Proceedings from the Select Committee of the Legislative Assembly appointed during the present Session, on the Bill intituled "*An Act to establish and regulate a Permanent Fund in connection with the Australasian Dramatic and Musical Association,*" in accordance with the request of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 12th September, 1876.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 19th instant :—
"*Justices of the Peace Bill*"—Adoption of Report.

JURIES LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

Ordered.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 19TH SEPTEMBER, 1876.

1. The Hon. DR. DOBSON : To call attention to the present mode of appointing Judges to the Supreme Court Bench ; and to ask the Honorable the Commissioner of Trade and Customs if the Government will consider whether it is desirable to make any, and if so, what provisions with respect to this subject in the Bill at present before this House to improve the jurisdiction and procedure of the Supreme Court, or otherwise.

NOTICES OF MOTION :—

1. The Hon. H. CUTHBERT : To move, That the Bill to establish a permanent fund in connection with the Australasian Dramatic and Musical Association be now read a first time.

(*Contingent on re-committal of Bill*).

1. The Hon. T. T. A'BECKETT : To move the following amendments in the "*Rights and Easements Bill*" in Committee :—

If any person shall make a statutory declaration in the form or to the effect of the declaration set forth in Schedule A to this Act, and shall register same at the office of the Registrar-General, such declaration shall for a period of fifteen years from the day of the registration thereof operate as a bar to the acquisition under the provisions of section three of this Act of a right to the access of light and air from the land shown on the plan drawn on such declaration to the adjoining lands in all cases where at the time of such registration no such right shall in respect of such adjoining lands have been acquired under the provisions aforesaid.

It shall be the duty of the Registrar-General to keep a book for the entry of all declarations made under the provisions of this Act, to which there shall be an index showing the city, town, county, borough, or shire, and the allotment or section in which the land mentioned in such declaration is situate.

SCHEDULE A.

I do hereby declare that I am interested as [*here state nature of interest*] on the piece of land, the dimensions whereof are shown on the plan drawn at the foot hereof, which piece of land is [*here mention city, town, county, borough, or shire, and the allotment or section in which such land is situate*]; and that to the best of my information and belief the occupants of the land immediately adjoining that above mentioned are, on the east , on the west , on the north , and on the south ; and I hereby reserve any right I may now possess to obstruct the access of air and light to buildings erected on the adjoining land above mentioned; and I make this declaration conscientiously believing the same to be true, and in accordance with the provisions, &c., &c.

2. The Hon. J. BALFOUR: To move the following amendment in the "*Rights and Easements Bill*" in Committee:—

In line 27, Clause 3, after the word parties, "so far as relate to the enjoyment of such access and use of light for any period before the passing of this Act."

ORDERS OF THE DAY:—

1. RIGHTS AND EASEMENTS BILL.—Adoption of Report.
2. SUPREME COURT JURISDICTION AND PROCEDURE BILL.—To be read a second time.
3. JUSTICES OF THE PEACE BILL.—Adoption of Report.
4. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.

MEETING OF SELECT COMMITTEE.

Tuesday, 19th September.

STANDING ORDERS—at half-past three o'clock.

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

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 19TH SEPTEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of Five hundred and seventy-three thousand eight hundred and fifty pounds to the service of the year One thousand eight hundred and seventy-six and seven,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 19th September, 1876.

MR. PRESIDENT—

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

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 19th September, 1876.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to continue the powers of an Act intituled 'An Act to incorporate the Proprietors of a certain Banking Company to be called 'The Colonial Bank of Australasia,' and for other purposes,'*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 19th September, 1876.

COLONIAL BANK OF AUSTRALASIA BILL.—The Honorable J. Balfour moved, That a Message be sent to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings from the Select Committee of the Legislative Assembly appointed during the present Session of Parliament on this Bill.

Question—put and passed.

SWEARING IN OF MEMBER.—The Honorable Robert Stirling Anderson being introduced, took and subscribed the oath required by the thirty-second clause of the Constitution Act, and delivered to the Clerk the declaration required by the Act 32 Victoria No. 334, as hereunder set forth :—

"In compliance with the provisions of the Act 32 Victoria No. 334, I, ROBERT STIRLING ANDERSON, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Boroondara, South Melbourne, Holden, and West Melbourne, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

"Freehold land and premises at Kew, where I reside.

"Freehold land and premises at Emerald Hill.

"Freehold land and premises at Sunbury.

"And land and premises in West Melbourne.

"And I further declare that such of the said lands and tenements as are situate in the municipal districts of Kew, Emerald Hill, Bulla, and Melbourne, are rated in the rate-books of such municipal districts as follows :—In excess of Two hundred and fifty pounds per annum.

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

"ROBERT S. ANDERSON."

CONSOLIDATED REVENUE BILL (2).—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report of the Committee be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to apply out of the Consolidated Revenue the sum of Five hundred and seventy-three thousand eight hundred and fifty pounds to the service of the year One thousand eight hundred and seventy-six and seven.*"

Question—put and passed.

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

EDUCATION LAW AMENDMENT BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time ; and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 26th instant.

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Papers:—

1. Friendly Societies.—Report of Royal Commission.
2. Castlemaine Mining District—Polling Place for St. Andrew's Division of.—Order in Council (4th September, 1876).

PETITION.—The Honorable J. A. Wallace presented a Petition signed by J. D. Anderson and others, of Sandhurst, on the subject of the Rights and Easements Bill.

Petition received.

The Petition was read at the Table by the Clerk.

ROYAL ASSENT TO BILLS.—The President informed the Council that he had received a communication from the Private Secretary to His Excellency the Governor, intimating that it is His Excellency's intention to proceed, this day, to the Legislative Council Chamber, at ten o'clock, to assent, in Her Majesty's name, to certain Bills passed by the Legislative Council and the Legislative Assembly.

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

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council copies of the Report and Proceedings from the Select Committee of the Legislative Assembly, appointed during the present Session, on the Bill intituled "*An Act to continue the powers of an Act intituled 'An Act to incorporate the Proprietors of a certain Banking Company to be called 'The Colonial Bank 'of Australasia' and for other purposes,'*" in accordance with the request of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 19th September, 1876.

AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—The Honorable H. Cuthbert, in accordance with notice, moved, That the Bill to establish a permanent fund in connection with the Australasian Dramatic and Musical Association be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable H. Cuthbert moved, That the second reading of the Bill be made an Order of the Day for Tuesday next.

Question—put and passed.

RIGHTS AND EASEMENTS BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being called on, the Honorable T. T. a'Beckett moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

Question—put and passed.

Question—That the Bill be now re-committed—put and passed.

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

The President left the Chair.

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

Ordered.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Tuesday, the 26th instant :—

“*Supreme Court Jurisdiction and Procedure Bill*”—To be read a second time.

“*Justices of the Peace Bill*”—Adoption of Report.

JURIES LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

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

ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber ; who being come with their Speaker, His Excellency was pleased to assent, in Her Majesty's name, to the following Bills :—

“*An Act to establish a Register of Trade Marks.*”

“*An Act to apply out of the Consolidated Revenue the sum of Five hundred and seventy-three thousand eight hundred and fifty pounds to the service of the year One thousand eight hundred and seventy-six and seven.*”

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

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

G. F. BOWEN,
“Governor.”

A Schedule of the Bills assented to was delivered to Mr. Speaker.

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at ten minutes past ten o'clock until half-past four o'clock on Tuesday, the 26th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 26TH SEPTEMBER, 1876.

NOTICE OF MOTION :—

1. The Hon. J. BALFOUR : To move, That the Bill intituled “*An Act to continue the powers of an Act intituled ‘An Act to incorporate the Proprietors of a certain Banking Company to be called ‘The ‘Colonial Bank of Australasia’ and for other purposes,’*” be now read a first time.

ORDERS OF THE DAY :—

1. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.
2. EDUCATION LAW AMENDMENT BILL.—To be read a second time.
3. AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—To be read a second time.
4. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.
5. SUPREME COURT JURISDICTION AND PROCEDURE BILL.—To be read a second time.
6. JUSTICES OF THE PEACE BILL.—Adoption of Report.

MEETING OF SELECT COMMITTEE.

Tuesday, 26th September.

STANDING ORDERS—at half-past three o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 26TH SEPTEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRIT, RETURN OF, NORTH-WESTERN PROVINCE.—The President announced to the Council that the Writ issued by him for the election of a Member to serve for the North-Western Province, from and after the 16th instant, had been returned to him, and that the Returning Officer had certified "that Joseph Henry Abbott, boot importer, of Sandhurst, was duly elected in pursuance of" the Writ.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The President laid on the Table the following Warrant, appointing the Honorable R. S. Anderson a Member of the Committee of Elections and Qualifications :—

VICTORIA.

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

The Honorable Robert Stirling Anderson

to be a Member of the Committee of Elections and Qualifications.

Given under my hand this twenty-sixth day of September, One thousand eight hundred and seventy-six.

W. H. F. MITCHELL,
President of the Legislative Council.

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper :—

Statistical Register of Colony of Victoria.—Part V.—Production.

Ordered to lie on the Table.

PAPER.—The Honorable R. S. Anderson laid on the Table the following Paper :—

Fisheries Act 1873.—Notice as to mouths of rivers, and boundaries (14th September 1876).

Ordered to lie on the Table.

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

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act for regulating the business of Dealers in Old Metals, and for other purposes,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 26th September, 1876.

OLD METAL DEALERS BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time ; and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 3rd proximo.

STANDING ORDERS COMMITTEE.—REPORT.—The Honorable T. T. a'Beckett brought up a Report from the Select Committee on the Standing Orders of the Council, and moved, That the Report be printed, and be taken into consideration on Tuesday next.

Question—put and passed.

PETITION.—The Honorable G. F. Belcher presented a Petition signed by William Weire, styling himself Chairman of a Conference, praying that certain alterations may be made in the Juries Bill.

Petition received.

The Petition was read at the Table by the Clerk.

SWEARING IN OF MEMBER.—The Honorable Joseph Henry Abbott, being introduced, took and subscribed the oath required by the thirty-second clause of the Constitution Act, and delivered to the Clerk the declaration required by the Act 32 Victoria, No. 334, as hereunder set forth :—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, JOSEPH HENRY ABBOTT, of Pall Mall, Sandhurst, boot and shoe importer, do declare and testify that I am duly seized at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the value of Two thousand and five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Sandhurst, in the county or reputed county of Bendigo, the description of which lands and tenements are as follows :—

“Crown allotment five, section thirty-one C.

“Crown allotment three, section ten C, and part of Crown allotment five, section one C, all in the city and parish of Sandhurst, county of Bendigo.

“And I further declare that the said lands and tenements are rated in the rate-books of the city of Sandhurst as follows :—Crown allotment five, section thirty-one C, and the buildings thereon, valued in the rate-book at Two hundred and three pounds per annum, and rated to the extent of Fifteen pounds fourteen shillings and sixpence per annum. Crown allotment three, section ten C, like city and parish, valued at Forty-four pounds per annum, and rated in the sum of Three pounds and six shillings per annum, and part of allotment five, section one C, city and parish aforesaid, valued at three hundred pounds per annum, and rated at the sum of Twenty-two pounds and ten shillings per annum, being a rate of One shilling and sixpence in the pound of the annual value of the properties above-named, making an aggregate annual value of Five hundred and forty-seven pounds.

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

“JOSEPH HENRY ABBOTT.”

COLONIAL BANK OF AUSTRALASIA BILL.—The Honorable J. Balfour produced a certificate of the payment of the sum of Twenty pounds into the hands of the Colonial Treasurer for the public uses of the colony, and moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable J. Balfour moved, That the second reading of the Bill be made an Order of the Day for Tuesday next.

Question—put and passed.

JURIES LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

Ordered.

EDUCATION LAW AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

Ordered.

AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable H. Cuthbert moved, That the Bill be now read a second time.

Question—put and passed.

The Honorable H. Cuthbert moved, That the consideration of the Bill in Committee of the whole Council be made an Order of the Day for to-morrow.

Question—put and passed.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Wednesday, the 27th instant :—

“*Rights and Easements Bill*”—To be further considered in Committee.

“*Supreme Court Jurisdiction and Procedure Bill*”—To be read a second time.

“*Justices of the Peace Bill*”—Adoption of Report.

The Council adjourned at twenty minutes to seven o'clock until half-past four o'clock on Wednesday, the 27th instant.

ORDERS OF THE DAY.

WEDNESDAY, 27TH SEPTEMBER, 1876.

ORDERS OF THE DAY :—

1. EDUCATION BILL.—To be further considered in Committee.
 2. AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—To be considered in Committee.
 3. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.
 4. SUPREME COURT JURISDICTION AND PROCEDURE BILL.—To be read a second time.
 5. JUSTICES OF THE PEACE BILL.—Adoption of Report.
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TUESDAY, 3RD OCTOBER.

ORDERS OF THE DAY :—

1. OLD METAL DEALERS BILL.—To be read a second time.
2. STANDING ORDERS COMMITTEE.—Adoption of Report.
3. COLONIAL BANK OF AUSTRALASIA BILL.—To be read a second time.
4. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 27TH SEPTEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The President laid on the Table, for the second time, the Warrant appointing the Honorable R. S. Anderson a Member of the Committee of Elections and Qualifications.

EDUCATION LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.
The Chairman of Committees reported progress, and asked leave to sit again on Tuesday next.
Ordered.

AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council being read, the President left the Chair.
The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same without amendment.
The Honorable H. Cuthbert moved, That the adoption of the Report be made an Order of the Day for Tuesday next.
Question—put and passed.

RIGHTS AND EASEMENTS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.
The Chairman of Committees reported progress, and asked leave to sit again on Tuesday week.
Ordered.

SUPREME COURT JURISDICTION AND PROCEDURE BILL.—The Order of the Day for the second reading of this Bill in Committee of the whole Council being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.
Debate ensued.
The Honorable H. Cuthbert moved, That the debate be adjourned.
Question—That the debate be adjourned—put and passed.
Debate adjourned until Tuesday, the 3rd proximo.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 3rd proximo.
“*Justices of the Peace Bill*”—Adoption of Report.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.
Question—put and passed.

The Council adjourned at twenty-five minutes to seven o'clock until half-past four o'clock on Tuesday, the 3rd proximo.

ORDERS OF THE DAY.

TUESDAY, 3RD OCTOBER, 1876.

ORDERS OF THE DAY:—

1. OLD METAL DEALERS BILL.—To be read a second time.
 2. STANDING ORDERS COMMITTEE.—Adoption of Report.
 3. COLONIAL BANK OF AUSTRALASIA BILL.—To be read a second time.
 4. JURIES LAW AMENDMENT BILL.—To be further considered in Committee.
 5. EDUCATION LAW AMENDMENT BILL.—To be further considered in Committee.
 6. AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—Adoption of Report.
 7. SUPREME COURT JURISDICTION AND PROCEDURE BILL.—Adjourned debate on second reading.
 8. JUSTICES OF THE PEACE BILL.—Adoption of Report.
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TUESDAY, 10TH OCTOBER.

ORDER OF THE DAY:—

1. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.

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

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 3RD OCTOBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper:—

Observatory, Melbourne.—Eleventh Report of Board of Visitors—to 20th June, 1876.
Ordered to lie on the Table.

REFRESHMENT ROOMS (JOINT) COMMITTEE.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, that the Honorable George Frederick Belcher and the Honorable William Wilson be members of the Joint Committee of both Houses to manage the Refreshment Rooms.

Question—put and passed.

PARLIAMENT BUILDINGS (JOINT) COMMITTEE.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That he be a member of the Joint Committee of both Houses, to manage and superintend the Parliament Buildings.

Question—put and passed.

PETITION.—The Honorable F. T. Sargood presented a Petition signed by G. F. Smith, styling himself President of the Municipal Service Association of Victoria, praying that a certain amendment may be made in the Juries Law Amendment Bill.

Petition received.

The Petition was read at the Table by the Clerk.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to enable the Emerald Hill Council to sell and purchase land and to erect municipal and other buildings, and for other purposes,*" with which they desired the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 3rd October, 1876.

C. MAC MAHON,
Speaker.

EMERALD HILL COUNCIL BILL.—The Honorable F. T. Sargood moved, That a Message be sent to the Legislative Assembly, requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings from the Select Committee of the Legislative Assembly appointed during the present session of Parliament on this Bill.

Question—put and passed.

PETITION.—The Honorable J. P. Bear presented a Petition signed by O. S. Evans and others, styling themselves marine storekeepers and dealers in old metals, praying that certain alterations may be made in the Old Metal Dealers Bill.

Petition received.

OLD METAL DEALERS BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.)

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the Report of the Committee be made an Order of the Day for Tuesday next.

Question—put and passed.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The President laid on the Table, for the third time, the Warrant appointing the Honorable R. S. Anderson a member of the Committee of Elections and Qualifications.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copies of the Report and Proceedings from the Select Committee of the Legislative Assembly appointed during the present Session on the Bill intituled "*An Act to enable the Emerald Hill Council to sell and purchase land and to erect Municipal and other Buildings, and for other purposes,*" in accordance with the request of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 3rd October, 1876.

STANDING ORDERS COMMITTEE.—The Order of the Day for the adoption of the Report of the Select Committee on the Standing Orders of the Council being read, the Honorable C. J. Jenner moved, That the Report be now adopted.

Question—put and passed.

COLONIAL BANK OF AUSTRALASIA BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable J. Balfour moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable J. Balfour moved, That the consideration of the Bill in Committee of the whole Council be made an Order of the Day for to-morrow.

Question—put and passed.

JURIES LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

Ordered—That the adoption of the Report be made an Order of the Day for Wednesday, the 4th instant.

EDUCATION LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report of the Committee be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend the Law relating to Education.*"

Question—put and passed.

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

AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable F. T. Sargood moved, That the Report be now adopted.

Question—put and passed.

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

Question—put and passed.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Wednesday, the 4th instant:—

"*Supreme Court Jurisdiction and Procedure Bill*"—Adjourned debate on second reading.

"*Justices of the Peace Bill*"—Adoption of Report.

The Council adjourned at ten minutes past seven o'clock until half-past four o'clock on Wednesday, the 4th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 4TH OCTOBER, 1876.

1. The Hon. J. P. BEAR: To call the attention of the Honorable the Commissioner of Customs to the fact that the Fencing Statute of 1873 expires at the end of this year; and to ask if the Government intend taking steps during the present session to renew it.

Government Business.

ORDERS OF THE DAY:—

1. JURIES LAW AMENDMENT BILL.—Adoption of Report.
2. SUPREME COURT JURISDICTION AND PROCEDURE BILL.—Adjourned debate on second reading.
3. JUSTICES OF THE PEACE BILL.—Adoption of Report.

General Business.

NOTICES OF MOTION:—

1. The Hon. F. T. SARGOOD: To move, That the Bill intituled "*An Act to enable the Emerald Hill Council to sell and purchase land and to erect municipal and other buildings, and for other purposes,*" be now read a first time.
2. The Hon. W. HIGHETT: To move, That a Return be laid on the Table of this House showing the number of electors for the Legislative Council on the roll for each electoral province, distinguishing those who are ratepayers from those on the general roll.

ORDERS OF THE DAY:—

1. COLONIAL BANK OF AUSTRALASIA BILL.—To be considered in Committee.
2. AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—To be read a third time.

TUESDAY, 10TH OCTOBER.

NOTICE OF MOTION:—

1. The Hon. J. BALFOUR: To move, That, in the opinion of this House, every reasonable facility should be afforded by the Minister of Public Instruction for ministers or laymen of the different religious denominations to give religious instruction to scholars attending the State schools, before the opening of such schools, as well as after they are dismissed, in accordance with the powers vested in him by clause 12 of the Education Act.

ORDERS OF THE DAY:—

1. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.
 2. OLD METAL DEALERS BILL.—Adoption of Report.
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MEETING OF SELECT COMMITTEE.

Wednesday, 4th October.

PARLIAMENT BUILDINGS—at four o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 4TH OCTOBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

JURIES LAW AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being called on, the Honorable R. S. Anderson moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

Question—That the Order of the Day be discharged—put and passed.

Question—That the Bill be now re-committed—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the Report be made an Order of the Day for Tuesday next.

Question—put and passed.

SUPREME COURT JURISDICTION AND PROCEDURE BILL.—The Order of the Day for the resumption of the adjourned debate on the second reading of this Bill being read, the debate was resumed.

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

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

Ordered.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 10th instant:—

“Justices of the Peace Bill.”—Adoption of report.

EMERALD HILL COUNCIL BILL.—The Honorable F. T. Sargood produced a certificate of the payment of the sum of Twenty pounds into the hands of the Colonial Treasurer, for the public uses of the Colony, and moved, in accordance with notice, That the Bill intituled *“An Act to enable the Emerald Hill Council to sell and purchase land and to erect municipal and other buildings and for other purposes,”* be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable F. T. Sargood moved, That the second reading of the Bill be made an Order of the Day for Tuesday next.

Question—put and passed.

ELECTORS IN PROVINCES.—The Honorable W. Highett, in accordance with notice, moved, That a Return be laid on the Table of this House showing the number of electors for the Legislative Council on the roll for each electoral province, distinguishing those who are ratepayers from those on the general roll.

Debate ensued.

Question—put and passed.

COLONIAL BANK OF AUSTRALASIA BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council being read, the Honorable J. Balfour moved, That the Bill be now considered in Committee.

Question—put and passed.

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

The President left the Chair.

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

The Honorable J. Balfour moved, That the adoption of the Report be made an Order of the Day for Tuesday next.

Question—put and passed.

AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable F. T. Sargood, was read a third time and *passed*. The Honorable F. T. Sargood moved, That the title of the Bill be "*An Act to establish and regulate a permanent fund in connection with the Australasian Dramatic and Musical Association.*"

Question—put and passed.

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

FEE ON CHARITABLE PRIVATE BILL; AUSTRALASIAN DRAMATIC AND MUSICAL ASSOCIATION BILL.—The Honorable F. T. Sargood, with leave of the Council, moved, without notice, That, in the opinion of this House, the Australasian Dramatic and Musical Association Bill is for a charitable object, and that the promoters have no personal interest therein.

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at ten minutes to six o'clock until half-past four o'clock on Tuesday, the 10th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 10TH OCTOBER, 1876.

NOTICE OF MOTION :—

1. The Hon. J. BALFOUR: To move, That, in the opinion of this House, every reasonable facility should be afforded by the Minister of Public Instruction for ministers or laymen of the different religious denominations to give religious instruction to scholars attending the State schools, before the opening of such schools, as well as after they are dismissed, in accordance with the powers vested in him by clause 12 of the Education Act.

ORDERS OF THE DAY :—

1. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.
2. OLD METAL DEALERS BILL.—Adoption of Report.
3. JURIES LAW AMENDMENT BILL.—Adoption of Report.
4. SUPREME COURT JURISDICTION AND PROCEDURE BILL.—To be further considered in Committee.
5. JUSTICES OF THE PEACE BILL.—Adoption of Report.
6. EMERALD HILL COUNCIL BILL.—To be read a second time.
7. COLONIAL BANK OF AUSTRALASIA BILL.—Adoption of Report.

CONTINGENT NOTICE OF MOTION :—

1. The Hon. Dr. DOBSON: To move, when the Bill to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

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

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 10TH OCTOBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to further amend ‘The Local Governing Bodies Loan Act 1872,’ and to amend ‘An Act to amend ‘the Local Governing Bodies Loan Act 1872,’*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, October, 1876.

C. MAC MAHON,
Speaker.

LOCAL GOVERNING BODIES LOAN ACTS AMENDMENT BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for the next day of meeting of the Council.

PAPER.—The Honorable R. S. Anderson laid on the Table the following Paper :—

Yan Yean Water Supply.—Cash Statement (1st July 1875 to 30th June 1876).

Ordered to lie on the Table.

RELIGIOUS INSTRUCTION BEFORE SCHOOL HOURS.—The Honorable J. Balfour, in accordance with notice, moved, That, in the opinion of this House, every reasonable facility should be afforded by the Minister of Public Instruction for ministers or laymen of the different religious denominations to give religious instruction to scholars attending the State schools, before the opening of such schools, as well as after they are dismissed, in accordance with the powers vested in him by clause 12 of the Education Act.

Debate ensued.

The Honorable F. Robertson moved the previous question.

Debate ensued.

Question—That this question be now put—put.

Council divided.

Contents, 8.
The Hon. J. Balfour
T. J. Sumner
H. Cuthbert
J. Cumming
J. Buchanan
J. P. Bear
W. Wilson
G. F. Belcher (*Teller*).

Not Contents, 10.
The Hon. Sir C. Sladen
N. Black
Sir S. Wilson
F. T. Sargood
W. Highett
Dr. Dobson
F. Robertson
J. H. Abbott
T. Hamilton
R. S. Anderson (*Teller*).

The question—That this question be now put—was therefore negatived.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Tuesday, the 17th instant :—

“ *Rights and Easements Bill* ”—To be further considered in Committee.

“ *Old Metal Dealers Bill* ”—Adoption of Report.

JURIES LAW AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend the Law relating to Juries.*"

Question—put and passed.

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

SUPREME COURT JURISDICTION AND PROCEDURE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

Ordered.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday the 17th instant:—

"*Justices of the Peace Bill*"—Adoption of Report.

EMERALD HILL COUNCIL BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable F. T. Sargood moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable F. T. Sargood moved, That the consideration of the Bill in Committee of the whole Council be made an Order of the Day for the next day of meeting of the Council.

Question—put and passed.

COLONIAL BANK OF AUSTRALASIA BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable J. Balfour moved, That the Report of the Committee be now adopted.

Question—put and passed.

The Honorable J. Balfour moved, That the third reading of the Bill be made an Order of the Day for the next day of meeting of the Council.

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at a quarter to seven o'clock until half-past four o'clock on Tuesday, the 17th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 17TH OCTOBER, 1876.

NOTICES OF MOTION :—

1. The Hon. Sir CHARLES SLADEN : To move, That a Return be laid before this House, showing the number of persons in each of the several counties entitled to vote at elections for the Legislative Council.
2. The Hon. R. S. ANDERSON : To move for leave to introduce a Bill for more effectually preventing the sale of obscene books, pictures, prints, and other articles.

ORDERS OF THE DAY :—

1. JUSTICES OF THE PEACE BILL.—Adoption of Report.
2. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.
3. LOCAL GOVERNING BODIES LOAN ACTS AMENDMENT BILL.—To be read a second time.
4. OLD METAL DEALERS BILL.—Adoption of Report.
5. SUPREME COURT JURISDICTION AND PROCEDURE BILL.—To be further considered in Committee.
6. EMERALD HILL COUNCIL BILL.—To be considered in Committee.
7. COLONIAL BANK OF AUSTRALASIA BILL.—To be read a third time.

CONTINGENT NOTICE OF MOTION :—

1. The Hon. Dr. DOBSON : To move, when the Bill *to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament* reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 17TH OCTOBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PETITION.—The Honorable J. A. Wallace presented a Petition, signed by Laurence Murphy, styling himself Chairman of the Mining Board of Beechworth, on the subject of the Rights and Easements Bill.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable J. A. Wallace presented a similar Petition, signed by B. J. Bartley and others of Beechworth.

Petition received.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending certain amendments in the Bill intituled "*An Act to amend the Law relating to Education*," and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 17th October, 1876.

Education Act Amendment Bill.

G. F. BOWEN,
Governor.

In pursuance of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly the following amendments which he recommends to be made in the Education Act Amendment Bill, which has been presented to him for Her Majesty's Assent :—

Clause 7, line 7, after "such" insert the word "printed."

Same line, after the words "wilfully fill up" insert the words "such printed form of return."

Clause 9, line 4, after "Act" insert the words "as amended by this Act."

Government Offices,
Melbourne, 10th October, 1876.

EDUCATION ACT AMENDMENT BILL.—CONSIDERATION OF MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable R. S. Anderson moved, That the Council do concur with the Legislative Assembly in agreeing to the amendments recommended by His Excellency the Governor in this Bill :—

Clause 7, line 7, after "such" insert the word "printed."

Same line, after the words "wilfully fill up" insert the words "such printed form of return."

Clause 9, line 4, after "Act" insert the words "as amended by this Act."

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council have concurred with the Legislative Assembly in making the amendments recommended by His Excellency the Governor.

VOTERS IN ELECTORAL DIVISIONS.—The Honorable Sir C. Sladen, in accordance with *amended* notice, moved, That a Return be laid before this House, showing the number of persons in each of the several electoral divisions entitled to vote at elections for the Legislative Council.

Question—put and passed.

OBSCENE BOOKS, ETC., SALE PREVENTION BILL.—The Honorable R. S. Anderson, in accordance with notice, moved, For leave to introduce a Bill for more effectually preventing the sale of obscene books, pictures, prints, and other articles.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for Wednesday, the 18th instant.

JUSTICES OF THE PEACE BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being called on, the Honorable R. S. Anderson moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

Question—That the Order of the Day be discharged—put and passed.

Question—That the Bill be now re-committed—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the Report of the Committee be made an Order of the Day for to-morrow.

Question—put and passed.

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

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

Ordered.

LOCAL GOVERNING BODIES LOAN ACTS AMENDMENT BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to further amend 'The Local Governing Bodies Loan Act 1872,' and to amend 'An Act to amend the Local Governing Bodies Loan Act 1872.'*"

Question—put and passed.

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

OLD METAL DEALERS BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable R. S. Anderson moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

Question—That the Order of the Day be discharged—put and passed.

Question—That the Bill be now re-committed—put and passed.

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

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

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

POSTPONEMENT.—The following Order of the Day was postponed until Wednesday, the 18th instant:—

"*Supreme Court Jurisdiction and Procedure Bill*"—To be further considered in Committee.

EMERALD HILL COUNCIL BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council being read, the Honorable F. T. Sargood moved, That the President do now leave the Chair.

Question—put and passed.

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable F. T. Sargood moved, That the title of the Bill be “*An Act to continue the Powers of an Act intituled ‘An Act to incorporate the Proprietors of a certain Banking Company to be called the Colonial Bank of Australasia, and for other purposes.’*”

Question—put and passed.

The Honorable F. T. Sargood moved, That a Message be sent to the Legislative Assembly to acquaint them that the Council have agreed to the Bill without amendment.

The Council adjourned at twenty minutes to seven o'clock until half-past four o'clock on Wednesday, the 18th instant.

ORDERS OF THE DAY.

WEDNESDAY, 18TH OCTOBER, 1876.

Government Business.

ORDERS OF THE DAY:—

1. OBSCENE BOOKS, &c., SALE PREVENTION BILL.—To be read a second time.
2. JUSTICES OF THE PEACE BILL.—Adoption of Report.
3. OLD METAL DEALERS BILL.—Adoption of Report.
4. SUPREME COURT JURISDICTION AND PROCEDURE BILL.—To be further considered in Committee.

General Business.

ORDER OF THE DAY:—

1. EMERALD HILL COUNCIL BILL.—Adoption of Report.

TUESDAY, 24TH OCTOBER.

ORDER OF THE DAY:—

1. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION:—

1. The Hon. Dr. DOBSON: To move, when the Bill to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 18TH OCTOBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Electoral Act 1865,'*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 18th October, 1876.

ELECTORAL ACT AMENDMENT BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for Tuesday next.

OBSCENE BOOKS, ETC., SALE PREVENTION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report of the Committee be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act for more effectually preventing the Sale of Obscene Books, Pictures, Prints, and other articles.*"

Question—put and passed.

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

JUSTICES OF THE PEACE BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being called on, the Honorable R. S. Anderson moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

Question—That the Order of the Day be discharged—put and passed.

Question—That the Bill be now re-committed—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the Report of the Committee be made an Order of the Day for Tuesday next.

Question—put and passed.

OLD METAL DEALERS BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act for regulating the business of Dealers in Old Metals, and for other purposes.*"

Question—put and passed.

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

SUPREME COURT JURISDICTION AND PROCEDURE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

The Honorable R. S. Anderson moved, That the Bill be now re-committed.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the Report be made an Order of the Day for Tuesday next.

Question—put and passed.

EMERALD HILL COUNCIL BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable F. T. Sargood moved, That the Report be now adopted.

Question—put and passed.

The Honorable F. T. Sargood moved, That the third reading of the Bill be made an Order of the Day for Tuesday next.

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at twenty-five minutes to six o'clock until half-past four o'clock on Tuesday, the 24th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 24TH OCTOBER, 1876.

NOTICES OF MOTION:—

1. The Hon. Sir CHARLES SLADEN : To move, That a Select Committee be appointed to consider the best means of increasing the number of Members of this House, and that the following be the members of such Committee, viz., Honorables T. T. a'Beckett, R. S. Anderson, J. P. Bear, G. Belcher, W. Campbell, H. Cuthbert, W. Highett, The President, F. T. Sargood, and the Mover.
2. The Hon. W. HIGHETT : To move, That in the opinion of this House the number of Members for the Legislative Council be increased to forty-two, by the addition of two Members to each Province.

ORDERS OF THE DAY:—

1. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.
2. ELECTORAL ACT AMENDMENT BILL.—To be read a second time.
3. JUSTICES OF THE PEACE BILL.—Adoption of Report.
4. SUPREME COURT JURISDICTION AND PROCEDURE BILL.—Adoption of Report.
5. EMERALD HILL COUNCIL BILL.—To be read a third time.

CONTINGENT NOTICE OF MOTION:—

1. The Hon. Dr. DOBSON : To move, when the Bill to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 24TH OCTOBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ROYAL ASSENT TO BILLS.—The President informed the Council that he had received a communication from the Private Secretary to His Excellency the Governor, intimating that it is the intention of His Excellency to proceed to the Council Chamber, this day, at a quarter past six o'clock, to assent, in Her Majesty's name, to certain Bills passed by the Legislative Council and the Legislative Assembly.

PETITION.—The President laid on the Table a Petition which had been presented to him by Alexander Fraser, against the return of the Honorable Joseph Henry Abbott as a member for the North-Western Province, on the ground that he was unqualified to be elected for the said Province, and praying that the petitioner may be declared duly elected for the said Province.

The Honorable J. Graham moved, That the Petition be referred to the Committee of Elections and Qualifications.

Question—put and passed.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—MEMBERS SWORN.—The Honorables T. T. a'Beckett, R. S. Anderson, W. Highett, T. J. Sumner, and F. T. Sargood were sworn at the Table by the Clerk, in the manner prescribed by the sixty-second clause of the Electoral Act (19 Victoria, No. 12) 1856.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The President appointed three o'clock on Thursday, the 26th instant, in the South Committee Room, to be the time and place of the first meeting of the Committee.

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper:—

Victorian Railways.—Report of Board of Land and Works, for year ending 30th June, 1876.

Ordered to lie on the Table.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act for regulating the business of Dealers in Old Metals and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 24th October, 1876.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act for more effectually preventing the Sale of Obscene Books, Pictures, Prints, and other articles,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 24th October, 1876.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for Mining on Private Property for Gold and Silver,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 24th October, 1876.

MINING ON PRIVATE PROPERTY BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 31st instant.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—The Honorable Sir C. Sladen, in accordance with amended notice, moved, That the number of Members of the Legislative Council be increased.

Debate ensued.

Question—put and passed.

The Honorable Sir C. Sladen, in accordance with notice, moved, That a Select Committee be appointed to consider the best means of increasing the number of Members of this House.

Debate ensued.

Question—put and passed.

The Honorable Sir C. Sladen, in accordance with amended notice, moved, That the following be the members of such Committee, viz., the Honorables T. T. a'Beckett, J. Graham, J. P. Bear, G. F. Belcher, W. Campbell, H. Cuthbert, W. Highett, the President, F. T. Sargood, and the Mover.

Question—put and passed.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The Honorable J. Graham, with leave of the Council, moved, without notice, That the Committee of Elections and Qualifications have power to sit on days on which the Council does not sit.

Question—put and passed.

PETITION.—The Honorable F. Robertson presented a Petition from the Boroughs of Talbot and Majorca, and under the corporate seals thereof, on the subject of the Electoral Act Amendment Bill.

Petition received.

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

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

Ordered.

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

ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber; who being come with their Speaker, His Excellency was pleased to assent, in Her Majesty's name, to the following Bills:—

“An Act to amend the Law relating to Education.”

“An Act to establish and regulate a Permanent Fund in connection with the Australasian Dramatic and Musical Association.”

“An Act to further amend ‘The Local Governing Bodies Loan Act 1872;’ and to amend ‘An Act to amend the Local Governing Bodies Loan Act 1872.’”

“An Act for more effectually preventing the Sale of Obscene Books, Pictures, Prints, and other articles.”

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

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

“G. F. BOWEN,
“Governor.”

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—The Honorable Sir C. Sladen, with leave of the Council, moved, without notice, That the Select Committee appointed to consider the best means of increasing the number of Members of the Council have power to sit on days on which the Council does not sit.

Question—put and passed.

RIGHTS AND EASEMENTS BILL.—The Honorable R. S. Anderson moved, That this Bill be further considered in Committee of the whole Council on Tuesday next.

Question—put and passed.

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

Question—put and passed.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Thursday, the 26th instant:—

“Electoral Act Amendment Bill”—To be read a second time.

“Justices of the Peace Bill”—Adoption of Report.

“Supreme Court Jurisdiction and Procedure Bill”—Adoption of Report.

EMERALD HILL COUNCIL BILL.—The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported from the Committee of the whole Council, the Bill, on the motion of the Honorable F. T. Sargood, was read a third time and passed.

The Honorable F. T. Sargood moved, That the title of the Bill be “An Act to enable the Emerald Hill Council to sell and purchase land, and to erect municipal and other buildings, and for other purposes.”

Question—put and passed.

The Honorable F. T. Sargood moved, That a Message be sent to the Legislative Assembly to acquaint them that the Council have agreed to the Bill without amendment.

Question—put and passed.

The Council adjourned at twenty-five minutes to seven o'clock until half-past four o'clock on Thursday, the 26th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 26TH OCTOBER, 1876.

ORDERS OF THE DAY :—

1. ELECTORAL ACT AMENDMENT BILL.—To be read a second time.
 2. JUSTICES OF THE PEACE BILL.—Adoption of Report.
 3. SUPREME COURT JURISDICTION AND PROCEDURE BILL.—Adoption of Report.
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TUESDAY, 31ST OCTOBER.

ORDERS OF THE DAY :—

1. MINING ON PRIVATE PROPERTY BILL.—To be read a second time.
 2. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.
-

CONTINGENT NOTICE OF MOTION :—

1. The Hon. Dr. DOBSON : To move, when the Bill *to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament* reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.
-

MEETINGS OF SELECT COMMITTEES.

Wednesday, 25th October.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL—at half-past one o'clock.

Thursday, 26th October.

ELECTIONS AND QUALIFICATIONS—at three o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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LEGISLATIVE COUNCIL.

THURSDAY, 26TH OCTOBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ELECTORS IN PROVINCES.—The Honorable R. S. Anderson laid on the Table a Return to the Order of the Council made on the 4th instant.
Ordered to lie on the Table.

VOTERS IN ELECTORAL DIVISIONS.—The Honorable R. S. Anderson laid on the Table a Return to the Order of the Council made on the 17th instant.
Ordered to lie on the Table.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—REPORT OF SELECT COMMITTEE.—The Honorable Sir C. Sladen brought up a Report from the Select Committee, appointed on the 24th instant, to consider the best means of increasing the number of Members of the Council.
The Report was read at the Table by the Clerk.
The Honorable Sir C. Sladen moved, That the Report be printed, and that the adoption of the Report be made an Order of the Day for Tuesday next.
Question—put and passed.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL BILL.—The Honorable Sir C. Sladen, with leave of the Council, moved, without notice, That leave be given to bring in a Bill to increase the number of Members of the Council.
Question—put and passed.
Bill brought in, and, on the motion of the Honorable Sir C. Sladen, read a first time, and ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 31st instant.

ELECTORAL ACT AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.
Debate ensued.
Question—put and passed.
Bill read a second time.
The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.
Question—put and passed.
Question—That the President do now leave the Chair—put and passed.
The President left the Chair.
The Chairman of Committees reported that the Committee had gone through the Bill, and had agreed to the same with an amendment.
The Honorable R. S. Anderson moved, That the adoption of the Report be made an Order of the Day for the next day of meeting.
Question—put and passed.

ELECTORS IN PROVINCES.—The Honorable W. Highett, with leave of the Council, moved, without notice, That the Return to the Order of the Council, made on the 4th instant, be printed.
Question—put and passed.

VOTERS IN ELECTORAL DIVISIONS.—The Honorable W. Highett, with leave of the Council, moved, without notice, That the Return to the Order of the Council, made on the 17th instant, be printed.

Debate ensued.

Question—put and passed.

JUSTICES OF THE PEACE BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend the Law relating to Justices of the Peace, and for other purposes.*"

Question—put and passed.

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

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 31st instant :—

"*Supreme Court Jurisdiction and Procedure Bill*"—Adoption of Report.

The Council adjourned at a quarter to six o'clock until half-past four o'clock on Tuesday, the 31st instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 31ST OCTOBER, 1876.

ORDERS OF THE DAY :—

1. ELECTORAL ACT AMENDMENT BILL.—Adoption of Report.
2. SUPREME COURT JURISDICTION AND PROCEDURE BILL.—Adoption of Report.
3. MINING ON PRIVATE PROPERTY BILL.—To be read a second time.
4. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.
5. INCREASE OF NUMBER OF MEMBERS OF COUNCIL COMMITTEE.—Adoption of Report.
6. INCREASE OF NUMBER OF MEMBERS OF COUNCIL BILL.—To be read a second time.

CONTINGENT NOTICE OF MOTION :—

1. The Hon. Dr. DOBSON : To move, when the Bill *to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament* reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

MEETING OF SELECT COMMITTEE.

Tuesday, 31st October.

ELECTIONS AND QUALIFICATIONS—at twelve o'clock.

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

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LEGISLATIVE COUNCIL.

TUESDAY, 31ST OCTOBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ROYAL ASSENT TO BILLS.—The President informed the Council that he had received a communication from the Private Secretary to His Excellency the Governor, intimating that it is the intention of His Excellency to proceed to the Legislative Council Chamber on Thursday, the 2nd proximo, at a quarter past six o'clock, to assent, in Her Majesty's name, to certain Bills passed by the Legislative Council and the Legislative Assembly.

ELECTIONS AND QUALIFICATIONS COMMITTEE REPORT.—The Honorable R. S. Anderson brought up a Report from the Committee of Elections and Qualifications, to which was referred the Petition of Alexander Fraser on the 24th instant, and moved, That the Report be received and printed.

Question—put and passed.

The Report was read at the Table by the Clerk.

PAPER.—The Honorable R. S. Anderson laid on the Table the following Paper :—

Trade Marks Regulation Act 1876—General Rules under (23rd October, 1876).

Ordered to lie on the Table.

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper :—

1. Australasian Statistics for 1875, with Introductory Report by the Government Statist.
2. Statistical Register, Colony of Victoria, 1875.—Part VI.—Law, Crime, &c.

Ordered severally to lie on the Table.

ELECTORAL ACT AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable R. S. Anderson moved, That the Report be now adopted.

The Honorable F. Robertson moved, That all the words after the word "That" be omitted with a view to insert the words "the first Order of the Day be discharged with a view to the re-committal of the Bill."

Debate ensued.

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

Question—That the Report of the Committee be now adopted—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend the Electoral Act 1876.*"

Question—put and passed.

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

SWEARING IN OF MEMBER.—The Honorable Alexander Fraser, being introduced, took and subscribed the oath required by the thirty-second clause of the Constitution Act, and delivered to the Clerk the declaration required by the Act 32 Victoria, No. 334, as hereunder set forth :—

"In compliance with the provisions of the Act 32 Victoria No. 334, I, ALEXANDER FRASER, 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 five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Prahran, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

"No. 1. Part allotment 139a, parish of Prahran, county of Bourke, having a frontage to Alma street, by a depth of 300 feet to Chapel street, with dwelling-house and other buildings thereon erected, being in my own occupation.

"No. 2. Part allotment 139a, parish of Prahran, county of Bourke, having a frontage of 370 feet to Argyle street, with improvements.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of St. Kilda are rated in the rate-books of such municipal district as follows :—

"No. 1. Rated in the rate-book of the district of St. Kilda at Two hundred and twenty pounds per annum.

"No. 2. Rated in the rate-book of the district of St. Kilda at Fifty pounds per annum.

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

"ALEX. FRASER."

SUPREME COURT JURISDICTION AND PROCEDURE BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to improve the Jurisdiction and Procedure of the Supreme Court, and for other purposes connected therewith.*"

Question—put and passed.

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

MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put.

Council divided.

Contents, 14.

The Hon. R. S. Anderson
Sir C. Sladen
T. T. a'Beckett
G. F. Belcher
H. Cuthbert
J. Balfour
J. Cumming
J. Buchanan
F. Robertson
A. Fraser
W. Wilson
J. A. Wallace
J. Henty
C. J. Jenner (*Teller*).

Not Contents, 11.

The Hon. N. Black
J. Graham
R. Simson
T. F. Hamilton
Sir S. Wilson
G. W. Cole
Dr. Dobson
J. P. Bear
W. Highett
T. J. Sumner
W. Campbell (*Teller*).

The question was therefore passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again on Wednesday, the 8th proximo.

Ordered.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Wednesday, the 8th proximo :—

"*Rights and Easements Bill*"—To be further considered in Committee.

"*Increase of Number of Members of Council Committee*"—Adoption of Report.

"*Increase of Number of Members of Council Bill*"—To be read a second time.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until six o'clock on Thursday next.

Question—put and passed.

The Council adjourned at half-past six o'clock until six o'clock on Thursday, the 2nd proximo.

NOTICE OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 8TH NOVEMBER, 1876.

Government Business.

ORDERS OF THE DAY :—

1. MINING ON PRIVATE PROPERTY BILL.—To be further considered in Committee.
2. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.

General Business.

ORDERS OF THE DAY :—

1. INCREASE OF NUMBER OF MEMBERS OF COUNCIL COMMITTEE.—Adoption of Report.
2. INCREASE OF NUMBER OF MEMBERS OF COUNCIL BILL.—To be read a second time.

CONTINGENT NOTICE OF MOTION :—

1. The Hon. Dr. DOBSON : To move, when the Bill to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 2ND NOVEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

RESIGNATION OF MEMBER.—The President announced to the Council that he had received a communication from the Private Secretary to His Excellency the Governor, intimating that the Honorable Sir Francis Murphy resigned, on the 1st instant, his seat in the Legislative Council, and enclosing the letter of resignation.

ISSUE OF WRIT—EASTERN PROVINCE.—The President announced to the Council his intention to issue, on Monday, the 6th instant, a Writ for the election of a Member for the Eastern Province, in the room of the Honorable Sir Francis Murphy.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend 'The Electoral Act 1865,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made in such Bill by the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 2nd November, 1876.

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

ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber; who being come with their Speaker, His Excellency was pleased to assent, in Her Majesty's name, to the following Bills:—

"An Act to continue the powers of an Act intituled 'An Act to incorporate the Proprietors of a certain Banking Company to be called the Colonial Bank of Australasia, and for other purposes.'"

"An Act for regulating the business of Dealers in Old Metals, and for other purposes."

"An Act to enable the Emerald Hill Council to sell and purchase land and to erect municipal and other buildings, and for other purposes."

"An Act to amend 'The Electoral Act 1865.'"

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

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

G. F. BOWEN,
"Governor."

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Wednesday next.

Question—put and passed.

The Council adjourned at twenty minutes past six o'clock until half-past four o'clock on Wednesday, the 8th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 8TH NOVEMBER, 1876.

Government Business.

ORDERS OF THE DAY :—

1. MINING ON PRIVATE PROPERTY BILL.—To be further considered in Committee.
2. RIGHTS AND EASEMENTS BILL.—To be further considered in Committee.

General Business.

ORDERS OF THE DAY :—

1. INCREASE OF NUMBER OF MEMBERS OF COUNCIL COMMITTEE.—Adoption of Report.
 2. INCREASE OF NUMBER OF MEMBERS OF COUNCIL BILL.—To be read a second time.
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CONTINGENT NOTICE OF MOTION :—

1. The Hon. Dr. DOBSON : To move, when the Bill *to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament* reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 8TH NOVEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.
The Chairman of Committees reported progress, and asked leave to sit again on Tuesday next.
Ordered.

RIGHTS AND EASEMENTS BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.
The Chairman of Committees left the Chair.

LAND ALIENATED FROM CROWN SINCE 1869.—The Honorable R. Simson, with leave of the Council, moved, without notice, That there be laid upon the Table of the House a Return showing the number of acres sold by, or alienated from, the Crown since the passing of the Land Act of 1869.
Question—put and passed.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL COMMITTEE.—The Order of the Day for the adoption of the Report of the Select Committee appointed to consider the best means of increasing the number of Members of the Council being read, the Honorable Sir C. Sladen moved, That the Report be now adopted.
Debate ensued.
Question—put and passed.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable Sir C. Sladen moved, That the Bill be now read a second time.
Question—put and passed.
Bill read a second time.
The Honorable Sir C. Sladen moved, That the Bill be now considered in Committee of the whole Council.
Question—put and passed.
Question—That the President do now leave the Chair—put and passed.
The President left the Chair.
The Chairman of Committees reported progress, and asked leave to sit again on Tuesday next.
Ordered.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Friendly Societies Statute 1865,'*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 8th November, 1876.

FRIENDLY SOCIETIES STATUTE AMENDMENT BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.
Question—put and passed.
Bill read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 14th instant.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.
Question—put and passed.

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

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 14TH NOVEMBER, 1876.

ORDERS OF THE DAY :—

1. MINING ON PRIVATE PROPERTY BILL.—To be further considered in Committee.
 2. INCREASE OF NUMBER OF MEMBERS OF COUNCIL BILL.—To be further considered in Committee.
 3. FRIENDLY SOCIETIES STATUTE AMENDMENT BILL.—To be read a second time.
-

CONTINGENT NOTICE OF MOTION :—

1. The Hon. Dr. DOBSON : To move, when the Bill *to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament* reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments

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TUESDAY, 14TH NOVEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

LAND ALIENATED FROM CROWN SINCE 1869.—The Honorable R. S. Anderson laid on the Table a Return to the Order of the Council, made on the 8th instant.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the Regulation, Management, and Improvement of the Port of Melbourne, and certain portions of the River Yarra Yarra, and certain portions of the Saltwater River, and for other purposes connected therewith.*"

Also, a Bill intituled "*An Act to establish a Board of Pharmacy in Victoria,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 14th November, 1876.

MELBOURNE HARBOR TRUSTS BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 21st instant.

PHARMACY BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 21st instant.

MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

Ordered.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Wednesday, the 15th instant:—

"*Increase of Number of Members of Council Bill.*"—To be further considered in Committee.

"*Friendly Societies Statute Amendment Bill.*"—To be read a second time.

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper:—

Statistical Register, Victoria, 1875.—Part VII.—Accumulation.

Ordered to lie on the Table.

ADJOURNMENT.—The Council adjourned at a quarter to seven o'clock until half-past four o'clock on Wednesday, the 15th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 15TH NOVEMBER, 1876.

Government Business.

ORDERS OF THE DAY:—

1. MINING ON PRIVATE PROPERTY BILL.—To be further considered in Committee.
2. FRIENDLY SOCIETIES STATUTE AMENDMENT BILL.—To be read a second time.

General Business.

ORDER OF THE DAY:—

1. INCREASE OF NUMBER OF MEMBERS OF COUNCIL BILL.—To be further considered in Committee.
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TUESDAY, 21ST NOVEMBER.

ORDERS OF THE DAY:—

1. MELBOURNE HARBOR TRUSTS BILL.—To be read a second time.
 2. PHARMACY BILL.—To be read a second time.
-

CONTINGENT NOTICE OF MOTION:—

1. The Hon. Dr. DOBSON: To move, when the Bill *to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament* reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.
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MEETING OF SELECT COMMITTEE.

Tuesday, 21st November.

REFRESHMENT ROOMS (JOINT) COMMITTEE—at four o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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WEDNESDAY, 15TH NOVEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

The Chairman of Committees left the Chair.

FRIENDLY SOCIETIES STATUTE AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time. Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report of the Committee be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend the Friendly Societies Statute 1865.*"

Question—put and passed.

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

INCREASE OF NUMBER OF MEMBERS OF COUNCIL BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

The Honorable Sir C. Sladen moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable Sir C. Sladen moved, That the title of the Bill be "*An Act to Increase the Number of Members of the Legislative Council.*"

Question—put and passed.

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

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

The Council adjourned at twenty minutes past six o'clock until half-past four o'clock on Tuesday, the 21st instant.

NOTICE OF MOTION AND ORDERS OF THE DAY

TUESDAY, 21ST NOVEMBER, 1876.

ORDERS OF THE DAY:—

1. MELBOURNE HARBOR TRUSTS BILL.—To be read a second time.
 2. PHARMACY BILL.—To be read a second time.
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CONTINGENT NOTICE OF MOTION:—

1. The Hon. Dr. DOBSON: To move, when the Bill *to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament* reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.
-

MEETING OF SELECT COMMITTEE.

Tuesday, 21st November.

REFRESHMENT ROOMS (JOINT) COMMITTEE—at four o'clock.
 PRINTING COMMITTEE—at a quarter past four o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRIT, RETURN OF—EASTERN PROVINCE.—The President announced to the Council that the Writ issued by him for the election of a Member to serve for the Eastern Province had been returned to him, and that the Returning Officer had certified that "Robert Dyce Reid, of Melbourne, gentleman, is duly elected in pursuance of" the Writ.

RULING OF THE PRESIDENT—CASTING VOTE.—The President delivered the following ruling:—Two principles are laid down for the guidance of a person presiding as President, Speaker, or Chairman of Committees :

1st. That, in giving his casting vote, it shall not be done in such a manner as to make his decision final in disposing of a question.

2nd. That he shall not incur, by his casting vote, the responsibility of legislation.

Thus, in case of a motion that a Bill be read that day six months, it would be the duty of President or Speaker to vote with the Noes, because the Bill would not thereby be finally disposed of; and, if the question be that a Bill be now read a second or third time, or that it do now pass, he would also properly give his vote with the Noes, because that would not prevent the question being brought on again.

If he voted with the Ayes, say on questions that a Bill be read a third time, and that it do now pass, he would incur the responsibility which he ought to avoid, of legislation by his casting vote.

The same rule applies to a Chairman of Committees, who ought not by his casting vote to retain the Chair, and incur the responsibility of the passing of a Bill through Committee.

SWEARING IN OF MEMBER.—The Honorable Robert Dyce Reid, being introduced, took and subscribed the oath required by the thirty-second clause of the Constitution Act, and delivered to the Clerk the declaration required by the Act 32 Victoria, No. 334, as hereunder set forth:—

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, ROBERT DYCE REID, 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 Seven thousand pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Prahran, in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

"Part of Crown Portion 149 A.

"Parts of Crown Portion 52.

"And I further declare that such of the said lands and tenements as are situate in the municipal districts of St. Kilda and Prahran are rated in the rate-books of such municipal districts as follows:—Over Two hundred and fifty pounds per annum.

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

"R. D. REID."

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper:—

Railways, Victorian.—Report of Observations in Europe and America by Engineer-in-Chief of Railways, 26th July 1876.

Ordered to lie on the Table.

PAPER.—The Honorable R. S. Anderson laid on the Table the following Paper:—

Deceased Persons, Duties on Estates of—Rules under (13th November, 1876).

Ordered to lie on the Table.

EXPIRING LAW (FENCES) CONTINUATION BILL.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That leave be given to bring in a Bill for the continuation of an Expiring Law.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 28th instant.

EXPIRING LAW (DISEASES IN STOCK) CONTINUATION BILL.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That leave be given to bring in a Bill for the continuation of an Expiring Law.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 28th instant.

PRINTING COMMITTEE.—FIRST REPORT.—The Honorable N. Black brought up a Report from the Printing Committee, and moved, That the Report be adopted and printed.

Question—put and passed.

MELBOURNE HARBOR TRUST BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the Report be made an Order of the Day for the next day of meeting of the Council.

Question—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 28th instant :—

“*Pharmacy Bill*”—To be read a second time.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday next.

Question—put and passed.

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper :—

Savings Banks.—Returns for year ending 30th June 1876.

Ordered to lie on the Table.

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

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 28TH NOVEMBER, 1876.

ORDERS OF THE DAY :—

1. EXPIRING LAW (FENCES) CONTINUATION BILL.—To be read a second time.
2. EXPIRING LAW (DISEASES IN STOCK) CONTINUATION BILL.—To be read a second time.
3. MELBOURNE HARBOR TRUST BILL.—Adoption of Report.
4. PHARMACY BILL.—To be read a second time.

CONTINGENT NOTICE OF MOTION :—

1. The Hon. Dr. DOBSON : To move, when the Bill *to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament* reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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TUESDAY, 28TH NOVEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ROYAL ASSENT TO BILLS.—The President informed the Council that he had received a communication from the Private Secretary to His Excellency the Governor, intimating that it is His Excellency's intention to proceed to the Legislative Council Chamber at ten o'clock on Thursday, the 30th instant, to assent, in Her Majesty's name, to certain Bills passed by the Legislative Council and the Legislative Assembly.

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper :—

Land Act 1869.—Amending Regulation (20th November, 1876).

Ordered to lie on the Table.

EXPIRING LAW (FENCES) CONTINUATION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act for the continuation of an Expiring Law.*"

Question—put and passed.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a copy of a resolution agreed to by the Legislative Assembly on the 21st November instant, and request that the Legislative Council will appoint a Committee to confer with the Committee of the Legislative Assembly on the subject referred to in the said resolution.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 28th November, 1876.

Parliamentary Buildings.—Sir James McCulloch moved, pursuant to amended notice, 'That a Committee be appointed to enquire into the extent and character of the proper accommodation required for the Parliamentary Buildings, such Committee to consist of the following members :—The Honorable the Speaker, Sir Gavan Duffy, Mr. Jones, Mr. Langton, Mr. Service, Mr. Berry, Mr. Woods, Mr. Purves, Mr. Davies, Mr. S. Fraser, Mr. Hanna, and Mr. Coppin; five to form a quorum, to have power to send for persons and papers, and to sit on days on which the House does not meet.'

Question—put and resolved in the affirmative."

EXPIRING LAW (DISEASES IN STOCK) CONTINUATION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report of the Committee be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to continue an Expiring Law.*"

Question—put and passed.

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

MELBOURNE HARBOR TRUST BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being called on, the Honorable R. S. Anderson moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

Question—put and passed.

Question—That the Bill be now re-committed—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the Report be made an Order of the Day for Thursday next.

Question—put and passed.

PHARMACY BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

Ordered.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of Three hundred thousand pounds to the service of the year One thousand eight hundred and seventy-six and seven,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 28th November, 1876.

CONSOLIDATED REVENUE BILL (3).—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to apply out of the Consolidated Revenue the sum of Three hundred thousand pounds to the service of the year One thousand eight hundred and seventy-six and seven.*"

Question—put and passed.

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

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until five minutes to ten o'clock on Thursday next.

Question—put and passed.

The Council adjourned at five minutes past six o'clock until five minutes to ten o'clock on Thursday, the 30th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 30TH NOVEMBER, 1876.

NOTICE OF MOTION:—

1. The Hon. R. S. ANDERSON: To move, That a Committee be appointed to enquire into the extent and character of the proper accommodation required for the Parliamentary Buildings; such Committee to consist of the following members, viz.:—The Honorables The President, T. T. a'Beckett, W. Highbett, F. T. Sargood, J. Balfour, C. J. Jenner, R. Simson, Sir C. Sladen, J. Graham, A. Fraser, W. Wilson, and J. A. Wallace; five to form a quorum, to have power to send for persons and papers, to sit on days on which the House does not meet, and to confer with a Committee of the Legislative Assembly appointed to enquire into the above mentioned subject.

ORDER OF THE DAY:—

1. MELBOURNE HARBOR TRUST BILL.—Adoption of Report.

TUESDAY, 5TH DECEMBER.

ORDER OF THE DAY:—

1. PHARMACY BILL.—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION:—

1. The Hon. Dr. DOBSON: To move, when the Bill to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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THURSDAY, 30TH NOVEMBER, 1876.

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

ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber; who being come with their Speaker, His Excellency was pleased to assent, in Her Majesty's name, to the following Bills:—

“An Act to amend ‘The Friendly Societies Statute 1865.’”

“An Act to apply out of the Consolidated Revenue the sum of Three hundred thousand pounds to the service of the year One thousand eight hundred and seventy-six and seven.”

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

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

“G. F. BOWEN,
“Governor.”

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

The Council was adjourned at five minutes past ten o'clock until half-past four o'clock on Tuesday, the 5th proximo.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 5TH DECEMBER, 1876.

ORDERS OF THE DAY:—

1. PHARMACY BILL.—To be further considered in Committee.
2. MELBOURNE HARBOR TRUST BILL.—Adoption of Report.

NOTICE OF MOTION:—

1. The Hon. R. S. ANDERSON: To move, That a Committee be appointed to enquire into the extent and character of the proper accommodation required for the Parliamentary Buildings; such Committee to consist of the following members, viz.:—The Honorables The President, T. T. a'Beckett, W. Highett, F. T. Sargood, J. Balfour, C. J. Jenner, R. Simson, Sir C. Sladen, J. Graham, A. Fraser, W. Wilson, and J. A. Wallace; five to form a quorum, to have power to send for persons and papers, to sit on days on which the House does not meet, and to confer with a Committee of the Legislative Assembly appointed to enquire into the above mentioned subject.

CONTINGENT NOTICE OF MOTION:—

1. The Hon. Dr. DOBSON: To move, when the Bill to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.



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LEGISLATIVE COUNCIL.

TUESDAY, 5TH DECEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PARLIAMENTARY BUILDINGS.—SELECT COMMITTEE.—The Honorable R. S. Anderson, in accordance with notice, moved, That a Select Committee be appointed to enquire into the extent and character of the proper accommodation required for the Parliamentary Buildings.

Question—put and passed.

The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That leave be given to appoint twelve members on the Committee.

Question—put and passed.

The Honorable R. S. Anderson, in accordance with notice, moved, That the Committee consist of the following members, viz. :—The Honorables The President, T. T. a'Beckett, W. Highett, F. T. Sargood, J. Balfour, C. J. Jenner, R. Simson, Sir C. Sladen, J. Graham, A. Fraser, W. Wilson, and J. A. Wallace ; five to form a quorum, to have power to send for persons and papers, to sit on days on which the House does not meet, and to confer with a Committee of the Legislative Assembly appointed to enquire into the above mentioned subject.

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council have appointed the Committee as requested by the Legislative Assembly.

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

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

The Honorable R. S. Anderson moved, That the Bill be now re-committed on the fourth schedule.

Question—put and passed.

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

The President left the Chair.

The Chairman of Committees reported that the Committee had agreed to the Bill with a further amendment.

Ordered—That the adoption of the Report be made an Order of the Day for Thursday, the 7th instant.

MELBOURNE HARBOR TRUST BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

The Honorable R. S. Anderson moved, That the words “by this Act,” in the thirty-first line of clause 49, be struck out.

Question—put and passed.

The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, as amended, was, on the motion of the Honorable R. S. Anderson, read a third time and *passed*.

The Honorable R. S. Anderson moved, That the title of the Bill be “*An Act to provide for the Regulation Management and Improvement of the Port of Melbourne and certain portions of the River Yarra Yarra and certain portions of the Saltwater River and for other purposes connected therewith.*”

Question—put and passed.

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

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Papers:—

1. Mining Surveyors and Registrars—Reports of, for Quarter ended 30th September, 1876.
2. Receiver of Mining Rents, &c., at Wood's Point.—Order in Council (20th November, 1876).

Ordered severally to lie on the Table.

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

Question—put and passed.

The Council adjourned at a quarter past five o'clock until half-past four o'clock on Thursday, the 7th instant.

NOTICES OF MOTION AND ORDER OF THE DAY.

THURSDAY, 7TH DECEMBER, 1876.

ORDER OF THE DAY:—

1. PHARMACY BILL.—Adoption of Report.

TUESDAY, 12TH DECEMBER.

1. The Hon. R. SIMSON : To ask the Honorable the Commissioner of Trade and Customs—

If any arrangement has been agreed upon with the Government of New South Wales relative to the introduction of sheep from Victoria, seeing that scab has not been seen in Victoria since the 15th November, 1874, and that no dipping of sheep has taken place in Victoria since March, 1875, when a small flock, numbering only 4300, were then dipped for that disease; since which time no sheep whatever have been dipped in the Colony of Victoria for the disease known as scab: That this colony was proclaimed clean on 6th June, 1876, being fifteen months after the last dipping under the Act in Victoria, it being an equally well established fact that no contagious disease of any kind has since then existed in Victoria.

That should New South Wales continue to prohibit the introduction of sheep from Victoria, clause 63 of Act 370 "*An Act for the Prevention of the Disease called Scab,*" gives the power to the Governor in Council of this colony from time to time to prohibit the entry of sheep from New South Wales or South Australia into Victoria, except under certain conditions, which conditions may be made to assimilate with those now in force in New South Wales and South Australia, respectively prohibiting the entry of sheep from Victoria into those colonies, in the event of the Governments of those colonies continuing obstructive measures; and to ask—

If the Government are prepared to act as the law provides in these cases.

CONTINGENT NOTICE OF MOTION:—

1. The Hon. Dr. DOBSON : To move, when the Bill to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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LEGISLATIVE COUNCIL.

THURSDAY, 7TH DECEMBER, 1876.

At the expiration of half an hour after the time appointed for the meeting of the Council there was no quorum present, and the President took the Chair, and, without question put, adjourned the Council to the next sitting day.

NOTICES OF MOTION AND ORDER OF THE DAY.

TUESDAY, 12TH DECEMBER, 1876.

1. The Hon. R. SIMSON : To ask the Honorable the Commissioner of Trade and Customs—

If any arrangement has been agreed upon with the Government of New South Wales relative to the introduction of sheep from Victoria, seeing that scab has not been seen in Victoria since the 15th November, 1874, and that no dipping of sheep has taken place in Victoria since March, 1875, when a small flock, numbering only 4300, were then dipped for that disease ; since which time no sheep whatever have been dipped in the Colony of Victoria for the disease known as scab : That this colony was proclaimed clean on 6th June, 1876, being fifteen months after the last dipping under the Act in Victoria, it being an equally well established fact that no contagious disease of any kind has since then existed in Victoria.

That should New South Wales continue to prohibit the introduction of sheep from Victoria, clause 63 of Act 370 "*An Act for the Prevention of the Disease called Scab,*" gives the power to the Governor in Council of this colony from time to time to prohibit the entry of sheep from New South Wales or South Australia into Victoria, except under certain conditions, which conditions may be made to assimilate with those now in force in New South Wales and South Australia, respectively prohibiting the entry of sheep from Victoria into those colonies, in the event of the Governments of those colonies continuing obstructive measures ; and to ask—

If the Government are prepared to act as the law provides in these cases.

ORDER OF THE DAY :—

1. PHARMACY BILL.—Adoption of Report.

CONTINGENT NOTICE OF MOTION :—

1. The Hon. Dr. DOBSON : To move, when the Bill *to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament* reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

MEETING OF SELECT COMMITTEE.

Tuesday, 12th December.

PARLIAMENTARY BUILDINGS—at three o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.



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LEGISLATIVE COUNCIL.

TUESDAY, 12TH DECEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper:—

Health, Central Board of.—Sixteenth Report (30th November, 1876).

Ordered to lie on the Table.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to provide for the Regulation, Management, and Improvement of the Port of Melbourne, and certain portions of the River Yarra Yarra, and certain portions of the Saltwater River, and for other purposes connected therewith,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in this Bill by the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 7th December, 1876.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act for the continuation of an Expiring Law;*" also a Bill intituled "*An Act to continue an Expiring Law,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to those Bills without amendment.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 7th December, 1876.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to consolidate and amend the Laws relating to the Licensing of Public Houses and the Sale of Fermented and Spirituous Liquors,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 7th December, 1876.

PUBLIC HOUSES BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for Thursday, the 14th instant.

PETITION.—The Honorable R. S. Anderson presented a Petition, signed by J. Harcourt and others, styling themselves members of the Wesleyan Church, on the subject of the Public Houses Bill.

Petition received.

The Honorable R. S. Anderson moved, That the Petition be referred to the Committee of the whole Council, to which the Bill may be referred.

Question—put and passed.

PETITIONS.—The Honorable J. Balfour presented Petitions on the subject of the Public Houses Bill, from inhabitants of the Colony of Victoria, from the Sons and Daughters of Temperance, from Northcote, from Melbourne and suburbs, from Richmond, and from Hawthorn.

Petitions received.

PETITIONS.—The Honorable T. J. Sumner presented similar Petitions from Fitzroy, from St. Alban's, from Fitzroy, from Sandhurst, and from Richmond.

Petitions received.

PETITIONS.—The Honorable R. S. Anderson presented similar Petitions from Sandridge, from Sandhurst, and from Emerald Hill.

Petitions received.

PETITIONS.—The Honorable T. T. a'Beckett presented similar Petitions from Williamstown and from Ballarat.

Petitions received.

PETITIONS.—The Honorable G. F. Belcher presented similar Petitions from Chilwell, from South Geelong, from Buninyong, and from Yarra street, Geelong.

Petitions received.

PETITIONS.—The Honorable C. J. Jenner presented similar Petitions from Collingwood, from Castlemaine, from Brighton, from Kew, from Emerald Hill, from Collingwood, from Bellerine, from Castlemaine, and from Williamstown.

Petitions received.

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Papers:—

Statistical Register, Victoria, 1875—

Part VIII.—Vital Statistics, &c.

Part IX.—Religious, Moral, and Intellectual Progress.

Ordered severally to lie on the Table.

PHARMACY BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

The Honorable R. S. Anderson moved, That the words “hospital, benevolent asylum, or other public institution” be struck out in clause 18, line 30.

Question—put and passed.

The Honorable R. S. Anderson moved, That after the word “petitioners,” in line 32 of clause 18, the following words be inserted:—“or until he shall have been for not less than three years employed as a dispensing chemist in an hospital, benevolent asylum, or other public institution.”

Question—put and passed.

The Honorable R. S. Anderson moved, That in clause 19, line 24, the words “where necessary” be inserted after the word “and.”

Question—put and passed.

The Honorable R. S. Anderson moved, That, the words “for a period of at least three months” be struck out in line 3 of the Fourth Schedule.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be “*An Act to establish a Board of Pharmacy in Victoria.*”

Question—put and passed.

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

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

Question—put and passed.

The Council adjourned at a quarter past five o'clock until half-past four o'clock on Thursday, the 14th instant.

NOTICE OF MOTION AND ORDER OF THE DAY.

THURSDAY, 14TH DECEMBER, 1876.

ORDER OF THE DAY:—

1. PUBLIC HOUSES BILL.—To be read a second time.

CONTINGENT NOTICE OF MOTION:—

1. The Hon. Dr. DOBSON: To move, when the Bill to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.

MEETING OF SELECT COMMITTEE.

Thursday, 14th December.

PARLIAMENTARY BUILDINGS—at half-past two o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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THURSDAY, 14TH DECEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council the Bill intituled "*An Act for the continuation of an Expiring Law,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 12th December, 1876.

C. MAC MAHON,
Speaker.

EXPIRING LAW (DRAWBACKS) CONTINUATION BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report of the Committee be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act for the continuation of an Expiring Law.*"

Question—put and passed.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Law relating to Bills of Sale;*" also a Bill intituled "*An Act for regulating the Sale and Use of Poisons,*" and a Bill intituled "*An Act to further amend 'The Local Government Act '1874,' and the Act No. 54,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 14th December, 1876.

C. MAC MAHON,
Speaker.

LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL.—The Honorable J. Cumming moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable J. Cumming, ordered to be printed, and the second reading made an Order of the Day for the next day of meeting.

SALE OF POISONS BILL.—The Honorable G. F. Belcher moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable G. F. Belcher, ordered to be printed, and the second reading made an Order of the Day for the next day of meeting.

BILLS OF SALE BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable F. T. Sargood, ordered to be printed, and the second reading made an Order of the Day for the next day of meeting.

PETITIONS.—The Honorable J. Balfour presented Petitions from inhabitants of the Colony of Victoria, from East Melbourne, from Berwick and Dandenong, from officers of the Independent Order of Rechabites, and from Geelong, on the subject of the Public Houses Bill.

Petitions received.

PAPERS.—The Honorable R. S. Anderson laid on the Table the following Papers:—

1. Victorian Railways.—Estimate for Works of Construction (£20,000) proposed during twelve months ending 30th June, 1877.

2. Victorian Railways.—Purchase of Railway Plant and Materials.—Estimate of Expenditure (£175,000) during twelve months ending 30th June, 1877.

Ordered severally to lie on the Table.

STOPPAGE IN TRANSITU PREVENTION BILL.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That leave be given to bring in a Bill to amend the Law relating to the right of Stoppage in Transitu, and for other purposes.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time, ordered to be printed, and the second reading made an Order of the Day for the next day of meeting.

PETITION.—The Honorable G. F. Belcher presented a Petition from the Directors of the Geelong Gas Company on the subject of the Local Government Act 1874 Amendment Bill.

Petition received, and, on the motion of the Honorable G. F. Belcher, referred to the Committee of the whole Council to which the Bill may be referred.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until half-past four o'clock on Monday next.

Debate ensued.

Question—put and passed.

PETITIONS.—The Honorable A. Fraser presented Petitions from inhabitants of the Colony of Victoria, from Chewton, from Castlemaine, from members of the Independent Order of Rechabites at Eaglehawk, and from the Conference of the Wesleyan Church of Victoria, on the subject of the Public Houses Bill.

Petitions received.

PETITION.—The Honorable C. J. Jenner presented a Petition from the Corporation of the Town of Geelong, and under the corporate seal thereof, on the subject of the Local Government Act 1874 Amendment Bill.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable J. Cumming presented a Petition, signed by W. F. Ducker and others, styling themselves burgesses of the Town of Geelong, on the subject of the Public Houses Bill.

Petition received, and, on the motion of the Honorable J. Cumming, referred to the Committee of the whole Council to which the Bill may be referred.

PUBLIC HOUSES BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

PETITION.—The Honorable F. T. Sargood presented a Petition, signed by Germain Nicholson and others, on the subject of the Public Houses Bill.

Petition received.

PETITION.—The Honorable H. Cuthbert presented a Petition, signed by J. M. Garratt, styling himself Chairman of a public meeting at Geelong, on the subject of the Local Government Act 1874 Amendment Bill.

Petition received.

PUBLIC HOUSES BILL.—The Honorable R. S. Anderson moved, That this Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

Ordered.

The Council adjourned at eleven o'clock until half-past four o'clock on Monday, the 18th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

MONDAY, 18TH DECEMBER, 1876.

ORDERS OF THE DAY:—

1. LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL.—To be read a second time.
 2. SALE OF POISONS BILL.—To be read a second time.
 3. BILLS OF SALE BILL.—To be read a second time.
 4. STOPPAGE IN TRANSITU PREVENTION BILL.—To be read a second time.
 5. PUBLIC HOUSES BILL.—To be further considered in Committee.
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CONTINGENT NOTICE OF MOTION:—

1. The Hon. Dr. DOBSON: To move, when the Bill *to amend the Act to provide for reimbursing Members of the Legislative Council and of the Legislative Assembly their expenses in relation to their attendance in Parliament* reaches this House, the insertion of a clause to the effect that the said Act be and the same is hereby repealed.
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MEETING OF SELECT COMMITTEE.

Tuesday, 19th December.

PARLIAMENTARY BUILDINGS—at three o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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MONDAY, 18TH DECEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until after the disposal of the 5th Order of the Day :—

“*Local Government Act 1874 Amendment Bill*”—To be read a second time.

“*Sale of Poisons Bill*”—To be read a second time.

“*Bills of Sale Bill*”—To be read a second time.

“*Stoppage in Transitu Prevention Bill*”—To be read a second time.

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

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

Ordered.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until three o'clock to-morrow.

Question—put and passed.

The Council adjourned at a quarter-past eleven o'clock until three o'clock on Tuesday, the 19th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 19TH DECEMBER, 1876.

1. The Hon. H. CUTHBERT: To ask the Honorable the Commissioner of Customs if any record is made in the Registrar-General's Office to show the various allotments of land in the colony held under the old system of conveyancing which have been brought under the operation of the Transfer of Land Statute; and, if not, in order to promote the convenience of the public, and to protect the interests of execution creditors, will the Honorable the Attorney-General direct that such record be made.

NOTICE OF MOTION :—

1. The Hon. G. W. COLE: To move, For an estimated rough-cost of removing the topsides and decks of the *Nelson* down to the one above the lower deck guns, leaving everything below that deck in its present state; and for a Report from Captain Payne as to her qualities in turning and sailing.

ORDERS OF THE DAY :—

1. PUBLIC HOUSES BILL.—To be further considered in Committee.
2. LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL.—To be read a second time.
3. SALE OF POISONS BILL.—To be read a second time.
4. BILLS OF SALE BILL.—To be read a second time.
5. STOPPAGE IN TRANSITU PREVENTION BILL.—To be read a second time.

MEETING OF SELECT COMMITTEE.

Tuesday, 19th December.

PARLIAMENTARY BUILDINGS—at three o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

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TUESDAY, 19TH DECEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PETITION.—The Honorable J. Balfour presented a Petition, signed by Joseph Walker, styling himself secretary of the Ballarat Ministers' Association, on the subject of the Public Houses Bill.

Petition received.

PETITION.—The Honorable F. T. Sargood presented a Petition, signed by Wm. Thompson and others, resident at Fitzroy and Collingwood, on the subject of the Public Houses Bill.

Petition received.

THE "NELSON."—The Honorable G. W. Cole, in accordance with *amended* notice, moved, That there be laid on the Table of the House an estimate of the cost of removing the top-sides and decks of the *Nelson* so as to leave the present lower deck for the purpose of working heavy guns; also a report of the state of her boilers and engines; and further, a report from Captain Payne, as to her sea going qualities and her facilities for turning or manœuvring under steam.

Question—put and passed.

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

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

The Honorable R. S. Anderson moved, That the Bill be now re-committed on clauses 61, 81, 82, 84, 99, and 108.

Debate ensued.

Question—put and passed.

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

The President left the Chair.

The Chairman of Committees reported that the Committee had agreed to the Bill with further amendments in clauses 61, 81, 82, 84, 99, and 108.

The Honorable R. S. Anderson moved, That the adoption of the Report of the Committee be made an Order of the Day for to-morrow.

Question—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to enable certain Lands to be granted to the Corporation of the City of Melbourne, for the establishment of a General Market in the said City, and for other purposes,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 14th December, 1876.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the County Courts Statute 1869,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 18th December, 1876.

MELBOURNE GENERAL MARKETS SITE BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, ordered to be printed, and the second reading made an Order of the Day for Wednesday, the 20th instant.

COUNTY COURTS STATUTE AMENDMENT BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report of the Committee be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend 'The County Courts Statute 1869.'*"

Question—put and passed.

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

PARLIAMENTARY BUILDINGS.—REPORT OF SELECT COMMITTEE.—The Honorable T. T. a'Beckett brought up a Report from the Select Committee appointed on the 5th instant to enquire into the extent and character of the proper accommodation required for the Parliamentary Buildings, with power to confer with a Committee of the Legislative Assembly appointed to enquire into the same subject.

The Report was read at the Table by the Clerk.

The Honorable T. T. a'Beckett moved, That the Report be printed, and that its consideration be made an Order of the Day for to-morrow.

Question—put and passed.

LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable J. Cumming moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable J. Cumming moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

Ordered—That the adoption of the Report be made an Order of the Day for Wednesday, the 20th instant.

SALE OF POISONS BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable J. Cumming moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable J. Cumming moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

BILLS OF SALE BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable F. T. Sargood moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

The Honorable F. T. Sargood moved, That the Report of the Committee be now adopted.

Question—put and passed.

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

The Honorable F. T. Sargood moved, That the title of the Bill be "*An Act to amend the Law relating to Bills of Sale.*"

Question—put and passed.

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

STOPPAGE IN TRANSITU PREVENTION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend the Law relating to the Right of Stoppage in Transitu, and for other purposes.*"

Question—put and passed.

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

The Council adjourned at half-past eleven o'clock until half-past four o'clock on Wednesday, the 20th instant.

ORDERS OF THE DAY.

WEDNESDAY, 20TH DECEMBER, 1876.

Government Business.

ORDERS OF THE DAY:—

1. PUBLIC HOUSES BILL.—Adoption of Report.
2. MELBOURNE GENERAL MARKETS SITE BILL.—To be read a second time.

General Business.

ORDERS OF THE DAY:—

1. PARLIAMENTARY BUILDINGS COMMITTEE.—Consideration of Report.
2. LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL.—Adoption of Report.
3. SALE OF POISONS BILL.—Adoption of Report.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 20TH DECEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to establish a Board of Pharmacy,*" and acquaint the Legislative Council that they have agreed to the amendments made by the Legislative Council in this Bill.

Legislative Assembly Chamber,
Melbourne, 20th December, 1876.

C. MAC MAHON,
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bills severally intituled "*An Act to amend the law relating to Juries;*" and "*An Act to amend the law relating to Justices of the Peace, and for other purposes,*" and acquaint the Legislative Council that they have agreed to those Bills with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 20th December, 1876.

C. MAC MAHON,
Speaker.

JURIES BILL.—The Honorable R. S. Anderson moved, That the amendments made by the Legislative Assembly be now taken into consideration.

Question—put and passed.

The Honorable R. S. Anderson moved, That the Council do agree to the following amendments made by the Legislative Assembly in clause 6 of the Bill.

- Clause 6, line 4, omit "and fifty."
- " line 5, omit "one hundred" and insert "seventy-five."
- " line 9, omit "Three" and insert "Two."
- " line 11, omit "and fifty."
- " line 17, omit "and fifty."
- " line 17, omit "One hundred" and insert "Seventy-five."
- " line 18, omit "One hundred" and insert "Seventy-five."
- " line 18, omit "Seventy-five" and insert "Fifty."
- " line 20, omit "and fifty."
- " line 20, omit "One hundred" and insert "Seventy-five."

Question—That the Council do agree to the amendments—put and passed.

The Honorable R. S. Anderson moved, That the Council do agree to the following amendment made by the Legislative Assembly:—

After Clause 42 insert new clause A.—

A. On entering any cause for trial in the Supreme Court there shall be paid as fees for jurors if such cause shall be entered for trial by a special jury of six men the sum of Three pounds; and if by a special jury of twelve men the sum of Six pounds, or if the sum of Three pounds shall have been already paid the sum of Three pounds additional; and on requiring any cause to be tried by jurors in any County Court there shall be paid to the Registrar of such Court as fees for jurors the sum of One pound.

Court fees on
causes before
juries.

Question—put and passed.

The Honorable R. S. Anderson moved, That the Council do agree to the following amendment made by the Legislative Assembly :—

After clause 74 insert new clause—

B. Every juror who shall be summoned and have attended (whether he shall have actually served or not) shall be entitled to receive compensation at the rates mentioned in the Tenth Schedule to this Act ; and every talesman who shall have been added to any panel, and have served, shall be entitled to receive the same sum for such service as if his name had been originally written on the panel : and no juror except in cases wherein a view shall be had shall be allowed to take more than the sums aforesaid, and in no case shall any juror under any pretence whatever receive any sum by way of remuneration from the parties litigant or either of them.

Payment of Jurors.

Tenth Schedule.

Question—put and passed.

The Honorable R. S. Anderson moved, That the Council do agree to the following amendment made by the Legislative Assembly :—

Clause 76, line 5, after “refreshment” insert “(except where on Criminal Inquests Jurors are detained for more than one night).”

Question—put and passed.

The Honorable R. S. Anderson moved, That the Council do agree to the following amendment made by the Legislative Assembly :—

After clause 91 insert new clause—

In all civil inquests upon the calling on of the cause for trial the officer of the court shall draw cards one after another out of the box, and call aloud the name and addition written thereon until after all challenges for cause allowed twice the number of jurors required to be impanelled shall appear, when the officer shall deliver a list of them in writing to the plaintiff, who may strike therefrom a number of names equal to one-half of the number to be impanelled, and the list so reduced shall then be delivered to the defendant, by whom an equal number of names may be also struck therefrom, or if the plaintiff or the defendant does not strike out such number, or strikes out a greater number than he is entitled, then the officer shall do so instead of such plaintiff or defendant ; and the jurors whose names shall remain upon such list shall be the jurors for the trial of the issues upon the inquest.

Jury, how struck in civil cases.

The Honorable H. Cuthbert moved, That the words, “except where otherwise provided in this Act” be inserted after the word “inquests” in line 1 of the amendment.

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

Question—That the Council agree to the clause as amended—put and passed.

The Honorable R. S. Anderson moved, That the Council do agree to the following amendments made by the Legislative Assembly :—

In the Second Schedule—

Line 4, first column, omit “Banks—Managers and Tellers of.”

Amendment moved by the Honorable J. Graham, That the Council disagree with the amendment made by the Legislative Assembly.

Question—That the Council disagree with the amendment made by the Legislative Assembly—put and passed.

The Honorable R. S. Anderson moved, That the Council do agree to the following amendments made by the Legislative Assembly :—

After line 10, second column, insert “Mining Managers, or persons having the management of mining operations in mines, subject to the regulations of the Mining Statute.

line 14, omit “Officers in command of any Regiment, Battery Corps, or Vessel belonging to any Defence force of the Colony.”

The Third Schedule—Form—Qualification, Common Jurors—

line 1, omit “(or domiciled in Victoria for ten years.)”

line 3, insert “fifty” in blank.

line 3, omit “Municipality” and insert “Town.”

line 4, insert “thirty-five” in blank.

line 5, omit “Municipality” and insert “Town.”

Form—Qualification, Special Jurors—

line 3, insert “One hundred” in blank.

line 3, omit “Municipality” and insert “Town.”

line 4, insert “Seventy-five” in blank.

line 5, omit “Municipality” and insert “Town.”

line 7, insert “Two thousand” in first blank.

„ insert “One hundred” in second blank.

Note—Persons disqualified.

line 4, omit “is,” and insert “has been.”

line 5, omit “cannot,” and insert “is unable to.”

Note—Persons exempt from serving as Jurors.

First column, line 2, omit “lawyers.”

Question—put and passed.

The Honorable R. S. Anderson moved, That the Council do agree to the following amendments made by the Legislative Assembly :—

The Third Schedule—
Omit “Banks, subordinate clerks of.”

Amendment moved by the Honorable J. Graham, That the Council disagree with the amendment.
Question—That the Council disagree with the amendment—put and passed.

The Honorable R. S. Anderson moved, That the Council do agree to the following amendments made by the Legislative Assembly in Third Schedule :—

First column, line 12, after “mayor,” insert “aldermen, councillors.”
 ,, line 14, after “all,” add “including stipendiary magistrates.”
 Second column, line 2, omit “justices of the peace for criminal inquests within the jurisdiction of which they are justices.”
 ,, after line 10 insert “mining managers or persons having the management of mining operations in mines, subject to the regulations of the Mining Statute.”
 ,, line 14, omit “road boards, secretary of.”
 line 16, omit “shires” and insert “shire president, councillors, and”

The Fourth Schedule, add at end of note, “except persons referred to in the Second Schedule to the Act.”

The Fifth Schedule, add at end of note, “except persons referred to in the Second Schedule to the Act.”

After Ninth Schedule insert the following—

THE TENTH SCHEDULE.

RATE OF COMPENSATION TO JURY.

	£	s.	d.
Section 75. Common Jurors residing within five miles of the Court, for each day attending at the Court	0	5	0
Common Jurors residing more than five miles from the Court, for each day attending at the Court	0	7	6
Special Jurors residing within five miles of the Court, for each day attending at the Court	0	10	0
Special Jurors residing more than five miles from the Court, for each day attending the Court	0	15	0
Travelling expenses to Special and Common Jurors, for every mile of distance beyond five miles between the juror's residence and the Court, one way only	0	1	0
In the event of any criminal or civil case occupying the Court beyond three days, to each juror impanelled on the trial of such case, for each day beyond the first three days and not exceeding six days	1	0	0
And for every day over six days	2	0	0

In civil juries the last-mentioned sum to be paid to the Sheriff in cases of jurors of six by the plaintiff or his attorney, and in cases of jurors of twelve by the person requiring the jury or his attorney, at the opening of the Court on each day of the trial.

Question—put and passed.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Council have agreed to some amendments, and have disagreed with two amendments and have agreed to one amendment with an amendment on the amendment made by the Legislative Assembly in the Bill, and desiring their concurrence therewith.

JUSTICES OF THE PEACE BILL.—The Honorable R. S. Anderson moved, That the Council do agree to the following amendments made by the Legislative Assembly in the Bill :—

Clause 8, line 2, omit “is adjudged bankrupt” and insert “voluntarily sequestrates.”

Clause 20, at end of clause add “and in that case the amount to be paid to such witness shall be the same as if he had been a witness for the prosecution and shall be ascertained in like manner and shall be defrayed out of any moneys provided by Parliament for allowances to witnesses.”

Clause 22, at end of clause add “and the expenses of such conveyance shall be paid out of the funds applicable to the other expenses of the gaol or prison from which the prisoner shall have been conveyed.”

After Clause 40 insert new clause—

A. Every clerk of the peace shall demand, receive, and take for the use of Her Majesty, the several fees allowed by and mentioned in the Fifth Schedule hereto, and no more, and such fees shall be paid in the first instance by the person by whom or on whose behalf the act or proceeding (in respect whereof the same are payable) is required before such act shall be done or such proceeding shall be issued or taken (as the case may be); but no such fee shall be demanded, received, or taken from any officer of customs or police acting in the execution of his duty, or from any person acting for and by authority of Her Majesty.

(In title of Schedule) omit “last” and insert “Fourth.”

After the Fourth Schedule insert new Schedule.

THE FIFTH SCHEDULE.

	£	s.	d.
For entering every appeal	1	0	0
For every special case stated	1	0	0
For every application to review vary or alter order of maintenance	0	10	0
For every subpoena	0	1	0
For every copy thereof	0	0	6
For every copy of proceedings not exceeding three folios	0	2	0
For every additional folio	0	0	6
For every rule order or certificate	0	2	6
For every taxing costs not exceeding three folios	0	2	0
For every additional folio	0	0	6

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly acquainting them that the Council have agreed to the amendments made by the Legislative Assembly in the Bill.

PETITION.—The Honorable J. Balfour presented a Petition, signed by Peter Nowlan, on the subject of “*The Local Government Act 1874 Amendment Bill (2).*”

Petition received, and read at the Table by the Clerk; and, on the motion of the Honorable J. Balfour, referred to the Committee of the whole Council to which the Bill may be referred.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to further amend the Local Government Act 1874,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 20th December, 1876.

C. MAC MAHON,
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act for amending the Law relating to Crossed Cheques,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 20th December, 1876.

C. MAC MAHON,
Speaker.

LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL (2).—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for Thursday, the 21st instant.

CROSSED CHEQUES BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable F. T. Sargood, ordered to be printed, and the second reading made an Order of the Day for Thursday, the 21st instant.

PUBLIC HOUSES BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable R. S. Anderson moved, That the Report of the Committee be now adopted.

Question—put and passed.

The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Honorable R. S. Anderson moved, That the Bill be now read a third time.

The Honorable Sir C. Sladen moved, That the words “next after that in the year One thousand eight hundred and seventy-nine” be transposed from the 15th line in Clause 20 of the Bill, and inserted after the word “respectively” in the 16th line.

Question—put and passed.

The Honorable T. T. a’Beckett moved, That in clause 27, line 40, the following words be struck out—“nearest to the highest specified in any ballot paper which when the votes recorded for such number are added to those recorded for higher numbers than such number will make,” with a view to insert the following words—“number for which the votes whether counted separately or in conjunction with those given for a higher number shall be.”

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

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

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

The Honorable R. S. Anderson moved, That the title of the Bill be “*An Act to consolidate and amend the Laws relating to the Licensing of Public Houses and the Sale of Fermented and Spirituous Liquors.*”

Question—put and passed.

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

MELBOURNE GENERAL MARKET SITE BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put.

Council divided.

Contents, 4.

The Hon. R. S. Anderson
C. J. Jenner
A. Fraser
T. T. a'Beckett (*Teller*).

Not Contents, 9.

The Hon. Sir C. Sladen
W. Campbell
H. Cuthbert
J. Graham
F. T. Sargood
J. A. Wallace
R. D. Reid
J. Cumming
T. Bromell (*Teller*).

The question was therefore negatived.

PARLIAMENTARY BUILDINGS COMMITTEE.—The Order of the Day for the consideration of the Report of the Select Committee appointed to enquire into the extent and character of the proper accommodation required for the Parliamentary Buildings being read, the Honorable T. T. a'Beckett moved, That the Report be now adopted.

Question—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed until Thursday, the 21st instant.

“*Local Government Act 1874 Amendment Bill*”—Adoption of Report.

SALE OF POISONS BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable J. Cumming moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable J. Cumming moved, That the title of the Bill be “*An Act for regulating the Sale and Use of Poisons.*”

Question—put and passed.

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

The Council adjourned at a quarter to nine o'clock until half-past four o'clock on Thursday, the 21st instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 21ST DECEMBER, 1876.

NOTICE OF MOTION:—

1. The Hon. H. CUTHBERT: To move, That, in the opinion of this House, it is desirable that plans showing the various allotments of land in the colony held under the old system of conveyancing which have been brought under the operation of the Transfer of Land Statute, be prepared and completed as soon as possible, and in order that expedition be used in the preparation of the plans, the House considers that all necessary assistance be at once afforded to the Registrar of Titles.

ORDERS OF THE DAY:—

1. LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL (2).—To be read a second time.
2. CROSSED CHEQUES BILL.—To be read a second time.
3. LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL.—Adoption of Report.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 21ST DECEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ROYAL ASSENT TO BILLS.—The President informed the Council that he had received a communication from the Private Secretary to His Excellency the Governor, intimating that it is His Excellency's intention to proceed to the Legislative Council Chamber, on Friday, the 22nd instant, at two o'clock, to assent, in Her Majesty's name, to certain Bills passed by the Legislative Council and Legislative Assembly.

JUSTICES OF THE PEACE BILL.—CLERICAL ERROR.—The President laid on the Table the following communication from the Clerk of the Parliaments on the subject of a clerical error in this Bill :—

Parliament Houses, 21st December, 1876.

SIR,—I do myself the honor to report (in conformity with the Joint Standing Order No. 21) that the following clerical error has been discovered in the Justices of the Peace Bill.

As passed originally the "*Last Schedule*" was referred to in clause 29 of the Bill—in words, and in the marginal note.

The Legislative Assembly changed the title of the Schedule into "Fourth Schedule," and added a "Fifth Schedule" which thus became the Last Schedule.

The reference in clause 29 to the "Last Schedule" has thus accidentally been made erroneous, in the absence of the necessary clerical alteration in the clause and in its marginal note.

It should be to the Fourth Schedule.

I have the honor to be, Sir,

Your most obedient servant,

G. W. RUSDEN,

Clerk of the Parliaments.

The Honorable

The President of the Legislative Council.

The communication was read at the table by the Clerk.

JUSTICES OF THE PEACE BILL.—CLERICAL ERROR.—The Honorable R. S. Anderson moved, That this House agree to correct the clerical error reported in this Bill.

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly acquainting them that the Council have agreed to correct the error reported to have been discovered, and desiring their concurrence therewith.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Law relating to Juries,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment of the Legislative Council in new clause after 91, and that they do not insist on the amendments disagreed with by the Legislative Council.

C. MAC MAHON,

Speaker.

Legislative Assembly Chamber,

Melbourne, 21st December, 1876.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Law relating to the Right of Stoppage in Transitu, and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to this Bill without amendment.

C. MAC MAHON,

Speaker.

Legislative Assembly Chamber,

Melbourne, 21st December, 1876.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act for regulating the Sale and Use of Poisons*," and acquaint the Legislative Council that they have agreed to the amendments made by the Legislative Council in this Bill, and have made a consequential amendment, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 21st December, 1876.

C. MAC MAHON,
Speaker.

MR. PRESIDENT—

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

Legislative Assembly Chamber,
Melbourne, 21st December, 1876.

C. MAC MAHON,
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the Care, Management, and Control of State Forests, Timber Reserves, and other Crown Lands, and for other purposes*," with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 21st December, 1876.

C. MAC MAHON,
Speaker.

MR. PRESIDENT—

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

Legislative Assembly Chamber,
Melbourne, 20th December, 1876.

C. MAC MAHON,
Speaker.

SALE OF POISONS BILL.—The Honorable J. Cumming moved, That the Council agree to the consequential amendment made by the Legislative Assembly in this Bill, viz.:—

In First Schedule, line 17, omit "other than Laudanum."

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council have agreed to the amendment.

PLANS OF ALLOTMENTS UNDER OLD SYSTEM OF CONVEYANCING.—The Honorable J. Graham, in the absence of the Honorable H. Cuthbert, moved, in accordance with notice, That, in the opinion of this House, it is desirable that plans showing the various allotments of land in the colony held under the old system of conveyancing which have been brought under the operation of the Transfer of Land Statute, be prepared and completed as soon as possible, and in order that expedition be used in the preparation of the plans, the House considers that all necessary assistance be at once afforded to the Registrar of Titles.

Debate ensued.

Question—put and passed.

PAPERS.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Papers:—

1. Kew Lunatic Asylum—Report of Board upon.

2. Friendly Societies—Statistics of, for 1875.

Ordered severally to lie on the Table.

LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL (2).—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Amendment moved by the Honorable Sir C. Sladen, That the word "now" be omitted, with a view to insert the words "this day six months" after the word "time."

Debate ensued.

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

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

Bill read a second time.

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

MR. PRESIDENT—

The Legislative Assembly acquaint the Legislative Council that they have concurred with the Legislative Council in correcting the clerical error reported to have been discovered in the Bill intituled "*An Act to amend the Law relating to Justices of the Peace and for other purposes*."

Legislative Assembly Chamber,
Melbourne, 21st December, 1876.

C. MAC MAHON,
Speaker.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable R. S. Anderson presented the following Message from His Excellency the Governor:—

G. F. BOWEN,
Governor.

In pursuance of section 36 of the "*Constitution Act*," the Governor transmits to the Legislative Council the following amendments, which he recommends to be made in the Bill "to amend the law relating to Juries."

Insert New Clause—The Governor in Council may by any order or orders published in the *Government Gazette* on or before the first day of January A.D. 1878, extend the time or times or alter the date or dates within, or on or before which any notice is by this Act required to be given, or any publication to be made, or any act duty or thing to be done.

Tenth Schedule, last line but two leave out "sum" and insert "sums" in lieu thereof."

Government Offices,
Melbourne, December 1876.

JURIES BILL.—MESSAGE FROM THE GOVERNOR.—The Honorable R. S. Anderson moved, That this House do agree to the amendments recommended by His Excellency the Governor in this Bill.

Question—put and passed.

Ordered—That the Message of His Excellency the Governor be transmitted to the Legislative Assembly with a Message acquainting them that the Council have agreed to the amendments recommended by the Governor in the Bill, and desiring their concurrence therewith.

PUBLIC HOUSES BILL.—CONSIDERATION OF MESSAGE FROM LEGISLATIVE ASSEMBLY.—The Honorable R. S. Anderson moved, That the Message from the Legislative Assembly with this Bill be now considered.

Question—put and passed.

On the motion of the Honorable R. S. Anderson the following amendments, disagreed with by the Legislative Assembly, were severally not insisted on:—

Clause 5, line 31, leave out "Colonial" and insert "Australian."

Clause 9, line 13, leave out "A Colonial" and insert "An Australian."

Clause 13, line 6, leave out "a Colonial" and insert "an Australian."

Transpose clauses 22 and 23, making clause 23 stand as clause 22, and clause 22 stand as clause 23.

Clause 22 (to stand as clause 23) line 1, leave out all the words from beginning of clause to the word "determination" in line 7.

Clause 22, line 15, leave out "first" and insert "third."

Clause 22, line 20, leave out "first" and insert "third."

The Honorable R. S. Anderson moved, That the Council do concur with the Legislative Assembly in the following amendment made by the Legislative Assembly on the amendment made by the Council in clause 23, line 28.

Clause 23, line 28, after "election" insert "in case of a poll being taken, notwithstanding that no poll shall be taken."

Question—put and passed.

The Honorable R. S. Anderson moved, That the Council do not insist on the following amendment:—

Clause 23, line 29, after "councillors" insert "who shall demand the same."

Debate ensued.

Question—put and negatived.

Question—That the Council insist on the amendment—put and passed.

The Honorable R. S. Anderson moved, That the Council agree to the amendment made by the Legislative Assembly to insert the words "for the election of councillors" after the word "poll" in the amendment made by the Council in clause 25, line 6.

Question—put and passed.

The Honorable Sir C. Sladen moved, That the Council do insist on their amendment in clause 25, line 7, to insert the words "who shall demand the same."

Question—put and passed.

The Honorable R. S. Anderson moved, That the Council agree to the consequential amendment made by the Legislative Assembly on the amendment made by the Council in clause 33, line 10.

Question—put and passed.

On the motion of the Honorable R. S. Anderson, the following amendments, disagreed with by the Legislative Assembly, were severally not insisted on by the Council:—

Clause 36, line 3 (p. 12), after "decide" insert "and in the event of only two being present, the senior magistrate shall have a casting vote."

Clause 36, line 7, after "district" leave out all words to end of clause.

Clause 49, line 6, after "served" insert "by the applicant."

Clause 54, line 26, leave out "one year," insert "three years."

The Honorable R. S. Anderson moved, That the Council agree to the following amendment made by the Legislative Assembly on the new clause A in the Bill.

Omit "clause 66" in the second line, and insert "the next preceding section" in lieu thereof, and omit "clause 66" in 11th line, and insert "the next preceding section" in lieu thereof.

Question—put and passed.

The Honorable Sir C. Sladen moved, That the Council insist on their amendment to insert the new clause B in the Bill.

Question—put and passed.

The Honorable R. S. Anderson moved, That the Council agree to the following amendment made by the Legislative Assembly on the new Clause C inserted by the Council.

"Agreed to, to form part of Clause A, omitting 'exceeding' in fifth line," and inserting "less than one pound nor more than."

Question—put and passed.

The following amendments made by the Legislative Council in the Bill, on the motion of the Honorable R. S. Anderson, were severally not insisted on by the Council.

Clause 81, line 23, after "drunk" insert "and incapable."

Clause 82, line 33, leave out "knowingly."

" line 7 (p. 26), after "years" insert "Provided always that no person proceeded against under the provisions of this section shall be liable to any penalty under this Act for the sale of liquor which shall have been shown to be adulterated or impure if he shall prove to the satisfaction of the justices that he had no grounds for believing that such liquor was adulterated or impure."

Clause 84, line 29, leave out "knowing it to be adulterated."

The Honorable R. S. Anderson moved, That the Council agree to the following amendment made by the Legislative Assembly on the amendment made by the Council in clause 84, line 30.

Omit "fourth," insert "second."

Question put and passed.

The Honorable R. S. Anderson moved, That the Council do not insist on their amendment in clause 84, line 34.

Question—put and passed.

The following amendments were severally insisted on by the Council :—

Clause 85, line 35, leave out "distilled in the colony."

" line 37, leave out "that its contents are colonial spirits" and insert "showing what its contents are, where distilled, and, if bottled in the colony, by whom bottled."

On the motion of the Honorable R. S. Anderson, The Council severally agreed to the transposition of the new clause, D, in the Bill, and not to insist on their remaining amendments in the Bill.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Council insist on some amendments, do not insist on some amendments, and have agreed to certain amendments made by the Legislative Assembly on amendments made by the Council in the Bill.

STATE FORESTS BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report of the Committee be now adopted.

Question—put and passed.

The President having reported that the Chairman of Committees had certified that the Bill as certified was in accordance with the Bill as reported, the Bill, on the motion of the Honorable R. S. Anderson, was read a third time and *passed*.

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to provide for the care, management, and control of State Forests, Timber Reserves, and other Crown Lands and for other purposes.*"

Question—put and passed.

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

APPROPRIATION BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Report of the Committee be now adopted.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the last day of June, One thousand eight hundred and seventy-seven and to appropriate the Supplies granted in this session of Parliament.*"

Question—put and passed.

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

CROSSED CHEQUES BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable F. T. Sargood moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

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

Debate ensued.

Question—put and passed.

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

The President left the Chair.

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

The Honorable F. T. Sargood moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable F. T. Sargood moved, that the title of the Bill be "*An Act for amending the Law relating to Crossed Cheques.*"

Question—put and passed.

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

LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL.—The Order of the Day for the adoption of the report of the Committee of the whole Council on this Bill being read, the Honorable J. Cumming moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable J. Cumming moved, That the title of the Bill be "*An Act to further amend the Local Government Act 1874, and the Act No. 54.*"

Question—put and passed.

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

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

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the amendments recommended by His Excellency the Governor, and agreed to by the Legislative Council, in the Bill intituled "*An Act to amend the Law relating to Juries.*"

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 21st December 1876.

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Laws relating to the Licensing of Public Houses and the Sale of Fermented and Spirituous Liquors,*" and acquaint the Legislative Council that they do not insist upon disagreeing with some of the amendments of the Legislative Council in this Bill, and have amended one of such amendments.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 21st December 1876.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to provide for the care, management, and control of the State Forests, Timber Reserves, and other Crown Lands, and for other purposes,*" and acquaint the Legislative Council that they have agreed to the amendments made in this Bill by the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 21st December, 1876.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled, "*An Act to further amend The Local Government Act 1874 and the Act No. 54,*" and acquaint the Legislative Council that they have agreed to the amendments made in this Bill by the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 21st December 1876.

PUBLIC HOUSES BILL.—The Honorable R. S. Anderson moved, That the Council agree with the Legislative Assembly, in making the new clause B a part of the preceding clause, and in the following amendment made by the Legislative Assembly on the amendment made by the Council in clause 85, line 37, of this Bill :—

Omit the words “where distilled.”

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, that the House, at its rising this day, adjourn until Two o'clock to-morrow.

Question—put and passed.

The Council adjourned at half-past nine o'clock until two o'clock on Friday the 22nd instant.

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

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 22ND DECEMBER, 1876.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber, and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber; who being come with their Speaker, he, after a speech to His Excellency, delivered the Appropriation Bill to the Clerk of the Parliaments, who brought it to the table.

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

- “An Act to apply a sum out of the Consolidated Revenue to the service of the Year ending on the last day of June One thousand eight hundred and seventy-seven and to appropriate the Supplies granted in this session of Parliament.”*
- “An Act to provide for the Regulation Management and Improvement of the Port of Melbourne and certain portions of the River Yarra Yarra and certain portions of the Saltwater River and for other purposes connected therewith.”*
- “An Act for the Continuation of an Expiring Law.”*
- “An Act to continue an Expiring Law.”*
- “An Act for the Continuation of an Expiring Law.”*
- “An Act to amend ‘The County Courts Statute 1869.’”*
- “An Act to amend the Law relating to Bills of Sale.”*
- “An Act to establish a Board of Pharmacy in Victoria.”*
- “An Act for regulating the Sale and Use of Poisons.”*
- “An Act to amend the Law relating to Juries.”*
- “An Act to amend the Law relating to the Right of Stoppage in Transitu and for other purposes.”*
- “An Act for amending the Law relating to Crossed Cheques.”*
- “An Act to provide for the Care Management and Control of State Forests Timber Reserves and other Crown Lands and for other purposes.”*
- “An Act to further amend the Local Government Act 1874 and the Act No. 54.”*
- “An Act to amend the Law relating to Justices of the Peace and for other purposes.”*
- “An Act to consolidate and amend the Laws relating to the Licensing of Public Houses and the Sale of Fermented and Spirituous Liquors.”*

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

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

“G. F. BOWEN,
“Governor.”

The Clerk of the Parliaments delivered to Mr. Speaker a Schedule of the Acts assented to.

His Excellency was then pleased to speak as follows:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

I have great pleasure in relieving you from further attendance on your legislative duties. It is gratifying to me to be in a position to congratulate you upon the signal success in floating the Loan authorised last session for the construction of Railways, the erection of School Buildings, and the Supply of Water to the country districts. The exceptionally high price obtained is a satisfactory indication of the confidence which the moneyed classes in London place in our securities.

Although it has been found impossible during the present session to pass a measure for applying the portion of the Loan available for new lines of Railways, my Advisers will adopt such measures during the recess as will tend to expedite their construction.

About £150,000 of that portion of the loan appropriated to school buildings has been already applied towards the erection of buildings in various parts of the colony where no school accommodation has hitherto existed, or where it has been exceedingly defective, and extensive works are in progress to meet the requirements of the country.

Arrangements have been made for holding a Conference of representatives of the different Australasian colonies during the month of January next to consider the various proposals which have been submitted for a duplicate Telegraph Cable with England.

Since I addressed you at the commencement of the present session of Parliament the extension of our Railways has steadily progressed. Lines have been opened for traffic from Everton to Beechworth, from Sandhurst to Inglewood, from Maryborough to Avoca, and from Geelong to Winchelsea, making a total length of 81 miles. The lines in course of construction are from Oakleigh to Sale (in three sections), from Winchelsea to Colac, from Ararat to Hamilton, and from Hamilton to Portland. The third section of the Gippsland line between Sale and Morwell (about 41 miles) will be completed during the ensuing month, the second section of the Colac line during the month of March, and the Ararat and Hamilton and Hamilton and Portland lines about June next.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I thank you on behalf of Her Majesty for the supplies so liberally granted by you for the service of the year.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I congratulate you upon the passing of the Electoral Act, which will secure a more equitable adjustment of the representation of the people in Parliament, by removing inequalities which the increase of population and the varied settlement thereof on the lands have shown to exist for some time past.

The Amending Education Act will remove the difficulties which have hitherto impeded the enforcement of the compulsory clauses, and enable a ready comparison to be made between the number of children who should and who do attend the various State Schools in the colony.

The measure for establishing a Harbor Trust is calculated to confer great benefits, not only upon the Port of Melbourne but also upon the whole community; for, whilst it will enable most important improvements to be made in the port and harbor, it will afford such facilities in relation to shipping as will, in conjunction with our extended railway system, ensure a ready disposal of the products of the country, and, at the same time, benefit the consumers in the interior by lessening the cost of supplies obtainable only from the seaboard.

The amendment of the law relating to the Sale of Wines, Beer, and Spirits will, it is confidently hoped, prove beneficial to the public, and justify the attention and deliberation bestowed upon this important question.

The law relating to Juries, affecting as it does all classes, has very properly secured your consideration, and I am happy to congratulate you on the result of your deliberations, for I entertain no doubt the improvements made by you will effectually remedy the defects in the existing system.

Imperfections having been observed from time to time in the procedure of the Courts of General and of Petty Sessions, and doubts have arisen as to the powers and jurisdiction of justices in some important particulars. These have now been removed by the Act to amend the law relating to Justices of the Peace.

The Act to provide for the care, management, and control of State Forests and Timber Reserves will, it is hoped, prove of great public advantage in conserving our Forests and preventing the extensive destruction of timber which has been going on for a number of years.

The Act providing for the better supervision of Marine Stores is a most salutary measure, and will tend to correct the demoralising effects arising from youthful offenders being able to dispose readily of stolen articles.

Your adaptation of the law of England with regard to Obscene Books and Prints will doubtless check the sale of such publications in future.

There are several other measures, which I trust will be of great benefit to this country, such as those relating to Stoppage in Transitu, Bills of Sale, Pharmacy, the Sale of Poisons, Crossed Cheques, Trade Marks, and others—all of which have been the result of your careful and extended deliberations.

I now, in Her Majesty's name, declare this Parliament to be prorogued to Thursday, the 1st day of February next, and it is prorogued accordingly.

Melbourne, 22nd December, 1876.

Which being concluded, a copy of the speech was delivered to the President of the Council, and to Mr. Speaker, and the Legislative Assembly withdrew. His Excellency the Governor left the Council Chamber.

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

SELECT COMMITTEES

APPOINTED DURING THE SESSION OF 1876.

No. 1.—ADDRESS IN REPLY TO GOVERNOR'S SPEECH.

Appointed 11th July 1876.

The Hon. F. T. Sargood
W. Campbell
H. Cuthbert
C. J. Jenner

The Hon. J. Graham
J. Cumming
T. T. a'Beckett (*Mover*).

No. 2.—STANDING ORDERS

Appointed 11th July 1876.

The Hon. The President
T. T. a'Beckett
C. J. Jenner

The Hon. Sir F. Murphy
H. Cuthbert.

No. 3.—PRINTING.

Appointed 11th July 1876.

The Hon. N. Black
J. Cumming
W. Highett

The Hon. T. Bromell
J. A. Wallace.

No. 4.—LIBRARY (JOINT).

Appointed 11th July 1876.

The Hon. The President
F. T. Sargood
Dr. Dobson

The Hon. F. Robertson
J. Graham.*

* Re-appointed (on re-election) 12th September 1876.

No. 5.—PARLIAMENT BUILDINGS (JOINT).

Appointed 11th July 1876.

The Hon. The President
J. Henty
W. Campbell

The Hon. J. Balfour
R. S. Anderson* (*Mover*).

* Re-appointed (on re-election) 3rd October 1876.

No. 6.—REFRESHMENT ROOMS (JOINT).

Appointed 11th July 1876.

The Hon. T. J. Sumner
T. F. Hamilton
R. Simson

The Hon. A. Fraser
G. F. Belcher*
W. Wilson.†

* Re-appointed (on re-election) 3rd October 1876.

† Appointed (3rd October 1876) to vacancy caused by the Hon. A. Fraser's retirement by rotation from the Council.

No. 7.—ELECTIONS AND QUALIFICATIONS.

Appointed (by Warrant of President) 11th July 1876.

The Hon. Thomas Turner a'Beckett
 Robert Stirling Anderson *
 Henry Cuthbert
 James Balfour

The Hon. William Highett
 Theodotus John Sumner, and
 Frederick Thomas Sargood.

* Re-appointed (on re-election) 26th September 1876.

No. 8.—INCREASE OF MEMBERS OF COUNCIL.

Appointed 24th October 1876.

The Hon. T. T. a'Beckett
 J. Graham
 J. P. Bear
 G. F. Belcher
 W. Campbell

The Hon. H. Cuthbert
 W. Highett
 The President
 F. T. Sargood
 Sir C. Sladen (*Mover*).

No. 9.—PARLIAMENTARY BUILDINGS (TO CONFER WITH COMMITTEE OF LEGISLATIVE ASSEMBLY.

Appointed 5th December 1876.

The Hon. The President
 T. T. a'Beckett
 W. Highett
 F. T. Sargood
 J. Balfour
 C. J. Jenner

The Hon. R. Simson
 Sir C. Sladen
 J. Graham
 A. Fraser
 W. Wilson
 J. A. Wallace.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1876.

WEEKLY REPORT OF DIVISIONS IN COMMITTEE OF THE WHOLE COUNCIL.

No. 1.

Extracted from the Minutes.

TUESDAY, 5TH SEPTEMBER, 1876.

RIGHTS AND EASEMENTS BILL.—Clause 3.—When the access and use of light to and for any dwelling-house, workshop, or other building, shall have been actually enjoyed therewith for the full period of fifteen years without interruption, the right thereto shall be deemed absolute and indefeasible, any Act to the contrary notwithstanding, unless it shall appear that the same was enjoyed by some consent or agreement expressly made or given for that purpose by deed or writing.

Motion made—That the above clause stand part of the Bill.—(*Hon. R. S. Anderson.*)

Amendment proposed—That this clause be struck out.—(*Hon. T. T. a'Beckett.*)

Debate ensued.

Question—That the clause be struck out—put.

Committee divided.

Contents, 10.
The Hon. W. Campbell
T. T. a'Beckett
T. J. Sumner
W. Wilson
J. Buchanan
J. A. Wallace
T. H. Hamilton
W. Highett
F. Robertson
J. Cumming (*Teller*).

Not Contents, 10.
The Hon. R. Simson
Sir S. Wilson
R. S. Anderson
G. F. Belcher
J. Balfour
F. T. Sargood
Dr. Dobson
H. Cuthbert
T. Bromell
J. Graham (*Teller*).

The tellers having declared that the numbers for the Contents and for the Not Contents were respectively ten, or equal, the Chairman gave his vote with the Not Contents, and declared the question to have been negatived.



VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1876.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 2.

Extracted from the Minutes.

TUESDAY, 26TH SEPTEMBER, 1876.

JURIES LAW AMENDMENT BILL.—Clause 70.—In any criminal inquest where the jurors after *six* hours' deliberation shall be unable to agree on their verdict, they may be discharged from giving a verdict; and in any civil inquest where all the jurors after "*six*" hours' deliberation are unable to agree on their verdict, the decision of *three-fourths* in the case of a jury of twelve or of *five-sixths* in the case of a jury of six may be taken as the verdict of all; and if after *six* hours' deliberation *three-fourths* or *five-sixths*, as the case may be, are unable to agree on their verdict, such jurors may be discharged from giving a verdict; and proceedings may thereupon be taken anew as if no trial had been commenced, provided that another trial in any such criminal or civil inquest may be commenced forthwith or during the same Sittings Assizes or Sessions as the Court discharging such jury may think fit to order.

Motion made—That the word "*six*" in the third line of the above clause be struck out, with the view to insert the word "*three*."—(*Hon. J. Balfour*.)

Question—That the word proposed to be struck out be so struck out—put.

Committee divided.

Contents, 10.
The Hon. T. T. a'Beckett
W. Highett
F. T. Sargood
J. H. Abbott
T. F. Hamilton
J. Buchanan
J. P. Bear
T. J. Sumner
J. A. Wallace
J. Balfour (*Teller*).

Not Contents, 10.
The Hon. Sir Charles Sladen
W. Campbell
J. Graham
N. Black
Sir S. Wilson
G. F. Belcher
F. Robertson
W. Wilson
H. Cuthbert
R. S. Anderson (*Teller*).

The Tellers having declared that the numbers for the Contents and for the Not Contents were respectively ten, or equal, the Chairman gave his vote with the Contents, and declared the question to have been carried.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1876.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 3.

Extracted from the Minutes.

TUESDAY, 17TH OCTOBER, 1876.

RIGHTS AND EASEMENTS BILL.—Clause 11.—When any watercourse or creek shall have been used for the purpose of conveying water to or carrying off sludge mullock and water from any mining tenement for a period of fifteen years it shall be lawful to use such watercourse or creek for such purposes notwithstanding any alienation of Crown lands made or which hereafter may be made abutting on or adjoining to such watercourse or creek.

Motion made—That the words “Provided always that it is hereby declared that notwithstanding anything in this section contained it shall be lawful for the Governor in Council at any time hereafter to exclude from the operation of this Act any watercourse river or creek or any part of any watercourse river or creek which in his opinion should in the public interest be so excluded and from and after one month of a proclamation in the *Government Gazette* to that effect any person using such watercourse river or creek for carrying off sludge mullock and water or otherwise fouling the same contrary to such proclamation shall be guilty of a misdemeanour and be punished accordingly” be added to the above clause.—(*Hon. R. S. Anderson.*)

The Hon. F. T. Sargood moved, That the Chairman do now leave the Chair.
Debate ensued.

Question—That the Chairman do now leave the Chair—put.

Committee divided.

Contents, 8.
The Hon. N. Black
W. Highett
F. T. Sargood
T. F. Hamilton
J. H. Abbott
J. Buchanan
J. P. Bear
Sir Charles Sladen (*Teller*).

Not Contents, 9.
The Hon. T. Bromell
J. Graham
T. T. a'Beckett
J. Cumming
R. Simson
H. Cuthbert
G. F. Belcher
J. A. Wallace
R. S. Anderson (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1876.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 4.

Extracted from the Minutes.

WEDNESDAY, 15TH NOVEMBER, 1876.

MINING ON PRIVATE PROPERTY BILL.—Clause 2.—In the construction of this Act the following terms shall, if not inconsistent with the context or subject matter, have the meanings hereby respectively assigned to them, that is to say:—

“Private lands” shall mean lands alienated from the Crown, whether in fee simple or for any less estate or interest, except lands alienated expressly for mining purposes.

“Owner” shall mean any person entitled to a freehold estate in any land, and also any person entitled to the possession of land under or by virtue of any less estate or interest derived from the Crown.

“Minister” shall mean the responsible Minister of the Crown administering this Act.

“Warden” shall mean one of Her Majesty’s wardens of the gold fields in and for the colony, or in and for any district thereof.

“Person” shall, for the purposes of this Act, include a corporation, if incorporated for mining purposes, but not otherwise.

“Prospecting” shall mean mining or excavating with the object of discovering gold or silver mines.

“Mining” shall mean mining for gold or silver, and shall include prospecting.

Motion made—That the above clause stand part of the Bill.—(*Hon. R. S. Anderson.*)

The Hon. Dr. Dobson moved, That the Chairman do now leave the Chair.

Debate ensued.

Question—That the Chairman do now leave the Chair—put.

Committee divided.

Contents, 13.
The Hon. J. P. Bear
The President
Sir C. Sladen
W. Campbell
T. F. Hamilton
N. Black
R. Simson
G. W. Cole
T. J. Sumner
Dr. Dobson
Sir S. Wilson
W. Highett
J. Graham (*Teller*).

Not Contents, 10.
The Hon. T. T. a’Beckett
R. S. Anderson
J. Buchanan
H. Cuthbert
G. F. Belcher
A. Fraser
F. Robertson
F. T. Sargood
J. A. Wallace
J. Balfour (*Teller*).

LEGISLATIVE COUNCIL.

SESSION 1876.

WEEKLY REPORT OF DIVISIONS IN COMMITTEE OF THE WHOLE COUNCIL.

No. 5.

Extracted from the Minutes.

MONDAY, 18TH DECEMBER, 1876.

No. 1.—PUBLIC HOUSES BILL.—Clause 66.—Any licensed person who shall sell or retail any liquor or permit or suffer the same to be drunk in his house or premises on Sunday, except to lodgers in such “house,” or shall suffer any one to play at billiards or bagatelle or any other game in his premises on such day, shall be liable to a penalty not exceeding Ten pounds.

Motion made—That the words “or to *bonâ fide* ‘travellers’” be inserted after the word “house” in the second line of the above clause.—(Hon. R. S. Anderson.)

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

Committee divided.

Contents, 12.
The Hon. R. Simson
R. S. Anderson
F. T. Sargood
T. T. a'Beckett
H. Cuthbert
Sir S. Wilson
W. Highett
T. F. Hamilton
J. P. Bear
R. D. Reid
J. A. Wallace
J. Graham (*Teller*).

Not Contents, 9.
The Hon. J. Buchanan
Sir C. Sladen
N. Black
J. Balfour
W. Wilson
A. Fraser
J. Cumming
G. F. Belcher
W. Campbell (*Teller*).

No. 2.—PUBLIC HOUSES BILL.—New clause A to follow clause 66.—No person shall be a *bonâ fide* traveller within the meaning of clause 66 unless he shall reside at least “five” miles from the licensed premises where he shall be supplied with liquor and shall have travelled at least that distance on the day when he shall be so supplied, and on the hearing of any complaint against any licensed person for a breach of clause 66 the burden of proof that the person supplied with liquor was a *bonâ fide* traveller shall rest with such licensed person.

Motion made—That the word “five,” occurring in the second line of the above clause, be struck out.—(Hon. W. Campbell.)

Question—That the word “five,” proposed to be struck out, be so struck out—put.

Committee divided.

Contents, 12.
The Hon. Sir C. Sladen
W. Campbell
F. T. Sargood
N. Black
G. F. Belcher
J. Buchanan
T. T. a'Beckett
J. Cumming
A. Fraser
R. Simson
W. Wilson
J. Balfour (*Teller*).

Not Contents, 9.
The Hon. H. Cuthbert
R. D. Reid
R. S. Anderson
Sir S. Wilson
J. A. Wallace
W. Highett
T. F. Hamilton
J. P. Bear
J. Graham (*Teller*).

TUESDAY, 19TH DECEMBER, 1876.

No. 3.—LOCAL GOVERNMENT ACT 1874 AMENDMENT BILL.—Clause 2.—The council of the town of Geelong may contract for making and constructing within the town or any part or parts thereof gas works and conveniences connected therewith for making and supplying gas and may make a gas rate or charge upon persons using or consuming gas supplied by such council.

Motion made—That the above clause be struck out.—(*Hon. G. F. Belcher.*)

Question—That Clause 2 be struck out—put.

Committee divided.

Contents, 12.
 The Hon. F. T. Sargood
 J. Balfour
 J. Graham
 T. T. a'Beckett
 Sir S. Wilson
 G. F. Belcher
 J. A. Wallace
 A. Fraser
 R. D. Reid
 J. Buchanan
 W. Wilson
 R. S. Anderson (*Teller*).

Not Contents, 2.
 The Hon. J. Cumming
 H. Cuthbert (*Teller*).

1876.

VICTORIA.

ASSIZE COURTS AND GENERAL SESSIONS—TRIALS AT.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.
THE HONORABLE H. CUTHBERT.—22ND AUGUST, 1876.

LAI D ON THE COUNCIL TABLE BY THE HONORABLE R. S. ANDERSON, AND ORDERED BY THE COUNCIL TO BE PRINTED, 29TH AUGUST, 1876.

CONVICTIONS, ACQUITTALS, ETC., 1873, 1874, AND 1875.—A Return showing the Number of Prisoners tried in the various Courts of Assize and General Sessions in the Colony in each of the past three years, showing the Number of Convictions and Acquittals, distinguishing the cases in which Juries have disagreed on their finding, and the final result of such disagreement.

COURTS OF GENERAL SESSIONS.

Where tried.	Number of Prisoners.									Cases in which Juries have disagreed on their Finding.			Final Result of such Disagreement.		
	Tried.			Convicted.			Acquitted.			1873.	1874.	1875.	1873.	1874.	1875.
	1873.	1874.	1875.	1873.	1874.	1875.	1873.	1874.	1875.						
Ararat ...	9	7	7	4	3	4	3	4	3	2	...	...	Both tried at Melbourne and convicted.	...	...
Bairnsdale ...	2	1	5	2	...	4	...	1	1	...	...	...	...	...	...
Ballaarat ...	47	18	25	33	7	14	14	10	11	...	1	...	...	...	...
Beechworth ...	35	27	40	26	15	28	9	12	11	...	...	...	...	Remanded to Circuit Court and convicted.	Remanded to Court of Assize at Beechworth and there acquitted.
Belfast ...	5	8	7	1	4	1	4	4	6	...	...	...	...	...	...
Castlemaine ...	2	6	9	1	6	6	1	...	3	...	...	...	...	...	...
Clunes ...	No court held till 31st March 1875, and no prisoners tried during that year.														
Daylesford ...	1	1	3	...	1	3	1	...	...	...	...	...	...	...	...
Dunolly ...	6	9	...	3	6	...	3	3	...	...	...	...	...	...	...
Echuca ...	7	10	7	5	8	7	2	2	...	...	...	...	...	...	...
Geelong ...	19	13	12	14	8	7	5	5	5	...	...	...	...	...	...
Hamilton ...	8	8	18	4	3	8	4	5	10	...	...	...	...	...	...
Heathcote ...	4	...	...	3	...	...	1	...	...	...	...	...	...	...	...
Inglewood ...	2	6*	2	2	2	2	...	1&†	...	...	...	...	...	...	...
Jamieson ...	1	...	1	...	...	1	1	...	...	...	...	...	...	...	...
Kilmore ...	7	3	7	5	3	6	2	...	1	...	...	...	...	...	...
Kyneton ...	...	5	3	...	3	3	...	2	...	...	...	...	...	...	...
Mansfield ...	4	4	3	2	5	2	2	...	1	...	...	...	...	...	...
Maryborough ...	11	7	9	9	4	8	2	3	1	...	...	...	...	...	...
Melbourne ...	110	143	156	85	112	121	22	24	32	3	7	3	2 re-tried and acquitted. 1 nolle prosequi was entered.	3 re-tried and acquitted. 2 nolle prosequi was entered. 2 convicted on being re-tried.	Re-tried and convicted.
Palmerston ...	2	5	1	1	2	1	1	3	...	...	...	...	...	...	...
Portland ...	1	6	2	...	5	3	1	1	...	...	...	...	...	...	...
St. Arnaud ...	No court held till 24th March 1876.														
Sale ...	5	2	5	5	2	5	...	...	...	...	...	...	...	...	...
Sandhurst ...	24	28	11	17	19	9	7	8	2	...	1	...	...	Afterwards tried at Circuit Court and found not guilty.	...
Stawell ...	5	9	5	4	3	2	1	6	3	...	...	...	...	...	...
Walhalla ...	...	...	1	...	...	1	...	...	...	...	...	...	...	...	...
Warrnambool ...	6	4	5	1	4	4	5	...	1	...	...	...	...	...	...
Wood's Point ...	3	4	1	1	1	...	2	3	1	...	...	...	...	...	...

* Two cases remanded to Dunolly General Sessions.

† One nolle prosequi.

This return has been compiled from the particulars furnished by the various clerks.

SUPREME COURT AND CIRCUIT COURTS, 1873 AND 1874; CENTRAL CRIMINAL COURT
AND COURTS OF ASSIZE, 1875.

Where tried.	Number of Prisoners.									Cases in which Juries have disagreed on their Finding.			Final Result of such Disagreement.		
	Tried.			Convicted.			Acquitted.			1873.	1874.	1875.	1873.	1874.	1875.
	1873.	1874.	1875.	1873.	1874.	1875.	1873.	1874.	1875.						
Ararat ...	4	8	7	4	5	4	...	2	2	...	1	1	...	Tried again and acquitted	Tried again and acquitted.
Ballarat ...	28	44	33	17	31	27	9	11	6	2*	2	...	The records of this office do not show what was ultimately done in their cases*	Tried again; 1 convicted, 1 acquitted.	...
Beechworth	27	26	14	23	16	8	4	9	6	...	1	...	...	Nolle prosequi entered.	...
Belfast ...	9	9	6	6	2	3	3	6	3	...	1	...	...	Tried again and acquitted	...
Castlemaine	30	15	15	19	12	9	10	3	6	1	...	...	Tried again and acquitted.	...	...
Geelong ...	19	5	11	12	1	9	4	4	2	3†	...	...	The records of this office do not show what was ultimately done in their cases.†	...	...
Hamilton ...	...	...	2	...	...	1	...	...	1	...	...	...	...	...	...
Maryborough	11	20	15	4	11	11	7	9	4	...	...	...	...	...	...
Melbourne ...	147	140	145	97	92	104	48	46	40	2	2	1	Two disagreements as to one prisoner; tried again and acquitted	Tried again and acquitted	Tried again and acquitted.
Sale ...	13	5	12	7	5	4	5	...	8	1	...	...	Tried again and acquitted.	...	...
Sandhurst ...	50	57	42	33	34	27	14	23	13	3	...	2	Tried again; 2 convicted, 1 acquitted	...	One tried again and acquitted; nolle prosequi entered as to the other.
	338	329	302	222	209	207	104	113	91	12	7	4			

No Circuit Court was held at Hamilton in 1873 and 1874.

Prothonotary's Office,
Melbourne, 28th August, 1876.

JOHN A. PORTER,
Prothonotary.

* Both remanded to General Sessions; tried and acquitted.

† All remanded to ensuing Circuit Court: one pleaded guilty; proceedings abandoned in regard to the two others.

B. C. H.
Sec. Law Department.

1876.

VICTORIA.

ELECTORS IN PROVINCES.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.
THE HONORABLE W. HIGHETT.—4TH OCTOBER, 1876.

LAI D ON THE COUNCIL TABLE BY THE HONORABLE R. S. ANDERSON, AND ORDERED BY THE
COUNCIL TO BE PRINTED, 26TH OCTOBER, 1876.

APPROXIMATE RETURN showing the Number of Electors for the Legislative Council on the Roll for each
Electoral Province, distinguishing those who are Ratepayers from those on the General Roll.

Provinces.	Number on Rolls of Ratepaying Electors.	Number on the General Roll.	Total.
Central	9,510	555	10,065
South	3,194	349	3,543
South-Western	2,925	448	3,373
Western	2,693	219	2,912
North-Western	6,027	302	6,329
Eastern	3,048	148	3,196
	27,397	2,021*	29,418

* This number is taken from the General Rolls for as many of the divisions as are already printed. The numbers on
the Lists are taken for the remaining divisions.

1876.
VICTORIA.

VOTERS IN ELECTORAL DIVISIONS.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.

THE HONORABLE SIR C. SLADEN.—17TH OCTOBER 1876.

LAI D ON THE COUNCIL TABLE BY THE HONORABLE R. S. ANDERSON, AND ORDERED BY THE COUNCIL TO BE PRINTED, 26TH OCTOBER 1876.

APPROXIMATE RETURN showing the Number of Persons in each of the several Electoral Divisions entitled to vote at Elections for the Legislative Council.

Electoral Divisions.	Number on Rolls of Ratepaying Electors.	Number on General Rolls.	Total.	Electoral Divisions.	Number on Rolls of Ratepaying Electors.	Number on General Rolls.	Total.
CENTRAL PROVINCE.				SOUTH PROVINCE.			
Abbotsford	86	23	109	Anderson's Creek	32	Nil	32
Boroondara (B)	146	7	153	Bacchus March	80	10	90
Carlton	829	36	865	Ballan (North)	45	1	46
Eastern Hill	502	3	505	Beveridge	46	1	47
Elsternwick	151	8	159	Blackwood	27	4	31
Emerald Hill	568	63	631	Boroondara (A)	455	60	515
Fitzroy East	186	10	196	Brighton (East)	42	15	57
Fitzroy West	223	17	240	Brighton (West)	201	27	228
Flemington	412	4	416	Broadmeadows	32	1	33
Footscray	102	9	111	Brunswick	163	16	179
Glasshouse (North)	130	48	178	Brushy Creek	33	7	40
Glasshouse (South)	84	34	118	Bulla	66	3	69
Hotham	71	15	86	Bulleen	46	1	47
Jolimont	410	37	447	Bylands	51	Nil	51
Northcote (A)	4	Nil	4	Campbellfield	45	10	55
Quarries	58	3	61	Caulfield	45	2	47
*Royal Park	198	30	228	Corinella	39	7	46
Sandridge	149	5	154	Cranbourne	124	4	128
South Yarra	499	23	522	Dandenong (East)	106	4	110
*Railway	203	2	205	Dandenong (West)	39	6	45
St. Francis's	331	8	339	Darebin	36	4	40
St. James's (Melbourne)	283	3	286	Digger's Rest	8	1	9
St. James's (Richmond)	79	4	83	Donnybrook	41	2	43
St. Kilda East	385	14	399	Eltham	50	4	54
St. Kilda West	218	9	227	Epping	38	3	41
St. Mark's	125	17	142	Essendon	93	5	98
St. Mary's	313	8	321	Gardiner	84	9	93
St. Patrick's	923	16	939	Gisborne	80	16	96
St. Paul's	904	Nil	904	Heidelberg	53	5	58
St. Stephen's	155	27	182	Kangerong	64	2	66
Swan	129	10	139	Keilor	47	3	50
University	231	10	241	Kororoit	58	5	63
Williamstown (North)	43	5	48	Lancefield	165	18	183
Williamstown (South)	94	18	112	Melton	61	1	62
Windsor	286	29	315	Mordialloc	27	Nil	27
	9,510	555	10,065	Mulgrave	38	1	39
				Northcote (B)	54	1	55

* This number is taken from the Rolls for 1875, this year's Roll not having yet been furnished.

APPROXIMATE RETURN showing the Number of Persons in each of the several Electoral Divisions entitled to vote at Elections for the Legislative Council—*continued.*

Electoral Divisions.	Number on Rolls of Ratepaying Electors.	Number on General Rolls.	Total.	Electoral Divisions.	Number on Rolls of Ratepaying Electors.	Number on General Rolls.	Total.
SOUTH PROVINCE—<i>continued.</i>				WESTERN PROVINCE—<i>continued.</i>			
Nunawading	76	6	82	Portland	56	15	71
Oakleigh	33	8	41	Raglan	147	12	159
Pentridge	25	32	57	Skipton	22	4	26
Plenty	41	7	48	Streatham	32	1	33
Preston	47	12	59	Terang	111	4	115
Schnapper Point	84	6	90	Tower Hill	179	12	191
St Andrew's	22	7	29	Wangoom	68	7	75
The Gap	42	3	45	Warrnambool	123	23	146
Tullamarine	21	Nil	21	Wickliffe	93	Nil	93
Whittlesea	23	6	29	Woodford	150	6	156
Wyndham	41	2	43	Yambuk	33	2	35
Yan Yean	25	1	26				
	3,194	349	3,543		2,693	219	2,912
SOUTH-WESTERN PROVINCE.				NORTH WESTERN PROVINCE.			
Anakie	12	5	17	Amherst	114	14	128
Ashby (North)	103	14	117	Amphitheatre	3	Nil	3
Ashby (South)	114	18	132	Ararat (A)	8	Nil	8
Ballan (South)	45	9	54	Armstrongs	9	2	11
Ballarat East (Proper)	182	39	221	Avoca	76	1	77
Ballarat West (Proper)	440	107	547	Back Creek	46	4	50
Barrabool	37	6	43	Baringhup (East)	49	3	52
Barwon	37	5	42	Baringhup (West)	58	1	59
Batesford	75	3	78	Broadford (B)	136	4	140
Bellarine	54	3	57	Campaspe	221	7	228
Buninyong	89	22	111	Campbells	20	Nil	20
Burnt Bridge	26	8	34	Campbell's Creek	7	1	8
Colac	171	13	184	Carisbrook	57	8	65
Connewarre	31	14	45	Carlsruhe	20	3	23
Egerton	19	1	20	Castlemaine	180	10	190
Geelong (North)	526	59	585	Cathcart (A)	37	3	40
Gordon	52	10	62	Chewton	30	1	31
Inverleigh	35	2	37	Clunes	116	12	128
Italian Gully	27	5	32	Cochrane's	23	1	24
Kardinia	43	5	48	Creswick	199	11	210
Linton's	49	14	63	Daylesford	115	13	128
Little River	57	7	64	Dunolly	119	11	130
Maddingley	43	Nil	43	Elphinstone	29	3	32
Modewarre	15	4	19	Elysian Flat	139	7	146
Mount Misery	14	Nil	14	Franklin	74	4	78
Mount Moriac	46	4	50	Fryerstown	28	3	31
Queenscliffe	54	7	61	Glenlyon	47	Nil	47
Rokewood	35	6	41	Glenorchy	89	2	91
Smythe's Creek	29	6	35	Glenpatrick	31	7	38
Smythesdale	6	Nil	6	Great Western	5	Nil	5
Smith Road	5	1	6	Guildford	21	1	22
Steiglitz	74	9	83	Harcourt	6	2	8
The Leigh	38	4	42	Harrow (North)	38	3	41
Wallington	21	2	23	Heathcote (A)	82	7	89
Warrenheip	103	17	120	Horsham	214	8	222
Western Road	113	Nil	113	Inglewood	57	10	67
Winchelsea East	9	2	11	Jericho	7	2	9
Winchelsea West	49	4	53	Kilmore	70	16	86
Winter	33	11	44	Kingower	13	1	14
Woody Yallock	14	2	16	Kingston	60	4	64
	2,925	448	3,373	Korong	65	1	66
WESTERN PROVINCE.				Kyneton	153	10	163
Ararat (B)	106	8	114	Lamplough	11	1	12
Balmoral	26	2	28	Lexton	61	5	66
Belfast	58	8	66	Lockwood	9	1	10
Branxholme	81	15	96	Long Gully	68	1	69
Bridgewater	25	6	31	Malakhoff	62	2	64
Burrumbeet	21	3	24	Maldon	108	9	117
Camperdown	80	10	90	Malmsbury	31	1	32
Caramut	79	3	82	Mandurang	109	6	115
Carngham	8	Nil	8	Marong	224	5	229
Casterton	218	11	229	Maryborough	145	9	154
Cathcart (B)	55	2	57	Mildura	6	Nil	6
Darlington	12	1	13	Moliagul	10	Nil	10
Dartmoor	12	3	15	Mount Hope	234	2	236
Digby	69	4	73	Muckleford	4	Nil	4
Hamilton (North)	179	14	193	Navarre	67	2	69
Hamilton (South)	26	8	34	Newbridge	53	Nil	53
Harrow (South)	46	1	47	Newstead	29	1	30
Heytesbury (East)	46	2	48	Pleasant Creek	193	12	205
Heytesbury (West)	77	6	83	Pyramid Creek	277	Nil	277
Heywood	95	9	104	Reedy Creek (A)	2	1	3
Lismore	15	1	16	Sandhurst	553	12	565
Miners' Rest	100	7	107	Sandy Creek	52	Nil	52
Mortlake	93	5	98	Seymour (A)	6	Nil	6
Mount Rouse	79	1	80	Smeaton	106	6	112
Moyne	73	3	76	Spring Creek	17	Nil	17
				St. Arnaud	296	6	302
				Strangways	15	1	16
				Swan Hill	35	Nil	35

APPROXIMATE RETURN showing the Number of Persons in each of the several Electoral Divisions entitled to vote at Elections for the Legislative Council—*continued.*

Electoral Divisions.	Number on Rolls of Ratepaying Electors.	Number on General Rolls.	Totals.	Electoral Divisions.	Number on Rolls of Ratepaying Electors.	Number on General Rolls.	Total.
NORTH WESTERN PROVINCE—<i>continued.</i>				EASTERN PROVINCE—<i>continued.</i>			
Taradale	47	2	49	Reedy Creek (B)	8	2	10
Tarngower	71	Nil	71	Seven Creeks	46	Nil	46
Tylden	82	4	86	Seymour (B)	21	4	25
Vaughan	8	3	11	Snowy Creek	2	Nil	2
White Hills	142	6	148	Stanley	15	1	16
Woodend	23	3	26	Tallarook	47	1	48
	6,027	302	6,329	Tarraville	14	1	15
EASTERN PROVINCE.				Tarrawingee	241	1	242
Alberton	26	5	31	Wahgunyah	91	5	96
Avenel	5	Nil	5	Wangaratta	89	4	93
Beechworth	180	7	187	Waranga	182	9	191
Belvoir	22	1	23	Western	217	10	227
Benalla (Boros.)	42	10	52	Wodonga	16	2	18
Benalla (Murray)	157	6	163	Woodside	12	Nil	12
Broadford (A)	10	Nil	10	Woolshed	1	1	2
Buckland	58	8	66	Yackandandah	75	2	77
Eastern	165	17	182	Yea	79	2	81
Echuca	398	9	407		3,048	148	3,196
Euroa	6	1	7	SUMMARY.			
Heathcote (B)	33	Nil	33	Central	9,510	555	10,065
Indigo	105	5	110	South	3,194	349	3,543
Longwood	148	7	155	South-Western	2,925	448	3,373
Mansfield	157	10	167	Western	2,693	219	2,912
Merton	68	2	70	North-Western	6,027	302	6,329
Middle	172	11	183	Eastern	3,048	148	3,196
Mitta Mitta	54	Nil	54		27,397	2,021	29,418
Myrtle Creek	47	2	49				
Omeo	31	1	32				
Palmerston	8	1	9				

1876.

VICTORIA.

LAND ALIENATED FROM THE CROWN SINCE 1869.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.

THE HONORABLE R. SIMSON.—8TH NOVEMBER, 1876.

LAI'D ON THE COUNCIL TABLE BY THE HONORABLE R. S. ANDERSON, 14TH NOVEMBER, 1876, AND
ORDERED BY THE COUNCIL TO BE PRINTED, 21ST NOVEMBER, 1876.

RETURN showing the Number of Acres sold by, or alienated from, the Crown since the passing of
the Land Act 1869 to the 30th September, 1876.

By Auction	...	...	...	...	...	...	Acres.	679,786
Otherwise alienated by Licence or Lease	...	...	...	...	...	...		5,548,201
					Acres	...		6,227,987

Department of Lands and Survey,
(Occupation Branch, Rent Roll Division),
Melbourne, 14th November, 1876.

By Authority: JOHN FERRES, Government Printer, Melbourne.

1876.
—
VICTORIA.

LEGISLATIVE COUNCIL.

STANDING ORDERS COMMITTEE:

R E P O R T .

ORDERED BY THE COUNCIL TO BE PRINTED, 26TH SEPTEMBER 1876.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

TUESDAY, 11TH JULY, 1876.

STANDING ORDERS COMMITTEE.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorables the President, T. T. a'Beckett, C. J. Jenner, Sir F. Murphy, and H. Cuthbert be appointed a Select Committee on the Standing Orders of the House.
Question—put and passed.

TUESDAY, 26TH SEPTEMBER.

STANDING ORDERS COMMITTEE—REPORT.—The Honorable T. T. a'Beckett brought up a Report from the Select Committee on the Standing Orders of the Council, and moved, That the Report be printed, and be taken into consideration on Tuesday next.
Question—put and passed.

REPORT.

The STANDING ORDERS COMMITTEE have the honor to report to your Honorable House as follows :—

Your Committee recommend that whenever the Council shall be satisfied that a Private Bill is for a charitable object, and not to promote any private or local interest, one half of the fee of Twenty pounds before the first reading of a Bill should be charged.

W. H. F. MITCHELL,
Chairman.

Committee-room,
26th September, 1876.

PROCEEDINGS OF COMMITTEE.

TUESDAY, 19TH SEPTEMBER, 1876.

Members present :

The Hon. the President

|

The Hon. C. J. Jenner.

No quorum.

TUESDAY, 26TH SEPTEMBER.

Members present :

The Honorable the President, in the chair ;

The Hon. T. T. a'Beckett

|

The Hon. C. J. Jenner.

Proposed—That it be recommended :—

That whenever the Council shall be satisfied that a Private Bill is for a charitable object, and not to promote any private or local interest, one half of the fee of Twenty pounds before the first reading of a Bill should be charged.

Question—put and passed.

Report ordered to be brought up by the Honorable T. T. a'Beckett this day.

1876.
—
VICTORIA.

REPORT

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON

INCREASE OF NUMBER OF MEMBERS OF COUNCIL,

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE AND DRAFT BILL.

ORDERED BY THE COUNCIL TO BE PRINTED, 26TH OCTOBER 1876.

By Authority:
JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

TUESDAY, 24TH OCTOBER, 1876.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—The Honorable Sir C. Sladen, in accordance with *amended* notice, moved, That the number of Members of the Legislative Council be increased.

Debate ensued.

Question—put and passed.

The Honorable Sir C. Sladen, in accordance with notice, moved, That a Select Committee be appointed to consider the best means of increasing the number of Members of this House.

Debate ensued.

Question—put and passed.

The Honorable Sir C. Sladen, in accordance with *amended* notice, moved, That the following be the members of such Committee, viz., the Honorables T. T. a'Beckett, J. Graham, J. P. Bear, G. F. Belcher, W. Campbell, H. Cuthbert, W. Hightt, the President, F. T. Sargood, and the Mover.

Question—put and passed.

* * * * *

INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—The Honorable Sir C. Sladen, with leave of the Council, moved, without notice, That the Select Committee appointed to consider the best means of increasing the number of Members of the Council have power to sit on days on which the Council does not sit.

Question—put and passed.

THURSDAY, 26TH OCTOBER, 1876.

INCREASE OF NUMBER OF MEMBERS OF COUNCIL.—REPORT OF SELECT COMMITTEE.—The Honorable Sir C. Sladen brought up a Report from the Select Committee, appointed on the 24th instant, to consider the best means of increasing the number of Members of the Council.

The Report was read at the Table by the Clerk.

The Honorable Sir C. Sladen moved, That the Report be printed, and that the adoption of the Report be made an Order of the Day for Tuesday next.

Question—put and passed.

R E P O R T .

THE SELECT COMMITTEE appointed by your Honorable House to consider the best means of increasing the number of Members of the House, have the honor to submit the following Report:—

Your Committee have unanimously resolved—That the Members of the Legislative Council be increased to thirty-six by an election in April 1877 of six new members (each Province to return one member), to hold office for ten years, and be further increased to forty-two by an election in April 1879 of six new members (each Province to return one), to hold office for ten years.

Your Committee annex a Draft Bill prepared with a view to show the best means of increasing the number of members.

CHARLES SLADEN,
Chairman.

25th October 1876.

PROCEEDINGS OF COMMITTEE.

WEDNESDAY, 25TH OCTOBER 1876.

Members present :—

The Hon. Sir C. Sladen
F. T. Sargood
W. Highett
G. F. Belcher
The President

The Hon. J. Graham
W. Campbell
T. T. a'Beckett
J. P. Bear.

The Honorable Sir C. Sladen was appointed Chairman.

The Committee deliberated.

The Honorable Sir C. Sladen laid before the Committee a suggestion, That the members of the Legislative Council be increased to thirty-six by an election in April 1877 of six new members (each Province to return one member), to hold office for ten years, and be further increased to forty-two by an election in April 1879 of six new members (each Province to return one), to hold office for ten years.

The Committee deliberated.

Resolved unanimously—That the members of the Legislative Council be increased to thirty-six by an election in April 1877 of six new members (each Province to return one member), to hold office for ten years, and be further increased to forty-two by an election in April 1879 of six new members (each Province to return one), to hold office for ten years.

The Honorable Sir C. Sladen laid a Draft Bill before the Committee embodying the resolution.

Draft Bill read to the Committee.

The Chairman was ordered to report the resolution to the House with the Draft Bill.

DRAFT BILL.

A BILL

To increase the Number of Members of the Legislative Council.

WHEREAS it is expedient to increase the number of Members of the Legislative Council : Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Preamble.

1. So much of the second section of the "*Constitution Act*" as relates to the number of members of the Legislative Council shall be and the same is hereby repealed.

Repeal of part of sec. 2, *Constitution Act*.

10 2. The Legislative Council shall consist of thirty members until that number shall be increased under the provisions hereinafter contained, and shall thenceforth consist of that number and such additional number of members as shall from time to time become members thereof after the passing of this Act.

Increase of members.

15 3. In the month of March One thousand eight hundred and seventy-seven writs for the election in the month of April following of additional members of the said Council shall be issued and at such election (which shall be held on the same day in every province) every province shall return one additional member ; and such additional
20 members shall retire from the said Council at the expiration of ten years from the date of the first election held under this Act, and thenceforward at the expiration of every succeeding period of ten years the member returned for each province at every periodical election in April shall retire from the said Council.

Time of holding first elections of additional members.

25 4. In the month of March One thousand eight hundred and seventy-nine writs for the election in the month of April following of additional members of the said Council shall be issued, and at such election (which shall be held on the same day in every province) every province shall return one additional member ; and such additional members shall
30 retire from the said Council at the expiration of ten years from the date of such last-mentioned election, and thenceforward at the expiration of every succeeding period of ten years the member returned for each province at every periodical election in April shall retire from the said Council.

Time of holding second batch of elections of additional members.

35 5. Periodical elections to supply the places of members retiring by effluxion of time under this Act shall be held at intervals of ten years from the first elections to be held in the month of April One thousand eight hundred and seventy-seven and the month of April One thousand eight hundred and seventy-nine respectively, and the writs for
40 every such periodical election may be issued before the members about to go out shall have retired.

Time of holding periodical elections.

6. All laws Statutes Acts ordinances and usages now in force respecting the election of members to serve in the Legislative Council shall be and remain in full force except so far as the said laws Statutes
45 Acts ordinances or usages are repealed or altered by this Act or are inconsistent with any of the provisions hereof.

All election laws to remain in force except where superseded by this Act.

1876.
—
VICTORIA.

REPORT

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

OF

ELECTIONS AND QUALIFICATIONS

ON THE

PETITION OF ALEXANDER FRASER;

TOGETHER WITH

PROCEEDINGS OF COMMITTEE AND MINUTES OF EVIDENCE.

ORDERED BY THE COUNCIL TO BE PRINTED, 31ST OCTOBER, 1876.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

TUESDAY, 11TH JULY, 1876.

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

VICTORIA.

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

The Honorable Thomas Turner a'Beckett,
The Honorable Robert Stirling Anderson,
The Honorable Henry Cuthbert,
The Honorable James Balfour,
The Honorable William Highett,
The Honorable Theodotus John Sumner, and
The Honorable Frederick Thomas Sargood,

to be Members of a Committee to be called “The Committee of Elections and Qualifications.”

Given under my hand this eleventh day of July, 1876.

W. H. F. MITCHELL,
President of the Legislative Council.

TUESDAY, 18TH JULY, 1876.

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

TUESDAY, 25TH JULY, 1876.

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

TUESDAY, 26TH SEPTEMBER, 1876.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The President laid on the Table the following Warrant, appointing the Honorable R. S. Anderson a Member of the Committee of Elections and Qualifications:—

VICTORIA.

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

The Honorable Robert Stirling Anderson

to be a Member of the Committee of Elections and Qualifications.

Given under my hand this twenty-sixth day of September, One thousand eight hundred and seventy-six.

W. H. F. MITCHELL,
President of the Legislative Council.

WEDNESDAY, 27TH SEPTEMBER, 1876.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The President laid on the Table, for the second time, the Warrant appointing the Honorable R. S. Anderson a Member of the Committee of Elections and Qualifications.

TUESDAY, 3RD OCTOBER, 1876.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The President laid on the Table, for the third time, the Warrant appointing the Honorable R. S. Anderson a Member of the Committee of Elections and Qualifications.

TUESDAY, 24TH OCTOBER, 1876.

PETITION.—The President laid on the Table a Petition which had been presented to him by Alexander Fraser, against the return of the Honorable Joseph Henry Abbott as a member for the North-Western Province, on the ground that he was unqualified to be elected for the said Province, and praying that the petitioner may be declared duly elected for the said Province.

The Honorable J. Graham moved, That the Petition be referred to the Committee of Elections and Qualifications.
Question—put and passed.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—MEMBERS SWORN.—The Honorables T. T. a'Beckett, R. S. Anderson, W. Highett, T. J. Sumner, and F. T. Sargood were sworn at the Table by the Clerk, in the manner prescribed by the sixty-second clause of the Electoral Act (19 Victoria, No. 12) 1856.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The President appointed three o'clock on Thursday, the 26th instant, in the South Committee Room, to be the time and place of the first meeting of the Committee.

* * * * *

ELECTIONS AND QUALIFICATIONS COMMITTEE.—The Honorable J. Graham, with leave of the Council, moved, without notice, That the Committee of Elections and Qualifications have power to sit on days on which the Council does not sit.

Question—put and passed.

R E P O R T .

THE COMMITTEE OF ELECTIONS AND QUALIFICATIONS, to which was referred the Petition of Alexander Fraser against the return of the Honorable Joseph Henry Abbott, have determined and report as follows :—

That the sitting member, Joseph Henry Abbott, was unqualified to be elected a Member of the Legislative Council of Victoria.

That the Petitioner, Alexander Fraser, was duly elected a Member of the Legislative Council of Victoria for the North-Western Province on the sixteenth day of September, One thousand eight hundred and seventy-six.

That the sum of One hundred pounds, lodged by the Petitioner, be returned to him.

That Mr. Abbott pay the expense of reporting, not exceeding £6 ; and that each party pay their own costs.

ROBERT S. ANDERSON.

31st October 1876.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 26TH OCTOBER, 1876.

Members present:

The Hon. F. T. Sargood
R. S. Anderson
W. Highett

The Hon. T. T. a'Beckett
T. J. Sumner.

Resolved—That the Honorable R. S. Anderson be Chairman of the Committee.
The Committee deliberated.

The Counsel and parties were called in.

The Chairman intimated that the Committee had agreed to the following preliminary resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.
2. That, if costs be demanded by either party under the provisions of the Electoral Act 1856, the question must be raised immediately after the decision of the particular case, unless the Committee shall otherwise decide.
3. That no person shall be examined as a witness who shall have been in the room during any part of the proceedings (with the exception of the parties and their agents whose names have been handed in) without the special leave of the Committee.
4. That the Committee will only hear one Counsel on each side on the opening and summing up of the case.
5. That, should any point of law arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.
6. That the cost of reporting the Minutes of Evidence will be borne by the parties at the discretion of the Committee.

Mr. William Riggall appeared as agent for the Petitioner.

Mr. Thomas a'Beckett appeared as Counsel for the Petitioner.

A telegram was produced from the sitting member, stating that he could not reach Melbourne until four o'clock.

The Clerk of the Council handed to the Chairman the Petition of Alexander Fraser referred to the Committee on the 24th October, 1876, by the Council.

The Petition was read to the Committee as follows:—

To the Honorable Sir WILLIAM HENRY FANCOURT MITCHELL, Knight, President of the Legislative Council of Victoria.

The Petition of ALEXANDER FRASER, of Collins street west, Melbourne, gentleman:

RESPECTFULLY SHEWETH—

That, in pursuance of an Act of the Parliament of Victoria, Number 279, intituled "*The Electoral Act 1865*," and of an Act of the said Parliament, Number 334, intituled "*The Legislative Council Amendment Act 1868*," a writ was, on the twenty-eighth day of August 1876, duly issued by and under the hand and seal of the Honorable Sir William Henry Fancourt Mitchell, Knight, President of the Legislative Council of Victoria, directed to William Halford, Returning Officer for the North-Western Province, requiring him, the said William Halford, to proceed as therein directed according to law to the election of a member to serve in the Legislative Council for the said province.

That, in accordance with the exigency of the said writ, and in conformity with the said Acts, three candidates were, on the fifth day of September, 1876, duly nominated; that is to say, Joseph Henry Abbott, of Sandhurst, boot importer, James George Beaney, of Melbourne, surgeon, and Alexander Fraser, your Petitioner.

That there being only one member to be elected for the said province under and by virtue of the said writ, but three candidates having been nominated, the said returning officer duly announced that a poll would be taken on the day named in the said writ for that purpose and at the several polling places for the said province, and duly published such announcement; but more than two clear days before the day of polling, the said James George Beaney duly retired from his candidature.

That such poll took place on the day named in the said writ at the following polling places, that is to say:—Amherst, Police Court; Avoca, Police Court; Back Creek, State School; Bradford B, State School; Baringhup East, State School; Baringhup West, private house; Castlemaine, Police Court; Chewton, Town Hall; Campbell's Creek, Shire Office; Campaspe House, confines of Malmsbury, Newham; Carlsruhe, State School; Carisbrook, Town Hall; Creswick, Council Chambers and Coghill's Creek; Clunes, Court House; Dunolly, Town Hall; Elphinstone, State School; Elysian Flat, Town Hall, Eaglehawk; Fryerstown, Police Court; Guildford, private house; Great Western; Harcourt, State School; Heathcote, Town Hall; Harrow North, Police Office; Inglewood, Council Chambers; Kilmore, Court House; Kingower, private house; Kyneton, Court House; Maldon, State School; Muckleford, State School; Majorca, Court House; Malmsbury, Court House; Newstead, State School; Pleasant Creek, Shire Hall, Stawell; Pyramid Creek, Duck's Swamp; Sandhurst, Town Hall; Sutton Grange, State School; St. Arnaud's, Court House; Sandy Creek, Court House, Tarnagulla; Swan Hill, Court House; Strangways, State School; Tarrangower, house confines of Newstead; Tarradale, Court House; Vaughan, Police Office; Winter's Flat, State School; Walmer, State School; Woodend, Court House; Strathloddon, Talbot, Daylesford, Tylden, White Hills, Mandurang, Marong, Maryborough, Horsham, Lockwood, Coghill's Creek, Glenlyon, Newbridge, Franklinton, Seymour, Mount Hope, Kingston, Smeaton, Long Gully, Ararat, Armstrongs, Lexton, Lamplough, Amphitheatre, Cochrans, White Hills, Goornong; Malakhoff, Crowlands; Koorong, Wedderburn; Koorong, Boort; Back Creek, Moliagul, Navarre, Jericho, Campbell's, Mostyn; Cathcart A, Glenorchy, Reedy Creek; but the poll at Spring Creek or Graytown was adjourned until and was taken on Monday the eighteenth day of September last, and the poll at Glen Patrick was adjourned until and taken on Friday the twenty-second day of September last.

That by a notice signed by him, posted as required by the said Acts, on the twenty-fifth day of September 1876, and advertised as thereby required on the twenty-sixth day of the same month, the returning officer duly announced the number of votes given for each candidate at such poll to be as follows:—

Joseph Henry Abbott	...	...	...	1510
Alexander Fraser	...	...	...	1449

and declared the said Joseph Henry Abbott to be duly elected a member of the Legislative Council for the North-Western Province.

That your Petitioner has been informed and believes that the said Joseph Henry Abbott was, at the time of his said election, incapable of being lawfully elected a member of the Legislative Council of Victoria, and is incapable of sitting or voting in the said Council by reason of his not having been possessed at the time of his election of the qualification required by law necessary to entitle him to be elected as a member of the said Council; in that he had not for one year previous to such election been legally or equitably seized of or entitled to an estate of freehold in possession for his own use and benefit in lands or tenements in Victoria of the value of Two thousand five hundred pounds, or of the annual value of Two hundred and fifty pounds above all charges and incumbrances affecting the same respectively, within the meaning of *The Legislative Council Amendment Act 1868*.

That your Petitioner is advised and believes that, by reason of the said Joseph Henry Abbott having been so unqualified as aforesaid, your Petitioner being the person having the next greatest number of votes at the said election is entitled to be declared duly elected a member of the Legislative Council for the North-Western Province, and to have his name inserted in the return to the said writ in the place of the said Joseph Henry Abbott.

Your Petitioner therefore respectfully prays that you will communicate the matter of this Petition to the Legislative Council of Victoria, in order that the case of your Petitioner may be referred to a Committee of the said Council duly authorized to receive, inquire into, and report upon the same according to law.

And your Petitioner further prays that, in the event of the said Committee reporting that the said Joseph Henry Abbott was not at the time of the said election possessed of the necessary qualification to entitle him to be so elected, that the said Council will be pleased to declare the said Returning Officer's return void as respects the said Joseph Henry Abbott and to amend the said return to the said writ by taking out the name of the said Joseph Henry Abbott and inserting in its place the name of your Petitioner, and to declare your Petitioner duly elected as a member of the Legislative Council of Victoria for the North-Western Province.

And that your Petitioner may have such further or other relief as the circumstances of the case may require, or as to the said Committee or the said Legislative Council may seem meet.

And your Petitioner will ever pray.

ALEX. FRASER.

24th October, 1876,

Collins street west, Melbourne.

The Committee adjourned until Twelve o'clock on Tuesday the 31st instant, ordering that the summons and notices should state that the inquiry would then be proceeded with.

TUESDAY, 31st OCTOBER, 1876.

Members present:

The Honorable R. S. ANDERSON, in the chair;

The Hon. W. Highett
T. T. a'Beckett

The Hon. T. J. Sumner
F. T. Sargood.

The Shorthand writer was sworn.

Mr. McDermott appeared as Counsel for the sitting member.

Mr. Perry appeared as agent for the sitting member.

Mr. T. a'Beckett was heard to open the case of the Petitioner.

The Writ was laid on the Table by the Clerk of the Council, on which the Returning Officer returned that the sitting member was duly elected.

The declaration of the sitting member was produced by the Clerk of the Council.

The Petitioner was sworn.

Examined by Mr. T. a'Beckett.

Mr. McDermott addressed the Committee as to the sufficiency of the proof of the Petitioner's status.

The Petitioner was sworn and examined.

The Committee decided to proceed with evidence.

Mr. T. a'Beckett produced certain deeds.

Mr. Frederick Christian Klemm sworn, and examined by Mr. T. a'Beckett.

Cross-examined by Mr. McDermott.

Mr. Crowther sworn, and examined by Mr. T. a'Beckett.

Mr. H. C. Fraser was sworn and examined.

Mr. McDermott was heard on the part of the sitting member.

Mr. T. a'Beckett raised the question of costs.

Mr. McDermott was heard on the question.

The Committee-room was cleared.

The Committee deliberated.

The parties were called in.

The Chairman announced that the Committee had determined as follows:—

That the sitting member, Joseph Henry Abbott, was unqualified to be elected a member of the Legislative Council of Victoria.

That the Petitioner, Alexander Fraser, was duly elected a member of the Legislative Council of Victoria for the North-Western Province, on the 16th September, One thousand eight hundred and seventy-six.

That the sum of One hundred pounds, lodged by the Petitioner, be returned to him.

That Mr. Abbott pay the expense of reporting, not exceeding £6, and that each party pay their own costs.

MINUTES OF EVIDENCE.

THURSDAY, 26TH OCTOBER 1876.

Members present:

The Hon. R. S. ANDERSON in the Chair;

The Hon. T. T. a'Beckett
W. Highett

The Hon. T. J. Sumner
F. T. Sargood.

The counsel and parties were called in.

Mr. T. a'Beckett appeared as counsel for the petitioner.

Mr. Riggall appeared as agent.

The Chairman read a communication from the sitting member, stating that he would be unable to reach town until four o'clock, asking for an adjournment, and stating his desire to be represented by counsel.

The parties were informed that the Committee had agreed to the following resolutions:—

1. That counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.
2. That, if costs be demanded by either party, under the provisions of the Electoral Act 1856, the question must be raised immediately after the decision of the particular case, unless the Committee shall otherwise decide.
3. That no person shall be examined as a witness who shall have been in the room during any part of the proceedings (with the exception of the parties and their agents, whose names have been handed in), without the special leave of the Committee.
4. That the Committee will only hear one counsel on each side on the opening and summing up of the case.
5. That, should any point of law arise requiring argument, the Committee reserve to themselves the power of hearing only one counsel on each side.
6. That the cost of reporting the Minutes of Evidence would be borne by the parties at the discretion of the Committee.

The petition was read.

Adjourned to Tuesday next at Twelve o'clock.

TUESDAY, 31ST OCTOBER, 1876.

Members present:

The Hon. R. S. ANDERSON, in the Chair;

The Hon. T. T. a'Beckett
W. Highett

The Hon. F. T. Sargood
T. J. Sumner.

The counsel and parties were called in.

Mr. MacDermott appeared as counsel for the sitting member, and Mr. Walter Perry (for Mr. George Edward Thompson, of Sandhurst) appeared as agent.

Mr. a'Beckett was heard to open the case on behalf of the Petitioner.

Mr. MacDermott was heard to object, that the only evidence of the nomination of Mr. Fraser as a candidate would be the production of the nomination paper, and to contend that that nomination paper should be produced; and stated that, if that evidence was given, no obstacles would be thrown in the way of producing such documents as might be required, in order to obviate the necessity of bringing witnesses down from Sandhurst.

The Hon. Alexander Fraser sworn.—Examined by Mr. a'Beckett.

1. You are the Petitioner in this case?—I am.
2. You remember the election at which Mr. Abbott was returned?—I do.
3. Were you a candidate on that occasion?—I was.
4. Do you claim to have been returned as elected at that election?—I do.
5. *By the Chairman.*—Were you present at the declaration of the poll?—I was.
6. *By Mr. a'Beckett.*—What was the state of the poll, as declared by the Returning Officer?—I could not say positively, but Mr. Abbott was 61 ahead of me.
7. Was that at the official declaration of the poll?—At the official declaration of the poll.

Mr. MacDermott submitted that this evidence was not sufficient.

Mr. a'Beckett replied, and contended that the evidence was sufficient for the purpose for which he produced it.

The Chairman intimated that the Committee had decided that the other proofs might be gone on with now, upon the understanding that further evidence should be produced if it were necessary.

Mr. a'Beckett asked for the production of a conveyance of the 25th September 1860, and the declaration of trust.

The same were produced by Mr. Abbott and put in.

Mr. a'Beckett called for a conveyance to Mr. Abbott of the 27th July, 1872. The same was produced by Mr. Abbott and put in. It had relation to a portion of a certain allotment of land specified.

Another conveyance was produced and put in having relation to the remainder of the allotment.

Mr. Frederick Christian Klemm sworn.—Examined by Mr. a'Beckett.

8. You were one of the trustees of a deed of assignment executed by Mr. Joseph Henry Abbott?—
I was. Mr. F. C. Klemm,
31st October, 1876.

9. What did you do with that deed?—I gave it up to Mr. Abbott some seven or eight years afterwards.

10. What was that deed?—A deed of assignment of Mr. Abbott's property for the benefit of his creditors.

11. The whole of it?—The usual deed of assignment.

12. *By Mr. MacDermott*.—Did you read it?—I did read it at the time.

13. Can you remember anything of its contents now?—I only know that we were possessed of all his property.

14. Have you any recollection of any particular portion of property mentioned in the deed?—No; I could not say now; it is so long since.

15. You gave it up to Mr. Abbott?—I think Mr. Sayer and Mr. Abbott came to my office one day, it was past seven years, and under the Statute of Limitations there was no necessity for keeping it, the mice were getting at it, so I gave it up. I did not think it was of any value.

16. Were the creditors all satisfied, do you know?—There were three trustees, and we realised the property, and paid the dividends and got the receipts.

17. You paid the creditors in full, in fact?—No, we did not.

18. What did you do? Did you get receipts in full?—No, we got the receipts first of all; the creditors signed the deed, and then they got the dividend.

19. Have you any recollection of the nature of the deed the creditors signed?—The usual trust. I could not say.

20. *By the Chairman*.—Do you know if the deed contained a release by those who signed it?—No, I believe there was only a schedule attached to it with the receipts, as far as I remember.

21. Was there such a provision in the body of the deed?—I could not recollect.

22. *By the Hon. Mr. Sargood*.—Was it supposed to be a deed of the whole of his assets?—Yes.

23. *By Mr. MacDermott*.—Has Mr. Abbott since occupied and enjoyed the property?—There was no landed property as far as I can remember, except, I think, there was a small lot in Bridge street; but it is fifteen years since, and I have no books to refer to.

24. *By the Hon. Mr. Sargood*.—Have you got your own books showing how you dealt with the estate, and what assets came into your possession?—No, we had a secretary, and I was only one of the trustees.

25. *By the Hon. Mr. a'Beckett*.—Did Mr. Abbott profess to assign over the whole of his property?—Yes.

Mr. John Crowther sworn.—Examined by Mr. a'Beckett.

26. You are a clerk of Messrs. Blake and Riggall, the agents for the Petitioner?—Yes.

27. Have you searched the register with reference to dealings by Mr. Abbott?—I have.

28. Did you find recorded a conveyance of the 13th March, 1861?—I did.

29. Did you take a copy of the particulars of the memorial?—I took short extracts.

30. Have you a correct extract of that in your hand?—Yes, it is correct.

31. Will you read the extract with reference to that conveyance?—

Mr. MacDermott objected to this line of evidence as being secondary evidence only.

Mr. a'Beckett was heard in support of the evidence.

The Chairman pointed out that, in the case of a former Committee, a certified copy of a memorial was submitted.

Mr. a'Beckett called the attention of the Committee to the admissions which had been made on both sides, and to the correspondence between the respective agents, and admitted that he found that this particular conveyance and assignment was excepted from the admissions, and that he would therefore rest his case upon the deeds which had already been put in, unless Mr. MacDermott persisted in his objections as to the nomination paper and the declaration of the poll.

Mr. Henry C. Fraser sworn.—Examined by Mr. a'Beckett.

32. Were you present at the declaration of the poll, at which Mr. Abbott was declared elected?—
I was. Mr. H. C. Fraser,
31st October, 1876.

33. What was the declaration?—

34. *By Mr. MacDermott*.—By whom?—Mr. Halford.

35. *By Mr. a'Beckett*.—Was he acting as Returning Officer at that election?—Yes.

36. What was the result?—Joseph Henry Abbott 1510 votes, and Alexander Fraser 1449.

37. Did you afterwards see that declaration posted?—I did; I saw it posted outside the office of the Returning Officer at Castlemaine, signed by Mr. Halford, as Returning Officer.

38. *By the Hon. Mr. Sargood*.—Did you see your father's nomination paper at all?—I did not.

Mr. a'Beckett.—I propose to send for the newspaper which has been searched, containing the official declaration of the poll.

The *Mount Alexander Mail*, of 26th September, 1876, was produced, and the official declaration as therein published was read.

Mr. MacDermott.—If you produce the nomination paper I will admit everything. I will even take a statutory declaration of the Returning Officer that the copy of the nomination paper is a correct copy.

Mr. MacDermott again submitted that the evidence tendered was not sufficient.

The Committee deliberated.

The Chairman stated that the Committee were satisfied that both Mr. Abbott and Mr. Fraser were nominated ; that they were the only parties who went to the poll ; and that Mr. Fraser was second on the poll.

Mr. a'Beckett said that concluded his case.

Mr. MacDermott was heard to argue that the Petitioner had not proved his case, viz., that Mr. Abbott was not possessed of a sufficient qualification, and stated that whatever the decision of the Committee might be, when Mr. Abbott made his statutory declaration of his qualification, he (Mr. Abbott) believed that it was perfectly correct.

The Counsel and parties were directed to withdraw.

The Committee deliberated.

The Counsel and parties were again called in and informed by the Chairman that the Committee had come to the following decision :—

“That the sitting member, Joseph Henry Abbott, was unqualified to be elected a member of the Legislative Council of Victoria.

“That the Petitioner, Alexander Fraser, was duly elected a member of the Legislative Council of Victoria for the North-Western Province on the 16th September, 1876.

“That the sum of £100 lodged by the Petitioner be returned to him.

“That Mr. Abbott pay the expenses of reporting, not exceeding £6, otherwise each party to pay their own costs.”

The Chairman also stated that the Committee were of opinion, that it was an error of judgment on the part of Mr. Abbott, and not intentional, his taking his seat, and that therefore they did not award costs.

1876.
—
VICTORIA.

LEGISLATIVE COUNCIL.

FIRST REPORT

OF THE

PRINTING COMMITTEE.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE N. BLACK, AND ORDERED BY THE COUNCIL
TO BE PRINTED, 21ST NOVEMBER, 1876.

By Authority:
JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

REPORT.

IN pursuance of the Order of your Honorable House, your Committee have had referred to them the several Papers mentioned in the following table, upon which your Committee beg to report, as appears by such table :—

Title of Paper.	When moved for and by whom.	When laid on the Council Table.	By Command.	Report and Remarks of the Committee.
Friendly Societies—List of Registered.—1875	1876. 11th July	By Command	No order made.
Diseases and Deaths—Return of.—Chief Medical Officer.—1875	"	"	"
Stamp Statute 1869—Notice and Rules under.—Order in Council (12th June, 1875)	"	"	"
Sandhurst—Order to Mine on certain lands at (29th May, 1876)—(12th June, 1876)	"	"	"
Polling Places.—Amherst Division of Maryborough Mining District (27th March, 1876)	"	"	"
Castlemaine.—Mining on excepted land authorized (22nd May, 1876)	"	"	"
Mining Surveyors and Registrars.—Reports for Quarter ending 31st March, 1876	"	"	"
Statistical Register, Colony of Victoria, 1875.—Part I.—Blue Book; Part II.—Population; Part III.—Finance, &c.	"	"	"
Public Library, &c.—Report of Trustees for year 1875	"	"	"
Post Office and Telegraph Department.—Report, 1875	"	"	"
Post Office Savings Banks.—Statement of Accounts, 1875	"	"	"
Penal Establishments and Gaols.—Report, 1875	"	"	"
Volunteer Statute—Additional Regulation under (10th April, 1876)	"	"
Sanatory Station.—Report of Chief Medical Officer, 1875	18th July	By Command	"
State Forests—Licences for exclusive use of—Issue of.—Order in Council (8th June, 1876)	"	"	"
Auriferous Land.—New form of Crown Grant.—Order in Council (10th April, 1876)	"	"	"
Mineral Statistics for 1875	"	"	"
Mines—Chief Inspector of—Report of—for 1875	"	"	"
Railway Loan Act, No. 531—Correspondence relating to (July, 1876)	27th July	"	"
Land Act 1869.—Additional Regulations.—Order in Council (24th July, 1876)	1st August	"	"
Land Act 1869.—Admission Fees chargeable by Trustees, &c.—Order in Council (24th July, 1876)	"	"	"
Statistical Register of Colony of Victoria, 1875.—Part IV.—Interchange	15th August	"	"
Pilot Board of Victoria.—Accounts for year ending 31st August, 1875	"	"	"
Insane—Hospitals for.—Report, Inspector of Lunatic Asylums, for year ending 31st December, 1875	"	"	"
University of Melbourne.—Report—from 1st June, 1875, to 31st May, 1876	"	"	"
Industrial and Reformatory Schools.—Amendments of Regulations for Boarding-out Children (19th July, 1876)	"	"	"
Industrial and Reformatory Schools.—Report of Inspector for year 1875	"	"	"
Supreme Court—Regulæ Generales (15th August, 1876)	22nd August	By Command	"
Schedule D.—Statement of Expenditure under (1875-6)	"	"	"
Mining Surveyors and Registrars—Reports of—for Quarter ending 30th June 1876	29th August	"	"
Insane—Hospitals for.—Report of Inspector of Lunatic Asylums—for Year ending 31st December 1874	"	"	"
Aborigines—Twelfth Report of Board for Protection of (30th June, 1876)	"	"	"
Land Act 1869.—Additional Regulation (21st August, 1876)	"	"	"
Fisheries Act 1873—Notice under (11th August 1876)	"	"
Loan Act, 39 Victoria, No. 531, and Act, 37 Vict. No. 475.—Estimate of Expenditure 1876-7—£638,890	"	"
Railway Construction Act 1873, 37 Vict. No. 475.—Estimate of Expenditure 1876-7—£350,110	"	"
Railway Construction Act.—Estimate of Expenditure 1876-7—£71,000	"	"
North-Eastern Railway Line.—Estimate of Expenditure 1876-7—£9,025	"	"
Railway Lines—Ballarat and Ararat, Castlemaine and Dunolly, and Ballarat and Maryborough.—Estimate of Expenditure 1876-7—£8,265	"	"
Railway Bridges and other works of Railway Extension.—Estimate of Expenditure 1876-7—£53,800	"	"

Title of Paper.	When moved for and by whom.	When laid on the Council Table.	By Command.	Report and Remarks of the Committee.
	1876.	1876.		
Education Act 1872—Amended Regulations, 5 and 25 (14th August, 1876)	29th August	... ..	No order made.
Dunolly Division of Maryborough Mining District—Polling Places (14th August, 1876)	31st August	By Command	”
Land Act 1869.—Regulation (28th August, 1876)	5th September	”	”
Maryborough Mining District—Order in Council appointing Polling Places in (24th August, 1876)	”	”	”
Friendly Societies.—Report of Royal Commission	19th September	”	”
Castlemaine Mining District—Polling Place for St. Andrew's Division of.—Order in Council (4th September 1876)	”	”	”
Statistical Register of Colony of Victoria.—Part V.—Production	26th September	”	”
Fisheries Act 1873.—Notice as to Mouths of Rivers and Boundaries (14th September, 1876)	”	”
Observatory—Melbourne.—Eleventh Report of Board of Visitors—to 20th June, 1876	3rd October	By Command	”
Yan Yean Water Supply.—Cash Statement (1st July, 1875, to 30th June, 1876)	10th October	... ..	”
Victorian Railways.—Report of Board of Land and Works, for Year ending 30th June, 1876	24th October	By Command	”
Trade Marks Regulation Act 1876—General Rules under (23rd October, 1876)	31st October	... ..	”
Australasian Statistics for 1875, with Introductory Report by the Government Statist	”	By Command	”
Statistical Register, Colony of Victoria, 1875.—Part VI.—Law, Crime, &c.	”	”	”
Land alienated from the Crown since 1869	Hon. R. Simson, 8th November	14th November	Recommended to be printed.
Statistical Register, Victoria, 1875.—Part VII.—Accumulation	”	By Command	No order made.

Committee Room, Parliament Houses,
21st November 1876.

NIEL BLACK,
Chairman.

1876.
—
VICTORIA.

R E P O R T

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON

PARLIAMENTARY BUILDINGS;

TOGETHER WITH

THE PROCEEDINGS OF COMMITTEE.

ORDERED BY THE COUNCIL TO BE PRINTED, 19TH DECEMBER, 1876.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

TUESDAY, 28TH NOVEMBER 1876.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a copy of a resolution agreed to by the Legislative Assembly on the 21st November instant, and request that the Legislative Council will appoint a Committee to confer with the Committee of the Legislative Assembly on the subject referred to in the said resolution.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 28th November, 1876.

“ *Parliamentary Buildings*.—Sir James McCulloch moved, pursuant to amended notice, ‘That a Committee be appointed to enquire into the extent and character of the proper accommodation required for the Parliamentary Buildings, such Committee to consist of the following members :—The Honorable the Speaker, Sir Gavan Duffy, Mr. Jones, Mr. Langton, Mr. Service, Mr. Berry, Mr. Woods, Mr. Purves, Mr. Davies, Mr. S. Fraser, Mr. Hanna, and Mr. Coppin ; five to form a quorum, to have power to send for persons and papers, and to sit on days on which the House does not meet.’”

“ Question—put and resolved in the affirmative.”

TUESDAY, 5TH DECEMBER 1876.

PARLIAMENTARY BUILDINGS.—SELECT COMMITTEE.—The Honorable R. S. Anderson, in accordance with notice, moved, That a Select Committee be appointed to enquire into the extent and character of the proper accommodation required for the Parliamentary Buildings.

Question—put and passed.

The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That leave be given to appoint twelve members on the Committee.

Question—put and passed.

The Honorable R. S. Anderson, in accordance with notice, moved, That the Committee consist of the following members, viz. :—The Honorables The President, T. T. a’Beckett, W. Highett, F. T. Sargood, J. Balfour, C. J. Jenner, R. Simson, Sir C. Sladen, J. Graham, A. Fraser, W. Wilson, and J. A. Wallace ; five to form a quorum, to have power to send for persons and papers, to sit on days on which the House does not meet, and to confer with a Committee of the Legislative Assembly appointed to enquire into the above mentioned subject.

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council have appointed the Committee as requested by the Legislative Assembly.

TUESDAY, 19TH DECEMBER 1876.

PARLIAMENTARY BUILDINGS.—REPORT OF SELECT COMMITTEE.—The Honorable T. T. a’Beckett brought up a Report from the Select Committee appointed on the fifth instant to enquire into the extent and character of the proper accommodation required for the Parliamentary Buildings, with power to confer with a Committee of the Legislative Assembly appointed to enquire into the same subject.

The Report was read at the Table by the Clerk.

The Honorable T. T. a’Beckett moved, That the Report be printed, and that its consideration be made an Order of the Day for to-morrow.

Question—put and passed.

REPORT.

THE SELECT COMMITTEE appointed to enquire into the extent and character of the proper accommodation required in the Parliamentary Buildings have the honor to report as follows:—

Your Committee having carefully considered the question referred to them, and having also in view reports on the same subject by Royal Commissions in 1873 and 1875, are of opinion that it is necessary, not only for the convenience of public business, but for the credit of the country, that the Parliament Houses should be completed with the least possible delay.

Your Committee were disposed in the first instance to recommend the erection of a new chamber for the Legislative Assembly, but, having caused the necessary measurements to be made and marked on the ground, it became apparent that the chamber, if erected in the front of the present buildings, would come too near the public street, and if erected on the north side would be exposed to the hot winds and full glare of the sun. These considerations appeared to your Committee to point conclusively to the retention of the present Assembly Chamber as the most desirable course; adequate provision being made for ventilation by a central corridor as suggested by the Commission of 1873, and by a communication being established between the present Assembly Chamber and the south side of the building.

Should the proposal of your Committee be approved of, the first portion of the work—the opening of the main corridor—might be commenced as soon as Parliament rises, and could be completed, we are assured, during the recess. And the remainder of the plan might be carried out as fast as the working drawings are prepared and the funds granted by Parliament. The cost of the corridor is estimated at £10,000, the cost of completing the Houses in freestone at £180,000; but this expenditure would extend over a period of three years. It is proper to notify that, during the earlier portion of the work the ordinary entrance to the Houses would be obstructed, but it would not be difficult to make a temporary entrance.

After considering the plan on which the Houses were originally designed, and hearing the evidence of the architect who prepared it (at present employed in the Department of Public Works), we are of opinion that it ought to be carried out in its main features, but on a smaller scale than was at first intended. The elevation, which has become familiar to honorable members through a model long exhibited in a corridor of the Library, is very handsome and effective, and worthy of the seat of a national legislature. It is proposed to modify it in a slight degree by substituting a dome to cover the vestibule, for the tower shown in the model—one or other feature being necessary to give elevation and character to a front which will be seen through the vista of a long street of irregular houses. The internal arrangements and distribution of space have also been modified to furnish the accommodation required for committees, for an increased number of members, for the officers of Parliament, and for the storage of documents and papers.

If the recommendation of your Committee be adopted, we are of opinion that a Royal Commission, consisting of Members of both Houses, and not exceeding a dozen in number, ought to be appointed to superintend the work throughout, and to consider new questions, such as internal arrangement and decoration from time to time as they arise.

A ground plan and elevation of the Houses, as we propose they should be completed, accompany our report.

W. H. F. MITCHELL,
Chairman.

Parliamentary Library,
December 19th, 1876.

PROCEEDINGS OF COMMITTEE.

THURSDAY, 7TH DECEMBER 1876.

Members present :

Legislative Council.
 The Hon. T. T. a'Beckett
 " C. J. Jenner
 " W. Wilson
 " J. A. Wallace
 " A. Fraser.

Legislative Assembly.
 The Hon. The Speaker
 Mr. Coppin
 Mr. Berry
 Mr. S. Frazer
 Sir. C. G. Duffy.

Sir C. G. Duffy moved, That Mr. Speaker do take the chair.

Agreed to.

Sir C. G. Duffy moved, That it is desirable that the Parliamentary Buildings should be completed without delay, and that the additional buildings should include a New Chamber for the Legislative Assembly.

Question—put and passed.

Ordered—That the Queensland Government be communicated with, asking them to send plans of their Parliamentary Buildings for the use of the Committee.

Committee adjourned until Three o'clock on Tuesday the 12th instant.

TUESDAY, 12TH DECEMBER 1876.

Members present :

Legislative Council.
 The Hon. The President
 " Sir C. Sladen
 " W. Highett
 " J. A. Wallace
 " J. Graham
 " T. T. a'Beckett.

Legislative Assembly.
 Mr. Coppin
 Mr. Langton
 Mr. Hanna
 Sir C. G. Duffy
 Mr. Davies
 Mr. Woods
 The Hon. The Speaker
 Mr. Service.

The Honorable The President was appointed Chairman.

Minutes of previous meeting read and confirmed.

Mr. Davies moved—That the President, Mr. Speaker, Sir C. Gavan Duffy, The Honorable T. T. a'Beckett, Mr. Langton, and Mr. Woods be appointed a Sub-Committee to draw up a draft Report to be submitted to the Committee at its next meeting.

Question—put and passed.

The Committee adjourned.

TUESDAY, 19TH DECEMBER 1876.

Members present :

Legislative Council.
 The Hon. The President
 " T. T. a'Beckett
 " A. Fraser
 " J. Graham
 " J. A. Wallace
 " W. Wilson
 " F. T. Sargood.

Legislative Assembly.
 The Hon. The Speaker
 Sir C. G. Duffy
 Mr. Service
 Mr. Hanna
 Mr. Langton
 Mr. Woods
 Mr. Coppin
 Mr. Berry
 Mr. Davies.

The Honorable The President took the Chair.

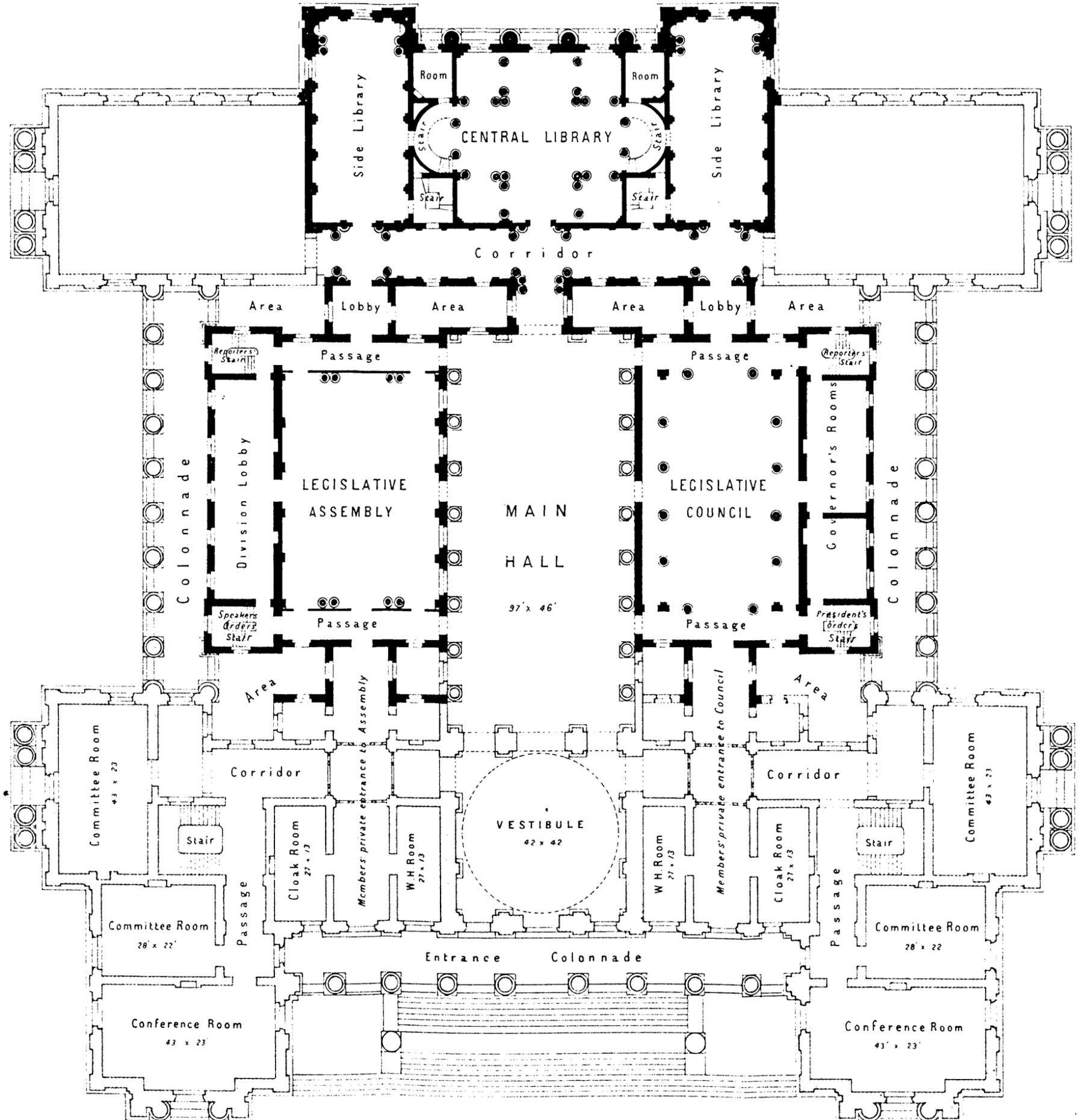
Draft Report as prepared by the Sub-Committee brought up.

Read by the Clerk.

Read paragraph by paragraph by the Clerk, and agreed to.

Report adopted, and ordered to be presented to both Houses of Parliament.

PRINCIPAL FLOOR.



Reduced Design

for completing the

HOUSES OF PARLIAMENT

SCALE 32 FEET TO 1 INCH

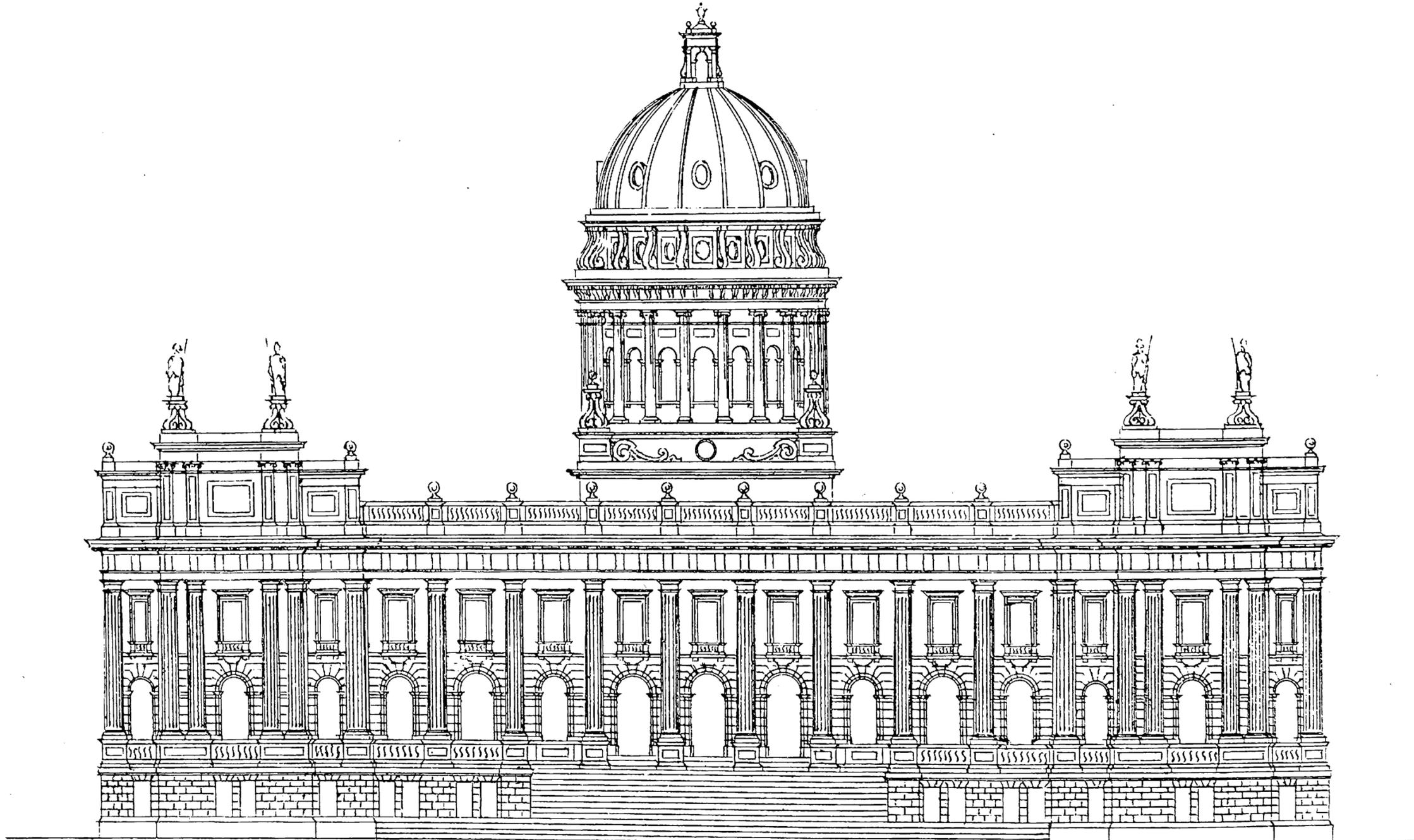
Present buildings

Proposed additions

Drawn at the Dept of Lands & Survey by S. P. BARNES 1912-16

SKETCH DESIGN FOR COMPLETING THE HOUSES OF PARLIAMENT

SCALE 32 FEET TO ONE INCH



FRONT ELEVATION

VICTORIA



VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE

COUNCIL

SESSION

1876