

VICTORIA, VOTES & PROCEEDINGS OF THE LEG. COUNCIL 1ST SESS: 1866.



VICTORIA.



VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

DURING

1866,

(FIRST SESSION.)

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

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.



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RETURN OF MEMBERS OF THE LEGISLATIVE COUNCIL, 12TH FEBRUARY, 1866, AT THE
OPENING OF THE TENTH SESSION OF PARLIAMENT.

Names arranged in the Order of Retirement.	Elected at—		Remarks.
	Nomination.	Polling.	
CENTRAL PROVINCE :			
John Pascoe Fawkner	20th Sept., 1864.		
Thomas Howard Fellows	22nd Sept., 1862.		
George Ward Cole... ..	20th Sept., 1860.		
Thomas Turner a'Beckett ... ..	...	21st Sept., 1858.	
William Hull ... ..	...	27th Sept., 1860.	
SOUTH PROVINCE :			
William Henry Pettett ... ..	...	3rd Oct., 1864.	
W. J. T. Clarke ... ..	...	29th Sept., 1862.	
William Degraives	18th Sept., 1860.		
John Pinney Bear ... ..	...	1st June, 1863.	
William Taylor ... ..	...	31st Mar., 1864.	
SOUTH-WESTERN PROVINCE :			
John Lowe ... ..	...	11th Oct., 1864.	
James Henty	27th Sept., 1862.		
John McCrae ... ..	...	8th Oct., 1860.	
Caleb Joshua Jenner ... ..	...	17th Mar., 1863.	
James Ford Strachan ... ..	...	4th Sept., 1856.	
WESTERN PROVINCE :			
Henry Miller	7th Oct., 1864.		
Neil Black	6th Oct., 1862.		
Sir James Frederick Palmer	5th Oct., 1860.		
Charles Sladen	11th July, 1864.		
Stephen George Henty ... ..	...	11th Sept., 1856.	
NORTH-WESTERN PROVINCE :			
Nicholas Fitzgerald ... ..	...	2nd Nov., 1864.	
William Campbell ... ..	...	1st Nov., 1862.	
William Henry Fancourt Mitchell	13th Jan., 1862.		
David Elliot Wilkie ... ..	...	1st Nov., 1858.	
Alexander Fraser ... ..	...	13th Sept., 1858.	
EASTERN PROVINCE :			
Henry Morgan Murphy ... ..	...	24th Oct., 1864.	
Robert Turnbull	14th Dec., 1863.		
William Highett	5th Oct., 1860.		
Benjamin Williams ... ..	...	25th Oct., 1858.	
(One seat vacant)	The seat filled by Hon. M. Hervey at the commencement of the Session 1864-5 was vacated by his retirement in July, 1865. The Hon. W. C. Haines was elected on 22nd August, 1865, at the polling for the vacant seat. At the commencement of the Tenth Session of Parliament the seat had again become vacant by reason of the death of the Hon. W. C. Haines.



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NOT ORDERED TO BE PRINTED.

1866.

(First Session.)

- 15th Feb. 1. Despatch from the Right Honorable the Secretary of State (19th October, 1865), conveying an acknowledgment by the Department of State at Washington of the Address of Condolence of the Council, relative to the Assassination of President Lincoln.
- 20th Feb. 2. Reclamation of Swamps.—Report of Professional Board (5th December, 1865).
„ 3. Patents Statute, 1865—Regulations under, (12th February, 1866).
„ 4. Public Accounts.—Regulations (18th December, 1865).
„ 5. Volunteer Force.—Regulations for Examination of Candidates for Promotion (5th February, 1866).
„ 6. Statistics of Victoria, 1864.
- 6th Mar. 7. Amending Land Act, 1865 (Section 42).—Regulations relating to Application for, and Issue of, Licences, entitling the Holders to reside on, or cultivate Lands at or near Gold Fields.—Order in Council (12th February, 1866).
„ 8. Friendly Societies—Return of, Registered during 1865.
- 13th Mar. 9. Quarantine.—Report of the Chief Medical Officer (22nd February, 1866).
„ 10. Statistics.—Agricultural and Live Stock (year ending 31st March, 1865).
„ 11. Fees, &c., in Courts of Mines—Order in Council, fixing (26th February, 1866).
- 20th Mar. 12. Supreme Court.—Reg. Gen. (23rd December, 1865).
„ 13. Mines, Courts of—Times for holding.—Order in Council (5th February, 1866).
- 27th Mar. 14. Swamps, Applications for.—Return to an Order of the Council (20th February 1866).
„ 15. Schedule D, 18 & 19 Vict. cap. 55—Statement of Expenditure under (1863 and 1864).
- 29th Mar. 16. Mineral Leases under Mining Statute, 1865. Gold Mining Leases Regulation, under the same. Licences under 36th Section of ditto, so far as relates to Races, Drains, Dams, and Reservoirs, &c., under the same. Regulations relating to Gold Mining Leases. Licences to search for Metal or Mineral other than Gold under the same.—Orders in Council (19th March, 1866).

VICTORIA

SUMMARY OF PROCEEDINGS ON BILLS IN THE LEGISLATIVE COUNCIL DURING THE FIRST SESSION 1866.

No.	Short Titles of Bills.	By whom and when initiated.		PROGRESS.															Number of Act.	REMARKS.				
				First Reading.	Second Reading.	Committal.	Report.	Recommittal.	Report after Re-committal.	Adoption of Report.	Third Reading.	Passing.	Sent to Legislative Assembly.	Returned from Legislative Assembly.		Amendments considered.	Retransmitted to Legislative Assembly.	Assent.			Publication in the Government Gazette.			
														Without Amend-ments.	With Amend-ments.									
1	Constitution Act Amend-ment Bill	Hon. W. Highett ..	1866. 13th Feb.	1866. ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Discharged, 13th March, 1866.
2	Customs Import Duties, Gold Export Duty Bill	Message from Legis-lative Assembly	6th March	6th Mar.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Rejected on second reading, 13th March, 1866.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

MONDAY, 12TH FEBRUARY, 1866.

Pursuant to Proclamation the Council met.

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

PROCLAMATION.

By His Excellency SIR CHARLES HENRY DARLING, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief of the Colony of Victoria, &c., &c., &c.

WHEREAS, by the Constitution Act, it is amongst other things enacted that it shall be lawful for the Governor to fix such places within Victoria, and (subject to the limitation in the said Act contained) such times for holding the first and every other session of the Legislative Council and Legislative Assembly of Victoria, and to vary and alter the same respectively as he may think fit: And whereas it is expedient to fix the time for holding the next Session of the said Legislative Council and Legislative Assembly, called "The Parliament of Victoria:" Now therefore I, Sir Charles Henry Darling, the Governor of Victoria, do hereby, in pursuance of the power and authority in me vested as aforesaid, appoint and proclaim that the First Session of the Fifth Parliament of Victoria shall commence and be holden for the despatch of business on Monday, the Twelfth day of February instant, at Twelve of the clock at noon, in the Parliament Houses, situate in Parliament Place, Spring Street, in the City of Melbourne. And the Honorable the Members of the Legislative Council and the Members of the Legislative Assembly respectively are hereby required to give their attendance at the said time and place accordingly.

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

(L.S.)

C. H. DARLING.

By His Excellency's Command,
J. McCULLOCH,
Chief Secretary.

GOD SAVE THE QUEEN!

Commissioners from his Excellency the Governor, appointed to open the Parliament, having been introduced to the Council Chamber by the Usher, the Senior Commissioner desired the Usher to request the presence of the Members of the Legislative Assembly to hear the Commission read for opening and holding this present Session of Parliament.

The Assembly having presented themselves, the Commission was read by the Clerk as follows:—

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

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING:—

WHEREAS, by Proclamation made on the first day of February instant, by His Excellency SIR CHARLES HENRY DARLING, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief of Our Colony of Victoria, the said SIR CHARLES HENRY DARLING did fix that the next Session of the Legislative Council and Legislative Assembly of Our said Colony, now called "THE PARLIAMENT OF VICTORIA," should commence and be holden on Monday, the twelfth day of February instant, at Twelve of the clock at noon, in the Parliament Houses, situated in Parliament Place, Spring Street, in the City of Melbourne: And forasmuch as for certain causes the said SIR CHARLES HENRY DARLING cannot conveniently be present in person in the said Parliament at that time: Now KNOW YE that We, trusting in the discretion, fidelity, and care of Our trusty and well-beloved SIR WILLIAM FOSTER STAWELL, Knight, Our Chief Justice of Our Supreme Court of Victoria, and SIR REDMOND BARRY, Knight, a Justice of Our said Court, do, by the advice of Our Executive Council, give and grant by the

tenor of these presents unto you, the said SIR WILLIAM FOSTER STAWELL and SIR REDMOND BARRY, or either of you, full power in Our name to begin and hold Our said Parliament, and to do everything which for and by Us, or the said SIR CHARLES HENRY DARLING shall be there to be done; commanding also by the tenor of these presents, with the consent of Our said Council, all whom it may concern, to meet Our said Parliament, that to the said SIR WILLIAM FOSTER STAWELL and SIR REDMOND BARRY, or either of them, they diligently attend in the premises and form aforesaid. IN TESTIMONY whereof We have caused the Seal of Our said Colony to be hereunto affixed.

WITNESS Our trusty and well-beloved SIR CHARLES HENRY DARLING, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief of Our Colony of Victoria, &c., &c., &c., at Melbourne, this Eighth day of February, One thousand eight hundred and sixty-six, and in the twenty-ninth year of Our Reign.

(L.S.)

C. H. DARLING.

By His Excellency's Command,

J. McCULLOCH.

Entered on Record by me in Register of Patents,
Book 12, page 365, this eighth day of February,
One thousand eight hundred and sixty-six.

J. MOORE.

The Senior Commissioner informed the Members of the Legislative Council and Legislative Assembly that His Excellency the Governor would, in person, declare the causes of His calling the Parliament, at two of the clock on Tuesday, the thirteenth instant, in the Legislative Council Chamber, and requested the Members of the Assembly in the meantime to proceed to the choice of a Speaker.

The Assembly withdrew.

The Commissioners withdrew.

The President took the Chair.

The President read the Prayer.

SWEARING IN OF NEW MEMBERS.—The President announced that, in virtue of 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 SIR JAMES FREDERICK PALMER, Knight, President of the
Legislative Council of Our Colony of Victoria,

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

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

(L. S.)

HENRY BARKLY.

By His Excellency's Command,

J. MOORE.

Entered on Record by me, in Register of Patents,
Book 12, page 90, this sixth day of November,
One thousand eight hundred and sixty-two.

(L. S.)

J. MOORE.

ADJOURNMENT.—The Honorable H. Miller, with leave of the Council, moved, without notice, That the Council, at its rising, do adjourn until Tuesday the thirteenth instant, at half-past one o'clock.

Question put and passed.

The Council adjourned at ten minutes past twelve o'clock until half-past one o'clock on Tuesday, the 13th instant.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 13TH FEBRUARY, 1866.

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.

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 thought fit to call you together as soon as possible after the general election, in order that the questions upon which the country has pronounced may be considered and determined by the Legislature without delay.

I trust that the result of the appeal that has been made to the people will aid you in overcoming the great difficulties which have accrued from the differences between the Houses, and that, by a wise and considerate exercise of the powers which you respectively possess, you may be able to legislate in accordance with the public will.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

The alterations in the Tariff which were sanctioned by the late Assembly will be immediately submitted to you.

The Estimates for the year have been framed with a due regard to economy, while, at the same time, provision has been made for the efficient maintenance of the public service, the prosecution of works which have been already commenced, and for such others as are required by the progress of the country.

The sum of £50,000 voted by you last year for the erection of bridges in country districts, and the amount provided in aid of the building funds of charitable institutions, will be held available for those purposes. The increase of the endowment for main roads, for which a Bill was to have been brought in last year, will be proposed to you as a supplementary vote of 1865.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

Although the ordinary course of public business has been much disturbed by recent events, I am glad to be able to tell you that the most important measures of the late Parliament have been promptly and energetically administered by the Government.

Amongst these is the provision made for giving to the country districts a supply of water. An adequate staff of engineers and surveyors has been for some time employed upon the work, which will be pressed on with the utmost despatch.

It is the intention of my advisers to carry out the desire of the Legislature upon the subject of Colonial Defences, some of the ordnance required for the batteries being now in course of manufacture in the Royal arsenals.

The necessary applications have been made to Her Majesty's Government for the establishment of a branch of the Royal Mint at Melbourne.

You will be gratified to learn that the Land Act continues to work satisfactorily. Should further experience disclose defects in it which cannot be cured by administration, it will be the duty of my advisers to propose such amendments of the law as may secure its great objects—the agricultural settlement of the people and the more rapid growth of the country.

I am happy to be able to inform you that the commission lately appointed for the purpose of arranging and carrying out the means for an intercolonial exhibition of industry, to be held in Melbourne in August next, have applied themselves to their task with the utmost zeal and energy; and that in response to their official communications, they have received from all the surrounding colonies, as from the various districts of our own, the warmest assurances of co-operation and support. Perhaps by such an exhibition only can even colonists themselves obtain adequate knowledge, and distinct impressions as to the varied capabilities of this vast and interesting island continent; and we may hope that the collected specimens of the produce and industry of Australasia, which the well directed labors of the commission may bring before you, will, as in older countries, give a new and most beneficial impulse to the enterprise of our people.

The almost unprecedentedly long drought by which the country has been afflicted, and which until very recently threatened to become in its consequences a great public calamity, is I trust drawing to an end. From various pastoral districts of this colony, and from the interior of New South Wales, we learn that extensive districts have been relieved by copious rains. It is some mitigation of this visitation that the season which has been so injurious to the pastoral and mining interests, has not in the same degree affected agriculture, the crops of the present season being in many districts unusually abundant.

A session of twelve months duration, followed immediately by a general election and the meeting of Parliament, has not left to my advisers time for the preparation of various important measures which it will be necessary to submit for your consideration; but there are some Bills which can be prepared and introduced this session without protracting your deliberations too much.

Amongst these I may mention Bills for the amendment of the laws relating to Lunacy, the Public Health, and the Volunteer Force, which cannot be conveniently deferred, and which, with the Tariff, the Estimates, and a Bill for the reform of the Legislative Council will be submitted for your early consideration.

Anticipating that you will be disposed to agree with the resolution of the late Assembly in favor of a reduction in the postal charges, my advisers propose to submit a Bill for the establishment of a uniform rate.

The experience of the working of the Common Schools Act seems to call for further legislation, and, with a view to the obtainment of accurate and detailed information, it is my intention to issue a Royal Commission on the subject.

I trust that your deliberations may, under the blessing of Divine Providence, conduce to the permanent prosperity and happiness of the people.

C. H. DARLING,
Governor.

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.

CONSTITUTION ACT AMENDMENT BILL.—The Honorable W. Highett, with leave of the Council, moved, without notice, That leave be given to bring in a Bill to alter and amend the Constitution Act.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable W. Highett, read a first time, ordered to be printed, and read a second time on Tuesday, the 27th instant.

SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The President announced that he had received from His Excellency the Governor a copy of His Excellency's speech.

ADJOURNMENT.—The Honorable C. Sladen moved, That the Council do now adjourn until four o'clock on Thursday, the 15th instant.

Debate ensued.

Question—put and passed.

The Council adjourned at half-past two o'clock until four o'clock on Thursday, the 15th instant.

ORDER OF THE DAY.

TUESDAY, 27TH FEBRUARY, 1866.

ORDER OF THE DAY:—

1. CONSTITUTION ACT 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, 15TH FEBRUARY, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

MESSAGE FROM THE GOVERNOR.—The Honorable H. Miller, by command of His Excellency the Governor, laid on the Table a Message from His Excellency the Governor, transmitting the following paper :—

Despatch from the Right Honorable the Secretary of State (19th October, 1865), conveying an acknowledgment by the Department of State at Washington of the Address of Condolence of the Council relative to the assassination of President Lincoln.

Ordered to lie on the Table.

SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The President reported His Excellency's Speech, and the same being read by the President, the Honorable H. Miller moved, That the Speech be now taken into consideration.

Question—put and passed.

The Honorable G. W. Cole moved, That a Select Committee be appointed to prepare an Address to His Excellency the Governor in reply to his Speech delivered in Parliament, such Committee to consist of the Honorables H. Miller, W. Degraves, J. Henty, C. J. Jenner, J. Lowe, R. Turnbull, J. P. Fawkner, W. Highett, W. Hull, and the Mover.

Amendment moved by the Honorable T. H. Fellows, That all the words after the word "appointed" be omitted, with a view to insert the following words :—"to prepare an address to His Excellency the Governor, thanking His Excellency for his Speech ; informing him that we are ready to concur in a protective tariff, even if it includes a duty on wheat ; that we are not aware of the difficulties to which he refers ; that we disclaim any undue interference with the fiscal system, but shall insist on adherence to Parliamentary usage in regard to Bills, and will not consider any Bill of Supply which deals with Land Revenue ; that we trust that a wise exercise of the powers of both Houses may accord with the public will ; informing His Excellency that we trust his assurance that the Land Act is working satisfactorily may be verified by future experience ; that the benefits of the Intercolonial Exhibition of Industry will, in our opinion, be destroyed by a protective policy ; and that we regret that no allusion is made to the illegal remission and collection of taxes and the unauthorized expenditure of last year."

Debate ensued.

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

Council divided.

Contents, 7.
The Hon. H. Miller
G. W. Cole
C. J. Jenner
J. McCrae
J. Henty
W. H. Pettett
J. Lowe (*Teller*).

Not Contents, 18.
The Hon. T. H. Fellows
N. Fitzgerald
H. M. Murphy
B. Williams
W. Taylor
S. G. Henty
W. Campbell
W. Degraves
J. P. Bear
W. Hull
W. Highett
J. P. Fawkner
J. F. Strachan
A. Fraser
Dr. Wilkie
W. J. T. Clarke
R. Turnbull
C. Sladen (*Teller*).

The question was therefore negatived.

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

Question—That a Select Committee be appointed to prepare an Address to His Excellency the Governor, thanking His Excellency for his Speech; informing him that we are ready to concur in a protective tariff, even if it includes a duty on wheat; that we are not aware of the difficulties to which he refers; that we disclaim any undue interference with the fiscal system, but shall insist on adherence to Parliamentary usage in regard to Bills, and will not consider any Bill of Supply which deals with Land Revenue; that we trust that a wise exercise of the powers of both Houses may accord with the public will; informing His Excellency that we trust his assurance that the Land Act is working satisfactorily may be verified by future experience; that the benefits of the Intercolonial Exhibition of Industry will, in our opinion, be destroyed by a protective policy; and that we regret that no allusion is made to the illegal remission and collection of taxes and the unauthorized expenditure of last year—put and passed.

The Honorable T. H. Fellows moved, That the Select Committee for the preparation of the Address consist of The Honorables H. M. Murphy, J. F. Strachan, W. Campbell, W. Highett, W. Hull, N. Fitzgerald, and the Mover.

Question—put and passed.

The House was adjourned during pleasure, in order that the Select Committee might prepare an Address.

The President resumed the Chair at half-past six o'clock.

ADDRESS IN REPLY TO HIS EXCELLENCY'S SPEECH.—The Honorable T. H. Fellows, as Chairman of the Select Committee appointed to prepare an Address in reply to the Speech of His Excellency the Governor, brought up the Address prepared by the Committee.

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

To His Excellency SIR CHARLES HENRY DARLING, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief of the Colony of Victoria, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of Victoria, in Parliament assembled, beg to approach Your Excellency with expressions of our loyalty and attachment to Her Majesty's throne and person, of respect for the Constitution under which we live, and of submission to the law which binds alike all members of the community.

We have to thank Your Excellency for the Speech with which you have opened the present Parliament.

The late general election appears to have established that a majority of the people are in favor of a protective tariff, and though we may not have anticipated that result, we are ready to give effect to the opinion thus expressed, even should a duty be imposed upon wheat, flour, and other produce of the land which has been opened to so large a portion of the population.

We are not aware that any difficulties, which can be removed by legislation, have accrued from differences between the two Houses. The usual Appropriation Act for authorising the expenditure of 1865, as we more than once informed Your Excellency during the late session, we were desirous to pass, had it been transmitted in the accustomed manner.

We disclaim any desire to unduly interfere with the fiscal system of the colony; but we nevertheless feel it necessary to state that, as required by our Constitution Act, we shall always insist upon a strict adherence to the usage and practice of the Imperial Parliament in regard to the contents of Bills; and that, should any Bill for granting a supply to Her Majesty contain clauses dealing with any part of the revenue derived from Crown Lands, it will be our duty to pursue the same course in regard to it which we adopted during the past session.

We concur with Your Excellency in trusting that by a wise and considerate exercise of the powers possessed by the two Houses respectively (and which, as Your Excellency is aware, they derive from the Constitution Act alone), they may be able to legislate in accordance with the public will.

It is a source of satisfaction to us to be assured by Your Excellency that the most important measures of the late Parliament have been promptly and energetically administered, and that it is intended to carry out the desire of both Houses, upon the subject of Colonial Defences.

We trust that the establishment in Melbourne of a Branch of the Royal Mint may be attended with the advantages which are expected to flow from it.

Your Excellency's assurance that the Land Act continues to work satisfactorily is encouraging to the promoters of that measure, and will, we hope, be borne out by the experience which the future will afford of its operation.

While we look forward with interest to the forthcoming Intercolonial Exhibition of Industry, we cannot but express our opinion that the protective policy which a majority of the people have determined to adopt is likely to deprive the population of this colony of the great advantages which a free interchange of the produce of other countries would otherwise have conferred upon them.

We rejoice to be informed by Your Excellency that the drought which has been so injurious to the mining and pastoral interests has not, in the same degree, affected the agriculturists.

We fully acquiesce in Your Excellency's statement that your advisers have had little time for the preparation of important measures, and we would respectfully suggest to Your Excellency that the evil can only be remedied by drawing to a much earlier close than has hitherto been the custom the present and future sessions of Parliament.

The reform of the Legislative Council is a question which we shall forthwith refer to the deliberations of a Select Committee of this House. The other Bills which Your Excellency has mentioned will receive our attentive consideration. We must, however, express, not only our regret, but our surprise, that Your Excellency has not been advised to allude to the illegal remission and collection of taxes, and the unauthorized expenditure of revenue during the past year.

The trust which Your Excellency has expressed that the deliberations of the Legislature may, under the blessing of Divine Providence, conduce to the permanent prosperity and happiness of the people, is fully shared by this House.

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

Question—put and passed.

ADJOURNMENT.—The Honorable H. Miller moved, That the Council do now adjourn until Tuesday next, at four o'clock.

Question—put and passed.

The Council adjourned at five minutes to seven o'clock until four o'clock on Tuesday, the 20th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 20TH FEBRUARY, 1866.

NOTICES OF MOTION :—

The Hon. J. F. STRACHAN: To move, That there be laid upon the Table of the House a Return of the weights of sugar, tea, and gold on which duties have been paid during the year 1865, and the amount of duties on each, in each month respectively.

The Hon. W. HULL: To move, That a Return be laid upon the Table of this House, showing—
 (1.) The number of applications received by the Board of Land and Works for leases of swamps under the provisions of the Amending Act, 1865, relative to the reclamation of swamps.
 (2.) The names of the applicants, the extent of the acres of land asked for by each.
 (3.) The tenor of the Report of the professional Board upon each application, and the action, if any, taken thereupon.

ORDER OF THE DAY :—

1. ADDRESS IN REPLY TO GOVERNOR'S SPEECH.—Consideration of.

TUESDAY, 27TH FEBRUARY.

ORDER OF THE DAY :—

1. CONSTITUTION ACT 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, 20TH FEBRUARY, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

VICTORIA.

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

The Honorable William Campbell,
The Honorable Thomas Howard Fellows,
The Honorable William Highett,
The Honorable Henry Miller,
The Honorable William Henry Fancourt Mitchell,
The Honorable Charles Sladen,
The Honorable Robert Turnbull,

to be Members of a Committee to be called "The Committee of Elections and Qualifications."
"Given under my hand this twentieth day of February, 1866.

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

PAPERS.—The Honorable H. Miller, by command of His Excellency the Governor, laid on the Table the following papers :—

1. Reclamation of Swamps.—Report of Professional Board (5th December, 1865).
2. Patents Statute 1865—Regulations under (12th February, 1866).

Ordered severally to lie on the Table.

SUGAR, TEA, AND GOLD DUTIES.—The Honorable J. F. Strachan, in accordance with notice, moved, That there be laid upon the Table of the House a Return of the weights of sugar, tea, and gold on which duties have been paid during the year 1865, and the amount of duties on each, in each month respectively.

Question—put and passed.

SWAMPS, APPLICATIONS FOR.—The Honorable W. Hull, in accordance with *amended* notice, moved, That a Return be laid upon the Table of this House, showing—

- (1.) The number of applications received by the Board of Land and Works for leases of swamps under the provisions of the Amending Act 1865, relative to the reclamation of swamps.
- (2.) The names of the applicants, the extent of the acres of land asked for by each.
- (3.) The tenor of the Report of the professional Board upon each application, and the action, if any, taken thereupon, with copies of all letters addressed to the applicants by the Board of Land and Works, stating the terms and conditions on which each lease was proposed to be granted.

Question—put and passed.

PAPERS.—The Honorable H. Miller laid on the Table the following Papers :—

1. Public Accounts.—Regulations (18th December, 1865).
2. Volunteer Force.—Regulations for Examination of Candidates for Promotion (5th February, 1866).
3. Statistics of Victoria, 1864.

Ordered severally to lie on the Table.

DAYS OF BUSINESS AND OF GOVERNMENT BUSINESS.—The Honorable H. Miller, with leave of the Council, moved, without notice, That Tuesdays, Wednesdays, and Thursdays be the days on which the Council shall meet for the despatch of business during the present Session, and that four o'clock be the hour of meeting on each day; and that, on Wednesday in each week during the present Session, the transaction of Government business take precedence of all other business.

STANDING ORDERS SELECT COMMITTEE.—The Honorable H. Miller, with leave of the Council, moved, without notice, That the Honorables the President, T. H. Fellows, C. Sladen, J. F. Strachan, and the Mover, be appointed a Select Committee on the Standing Orders of the House.

Question—put and passed.

LIBRARY (JOINT) COMMITTEE.—The Honorable H. Miller, with leave of the Council, moved, without notice, That the Honorables the President, James Henty, Charles Sladen, William Hull, and J. P. Bear, be members of the Joint Committee of both Houses to manage the Library.

Question—put and passed.

PRINTING COMMITTEE.—The Honorable H. Miller, with leave of the Council, moved, without notice, That the Honorables J. P. Fawcner, W. Campbell, C. J. Jenner, J. Lowe, and J. McCrae be appointed a Printing Committee, and that Papers presented to the House be referred to the said Committee for report.

Question—put and passed.

REFRESHMENT ROOMS (JOINT) COMMITTEE.—The Honorable H. Miller, with leave of the Council, moved, without notice, That the Honorables W. Highett, N. Fitzgerald, A. Fraser, W. H. Pettett, and the Mover, be Members of the Joint Committee of both Houses, to manage the Refreshment Rooms and Stables.

Question—put and passed.

PARLIAMENT BUILDINGS (JOINT) COMMITTEE.—The Honorable H. Miller, with leave of the Council, moved, without notice, That the Honorables the President, W. Degraives, W. Taylor, G. W. Cole, and R. Turnbull, be Members of the Joint Committee of both Houses, to manage and superintend the Parliament Buildings.

Question—put and passed.

ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH.—The Order of the Day for the consideration of the Address prepared by the Select Committee appointed to prepare an Address to His Excellency the Governor, in reply to his Speech delivered in Parliament, being read, the Honorable T. H. Fellows moved, That the Address be now adopted.

Amendment moved by the Honorable H. Miller—That all the words after the word "Victoria," in the first paragraph of the Address, be omitted, with a view to insert the following words instead thereof:—

Desire to express our loyalty to Her Most Gracious Majesty, and to thank Your Excellency for having summoned Parliament thus early after the general election, in order that the questions upon which the country has pronounced may be considered and determined by the Legislature without delay.

We assure Your Excellency that we trust the appeal which has been made to the people will aid us in overcoming the great difficulties which have arisen from the differences between the Houses, and that, by a wise and considerate exercise of the powers which we respectively possess, we may be able to legislate in accordance with the public will.

We would express our satisfaction that, although the ordinary course of public business has been much disturbed by recent events, the most important measures of the late Parliament have been promptly and energetically administered by the Government, and that among these is the provision made for giving to the country districts a supply of water.

We thank Your Excellency for informing us that it is the intention of your advisers to carry out the desire of the Legislature upon the subject of Colonial Defences, and that the necessary applications have been made to Her Majesty's Government for the establishment of a Branch of the Royal Mint at Melbourne.

It is gratifying to us to learn that the Land Act continues to work satisfactorily, and we desire to assure Your Excellency, that should further experience disclose defects therein, which cannot be cured by administration, we shall cheerfully take into consideration such amendments of the law as Your Excellency's advisers may propose, in order to secure its great objects—the agricultural settlement of the people, and the more rapid growth of the country.

We are glad to learn the Commission lately appointed for the purpose of arranging and carrying out the means for an Intercolonial Exhibition of Industry, to be held in Melbourne in August next, have applied themselves to their task with the utmost zeal and energy, and that, in response to their official communications, they have received from the surrounding Colonies, as from the various districts of our own, the warmest assurances of co-operation and support. We concur in the view taken by Your Excellency that it is, perhaps, only by such an Exhibition even Colonists themselves can obtain adequate knowledge and distinct impressions as to the varied capabilities of this vast and interesting island continent; and we may hope, therefore, that the collected specimens of the produce and industry of Australasia which the well directed labors of the Commission may bring before us will, as in older countries, give a new and most beneficial impulse to the enterprize of our people.

We express our gratification that the almost unprecedentedly long drought by which the country has been afflicted seems, from the accounts received from the various pastoral districts of the colony and from the interior of New South Wales, to be drawing to an end, and that the season which has been so injurious to the pastoral interest has not, in the same degree, affected the agricultural.

We assure Your Excellency we are sensible that a Session of twelve months' duration, followed immediately by a general election, has not left to your advisers time for the preparation of various important measures which it will be necessary to submit for our consideration ; and we also assure Your Excellency that those Bills which nevertheless can be prepared and introduced this Session will receive our best attention.

We shall cheerfully take into consideration the Bill for the establishment of a uniform rate of postage.

We thank Your Excellency for informing us that it is your intention to issue a Royal Commission, with a view to the obtainment of accurate and detailed information upon which to base further legislation, which the experience of the working of the Common Schools Act seems to call for.

We join Your Excellency in trusting that our deliberations may, under the blessing of Divine Providence, conduce to the permanent prosperity and happiness of the people.

Debate ensued.

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

Contents, 17.
The Hon. T. H. Fellows
C. Sladen
W. Campbell
W. H. F. Mitchell
S. G. Henty
H. M. Murphy
Dr. Wilkie
J. P. Bear
W. Highett
W. J. T. Clarke
W. Hull
A. Fraser
R. Turnbull
J. P. Fawkner
J. F. Strachan
B. Williams
W. Taylor (*Teller*).

Not Contents, 7.
The Hon. H. Miller
W. Degraives
C. J. Jenner
J. Lowe
G. W. Cole
J. McCrae
W. H. Pettett (*Teller*).

The question was therefore passed.

Question—that the Address be adopted as follows :—

To His Excellency SIR CHARLES HENRY DARLING, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief of the Colony of Victoria, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of Victoria, in Parliament assembled, beg to approach Your Excellency with expressions of our loyalty and attachment to Her Majesty's throne and person, of respect for the Constitution under which we live, and of submission to the law which binds alike all members of the community.

We have to thank Your Excellency for the Speech with which you have opened the present Parliament.

The late general election appears to have established that a majority of the people are in favor of a protective tariff, and though we may not have anticipated that result, we are ready to give effect to the opinion thus expressed, even should a duty be imposed upon wheat, flour, and other produce of the land which has been opened to so large a portion of the population.

We are not aware that any difficulties, which can be removed by legislation, have accrued from differences between the two Houses. The usual Appropriation Act for authorising the expenditure of 1865, as we more than once informed Your Excellency during the late session, we were desirous to pass, had it been transmitted in the accustomed manner.

We disclaim any desire to unduly interfere with the fiscal system of the colony ; but we nevertheless feel it necessary to state that, as required by our Constitution Act, we shall always insist upon a strict adherence to the usage and practice of the Imperial Parliament in regard to the contents of Bills; and that, should any Bill for granting a supply to Her Majesty contain clauses dealing with any part of the revenue derived from Crown Lands, it will be our duty to pursue the same course in regard to it which we adopted during the past session.

We concur with Your Excellency in trusting that, by a wise and considerate exercise of the powers possessed by the two Houses respectively (and which, as Your Excellency is aware, they derive from the Constitution Act alone), they may be able to legislate in accordance with the public will.

It is a source of satisfaction to us to be assured by Your Excellency that the most important measures of the late Parliament have been promptly and energetically administered, and that it is intended to carry out the desire of both Houses, upon the subject of Colonial Defences.

We trust that the establishment in Melbourne of a Branch of the Royal Mint may be attended with the advantages which are expected to flow from it.

Your Excellency's assurance that the Land Act continues to work satisfactorily is encouraging to the promoters of that measure, and will, we hope, be borne out by the experience which the future will afford of its operation.

While we look forward with interest to the forthcoming Intercolonial Exhibition of Industry, we cannot but express our opinion that the protective policy which a majority of the people have determined to adopt is likely to deprive the population of this colony of the great advantages which a free interchange of the produce of other countries would otherwise have conferred upon them.

We rejoice to be informed by Your Excellency that the drought which has been so injurious to the mining and pastoral interests has not, in the same degree, affected the agriculturists.

We fully acquiesce in Your Excellency's statement that your advisers have had little time for the preparation of important measures, and we would respectfully suggest to Your Excellency that the evil can only be remedied by drawing to a much earlier close than has hitherto been the custom the present and future sessions of Parliament.

The reform of the Legislative Council is a question which we shall forthwith refer to the deliberations of a Select Committee of this House. The other Bills which Your Excellency has mentioned will receive our attentive consideration. We must, however, express, not only our regret, but our surprise, that Your Excellency has not been advised to allude to the illegal remission and collection of taxes, and the unauthorized expenditure of revenue during the past year.

The trust which Your Excellency has expressed that the deliberations of the Legislature may, under the blessing of Divine Providence, conduce to the permanent prosperity and happiness of the people, is fully shared by this House.
—put and passed.

ADDRESS—PRESENTATION OF.—The Honorable T. H. Fellows moved, That the Address be presented to His Excellency the Governor by the President, and such members as might desire to accompany him.

Question—put and passed.

ADDRESS—PRESENTATION OF.—The President announced to the Council that it had been intimated to him that His Excellency would be prepared to receive the Address on Thursday next, at one o'clock.

ADJOURNMENT.—The Honorable H. Miller, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until four o'clock on Tuesday next, the 27th instant.

Question—put and passed.

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

ORDER OF THE DAY.

TUESDAY, 27TH FEBRUARY.

ORDER OF THE DAY:—

1. CONSTITUTION ACT 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, 27TH FEBRUARY, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

REPLY OF GOVERNOR TO ADDRESS.—The President announced to the Council that the Address to His Excellency the Governor, adopted on the 20th instant, had been presented to His Excellency, and that His Excellency had been pleased to make thereto the following reply:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,

In receiving your Address I deem it unnecessary to say more than that, as Her Majesty's Representative in this Colony, I thank you for your expression of loyalty and attachment to Her Majesty's throne and person.

C. H. DARLING,
Governor.

Government Offices,
22nd February, 1866.

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

WRIT—RETURN OF.—The President announced to the Council that the Writ issued by the Governor, for the election of a Member of the Legislative Council, for the Eastern Province, had been returned to His Excellency the Governor, and had been transmitted to the custody of the Clerk of the Council, showing that Robert Stirling Anderson was duly elected in pursuance of the Writ.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 13th proximo:—

“*Constitution Act Amendment Bill*”—to be read a second time.

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

Question—put and passed.

SUGAR, TEA, AND GOLD DUTIES.—The Honorable H. Miller laid on the Table a Return to the Order of the Council made on the 20th instant.

The Honorable J. F. Strachan moved, That the Return be printed.

Question—put and passed.

The Council adjourned at half-past four o'clock until four o'clock on Tuesday, the 6th proximo.

NOTICES OF MOTION AND ORDER OF THE DAY.

TUESDAY, 6TH MARCH.

1. The Hon. J. P. FAWKNER: To ask, Whether the Government intend to frame proper and stringent rules for the admission of children to the Industrial Schools of the colony, as under the present system many infants are intruded who require nurses instead of industrial training, and it is believed that many illegitimate children are placed in the schools whose parents are well able to maintain them; and that some plain rules to guide the magistracy are required in cases where doubts exist as to the condition of the children brought before the bench for admission to the schools.

NOTICE OF MOTION:—

1. The Hon. W. H. F. MITCHELL: To move, That the subject of altering and amending the Constitution be referred to a Select Committee of ten members, with power to call for witnesses and papers, and that the Committee have power to sit during the adjournment of the House.

Contingent:—

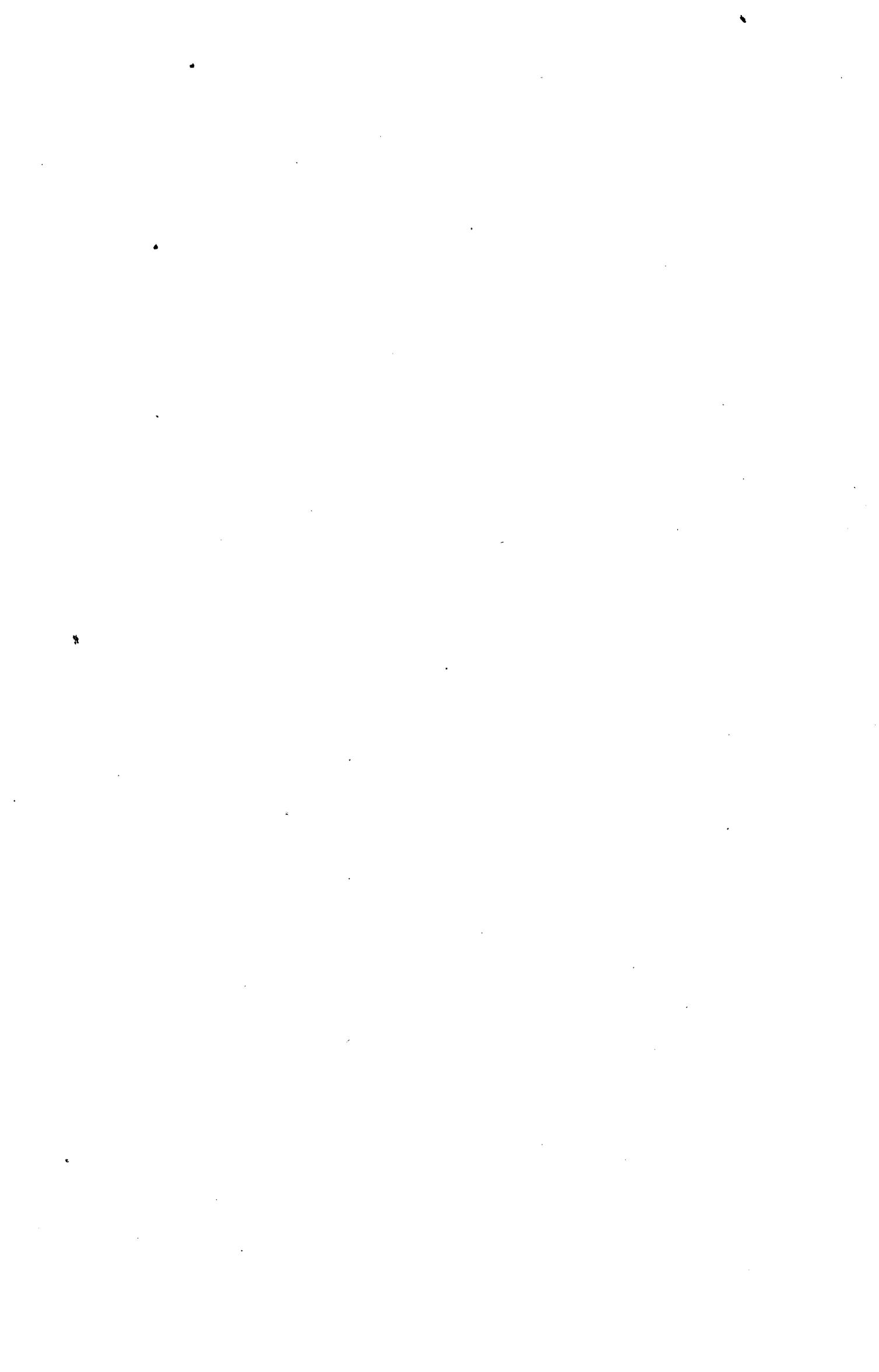
That such Committee do consist of the Honorables W. Highett, W. Lowe, H. Miller, C. Sladen, J. F. Strachan, T. H. Fellows, W. Degraives, G. W. Cole, J. P. Fawkner, and the Mover.

TUESDAY, 13TH MARCH.

ORDER OF THE DAY:—

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

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



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OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 6TH MARCH, 1866.

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 the Warrant appointing the Committee of Elections and Qualifications.

PAPERS.—The Honorable H. Miller laid on the Table the following papers :—

1. Amending Land Act 1865 (section 42).—Regulations relating to applications for, and issue of, Licences, entitling the holders to reside on, or cultivate, Lands at or near Gold Fields.—Order in Council (12th February, 1866).
2. Friendly Societies, Return of, Registered during 1865.

NEW MEMBER.—The Honorable Robert Stirling Anderson, being introduced, took and subscribed the oath of allegiance provided for by the thirty-second clause of the Constitution Act, and delivered to the Clerk the declaration required by the seventh clause of the Constitution Act, as hereunder set forth :—

“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 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 South Melbourne, Holden, and Boroondara, in the County of Bourke ; the Parish of Powlett, County unnamed ; the Parish of Kyneton, in the County of Dalhousie ; and the Parish of Paywit, in the County of Grant ; the descriptions of which Lands and Tenements are as follow :—Allotment eighteen of section two, in the Parish of South Melbourne, at Emerald Hill, with the buildings and erections thereon ; allotments one and two in the Parish of Holden, at Sunbury, in the County of Bourke ; part of portion eighty-one in the Parish of Boroondara, at Kew, with the dwelling-houses, buildings and erections thereon ; one undivided moiety or half part of allotment two, subdivision A ; allotment one, subdivision A ; allotment one, subdivision B ; allotment two, subdivision B ; portions nine and eleven and section B, in the Parish of Powlett, in a County unnamed ; allotments nine and ten of section thirty-three, at Kyneton, in the Parish of Kyneton and County of Dalhousie, with the erections thereon ; and part of allotment three of section two, at Queenscliff, in the Parish of Paywit, in the County of Grant. 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.

“ROBERT S. ANDERSON.”

CONSTITUTION OF LEGISLATIVE COUNCIL.—The Honorable W. H. F. Mitchell, in accordance with *amended* notice, moved, That the subject of altering and amending the Constitution of this House be referred to a Select Committee of ten members, with power to call for witnesses and papers, and that the Committee have power to sit during the adjournment of the House.

Debate ensued.

Question—put and passed..

The Honorable W. H. F. Mitchell, in accordance with contingent *amended* notice, moved, That the Select Committee do consist of the Honorables W. Highett, J. Lowe, H. Miller, C. Sladen, A. Fraser, T. H. Fellows, W. Degraives, G. W. Cole, J. P. Fawcner, and the mover.

Question—put and passed.

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

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled, "*An Act for granting to Her Majesty certain Duties of Customs and for altering certain other Duties,*" with which they desire the concurrence of the Legislative Council.

FRANCIS MURPHY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 6th March, 1866.

CUSTOMS IMPORT DUTIES, GOLD EXPORT DUTY BILL.—The Honorable H. Miller moved, That this Bill be now read a first time, and printed.

Question—put and passed.

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

Amendment moved by the Honorable C. Sladen, That the word "to-morrow" be omitted with a view to insert the words "Tuesday next" instead thereof.

Debate ensued.

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

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

Question—That the second reading of the Bill be made an Order of the Day for Tuesday next—put and passed.

ADJOURNMENT.—The Honorable H. Miller, 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 five o'clock, until four o'clock on Tuesday, the 13th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 13TH MARCH, 1866.

1. The Hon. J. F. STRACHAN: To ask the Honorable H. Miller, If the Government intend enforcing payment of the Bonds taken for Duties, amounting to £35,000 odd, and Duties uncollected from 12th October to 28th November, £63,000 odd, for which they hold no security?
2. The Hon. J. F. STRACHAN: To ask the Honorable H. Miller, What amount was collected under the Units of Entry Act, by the Customs, from 12th October to 28th November, 1865?

NOTICE OF MOTION:—

1. The Hon. W. HIGGETT: To move, That there be laid upon the Table of this House, in the subjoined form, a return of the several matters and particulars indicated by such form, in regard to every City, Town, Borough, Shire, and Road District respectively.

Name of every City, Borough, Shire and Road District, alphabetically.	Total Number of Ratepayers on the Rate last made.	Number of Persons rated at from £50 and under £100.	Number of Persons rated at from £100 and under £150.	Number of Persons rated at from £150 and under £200.	Number of Persons rated at from £200 and under £300.	Number of Persons rated at £300 and upwards.

ORDERS OF THE DAY:—

1. CONSTITUTION ACT AMENDMENT BILL—To be read a second time.
2. CUSTOMS IMPORT DUTIES, GOLD EXPORT DUTY 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, 13TH MARCH, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PAPERS.—The Honorable H. Miller laid on the Table the following papers:—

1. Quarantine.—Report of Chief Medical Officer (22nd February, 1866).
2. Statistics.—Agricultural and Live Stock. Year ending 31st March, 1865.

Ordered severally to lie on the Table.

CHAIRMAN OF COMMITTEES.—The Honorable W. Campbell, with leave of the Council, moved, without notice, That the Honorable Dr. Wilkie be Chairman of Committees of the Council. Question—put and passed.

PAPERS.—The Honorable H. Miller laid on the Table the following papers:—

1. Registration Fees.—Return of amounts collected under the Units of Entry Act, from 18th November to 28th November, 1865.
2. Fees, &c., in Courts of Mines—Order in Council, fixing (26th February, 1866).

Ordered severally to lie on the Table.

RATEPAYERS, RETURN OF—The Honorable W. Highett, in accordance with *amended* notice, moved, That there be laid upon the Table of this House, in the subjoined form, a Return of the several matters and particulars indicated by such form, in regard to every City, Town, Borough, Shire, and Road District respectively.

Name of every City, Borough, Shire and Road District, alphabetically.	Total Number of Ratepayers on the Rate last made.	Number of Persons rated under £25.	Number of Persons rated at from £25 and under £50.	Number of Persons rated at from £50 and under £100.	Number of Persons rated at from £100 and under £150.	Number of Persons rated at from £150 and under £200.	Number of Persons rated at from £200 and under £300.	Number of Persons rated at £300 and upwards.

Debate ensued.

Amendment moved by the Honorable W. Campbell, That an additional column be added, showing the total number of persons entitled by reason of professional qualifications to vote at elections of members of the Legislative Council.

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

Question—That there be laid upon the Table of this House, in the subjoined form, a Return of the several matters and particulars indicated by such form, in regard to every City, Town, Borough, Shire, and Road District respectively:—

Name of every City, Borough, Shire and Road District, alphabetically.	Total Number of Ratepayers on the Rate last made.	Number of Persons rated under £25.	Number of Person rated at from £25 and under £50.	Number of Persons rated at from £50 and under £100.	Number of Persons rated at from £100 and under £150.	Number of Persons rated at from £150 and under £200.	Number of Persons rated at from £200 and under £300.	Number of Persons rated at £300 and upwards.	Total number of Persons entitled by reason of professional qualifications to vote at elections of members of the Legislative Council.

—put and passed.

CONSTITUTION ACT AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable W. Highett moved that the same be discharged.

Question—put and passed.

CUSTOMS IMPORT DUTIES, GOLD EXPORT DUTY BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable H. Miller moved that the Bill be now read a second time.

Debate ensued.

Amendment moved by the Honorable T. H. Fellows, That all the words after the word "That" be omitted, with a view to insert the following words instead thereof :—"as this Bill purports to repeal all existing laws relative to duties of Customs, and to enact merely temporary provisions in their stead, and thus imperils the Civil List granted to Her Majesty by the Constitution Act; and moreover deals with the Gold Duty, which, though collected at the Custom House, is substantially a part of the territorial and hereditary revenue of the Crown, and foreign to a Bill of Aid or Supply, and has always been separated therefrom in legislation; and as the preamble of the Bill is without precedent in this Colony, and implies that the constitutional disability of this House to originate or alter Bills for imposing a duty or return is not the only difference between the powers of the two Houses in regard to such Bills, the said Bill be rejected."

Debate ensued.

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

Council divided.

Contents, 8.
The Hon. H. Miller
G. W. Cole
J. McCrae
J. Henty
W. Degraives
A. Fraser
C. J. Jenner
W. H. Pettett (*Teller*)

Not Contents, 20.
The Hon. T. H. Fellows
W. H. F. Mitchell
W. J. T. Clarke
W. Taylor
W. Campbell
J. Lowe
N. Black
S. G. Henty
H. M. Murphy
N. Fitzgerald
W. Highett
R. S. Anderson
B. Williams
J. P. Bear
J. P. Fawkner
W. Hull
J. F. Strachan
Dr. Wilkie
R. Turnbull
C. Sladen (*Teller*).

The question was therefore negatived.

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

Question—That, as this Bill purports to repeal all existing laws relative to duties of Customs, and to enact merely temporary provisions in their stead, and thus imperils the Civil List granted to Her Majesty by the Constitution Act; and moreover deals with the Gold Duty, which, though collected at the Custom House, is substantially a part of the territorial and hereditary revenue of the Crown, and foreign to a Bill of Aid or Supply, and has always been separated therefrom in legislation; and as the preamble of the Bill is without precedent in this Colony, and implies that the constitutional disability of this House to originate or alter Bills for imposing a duty or return is not the only difference between the powers of the two Houses in regard to such Bills, the said Bill be rejected—put and passed.

ADJOURNMENT.—The Honorable H. Miller moved, That this House, at its rising, adjourn until Thursday, the 15th instant.

Question—put and passed.

The Council adjourned at midnight until four o'clock on Thursday, the 15th instant.

NOTICE OF MOTION.

THURSDAY, 15TH MARCH, 1866.

NOTICE OF MOTION :—

1. The Hon. W. H. F. MITCHELL : To move for a Return of the Taxed Costs of the Petitioners in the actions brought against the Crown for the recovery of the duties levied under the Resolutions of the Legislative Assembly; and also of the costs of the Crown in such actions.

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

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 15TH MARCH, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ABSENCE, LEAVE OF, TO MEMBER.—The Honorable A. Fraser, with leave of the Council, moved, without notice, That the leave of absence granted to the Honorable T. T. a'Beckett by this House be extended for six additional months.

Question—put and passed.

TAXED COSTS, PETITIONERS IN ACTIONS AGAINST THE CROWN.—The Honorable W. H. F. Mitchell, in accordance with notice, moved, That there be laid upon the Table of the House a Return of the Taxed Costs of the Petitioners in the actions brought against the Crown for the recovery of the duties levied under the resolutions of the Legislative Assembly ; and also of the Costs of the Crown in such actions.

Question—put and passed.

The Council adjourned at twenty minutes to five o'clock, until four o'clock on Tuesday, the 20th instant.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.



Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 20TH MARCH, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PAPERS.—The Honorable H. Miller laid on the Table the following Papers :—

1. Supreme Court.—Reg. Gen. (23rd December, 1865).
2. Mines, Courts of, Times for holding.—Order in Council (5th February, 1866).
3. Industrial Schools—Reports and Correspondence relating to.

Ordered severally to lie on the Table.

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

NOTICE OF MOTION.

WEDNESDAY, 21ST MARCH, 1866.

NOTICE OF MOTION :—

1. The Hon. C. SLADEN: To move, That a Select Committee, consisting of ten members, be appointed to prepare a Minute to be placed on the records of this House, setting forth the action taken by the Legislative Council during the past and present sessions, in reference to the Bills sent from the Legislative Assembly dealing with Supply, Appropriation, and Gold Export Duty, in answer to the statements made in a certain Minute on the subject of the resignation of the Ministry, of the 15th instant, signed by the Honorable the Chief Secretary, and addressed to His Excellency the Governor; and that such committee report the same to this House; and that the said committee have power to sit during the adjournment of the House.

MEETING
OF
SELECT COMMITTEE.

Wednesday, 21st March.

PRINTING—at half-past 3 o'clock.

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

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 21ST MARCH, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PRINTING COMMITTEE.—The Honorable J. P. Fawkner brought up the First Report of the Printing Committee, and moved that the same be adopted and printed.

Question—put and passed.

ACTION OF THE LEGISLATIVE COUNCIL.—The Honorable C. Sladen, in accordance with notice, moved, That a Select Committee, consisting of ten members, be appointed to prepare a Minute to be placed on the records of this House, setting forth the action taken by the Legislative Council during the past and present Sessions, in reference to the Bills sent from the Legislative Assembly dealing with Supply, Appropriation, and Gold Export Duty, in answer to the statements made in a certain Minute on the subject of the resignation of the Ministry, of the 15th instant, signed by the Honorable the Chief Secretary, and addressed to His Excellency the Governor; and that such committee report the same to this House; and that the said committee have power to sit during the adjournment of the House.

Debate ensued.

Question—put and passed.

The Honorable C. Sladen moved, That the Select Committee consist of the following members, viz.:—The Honorables W. Campbell, W. H. F. Mitchell, N. Black, S. G. Henty, J. P. Fawkner, W. Hull, W. Highett, H. M. Murphy, Dr. Wilkie, and the Mover.

Question—put and passed.

The Honorable C. Sladen moved, That the House do adjourn to enable the Committee to prepare the Minute.

Question—put and passed.

The Committee retired to prepare the Minute.

The President left the Chair.

The President having resumed the Chair, the Honorable C. Sladen, as Chairman of the Select Committee, brought up the Minute prepared by the Committee.

The Minute was read at the table by the Clerk, as follows:—

THE attention of this House having been called to a document entitled "Minute for His Excellency the Governor," dated "Chief Secretary's Office, 15th March, 1866," and it appearing to this House that the Minute referred to not only inaccurately states the action taken by the members of this House during the past and present sessions, but assigns most unworthy motives for their conduct, as well as reflects upon their honor, this House cannot allow a document containing such misrepresentations to pass unnoticed.

It is stated therein, that "the Government and Assembly are powerless to pass the measures in favor of which the country at large so emphatically pronounced;" and "that the only alternative before the Government is to recommend, either an abject submission upon the part of the Assembly to the paramount rule of the Legislative Council in all subjects relating to the finances of the colony, or to resign;" and "that the Tariff rejected by the Legislative Council on the 13th instant, was twice passed by very large majorities in the late Assembly, and was twice rejected during the last session by the Legislative Council, almost without discussion."

Nothing has been said or done in the Council to justify the charge that they have either exercised or assumed, or desired to exercise or assume, a paramount influence or control over the finances of the colony; and, although there is so much truth in the above statement, as that the Bill containing the Tariff was rejected on the 13th instant, and twice during the last session, it is to be observed, that no opportunity has ever been afforded to the Council of considering, upon its own merits, the Tariff of duties imposed on articles of merchandise imported into the colony; for it has, on each occasion of its

being before them, been improperly associated with other matters, which, in the ordinary course of Parliamentary practice, should have been dealt with in separate Bills; and, on each of those occasions, the Bill contained a Preamble, assuming to the Legislative Assembly the exclusive power of granting supplies to Her Majesty, and thus encroaching on the privileges of this House, as conferred upon them by the Constitution Act; and it was upon that and other grounds, then stated, that the Bill in question has been three times rejected.

It is admitted, on the part of the Legislative Council, that statements have been made in this House, as set forth in the Minute, and such statements have been approved by the majority of this House,—“that, were they satisfied that the colony at large was favorable to the Government policy, they were prepared to bow to public opinion;”—but this House deny, and challenge proof of the assertion, that they ever expressed their willingness “to pass the *Government measure*,” if by such designation be meant the Bill associating Supply with Appropriation, or with the Territorial or Crown Revenue.

The Minute states:—“That, at the earliest possible period after the general election, the Government sent up the Supply Bill, separate from the Appropriation Bill, and, therefore, no longer obnoxious to the objections urged on a former occasion—in ignorance of the real nature of the proceeding—to the effect that the subjects thus associated together in the same measure constituted a ‘tack.’” It omits, however, to state that the Supply Bill sent up was not separate from the Bill dealing with the Gold Duty, which is admitted by the law officers of the Crown, and even contended by one of them, to be in the nature of a Royalty; nor free from the objectionable Preamble of the Bill of last Session, both of which were objected to as interfering with the privileges and independence of this House; but it is insinuated that “it was *then* objected”—as if for the first time—that the repeal of the Gold Duty was improperly contained in the measure; whereas, in point of fact, the objection was taken in July, 1865, when the first Bill containing the Tariff was laid aside. It also alludes to another objection, urged to the Bill on its last rejection—inadvertently overlooked on the two previous occasions—that “the Bill being only a temporary measure yet repealed permanently the existing Customs Duties;” and, instead of justifying that course, goes on to say that “they are unable to understand that the above objections are more than mere pretexts put forward by the leading members of a section of the Legislative Council to cover a foregone conclusion, to reject again, and under any circumstances, this measure, because it emanated from the present Government.”

The Legislative Council take this opportunity of denying that they were actuated by any such factious or dishonorable motives as those imputed to them. On the contrary, they were, and still are, in deference to the opinions expressed at the late elections, willing to pass those portions of the measure dealing with Supply, and with the Gold Duty, if sent to them in separate Bills, and unaccompanied by the exceptionable features before objected to, viz. :

- 1st. The preamble, which implies a greater disability on the part of the Council in dealing with Supply Bills than that imposed upon them by the 56th section of the Constitution Act, and which has never been inserted in any Bill in this colony previously to last session. And
- 2ndly. The limiting of the operation of the Bill to three years, whereby a temporary Bill is made to contain a permanent clause (the repeal of all existing Customs Duties Acts), which is not only in contravention of the Queen’s instructions to the Governor, but involves the possible absence of a Customs Revenue at the end of that period, and thus imperils the Civil List secured to Her Majesty under the Constitution Act, and materially affects the value of the Government securities.

The Minute states that “The same Council which formerly objected to this Tariff as a protectionist measure, we find to be now condemning it as not sufficiently protective, and now proposing to place protective duties on agricultural produce,” and further states, “Your Excellency’s Advisers are also constrained to add that they are utterly unable to understand by what intellectual process the same men have now as honestly arrived at the conclusion that this Tariff is not, in its provisions, as protective as it ought to be.”

This House have always objected to the Ministerial Tariff, as introducing protective principles, and urged that the opinion of the constituencies should be elicited on the direct issue of Protection *v.* Free Trade before abandoning the present Tariff; and, since the general election, at which a very large proportion, if not a decided majority, of the electors have given their voice for protection, this House have, as they imagine, consistently conceded that, if Protection is to be introduced at all, the agricultural produce of the country should certainly be amongst the articles to be protected.

The Legislative Council also emphatically deny that their opposition to the Tariff—as alleged in the above Minute—was intended “to mask a deeper policy,” and they can only treat it as infatuation when they are told that “that deeper policy aims at the “resumption of the control of the Crown Lands of the colony by means of the displacement of the present Ministry;”—for they most unreservedly and distinctly assert that they have never entertained any such absurd idea, or been guilty of any such factious motives, as, without any reasons assigned, are here attributed to them, either on that or on any other subject.

The Legislative Council desire to enter their protest against the unwarrantable insinuations upon their actions and motives, set forth in the above Minute, bearing the signature of the Chief Secretary, and to place on record this expression of their views, several times repeated, with regard to the policy of the Government just resigned, and the means employed by them to coerce this House to give that policy the sanction of law, viz:—

That, although they differ from the Government and the Legislative Assembly as to the merits of the Customs measures introduced during the last and present Sessions, yet, out of respect for and in deference to the opinions of the majority of the electors, lately expressed, they are willing to concur in any legislation that may be necessary for giving those opinions the force and operation of law, provided that the Bills for carrying out those objects are submitted to them in accordance with Parliamentary practice, as they have invariably been previously to the last Session of Parliament:—

That they have not sought, and do not wish, to unduly interfere with the financial arrangements of the country, but they have merely asserted—as they trust they ever will, in justice to this honorable House, and in the maintenance, as they believe, of the rights and privileges conferred as a trust upon them by the Constitution Act, which is the only charter possessed by this colony for its self government—co-ordinate power with the Legislative Assembly in all legislation, save only the initiation and alteration of Bills for appropriating any portion of the Consolidated Revenue, and for imposing any duty, rate, tax, rent, return, or impost, and that they have not, nor ever had a desire to strain their power, to reject a Money Bill, beyond its proper constitutional exercise.

The Honorable C. Sladen moved, That the report of the Committee be received.

Question—put and passed.

The Honorable N. Fitzgerald moved, That Standing Order No. 25 be suspended, in order to facilitate the immediate adoption of the report.

Debate ensued.

Question—put and passed.

The Honorable C. Sladen moved, That the Minute prepared by the Select Committee be now adopted.

Debate ensued.

Question—put and passed.

The Honorable C. Sladen moved, That an Address be presented to His Excellency the Governor, accompanied by a copy of this Minute; and requesting that, in the event of His Excellency deeming it his duty to forward to the Secretary of State the Minute signed by the Chief Secretary, he will be pleased to accompany it with a copy of this Minute.

Question—put and passed.

The Council adjourned at ten minutes past seven o'clock, until four o'clock on Thursday, the 22nd instant.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.



Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 22ND MARCH, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

The Council adjourned at a quarter to five o'clock, until Tuesday, the 27th instant.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.



Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 27TH MARCH, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable H. Miller presented to the Council the following Message from His Excellency the Governor :—

C. H. DARLING,
Governor.

The Governor informs the Legislative Council that, in compliance with their request to that effect, he has transmitted to the Secretary of State a copy of the Minute adopted by the Council on the 21st instant.

Government Offices,
27th March, 1866.

SWAMPS, APPLICATIONS FOR.—The Honorable H. Miller laid on the table a Return to an Order of the Council made on the 20th February, 1866.

PAPER.—The Honorable H. Miller laid on the table the following Paper :—

Schedule D, 18 & 19 Vict., cap. 55—Statement of Expenditure under (1863 and 1864).

Ordered to lie on the table.

The Council adjourned at a quarter to five o'clock, until 4 o'clock on Wednesday, the 28th instant.

NOTICE OF MOTION.

WEDNESDAY, 28TH MARCH, 1866.

NOTICE OF MOTION :—

1. The Hon. J. P. FAWKNER: To move for a Committee, consisting of ten members, to draw up and lay before Her Most Gracious Majesty and Her Ministers a chronological and full account of the unconstitutional acts of the Ministry, from the month of January, 1865, up to the date of the closing of the labors of the Committee; pointing out in the fullest manner the various attempts to coerce the Council, the nature of the several revolutionary acts of the Ministry, and the conduct of the Representative of Her Majesty in reference to these proceedings, whereby these Ministers have been enabled to override all law and order—keeping unpaid the civil servants and the creditors who have supplied the wants of the Government; and the ruin that must ensue if these temporary and provisional proceedings are continued; and further, to draw the closest attention to the course of proceeding by which the Ministry are daily adding to the dangerous complications the country is now suffering under.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.



Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 28TH MARCH, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

The Council adjourned at half-past four o'clock, until four o'clock on Thursday, the 29th instant.

NOTICE OF MOTION.

TUESDAY, 3RD APRIL, 1866.

NOTICE OF MOTION :—

1. The Hon. J. P. FAWKNER: To move for a Committee, consisting of ten members, to draw up and lay before Her Most Gracious Majesty and Her Ministers a chronological and full account of the unconstitutional acts of the Ministry, from the month of January, 1865, up to the date of the closing of the labors of the Committee; pointing out in the fullest manner the various attempts to coerce the Council, the nature of the several revolutionary acts of the Ministry, and the conduct of the Representative of Her Majesty in reference to these proceedings, whereby these Ministers have been enabled to override all law and order—keeping unpaid the civil servants and the creditors who have supplied the wants of the Government; and the ruin that must ensue if these temporary and provisional proceedings are continued; and further, to draw the closest attention to the course of proceeding by which the Ministry are daily adding to the dangerous complications the country is now suffering under.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.



Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 29TH MARCH, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PAPER.—The Honorable H. Miller, by command of His Excellency the Governor, laid on the table the following Paper:—

Mineral Leases under Mining Statute 1865. Gold Mining Leases Regulations under the same. Licenses under 36th Section of ditto, so far as relates to races, drains, dams, and reservoirs, &c., under the same. Regulations relating to Gold Mining Leases. Licenses to search for metal or mineral other than gold, under the same.—Orders in Council, 19th March, 1866.

Ordered to lie on the table.

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

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

Debate ensued.

Amendment, by leave, withdrawn.

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

The Council adjourned at a quarter to five o'clock, until four o'clock on Wednesday, the 4th April.

NOTICES OF MOTION.

WEDNESDAY, 4TH APRIL, 1866.

NOTICES OF MOTION:—

1. The Hon. A. FRASER: To move, That seven members of this House be appointed to meet and confer with a like number of Members of the Legislative Assembly, to take into consideration the differences now existing between the two branches of the Legislature with reference to Bills of Supply.
2. The Hon. J. P. FAWCNER: To move, That the Council, in order to prevent serious loss to the public, will pass a money bill to any reasonable amount, and will forego their objections to a Tariff and Gold Export Duty Repeal; they therefore pledge themselves, if these Acts are really required by the Ministry, to pass a Tariff Bill *per se*, and also a Gold Export Duty Repeal, if sent up separate, and with the usual preamble, and without any clause limiting the Act. If again sent up, clogged with these clauses, they cannot and will not pass the double Bill, Tariff and Gold Export joined together.
1. The Hon. J. P. FAWCNER: To move for a Committee, consisting of ten members, to draw up and lay before Her Most Gracious Majesty and Her Ministers a chronological and full account of the unconstitutional acts of the Ministry, from the month of January, 1865, up to the date of the closing of the labors of the Committee; pointing out in the fullest manner the various attempts to coerce the Council, the nature of the several revolutionary acts of the Ministry, and the conduct of the Representative of Her Majesty in reference to these proceedings, whereby these Ministers have been enabled to override all law and order—keeping unpaid the civil servants and the creditors who have supplied the wants of the Government; and the ruin that must ensue if these temporary and provisional proceedings are continued; and further, to draw the closest attention to the course of proceeding by which the Ministry are daily adding to the dangerous complications the country is now suffering under.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.



Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 4TH APRIL, 1866.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

DIFFERENCES ON BILLS OF SUPPLY.—The Honorable A. Fraser, in accordance with notice, moved, That seven Members of this House be appointed to meet and confer with a like number of Members of the Legislative Assembly, to take into consideration the differences now existing between the two branches of the Legislature with reference to Bills of Supply.

Debate ensued.

The Honorable T. H. Fellows moved, That the question be now put.

Debate ensued.

Amendment, by leave, withdrawn.

Motion, by leave, withdrawn.

ADJOURNMENT.—The Honorable H. Miller, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until this day week.

Question—put and passed.

The Council adjourned at five o'clock, until four o'clock on Wednesday, the 11th instant.

NOTICES OF MOTION.

WEDNESDAY, 11TH APRIL, 1866.

NOTICES OF MOTION :—

1. The Hon. A. FRASER: To move, That seven members of this House be appointed to meet and confer with a like number of Members of the Legislative Assembly, to take into consideration the differences now existing between the two branches of the Legislature with reference to Bills of Supply.
2. The Hon. J. P. FAWKNER: To move, That the Council, in order to prevent serious loss to the public, will pass a money bill to any reasonable amount, and will forego their objections to a Tariff and Gold Export Duty Repeal; they therefore pledge themselves, if these Acts are really required by the Ministry, to pass a Tariff Bill *per se*, and also a Gold Export Duty Repeal, if sent up separate, and with the usual preamble, and without any clause limiting the Act. If again sent up, clogged with these clauses, they cannot and will not pass the double Bill, Tariff and Gold Export joined together.
3. The Hon. J. P. FAWKNER: To move for a Committee, consisting of ten members, to draw up and lay before Her Most Gracious Majesty and Her Ministers a chronological and full account of the unconstitutional acts of the Ministry, from the month of January, 1865, up to the date of the closing of the labors of the Committee; pointing out in the fullest manner the various attempts to coerce the Council, the nature of the several revolutionary acts of the Ministry, and the conduct of the Representative of Her Majesty in reference to these proceedings, whereby these Ministers have been enabled to override all law and order—keeping unpaid the civil servants and the creditors who have supplied the wants of the Government; and the ruin that must ensue if these temporary and provisional proceedings are continued; and further, to draw the closest attention to the course of proceeding by which the Ministry are daily adding to the dangerous complications the country is now suffering under.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

SELECT COMMITTEES

APPOINTED DURING THE FIRST SESSION OF 1866.

No. 1.—ADDRESS IN REPLY TO HIS EXCELLENCY'S SPEECH.

Appointed 15th February, 1866.

The Hon. H. M. Murphy	The Hon. W. Hull
J. F. Strachan	N. Fitzgerald
W. Campbell	T. H. Fellows (<i>Mover</i>).
W. Highett	

No. 2.—ELECTIONS AND QUALIFICATIONS.

Appointed (by President's Warrant) 20th February, 1866.

The Hon. William Campbell	The Hon. W. H. F. Mitchell
Thomas Howard Fellows	Charles Sladen
William Highett	Robert Turnbull.
Henry Miller	

No. 3.—STANDING ORDERS.

Appointed 20th February, 1866.

The Hon. The President	The Hon. J. F. Strachan
T. H. Fellows	H. Miller (<i>Mover</i>).
C. Sladen	

No. 4.—LIBRARY (JOINT).

Appointed 20th February, 1866.

The Hon. The President	The Hon. W. Hull
J. Henty	J. P. Bear.
C. Sladen	

No. 5.—PRINTING.

Appointed 20th February, 1866.

The Hon. J. P. Fawkner	The Hon. J. Lowe
W. Campbell	J. McCrae.
C. J. Jenner	

No. 6.—REFRESHMENT ROOMS (JOINT).

Appointed 20th February, 1866.

The Hon. W. Highett	The Hon. W. H. Pettett
N. Fitzgerald	H. Miller (<i>Mover</i>).
A. Fraser	

No. 7.—PARLIAMENT BUILDINGS (JOINT).

Appointed 20th February, 1866.

The Hon. The President	The Hon. G. W. Cole
W. Degraves	R. Turnbull.
W. Taylor	

No. 8.—CONSTITUTION OF LEGISLATIVE COUNCIL.

Appointed 6th March, 1866.

The Hon. W. Highett	The Hon. T. H. Fellows
J. Lowe	W. Degraves
H. Miller	G. W. Cole
C. Sladen	J. P. Fawkner
A. Fraser	W. H. F. Mitchell (<i>Mover</i>).

No. 9.—ACTION OF LEGISLATIVE COUNCIL (COMMITTEE TO PREPARE A MINUTE UPON).

Appointed 21st March, 1866.

The Hon. W. Campbell	The Hon. W. Hull
W. H. F. Mitchell	W. Highett
N. Black	H. M. Murphy
S. G. Henty	Dr. Wilkie
J. P. Fawkner	C. Sladen (<i>Mover</i>).

SUGAR, TEA, AND GOLD DUTIES.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.

THE HONORABLE J. F. STRACHAN.—20TH FEBRUARY, 1866.

LAI D ON THE COUNCIL TABLE BY THE HONORABLE H. MILLER AND ORDERED BY THE COUNCIL TO BE PRINTED 27TH FEBRUARY, 1866.

A RETURN of the Weights of SUGAR, TEA, and GOLD, on which Duties have been paid during the Year 1865, and the Amount of Duties on each, in each Month respectively.

RETURN showing the Quantity of Tea, Sugar, and Gold, on which Duties have been paid during the Year 1865, and the Amount of Duties in each Month respectively.

Month.	TEA.			SUGAR.			GOLD.		
	Quantity.	Rate.	Amount.	Quantity.	Rate.	Amount.	Quantity.	Rate.	Amount.
	lbs.		£ s. d.	Cwts. qrs. lbs.		£ s. d.	Ozs. dwts.		£ s. d.
January	321,613½	3d.	4,020 3 10	29,159 0 25	3s.	4,373 19 6	82,546 3	1s.	4,127 6 8
„ ...	113,690½	6d.	2,842 5 3	13,800 0 5	6s.	4,140 1 9	36,969 6	1s. 6d.	2,772 14 4
February	586,966	3d.	7,337 2 1	57,837 3 7	3s.	8,675 14 7	102,461 6	1s.	5,123 2 0
„ ...	...	...	...	...	...	...	16 0	1s. 6d.	1 4 0
March ...	423,465½	3d.	5,293 6 7	42,085 2 16	3s.	6,312 18 0	130,432 0	1s.	6,521 12 7
„ ...	442	6d.	11 1 0	1 0 8	6s.	0 6 5	—	—	—
April ...	435,741	3d.	5,446 15 4	26,954 0 8	3s.	4,043 3 1	120,761 2	1s.	6,038 1 8
May ...	399,278½	3d.	4,991 0 3	37,899 2 10	3s.	5,685 0 2	102,143 9	1s.	5,107 3 11
June ...	304,092	3d.	3,801 3 1	27,355 0 10	3s.	4,103 7 7	166,451 18	1s.	8,322 13 0
July ...	294,176	3d.	3,677 4 3	28,193 0 1	3s.	4,229 0 1	108,023 14	1s.	5,401 4 2
August...	325,084½	3d.	4,063 11 5	25,425 3 23	3s.	3,813 18 7	89,956 4	1s.	4,497 18 1
September	372,227	3d.	4,652 17 0	22,726 1 25	3s.	3,409 0 9	172,124 2	1s.	8,606 4 8
„	700½	6d.	17 10 3	—	—	—	—	—	—
October...	750,687	3d.	9,383 12 1	41,843 1 5	3s.	6,276 11 9	157,373 17	1s.	7,868 14 4
„ ...	65	6d.	1 12 6	0 2 4	6s.	0 3 3	—	—	—
November	2,205,963½	3d.	27,574 11 8	80,740 0 7	3s.	12,111 1 0	147,186 15	1s.	7,359 7 7
„ ...	1,016	6d.	25 8 0	3 3 5	6s.	1 2 9	8 0	1s. 6d.	0 12 0
„ ...	...	...	...	...	...	...	2,950 4	6d.	73 15 2
December	36,421	6d.	910 10 6	17,459 0 17	6s.	5,237 15 4	127,254 12	1s. 6d.	9,544 2 6
„ ...	...	...	...	...	...	...	9,985 4	6d.	249 12 8
Year ...	6,571,629½		84,049 15 1	451,484 3 8		72,413 4 7	1,556,643 16		81,615 9 4

Department of Trade and Customs,
Melbourne, 20th February, 1866.

J. GUTHRIE,
Inspector-General of Customs.

1866.
VICTORIA.

REGISTRATION FEES.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE H. MILLER 13TH MARCH, 1866, AND
ORDERED BY THE COUNCIL TO BE PRINTED 21ST MARCH, 1866.

RETURN, SHOWING THE AMOUNT WHICH WAS COLLECTED UNDER THE
UNITS OF ENTRY ACT, BY THE CUSTOMS, FROM 18TH NOVEMBER TO
28TH NOVEMBER, 1865.

CUSTOMS, VICTORIA.

PORT OF MELBOURNE.

RETURN of the Amount collected under the Act imposing Registration Fees (25 Vic., 144),
from 18th November to 28th November, 1865, both days inclusive.

	£	s.	d.
Amount of Registration Fees received under the above Act, from 18th November to the 28th November, 1865, both days inclusive	888	19	2

MEMORANDUM.—The collection of the Registration Fees did not commence until the 18th November,
1865, the Order in Council having been passed only on the previous day.

Custom House,
Melbourne, 7th March, 1866.

J. CHATFIELD TYLER,
Collector of Customs.

By Authority : JOHN FERRES, Government Printer, Melbourne.

INDUSTRIAL SCHOOLS,

REPORTS AND CORRESPONDENCE RELATING TO.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE H. MILLER, 20TH MARCH, 1866,
AND ORDERED BY THE COUNCIL TO BE PRINTED, 21ST MARCH, 1866.

The Chief Medical Officer to the Honorable the Chief Secretary.

No. 65 | 904.

SIR,

Medical Department,
Melbourne, 25th September, 1865.

I have the honor to inform you that, agreeably to your verbal instructions to me this morning, I proceeded to the Industrial Home, and inspected the state and condition of the children in that establishment. A great number of these were affected with scabies and eczema, but nearly all of them in rapid progress of cure. About forty were suffering from hooping cough, most of whom were getting over the complaint favorably. There were twenty cases of ophthalmia, twelve of which were severe, and the rest slight; many others had suffered from the disease and recovered. Twelve were suffering from diarrhoea; a few of these were bad cases, and accompanied by a good deal of debility. About twelve had chilblains; some of these very bad. Nine were suffering from debility after other diseases, and were progressing very favorably under a liberal administration of medical comforts. Three were suffering from gastric fever, and three from a scorbutic disease of the mouth.

I inspected the whole of the children in the school, viz., 225 boys, and 430 girls. They presented the appearance of being clean and well fed. They all said they had plenty to eat, and they were generally in very good condition.

The Medical Officer has entire charge of the sick, and his discretion in ordering whatever is necessary for them, either in medicine or medical comforts, is unlimited.

There is a large consumption of wine, milk, eggs, and other nutritious food; the children coming in generally in a very low condition.

The principal defect in the establishment is want of space; the buildings are crowded, and till more space is available to afford a greater separation and classification of the children, it will be impossible to eradicate the skin diseases. Almost every child admitted has scabies (itch). I saw four in one family admitted on Saturday, all suffering from this disease.

I have, &c.,
(Signed) W. McCREA,
Chief Medical Officer.

The Honorable the Chief Secretary,
&c., &c.

The Mayor of Eaglehawk to the Honorable the Chief Secretary.

SIR,

Eaglehawk Police Court,
6th November, 1865.

I have the honor to inform you that the woman named in the margin (whose children were forwarded to the Industrial School, at Sunbury, by this bench in the month of June last) appeared at this court to-day, and sadly complained of the condition in which she found them on the 4th instant, when having visited them at Sunbury. Jemima Pitt.

I have caused her deposition of the facts to be taken, which is forwarded herewith.

I deem it unnecessary to make any comment on the case, as I feel assured that a matter of such public interest will be promptly and thoroughly investigated.

I have, &c.,
(Signed) CHAS. LETHEBY, J.P.,
Mayor.

The Honorable the Chief Secretary,
&c., &c., Melbourne.

ENCLOSURE.

Eaglehawk Police Court, 6th November, 1865, before Charles Letheby, Esq., J.P.

Jemima Pitt,
continued.

Jemima Pitt, on her oath, saith, on the twenty-sixth of June, One thousand eight hundred and sixty-five, my two children, George Pitt, aged nine years, and Moses Pitt, aged five years and six months, were brought before the Eaglehawk Police Court as being neglected children, and ordered to be sent to the Industrial School at Melbourne, for a period of three years.

On the fourth day of November instant, I proceeded to Sunbury, and visited the Industrial School at that place, where I saw my children. I found that my child, George Pitt, had been recently discharged from the hospital, where he had been suffering from an attack of sores and boils, and the child Moses Pitt still in the hospital suffering from a similar disease. I was informed that the children in the hospital were merely supplied with ointment which they were left to apply themselves. I saw a lot of children rubbing each other with the ointment. I was informed that the children in the hospital were washed in the same water, although some of them were covered with sores, thereby conveying disease to children who might be free from any skin disease.

(Signed) JEMIMA PITT.

Sworn before me at Eaglehawk, in the Colony
of Victoria, this sixth day of November,
1865.

(Signed) CHARLES LETHEBY, J.P., Mayor.

Minute of Under Secretary.

Referred to Mr. Harcourt for inquiry and report.

8 | 11 | 65.

(Signed) J. MOORE.

J. T. Harcourt, Esq., to the Honorable the Chief Secretary

Industrial Schools' Office,
9th November, 1865.

SIR,

I have the honor to enclose herewith, reports of the Superintendent at Sunbury and the Medical Officer as to the condition of the children Pitt referred to in the *Herald* of the 8th instant.

I have, &c.,

(Signed) J. T. HARCOURT.

The Honorable the Chief Secretary.

ENCLOSURE No. 1.

Industrial School, Sunbury,
8th November, 1865.

[REPORT.]

I have this day seen a paragraph in the daily *Herald*, giving a statement made by a Mrs. Pitt, to the magistrates of Eaglehawk, with reference to her two sons, Moses and George Pitt, now in this institution. The statement is an exact counterpart of all the other statements made lately through the press, that is, without the slightest foundation. These boys are in sound perfect health and very fine condition, and will compare favorably with *any other boys* in the colony. On inquiry, I find the woman was at a boarding house, close by, where many of the workmen stop. She had her boys there, and if she felt any anxiety about them she would have asked to see me—which she did not.

In fact, this Eaglehawk inquiry is simply another Templeton or McColl affair.

(Signed) A. THOMSON, M.D.

ENCLOSURE No. 2.

Sunbury, 7th November, 1865.

SIR,

On receipt of your instructions I referred the report in the *Herald* newspaper of this date, to Dr. Thomson, and sent for the boys at once. I certainly was astonished to find the two boys not only the contrary to what has been represented by the mother, but actually in robust health; the younger boy, especially, is fat and ruddy; in fact, in the bloom of health. They both have marks upon them, which show that they suffered in common with the other lads here from the eruption, but it is equally evident that they have perfectly recovered. I must say, I am more surprised at this report than that respecting Wainstanly. To my own knowledge, greater care has been taken of these children (the Pitts), than they could have had in their own home.

I have, &c.,

J. T. Harcourt, Esq.,
Inspector of Industrial Schools.

(Signed) W. C. WEEKS.

C. C. Benjafield, Esq., to J. T. Harcourt, Esq.

Industrial Schools, Prince's Bridge, Melbourne,
14th November, 1865.

SIR,

I have the honor to state that, in conformity with your request, I visited the Sunbury Industrial School on Saturday last, the 11th instant, taking with me the depositions made by Jemima Pitt before the Bench of Magistrates at Eaglehawk, wherein she states that she visited the above institution on the 4th instant, and saw her two boys, John Pitt, aged (9) nine years, and Moses Pitt, aged (5) five years, in a very deplorable state of health.

As requested by you, I laid the statement made by Mrs. Pitt before Dr. Thomson, the Resident Medical Officer of the Sunbury School. He indignantly denied the truth of it, and in confirmation he produced the above-mentioned children.

In company with Dr. Thomson I had a minute examination of them.

John Pitt, the elder, bore evident marks of *having had* the skin disease, but did not present any state of that complaint at my visit; in fact, there was *no such* actually existing at the time.

The younger brother, Moses Pitt, also bore evidence of having had the same complaint, but in a milder form. The only sore I observed on this boy, was a very recent abrasion of skin on one shoulder, and which I am satisfied had only taken place within a short period of my visit.

The appearance of the two boys was that of those in good health—ruddy complexions, full in flesh—heads clean from any disease or vermin.

I beg also to remark that, from my personal examination and the state of health, I found the claimant's children, who then only bore the marks of skin disease, but which was evidently subdued for many weeks previous to Mrs. Pitt's visit, that I cannot reconcile to myself to think that Mrs. Pitt, on the 4th day of November, could possibly have found her children as stated, *on oath*, before the Eaglehawk Bench.

I have, &c..

J. T. Harcourt, Esq.,
Superintendent, Industrial Schools.

(Signed) C. C. BENJAFIELD,
Resident Medical Officer, Industrial School,
Prince's Bridge, Melbourne.

J. T. Harcourt, Esq., to the Honorable the Chief Secretary.

L.B.—543.

Industrial Schools' Office,
30th November, 1865.

SIR,

I have the honor to inform you that the Board of Visitors inspected the Schools at Prince's Bridge last evening, and raised an objection to the quality of the bread supplied by the contractor. It was also objected that the bread is not properly baked.

Under these circumstances, I am desirous that the matter may be set at rest by a Board of Survey, as provided by the 7th clause of Conditions of Contract.

I have therefore to request that you will be pleased to appoint a Board for the purpose named, and, as bread is a *perishable article*, no delay should be allowed.

The Honorable the Chief Secretary.

(Signed.)

I have, &c.,
J. T. HARCOURT.

J. Moore, Esq., to the Superintendent of Industrial Schools, Prince's Bridge.

No. 3732.

[Copy.]

Chief Secretary's Office,
Melbourne, 30th November, 1865.

SIR,

I have the honor to acknowledge the receipt of your letter of this day's date, bringing under notice a complaint preferred by the Board of Visitors of the quality of the bread supplied by the contractor at the Prince's Bridge Industrial Schools.

In reply, I am to inform you that the Chief Secretary has appointed a Board, consisting of the officers indicated in the margin, to inspect and report on the bread in question.

The Superintendent of Industrial Schools, Prince's Bridge.

I have the honor, &c.,
(Signed) J. MOORE.

The Inspector of
Stores.
The Deputy
Sheriff.

The Inspector of Stores to the Honorable the Chief Secretary.

No. 65 | 1207.

Stores and Transport Office,
Melbourne, 5th December, 1865.

SIR,

Referring to your letter of the 30th ult., No. , I have the honor to forward herewith the report of the Board appointed to survey certain bread at the Prince's Bridge Industrial Schools.

The Honorable the Chief Secretary.

I have, &c.,
(Signed) F. F. MOORE,
Inspector of Stores.

ENCLOSURE.

Report of Board appointed by the Hon. The Chief Secretary to survey certain Bread supplied to the Industrial Schools, Melbourne.

Members:—

The Inspector of Stores. | The Deputy Sheriff.

We have the honor to report that, on the 1st instant, we proceeded to the Industrial Schools, and surveyed the bread submitted to us as supplied by the contractor. The conditions of contract provide, in case of dispute as to quality, that the supply shall be compared with a test loaf. We therefore compared the supply with the test loaves, and found the former to be not so bright in color as the latter, but in other respects it appeared to be in conformity with the contract,—the bread being well baked and sound.

Our visit being anticipated, we deemed it advisable to make a second inspection; and, without notice, we proceeded to the Industrial Schools this morning. We examined the loaves of this day's delivery, separately and in bulk, and found the color and quality the same as previously surveyed. With regard to the question of color, we understand that small loaves, baked free from contact with each other, are generally deemed to be of a better color than those set into the oven in batches and close contact.

We also examined the small bread delivered by the contractor, and observed a perceptible difference in color between the loaves, baked free, in the cottage shape, and those baked in tins, a fact which we submit will, to some extent, account for the darker color of the larger loaves in general consumption at the Industrial Schools.

Stores and Transport Office,
Melbourne, 5th December, 1865.

(Signed)

F. F. MOORE, Inspector of Stores.
LOUIS ELLIS, Deputy Sheriff.

J. T. Harcourt, Esq., to the Honorable the Chief Secretary.

Industrial Schools' Office,
7th December, 1865.

SIR,

I have the honor to enclose reports of the Medical Officer of Industrial Schools at Melbourne and Geelong, furnished at my request.

Ophthalmia having made its appearance almost simultaneously at the two institutions, I deemed it desirable that the medical officers should meet in consultation.

With regard to the report of Mr. Benjafield, in reference to the Melbourne institution, it will be seen that Mr. B. urges that a separate hospital should be obtained. The attention of the Board of Inquiry, consisting of Drs. McCrea and Youl, with others, was called to the subject, and it was suggested that all the cases should be confined to one ward, which indeed was already done, and the cases are progressing favorably; but what a return of hot weather will produce has yet to be seen.

The attack at the Geelong institution appears to have taken a more serious form. There the wards are not crowded, and I considered the children placed in the most favorable circumstances possible, both as regards diet, attendance, &c.

I visited the institution at Geelong on Friday last, and remained there a great portion of the day, returning to Melbourne in the evening, and returning to Geelong on Saturday evening, where I remained over Sunday until Monday morning, during which time, *unexpectedly*, I visited the wards late in the night, when the children had been in bed some hours, and early in the morning, and found the wards clean and well ventilated, and the children well attended to. I also examined the food of the children, which was good and plentiful.

I may be permitted here to state that the children at the Geelong institution, being very young, it has been found necessary to deviate from the ordinary diet scale, and, in its place, substitute a diet consisting in a great measure of milk and vegetables, with a less allowance of meat; and, after frequent conferences on the subject with the medical officer, we have concluded that it is impossible at present to settle a diet scale applicable to the case. I must, therefore, trust to an indemnity for a deviation from the ordinary rule.

I have, &c.

The Honorable the Chief Secretary.

(Signed)

J. T. HARCOURT.

ENCLOSURE No. 1.

Industrial Schools, Prince's Bridge,
28th November, 1865.

SIR,

I have to report to you the re-appearance of ophthalmia in the school. Some cases remained under treatment with opacity of the cornea, the greater number of which are partially recovering sight.

Of the recent cases bearing date the 28th of September ultimo, at first the complaint did not assume a serious form, but within the last few days it is assuming the purulent type. I therefore beg to submit to you a complete isolation of all these cases. I am aware it is not practicable in the present overcrowded space allotted to the Industrial Schools here, but I would suggest that a suitable place should be obtained within a short distance, say, South Yarra, and within an easy walk for the attendance of a medical officer daily, or oftener if positively required.

I respectfully submit to you that these suggestions may receive the immediate sanction of the Government, so that no delay may take place, or we shall probably find ourselves in the same position as heretofore.

I have, &c.,

(Signed)

C. C. BENJAFIELD,

Resident Medical Officer, Industrial Schools, Prince's Bridge.

J. T. Harcourt, Esq.,
&c., &c., &c.

ENCLOSURE No. 2.

Report on cases of Purulent Ophthalmia in the Industrial Schools, Geelong.

DESCRIPTION.

5th Dec., 1865.

An epidemic of Purulent Ophthalmia has broken out amongst the children. It commenced soon after the setting in of the hot weather.

It is worthy of remark, that prior to the outbreak of ophthalmia, there were a number of children with sore mouths (ulcerative stomatitis) and many others with hooping cough; but after the ophthalmia had spread to some extent, no further cases either of sore mouths or hooping cough occurred. The rise of the ophthalmic affection was therefore coincident with the abatement of those maladies.

The disease in question commenced in a truly insidious manner, like most other epidemic or contagious diseases.

I first observed one or two cases of conjunctivitis, which were treated by ordinary means, and recovered within a few days.

Some three or four more cases then occurred which showed a tendency to purulent secretion, and were decidedly less amenable to treatment. Whilst these were under my care others occurred almost daily, every fresh case showing more inflammatory intensity and a greater amount of purulent secretion.

The disease, after the lapse of about three weeks from the first case, assumed a violent and unmanageable form, and at length I had nearly thirty children suffering from the disease.

The rapidity of its progress to ulceration of the cornea, in spite of every endeavour to check it, has in some of my cases been truly distressing to witness.

In several of the worst the eyelids became greatly swollen and of a livid hue, and when separated, the confined matter actually "frothed" out, and ran down the cheek in a stream as from an abscess.

In all, the conjunctiva is seen to be intensely inflamed, and either of a bright scarlet or dark port wine hue. There is "chemosis" in several, the conjunctiva completely overlapping the cornea. In these, I regret to say, ulceration has ensued.

I have observed little or no constitutional disturbance, or irritative fever, the complaint being entirely local.

In one or two children the palpebral conjunctiva is so swollen and everted outwards as to overhang the cheek in a sort of tumour, resembling in its appearance an internal pile.

During the time when the ophthalmia was at its worst the weather was very hot; the sun Causes. excessively powerful.

Perhaps this, amongst other causes, may have a good deal to do with its origin. I have no doubt but that direct contact of the matter from diseased to sound eyes has produced it more than once. Some of the nurses have most certainly been inoculated in this way. The children bathing their eyes in the same water (this it was almost impossible to hinder at first) had, I think, a tendency to increase the severity of the affection.

There may be likewise some atmospheric causes.

The first cases were treated by scarifying with a lancet the palpebral conjunctiva, encouraging the Treatment. bleeding with warm fomentations, and using a lead or zinc lotion.

This plan answered in one or two instances, but was found of no benefit afterwards; indeed, rather the contrary.

Light was excluded from the wards, the diseased children removed, and the worst cases separated from the less severe ones; and both classes placed under the care of the most efficient nurses in the establishment.

Calomel was cautiously tried, but it was found unadvisable to pursue its administration.

A five-grain solution of nitrate of silver had no effect. This was strengthened to ten grains with some slight benefit, but still with no very satisfactory results.

All other local remedies were found practically useless, only wasting time.

The ointment known as "Guthrie's," one grain nit. of silver to four of lard, has proved of most service.

Separation of the diseased children—darkened wards—the application of "Guthrie's" ointment freely with a camel-hair pencil, and unremitting attention to cleanliness—removing the secretion of pus with a sponge and warm water—I have found to be the only reliable treatment.

I believe medicines given internally to be of little use; the disease is far too rapid in its progress to be overtaken thus.

I am glad to say that at this date the majority of cases are recovering, and the further spread of this formidable disease appears to be checked.

(Signed) CHAS. F. MACKIN, M.D.

The Superintendent of the Industrial Schools,
Melbourne.

Having seen the cases of ophthalmia under treatment, at Geelong, in company with Dr. Mackin, I fully concur with that gentleman's report, in every particular.

(Signed)

C. C. BENJAFIELD,
Resident Medical Officer, Industrial School,
Melbourne.

E. P. S. Sturt, Esq., Melbourne, to the Honorable The Chief Secretary.

Melbourne, 16th December, 1865.

SIR,

I do myself the honor of transmitting to you the accompanying Report of the Board of Inspection on the Industrial Schools at Prince's Bridge, Melbourne.

I have, &c.

(Signed) E. P. S. STURT, P.M.

The Honorable the Chief Secretary.

ENCLOSURE.

Report of the visit of the Board to the Industrial School at Prince's Bridge.

The site of the Industrial School at Prince's Bridge, though high and dry, well adapted for drainage, and possessing many natural advantages, is not well suited for the purposes of such an establishment; it is too near a populous city, too close to the noise, bustle, and traffic of a busy thoroughfare, and contains too small an area for the requirements of such an institution.

The buildings and accommodation are (with the exception of a building which is rented from the Immigrants' Aid Society) of a very inferior character; this is a brick building occupied as a dormitory for boys, containing forty-five beds, and affording accommodation for fifty-seven inmates, though over crowded at present; it is amply supplied with windows; well ventilated, and well suited for the number of beds it contains.

The remainder of the buildings are constructed of wood and iron. The wooden buildings are the old temporary barracks occupied by the military before the present barracks were erected. They are crumbling to decay, exposed to all the vicissitudes of temperature, infested with bugs, and so dried up, that a single

spark might, on the occasion of a hot wind, excite such a conflagration as must inevitably consume them in a very short space of time, and if this occurred at night, the fate of the inmates would be dreadful to conceive. The only relieving quality (if such a term may be applied) these buildings possess, is that in consequence of the drying of the wood, they are full of openings which admit a tolerable supply of fresh air, and are thus better ventilated than their space would otherwise permit. The iron buildings consist of four cottages of four rooms each, composed of corrugated iron tolerably well ventilated, but open to the objections as regards temperature that such a mode of construction usually involves. The whole of these buildings contain 147,938 cubic feet of space, affording, for attendants' rooms, sleeping rooms, lavatories, &c., only the small amount of 245 cubic feet for each individual; a quantity far too little for the purposes of health. The Board visited every ward, and found the whole of them in a most cleanly and creditable condition.

The privy accommodation was very deficient, inadequate for the numbers in the school, and of very defective construction. The superintendent reported that this is to be immediately remedied by a proper supply of earth closets.

The number of children in the institution on the visit of the Board, December 10, were in all 603; of these 137 were boys, and 466 girls. There were 246 over, and 357 under ten years of age. The Board mustered the children in five wards by the ward lists which had been corrected up to the previous Saturday, the 8th instant; with the exception of a few changes caused by the removal of some children to the hospital, and the return of others from it, the ward lists were found correct, and the children present.

The physical appearance of the children was generally good; they appeared to be well fed, and looked as well as children of a similar age usually do. When the early privations which many of these children suffered are considered, their appearance reflected credit on the establishment.

The intelligence of the children seemed to the Board to be tolerably good; many of the girls especially, exhibiting a bright, quick, and pleasant look.

The children were all remarkably clean; the lavatories attached to each ward are ample, and seem to be made good use of.

The children in the wards were generally healthy, though a considerable number were suffering from the remains of hooping-cough, but this was evidently declining; and beyond the inconvenience of an occasional fit of coughing, they did not present the appearance of suffering in any way.

The sick in the hospital, however, amounted to such considerable numbers, that the establishment cannot be considered a healthy one. The principal disease from which they suffered was ophthalmia, which had been epidemic for some time, but was happily on the decline. There were twenty-four cases of this disease, eight of which were very severe; the last case occurred four days ago. During the last week there were six discharged, and only one admitted. Twenty-three of these children were segregated in one of the iron buildings; but instead of being separated into the four rooms of which it is composed, they were all huddled into one room, the air of which was close and offensive. This room was partly darkened by a rug hung inside the window; but the children's eyes were not protected from the light as well as they ought to have been. The other case of ophthalmia, and the remainder of the sick, were placed in two buildings belonging to the Immigrants' Aid Society, on the opposite side of the St. Kilda road. One of these buildings is a very well constructed brick hospital, admirably ventilated, and surrounded by a broad and lofty verandah; the other, an old wooden cottage of two small rooms, ill adapted for the purpose of an hospital. All the hospitals and their bedding were thoroughly clean. The diseases under which the children suffered in these two hospitals, were as follows:—11 cases of colonial fever, most of them convalescent; 13 cases of hooping-cough, six of which were very severe; five cases of diarrhoea, three of which were severe; three cases of scarlatina, all convalescent; one case of cancrum oris, nearly well; one case of aptha; one case of gastric fever; one case of hæmoptisio; and one case of paralysis after fever; all progressing more or less favorably. The sick children in these two hospitals seemed to be well attended to.

The sick, altogether, amounted to 61, being about one for every ten children in the whole establishment.

On the first visit of the Board no medical record was kept, and the returns which the instructions direct to be sent to the Chief Medical Officer had not been transmitted. At the next visit of the Board, on the 10th instant, the Medical Officer produced a daily record of the cases of sickness, and the medicines prescribed. There seems to be an erroneous impression prevalent, that the Industrial Schools are under the medical supervision and control of the Chief Medical Officer. As this gentleman is a member of this Board, and as such an error is likely to detract from their impartiality, they are desirous the impression should at once be removed. Dr. McCreagh states this impression is the very reverse of fact. In July, 1864, he received instructions from the Honorable the Chief Secretary, to draw up instructions for the medical officers of these institutions, which he did; but beyond this he has had no connection with them whatever; the appointments were not made, nor are they paid under his department; nor has any intimation of them ever been conveyed to him; he never received directions to supervise them; and when the Medical Officer of Sunbury, Dr. Thomson, received his appointment, he asked the Honorable the Chief Secretary if he was to be under the control of the Chief Medical Officer, but was told he was not; moreover, the regulations drawn out by the Chief Medical Officer have been since altered, and one clause directing accounts for medical comforts to be forwarded to him, has been omitted before the regulations were printed, showing there was no intention of placing these officers under the medical department.

The clothing of the children was of a very good description, well-suited for their wants, and for the season of the year. The girls were supplied with two complete suits of everything, and the boys with two suits of everything except jumpers. The clothes were in a cleanly condition. There is, however, a want of proper check upon the issue; there are no ward lists of the clothing supplied, and the clothing is not numbered; so that whatever care is taken to prevent waste depends upon the personal intelligence, care, and supervision of the wardswoman.

The bedding is excellent, and scrupulously clean; the bedsteads are iron: each bed consists of a straw mattress, a pair of sheets, a blanket, a coverlet, and two pillows. In many cases two children sleep in one bed, the results of the establishment being overcrowded.

The Board on the occasion of each visit saw the children at dinner. On the first occasion the dinner was composed of soup with a portion of meat and a good deal of vegetables in it, a palatable and substantial meal. At the second inspection the dinner was composed of mutton and potatoes; the meat was of good quality, and the potatoes as good as these vegetables usually are at the time of year. The children expressed themselves well satisfied with their food, and it was evident from their appearance that they were well fed. The means of cooking are tolerably good, and the rations seem to be fairly divided. The children dine in three relays; the youngest first—the great defect of the establishment, want of space, preventing either their dining all at once, or being divided into messes. There is no check on the cooks beyond an occasional weighing of the cooked food before being served out to the children.

The supply of water is from the Yan Yean.

The number of boys in the establishment above 10 years of age is 87; of these, 14 were reported as either sick, physically incapable of exertion, or only occasionally employed. The remaining 73 were occupied as follows: tailors 13, shoemakers 12, carpenters 4, ward boys 4, dining-room boys 12, sweeping yards 10, wheeling firewood 4, watering yards 4, office 5, assisting in school 3, messengers 2.

The number of girls above 10 years of age is 159; of these, 122 were employed as follows, viz., scrubbing wards, making beds, dressing children, &c., 91, housework 4, laundry 13, assisting in school 4, working sewing machines, cutting-out, sewing, &c., 10.

The following list of articles of clothing made and repaired since 1st January, 1865, in the Industrial School, was supplied to the Board by the superintendent, viz. :—1,197 jumpers, 910 pairs trousers, 1,041 pairs braces, 1,306 shirts, 1,722 print frocks, 298 winsey dresses, 312 winsey caps, 1,007 boys' caps, 1,578 chemises, 1,818 pinafores, 885 petticoats, 212 flannels, 214 night gowns, 543 sun bonnets, 958 bed ticks, 734 pillow cases, 1,707 sheets, 334 towels, 67 pairs boots, and 148 pairs slippers, amounting in all to 16,990 articles made on the premises. Besides these, the following articles were repaired in the establishment, viz., 4,583 pairs boots, 782 jumpers, 1,291 pairs trousers, and 23 caps.

These facts show clearly that the industrial employment of the children has been fairly carried out ; and as the result of the first year's operations with all the difficulties attendant on the primary organization of such an establishment out of the very heterogeneous materials which these destitute children afforded, the Board conceive a very promising commencement has been made, and one very creditable to the superintendent of the institution. There is, however, a serious omission to which the Board would call attention, viz., a record of the physical and educational state of the children on admission, and of their physical, moral, and intellectual progress afterwards.

The number of officers, servants, and tradesmen employed in the school is 44, viz. :—1 superintendent, 1 matron, 1 medical officer, 3 clerks and storekeeper, 3 teachers, 1 singing master, 1 drill instructor, 4 tradesmen, 20 wardswomen and servants, 5 laundresses, and 4 sick nurses. As far as the Board could judge during the two inspections (the latter of which took up five hours), these officials perform their duties in a satisfactory manner. The children were in good order and under perfect control, and presented generally a happy and contented appearance ; several of the older ones, when asked by the Board, expressing themselves to this effect.

Having now stated the facts which came under the observation of the Board, on the occasion of their primary inspection of the Industrial Schools, at Sunbury and Prince's Bridge, it is the intention of the Board, in a future Report, to consider generally the subject of Industrial Schools, the present arrangements and future prospects.

(Signed)

E. P. S. STURT,
W. McCREA,
RICH. YOUL,
W. TEMPLETON.

Minute of Under Secretary.

Referred to Mr. Harcourt for his observations.

11 | 1 | 66.

(Signed)

J. MOORE.

Memo.

Industrial Schools' Office,
21st December, 1865.

The letter accompanying this was prepared on the date it bears, but by accident, was put away with other papers, and discovered only last evening.

(Signed.)

J. T. HARCOURT.

ENCLOSURE.

Industrial Schools' Office,
8th December, 1865.

SIR,

I have the honor to submit the following plan for your consideration, framed in accordance with the prepared estimates, with a view of its being brought into operation on the 1st January next, if it meets your approval.

- (1st.) As regards myself. On the draft estimates which I submitted to you, I left my designation to be fixed by yourself. It is necessary that an alteration should be made, that I may have more time for inspection, and less of office work.
- (2nd.) Superintendent at Prince's Bridge. I recommend that Mr. Thomas James Connor be appointed superintendent at the salary named in the estimates for 1866, viz., £200 per annum. Mr. Connor has been for several years acting as head schoolmaster in this establishment, and upon him has devolved latterly a great amount of superintendence, owing to my frequent absences at the other departments of this institution.
- (3rd.) That the acting superintendent at Sunbury, be designated the "Superintendent." Each officer to be held responsible for the good management of the institution under his immediate charge, according to the rules laid down for his guidance.

DUTIES OF THE INSPECTOR.

- (1st.) The Inspector as head of the department, shall be under the direction of the Honorable the Chief Secretary.
- (2nd.) He shall have the inspection of all Industrial and Reformatory Schools, and report on the condition of each institution, its management, stores, &c., as often as shall be required by the Chief Secretary.
- (3rd.) Subject to the approval of the Chief Secretary, he shall have the power of summarily dismissing any officer or servant in his department, who shall be guilty of insubordination, negligence in the discharge of his or her duty, or of any conduct calculated to bring discredit on the institution under his inspection.
- (4th.) He shall have the custody of all documents, books, and papers, belonging to his department, and shall conduct the correspondence.
- (5th.) He shall keep proper books of account, containing a correct entry of all moneys, stores, and other property received and issued.

DUTIES OF SUPERINTENDENT.

- (1st.) The Superintendent shall have the immediate control of the entire establishment under his care, and shall be held responsible for its proper conduct and management, and shall reside in the institution.

- (2nd.) He shall without delay, report to the Inspector, any neglect of duty or act of insubordination by any officer or servant under his charge, or of any conduct calculated to bring discredit on the institution, and he may suspend such officer or servant, till an investigation into the matter has been made by the Inspector.
- (3rd.) He shall have charge of all stores and other property, of whatever description, belonging to the institution under his control.
- (4th.) He shall keep proper books of account for all stores and other property received and issued.
- (5th.) He shall inspect the food of the inmates, and see that it is of good quality and well prepared.
- (6th.) He shall by close personal supervision satisfy himself that the officers and servants of the institution under his care discharge their respective duties zealously and efficiently, and that the provisions of the Act and the regulations of the Governor in Council are faithfully carried out.

INDUSTRIAL SCHOOLS AND FEMALE REFORMATORY, SUNBURY.

Miss Hollis is, at present, matron of both institutions. The number in both are rapidly increasing. I therefore beg to recommend that a sub-matron be appointed at, say £40 per annum, whose duty it shall be to render assistance to the matron and to instruct the girls, in the reformatory for two hours every day in reading, writing, and arithmetic.

The Honorable the Chief Secretary.

I have, &c.,
(Signed) J. T. HARCOURT.

R. Youl and E. P. S. Sturt, Esquires, to the Honorable the Chief Secretary.

SIR

Melbourne, 30th December, 1865.

We do ourselves the honor to inform you that we visited the Industrial Schools at Sunbury to-day. Our attention had been called to a statement in the daily papers about the dirty and neglected condition of one of the children. Desiring to have the report of the medical officer on this subject, we found that he had been absent on leave since the 26th instant, and that no person was performing his duties. We inspected the boy ourselves, and found that the report alluded to was without foundation.

2nd. On inspecting the establishment, we found several of the inmates ill in bed; that the itch was again becoming troublesome, and also that there were some cases of sore eyes. We were also informed that Dr. Thomson was seriously ill, and not likely to be able to perform his duties for some time. Under all these circumstances, we deem it to be our duty to bring the matter at once under your notice, so that temporary arrangements may be at once made for the medical charge of the school.

We have, &c.,
(Signed) RICHD. YOUL.
E. P. S. STURT.

The Honorable the Chief Secretary.

Industrial Schools' Office,
2nd January, 1866.

SIR,

I have the honor to enclose herewith a Report of the medical officer of this institution and the clerk and storekeeper, whom I directed to proceed to Sunbury on Saturday evening, to investigate the truthfulness of a statement made in the *Bendigo Advertiser*, and copied into the *Argus* and *Age* of that day, as to the treatment and condition of a boy named Stewart. I was unable to investigate the matter myself, as my presence was required that evening and Sunday at the Geelong institution.

Mr. Sturt and Dr. Youl visited Sunbury on Saturday, and examined the boy in question, and will, I believe, report to you on the subject.

I have, &c.,
(Signed) J. T. HARCOURT.

The Honorable the Chief Secretary.

ENCLOSURE.

Industrial Schools' Office,
1st January, 1866.

Having reference to statements in the Bendigo Advertiser, of 29th ultimo, relating to the ill-treatment of a boy at Sunbury—John alias James Stewart.

(Copied in the Age and Argus papers of the 30th ultimo.)

SIR,

I have the honor to state that, in accordance with your orders, I, in company with Mr. Macfarlane, visited the Schools at Sunbury, on Saturday, the 30th ultimo, for the purpose of examining the above-named boy: and we beg to inform you that the statements in the papers are without the slightest foundation. The boy being free from all skin diseases, having no broken skin with the exception of a small abrasion about a quarter of an inch in diameter on one heel. He has three or four marks on his back, being scars of old sores, but perfectly healed up. He has not the slightest trace of ill-usage.

With regard to the sensational account of the cut on his nose "bleeding copiously," there is nothing of the kind. He has a slight scratch on one side of his nose, but so slight that we can vouch for its never having bled. The boy is thoroughly clean and free from disease. From information received on the spot, we believe the woman to have been *intoxicated*: finishing her visit by offering to treat Mr. Weeks and others to nobblers, and creating a disturbance at the railway station on her departure.

We beg further to draw your attention to the necessity of putting a stop to such unfounded reports and calumnies, which are so unjust and cruel to all connected with the management of the Institution, and harrowing to the feelings of the parents and relatives of the children.

We could adduce many instances of lamentable results produced by the publication of such unfounded charges, but will content ourselves with one which occurred on the 30th ultimo.

A poor woman, from the Ovens District, having three children in the Institution, upon hearing these reports, sold off all that she had to pay her fare down to see her children. She finds her children well, healthy, and happy, but she is now left destitute, without even the means to enable her to return to her own district.

We have, &c.,

(Signed)

C. C. BENJAFIELD,
Resident Surgeon, Industrial School,
Prince's Bridge, Melbourne.

J. T. Harcourt, Esq., Superintendent,
Industrial Schools.

(Signed)

P. MACFARLANE.

ENCLOSURE.

J. T. Harcourt, Esq.,
Inspector, &c.
SIR,

Industrial School,
Sunbury, 30 | 12 | 65.

Seeing an extract from the *Bendigo Advertiser* in the *Age* of this date, making a statement in reference to an inmate of this institution, whose name is supposed to be Stewart, to the effect that "the boy was a most emaciated-looking thing, ambling and crippled in his walk, and almost deformed," there are some animadversions upon the state of his clothing and the cleanliness of his person, after which there is a general statement, that "altogether the child showed neglect and ill-treatment to an extraordinary degree." I saw the woman who visited the child referred to, who stated that she was not his mother, but a friend of the mother's. I find, however, that she is the mother of the boy. As I have no medical man here, I concluded that I had better send him to town, that he might at once be examined by a medical man as to his physical condition.

With respect to his clothing, I have sent him exactly in the same state in which he was when seen by the woman, whom the boy states is his mother. I believe the child is thoroughly healthy, and it will be seen that nothing is the matter with his eyes.

There could have been no marks of violence about him, as I do not permit any one to punish the children, and I know that the nurse that this child is under is a most kind-hearted woman; so much so, that I selected her to take charge of the youngest and most helpless of the children.

The nurse's name is Mary Carrol.

However, as only three days have elapsed since the mother saw the child, a medical man will be able to certify whether it could have been possible for him to have been in the condition physically as stated, I therefore lost no time in sending him to be examined, and trust that this course will meet your approval, and that you will have him examined.

(Signed)

I am, &c.,
W. C. WEEKS.

In consequence of Dr. Youl and Mr. Sturt seeing the child at Sunbury, Mr. Weeks did not send the boy to Melbourne.

(Signed)

J. T. HARCOURT.

E. P. S. Sturt, Esq., to the Honorable the Chief Secretary.

SIR,

Police Office, 9th January, 1866.

I have the honor of transmitting to you the Report of the Board of Inspection over the Prince's Bridge and Sunbury Industrial Schools, for the month of December, 1865.

I have, etc.,

(Signed)

E. P. S. STURT.

The Honorable The Chief Secretary.

ENCLOSURE.

Report of the Board of Inspection on the Prince's Bridge and Sunbury Industrial Schools, 30th December, 1865.

Since the last report of the Board of Inspection, the Industrial School at Sunbury has been visited weekly by two of its members, and, after comparing notes, they have the honor of submitting the following report:—

The Superintendent has been directing his attention to the formation of a correct muster roll, dividing the children into fifty in each ward, under the control of two of the older boys, as captains. These lads have lists of the children in their respective wards, and are required to call over their names every morning. The Superintendent states that these musters were made and found to be correct, but that he had experienced much difficulty in completing a correct roll in consequence of some of the boys answering to different names than those by which they had been known at the Prince's Bridge establishment. Admitting that great difficulties have to be contended against, the simple fact that eleven or twelve days elapsed before a correct number of the children could be arrived at shows the confusion which must have existed.

The Board feels bound to comment on the dilatoriness apparent in carrying on the contracts and completing the works now in hand. It is upwards of six weeks since the Board first visited the Sunbury establishment. They then observed the foundations of the new privies and earth closets had been laid down, but from that time little progress has been made, and none of the closets have been completed. The sheds, necessarily required as adjuncts to these closets, have not even been commenced, so that when the wet weather sets in these conveniences will be utterly unserviceable.

The resident surgeon has not commenced to keep the "Case Book," or "Record of Sick," alluded to in the last report, but stated that he intended to do so.

No attempt has been made to restrict the use of the hospital ward to the sick, as it is still occupied indiscriminately by healthy children as by those under medical treatment.

Upon the occasion of the last inspection, the resident surgeon reported no sick confined to their beds. The boy who was so seriously ill last month was visibly improving and able to move about the ward. Some few children were in hospital, under treatment, but none with any disease of a serious character. The members of the Board visited the institution on Saturday last, the 30th November, when it appeared that the resident surgeon had been absent for five days.

*Sic orig.

Although cases of a serious character did not at the time exist, there were notwithstanding a number of children in the hospital under treatment, who required constant watching and attendance, and the Board do not feel satisfied that sufficient attention is paid to their ailments, or that proper supervision is exercised over the nurses, or that the medical comforts prescribed for these children, and which they obviously require, are administered as ordered. The Board were informed on this occasion that the resident surgeon had left, being at the time too ill to attend to his duties.

For the future the Board would recommend that, when the medical officer is absent on leave, proper provision should be made for the performance of his duties.

During the visit of the Board, a Mrs. Jones came to see her children, and, in reply to inquiries on the subject, she stated that she came to see her children in consequence of the alarming rumours which had reached her as to the health of the children generally. She expressed herself much pleased with their appearance, and went away perfectly satisfied.

The Board considered it desirable to mention this circumstance, as it may tend to allay the anxiety of many others, if publicity were given to their opinion, that at present with some few exceptions, already noticed, the boys are all in good health.

The attention of the Board was drawn to a lad named Gaulton. This boy was in the hospital ward, but not under treatment. He is afflicted with a shortening of the leg, arising from an accident some time ago, by which his leg was broken. This misfortune to the boy might be greatly alleviated by treatment in the Melbourne hospital, to which institution he should at once be removed.

A wooden building of paling has been just completed: this is intended for a "Dining Room," having been fitted up with long tables and forms running the whole length of the building. This is entirely opposed to the opinion of the Board, and to the system they wish so much to see introduced—that of messing the boys in small numbers, as is now so generally adopted in England, and found to answer so well.

In each of the wards now completed, is a day room 40 feet by 25, and provided with a fire-place. These rooms were specially intended for dining rooms, and are admirably adapted for the purpose. The wooden building, before alluded to, may be converted into a day-shed, such accommodation being much required for shelter during wet or inclement weather.

A supply of iron bedsteads has been lately received, and more are daily expected; so that this requirement may be considered as provided.

A re-adjustment of the children in the wards has been effected, thereby avoiding any overcrowding in the sleeping apartments, Number 9 ward, which was stated in the last report to be crowded with 82 children has been relieved, by drafting them into a new one, lately completed.

Five of the boys are employed in shoemaking. The master shoemaker and other tradesmen, under whom the boys may be receiving instruction, are now required to keep an entry of daily attendance and merit of each lad; this is to be entered into the conduct or progress book by a system of marks. When this system is perfected, it will form an admirable record of the character and merits of each individual lad whilst in the institution, and be a valuable source of information to his future employers.

The members of the Board have on various occasions seen the children at their meals—the quantity may certainly be deemed sufficient, and no complaints were heard as to the quality. The evening meal of tea, bread and butter, to the convalescent children, was abundant, and of excellent quality.

The character of the meals should be varied. At present no meat can be roasted or baked. This can hardly be remedied until the kitchen, now in course of erection, is completed.

Some attempt has within the last few days been made to check the issue of provisions to the cook, and the re-issue as cooked victuals to the children, but no methodical and satisfactory system can be carried out until the plan of messing the boys as suggested by the Board be adopted.

No steps appear as yet to have been taken towards the formation of enclosures round the wards, by means of fences. This the Board consider should be immediately attended to.

A large quantity of stone and rubble is laying all over the grounds, about the wards and buildings; this should be collected, and a number of men should be employed under contract to break this rubble into metal; it would be found hereafter invaluable as a means of keeping the yards and enclosures clean in the wet weather, and allaying the dust in dry weather.

Some excellent tanks are provided, but there is only *one pump*; thus, when the wet weather does set in, the necessity for carting water must notwithstanding be continued.

In concluding this their Second Report on the Sunbury Institution, the Board would most urgently impress the importance of requiring immediate execution of the works and contracts now in hand, feeling satisfied that on this depends greatly the future success or failure of an institution which has already involved so large an outlay. The importance of completing the out offices and works before the setting in of the winter season is so apparent, that the Board feels bound to urge on expedition where much delay appears to have already arisen.

(Signed)

E. P. S. STURT.
W. TEMPLETON.
RICHD. YOUL.
W. McCREA.

Minute of Under Secretary.

Referred to Mr. Harcourt for his observations.

10 | 1 | 66.

(Signed)

J. MOORE.

J. T. Harcourt, Esq., to the Honorable The Chief Secretary.

Industrial Schools' Office, 15th January, 1866.

SIR,

I have the honor to enclose herewith, Dr. Mackin's Report of the present state of the children of Geelong Industrial Schools, which also contains a report respecting the child Wilson, who died in the Melbourne Hospital, and respecting whom I forwarded particulars on the 9th instant.

I have, &c.,

(Signed)

J. T. HARCOURT.

The Honorable The Chief Secretary.

ENCLOSURE.

Report on the Health of the Children in the Government Industrial Schools. Geelong, 11th January, 1866.

With scarcely an exception, the cases of ophthalmia remaining under treatment are proceeding most favorably.

The violence of the epidemic appears to be entirely spent, and no new cases showing the character of purulent inflammation have presented themselves since my last report on the subject.

I send a detailed account of all cases of ophthalmia under treatment at this date, particularising each, in order to afford the fullest information as to their progress and their probable termination.

I divide them into three classes :—

- 1st. Cases in which the sight of one or both eyes either is or is likely to be irrecoverably lost.
- 2nd. Cases in which one or both eyes have sustained a certain amount of damage resulting from inflammation, but in which sight may reasonably be expected to be restored eventually.
- 3rd. Slight cases.

1ST CLASS.

1. Mary Murray.—Nearly lost sight of right eye; recovering, however, to some extent, the use of it.
2. Marianne Thomas.—Right eye sight lost.
3. Sarah McDougall.—Left eye sight lost; may recover some use of it in time.
4. Wm. McDougall.—Eyelids cannot be opened to see the state of globes; think both much damaged. Scrofulous constitution.
5. Mary Jane Bowen.—Both eyes irretrievably gone. Either a scrofulous or syphilitic taint in system, also disease of mesenteric glands; fatal sooner or later.
6. Eliza Lorton.—Right eye sight nearly gone; recovering partial use of it.
7. George Voss.—Left eye sight lost.
8. Lizzy Winch.—Left eye sight lost; may recover some use of it.

2ND CLASS.

1. Bessie Sheahan.—Both eyes recovering; can see with both.
2. Marianne Casey.—Speck on right cornea; can see with both eyes; recovering.
3. Alice Bayles.—Right eye damaged; sight returning; retains a slightly purulent character.
4. Francis Barber.—Ulcer on left cornea; can see with both eyes; recovering.
5. Margaret Murray.—Ulcer on left cornea; can see with both eyes: recovering.
6. Thomas Jukes.—Speck on cornea; can see with both eyes; recovering.

3RD CLASS.

Some of these cases are nothing more than tender eyes.

1. Frederick Lapish.
2. Joseph Carter.
3. Henry Mansfield.—Slightly purulent.
4. Joseph Swansbury.
5. James Jukes.
6. Isaac Smith.
7. Charles Stanford.
8. Henry McDonald.
9. Willy Harrison.—Left eye lost; previous attack before coming to Geelong.
10. Marianne Voss.
11. Alice Dix.
12. Martha Mullens.
13. Elizabeth Gloats.
14. Lizzie Foley.
15. Sarah Jane Phelps.
16. Katie Brennan.
17. Arthur Haines.—Slightly purulent character; scrofulous taint in system.

Total number of eye cases, 31.

The general appearance of the children is at present most satisfactory, and they have gone through the late hot weather without any perceptible increase in the state of illness.

I beg, however, to mention that the old privies in front of the matron's apartments, and which I have more than once represented as a nuisance likely to be prejudicial to the health of the establishment, have not as yet been removed. On hot days the smell is most offensive.

A cesspool is urgently required on the ground.

With reference to the children, Wm. Stevens Wilson and Anna Wilson, I have to state that the former came to Geelong ill, and some days after his arrival the eruption of measles appeared, having evidently been lurking in the system for some time previously. The latter child (Anna Wilson) left the establishment in good bodily health, but was of decidedly weak intellect. If she afterwards suffered from "sore mouth," and mercury (either calomel or grey powder) was administered, there would be no difficulty in accounting for the "dropping out of the teeth," &c.

(Signed) CHAS. F. MACKIN, M.D.

— Harcourt, Esq., Superintendent of Industrial Schools.

On inquiry at the Public Works office, I am informed the works are at the present moment in progress. (Signed) J. T. H. See correspondence, re child Wilson, 9th inst (Sgnd) J. T. H.

J. B. Motherwell, Esq., M.D., to the Honorable the Chief Secretary.

SIR,

Melbourne, 15th January, 1866.

Having visited the school at Geelong, and taken evidence, which is appended, I have the honor to forward to you the Report of the Board appointed to inquire into and report upon the past and present management of the Geelong Industrial Schools, especially with regard to the outbreak of ophthalmia.

I have, &c.,

(Signed)

J. B. MOTHERWELL,
Chairman.

The Honorable the Chief Secretary.

ENCLOSURE.

Report of the Board appointed to inquire into the state of the Industrial Schools at Geelong.

The evidence shows that one hundred and five (105) children were sent to Geelong on the 9th September, 1865, but there does not appear to have been any preparation made for their reception. They were sent without any proper roll of their names, ages, or sexes. No inspection of them appears to have taken place either upon their departure from Melbourne or their arrival at Geelong. No report of their state of health was sent with them. The children on their arrival were all huddled into two wards, quite inadequate to hold them, and had to sleep on mattresses on the floor.

The children were supposed to be healthy. Subsequently other children were sent down on the 9th October, who it appears were suffering from skin disease and ophthalmia. These were associated with the healthy children, and led to the disasters which such want of system would be sure to entail. So great was the want of forethought and management, that water was not even provided for the children on their arrival at Geelong. We inspected the children and found many of them suffering from itch and other skin diseases. There existed many cases of ophthalmia, fourteen (14) have lost the sight of one eye, and one (1) child has lost the sight of both eyes. We fear that two (2) more will be totally blind.

It appears that some cases of partial loss of sight had arrived in that state from Melbourne; but such was the irregularity and want of record, that we were unable to ascertain the number.

At present we find that some of the wards are in a very unsatisfactory condition. There are two of them which were formerly used by the emigrants. They are old buildings which are badly ventilated, badly lighted, and over crowded. In one of them, which was about forty-two feet (42) long, by twenty-one (21) feet wide, and 7 feet in height to the cross beam, there were thirty-eight children and two nurses sleeping every night. There have been some new buildings erected which are well ventilated, well lighted, and lofty. The bedding was clean.

The staff of nurses is quite insufficient, and we do not think that some of them are fit for the office. We cannot approve of the employment as nurses, of the mothers of children in the establishment, they will naturally attend to their own children to the neglect of the other children.

None of the officials there have the power to dismiss the nurses for any neglect or disobedience; and the medical officer states in his evidence that one of them positively refused to obey his orders.

The means for washing and bathing the children are very defective. Numbers of them are bathed in the same tub and same water. Half the children in a ward are first bathed and then the water is changed and the other half go through the same process. From twelve to twenty children are washed in the same water.

No proper check has been kept over the issue of provisions. The food was handed to the cook in bulk. The children were not divided into any number of messes, or their food equally distributed. All were fed together without any regular system. The quality of the provisions was in part good—the bread was good—the meat was said by the storekeeper to be good, but the sugar and tea which we saw were very inferior. We think that the quantity of rations allowed for each child is insufficient, especially for such children as these who have been hitherto badly fed and neglected. It is the same as the jail rations, and, we are informed by the storekeeper, cost five pence halfpenny (5½d.) each ration. The whole is contracted for by the same party who has the contract for supplying the jail.

There was no clock on the premises to regulate the time of meals, or for going to bed and rising.

In the Medical Department we regret to have to report that the children were not attended to as we think they should have been.

There does not appear to have been any regular "Case-Book" kept. We saw one book in which an attempt was made to record cases, but it seemed to be more a memorandum book, in which the doctor wrote the names of those children to whom he wished to have medicine given, or to whom wine and arrowroot were to be allowed. No record was kept by him of the number of deaths, or the result of the *post mortem* examinations which he made.

The Hospital had only accommodation for 12 children; in it were the worst cases of ophthalmia. We did not see there proper vessels or arrangements, such as we would expect to find for cleansing and bathing the eyes of the children.

Doctor Mackin stated that he himself made all the applications of lotions. No person appears to be responsible for carrying out the orders of the Medical Officer. The cases of ophthalmia, involving so serious a loss as that of sight, were therefore neglected; the eyes were unwashed, the lotions not persistently applied. The children with skin diseases, and many with ophthalmia, were mixed with the healthy children through the wards, and children scratching themselves and afterwards rubbing their eyes, would be very likely to produce ophthalmia. Doctor Mackin says, that he did not consider himself in the position of a medical superintendent in charge, with power to make what arrangements he thought fit, but rather to treat those that were sick in the best way he could, and with such means as were placed at his disposal.

We are of opinion that he ought to have ordered all the children with skin disease to have been put in one ward, and those with ophthalmia in another, and to have directed that they should be kept separate from the healthy children; and if his directions were not promptly and carefully attended to, that he should at once have reported the matter, and pointed out the impossibility of his treating the cases successfully. Doctor Mackin states that he was to have been allowed ten shillings and sixpence (10s. 6d.) for each visit, and that although he has sometimes made three visits in the day he has only charged for one. Such remuneration is totally inadequate for the professional services that were necessary.

Though it may not be considered part of their instructions, the Board cannot but express their impression, founded on the evidence taken by them, that the same state of things must obtain in all the Industrial Schools under the present central management, which appears to be without organization or method. We would beg to suggest that the school at Geelong should be placed under the management of one resident Superintendent, and that all the nurses and servants be instructed to carry out his orders. That proper books be kept. That the children be at once classified, and the sick separated from the healthy. That a proper attendant be put in charge of the hospital to carry out the instructions of the Medical Officer, who should record his visits and keep a proper "Case" and "Medical Comfort" book.

That the children be divided into messes of from eight to twelve. That a proper check be placed upon the issue of provisions to the cook, and that the provisions be weighed out after cooking.

The Board are of opinion that Miss Part, the matron and teacher, is very efficient and zealous.

It appears to the Board that the Geelong is not properly an industrial school, but simply a nursery for destitute children, and that it would be well to keep it for that purpose, and draft off the children to a really industrial school when they were old enough. Some means should be devised to afford the children the advantages of sea-bathing, which could be readily managed at Geelong.

The Board regret that their report should so condemn the management of this school; but they feel that their duty to those unfortunate children has left them no alternative.

(Signed) J. B. MOTHERWELL, M.D., Chairman.
JOHN DAY, M.D.
RUPERT PINCOTT, M.R.C.S., Eng.

EVIDENCE.

Board, consisting of—

Dr. Motherwell, Dr. Day, and Dr. Pincott.

Assembled and examined premises.

Miss Part, matron and teacher, states : I was for four years at the Prince's Bridge Emigrant's (*sic*) Home, in Melbourne. I came to take charge of the Industrial Schools, at Geelong, on the 9th September, 1865. I brought down (first batch) one hundred and five children (105) children. I do not know the number of each sex. I had a rough list, made out by myself, but I was not furnished with one. It was sent after me. There were no decided cases of illness when I brought them down. Some were sickly and weak. One boy (Roger Williams) had some slight eruption on him. Many of them had marks of the eruption, not only on their heads, but over their body. There were no ophthalmic cases. A nurse and her three children and four elder girls came down afterwards. The second batch of forty-six children came to Geelong on the 9th October, 1865. No list came with them: I counted them over at the gate as they came in. I observed that some of them had weak eyes when they came down. About a fortnight afterwards ophthalmia broke out amongst this second batch. A nurse and four children, with four elder girls, came down on the 11th November, 1865. With the first batch, one boy (John Donnelly) came down; he was blind, and several had lost the sight of one eye. There was no inspection of them by the doctor on arrival. I have at present one hundred and fifty-four children under my charge. I have eight nurses to look after them. I have also an assistant teacher, one cook and his wife (who looks after the dining-room), and one laundress. There have been eight deaths, and six or seven have been discharged, gone to their parents. I am not certain as to the number, as Mr. Morrison or Dr. Mackin keeps account of them. The nurses attend to the children, wash them morning and evening, and attend to their meals in the dining-room, except those in hospital and some that are sick in the wards. Children get up about six o'clock in the morning, and are washed before leaving ward in the morning. They are washed in one or two zinc tubs. The children go to the lavatory every evening. Several of the children are necessarily washed in the same water. The children breakfast at about eight o'clock, and then play about the grounds until ten o'clock, where there are swings, &c. In wet weather, they are compelled to use the school-room during play hours. About half-past eleven o'clock, the children get some bread to eat, as a kind of lunch. They dine at one o'clock. The cook and the nurses look after them at that time. I am in and out of the room during meal time. The children go into school at two o'clock. They are washed after four o'clock, and get their supper at six o'clock, and then go to bed.

(Signed)

ANNIE PART.

Doctor Mackin : I was engaged to take charge before the children came, on the 9th September, 1865. I have been Government Surgeon for the last five years. There was not sufficient accommodation prepared for the reception of the children. I came to the place about half an hour before the children arrived, and, on looking into the cook-house, found that there was not even a drop of water in it. I had to go down town and purchase a cask of water. The children had to sleep in beds on the floor, in what is called Mrs. Carrick's ward, part of the old portion of the building. As no new building had been erected, the children were necessarily in a most crowded state. I made no inspection of them on their arrival, but I did so on the next day. Many of them were in a state of debility; I can only speak to the best of my recollection. There was no very marked sign of disease, but some of them had hooping cough, and they had marks of previous eruption on them. Some of them had lost their eyes—that is, were blind of one eye—but I cannot say how many. On the 3rd October, 1865, I made the first entry in the medical book, and that was for ophthalmia. Subsequently had several cases of stomatitis—fully a dozen. All these recovered, except one which died. Two or three died of hooping cough and inflammation of the lungs. I think there have been six or seven deaths altogether. *Post mortems* have been made in all cases, but no records kept. I beg to read a report (copy), which I have transmitted to the Chief Secretary (through Mr. Harcourt), as to the outbreak of ophthalmia. I think that all the mischief was caused by the over-crowding in Mrs. Carrick's ward, and the impossibility of keeping the children from coming into contact with each other. I make all the applications for the eyes myself, and give the medicines with my own hands. I have been in the habit of visiting the children two or three times a day, and always once a day. Every suggestion of mine has been carried out by Mr. Harcourt. I do not consider that I required any additional medical assistance, and did not apply for any. I think that there is a marked improvement in the physical health of the children since they came to Geelong. There have been at least 50 cases of ophthalmia from the commencement; and at present there are 43 names on the sick list, many of whom are fit to be discharged, but are kept more as a matter of precaution. There have been some cases of mild infantile remittent fever. There were 52 cases of eruption on the 13th December, 1865. That eruption was chiefly *porrigo favosa*. There are a few cases of pustular *psora* and *eczema*, and some cases of chicken pock.

I consider that there is a very inefficient supply of nurses. I have spoken to Mrs. Carrick neglecting a child. She gave notice to quit, but still remains in the establishment *as a nurse*. When she was spoken to by me, she set me at defiance. Mrs. Whitney is quite inefficient as a nurse; she won't even attend to her own child. I separate the children as far as I have the means. I think that it would be most advisable to have a foul ward to send these children to who have eruptions on them, but I cannot effect impossibilities. There is no means for doing so. I think the children have been neglected by the nurses. I have communicated with Mr. Harcourt, both by letter and verbally, and he has told me, on these, and other matters, not to be restricted to the diet scale, but to allow what medical comforts I required. Several of the nurses appear to have been engaged because they happen to have children in the establishment, and I am of opinion that the system acts badly, as they will of course attend to their own children and neglect the others. I am paid 10s. 6d. per visit, including medicines; but I have hitherto only charged for one visit each day, though I may have made two or three visits in the day. The wards have very bad smells, from the children passing their evacuations under them, and the nurses are not able to attend to the numbers of children in their charge, even if they were good nurses. I do not think that there are sufficient hands to turn out the beds which are soiled by the children at night. The rails are provided on which to put the beds. I was unable to keep any regular books at first for recording the cases.

(Signed)

CHAS. F. MACKIN.

Mr. Wm. John Morrison, Clerk and Storekeeper :—I arrived two days after the first batch of children, on the 9th September, 1865. There was no accommodation for them; they were lying on the floor in the two rooms now called Mrs. Carrick's ward, and which used to be the old hospital when occupied as an emigration depôt. All the children were crowded into the two wards, with the exception of one child, who had measles and died of it. There was no classification or muster roll sent with the children. At present there are one hundred and fifty-three children on the roll. There are one hundred and fifty-four drawing rations, one is an infant ten months old, belonging to a wardman. There have been eight deaths, and five have been sent to Melbourne, in compliance with orders received thence. The deaths and causes have been duly registered. All the stores are under my control, and are weighed in every day. I give

them to the cook in accordance with the dietary scale. The supply of water is inefficient. There is a tank capable of holding 7,000 gallons of water, recently finished, but the rainfall has not been sufficient to fill it. I am obliged to get three cartloads of water every day from the Barwon. I think the quality of the stores is very fair. They are all contracted for by one man, who also supplies the gaol; in fact, it is the gaol rations which is supplied to the children. I have sometimes refused the meat, not on account of its being inferior, but for a change from beef to mutton. The cooking utensils are not sufficient; I daily expect a boiler which I asked for six weeks ago, a portable boiler which was to be purchased. I applied again for it last week.

(Signed.)

WILLIAM J. MORRISON.

Memo. of Under Secretary.

Referred to Mr. Harcourt for his observations, which the Chief Secretary would be glad to have to-morrow.
24 | 1 | 66

(Signed.)

J. MOORE.

(Copy.)

Mr. Sturt, P.M., to the Chief Secretary.

Police Magistrates' Office,

Melbourne, 23 | 1 | 66.

SIR,

I have the honor of returning the plan submitted by Mr. Harcourt for the organization of Industrial Schools, referred to the Board of Inspection for report.

The Board has gone into the whole question, and I beg to transmit to you their report.

I have been requested by all the members of the Board to suggest that the title of "Director" of Industrial Schools be substituted for that of "Inspector," as being more expressive of his particular duties.

I have the honor, &c.,

(Signed)

E. P. S. STURT.

The Honorable the Chief Secretary.

ENCLOSURE.

Rules and Regulations for the organization of Industrial Schools.

With reference to the plan for the organization of Industrial Schools, submitted by Mr. Harcourt to the Honorable the Chief Secretary, and referred to the Board for report.

The Board would be desirous of confining the present rules to a broad principle, on which to ground an organized system of management, having for their guidance the successful operation of similar institutions in England.

The establishment of Industrial Schools in Victoria is a new undertaking, and rules for the detail of management can only be recommended or adopted as experience points out their expediency.

The Board primarily consider it most important that the relative responsibility of the Inspector of Industrial Schools, and of the Superintendent, should be clearly understood; the one exercising the most rigid supervision over every school, and being the medium of communication with the Chief Secretary; the other being responsible for everything connected with the management of the establishment immediately under his control, guided by the general instructions he may receive. With these views the Board has the honor to submit the following rules or instructions:—

INSPECTOR.

1. The Inspector of Industrial Schools shall be the head of his department, under the direction of the Honorable the Chief Secretary, and all correspondence relating to his department shall be transmitted through him.
2. He shall have the inspection of all industrial schools, established under Act 27, Vic. No. 216.
3. He shall revise the regulations for the conduct of schools, directing such alterations as the exigencies of the service may from time to time require.
4. He shall inspect the books and accounts of each school, and direct that they be kept in such a form as will insure the most accurate information in every particular.
5. He shall investigate all complaints, made to him through the respective superintendents, and adopt such measures as may be best calculated to preserve order and discipline in the several establishments, and shall be authorised to suspend any officer or servant in his department who shall be guilty of any misconduct calculated to prejudice the public service pending the decision of the Honorable the Chief Secretary.
6. He shall cause each and all employés in the department to enter into and sign a written agreement, in which among other undertakings he or she shall be required to report at once to the inspector or superintendent, any deviation from the rules or any irregularity, which may come under his or her notice.
7. He shall direct a time table to be kept in each establishment.

SUPERINTENDENTS.

1. The Superintendent shall have the immediate control of the individual establishment under his care, and shall reside on the premises.
2. He shall obey all orders he may receive from the Inspector, and shall, without delay, report any neglect of duty or act of insubordination by any officer or servant under his charge, or of any conduct calculated to bring discredit on the Institution; and he may suspend such officer, or servant till an investigation into the matter has been made by the Inspector.
3. He shall have charge of all stores and other property, of whatever description belonging to the Institution, under his control, keeping the necessary accounts of receipt and issue.
4. He shall keep books, in the form prescribed by the Inspector, more particularly on the following subjects:—
 - (1.) The age, state, and condition, moral and physical, of each child on its admission.
 - (2.) The educational state of each child on its admission, and of its subsequent progress in the school.
 - (3.) The daily occupation of each child, the nature of the labor, and the manner in which it is performed.
 - (4.) The general conduct and merit of each child, with the rewards given, and the punishment administered to each.

- (5.) He shall inspect the food of the inmates, and see that it is of good quality and well prepared, and shall exercise proper care that it is distributed in a manner to secure each child its proper and fair portion. He will further adopt special measures for preventing waste or misappropriation of the clothing supplied to the children.

(Signed)

E. P. S. STURT,
W. TEMPLETON,
W. McCREA,
RICH. YOUL.

J. T. Harcourt, Esq., to the Honorable The Chief Secretary.

OBSERVATIONS OF MR. HARCOURT (IN PART ONLY) ON THE REPORT OF THE BOARD ON SCHOOLS AT GEELONG.

SIR,

January 24th, 1866.

I have the honor to acknowledge the receipt of the Report of the Board appointed to inquire into the state of the Industrial Schools at Geelong, accompanied with the memo. of the Under Secretary to the effect, that the Chief Secretary would be glad to have my observations thereon to-morrow.

The papers were forwarded to me at my private residence, where they reached me about seven o'clock, p.m.

Having to-day transacted my business at the Prince's Bridge Schools, and the general business of the various institutions under my charge, called on the Chief Medical Officer, the Inspector-General of Public Works, the Government Storekeeper, etc., I proceeded to visit the Sunbury Schools; and on my return to Melbourne, again visited the Prince's Bridge Institution; then travelled a distance of three miles to look after a supply of bedsteads for Sunbury, I do not feel competent to prepare a reply to the grave charges of the Board of Inquiry, nor have I the date at hand which will alone enable me to reply in such a manner as will do justice to myself.

The following, however, will give a general view of the whole proceeding, whilst I reserve for a future occasion, a more full reply to the Report of the Board.

You, Sir, will recollect the strong representations I made, during the months of July and August, of the crowded state of the Prince's Bridge Institution, and the necessity for additional accommodation. You will, no doubt, also recollect the delays and annoyances which I was subjected to with regard to the Geelong Schools.

When I obtained possession of part of the Immigration Depôt, before the alterations designed by me could be completed, I determined on removing the first batch of children (105) to the place then in course of preparation. These children were selected by the medical and other officers of the Prince's Bridge Schools, and were pronounced in perfect health; their healthiness and cleanly appearance were commented on in the newspapers. A list of the children was prepared and submitted for my approval. *Owing to the crowded state of the Prince's Bridge Institution, any change was deemed for the better.* Miss Part, who knew every child, accompanied them, and had her list. The official list, it appears, did not accompany them, but no inconvenience arose from that circumstance; although, I admit, it should have accompanied them, and would have done so had my orders been carried out. The children were all very young, I believe all were under seven years of age.

On the day of removal, I left by the early train, and was at Geelong to receive them on their arrival there. Their bedding and other conveniences were there, as was also an ample supply of milk and other articles of food. Their bedding, it is true, was on the floor, but it was of excellent quality, and no inconvenience occurred from that circumstance.

Miss Part, and all concerned, agreed that an ample staff accompanied the children.

By arrangement, Dr. Mackin saw the children on the day of their arrival, and he did not, at that or any other time, report to me that they were unhealthy; nor has he done so with regard to any other of the children which have been sent. All have been pronounced healthy by the medical officer on leaving the Prince's Bridge Institution.

With reference to the statement that, on the arrival of the children, there was no water on the premises, I most positively deny the truth of that statement. There was water in a large tank on the ground, but the authorities at the Immigration Depôt refused to allow it to be used, and therefore it was necessary to procure a supply, and no one, that I am aware of, suffered any inconvenience on that score—certainly no more than in the ordinary removal of a family from one house to another. It was never treated as a circumstance of any moment by Dr. Mackin, or any of the attendants; a supply of water was obtained the same afternoon.

After the arrival of the children, I visited the Institution generally twice a week, on which occasions, as a rule, I have called upon Dr. Mackin, to ask him if he had anything to report. His reply almost invariably has been in the negative, adding, that they were all going on well. If he has made a suggestion, it has at once, as far as circumstances would permit, been attended to.

Dr. Mackin's charge of 10s. 6d. each visit was fixed by himself, so that he has nothing to complain of.

With regard to the attendants—two have been reported as disobeying the Doctor's orders—one was suspended, but could not be dismissed, having injured her hand in the service of the Institution; the other's disobedience affected herself and her own children only, as regards the treatment for ophthalmia: and, strange to say, *her own and children's eyes recovered, whilst those treated by the Doctor did not recover.* In the first case, another nurse was supplied; and as regards the other nurses, no report of inefficiency has reached me; on the contrary, they are reported as efficient and sufficient in number.

With regard to the diet, the scale allowed for children in the gaols of a similar age was adopted, as it contained a large portion of milk, white bread being substituted for brown; beyond which, Dr. Mackin was requested to make any addition that he might think proper, and to which, additions have been made at the Doctor's discretion: indeed the children have been dieted under his directions, as reported in my letter addressed to you in December last.

The provisions have frequently been inspected by myself. Miss Part, with the attendants, are requested to be present during the meals to check any deficiency. I have seen them, early and late, at their meals, and have every reason to believe the food is honestly dealt out.

No report of sickness reached me until I directed that Dr. Mackin's attention should be called to some eruptions which I observed on their skins, about the middle of November.

With regard to the bathing, this had to be effected in the wards until the bath-room was completed; but for a long time past the children have been bathed twice daily in the proper bath-room.

The wards complained of have for years accommodated a much larger number of inmates than since they have been occupied by the children; the two-tier bunks have been removed, and the wards, though not all I could have desired, are much better than some in use at the Prince's Bridge; indeed the whole arrangements have received the approval of many medical gentlemen and others who have visited the institution.

With regard to the inquiry instituted by the Board, I feel justified in stating that I had understood that Dr. Mackin demanded an inquiry into his conduct, and that the Board was appointed for that purpose. If the inquiry was ordered to be a general one, then I should have had notice and an opportunity afforded me of being heard. Had such been the case, I am confident that I could disprove many of the statements which are entirely *ex parte*, and should satisfy the Board that I had done the best under the difficult and painful circumstances in which I have already been placed.

I have written hastily, as already stated, but will again return to the subject, when I will furnish a more detailed reply to the report of the Board.

I have, &c.,

(Signed)

J. T. HARCOURT.

The Honorable the Chief Secretary.

F. Mackin, Esq., to J. T. Harcourt, Esq.

MY DEAR SIR,

Geelong, 27th January, 1866.

I beg to transmit you some observations which I have made on the report of the Board of Inquiry.

Yours, &c.,

(Signed)

F. MACKIN.

— Harcourt, Esq.

ENCLOSURE 1.

"So great was the want of forethought and arrangement," &c.

This was purely accidental. I explained to the Board of Inquiry that there was a large tank at a few yards distance; but the parties in charge of the depôt stated, at the last moment, that a sufficient supply could not be spared.

"There existed many cases of ophthalmia; fourteen have lost the sight of one eye," &c.

The ophthalmia cases are fast recovering. The amount of damage will, I believe, be considerably less than what is stated.

"The sugar and tea which we saw were very inferior," &c.

The sugar, of course, varies in quality; it is mostly good ration sugar. I do not consider strong tea advisable for young children; milk is much preferable.

"We think the quantity of rations is insufficient," &c.

On the contrary, the rations are more than sufficient. I have been obliged, on several occasions, to lessen the quantity, especially of the meat, finding the children getting pot-bellied and gross in habit. No expense is spared when extras, as medical comforts, are requisite.

"In the medical department, we regret to have to report," &c.

Quite sufficient record has always been kept for Dr. Mackin's own reference. He did not, at first, know that it was intended for public scrutiny and criticism. It is now kept full enough to satisfy all unprejudiced examination.

The keeping of the "Medical Record" is not, as the Board of Inquiry think, indispensable to the proper medical treatment of the children. They would be treated quite as conscientiously and skilfully, were there no book in existence. Dr. M. goes through each ward at least once, but sometimes twice daily, examines each case separately, applies the remedies, and administers the medicines with his own hands. He has had twelve years' experience of colonial infantile diseases.

"The cases of ophthalmia, involving so serious a loss as that of sight, were therefore neglected," &c.

This statement is grossly exaggerated.

"A proper attendant should be put in charge of the hospital," &c., &c.

Nurse Pemberton is an excellent nurse. Kind, assiduous, and obedient, she performs her duties well and thoroughly.

Dr. Mackin is satisfied with the remuneration of 10s. 6d. per visit. No matter what the rate of payment might be, his best services would be given, and have been given.

ENCLOSURE 2.

J. T. HARCOURT, ESQ.

Industrial Schools, Geelong, 27 | 1 | 66.

SIR,

The following remarks I beg to lay before you, in reference to the Report of the Board of Inquiry on this Institution.

You are aware that the two rooms that were used to accommodate the children, when they arrived from Melbourne, were only intended for temporary arrangement until the new buildings were finished, which contracts were taken for. These buildings were to have all been finished within the month—was the conditions of contract.

There never was any objection raised by the medical officer that it was detrimental to the children, their being kept in the two wards; and in referring to the medical book, I find that cases were under treatment for ophthalmia as far back as the 3rd October, when the first entry was made in the book, six days before the last lot of children arrived from Melbourne. I was at the station to take charge of them; and although they were a weakly, puny lot, I did not notice any sign of ophthalmia amongst them. They were put into a separate sleeping ward, therefore, it could not be attributed to them, at least, the over-crowding of the old wards. The first report of the ophthalmia, as commencing to attain the virulence that it afterwards came to, was on the 17th November, more than one month from the time of the arrival of these children, and no entry was made in Dr. Mackin's report that could lead me to suppose that the disease was in anything like the state it was.

It was only on the 28th November, 1865, when I took up a report from Miss Part to yourself, when you sent Dr. Benjafield down, that I had any idea it would end in the loss of sight. Any suggestion that Dr. Mackin made was carried out immediately. In fact, the children have been so often shifted from ward to ward that it is almost impossible to tell which child belongs to the ward.

As regards water supply, it would naturally occur to your mind, when inspecting the premises—as to adapting them for the purpose of Industrial Schools, seeing two or three water-tanks in the depôt grounds, the water from which must, of necessity, go to waste, as there is no one to use it—that there would be no difficulty in obtaining a temporary supply of water from that source. Instead of which, it was afterwards found that the little that was obtained was begrudged to us. We have always had a supply of water from the Barwon, which is also the only water supply for the Geelong Hospital. Dr. Mackin could not think the children were in great need of better water when, on obtaining an order for two tanks from the South Geelong Jail, he requested that one of them should be left for the convenience of the man in charge there; which was done, at his desire, for some time.

In regard to the old buildings as not being suitable to be used as sleeping wards, the Immigration authorities considered they were fit buildings for the use of the immigrants to inhabit. What must they now be for the children, when they are fitted more like palaces than the wretched, miserable, comfortless things they were. They would, no doubt, have been better if a few windows had been put in them. This, I mentioned some time ago, but it was not considered necessary.

The staff of nurses I consider to be quite sufficient, with the assistance of the working girls. Some of the nurses could be improved. In having nurses with children, it is only natural to suppose, that more care would be taken with their own than the others in their charge. It would, perhaps, be as well if authority for dismissing them for insubordination was left; but this I do not consider matters much, as it is such an easy matter to remedy by the easy facility of communication afforded to us.

The supply of provisions has been good. The beef was not prime joints; the mutton could not be found fault with; and when you consider that no bone was ever sent with the beef, there was no reasonable cause of complaint. The sugar was a better article than what was supplied the jail. It was what is called a fair ration sugar. No tea was ever issued to the children, so that article should not have been commented upon. A sample was in the store, the same that was supplied to the officers and attendants, myself included, I never heard any complaints about its quality, or of any other article issued to them. Dr. Mackin has repeatedly stopt the quantity of rations being issued to the children. He said they were over-fed and getting *pot-bellied*. The rations were always weighed in every morning, and the day's allowance served to the cook. The children had three meals a day—breakfast, lunch, and tea. I was enabled to do this by taking from the contractor equal value in rice and oatmeal for any articles that were not considered necessary for them. Thus when the full allowance was stopt, I then was enabled to hold a small stock always over. The children at the present time cannot use the ration allowed them.

We always had cooking utensils. The great drawback with them was, they were too large; therefore it was deemed necessary to have smaller coppers. I am certain that, if it had been left to you to provide us with these things, we would have had them without delay. In fact, you purchased on several occasions rather than suffer the delay that would be caused by a requisition going in for the articles.

I am, &c.,
 (Signed) WILLIAM J. MORRISON.

ENCLOSURE 3.

Miss Part's Statement.

J. T. HARCOURT, Esq.,

Industrial Schools, Geelong, January.

SIR,

Having read the report of the board lately appointed to inquire into the state of these schools, I beg to tender the following remarks upon some of the statements which I consider are not in accordance with the facts as they come under my notice.

I have, &c.,
 (Signed) ANNIE PART.

REMARKS.—1. The children were inspected by Dr. Benjafield (the medical officer at Prince's-bridge) previous to their leaving Melbourne, and passed by him as healthy and convalescent. At that inspection I was present, and took a rough list of the children as they were passed.

3. The second lot of children were from the first placed in a separate sleeping ward. Barwon water was provided for us immediately on our arrival, and we had the privilege (though given reluctantly) of using the water from a tank in the immigrants' depôt yard for some time.

17. The rations must be sufficient, as the children are frequently unable to consume the whole of their allowance. With regard to the insufficiency of bathing and culinary utensils, I have only to state that these have always been forwarded as soon as possible from the Melbourne office when requisitioned for by us, and the same may also be said of any applications for nurses and additional assistance.

J. T. Harcourt, Esq., to the Honorable the Chief Secretary.

Industrial Schools' Office.

29th January, 1866.

SIR,

I have the honor to forward the following observations on the first report of the Board of Inspection on the Industrial Schools, Prince's Bridge, dated December 10th, 1865.

1. I quite concur in the observations of the Board—the vermin are inevitable, and cannot be destroyed in buildings of the nature of these referred to. The wards are frequently whitewashed, and every means used to keep them clean.

2. Earth closets are in course of erection to supersede the old privies.

3. The ophthalmia cases are now removed to a large ward, which is better ventilated, and supplied with a constant flow of Yan Yean water. The iron building in which the children were when visited by the Board was a temporary arrangement, each room being occupied in turn, to allow of the others being ventilated, which could not be done had they been occupied, as suggested by the Board.

4. I can bear testimony that the Chief Medical Officer was in no way responsible.

5. The Board is here in error. The issue of clothing is granted on requisition. 1st. Of the wardsmen or wardswomen, entered in a book kept for that purpose. 2nd. Approved by the head schoolmaster or matron, and signified by their initials. 3rdly. Issued by the authority of the superintendent's signature. A ledger account is kept against each ward. The clothes are numbered to correspond with the ward. There is great difficulty attending the marking of the clothes of each child with the name, owing to the frequent changes; but every effort will be made to comply with the recommendation of the Board. No garment is issued from the ward stores without the sanction of the schoolmaster or matron, and the old garments are taken in exchange of new.

6. Beyond the weighing referred to, is the inspection of an officer of the institution during the meals, whose duty it is to see that a proper distribution of the food takes place, added to which is the occasional inspection of the superintendent. This has been the practice for years.

7. The defect is allowed; but when the immense number of children admitted since the schools came into operation, and the very recent establishment of the schools are taken into account, it is not surprising that such a defect exists. The Inspector of Reformatory Industrial Schools in Great Britain in his last report states, that hitherto no general regulations for the management of these schools has yet been adopted, as it was expedient to have more experience of the working of the schools before doing so.

I have, &c.,

(Signed)

J. T. HARCOURT.

J. T. Harcourt, Esq., to the Honorable the Chief Secretary.

The Honorable the Chief Secretary.

SIR,

Industrial Schools' Office, 29th January, 1866.

I have the honor to forward the following observations on the "Report of the Board appointed to inquire into the state of the Industrial Schools at Geelong," in addition to those contained in my letter of the 24th instant. For convenience, I have numbered the paragraphs of the report from 1 to 29.

1. I deny most emphatically the first statement. I had previously been there myself many times, and made every preparation, except the supplying of bedsteads; and such was the crowded state of the Prince's Bridge Institution, where the children were lying three and four in a bed, that it was absolutely necessary that an outlet for some of them should be provided. You are aware of the efforts I made, and the discouragements I met with. Bedsteads were supplied as soon as they could be obtained from the contractor. The bedding was abundant, and of excellent quality. There was an ample supply of new milk, bread, meat, vegetables, sugar, &c. There was no deficiency of water on the premises. In confirmation of this, I beg to refer you to Dr. Mackin's observations on the report, which are appended hereto.

2. The Medical Officer at Prince's Bridge and Miss Part, who had been constantly with the children, made the selection, and they were reported as being in good health. Miss Part prepared her own list, and the official list was sent afterwards. Miss Part accompanied the children to Geelong, where she remained with them. I received them at the Geelong railway station, having proceeded to Geelong by the early train. Dr. Mackin received them at the school premises, and did not then or at any time report that they were in ill-health, nor did he at any time complain of the crowded state of the wards; his answers to my inquiries as to the health of the children were invariably "very good." No report was even made of the insufficiency of attendants or their inefficiency. Miss Part and all concerned considered there was an efficient staff.

3. The children sent on the 9th October were examined by the Medical Officer at Prince's Bridge, and reported in good health, which report was confirmed by the silence of Dr. Mackin. As already stated, there was no deficiency of water. [See Miss Part's and Dr. Mackin's statements appended hereto.]

See ante.

4. The institutions will always be subject to eruptive diseases with children such as are admitted to the schools. It is so in England, although there every care is exercised to prevent the admission of any but healthy children. Scarcely a week passes but two or more children are admitted into our schools having skin diseases.

5 & 6. It is passing strange that Dr. Mackin did not detect this disease till his attention was called to it by my directions, and that he did not note these said to have arrived from Melbourne suffering from ophthalmia. Immediately on the outbreak of ophthalmia, I directed the Medical Officer of the Prince's Bridge Institution to proceed to Geelong to consult with Dr. Mackin as to the mode of treatment, and every recommendation of theirs was carried out.

7. With regard to the wards complained of, these were adapted for the accommodation of some sixty to eighty immigrants, having two tiers of bunks on each side; the walls were not lined, nor was the roof. For the accommodation of the children, the bunks have been removed and bedsteads supplied; the walls and roof are lined with boards, and are white and clean; at one end there is a door and large window, at the other is a large window, which is almost constantly open; and in the centre of the roof is a large ventilator, which cannot be closed; and besides the space mentioned in the report, there is a large amount of breathing space in the pitched roof. The number of children in one of these is in excess of that I intended it to accommodate, owing to the separation of the children for facility of treatment. The corresponding ward has only fourteen or fifteen inmates.

8. The new buildings referred to are those erected under my direction.

9. The staff of nurses has not been complained of as insufficient or inefficient. When individuals have been complained of, a remedy has been applied.

10. A practical acquaintance with the subject has convinced me that it is wise to have mothers who have children in the schools employed as nurses, if of good character. The advantages far outweigh the disadvantages. My most valued nurses are those who have children in the schools.

11. It was not desirable or necessary that the officers should have power to dismiss nurses. They could suspend and report for misconduct. The Institution was only in the course of initiation, the power had not been asked for, nor had it been felt needful.

12. It is possible that such a case may occur; in this case the nurse did not approve of the doctor's treatment of her own and of her children's eyes. She adopted her own mode of treatment, and the eyes so treated speedily recovered, while those under the doctor's treatment did not recover so speedily.

13. There is no limit to the supply of water. In addition to the tubs for each ward, there is a bath-house, with boiler for hot water, &c., which the Board does not seem to be aware of. The children are bathed all over at least once a day, and at present they have warm baths twice a day.

14. It is difficult to conceive what check the Board desire. The provisions are delivered to the cook for the purpose of cooking, the matrons and nurses are in the mess room to see that every child has its supply. Dr. Mackin considers the children over-fed, and ordered a *diminution of the ration*. [See the Doctor's statement annexed hereto.]

See ante.

15. *Tea* does not form any part of the children's diet.

16. The jail ration was adopted because it contained a large quantity of milk. White bread is substituted for the jail brown bread; besides which their diet has been regulated by the medical officer, and the matron and others bear testimony to the good quality and ample supply.

17. The Public Works Office had been requested to supply a clock and subsequently did so.

18. See Dr. Mackin's reply annexed hereto.

19. Every request had been complied with. [See Dr. Mackin's reply, the matrons and store-keepers, hereto annexed.] See ante.

20. Dr. Mackin will not deny that he had power to recommend any arrangement, and that whatever he has recommended has been immediately attended to.

21. See Dr. Mackin's statements hereto annexed.

22 to 29. As the Board has not, at any time, placed itself in communication with the responsible head of the department, or given him notice of holding any inquiry into his conduct, I do not think the Board is in a position to censure him. *It is an Englishman's right, before being condemned, that he be heard.* I am in a position to prove that some of the statements in the report are untrue, that others are greatly exaggerated.

The inquiry has been conducted in a most irregular manner.

It was my right to be present, and, if I deemed it necessary, to cross-examine witnesses.

I have, &c.,
(Signed) J. T. HARCOURT.

J. T. Harcourt, Esq., to the Honorable the Chief Secretary.

To the Honorable the Chief Secretary.

Industrial Schools Office,
31st January, 1866.

SIR,

I have the honor to forward the following observations on the report of the Board of Inspection, dated December 30th, having reference to the Sunbury Industrial Schools:—

1. The children on admission are frequently known by several *aliases*, and sometimes adopt another name, when in the schools, to prevent their identification with their parents when they have committed any flagrant crime, as murder, &c.
2. The attention of the officer having charge of the works has been directed to this minute of the Board.
3. Dr. Thomson has since died.
4. A duly qualified medical gentleman was immediately sent to supply the place of Dr. Thomson, till another appointment could be made.
5. Dr. Towle is now appointed to the medical charge, and his attention has been directed to the recommendations of the Board.
6. The accident to the boy did not occur in the Institution. Dr. Youl has undertaken to have the boy provided for in the hospital.
7. Only temporarily accommodated, as stated in replies to last report.
8. I fully concur in the observations of the Board; it was the original design, and the buildings have been erected with that arrangement in view.
9. The fences are commenced.
10. The attention of the Inspector-General of Public Works has been directed to the subject.
11. The authority of the Honorable the Chief Secretary has been requested for the progress of the works.

I have, &c.,
(Signed) J. T. HARCOURT.

SECOND REPORT OF THE BOARD OF INQUIRY ON THE PRINCE'S BRIDGE INDUSTRIAL SCHOOL.

Since the last Report on Prince's Bridge Industrial School, the institution has been visited by the Board of Inspection weekly, and in consequence of the painful sufferings of some of the children from ophthalmia, the Members of the Board have visited the school on several other occasions, with a view of seeing that suggestions they had made, tending to ameliorate the condition of those afflicted with the disease, had been carried out.

The Board have to report that the efforts which have been made to check the disease are so far successful as to show a marked improvement in the state of the children. Those infected have been removed to a larger ward; a trough, through which is conveyed a continuous flow of fresh water has been erected; by this means fresh cold applications are always attainable.

The result of these measures, together with a close attention on the part of the Medical Officer attending the institution, have succeeded very much in relieving the sufferers.

The Board regret, however, to have to report that the disease continues to extend. This is no doubt attributable to the late great heat and dust to which the situation is peculiarly exposed, and which is so prevalent a cause of ophthalmia throughout the colony.

The Superintendent has acted on the suggestion of the Board, and directs any child showing symptoms of the disease to be at once separated from the healthy children, and placed under the immediate care of the surgeon. By these means the Board anticipate that the disease will be held greatly in check: it is, however, obvious that there is not room in the over-crowded establishment for the proper segregation and treatment of these cases; the Board would therefore strongly recommend that additional suitable premises be engaged as soon as possible.

The Board have to report most favorably of the general management and appearance of the children; their food is wholesome and abundant; the children generally look clean, healthy, and happy. The wards are scrupulously clean, and no cause of complaint came under the notice of the Board.

It is needless to comment further on the unsuitable character of the buildings, the opinion of the Board having been sufficiently expressed in their first report on this establishment, except most urgently to recommend that no unnecessary delay will be permitted before suitable and safe buildings be erected instead of the match-boxes now in use in which the children are absolutely in constant danger of being burnt.

The Board are glad to report that the frightfully offensive privies are at last being removed, and earth-closets substituted, an improvement of a most important nature in a sanitary point of view. There has apparently been much needless delay in attending to this requirement.

The accompanying statement shews the number of children detained in the school :—

Healthy	{	Boys	79	
		Girls	415	— 494
In Hospital... ..	{	Boys	12	
		Girls	20	— 32
Suffering from Ophthalmia ...	{	Boys	13	
		Girls	44	— 57
				<hr/>
				583
				<hr/>

(Signed) E. P. S. STURT.
W. McCREA.
W. TEMPLETON.
RICHD. YOUL.

To the Honorable the Chief Secretary,
&c., &c., &c.

J. T. Harcourt Esq., to the Honorable the Chief Secretary.

Industrial Schools Office,
7th February, 1866.

SIR,

I have the honor to submit a letter received this day from the Rev. Dr. Bleasdale.

The adoption of my recommendations contained in letter dated the 8th and 21st December, will afford facilities for complying with the Roman Catholic Bishop's request.

I have, &c.,
(Signed) J. T. HARCOURT.

The Honorable the Chief Secretary.

ENCLOSURE.

Rev. Dr. Bleasdale to the Superintendent of Industrial Schools.

Bishop's Office, St. Francis, Melbourne,
3rd February, 1866.

SIR,

I am directed by his Lordship the Bishop to inform you that he has appointed the Rev. F. O'Kane, to attend and give religious instruction at the Immigrant's Home, Prince's Bridge, to the Roman Catholic children, at least on two days in each week.

I am at the same time to convey to you his Lordship's earnest hope that no time will be lost in procuring one or more Roman Catholic Teachers; for he cannot believe that the visits of the clergyman to the children will be of any use, unless his directions are carried out under the supervision of persons constantly in charge of them.

I have, &c.
(Signed) JOHN J. BLEASDALE, D.D.,
Private Secretary.

J. T. Harcourt, Esq., Inspector-General of
Juvenile Reformatories and Industrial Schools.

W. Templeton, Esq., to the Honorable the Chief Secretary.

Brighton, 13th February, 1866.

SIR,

I have the honor to transmit herewith, the memorandum referred to in the postscript to my letter of the 7th instant.

I have, &c.
(Signed) W. TEMPLETON.

To the Honorable the Chief Secretary, Melbourne.

ENCLOSURE.—MEMORANDUM.

The Act establishing Industrial Schools and Reformatories was avowedly passed for the purpose of preventing young persons from committing crimes, by providing for the care and custody of such of them as had committed, or from their habits and association were likely to commit, crimes.

It was, in fact, applying certain provisions of the Vagrant Act, especially to children, with this difference, that the children, instead of being committed to gaol, were to be sent to Industrial Schools.

But it was never, I think, intended in an Act of this kind, to provide for the relief of the poor, or to entrust the power of distributing charity, at the expense of the public, to so large and so irresponsible a body as the magistrates of the colony.

And yet, unless the number of "vagrant" children has increased to an almost incredible extent, a large proportion of the children now in the Industrial Schools must have been drawn from other classes than those which I have supposed to have been contemplated by the Act.

It is true that there are no means of ascertaining, from any records in the schools, under what circumstances the children have been sent there; but, judging from the tender age of the majority of the children (many of them mere infants) and from the reports of the proceedings of the police courts throughout the colony, I have myself no doubt that a very large number of the children now in the schools, although probably objects of charity and commiseration, do not come within the definition of neglected children, as given in the 13th section of the Act.

It is at least certain that no preparations have been made for the reception of so large a number, and that the accommodation provided is altogether inadequate to their wants.

And although between forty and fifty thousand pounds are said to have been spent, or contracted to be spent, on buildings at Sunbury, they will not when completed, hold more than eight hundred children at the outside; and as this number is something less than the present annual increase of children to the schools, it follows, that if the same kind of buildings continue to be erected, it will for some years require the same amount to be spent each year to provide accommodation for the "vagrant" children of the colony.

In other words, in addition to about twenty-five pounds a year required to provide for its food, clothing, and supervision, the public will every year (for some years to come), have to pay about fifty pounds for each new "neglected child's" share of a dwelling.

I say the *public*, for although the parents are liable when able to do so, to pay for their children when in the schools, the amount received from that source has been so small as not to be worth mentioning.

No doubt the buildings erected at Sunbury are, generally speaking, of the most substantial and permanent description, but experience may and probably will show that the site is not a suitable one, that the arrangements of the buildings is not good, or that it is bad policy to congregate such a large number of children into one establishment; and, in any of these cases, then very permanence would be a serious objection to the buildings.

At all events, I believe it will be found impossible to keep pace with the requirements of the children, unless some less expenses* and more easily wrought material than bluestone be used in the construction **Sic orig.*

As it is, I find that, out of an average number of something less than six hundred children detained at Prince's Bridge Industrial School during the past year, no less than one hundred and four died during that time.

It is no doubt probable, although there are no records in existence to show that such was the case, that a large number of the children were in delicate health when admitted; but, making every reasonable allowance on that score, the mortality still appears to be excessive.

I would, therefore, urge very strongly the necessity of endeavoring to lessen the influx of children, and of extending the existing accommodation; and I would also recommend that, in future, a proper inquiry be instituted into the cause of death of any child dying in the institution.

With respect to the site of the industrial schools at Sunbury, I may say that I would not myself have selected it for such a purpose; but I believe that it will be found to be extremely healthy, and a great deal might be done, by planting trees, to improve the appearance of the place, and protect it from the vicissitude of the climate.

The reserve upon which the buildings are erected contains about eleven hundred acres of tolerably well-grassed land, having access to an abundant supply of water; and it might, I think, with a comparatively small outlay, be turned to a profitable account as a dairy farm.

For milking cows, making butter, rearing poultry, and all the other occupations connected with a dairy farm, girls are as well, or perhaps better fitted than boys, while the great extent and isolated position of the Sunbury Reserve, render it peculiarly suited for the detention of the former; as the authorities would thus be enabled to allow the girls almost entire freedom of locomotion, without danger of their coming into contact with persons unconnected with the establishment.

The buildings at Sunbury are, it is almost unnecessary to say, as well suited for girls as boys; and there, without interfering in any way with their ordinary lessons or in-door work, the girls might thus be provided with healthy and useful out-door occupations, while the produce of their labour would at least help to support the institution.

I would therefore recommend that, as soon as provision can be made for the boys elsewhere, Sunbury be converted into an industrial school for girls only; and that in the meantime, in carrying on any operations there, that design be kept in view.

Having thus disposed of the girls, I would recommend that an industrial school for the elder boys be established in some healthy locality, where the soil could be easily worked, and which was within reach of a plentiful supply of water and manure.

Here I would propose that the boys should, in addition to their other trades and lessons, learn—and learn properly—how to cultivate the soil; and even if their labor did not contribute much to their support, the knowledge they would thus acquire would not fail to be of advantage to the country, as well as to themselves in after years.

Prince's Bridge might then be used as an asylum (it could not properly be called an industrial school) for infants, and as a "Receiving House" for the elder children.

More important far, however, than the accommodation provided, or the site upon which the buildings are placed, is the *system* to be carried out in the management of these institutions; and I feel satisfied that no expenditure, however great, in providing for the one, or care in the selection of the other, will make up for any serious defect in this respect.

(Signed) W. TEMPLETON.

Brighton, 13th February, 1866.

APPENDIX.

Extracts of Entries from Visitors' Books, &c.

MELBOURNE.

Industrial Schools Office,
22nd December, 1864.

We have visited this establishment, and have examined it somewhat hurriedly. The children appear to be very healthy, and present a contented and happy appearance.

(Signed)

JAMES WHYTE,
Colonial Secretary, Tasmania.
CHRIS. MEREDITH,
Treasurer, Tasmania.

Copied for the information of the Honorable the Chief Secretary.
(Signed) J. T. HARCOURT.

Industrial Schools Office,
3rd January, 1865.

I have been kindly permitted to visit the Industrial Schools at all hours, and being familiar with the condition and working of similar institutions in New South Wales, I feel that I cannot speak too highly of the

manner in which these schools are conducted, and the family influence which is infused into the whole. When the more suitable premises are available at Sunbury, I feel assured that much more good will be accomplished.

(Signed) EDWARD JOY,
Honorary Secretary of the Ragged Schools,
&c., &c.

Copied for the information of the Honorable the Chief Secretary.

(Signed) J. T. HARCOURT.

7th January, 1865.

15th February, 1865.

Visited the school and the whole of the premises connected with the establishment. I was very much pleased with the state of the institution.

Everything was in the best possible order; and taking the character of the buildings into account, the state of the dormitories, etc., was very satisfactory.

We entirely concur in the above remarks.

(Signed) GEO. HARKER.

(Signed) S. DONOVAN, J.P.
JAS. MAYNE, J.P.

Minute of Chief Secretary.

Satisfactory.

(Signed) J. McC.

Industrial Schools Office,
8th June, 1865.

Visited the Industrial Schools; heard the children examined—the children of the infant school and more grown ones—and was much gratified and pleased with their display of knowledge of the subjects selected; and pleased with the general appearance of happiness in every department. The singing interested me much, as calculated to promote their enjoyment and general good. The instruction of the boys in tailoring, &c., I consider most creditable. The general cleanliness, and attention to comfort of the children generally, reflect great credit on the officers and the country for eliminating* such an institution.

The state of ventilation alone struck me as defective, especially in the infant school.

(Signed) JOHN SINGLETON, M.D.

Inspected, with the permission of Mr. Harcourt, the Institution under his superintendence, and, as far as a limited time would enable me to judge, I am very glad to record my sense of the good arrangement and cleanliness of the interior, and useful employment of the young inmates.

It is impossible, with the inferior buildings, to do more than seems to me initiated and being carried out by Mr. Harcourt.

22nd May, 1865.

(Signed) R. W. POHLMAN.

Paid a hurried visit to see a family of young children. Went through the sleeping apartments, and also the infant and ordinary day school. Was very much pleased by the cleanliness, tidiness, and good order everywhere observable. The children seem cheerful and contented, and all are employed in school.

(Signed) GEO. MACKIE,
South Yarra.

7th May, 1865.

Visited the institution this morning, and was kindly conducted over the principal portions—school-room, mess-room, and dormitories—by Mr. Harcourt. It seems that nothing better can be made of the present buildings. Every place was quite clean, and the children looking cheerful and healthy, and, considering the neglected class to which they belong, for the most part, their present thriving and healthy condition is one of the best evidences of the efficiency of this great public charitable institution.

(Signed) JOHN J. BLEASDALE, D.D.

14th June, 1865.

Paid a visit to the institution, in company with two other ladies, and were kindly shown through the sleeping apartments, the bath-room, the dining-rooms when the children were at dinner, by Mr. and Mrs. Connor. We were very much pleased with the order and regularity of everything we saw. The children delighted us with their singing, and all seemed healthy and cheerful.

(Signed) EMMA PLATTS.

We, the undersigned, being Justices of the Peace in Victoria, having visited the Industrial Schools Prince's Bridge, Melbourne, express our thorough approbation of the Institution and its general management in so far as a passing through its several divisions enables us to form an opinion thereon.

The children appear exceedingly well fed and cared for, cleanly, and to be in good health; and, considering the gathering from which the inmates are obtained, we think they have a full average of good healthy children.

(Signed) THOMAS EMBLING.
G. B. HAILES.
JAS. MAYNE.
STEPHEN DONOVAN.

11th August, 1865.

Paid a short visit to the Institution, and was much pleased with what I saw of its working, especially the management of the schools.

(Signed) W. STEPHENS,
Inspector of Schools, Tasmania.

15th September, 1865.

We, the undersigned, having this day visited the Industrial Schools, Prince's Bridge, beg to report as follows:—

The health of the children generally appears to be good. The attendance upon the younger children is scarcely so good as we should wish; but that, we think, may be owing to the insufficiency of the present staff of attendants. The floor of the schoolroom, and some of the wards, is in a very dangerous condition, and should be repaired at once. The accommodation is altogether inadequate for the number of children now in the institution, and we think a temporary building should be erected to prevent the necessity that now exists

This deficiency is now supplied, a contract for these repairs had been taken previous to the visit.

Additional accommodation is absolutely necessary. [Signed] J. T. Harcourt.

* Sic orig.

for the children having their meals in three separate parties in the same room. At present, each meal occupies an hour and a half, and some of the children have no food from five o'clock in the evening until half-past seven in the morning.

(Signed) GEO. HARKER.
PATRICK O'BRIEN.
GERMAIN NICHOLSON.
ROBERT KERR.
JOHN HARBISON.

Minute of Chief Secretary on foregoing Extract.

Additional accommodation is being provided at Sunbury, and I have to request Mr. Harcourt to urge on the work as quickly as possible.

22 | 9 | 65.

(Signed) J. McC.

I have this day visited the Industrial Schools—all the wards and hospitals—and have much pleasure in bearing testimony to the good order and cleanliness throughout every department of the institution.

The children look healthy and cheerful. I paid particular attention to their cleanliness of body.

The hospital is, in my opinion, a model of convenience and arrangement.

The shoemaking and tailoring departments are well managed, and the boys seem to have made great proficiency in their several trades.

The institution throughout reflects great credit on the officers in charge.

It is much to be regretted that the public show such apathy in visiting the institution, as it would have a tendency to impress their minds, as it has mine, with the blessings derived from this institution.

5 | 10 | 65.

(Signed) WM. SCOTT,
President of the Benevolent Asylum, Ballaarat.

I, James Prince, J.P., have been over the institution this day, and feel fully convinced that all is done that can be with such old buildings. Everything is perfectly clean, and good discipline observed by the children.

13th October, 1865.

We have this day visited the Industrial School, and are pleased to find that less sickness prevails than when we last visited, and that the children in general appear healthy. The bread supplied seems to be of improved quality.

26th October, 1865.

(Signed) JOHN HARBISON.
PATRICK O'BRIEN.

Industrial Schools, Prince's Bridge,
16th November, 1865.

We have this day visited this institution, and beg to report as follows :—

We would recommend that the warders be directed to pay more attention to keeping the children's heads covered during their outside perambulations.

Noticed that in some wards, especially No. 7, articles of unclean clothing were strewed under the beds. We are of opinion, that some of the children who appear convalescent might be removed from the hospital to the general wards, and their places in the former department supplied by others who appear to be in delicate health.

We regret to have again to call attention, as per report of 22nd September last, to the immediate necessity of removing the filthy closets, as a very offensive stench, which must be injurious to health, emanates therefrom especially during the heat of the day. The children in general appear to be healthy, excepting some, who are still suffering much from eye disease, &c. In examining the stores, we think the potatoes supplied are not of first quality ; the portion of bread in store-room is much overbaked, thereby necessitating waste, and we recommend that the storekeeper's attention be called thereto.

(Signed) JOHN HARBISON.
PATRICK O'BRIEN.

Visited the institution ; was much pleased with the general good order and cleanliness of the establishment.

(Signed) HUGH S. CRAMER,
Baptist Minister, Castlemaine.

I have great pleasure in testifying to the gratifying condition of this institution, both morally and otherwise. I can only say, that the whole state of things reflects the greatest credit on the officers and servants of the institution.

(Signed) SAMUEL and GRACE GRIFFITHS.

I hereby certify, having this day visited this extensive and well-conducted institution, which reflects great credit upon the officers attached to the different departments.

(Signed) O. SYDNEY.

Melbourne, Wednesday, 8th November, 1865.

Having visited some of the principal parts of this establishment, I am happy to express my belief that all essential points seem to be attended to as far as practicable. The accommodation is bad and insufficient ; and the children, in some instances, present a more slovenly appearance than they ought, although the circumstance of the heat and dust of the day, and the fact that they were taking their bath may partly account for this, and for the absence of that hilarity of look which it is so desirable to witness in children.

I would suggest that measures for securing larger and better accommodation should be immediately adopted ; or in the event of any epidemic visiting the institution a great mortality might be expected.

(Signed) J. PALMER.

P.S.—I think Mr. Harcourt should furnish a monthly return of the ages to correspond with the subdivisions employed by the Registrar-General, and the number of each age respectively, and the deaths in each division, and also the number of children in hospital.

16th October, 1865.

Mrs. J. J. MOODY,
Mrs. SCHUKRAFFT. } We find the visit very satisfactory.

Lady Doy of Tasmania, and Captain Kay, R.N., South Yarra, express themselves much pleased with all the arrangements, and with the great cleanliness and perfect state of ventilation in all the buildings.

18th October.

Minute of Chief Secretary on foregoing Extracts.

Referred to Mr. Harcourt. I trust that all the suggestions made will be carried out immediately.
 23 | 11 | 65. (Signed) J. McC.

Mr. Harcourt's reply to above.

I have marked the suggestions thus (1) in red ink. With regard to No. 1, every attention is paid, but such circumstance will occur and recur with so large a number of young children.

No. 2.—The attention of the medical officer has been directed to the subject.

No. 3, Closets, &c.—The subject is in hand at the Public Works Office.

No. 4.—Sir J. F. Palmer's suggestions will be met by a reduction in numbers by draft to Sunbury and Geelong.

No. 5.—These returns will occupy considerable time in preparation, and an increase of the clerical staff.
 27 | 11 | 65. (Signed) J. T. HARCOURT.

11th October, 1865.

I have this morning visited the several wards and buildings of the Industrial Schools, and do most honestly and willingly bear testimony to the cleanliness and order of the domestics, the general health and cheerfulness of the children.

Several of the children in the school—the elder ones, read a piece of poetry chosen—with considerable taste, and answered questions put—with readiness and intelligence.

The arrangements and order of the several departments reflect great credit on the attention and devotedness of the servants to the interests of the institution.

All that seems to me to be wanted is new and more commodious buildings for the accommodation of the little ones.

(Signed) THOMAS LAVAR,
 Congregational Minister, Hawthorn.

Visited at the same time and agreeing in the above statement.

(Signed) EMILY DAVIES, Kew.
 W. A. NEWCOMBE, Castlemaine.

403.
 SIR,

Industrial Schools Office,
 20th October, 1865.

I have the honor to forward herewith a copy of Extract from the Visitors' Book; and in reference thereto beg to make the following remarks:—

1st. That the numbers are being reduced by removals to Sunbury and Geelong, and ere long will be within proper bounds.

2nd. I quite concur in the remarks of the visitors, and feel assured that the closets should be removed as early as possible; they are a nuisance, and as the hot weather advances it is feared that they will propagate disease.

3rd. An accidental circumstance which seldom occurs.

4th. The articles referred to are supplied. No less than 300 sun bonnets and 200 caps have been issued within the last ten days. The children when at play throw them off.

5th. The boys referred to were received into the institution by mistake, after the usual business hours, as they were ordered by the magistrates to be sent to the Reformatory. They absconded from the school; were captured in the act of a second time committing a felony; remanded to the Reformatory; and received here until arrangements could be made for their transmission to the Reformatory hulk. McClosky again attempted to abscond, and it was found necessary to keep them confined. The absence of the Superintendent at Sunbury and Geelong delayed their removal.

Their detention in confinement was unjustifiable, and the officer in charge of them has been admonished, so that no such circumstance is likely to occur again. No injury has accrued. Both boys were sent to the Reformatory the next day following the above.

A requisition in accordance with visitors' recommendation is forwarded herewith for your approval.

I have, &c.,
 (Signed) J. T. HARCOURT.

The Honorable the Chief Secretary.

ENCLOSURE.

13th October, 1865.

Visited to-day the Industrial Schools; spent three hours and upwards, in going over the schools and premises. Felt satisfied in regard to the teaching, the order, and general arrangement of the schools and the buildings, attending.

(1.) Felt struck with the crowded appearance which the schools presented, and the great want of accommodation in the premises.

(2.) Would remark, in regard to the closets and urinals, that they are in a very bad state of repair, and totally unfit for the institution.

(3.) In regard to the cooking, the apparatus seemed deficient for the supply of so large a number to be fed. The pudding upon which the children were dining appeared not sufficiently boiled.

(4.) We also thought that the children should be provided with bonnets and hats to protect them from the sun. Also, that sheds should be erected for a protection from sun and rain. In regard to the dormitories, were pleased with the cleanliness and order which we observed, but have to remark, that the accommodation is greatly deficient for the number of the inmates.

(5.) Found two of the boys shut up in one of the cells; the name of one, William McClosky. According to his statement, he had been confined there eight days, except that he is taken out in the morning to remove the slops, and upon one occasion to be bathed. He further stated, that he had not been brought before the Superintendent all that time. The name of the other, and younger boy, is McCarthy; he will have been, this evening, in confinement for three days, and he stated that he had not been washed during the period of his confinement. These boys appear to have been confined for absconding from the institution. Upon this we would remark, that we doubt whether such lengthened confinement is calculated to promote the discipline of the schools.

We visited also the hospital, and found all things satisfactory.

(Signed) DAVID OGILVY,
 GEO. HARKER,
 P. O'BRIEN.

To be remedied
 immediately.
 (Sd.) J. McC.

What about the
 washing of the
 boys. (Sd.) J.
 McC.

Mr. Harcourt to note and reply to Chief Secretary's minutes within.

Approved. Requisition returned.

25 | 10 | 65.

(Signed)

J. MOORE.

The washing is a disputed point between the boy and the attendant. Both boys were perfectly clean, well fed, and in good condition, when brought before me.

The attendant has been employed about the schools for some four or five years, and has generally been well behaved and attentive to his duties. When admonished, he was informed that any neglect of duty in future would be visited with instant dismissal.

26 | 10 | 65.

(Signed)

J. T. HARCOURT.

I am certainly well pleased with everything about the institution. I could write pages in its favor.

23 | 11 | 65.

(Signed)

J. L. MILTON, M.D., Etc.

I am highly pleased to find that the institution is in much better order, and its inmates much more comfortable and cared for, than before my visit I had anticipated. The buildings, however, are most unsuitable for the purpose for which they were intended, and I think the sooner a better class of buildings be substituted the better.

The over-crowding is excessive, and must be very dangerous.

(Signed)

ROBT. BOWIE.

Mr. Harcourt has favored me with an inspection of this institution, and it is but just to say that, when the difficulties standing in the way of the full development of the intended purpose are considered, this is a positive claim, on the part of all concerned in the management, for great praise, and a full recognition of their success. Improvement can scarcely be suggested in any particular. The over-crowding is much against Mr. Harcourt, and taxes, beyond all reasonable limit, his ability to meet the wants of the numbers forced upon him.

(Signed)

W. HICKSON.

Industrial Schools, Prince's Bridge,
29th November, 1865.

We have visited the various parts of the institution, and have to report as follows:—

We are glad to hear from the Superintendent that contracts have been entered into for the erection of new closets, and for the removal of present ones. The bread supplied to the institution this day is not of best quality.

We think some steps should be taken to prevent the children from staying out of doors in hot weather, and to preserve the children's clothing from being mislaid or injured.

We have again to draw attention of the authorities to the over-crowded state of the schoolrooms.

The accommodation here provided would not be approved by the Board of Education; indeed, is far below the space required by that Board.

We greatly regret to find that ophthalmia has again appeared among the children. We find about twenty, who affected, placed in a separate ward. All the other children are healthy and clean, and the wards are kept very well.

(Signed)

ROBERT KERR.
GEO. HARKER.
GERMAIN NICHOLSON.
PATRICK O'BRIEN.

11th December, 1865.

Visited the institution; found the wards clean, children apparently contented, and generally looking healthy. The hospital wards also clean, and children doing well. The provisions seem to be of a good kind.

(Signed)

P. O'BRIEN.

The Rev. R. S. Walker: Have had the pleasure of going through the establishment, struck with the cleanliness and order of the whole. The institution is greatly over-crowded; in this circumstance alone the managers must be placed at a great disadvantage.

(Signed.)

R. S. WALKER.

The Rev. J. K. Hall, Ballarat: I have had the pleasure of inspecting the establishment to-day, and was glad to see the healthy and happy tone that prevailed among the children. There was unmistakably the signs of a happy and benignant arrangement, but I am sorry to see that there is so little space for so great a number of children.

(Signed.)

J. K. HALL.

I have been kindly shown through the premises to day, and have great pleasure in bearing my testimony to the cleanly state of the wards and children, and to the apparently happy and contented state of the latter.

The whole management reflects the greatest possible credit upon all connected with the institution, considering the number of children to be cared for, and their tender years.

(Signed.)

JOHN TAYLOR,
Mayor of Kilmore.

Prince's Bridge, Melbourne, 27 | 12 | 65.

GEELONG.

Names of Visitors who have visited the Industrial Schools, Geelong, and have made Memos. as to the condition of the Establishment.

1865.—September 21.—Rev. G. Goodman visited the children; R. O. Connor visited the children; October 7.—R. Quanel, *Geelong Register*, appearance of children generally satisfactory; October 20.—Rev. Fred. P. Strickland visited the institution; October 31.—Sisters of Mercy, and is much pleased; Jos. B. Sharpley, very hot day, all *orderly*; November 14.—Rev. F. Hopkins; November 21.—Mr. Elliott; December 12.—Mrs. Hassell, Melbourne; Miss Hughes, Melbourne.

November 25. Visited the Industrial Schools this day, and I am of opinion that the class of children admitted into this institution, and what I have seen this day, show that a great deal of care and attention are shown in the management; and I would respectfully suggest that sea bathing should be available at least twice a week to such as are old enough for that purpose.

(Signed)

WILLIAM BOUCHER,
Master, Ballarat Benevolent Asylum.

December 9. Wm. Saltmarsh visited the Industrial School on behalf of the *Geelong Register*, found everything in a cleanly and orderly state. The only drawback being the cases of ophthalmia; the patients, however, appear to be improving.

Judge Brewer visited the establishment on the 11th December, and was much pleased with the order, cleanliness, and general appearance of it.

December 12. I have this day inspected the establishment, and am agreeably surprised to find it so different to that which has been stated of in some of the public press.

(Signed)

ALFRED CLARKE.

December 12. Visited the establishment to-day, and am much pleased with the cleanliness and general management.

(Signed)

ALFRED DOUGLASS, J.P.

December 12. On going over the establishment this day, I was much pleased with the appearance of the children, in a sanitary point of view. The children in the hospital appeared very comfortable and clean, and to receive every attention.

(Signed)

D. B. REID,
Surgeon to Geelong Hospital.

December 12. Visited here to-day, and am much pleased with the whole establishment.

(Signed)

A. R. REID.

December 12. I have visited this establishment this day, and feel highly gratified at the appearance and general improvement in the children and the establishment since the last month.

(Signed)

EDWIN T. CUTLER.

December 12. Having visited this establishment, I feel highly pleased that the arrangements are carried out much better than I expected, after reading the report published in the *Age*, from their own reporter.

(Signed)

ALFRED TRIVENER.

December 13. I have this day visited this institution, and am pleased to observe the attention paid to the children by the medical officer as well as by the matron and servants. The children appear happy, are in good health as a rule, while the sick are convalescing rapidly.

(Signed)

H. SIBLEY, M.D.

December 13. I am surprised, on visiting the establishment, in consequence of the observations made by one of the papers of the day, to observe so much cleanliness, and children presenting generally so healthy an appearance. I have particularly examined the eyes of the little patients, and am much pleased at their appearance, indicating in the great majority healthy progress, and perfectly concur in the medical treatment. I feel, from what I have seen, that much injustice has been done to the medical gentleman in attendance in the reports which recently appeared in the public papers.

(Signed)

FOSTER SHAW.

Have carefully examined the various departments of this institution, and gladly render a testimony to its cleanliness and order. The most and best has been made of everything, and the results in so preliminary a state of things are highly creditable to all concerned.

(Signed)

F. W. TOWLE, M.R.C.S.L.

27th December, 1865.

WILLIAM P. WILLS, Wesleyan Minister.

Visited and inspected the various departments of the establishment, which we found clean and orderly. The children are progressing towards convalescence.

(Signed)

JOHN DAY, M.D.

5th January, 1866.

RUPERT PINCOTT, M.R.C.S.

1866.

VICTORIA.

LEGISLATIVE COUNCIL.

FIRST REPORT

OF THE

PRINTING COMMITTEE.

LAID UPON THE COUNCIL TABLE BY THE HONORABLE JOHN P. FAWKNER, AND
ORDERED BY THE COUNCIL TO BE PRINTED 21st MARCH, 1866.

By Authority :

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

REPORT.

In pursuance of the Order of your Honorable House, your Committee have had referred to them the several Papers mentioned in the following Table, upon which your Committee beg to Report as appears by such Table :—

Subject.	When moved for, and by whom.	When laid on Council Table.	By Command.	Report and Remarks of Committee.
Despatch from the Right Honorable the Secretary of State (19th October, 1865), conveying an acknowledgment by the Department of State at Washington of the Address of Condolence of the Council, relative to the Assassination of President Lincoln	15th Feb., 1866	By Command	No order made.
Reclamation of Swamps.—Report of Professional Board (5th December, 1865)	...	20th Feb., 1866	...	"
Patents Statute, 1865—Regulations under, (12th February, 1866)	...	"	...	"
Public Accounts.—Regulations (18th December, 1865)	...	"	...	"
Volunteer Force.—Regulations for Examination of Candidates for Promotion (5th February, 1866)	...	"	...	"
Statistics of Victoria, 1864	"	...	"
Amending Land Act, 1865 (Section 42).—Regulations relating to Applications for, and Issue of, Licences, entitling the Holders to reside on, or cultivate, Lands at or near Gold Fields.—Order in Council (12th February, 1866)	...	6th March, 1866	...	"
Friendly Societies—Return of, Registered during 1865	...	"	...	"
Quarantine—Report of the Chief Medical Officer (22nd February, 1866)	...	13th March, 1866	...	"
Statistics.—Agricultural and Live Stock (Year ending 31st March, 1865)	...	"	...	"
Registration Fees.—Return of Amounts collected under the Units of Entry Act, from 18th November to 28th November, 1865	...	"	...	Recommended to be printed.
Fees, &c., in Courts of Mines—Order in Council, fixing (26th February, 1866)	...	"	...	No order made.
Supreme Court—Reg. Gen. (23rd December, 1865.)	...	20th March, 1866	...	"
Mines, Courts of—Times for holding.—Order in Council (5th February, 1866)	...	"	...	"
Industrial Schools—Reports and Correspondence relating to	...	"	...	Recommended to be printed.

Legislative Council Chamber,
21st March, 1866.

JOHN P. FAWKNER,
Chairman.



VICTORIA, VOTES & PROCEEDINGS OF THE LEG. COUNCIL 1ST SESS: 1866.