

VICTORIA

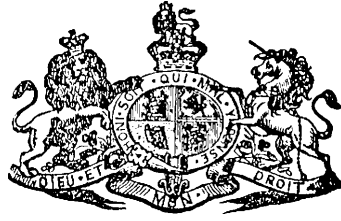


VOTES
AND
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL.

SESSION.

1874.

VICTORIA.



VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

DURING THE SESSION

1874,

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

By Authority:

JOHN FERRIS, GOVERNMENT PRINTER, MELBOURNE.

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OPENING OF THE TWENTY-SECOND SESSION OF PARLIAMENT.

| Names arranged in the Order of Retirement. | Elected at— | | Remarks. |
|--|-------------------|-------------------|--|
| | Nomination. | Polling. | |
| CENTRAL PROVINCE : | | | |
| Frederick Thomas Sargood | ... | 12th May, 1874 | Elected instead of the Honorable Sir J. O'Shanassy, resigned. |
| George Ward Cole | 10th Dec., 1870. | | |
| Thomas Turner a'Becket | 20th April, 1870. | | |
| James Graham | 20th Sept., 1866. | | |
| Theodotus John Sumner | ... | 31st March, 1873. | |
| SOUTH PROVINCE : | | | |
| Frank Stanley Dobson | 17th Aug., 1872. | | |
| William Degraives | ... | 29th Aug., 1870. | |
| John Pinney Bear | ... | 3rd Oct., 1868. | |
| William Arthur Callander a'Beckett | ... | 16th Sept., 1868. | |
| Thomas Ferrier Hamilton | 23rd Dec., 1871. | | |
| SOUTH-WESTERN PROVINCE : | | | |
| James Henty | 23rd Aug., 1872. | | |
| John Cumming | 24th Aug., 1870. | | |
| Caleb Joshua Jenner | 29th Sept., 1868. | | |
| Philip Russell | 20th April, 1869. | | |
| Robert Culbertson Hope | ... | 23rd April, 1867. | |
| WESTERN PROVINCE : | | | |
| Niel Black | 30th Aug., 1872. | | |
| Thomas McKellar | ... | 12th Sept., 1870. | |
| Robert Simson | 6th Oct., 1868. | | |
| William Skene | 14th Dec., 1870. | | |
| James Ford Strachan | ... | 8th Aug., 1866. | |
| NORTH-WESTERN PROVINCE : | | | |
| William Campbell | ... | 16th Sept., 1872. | |
| William Henry Fancourt Mitchell | 2nd Sept., 1870. | | |
| Francis Robertson | ... | 2nd Nov., 1868. | |
| Alexander Fraser... .. | 4th July, 1872. | | |
| Nicholas Fitzgerald | ... | 2nd Nov., 1864. | |
| EASTERN PROVINCE : | | | |
| Sir Francis Murphy | 5th Dec., 1872. | | |
| William Highett | 2nd Sept., 1870. | | |
| Benjamin Williams | ... | 24th Oct., 1868. | |
| Robert Stirling Anderson | 15th May, 1874. | ... | Re-elected to seat vacated by acceptance of an office of profit under the Crown. |
| *John Alston Wallace | 15th Nov., 1873. | ... | Elected instead of the Honorable H. M. Murphy, resigned. |

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- „ 12. Melbourne Mint.—Despatch enclosing Report on Weight and Fineness of Coins at Melbourne Branch.
- „ 13. Geological Survey of the Colony.—Progress Report.
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- „ 18. Import, Export, Transshipment, and Shipping Returns for the year 1873.
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- „ 23. Volunteer Force.—Regulations (30th March, 1874).
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- „ 44. Post Office Savings Bank.—Statement of Accounts, 1873.
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- „ 53. Schedule D—to Act 18 and 19 Vic. cap. 55.—Statement of Expenditure during the Year 1872-3.
- „ 54. Crown Lands Department.—Report of the Board of Enquiry.
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- 30th June. 58. Inebriates Act, 1872—Regulations under.
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- 15th July. 62. Victorian Railways.—Estimate of Expenditure, 1874-5, on Ballarat and Ararat, Castlemaine and Dunolly, and Ballarat and Maryborough Lines.
- „ 63. Victorian Railways.—Estimate of Expenditure, 1874-5, for Lines of Railway under Act 37 Vic. No. 475.
- „ 64. Victorian Railways.—Estimate of Expenditure, 1874-5, North-Eastern Line.
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- 4th August. 66. Census of Victoria, 1871.—General Report and Appendices.
- „ 67. University of Melbourne.—Report of Proceedings of Council, 1873-4.
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- „ 69. Aborigines—Tenth Report of Board for Protection of.
- „ 70. Statistics.—Part V.—Interchange, 1873.
- „ 71. Statistics.—Part VI.—Law, Crime, &c., 1873.
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- „ 73. Industrial and Reformatory Schools.—Report of Inspector, 1873.
- „ 74. O'Ferrall—Papers relating to Case of.
- „ 75. Fisheries Act 1873—Notice under 38th Clause of (30th June, 1874).
- „ 76. Fisheries Act 1873—Notice under 38th Clause of (5th August, 1874).
- 26th August. 77. Statistics.—Part VIII.—Production, 1873.
- „ 78. Land Act 1869 Regulations (10th August, 1874).
- 1st Sept. 79. Taradale.—Mining Operations in Police Paddock.—Order in Council (17th August, 1874).
- „ 80. Lands excepted from Mining, Residence, or Business Purposes.—Order in Council (17th August, 1874).
- „ 81. Land Act 1869 Regulations.—Appeals against Local Land Boards, 1874.
- „ 82. Mining Surveyors and Registrars.—Reports for Quarter ending 30th June, 1874.
- 8th Sept. 83. Fisheries Act—Gazette Notice containing Notices required under (26th August, 1874).
- 10th Sept. 84. Land Act 1869—Report of Proceedings under—during year 1873.
- 17th Sept. 85. Government Botanist.—Report for Year ending 30th June, 1874.
- 24th Sept. 86. Public Library, Museums, and National Gallery of Victoria.—Report of the Trustees, &c., 1873-4.
- 1st October. 87. Statistics of the Colony of Victoria, 1873.—General Report by Government Statist.
- „ 88. Public Instruction.—Annual Report of the Honorable the Minister of Public Instruction for the year 1873-4.
- 6th October. 89. Supernumeraries and Non-Classified Clerks in Government Service.—A Return, supplementary to the one presented, in return to an Order made on 30th June, 1874.
- „ 90. Appeals to Privy Council.—Copy Despatch from Secretary of State, transmitting letter from Sir W. Stawell, and a letter from the Registrar of Privy Council, relative to Appeals from Supreme Court of Victoria.
- „ 91. Observatory.—Ninth Report of Boards of Visitors, &c.—Years 1873 and 1874.
- 13th October. 92. Gippsland.—Correspondence with the Right Honorable Secretary of State for the Colonies respecting the Governor's official tour in Gippsland.
- „ 93. Public Accounts—Regulations respecting (1st October, 1874).
- 20th October. 94. Public Accounts.—Regulation (7th October, 1874).
- 27th October. 95. Savings Banks.—Statements and Returns for the year ending 30th June, 1874.
- 3rd Nov. 96. Statistics.—Part IX.—Vital, 1873.
- „ 97. Public Accounts—Regulation respecting (21st October, 1874).
- 10th Nov. 98. H.M.V.S. *Nelson*, and H.M.V.S. *Cerberus*—Report upon the condition of—by Commodore Goodenough (8th September, 1874).
- „ 99. Public Accounts—Regulation respecting (28th October, 1874).
- 17th Nov. 100. Kidnapping.—Copy Despatch from the Secretary of State for the Colonies relating to alleged Kidnapping by Officers and Crew of the *Daphne*.
- 18th Nov. 101. Annexation of Fiji—Despatch from Secretary of State relative to.
- „ 102. Public Works Loan Acts of 1868-1872.—Water Supply Castlemaine and Sandhurst, and Geelong.
- 24th Nov. 103. Government Printing Establishment—Report on—from January to June, 1874.
- 1st Dec. 104. Public Works Loan Act 1872.—Water Supply Estimate of Expenditure for Ballarat.
- 3rd Dec. 105. Australasian Statistics, 1873.—Introductory Report by Government Statist.
- „ 106. Mining Surveyors' and Registrars' Reports (30th September, 1874).
- 9th Dec. 107. Yan Yean Water Supply.—Balance-sheet (30th June, 1874).
- 14th Dec. 108. Land Act 1869.—Regulations (November, 1874).
- „ 109. Volunteer Engineers—Regulations respecting (3rd December, 1874).
- 15th Dec. 110. Boundary Line between South Australia and Victoria—Papers respecting.
- 16th Dec. 111. Central Board of Health.—Fifteenth Report.
- „ 112. A Return showing all Applications under Section 19, Land Act 1869, since March, 1874, in which the recommendations of the Local Land Boards have not been recommended by the Minister for the approval of the Governor.
- 17th Dec. 113. Forest Conservancy—Papers relating to.
- 18th Dec. 114. Pyrites—Treatment of—Report of Board on.
- 21st Dec. 115. Friendly Societies—Returns respecting (1873).
- „ 116. Boundary Line between South Australia and Victoria—Additional Papers respecting.
- 23rd Dec. 117. Victorian Railways.—Report of the Board of Land and Works (1874).
- „ 118. Friendly Societies—Statistics of (1873), with Introductory Report, by Government Statist.
- „ 119. Library Committee—Report of.

No. 1.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 19TH MAY, 1874.

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

WHEREAS, by the Constitution Act it is amongst other things enacted that it shall be lawful for the Governor to fix such places within Victoria, and, subject to the limitation therein contained, such times for holding the first and every other Session of the Council and Assembly, and to vary and alter the same respectively in such manner as he may think fit; and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he shall deem it expedient: And whereas the said Council and Assembly are called "The Parliament of Victoria," and it is expedient to fix the time for holding the next Session thereof: Now therefore I, the Governor of Victoria, in exercise of the power conferred by the said Act, do by this my Proclamation fix Tuesday the nineteenth day of May instant as the time for the commencement and holding of the next Session of the said Council and Assembly, called the Parliament of Victoria, for the despatch of business, at 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 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 fourth day of May, in the year of our Lord One thousand eight hundred and seventy-four, and in the thirty-seventh year of Her Majesty's reign.

(L.S.)

G. F. BOWEN.

By His Excellency's Command,

J. G. FRANCIS,
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 the 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.

WHEREAS, by Proclamation made the fourth day of May instant by His Excellency Sir GEORGE FERGUSON BOWEN, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, the said Sir GEORGE FERGUSON BOWEN 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 Tuesday the nineteenth day of May instant, at Twelve of the clock at noon, in the Parliament Houses, situate in Parliament place, Spring street, in the City of Melbourne: And forasmuch as for certain causes the said Sir GEORGE FERGUSON BOWEN 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 REDMOND BARRY, Knight, Acting Chief Justice of Our Supreme Court of Victoria, and the HONORABLE ROBERT MOLESWORTH, a Justice of Our said Court, do give and grant by

the tenor of these presents unto you the said SIR REDMOND BARRY and ROBERT MOLESWORTH, 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 GEORGE FERGUSON BOWEN, shall be there to be done; commanding also by the tenor of these presents all whom it may concern to meet Our said Parliament, and to the said SIR REDMOND BARRY and the HONORABLE ROBERT MOLESWORTH, 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 GEORGE FERGUSON BOWEN, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, and Vice-Admiral of the same, &c., &c., &c., at Melbourne, this eighteenth day of May, One thousand eight hundred and seventy-four, and in the thirty-seventh year of Our reign.

(L.S.)

G. F. BOWEN.

By His Excellency's Command,

J. G. FRANCIS

Entered on Record by me in the Register of Patents, Book 17, page 262, this eighteenth day of May, One thousand eight hundred and seventy-four.

THOS. WEBB WARE,
Acting Under Secretary.

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 Wednesday the twentieth instant, in the Legislative Council Chamber, and requested the Members of the Legislative Assembly in the meantime to proceed to the choice of a Speaker.

The Legislative Assembly withdrew.

The Commissioners withdrew.

The President took the Chair.

The President read the Prayer.

WRIT, RETURN OF.—CENTRAL PROVINCE.—The President announced to the Council that the Writ issued by him for the election of a Member for the Central Province, in the place of the Honorable Sir John O'Shanassy, resigned, had been returned to him, and that the returning officer had certified that Frederick Thomas Sargood was duly elected in pursuance of the Writ.

WRIT, RETURN OF.—EASTERN PROVINCE.—The President announced to the Council that the Writ issued by him for the election of a Member for the Eastern Province, in the place of the Honorable Robert Stirling Anderson, who had accepted an office of profit under the Crown, had been returned to him, and that the returning officer had certified that the Honorable Robert Stirling Anderson was duly elected in pursuance of the Writ.

COMMISSION.

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

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

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

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

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

(L.S.)

CANTERBURY.

By His Excellency's Command,

JAMES McCULLOCH.

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

W. H. ODGERS.

SWEARING IN OF NEW MEMBER.—The Honorable Robert Stirling Anderson, being introduced, approached the Table 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 Act 32 Victoria, No. 334, as hereunder set forth :—

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

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

“Freehold land and premises at Emerald Hill.

“Freehold land and premises at Sunbury.

“And land and premises in West Melbourne.

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

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

“ROBERT S. ANDERSON.”

SWEARING IN OF NEW MEMBER.—The Honorable Frederick Thomas Sargood, 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 Act 32 Victoria, No. 334, as hereunder set forth :—

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

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

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

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

May 16th, 1874.

“F. T. SARGOOD.”

DECLARATIONS OF MEMBERS.—The Honorables T. T. a'Beckett, W. Campbell, John Cumming, Alex. Fraser, James Graham, W. Highett, Dr. Hope, C. J. Jenner, Thomas McKellar, W. H. F. Mitchell, F. Robertson, R. Simson, W. Skene, T. J. Sumner, and John A. Wallace, severally delivered to the Clerk the declarations required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

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

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

“2. Portion 139, allotment B, part of Crown allotment A, portion 144 and part of portion of allotment 139A, in the parish of Prahran, having in the whole a frontage of about six hundred feet to Alma road, by a depth of about six hundred and seventy-feet, with dwelling-house and out-buildings erected on portion 139, allotment B.

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

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

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

“No. 2. Rated in the municipal district of St. Kilda at over £300 per annum.

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

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

“THOS. T. A'BECKETT.”

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

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

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

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

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

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

"W. CAMPBELL."

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

"Freehold land in the parish of Terinallum.

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

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

"JOHN CUMMING."

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

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

"No. 2. Part allotment 139A, parish of Prahran, county of Bourke, having a frontage of 370 feet to Chapel street by a depth of 216 feet to Argyle street, with improvements.

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

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

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

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

19th May 1874.

"ALEXR. FRASER."

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

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

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

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

"JAS. GRAHAM."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, WILLIAM HIGHETT, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the value of 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 parish of Maindample, in the shire of Mansfield, the description of which lands and tenements are as follow:—

"Freehold estate of upwards of five thousand acres.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of Mansfield are rated in the rate-books of such municipal district as follows:—At over £250 per annum.

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

"WILLIAM HIGHETT."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, R. C. HOPE, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the annual value of Five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Carrungemurnung, Carrah, Murgheboluk, and Gheringhap, in the county or reputed county of Grant, the description of which lands and tenements are as follow:—

"Five thousand acres in Carrungemurnung, fronting River Barwon; two thousand acres in Carrah, fronting Native Creek; one hundred and fifty acres in Gheringhap, with water-mill on Moorabool River.

"And I further declare that such of the said lands and tenements as are situate in the municipal districts of Winchelsea, Bannockburn, and Corio, are rated in the rate-books of such municipal districts as follows:—At over £250 per annum.

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

"R. C. HOPE."

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

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

"46 feet to Yuille street, Ballarat, by 112 feet, and buildings.

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

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

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

"Melbourne, 19th May 1874."

"C. J. JENNER."

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

"Five thousand acres in the parishes of North Hamilton and Warrayune.

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

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

"THOMAS MCKELLAR."

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

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

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

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

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

“W. H. F. MITCHELL.”

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

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

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

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

“FRANCIS ROBERTSON.”

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

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

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

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

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

“ROBERT SIMSON.”

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

“The freehold property known as Skene.

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

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

“WILLIAM SKENE.”

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

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

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

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

“THEO. JNO. SUMNER.”

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

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

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

“At over Two hundred and fifty pounds per annum.

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

“JOHN A. WALLACE.”

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Wednesday the 20th instant, at a quarter to two o'clock.

The Council adjourned at half-past twelve o'clock, until a quarter to two o'clock on Wednesday the 20th instant.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 20TH MAY, 1874.

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 avail myself of the earliest opportunity of resorting to your advice and assistance, after the return of the writs for the election of the Members of the Legislative Assembly.

The Education Act has this year entered upon its second phase; all aid, except by way of capitation allowances, having been withdrawn from the denominational schools. It is matter for rejoicing that a great increase has taken place in the number of children receiving instruction, and my Advisers feel warranted in anticipating that the extended accommodation which is being rapidly provided will, with the assistance of the compulsory provisions, lead to still more satisfactory results.

Every effort has been made to press forward the work of railway construction, and it is anticipated that within the next few weeks some of the new lines will be opened for traffic. The permanent surveys are now being made of nearly all of those lines the construction of which was authorized by Parliament last year; and some of these surveys are sufficiently far advanced to enable tenders to be invited before the end of June next. The trial surveys—which were promised during the last Session of Parliament—of additional lines are now being rapidly proceeded with, and when finished my Advisers will be able to submit for your consideration further proposals for railway extension.

I have to congratulate you on the completion of the Alfred Graving Dock—one of the finest works of the kind in the world—which was opened in March last, and which undoubtedly supplies in a most satisfactory manner an indispensable requirement of a large port.

Works for Water Supply are being prosecuted with energy. Those at Geelong have been so far completed that the inhabitants of that town are now furnished with an abundant supply of water, and the Coliban works so far advanced that the Chief Engineer expects shortly to have the water from the Malmsbury reservoir flowing into Castlemaine. In the Sandhurst district the works on the main channel are progressing satisfactorily, and a great extension of the reticulation of the city is now almost completed. Several other towns have availed themselves of the provisions of the Loan Act for the construction of similar works.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

I am glad to be able to congratulate you upon the condition of the public finances, and to inform you that the Estimates of Revenue for the present year have been more than realized.

In the preparation of the Estimates of Expenditure ample provision has been made for the maintenance of the Public Service, but at the same time due economy has been observed.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

In accordance with their declaration previous to the prorogation of the last Parliament, my Advisers submitted to the country, as the chief question at the general election, a proposal for Constitutional Reform. The response to this appeal, which my Advisers regard as unequivocal, makes it their first duty to submit a measure dealing with this grave and important subject, and they trust that it will receive your earliest and most attentive consideration.

A measure will be laid before you consolidating the whole of the law relating to Local Government, giving full effect to the principle of self-government, and making ample provision for the granting of subsidies to local bodies.

The settlement which has taken place in the immediate vicinity of our goldfields, upon land supposed to be auriferous, and the natural desire on the part of the settlers to obtain a better title to their holdings, have added to the necessity which has long existed for a measure dealing with the important question of mining on private property for gold and silver. I trust that your deliberations upon the proposals which my Advisers will lay before you will lead to a satisfactory solution of this question.

I am glad to inform you that, as a result of the removal of impediments to selection, settlement upon the public lands is steadily advancing. Complaints are, however, made that the area which can be selected is insufficient, and that many industrious persons are leaving for other colonies where larger holdings are obtainable. With a view of affording further facilities an Amending Land Bill will be submitted to you, restoring the maximum area of selection to what it was prior to the passing of the present Land Act. As the Land Act of 1869 requires that the assessment upon stock shall be readjusted within five years after the passing of the Act, a provision for that purpose will be embodied in the measure to be submitted to you.

The necessity for a reform in our Representative System and an amendment of the law regulating Elections is recognised by my Advisers, and they hope the state of public business will enable them to submit for your consideration measures dealing with some parts of these important and complicated subjects. I trust that your deliberations, conducted in a spirit of moderation and mutual forbearance, may lead to the adoption of measures dealing with the acknowledged requirements of the country.

My Advisers are fully aware of the necessity for a revision of the taxation of the country with a view to secure a more equitable distribution of the public burdens, but they are of opinion that such a comprehensive measure as this would involve cannot be dealt with satisfactorily until the question of Constitutional Reform is disposed of.

Several other measures of importance will be submitted for your consideration. Among these will be Bills to establish a Marine Board, to amend the law relating to the sale of Wines, Beer, and Spirits, to amend the Mining Companies Act 1871, to amend the Public Service Act, to effect reforms in the Administration of Justice, to amend the Neglected and Criminal Children's Act, the Juries Statute, the Importation and Custody of Gunpowder Statute, the laws relating to Distillation and Vaccination; also, Bills to provide for the Inspection of Machinery, the Regulation of Marine Stores and Dealers, and to provide for the prosecution of persons bringing into Victoria stolen property from other parts of the British Possessions.

I commend to your careful consideration these and other measures that will be brought before you, and I pray that your labors may, under the blessing of Providence, conduce to the continued prosperity of the country and happiness of the people.

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

His Excellency the Governor left the Council Chamber.

The President resumed the Chair.

DECLARATIONS OF MEMBERS.—The Honorables G. W. Cole, W. A. C. a'Beckett, N. Fitzgerald, James Henty, Sir Francis Murphy, Thomas F. Hamilton, Philip Russell, J. F. Strachan, B. Williams, and Dr. Dobson, severally delivered to the Clerk the declarations required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth:—

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

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

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

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

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

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

“W. A. C. A'BECKETT.”

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

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

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

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

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

“GEORGE WARD COLE.”

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

"House and land and business premises situate in Castlemaine.

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

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

"N. FITZGERALD."

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

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

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

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

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

"THOMAS F. HAMILTON."

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

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

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

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

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

"JAS. HENTY."

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

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

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

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

"Allotment 17 of section 25, parish of Mooroduc.

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

"Of the annual value of £250.

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

"FRANS. MURPHY."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, PHILIP RUSSELL, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the full annual value of Five hundred pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Skipton, Nanimia, and Enuc, in the counties or reputed counties of Hampden and Ripon, the description of which lands and tenements are as follow:—Five thousand acres, more or less, known as Langi Willy.

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

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

"PHILIP RUSSELL."

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

"Offices and stores situate in Moorabool street and Corio terrace.

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

"At Four hundred and fifty pounds per annum.

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

"JAMES F. STRACHAN."

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

"No. 1. Land and tenements, Bay street, Sandridge.

"No. 2. Land and tenements, Market street, Sandhurst.

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

"Sandridge, £280.

"Sandhurst, over £50.

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

"BENJAMIN WILLIAMS."

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

"Houses and land in the borough of Hawthorn.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of Hawthorn are rated in the rate-books of such municipal district as follow:—Over £250 a year.

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

"F. STANLEY DOBSON."

CRIMINAL LAW AND PRACTICE STATUTE 1864 AMENDMENT BILL.—The Honorable R. S. Anderson, with leave of the Council, moved without notice, That leave be given to bring in a Bill to amend the "*Criminal Law and Practice Statute 1864*," in relation to offenders found in the Colony of Victoria who have committed certain offences in other parts of Her Majesty's Dominions.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time; and the second reading made an Order of the Day for Tuesday next.

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

The Honorable John A. Wallace moved, That a Select Committee be appointed to prepare an Address in reply to the Speech of His Excellency the Governor.

Question—put and passed.

The Honorable John A. Wallace moved, That the Committee consist of the Honorables G. W. Cole, T. T. a'Beckett, T. F. Hamilton, James Henty, William Highett, C. J. Jenner, F. T. Sargood, and the Mover.

Question—put and passed.

The Committee withdrew to prepare the Address.

The Honorable J. A. Wallace brought up the Address prepared by the Committee, and moved that the same be read.

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

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

MAY IT PLEASE YOUR EXCELLENCY—

We, Her Most Gracious Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of Victoria in Parliament assembled, desire to thank Your Excellency for having called us together to deal with the legislative requirements of the year.

We are gratified to learn that Your Excellency has availed yourself of the earliest opportunity of resorting to our advice and assistance after the return of the writs for the election of the Members of the Legislative Assembly.

We are gratified to learn that the Education Act has this year entered upon its second phase; that all aid, except by way of capitation allowances, has been withdrawn from the denominational schools. We rejoice to learn that a great increase has taken place in the number of children receiving instruction, and that Your Excellency's Advisers feel warranted in anticipating that the extended accommodation which is being rapidly provided will, with the assistance of the compulsory provisions, lead to still more satisfactory results.

We convey to Your Excellency our gratification at hearing that every effort has been made to press forward the work of Railway Construction, and that it is anticipated that within the next few weeks some of the new lines will be opened for traffic; that permanent surveys are now being made of nearly all of those lines, the construction of which was authorized by Parliament last year; and that some of these surveys are sufficiently far advanced to enable tenders to be invited before the end of June next; that the trial surveys—which were promised during last session of Parliament—of additional lines are now being rapidly proceeded with, and that, when finished, Your Excellency's Advisers will be able to submit for our consideration further proposals for Railway Extension.

We unite with Your Excellency in your congratulation on the completion of the Alfred Graving Dock—one of the finest works of the kind in the world—which was opened in March last, and which undoubtedly supplies in a most satisfactory manner an indispensable requirement of a large port.

We are glad to hear from Your Excellency that the works for Water Supply are being prosecuted with energy. That those at Geelong have been so far completed that the inhabitants of that town are now furnished with an abundant supply of water, and that the Coliban Works are so far advanced that the Chief Engineer expects shortly to have the water from the Malmsbury reservoir flowing into Castlemaine. That in the Sandhurst district the works on the main channel are progressing satisfactorily, and that a great extension of the reticulation of the city is now almost completed; also that several other towns have availed themselves of the provisions of the Loan Act for the construction of similar works.

We recognize the fact that your Advisers, previous to the prorogation of the last Parliament, expressed their intention of making a proposal for Constitutional Reform a chief question at the ensuing general election, and also that almost every member has expressed an opinion that Constitutional Reform of some kind is needed, and we shall be prepared to give our most attentive consideration to any measure which may be submitted to us, dealing with this grave and important subject.

We inform Your Excellency that our best consideration will be given to the measure to be laid before us for consolidating the whole of the law relating to Local Government, for giving full effect to the principle of self-government, and making ample provision for the granting of subsidies to local bodies.

We concur with Your Excellency that the settlement which has taken place in the immediate vicinity of our goldfields, upon land supposed to be auriferous, and the natural desire on the part of the settlers to obtain a better title to their holdings, have added to the necessity which has long existed for a measure dealing with the important question of mining on private property for gold and silver. We trust that our deliberations upon the proposals which Your Excellency's Advisers will lay before us will lead to a satisfactory solution of this question.

We are gratified that Your Excellency is able to inform us that, as a result of the removal of impediments to selection, settlement upon the public lands is steadily advancing. We regret that complaints are, however, made that the area which can be selected is insufficient, and that many industrious persons are leaving for other colonies where larger holdings are obtainable; and we will carefully consider the Amending Land Bill, which we are informed will be submitted to us.

We assure Your Excellency of our satisfaction at learning that the necessity for a reform in our Representative System and an amendment of the Law regulating Elections is recognized by Your Excellency's Advisers, and that they hope the state of public business will enable them to submit for our consideration measures dealing with some parts of these important and complicated

subjects. We trust that our deliberations, conducted in a spirit of moderation and mutual forbearance, may lead to the adoption of measures dealing with the acknowledged requirements of the country.

We are glad to hear that Your Excellency's Advisers are fully aware of the necessity for a revision of the Taxation of the Country with a view to secure a more equitable distribution of the public burdens, but regret that they are of opinion that such a comprehensive measure as this would involve cannot be dealt with satisfactorily until the question of Constitutional Reform is disposed of. We assure Your Excellency that we should be prepared, as we always have been, to consider carefully any measure of this description, and we believe that even, although introduced before the settlement of the question of Constitutional Reform, it would be found that we should deal with it in a manner satisfactory to the country.

We promise Your Excellency that we shall devote ourselves to the consideration of the Bills to be submitted to us namely, Bills to establish a Marine Board, to amend the law relating to the sale of Wines, Beer, and Spirits, to amend the Mining Companies Act 1871, to amend the Public Service Act, to effect reforms in the Administration of Justice, to amend the Neglected and Criminal Children's Act, the Juries Statute, the Importation and Custody of Gunpowder Statute, the Laws relating to Distillation and Vaccination; also, to provide for the Inspection of Machinery, the Regulation of Marine Stores and Dealers, and to provide for the prosecution of persons bringing into Victoria stolen property from other parts of the British Possessions.

We undertake to give our careful consideration to these and other measures that may be brought before us, and we trust that our labors may, under the blessing of Providence, conduce to the continued prosperity of the country, and happiness of the people.

The Honorable John A. Wallace moved, That the Address be now adopted.

Debate ensued.

Question—put and passed.

The Honorable R. S. Anderson moved, That the Address be presented to His Excellency by the President and such Members as may desire to accompany him.

Question—put and passed.

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

1. Traralgon and Turton's Creek Mining District.—Polling Places.—Order in Council, 15th September, 1873.
2. Licenses for Races, Drains, &c.—Order in Council, 11th May, 1874.
3. Members of Ararat Mining Board.—Distribution of.—Order in Council, 17th November, 1873.
4. Castlemaine Mining District.—Polling Place.—Order in Council, 9th February, 1874.
5. Maryborough Mining District.—Polling Place.—Order in Council, 9th February, 1874.
6. Maryborough Mining District.—Polling Place.—Order in Council, 16th February, 1874.
7. Sandhurst Mining District.—Polling Place.—Order in Council, 16th February, 1874.
8. Sandhurst and Beechworth Mining Districts Altered.—Order in Council, 31st December, 1873.
9. Sandhurst and Beechworth Mining Districts, Divisions of.—Order in Council, 31st December, 1873.
10. Sandhurst and Beechworth Mining Districts.—Determining Number of Members for Divisions.—Order in Council, 31st December, 1873.
11. Sandhurst and Beechworth Mining Districts.—Polling Places for Divisions.—Order in Council, 31st December, 1873.
12. Melbourne Mint.—Despatch.—Enclosing Report on Weight and Fineness of Coins at Melbourne Branch.
13. Geological Survey of the Colony.—Progress Report.
14. Coalfields.—Loutit Bay, Apollo Bay, Wannon District.—Reports of Board.
15. Mining Surveyors and Registrars—Reports.—31st December, 1873.
16. Mineral Statistics of Victoria, 1873.

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

1. Supreme Court Rules.—11th April, 1874.
2. Import, Export, Transshipment, and Shipping Returns, for the Year 1873.
3. Education Department.—Regulations.
4. Railway Construction Act, 1873.—Estimate of proposed Expenditure.
5. Yan Yean Water Supply.—Cash and Balance-Sheet.

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

Question—put and passed.

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

Question—put and passed.

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

Question—put and passed.

PRINTING COMMITTEE.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorables J. Henty, J. Cumming, W. Highett, J. F. Strachan, and J. A. Wallace, be appointed a Printing Committee, and that papers presented to the House be referred to the said Committee for report.

Question—put and passed.

REFRESHMENT ROOMS (JOINT) COMMITTEE.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorables T. J. Sumner, P. Russell, T. F. Hamilton, R. Simpson, and N. Fitzgerald be members of the Joint Committee of both Houses to manage the Refreshment Rooms, with power to sit during adjournments of the House.

Question—put and passed.

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

Question—put and passed.

ELECTIONS AND QUALIFICATIONS.—In pursuance of "*The Electoral Act 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 Victorian Electoral Act 1856, I do hereby appoint—

The Honorable Thomas Turner a'Beckett,
The Honorable Robert Stirling Anderson,
The Honorable Robert Culbertson Hope,
The Honorable John Cumming,
The Honorable William Highett,
The Honorable Frank Stanley Dobson, and
The Honorable Philip Russell,

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

Given under my hand this 20th day of May, 1874.

W. H. F. MITCHELL,

President of the Legislative Council.

CHAIRMAN OF COMMITTEES.—The Honorable W. Campbell, with leave of the Council, moved, without notice, That the Honorable Dr. Hope be Chairman of Committees.

Question—put and passed.

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

Question—put and passed.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 26TH MAY, 1874.

1. The Hon. C. J. JENNER : To ask the Honorable Member representing the Government when tenders will be called for the construction of the Railway from Geelong to Colac.
2. The Hon. C. J. JENNER : To call the attention of the Commissioner of Public Works to the serious inconvenience caused by the introduction of a number of Bills towards the close of previous sessions, and to ask if he will introduce several measures with the view to expedite the Public Business.

NOTICE OF MOTION :—

1. The Hon. R. S. ANDERSON : To move, That twelve months' leave of absence be granted to the Honorable A. Fraser, such leave to commence on the first day of July next.

ORDER OF THE DAY :—

1. CRIMINAL LAW AND PRACTICE STATUTE AMENDMENT BILL.—To be read a second time.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.



Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 26TH MAY, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

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

1. Public Accounts.—Regulations.—(23rd February 1874, and 12th January 1874.)
2. Volunteer Force.—Regulations.—(30th March 1874.)
3. Discipline Act 1870.—Regulations.—(1st December 1873.)

Ordered severally to lie upon the Table.

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

1. Chief Medical Officer.—Return of Diseases, 1873.
2. Lunatic Asylums.—Report of Acting Inspector, 1873.
3. Health Officer's Report, 1873.
4. Chief Medical Officer.—Report on Sanatory Station, 1873.
5. Statistics, Part VII.—Interchange, 1872.
6. Statistics, Part VIII.—Vital Statistics, &c., 1872.
7. Statistics, Part IX.—Religious, Moral, and Intellectual Progress, 1872.
8. Statistics, Part I.—Blue Book, 1873.
9. Statistics, Part II.—Finance, &c., 1873.
10. Statistics, Part III.—Population, 1873.
11. Statistics, Part IV.—Accumulation, 1873.

Ordered severally to lie upon the Table.

LEAVE OF ABSENCE.—**HON. A FRASER.**—The Honorable R. S. Anderson, in accordance with notice, moved, That twelve month's leave of absence be granted to the Honorable Alexander Fraser, such leave to commence on the first day of July next.

Debate ensued.

Question—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed till Tuesday, the 2nd proximo:—

"*Criminal Law and Practice Statute Amendment Bill.*"—To be read a second time.

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

Question—put and passed.

The Council adjourned at five minutes to five o'clock, until half-past four o'clock on Tuesday, the 2nd proximo.

NOTICE OF MOTION AND ORDER OF THE DAY.

TUESDAY, 2ND JUNE, 1874.

1. The Hon. W. HIGGETT: To ask the Honorable Mr. Anderson, if he could state when it was probable the Gippsland line of railway would be commenced, and whether the permanent surveys were sufficiently advanced to enable the Government to enter into a contract for a portion of the line being proceeded with, and whether, the Government having consented to the Gippsland line as a trunk line, entitled to priority of construction, it is being proceeded with in accordance with that view, relatively to other lines.

2. The Hon. DR. DOBSON: To ask when the works connected with the new Law Courts will be commenced.

NOTICE OF MOTION :—

1. The Hon. R. SIMSON: To move, That there be laid on the Table of this House—

Copies of all Regulations made since the passing of the Land Act 1869, as well those made by Order of the Governor in Council, as those made by the Board of Land and Works, or by any Minister administering the said Act.

Also copies of all instructions issued since 1st of January 1872 to Crown Lands bailiffs, in reference to their duties.

Also copies or originals of all returns made by Crown Lands bailiffs in obedience to such instructions or otherwise.

Also a return of all persons occupying Crown lands under section 49, stating locality and quantity in each case.

Also a return of all persons to whom grants have been issued, and who have not fulfilled the conditions of their licenses.

Also a return of all persons who are in possession of Crown lands, contrary to the recommendations of the Local Land Boards, which reported upon their cases.

Also return of all persons now in possession of Crown lands in violation of the provisions of the Land Act 1869, or any previous Land Acts.

ORDER OF THE DAY :—

1. CRIMINAL LAW AND PRACTICE STATUTE AMENDMENT BILL.—To be read a second time.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 2ND JUNE, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

REPLY OF THE GOVERNOR TO THE ADDRESS OF THE COUNCIL.—The President announced to the Council that the Address to His Excellency the Governor in reply to his speech opening the Parliament, adopted on the 20th ultimo, had been presented, in accordance with the resolution of the House, and that His Excellency had been pleased to make thereto the following reply :—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL—

I thank you in the name of the Queen for this assurance of your continued loyalty and attachment to the throne and person of our Sovereign.

I am confident that you will give your best consideration to the measures which will be brought before you.

G. F. BOWEN.

Government Offices,
Melbourne, 27th May 1874.

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

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

1. Land Act 1869.—Regulations (2nd June 1874).
2. Land Act 1865 (Amending).—Regulations relative to fees for Licenses, &c. (9th March 1874).
3. Land Act 1869.—Regulations relative to issue of Licenses, Park Lands, &c. (18th May 1874).
4. Land Act 1869.—Regulations (16th March 1874).
5. Fisheries Act 1873.—Notice of intention to make proclamation, 22nd May 1874.
6. Post Office and Telegraph Department.—Report for 1873.
7. Post Office and Telegraph Department.—Regulations relating to appointment, &c., of Sorters, Line Repairers, &c. (6th March 1874).
8. Post Office and Telegraph Department.—Rules for guidance of officers, &c. (30th March 1874).
9. Post Office Savings Bank.—Statement of Accounts, 1873.
10. Mining Surveyors and Registrars.—Reports for quarter ending 31st March 1874.
11. Penal Establishments and Gaols.—Report of Inspector-General, 1873.
12. Polynesians—Employment of—on board Her Majesty's vessels—Copy Despatch from Secretary of State relative to.

LANDS DEPARTMENT RETURNS.—The Honorable R. Simson, in accordance with notice, moved, That there be laid upon the Table of this House—

Copies of all Regulations made since the passing of the Land Act 1869, as well as those made by Order of the Governor in Council, as those made by the Board of Land and Works, or by any Minister administering the said Act.

Also, copies of all instructions issued since 1st of January, 1872, to Crown Lands bailiffs, in reference to their duties.

Also, copies or originals of all returns made by Crown Lands bailiffs in obedience to such instructions or otherwise.

Also, a return of all persons occupying Crown lands under section 49, stating locality and quantity in each case.

Also, a return of all persons to whom grants have been issued, and who have not fulfilled the conditions of their licenses.

Also, a return of all persons who are in possession of Crown lands contrary to the recommendations of the Local Land Boards, which reported upon their cases.

Also, return of all persons now in possession of Crown lands in violation of the provisions of the Land Act 1869, or any previous Land Acts.

Debate ensued.

Motion by leave withdrawn.

PAPER.—The Honorable R. S. Anderson laid on the Table the following paper :—
Land Regulations—with memoranda.

POSTPONEMENT.—The following Order of the Day was postponed till Tuesday the 16th instant :—
“*Criminal Law and Practice Statute Amendment Bill*”—To be read a second time.

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

Question—put and passed.

The Council adjourned at twenty minutes past five o'clock, until Tuesday, the 9th instant.

NOTICES OF MOTION AND ORDER OF THE DAY.

TUESDAY, 9TH JUNE, 1874.

NOTICES OF MOTION :—

1. The Hon. F. T. SARGOOD : To move, That, in the opinion of this House, the present practice of granting “Leave of Absence” to Honorable Members should from and after this date be discontinued, as being unjust to the Constituencies and tending to bring discredit upon this Honorable House.
2. The Hon. W. A. C. A'BECKETT : To move, That a Return of the names of all persons employed as supernumeraries in the Government service, showing salaries, and date of their appointment and the office they are employed in, be laid on the Table of this House.

TUESDAY, 16TH JUNE.

NOTICE OF MOTION :—

1. The Hon. C. J. JENNER : To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.

ORDER OF THE DAY :—

1. CRIMINAL LAW AND PRACTICE STATUTE AMENDMENT BILL.—To be read a second time.

CHARLES L. COMYNS,
Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 9TH JUNE, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

1. Life Assurance Companies Act 1873.—Copy Despatch from Secretary of State, with enclosures (17th March 1874).
2. Border Customs.—Further Correspondence.
3. Land Act 1869.—Regulation (28th May 1874).

LEAVE OF ABSENCE TO MEMBERS OF COUNCIL.—The Honorable F. T. Sargood, in accordance with *amended* notice, moved, That, in the opinion of this House, the present practice of granting Leave of Absence to Honorable Members should from and after this date be discontinued, as being unjust to the Constituencies and tending to bring discredit upon this House ; and that, in future, no Leave of Absence should exceed three months, dating from the day when such Leave is passed by this House.

Debate ensued.

The Honorable W. Campbell moved the previous question.

Debate ensued.

Question—That this question be now put—put and negatived.

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

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to extend the Powers of the Acting Engineer-in-Chief of the Victorian Railways,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 2nd June 1874.

ACTING ENGINEER-IN-CHIEF'S BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable R. S. Anderson, ordered to be printed, and the second reading made an Order of the Day for Tuesday, 16th instant.

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

Question—put and passed.

The Council adjourned at ten minutes past five o'clock until Tuesday, the 16th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 16TH JUNE, 1874.

NOTICES OF MOTION :—

1. The Hon. C. J. JENNER : To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.
2. The Hon. R. S. ANDERSON : To move, for leave to bring in a Bill to amend the Law relating to Vaccination.
3. The Hon. W. A. C. A'BECKETT : To move, That a Return of the names of all persons employed as supernumeraries in the Government service, showing salaries, and date of their appointment and the office they are employed in, be laid on the Table of this House.

ORDERS OF THE DAY :—

1. CRIMINAL LAW AND PRACTICE STATUTE AMENDMENT BILL.—To be read a second time.
2. ACTING ENGINEER-IN-CHIEF'S BILL.—To be read a second time.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 16TH JUNE, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

1. Visits of Her Majesty's Ships to Australasian Colonies.—Copy Despatch from Right Honorable Secretary of State.
2. Schedule D—To Act 18 and 19 Vic., Cap. 55.—Statement of Expenditure during the year 1872-3.
3. Crown Lands Department.—Report of the Board of Enquiry.

PAPER.—The Honorable R. S. Anderson laid upon the Table the following paper:—
Public Accounts.—General Regulations, June 1874.

IMMIGRATION.—The Honorable C. J. Jenner, with leave of the Council, postponed the motion standing in his name, on the subject of Immigration, until Tuesday, 30th instant.

VACCINATION.—The Honorable R. S. Anderson, in accordance with notice, moved for leave to bring in a Bill to amend the Law relating to Vaccination.

Question—put and passed.

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

POSTPONEMENT.—The following Order of the Day was postponed till Thursday, 18th instant:—
“*Criminal Law and Practice Statute Amendment Bill*”—To be read a second time.

ACTING ENGINEER-IN-CHIEF'S BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

The Honorable R. S. Anderson moved, That the title of the Bill be “*An Act to Extend the Powers of the Acting Engineer-in-Chief of the Victorian Railways.*”

Question—put and passed.

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

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

Question—put and passed.

The Council adjourned at five minutes to five o'clock until Thursday the 18th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 18TH JUNE, 1874.

ORDER OF THE DAY:—

1. CRIMINAL LAW AND PRACTICE STATUTE AMENDMENT BILL.—To be read a second time.
-

TUESDAY, 23RD JUNE.

1. The Hon. F. T. SARGOOD: To ask the Honorable R. S. Anderson—

- (1.) Whether there is any objection to lay upon the Table of this House any recent correspondence with the Governments of Tasmania or South Australia relative to the establishment of a Customs union with those Colonies.
- (2.) Whether it is the intention of this Government to take prompt measures with a view to ensure the establishment of a Customs union with either or both of the above-named Colonies.
- (3.) Failing the early establishment of a Customs union, will this Government be prepared to negotiate with the above-named or other Colonies for the free interchange of the products and manufactures of the respective Colonies.

NOTICE OF MOTION:—

1. The Hon. F. T. SARGOOD: To move, That a Return be laid upon the Table of this House showing—
- (1.) The names of present Members of the House who have had leave of absence granted to them.
 - (2.) The respective dates when such leave was granted.
 - (3.) The time for which it was granted.
 - (4.) The time each Member was actually absent.
 - (5.) The amount of pay drawn by or paid to each Member for the time he was absent.
 - (6.) The names of any Members who applied for and have been refused leave of absence.

ORDER OF THE DAY:—

1. VACCINATION BILL.—To be read a second time.
-

TUESDAY, 30TH JUNE.

NOTICE OF MOTION:—

1. The Hon. C. J. JENNER: To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings
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LEGISLATIVE COUNCIL.

THURSDAY, 18TH JUNE, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

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

“(A.) One half undivided interest in the Tabilk Vineyard, homestead, estate, and lands, comprising about 1847 acres, on the east bank of the Goulburn river, in the above-mentioned parish and county.

“(B.) About ten acres of land fronting the Esplanade at Brighton, and known as the Esplanade portion of the Moorabbin property in the borough of Brighton.

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

“No. 58, Shire of Goulburn, £1100 per annum.

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

“J. P. BEAR.”

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

Charters to Joint-Stock Companies—Despatch, with enclosures, from Right Honorable Secretary of State relative to establishment of agencies in India.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

The Council adjourned at five minutes to five o'clock until Tuesday the 23rd instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 23RD JUNE, 1874.

1. The Hon. F. T. SARGOOD : To ask the Honorable R. S. Anderson—
- (1.) Whether there is any objection to lay upon the Table of this House any recent correspondence with the Governments of Tasmania or South Australia relative to the establishment of a Customs union with those Colonies.
 - (2.) Whether it is the intention of this Government to take prompt measures with a view to ensure the establishment of a Customs union with either or both of the above-named Colonies.
 - (3.) Failing the early establishment of a Customs union, will this Government be prepared to negotiate with the above-named or other Colonies for the free interchange of the products and manufactures of the respective Colonies.

NOTICE OF MOTION :—

1. The Hon. F. T. SARGOOD : To move, That a Return be laid upon the Table of this House showing—
- (1.) The names of present Members of the House who have had leave of absence granted to them.
 - (2.) The respective dates when such leave was granted.
 - (3.) The time for which it was granted.
 - (4.) The time each Member was actually absent.
 - (5.) The amount of pay drawn by or paid to each Member for the time he was absent.
 - (6.) The names of any Members who applied for and have been refused leave of absence.

ORDERS OF THE DAY :—

1. VACCINATION BILL.—To be read a second time.
 2. CRIMINAL LAW AND PRACTICE STATUTE AMENDMENT BILL.—Adoption of Report.
-

TUESDAY, 30TH JUNE.

NOTICE OF MOTION :—

1. The Hon. C. J. JENNER : To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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TUESDAY, 23RD JUNE, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ROYAL ASSENT TO BILLS.—The President announced to the Council that he had received a Communication from the Private Secretary of His Excellency the Governor, intimating that it is His Excellency's intention to proceed to the Legislative Council Chamber this afternoon at Six o'clock, for the purpose of giving the Royal Assent to certain Bills passed by the Legislative Council and the Legislative Assembly.

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

MR. PRESIDENT—

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

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 23rd June, 1874.

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

Question—put and passed.

Bill read a first time.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

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

Question—put and passed.

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

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

Intercolonial Tariffs.—Copy letter from Colonial Secretary, with joint memorandum, &c., New Zealand, on the subject of Intercolonial reciprocity.

LEAVE OF ABSENCE TO MEMBERS.—The Honorable F. T. Sargood, with leave of the Council, postponed the motion standing in his name on the subject of leave of absence to members, until Tuesday, 7th proximo.

POSTPONEMENT.—The following Order of the Day was postponed till Tuesday, 30th instant:—

“*Vaccination Bill*”—To be read a second time.

CRIMINAL LAW AND PRACTICE STATUTE AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council being called on, the Honorable Dr. Dobson moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

Question—put and passed.

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

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the report be made an Order of the Day for the next day of meeting.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, That the House, at its rising, adjourn till Tuesday next.

Question—put and passed.

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

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

“*An Act to extend the powers of the Acting Engineer-in-Chief of the Victorian Railways.*”

“*An Act to apply out of the Consolidated Revenue the sum of One hundred and five thousand three hundred and sixty-five pounds six shillings and ten pence to the service of the year One thousand eight hundred and seventy-three and four, and the sum of Five hundred thousand pounds to the service of the year One thousand eight hundred and seventy-four and five.*”

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

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

“G. F. BOWEN,
“Governor.”

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

The Council adjourned at ten minutes past six o'clock until Tuesday the 30th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 30TH JUNE, 1874.

NOTICES OF MOTION :—

1. The Hon. C. J. JENNER : To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.
2. The Hon. W. A. C. A'BECKETT : To move, That a Return of the names of all persons employed as supernumeraries and non-classified clerks in the Government service, showing salaries, date of their appointment, and the office they are employed in, be laid on the Table of this House.

ORDERS OF THE DAY :—

1. VACCINATION BILL.—To be read a second time.
2. CRIMINAL LAW AND PRACTICE STATUTE AMENDMENT BILL.—Adoption of Report.

TUESDAY, 7TH JULY.

NOTICE OF MOTION :—

1. The Hon. F. T. SARGOOD : To move, That a Return be laid upon the Table of this House showing—
 - (1.) The names of present Members of the House who have had leave of absence granted to them.
 - (2.) The respective dates when such leave was granted.
 - (3.) The time for which it was granted.
 - (4.) The time each Member was actually absent.
 - (5.) The amount of pay drawn by or paid to each Member for the time he was absent.
 - (6.) The names of any Members who applied for and have been refused leave of absence.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

By Authority: JOHN FERRES, Government Printer, Melbourne.

[600 copies.]

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 30TH JUNE, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRIT—RETURN OF.—SOUTH PROVINCE.—The President announced to the Council that the Writ issued by him for the election of a Member for the South Province, in the place of the Honorable William Degraives resigned, had been returned to him, and that the returning officer had certified “That James Balfour, of Melbourne, merchant, was duly elected, in pursuance of the Writ.”

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

1. Inebriates Act 1872—Regulations under.
2. Botanical and Domain Gardens.—Annual Report of Curator.
3. Industrial Schools and Sanatory Station.—Second and Final Report of Royal Commission.

SWEARING IN OF NEW MEMBER.—The Honorable James Balfour, being introduced, approached the Table 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 Act 32 Victoria, No. 334, as hereunder set forth:—

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

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

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

“Land situated in the parish of Boroondara.

“Land situated in the parish of Mordialloc.

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

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

“JAMES BALFOUR.”

IMMIGRATION.—The Honorable C. J. Jenner, with leave of the Council, postponed the motion standing in his name on the subject of Immigration until this day month.

SUPERNUMERARIES AND NON-CLASSIFIED CLERKS IN GOVERNMENT SERVICE.—The Honorable W. A. C. a’Beckett, in accordance with notice, moved, That a Return of the names of all persons employed as supernumeraries and non-classified clerks in the Government service, showing salaries, date of their appointment, and the office they are employed in, be laid upon the Table of this House.

Question—put and passed.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Bill be now re-committed on Clause 1.

Question—put and passed.

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

The President left the Chair.

The Chairman of Committees reported that the Committee had agreed to the Bill with an amendment.

The Honorable R. S. Anderson moved, That the adoption of the report be made an Order of the Day for next day of meeting.

Question—put and passed.

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend the 'Criminal Law and Practice Statute 1864' in relation to Offenders found in the Colony of Victoria who have committed certain offences in other parts of Her Majesty's Dominions.*"

Question—put and passed.

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

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn till Wednesday the 8th proximo.

Question—put and passed.

The Council adjourned at a quarter past five o'clock until Wednesday the 8th proximo.

NOTICES OF MOTION AND ORDER OF THE DAY.

WEDNESDAY, 8TH JULY, 1874.

Government Business.

ORDER OF THE DAY :—

1. VACCINATION BILL.—Adoption of Report.

General Business.

NOTICES OF MOTION :—

1. The Hon. F. T. SARGOOD : To move, That a Return be laid upon the Table of this House showing—
 - (1.) The names of present Members of the House who have had leave of absence granted to them.
 - (2.) The respective dates when such leave was granted.
 - (3.) The time for which it was granted.
 - (4.) The time each Member was actually absent.
 - (5.) The amount of pay drawn by or paid to each Member for the time he was absent.
 - (6.) The names of any Members who applied for and have been refused leave of absence.
2. The Hon. T. T. A'BECKETT : To move, That the subject of altering and amending the Constitution of this House be referred to a Select Committee of ten members to be chosen by Ballot, and that the Committee have power to sit during the adjournment of the House.

TUESDAY, 28TH JULY.

NOTICE OF MOTION :—

1. The Hon. C. J. JENNER : To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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WEDNESDAY, 8TH JULY, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

CHAIRMAN OF COMMITTEES.—The Honorable the President announced that the Honorable Dr. Hope was prevented by illness from attending in the House.

The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorable C. J. Jenner do act as Chairman of Committees during the absence of the Honorable Dr. Hope.

Question—put and passed.

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

Mining District.—Polling Place.—Mount Lookout.—Order in Council, 15th June, 1874.

POSTPONEMENT.—The following Order of the Day was postponed till Wednesday, 15th instant :—

“*Vaccination Bill*”—Adoption of Report.

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

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

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

“And I further declare that such of the said lands and tenements as are situate in the municipal district of Hampden are rated in the rate-books of such municipal district as follows :—
Over £250 a year.

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

“NIEL BLACK.”

LEAVE OF ABSENCE TO MEMBERS OF COUNCIL.—The Honorable F. T. Sargood, in accordance with amended notice, moved, That a Return be laid upon the Table of this House showing—

- (1.) The names of present Members of the House who have had leave of absence granted to them.
- (2.) The respective dates when such leave was granted.
- (3.) The time for which it was granted.
- (4.) The time each Member was actually absent.
- (5.) The names of any Members who applied for and have been refused leave of absence.

Debate ensued.

Motion by leave withdrawn.

CONSTITUTION OF COUNCIL COMMITTEE.—The Honorable T. T. a'Beckett, in accordance with notice, moved, “That the subject of altering and amending the Constitution of this House be referred to a Select Committee of Ten Members, and that the Committee have power to sit during the adjournment of the House.”

Debate ensued.

The Honorable R. Simson moved the previous question.

Debate ensued.

Motion for the previous question by leave withdrawn.

The Honorable J. P. Bear moved, That the Debate be adjourned for a fortnight.

Debate ensued.

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn till Wednesday, the 15th inst.

Question—put and passed.

The Council adjourned at a quarter to seven o'clock until Wednesday the 15th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 15TH JULY, 1874.

Government Business.

ORDER OF THE DAY:—

1. VACCINATION BILL.—Adoption of Report.

General Business.

NOTICES OF MOTION:—

1. The Hon. W. A. C. A'BECKETT : To move, For leave to bring in a Bill to amend the Law relating to Trust Estates.
2. The Hon. W. A. C. A'BECKETT : To move, For leave to bring in a Bill to amend the Police Offences Statute.

WEDNESDAY, 22ND JULY.

General Business.

ORDER OF THE DAY:—

1. CONSTITUTION OF COUNCIL COMMITTEE.—Motion for.—Adjourned debate.

TUESDAY, 28TH JULY.

NOTICE OF MOTION:—

1. The Hon. C. J. JENNER : To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 15TH JULY, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

1. Victorian Railways.—Estimate of Expenditure, 1874-5, on Ballarat and Ararat, Castlemaine and Dunolly, and Ballarat and Maryborough Lines.
2. Victorian Railways.—Estimate of Expenditure, 1874-5.—For Lines of Railway under Act 37 Vic., No. 475.
3. Victorian Railways.—Estimate of Expenditure, 1874-5.—North Eastern Line.
4. Victorian Railways.—Estimate of Expenditure, 1874-5.—Railways, Bridges, &c.

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

Question—put and passed.

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

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

The President left the Chair.

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

Ordered.

TRUST ESTATES BILL.—The Honorable W. A. C. a'Beckett, in accordance with notice, moved for leave to bring in a Bill to amend the law relating to Trust Estates.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable W. A. C. a'Beckett, read a first time, ordered to be printed, and the second reading made an order of the day for Wednesday next.

POLICE OFFENCES STATUTE AMENDMENT BILL.—The Honorable W. A. C. a'Beckett, in accordance with notice, moved for leave to bring in a Bill to amend the "*Police Offences Statute.*"

Debate ensued.

Motion by leave withdrawn.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn till Wednesday the 22nd instant.

Question—put and passed.

The Council adjourned at twenty minutes past five o'clock until Wednesday the 22nd instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 22ND JULY, 1874.

Government Business.

ORDER OF THE DAY :—

1. VACCINATION BILL.—To be further considered in Committee.

General Business.

ORDERS OF THE DAY :—

1. CONSTITUTION OF COUNCIL COMMITTEE.—Motion for—Adjourned debate.
 2. TRUST ESTATES BILL.—To be read a second time.
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TUESDAY, 28TH JULY.

NOTICE OF MOTION :—

1. The Hon. C. J. JENNER : To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 22ND JULY, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn till Tuesday the 28th instant.

Question—put and passed.

The Council adjourned at twenty-five minutes to five o'clock until Tuesday the 28th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 28TH JULY, 1874.

NOTICE OF MOTION :—

1. The Hon. C. J. JENNER : To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.

ORDERS OF THE DAY :—

1. VACCINATION BILL.—To be further considered in Committee.
2. CONSTITUTION OF COUNCIL COMMITTEE.—Motion for—Adjourned debate.
3. TRUST ESTATES BILL.—To be read a second time.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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LEGISLATIVE COUNCIL.

TUESDAY, 28TH JULY, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn till Tuesday the 4th proximo.

Question—put and passed.

The Council adjourned at twenty-two minutes to five o'clock until Tuesday the 4th proximo.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 4TH AUGUST, 1874.

NOTICE OF MOTION :—

1. The Hon. C. J. JENNER : To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.

ORDERS OF THE DAY :—

1. VACCINATION BILL.—To be further considered in Committee.
2. CONSTITUTION OF COUNCIL COMMITTEE.—Motion for—Adjourned debate.
3. TRUST ESTATES BILL.—To be read a second time.

CHARLES L. COMYNS,
Acting Clerk of the Council and Acting Clerk of the Parliaments.



Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 4TH AUGUST, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ADJOURNMENT.—The Honorable Sir Francis Murphy moved, That the House do now adjourn.

Debate ensued.

Motion by leave withdrawn.

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

1. Census of Victoria, 1871.—General Report and Appendices.

2. University of Melbourne.—Report of Proceedings of Council, 1873-4.

PRINTING COMMITTEE.—FIRST REPORT.—The Honorable W. Highett, as Chairman of the Committee, brought up the First Report of the Printing Committee, and moved that it be now adopted, and be printed.

Question—put and passed.

IMMIGRATION.—The Honorable C. J. Jenner, with leave of the Council, postponed the motion standing in his name on the subject of Immigration, until Tuesday 18th instant.

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

The Chairman of Committees reported progress, and asked leave to sit again this day week.

Ordered.

The Honorable N. Fitzgerald, with leave of the Council, moved, without notice, That Dr. McCrea, Professor Halford, the Resident Medical Officers of the Hospitals of Castlemaine, Sandhurst, and Ballarat, and the gentleman selected by the Medical Society of Victoria, be summoned to give evidence at the Bar of this House on the Vaccination Bill, on Tuesday 11th instant.

Question—put and passed.

CONSTITUTION OF COUNCIL COMMITTEE.—The Order of the Day for the resumption of the debate on the question, "That the subject of altering and amending the Constitution of this House be referred to a Select Committee of ten members, and that the Committee have power to sit during the adjournment of the House," being read, the Honorable J. P. Bear moved, That the debate be further adjourned until Wednesday 19th instant.

Question—put and passed.

TRUST ESTATES BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable W. A. C. a'Beckett moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable W. A. C. a'Beckett moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again this day week.

Ordered.

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

Question—put and passed.

The Council adjourned at five minutes to six o'clock until Tuesday 11th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 11TH AUGUST, 1874.

1. The Hon. J. CUMMING: To call the attention of the Honorable the Commissioner of Public Works to the report of the Sheep Inspector for the Sandhurst District as published in the *Government Gazette* of the 17th July; and to ask whether it is the intention of the Government, by special legislation or otherwise, to cause effective steps to be taken for speedily stamping out from the Colony the disease known as scab in sheep.

NOTICES OF MOTION :—

1. The Hon. R. S. ANDERSON: To move for leave to introduce a "*Bill to amend the 'Police Offences Statute 1865,' and provide for the more effectual punishment of juvenile offenders.*"
2. The Hon. F. T. SARGOOD: To move, That the New Zealand Act, intituled "*An Act for the better apprehension of Offenders who shall have escaped to parts within the Colony of New Zealand from any of the Australian Colonies*" be printed and circulated for the information of Members.

ORDERS OF THE DAY :—

1. VACCINATION BILL.—To be further considered in Committee.
2. TRUST ESTATES BILL.—To be further considered in Committee.

TUESDAY, 18TH AUGUST.

NOTICE OF MOTION :—

1. The Hon. C. J. JENNER: To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.

WEDNESDAY, 19TH AUGUST.

General Business.

ORDER OF THE DAY :—

1. CONSTITUTION OF COUNCIL COMMITTEE.—Motion for—Adjourned debate.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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LEGISLATIVE COUNCIL.

TUESDAY, 11TH AUGUST, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

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

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

Ordered.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill, intituled, "*An Act to sanction the issue and application of certain Sums of Money from 'The Railway Loan Account,' for Salaries Wages and Contingencies for the Service of the Year One thousand eight hundred and seventy four and One thousand eight hundred and seventy-five,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 11th August 1874.

RAILWAY LOAN APPLICATION BILL.—The Honorable T. T. a'Beckett moved, That the Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable T. T. a'Beckett moved, That this Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and passed.

The Honorable T. T. a'Beckett moved, That the title of the Bill be, "*An Act to sanction the issue and application of certain sums of money from 'The Railway Loan Account' for salaries, wages, and contingencies for the service of the year One thousand eight hundred and seventy-four and One thousand eight hundred and seventy-five.*"

Question—put and passed.

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

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

MR. PRESIDENT—

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

Legislative Assembly Chamber,
Melbourne, 11th August, 1874.

C. MAC MAHON,
Speaker.

CONSOLIDATED REVENUE BILL (2).—The Honorable T. T. a'Beckett moved, That the Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable T. T. a'Beckett moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable T. T. a'Beckett moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

The President having reported that the Chairman had certified that the fair print of the Bill was in accordance with the Bill as reported from a Committee of the whole Council, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and *passed*.

The Honorable T. T. a'Beckett moved, That the title of the Bill be "*An Act to apply out of the Consolidated Revenue the sum of Two hundred and twenty-seven thousand and seven hundred pounds to the service of the year One thousand eight hundred and seventy-four and five.*"

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

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

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

"An Act to sanction the issue and application of certain Sums of Money from 'The Railway Loan Account,' for Salaries, Wages, and Contingencies for the Service of the Year One thousand eight hundred and seventy-four and One thousand eight hundred and seventy-five."

"An Act to apply out of the Consolidated Revenue the Sum of Two hundred and twenty-seven thousand and seven hundred pounds to the Service of the Year One thousand eight hundred and seventy-four and five."

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

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

"G. F. BOWEN,
"Governor."

The Acting Clerk of the Parliaments delivered to Mr. Speaker a schedule of the Bills assented to.

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

VACCINATION BILL.—The Honorable T. T. a'Beckett moved, That this Bill be further considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

Ordered.

ADJOURNMENT.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the House at its rising adjourn until this day week.

Question—put and passed.

The Council adjourned at a quarter to seven o'clock until Tuesday the 18th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 18TH AUGUST, 1874.

1. The Hon. J. CUMMING: To call the attention of the Honorable the Commissioner of Public Works to the report of the Sheep Inspector for the Sandhurst District as published in the *Government Gazette* of the 17th July; and to ask whether it is the intention of the Government, by special legislation or otherwise, to cause effective steps to be taken for speedily stamping out from the Colony the disease known as scab in sheep.

NOTICES OF MOTION :—

1. The Hon. C. J. JENNER: To move, That this House is of opinion that it is desirable, in the interests of the colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.
2. The Hon. R. S. ANDERSON: To move for leave to introduce a "*Bill to amend the 'Police Offences Statute 1865,' and provide for the more effectual punishment of juvenile offenders.*"
3. The Hon. F. T. SARGOOD: To move, That the New Zealand Act, intituled "*An Act for the better apprehension of Offenders who shall have escaped to parts within the Colony of New Zealand from any of the Australian Colonies*" be printed and circulated for the information of Members.

ORDERS OF THE DAY :—

1. VACCINATION BILL.—To be further considered in Committee.
2. TRUST ESTATES BILL.—To be further considered in Committee.

WEDNESDAY, 19TH AUGUST.

General Business.

ORDER OF THE DAY :—

1. CONSTITUTION OF COUNCIL COMMITTEE—Motion for.—Adjourned debate.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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LEGISLATIVE COUNCIL.

TUESDAY, 18TH AUGUST, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRIT, RETURN OF.—The President announced to the Council that the Writ issued by him for the Election of a Member to serve for the Central Province from and after the 27th instant, had been returned to him, and that the Returning Officer had certified that the Honorable Theodotus John Sumner was duly elected in pursuance of the said Writ.

PETITION.—The Honorable W. Campbell presented a Petition from the Shire Council of Newham in favour of immigration.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable J. Balfour presented a Petition from the Shire Council of Wyndham, and under the corporate seal thereof, in favor of assisted immigration of farm laborers.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable R. Simson, for the Honorable T. McKellar, presented a Petition from the Shire Council of Belfast in favor of immigration.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable W. Campbell presented a Petition from the Shire Council of Kyneton, and under the corporate seal thereof, in favor of immigration.

Petition received.

The Petition was read at the Table by the Clerk.

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

1. Races, &c.—Regulations relating to (3rd August, 1874).
2. Aborigines—Tenth Report of Board for Protection of.
3. Statistics, Part V.—Interchange, 1873.
4. Statistics, Part VI.—Law, Crime, &c., 1873.
5. Statistics, Part VII.—Religious, Moral, and Intellectual Progress, 1873.
6. Industrial and Reformatory Schools.—Report of Inspector, 1873.
7. O'Ferrall.—Papers relating to case of.

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

1. Fisheries Act 1873—Notice under 38th Clause of (30th June, 1874).
2. Fisheries Act 1873—Notice under 38th Clause of (5th August, 1874).

IMMIGRATION.—The Honorable C. J. Jenner, in accordance with notice, moved, That this House is of opinion that it is desirable in the interests of the colony that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation.

Debate ensued.

The Honorable W. Highett moved, That the debate be adjourned until Wednesday, 26th instant.

Question—put and passed.

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

The Chairman of Committees reported progress, and asked leave to sit again on Wednesday the 26th instant.

Ordered.

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

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

Ordered.

The Council adjourned at twenty minutes past six o'clock until Wednesday the 19th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 19TH AUGUST, 1874.

General Business.

ORDERS OF THE DAY:—

1. CONSTITUTION OF COUNCIL COMMITTEE—Motion for.—Adjourned debate.
 2. TRUST ESTATES BILL.—To be further considered in Committee.
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TUESDAY, 25TH AUGUST.

NOTICE OF MOTION:—

1. The Hon. R. S. ANDERSON: To move for leave to bring in a Bill to erect a new Court for the trial of offences, to establish uniformity of venue in Civil and Criminal Judicature, and to amend the practice and procedure of Courts of Criminal Jurisdiction.
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WEDNESDAY, 26TH AUGUST.

Government Business.

ORDER OF THE DAY:—

1. VACCINATION BILL.—To be further considered in Committee.

General Business.

NOTICE OF MOTION:—

1. The Hon. F. T. SARGOOD: To move, That the New Zealand Act, intituled "*An Act for the better apprehension of Offenders who shall have escaped to parts within the Colony of New Zealand from any of the Australian Colonies*" be printed and circulated for the information of Members.

ORDER OF THE DAY:—

1. IMMIGRATION RESOLUTION.—Adjourned debate.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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WEDNESDAY, 19TH AUGUST, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

POSTPONEMENT.—The Honorable W. A. C. a'Beckett, with leave of the Council, moved, That the first Order of the Day be postponed till after the consideration of the second Order of the Day.

Question—put and passed.

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

The Chairman of Committees reported progress, and asked leave to sit again this day week.

Ordered.

CONSTITUTION OF COUNCIL COMMITTEE.—The Order of the Day for the resumption of the debate on the question "That the subject of altering and amending the Constitution of this House be referred to a Select Committee of ten members, and that the Committee have power to sit during the adjournment of the House," being read, the debate was resumed.

The Honorable N. Black moved, That the debate be adjourned until this day week.

Debate ensued.

Question—put and passed.

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

Question—put and passed.

The Council adjourned at ten minutes to six o'clock until Wednesday the 26th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 26TH AUGUST, 1874.

Government Business.

NOTICE OF MOTION :—

1. The Hon. R. S. ANDERSON : To move for leave to bring in a Bill to erect a new Court for the trial of offences, to establish uniformity of venue in Civil and Criminal Judicature, and to amend the practice and procedure of Courts of Criminal Jurisdiction.

ORDER OF THE DAY :—

1. VACCINATION BILL.—To be further considered in Committee.

General Business.

NOTICES OF MOTION :—

1. The Hon. F. T. SARGOOD : To move, That the New Zealand Act, intituled "*An Act for the better apprehension of Offenders who shall have escaped to parts within the Colony of New Zealand from any of the Australian Colonies*" be printed and circulated for the information of Members.
2. The Hon. T. T. A'BECKETT : To move, for a return of—
 - (1.) The net moneys paid to the public revenue, yearly, during the years 1866 to 1869, both inclusive, in respect of the sale or leasing of Crown land, or of licenses for the use thereof.
 - (2.) The amount paid yearly during the same period from the public revenue for immigration purposes.

ORDERS OF THE DAY :—

1. IMMIGRATION RESOLUTION.—Adjourned debate.
2. TRUST ESTATES BILL.—To be further considered in Committee.
3. CONSTITUTION OF COUNCIL COMMITTEE—Motion for.—Adjourned debate.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

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LEGISLATIVE COUNCIL.

WEDNESDAY, 26TH AUGUST, 1874.

The Council met in accordance with adjournment.

The Acting Clerk of the Council having stated that the President was unavoidably detained, the Chairman of Committees took the Chair as Deputy President.

The Deputy President read the Prayer.

WRITS—RETURN OF.—SOUTH AND SOUTH-WESTERN PROVINCES.—The Deputy President announced to the Council that writs severally issued by the President for the election of a member to serve for the South Province, from and after the twenty-ninth instant, and for the election of a member to serve for the South-Western Province, from and after the fourth day of September next, had been returned to the President; and that the returning officers had certified severally that the Honorable Thomas Ferrier Hamilton was duly elected for the South Province in pursuance of the writ, and that Henry Cuthbert was duly elected for the South-Western Province in pursuance of the writ.

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

(1.) Statistics, Part VIII.—Production, 1873.

(2.) Land Act 1869 Regulations (10 August, 1874).

ADJOURNMENT.—The Honorable W. Campbell moved, That the House at its rising adjourn until Tuesday next.

Question—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled, "*An Act to sanction the Issue and Expenditure of certain sums from the Public Works Loan Account 1872, for Salaries, Wages, and Contingencies for the service of the Year ending the Thirtieth day of June, One thousand eight hundred and seventy-five.*"

Also, a Bill intituled "*An Act to amend an Act for the Interpretation of Legislative Enactments and for shortening the language used therein;*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 26th August, 1874.

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

Question—put and passed.

Bill read a first time.

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

Question—put and passed.

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

Question—put and passed.

Bill read a first time.

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

Question—put and passed.

PETITION.—The Honorable R. S. Anderson presented a Petition from the Shire Council of Benalla in favor of Immigration.

Petition received.

PETITIONS.—The Honorable John Wallace presented Petitions from the Shire Councils of Echuca, Seymour, Bairnsdale, Oxley, Rosedale, Rutherglen, North Ovens, and from the Borough Council of Sale, in favor of Immigration.

Petitions received.

PETITION.—The Honorable Dr. Dobson presented a Petition from the Road Board of the District of Kangerong in favor of Immigration.

Petition received.

PETITION.—The Honorable Dr. Dobson presented a Petition from the Council of the Shire of Melton in favor of Immigration.

Petition received.

POSTPONEMENT.—The Honorable R. S. Anderson moved, That the following Order of the Day be postponed until Tuesday next :—

“ *Vaccination Bill* ”—To be further considered in Committee.

Question—put and passed.

OFFENDERS ESCAPED TO NEW ZEALAND FROM AUSTRALIA, APPREHENSION ACT.—The Honorable F. T. Sargood, in accordance with notice, moved, That the New Zealand Act, intituled “ *An Act for the better apprehension of Offenders who shall have escaped to parts within the Colony of New Zealand from any of the Australian Colonies,* ” be printed and circulated for the information of members.

Debate ensued.

Question—put and passed.

LAND REVENUE.—IMMIGRATION EXPENDITURE.—The Honorable T. T. a’Beckett, in accordance with notice, moved for a return of—

(1.) The net moneys paid to the public revenue yearly during the years 1866 to 1869, both inclusive, in respect of the sale or leasing of Crown land, or of licenses for the use thereof.

(2.) The amount paid yearly during the same period from the public revenue for immigration purposes.

Debate ensued.

Question—put and passed.

IMMIGRATION RESOLUTION.—The Order of the Day for the resumption of the debate on the question “ That this House is of opinion that it is desirable, in the interests of the Colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation ” being read, the Honorable W. Highett moved, That the debate be further adjourned until Tuesday next.

Question—put and passed.

POSTPONEMENT.—The following Orders of the Day were postponed until Tuesday, 1st September :—

“ *Trust Estates Bill* ”—To be further considered in Committee.

“ *Constitution of Council Committee—Motion for* ”—Adjourned debate.

The Council adjourned at five minutes past six o’clock until Tuesday, the 1st September.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 1ST SEPTEMBER, 1874.

NOTICES OF MOTION :—

1. The Hon. W. A. C. A’BECKETT : To move, That as it is desirable that the public should be in possession of correct reports of the proceedings and debates in this House, it is hereby resolved that no reports of such proceedings and debates (*Hansard* excepted) shall be published in any newspaper published in Victoria under any heading, purporting that such report is a full, true, and particular account of such proceedings as aforesaid ; and that only such full reports as above shall be published as shall be furnished by the *Hansard* reporters, or such abstracts of such reports as shall be certified to by the Clerk of the Legislative Council, and there be no provision made for reporters other than the *Hansard* staff in this House.
2. The Hon. R. S. ANDERSON : To move for leave to bring in a Bill to erect a new Court for the trial of offences, to establish uniformity of venue in Civil and Criminal Judicature, and to amend the practice and procedure of Courts of Criminal Jurisdiction.

ORDERS OF THE DAY :—

1. INTERPRETATION OF ACTS ACT AMENDMENT BILL.—To be read a second time.
2. PUBLIC WORKS LOAN APPLICATION BILL.—To be read a second time.
3. VACCINATION BILL.—To be further considered in Committee.
4. IMMIGRATION RESOLUTION.—Adjourned debate.
5. TRUST ESTATES BILL.—To be further considered in Committee.
6. CONSTITUTION OF COUNCIL COMMITTEE—Motion for.—Adjourned debate.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 1ST SEPTEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

SWEARING IN NEW MEMBER.—The Honorable Theodotus John Sumner, being introduced, approached the Table, took and subscribed the oath of allegiance provided for by the thirty-second clause of the Constitution Act, and delivered to the Acting Clerk the declaration required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

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

“All those lands and tenements in the Borough of Brunswick known as Stoney Park, Willow Bank, and lands thereunto adjacent.

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

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

“THEO. JNO. SUMNER.”

SWEARING IN OF NEW MEMBER.—The Honorable Thomas Ferrier Hamilton, being introduced, approached the Table, took and subscribed the oath of allegiance provided for by the thirty-second clause of the Constitution Act, and delivered to the Acting Clerk the declaration required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

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

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

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

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

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

“THOMAS F. HAMILTON.”

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

1. Taradale—Mining Operations in Police Paddock.—Order in Council (17th August, 1874).
2. Lands excepted from Mining, Residence, or Business purposes.—Order in Council (17th August, 1874).
3. Land Act 1869 Regulations.—Appeals against Local Land Boards, 1874.
4. Mining Surveyors and Registrars.—Reports for Quarter ending 30th June 1874.

LAND REVENUE.—IMMIGRATION EXPENDITURE.—The Honorable R. S. Anderson laid on the Council Table a return to an Order of the Council made on 26th August 1874.

CHAIRMAN OF COMMITTEES.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Honorable C. J. Jenner be Chairman of Committees of this House from and after the 4th instant.

Question—put and passed.

NEWSPAPER REPORTS OF PROCEEDINGS OF THE COUNCIL.—The Honorable W. A. C. a'Beckett, in accordance with notice, moved, That, as it is desirable that the public should be in possession of correct reports of the proceedings and debates in this House, it is hereby resolved that no reports of such proceedings and debates (*Hansard* excepted) shall be published in any newspaper published in Victoria under any heading, purporting that such report is a full, true, and particular account of such proceedings as aforesaid; and that only such full reports as above shall be published as shall be furnished by the *Hansard* reporters, or such abstracts of such reports as shall be certified to by the Clerk of the Legislative Council, and there be no provision made for reporters other than the *Hansard* staff in this House.

Motion, by leave, withdrawn.

NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—The Honorable R. S. Anderson, in accordance with notice, moved for leave to bring in a Bill to erect a new Court for the Trial of Offences, to establish uniformity of Venue in Civil and Criminal Judicature, and to amend the practice and procedure of Courts of Criminal Jurisdiction.

Question—put and passed.

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

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

Debate ensued.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the following be the title of the Bill:—“*An Act to amend an Act for the Interpretation of Legislative Enactments, and for Shortening the Language used therein.*”

Question—put and passed.

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

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be, “*An Act to sanction the issue and expenditure of certain Sums from ‘The Public Works Loan Account, 1872’ for Salaries, Wages, and Contingencies for the Service of the Year ending the thirtieth day of June One thousand eight hundred and seventy-five.*”

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

EVIDENCE TAKEN ON VACCINATION BILL.—The Honorable T. T. a'Beckett moved, That the evidence taken at the Bar of the House before the Committee on the Vaccination Bill be printed.

Question—put and passed.

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

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

Ordered.

LAND REVENUE.—IMMIGRATION EXPENDITURE.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That the return of—

- (1.) The net moneys paid to the public revenue yearly during the years 1866 to 1869, both inclusive, in respect of the sale or leasing of Crown land, or of licenses for the use thereof.
- (2.) The amount paid yearly during the same period from the public revenue for immigration purposes—laid on the Table of the House this day be printed.

Question—put and passed.

IMMIGRATION RESOLUTION.—The Order of the Day for the resumption of the debate on the question “That this House is of opinion that it is desirable, in the interests of the Colony, that assisted immigration should now be resumed, and therefore recommends that early steps be taken with a view to the provisions of the Immigration Act, No. 195, being carried into practical operation” being read, the debate was resumed.

Question—put and passed.

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

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

Ordered.

CONSTITUTION OF COUNCIL COMMITTEE.—The Order of the Day for the resumption of the debate on the question, “That the subject of altering and amending the Constitution of this House be referred to a Select Committee of ten members, and that the Committee have power to sit during the adjournment of the House,” being read—the debate was resumed.

The Honorable T. T. a'Beckett, with leave of the Council, amended the motion by the insertion of the words “and the conducting the election of members thereof” after “House”, and the addition of the words “and to call for witnesses and papers” at the end of the motion.

Question (as *amended*)—That the subject of altering and amending the Constitution of this House, and the conducting the election of members thereof, be referred to a Select Committee of ten members, and that the Committee have power to sit during the adjournment of the House, and to call for witnesses and papers—put and passed.

Two members having required that the Committee should be formed by ballot, the Council proceeded to the ballot, and the following members being reported by the Acting Clerk to have the greatest number of votes, were declared by the President to be the members of the Committee, viz.:—The Honorables T. T. a'Beckett, R. S. Anderson, W. Campbell, Dr. Dobson, J. Graham, W. Highett, the President, Sir F. Murphy, F. T. Sargood, and R. Simson.

ADJOURNMENT.—The Honorable R. S. Anderson moved, That the House, at its rising, adjourn till Tuesday, 8th instant.

The Council adjourned at a quarter to seven o'clock until half-past four o'clock on Tuesday, 8th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 8TH SEPTEMBER, 1874.

1. The Hon. R. SIMPSON : To ask the Honorable the Commissioner of Public Works if he can inform this House when the new Government House will be ready for occupation by His Excellency the Governor.

NOTICE OF MOTION :—

1. The Hon. T. J. SUMNER : to move, That, in the opinion of this House, it is inexpedient to remove the present building used as the Parliamentary Stables until preparation be made for the erection of new stables for the use of Members of Parliament.

ORDERS OF THE DAY :—

1. NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—To be read a second time.
2. VACCINATION BILL.—To be further considered in Committee.
3. TRUST ESTATES BILL.—To be further considered in Committee.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 8TH SEPTEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRITS—RETURN OF.—NORTH-WESTERN AND EASTERN PROVINCES.—The President announced to the Council that Writs severally issued by him for the election of a Member to serve for the North-Western Province, from and after the sixteenth day of September, and for the election of a Member to serve for the Eastern Province, from and after the sixteenth day of September, had been returned to him; and that the returning officers had certified severally that the Honorable Nicholas Fitzgerald was duly elected for the North-Western Province in pursuance of the Writ, and that the Honorable John Alston Wallace was duly elected for the Eastern Province in pursuance of the Writ.

SWEARING IN NEW MEMBER.—The Honorable Henry Cuthbert, being introduced, approached the Table, took and subscribed the oath of allegiance provided for by the thirty-second clause of the Constitution Act, and delivered to the Acting Clerk the declaration required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth:—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, HENRY CUTHBERT, of the city of Ballarat, solicitor, do declare and testify that I am duly seised at law of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria, of the value of Four thousand pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Cardigan, in the county of Grenville, the description of which lands and tenements are as follow:—

“Allotment 6 of section 11, containing Twenty-four acres two roods and fourteen perches, be the same more or less, situate in the county of Grenville, parish of Cardigan.

“Allotment 6 of section 11, bounded on the north by a road three chains wide, bearing east 19 degrees thirty minutes, south twenty-one chains twenty-one links; on the east by a road one chain wide, bearing south eight chains seventy-four links; on the south by a road one chain wide, bearing west twenty chains; and on the west by allotment 5, bearing north fifteen chains eighty-five links, together with the dwelling-house and out-offices erected thereon.

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

“HENRY CUTHBERT.”

SUPERNUMERARIES AND NON-CLASSIFIED CLERKS IN GOVERNMENT SERVICE.—The Honorable R. S. Anderson laid on the Council Table a Return to an Order of the Council, made on 30th June, 1874. The Honorable W. A. C. a'Beckett, with leave of the Council, moved, without notice, That the Return be printed.

Question—put and passed.

PAPER.—The Honorable R. S. Anderson presented to the Council the following Paper:—
Fisheries Act—*Gazette* containing Notices required under.—26th August, 1874.

PETITION.—The Honorable C. J. Jenner presented a Petition from the Borough of Newtown and Chilwell, and under the corporate seal thereof, on the subject of Immigration.
Petition received.

PETITION.—The Honorable Dr. Dobson presented a Petition from the Council of the Shire of Avon, and under the corporate seal thereof, on the subject of Immigration.
Petition received.

PETITION.—The Honorable T. F. Hamilton presented a Petition from the Council of the Shire of Bulla on the subject of Immigration.
Petition received.

LEAVE OF ABSENCE.—The Honorable W. Highett, with leave of the Council, moved, without notice, That leave of absence be given to the Honorable B. Williams till the end of the Session, in consequence of his illness.

Question—put and passed.

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

“*New Criminal Court and Practice Amendment Bill*”—To be read a second time.

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

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

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Chairman of Committees reported progress, and asked leave to sit again on Thursday, 10th instant. Ordered.

PETITION.—The Honorable W. Campbell presented a Petition from the Council of the Shire of Newstead, and under the corporate seal thereof, on the subject of Immigration.

Petition received.

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

Question—put and passed.

The Council adjourned at six o'clock until half-past four o'clock on Thursday, 10th instant.

ORDERS OF THE DAY.

THURSDAY, 10TH SEPTEMBER, 1874.

ORDERS OF THE DAY:—

1. **NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.**—To be read a second time.
2. **VACCINATION BILL.**—Adoption of Report.
3. **TRUST ESTATES BILL.**—To be further considered in Committee.

MEETING OF SELECT COMMITTEE.

Wednesday, 9th September.

CONSTITUTION COMMITTEE.—At three o'clock.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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LEGISLATIVE COUNCIL.

THURSDAY, 10TH SEPTEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

PAPER.—The Honorable R. S. Anderson presented to the Council the following Paper:—

Land Act 1869—Report of Proceedings under, during Year 1873.

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

MR. PRESIDENT—

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

C. MAC MAHON,
 Speaker.

Legislative Assembly Chamber,
 Melbourne, 8th September, 1874.

PUBLIC WORKS LOAN APPLICATION BILL (2).—The Honorable R. S. Anderson moved, That the Bill be now read a first time.

Question—put and passed.

Bill read a first time.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to sanction the issue and expenditure of certain sums from 'The Public Works Loan Account 1872,' for Salaries, Wages, and Contingencies for the service of the year ending the thirtieth day of June One thousand eight hundred and seventy-five.*"

Question—put and passed.

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

NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

The Honorable Dr. Dobson moved, That the debate be now adjourned till the next day of meeting.

Question—put and passed.

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

Question—put and passed.

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

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

Question—put and passed.

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

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

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

The Honorable W. A. C. a'Beckett moved, That the Bill be now re-committed on Clause 9.

Question—put and passed.

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

The President left the Chair.

The Chairman of Committees reported that the Committee had further considered Clause 9, and had agreed to the same with further amendments.

The Honorable W. A. C. a'Beckett moved, That the adoption of the Report be made an Order of the Day for Tuesday next.

Question—put and passed.

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

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

"*An Act to amend 'An Act for the Interpretation of Legislative Enactments, and for shortening 'the language used therein.'*"

"*An Act to sanction the issue and expenditure of certain sums from 'The Public Works Loan 'Account 1872,' for Salaries, Wages, and Contingencies for the service of the year 'ending the thirtieth day of June One thousand eight hundred and seventy-five.'*"

"*An Act to sanction the issue and expenditure of certain sums from 'The Public Works Loan 'Account 1872,' for Salaries, Wages, and Contingencies for the service of the year 'ending the thirtieth day of June One thousand eight hundred and seventy-five.'*"

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

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

"G. F. BOWEN,
"Governor."

The Acting Clerk of the Parliaments delivered to Mr. Speaker a Schedule of the Bills assented to.

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn till Thursday, 17th instant.

Question—put and passed.

The Council adjourned at seven minutes past six o'clock until half-past four o'clock on Thursday, 17th instant.

ORDERS OF THE DAY.

THURSDAY, 17TH SEPTEMBER, 1874.

1. The Hon. R. SIMSON: To ask the Honorable the Commissioner of Public Works if the Government intend to take any action to prohibit stock entering into Victoria from New Zealand until the New Zealand Government have prohibited the importation of stock from England, owing to the notice, per telegram, from Hobart Town, that two sheep *en route* for New Zealand had to be destroyed there for foot and mouth disease.

ORDERS OF THE DAY:—

1. NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—Adjourned debate on second reading.
2. TRUST ESTATES BILL.—Adoption of Report.

MEETING OF SELECT COMMITTEE.

Thursday, 17th September.

CONSTITUTION COMMITTEE.—At three o'clock.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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LEGISLATIVE COUNCIL.

THURSDAY, 17TH SEPTEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRIT—RETURN OF.—WESTERN PROVINCE.—The President announced to the Council that a Writ issued by him for the election of a Member to serve for the Western Province, from and after the eleventh day of September, had been returned to him; and that the Returning Officer had certified that Thomas Bromell, Esq., of Hensley Park, Hamilton, was duly elected in pursuance of the Writ.

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

1. Government Botanist Report for year ending 30th June. 1874.

SWEARING IN NEW MEMBER.—The Honorable Nicholas Fitzgerald, being introduced, approached the Table, took and subscribed the oath of allegiance provided for by the thirty-second clause of the Constitution Act, and delivered to the Acting Clerk the declaration required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

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

“House and land and business premises situate in Castlemaine.

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

“Over Two hundred and fifty pounds per annum.

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

“N. FITZGERALD.”

SWEARING IN NEW MEMBER.—The Honorable John Alston Wallace, being introduced, approached the Table, took and subscribed the oath of allegiance provided for by the thirty-second clause of the Constitution Act, and delivered to the Acting Clerk the declaration required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth :—

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

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

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

“At over Two hundred and fifty pounds per annum.

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

“JOHN A. WALLACE.”

ADJOURNMENT.—The Honorable J. Cumming moved, That this House do now adjourn.

Debate ensued.

Motion, by leave, withdrawn.

NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—The Order of the Day for the resumption of the Debate on the question—That this Bill be now read a second time—being read, the Debate was resumed.

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

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

Ordered.

TRUST ESTATES BILL.—The Order of the Day for the adoption of the report of the Committee of the whole Council on this Bill being read, the Honorable W. A. C. a'Beckett moved, That the Bill be re-committed.

Question—put and passed.

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

The President left the Chair.

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

The Honorable W. A. C. a'Beckett moved, That the adoption of the report be made an Order of the Day for Thursday the 24th instant.

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn till Thursday, 24th instant.

Question—put and passed.

The Council adjourned at ten minutes to seven o'clock until half-past four o'clock on Thursday, 24th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 24TH SEPTEMBER, 1874.

1. The Hon. R. S. ANDERSON: To move for leave to bring in "*A Bill to provide for the better prevention of Theft, and further to amend 'The Police Offences Statute 1865' and other enactments.*"

ORDERS OF THE DAY:—

1. NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—To be further considered in Committee
2. TRUST ESTATES BILL.—Adoption of Report.

MEETING OF SELECT COMMITTEE.

Wednesday, 23rd September.

CONSTITUTION COMMITTEE.—At three o'clock.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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THURSDAY, 24TH SEPTEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PETITION.—The Honorable P. Russell presented a Petition from the farmers resident in the Ballarat Agricultural Districts, in favor of Immigration.
Petition received.

PETITION.—The Honorable F. Robertson presented a Petition from the Council of the Shire of Mount Franklin, in favor of Immigration.
Petition received.

PETITION.—The Honorable Henry Cuthbert presented a Petition from the Mayor, Aldermen, Councillors, and Burgesses of the Town of Geelong, and under the corporate seal thereof, in favor of Immigration.
Petition received.

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following paper :—
Public Library, Museums, and National Gallery of Victoria.—Report of the Trustees, &c., 1873–4.

CRIMES AND OFFENCES PREVENTION BILL.—The Honorable R. S. Anderson, in accordance with notice, moved for leave to bring in "*A Bill to provide for the better prevention of Theft, and further to amend 'The Police Offences Statute 1865' and other enactments.*"

Question—put and passed.

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

NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair. The Chairman of Committees reported that the Committee had gone through the Bill and agreed to the same with amendments.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

TRUST ESTATES BILL.—The Order of the Day for the adoption of the report of the Committee of the whole Council on this Bill being read, the Honorable W. A. C. a'Beckett moved, That the report be now adopted.

Question—put and passed.

The President having reported that the Chairman had certified that the fair print of the Bill was in accordance with the Bill as reported from a Committee of the whole Council, the Bill, on the motion of the Honorable W. A. C. a'Beckett, was read a third time and *passed*.

The Honorable W. A. C. a'Beckett moved, That the title of the Bill be "*An Act to amend the Law relating to Trust Estates.*"

Question—put and passed.

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

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

Question—put and passed.

The Council adjourned at twenty-five minutes past five o'clock until half-past four o'clock on Thursday the 1st proximo.

NOTICE OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 1ST OCTOBER, 1874.

1. The Hon. DR. DOBSON: To ask whether a copy of any communication from the Chief Justice to the Home Secretary, relative to appeals from the judgment of the Supreme Court to the Privy Council, has been received in this colony; and, if so, whether there is any objection to have a copy thereof laid on the Table of this House.

NOTICE OF MOTION:—

1. The Hon. W. A. C. A'BECKETT: To move, That a Return be laid on the Table of this House showing the total number of non-classified and supernumerary clerks in the Government service; the number of the above who have passed the civil service examination; the total number of the classified civil servants; the number of above who have passed the civil service examination; the total number of certificates of having passed civil service examinations issued.

ORDERS OF THE DAY:—

1. CRIMES AND OFFENCES PREVENTION BILL.—To be read a second time.
 2. NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—Adoption of Report.
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MEETING OF SELECT COMMITTEE.

Thursday, 1st October.

CONSTITUTION COMMITTEE.—At three o'clock.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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THURSDAY, 1ST OCTOBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Statistics of the Colony of Victoria 1873.—General Report by Government Statist.

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

Debate ensued.

The Honorable T. T. a'Beckett moved, That the debate be adjourned until next day of meeting.

Question—put and passed.

NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council being read, the Honorable R. S. Anderson moved, That the Report be now adopted, and the third reading made an Order of the Day for Thursday next.

Question—put and passed.

PAPER.—The Honorable R. S. Anderson laid on the Table of the Council the following paper :—

Public Instruction—Annual Report of the Honorable the Minister of Public Instruction for the year 1873-74.

The Council adjourned at five minutes past five o'clock until half-past four o'clock on Tuesday the 6th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 6TH OCTOBER, 1874.

1. The Hon. J. BALFOUR : To call the attention of the Commissioner of Public Works to the statements which have recently appeared in the public press, to the effect that the so-called "labor traffic" in the South Seas is being carried on in British vessels with British crews, but under the French flag, with the view, apparently, of evading the provisions of the Kidnapping Act; and to ask if the Government will bring this matter under the notice of the Agent-General of Victoria, in England, as early as possible, with a view to obtaining the co-operation of the British and French Governments in putting an end to the evils of this traffic.

NOTICE OF MOTION :—

1. The Hon. W. A. C. A'BECKETT : To move, That a Return be laid on the Table of this House showing the total number of non-classified and supernumerary clerks in the Government service; the number of the above who have passed the civil service examination; the total number of the classified civil servants; the number of above who have passed the civil service examination; the total number of certificates of having passed civil service examinations issued.

ORDER OF THE DAY :—

1. CRIMES AND OFFENCES PREVENTION BILL.—Adjourned debate on second reading.

THURSDAY, 8TH OCTOBER.

ORDER OF THE DAY :—

1. NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—To be read a third time.

MEETING OF SELECT COMMITTEE.

Friday, 2nd October.

CONSTITUTION COMMITTEE.—At two o'clock.

CHARLES L. COMYNS,
Acting Clerk of the Council and Acting Clerk of the Parliaments.



Minutes of the Proceedings

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TUESDAY, 6TH OCTOBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ROYAL ASSENT TO BILLS.—The President announced to the Council that he had received a communication from the Private Secretary of His Excellency the Governor, intimating that it was His Excellency's intention to proceed to the Legislative Council this day at six o'clock, for the purpose of giving the Royal Assent to a certain Bill passed by the Legislative Council and the Legislative Assembly.

SUPERNUMERARIES AND NON-CLASSIFIED CLERKS IN GOVERNMENT SERVICE.—The Honorable R. S. Anderson laid on the Table a Return, supplementary to one presented in return to an Order made on 30th June, 1874.

PAPERS.—The Honorable R. S. Anderson presented to the Council the following Papers:—

1. Appeals to Privy Council.—Copy Despatch from Secretary of State, transmitting letter from Sir W. Stawell, and a letter from Registrar of Privy Council relative to appeals from Supreme Court of Victoria.
2. Observatory.—Ninth Report of Board of Visitors, &c.—years 1873 and 1874.

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

MR. PRESIDENT—

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

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 1st October, 1874.

CONSOLIDATED REVENUE BILL (3).—The Honorable R. S. Anderson moved, That the Bill be now read a first time.

Question—put and passed.

Bill read a first time.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

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

Question—put and passed.

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

PETITION.—The Honorable J. A. Wallace presented a Petition from the Council of the Shire of Towong in favour of Immigration.

Petition received.

CRIMES AND OFFENCES PREVENTION BILL.—The Order of the Day for the resumption of the debate on the question—That this Bill be now read a second time—being read, the debate was resumed.

The Honorable C. J. Jenner moved, as an amendment, That all the words after the word “now” be omitted, with a view to insert the words “referred to a Select Committee, with power to call for persons and papers, and to sit when the House is not sitting.”

Question—That the words 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 Bill “*To provide for the better prevention of Theft, and further to amend ‘The Police Offences Statute 1865’ and other enactments*” be now referred to a Select Committee, with power to call for persons and papers, and to sit when the House is not sitting—put and passed.

The Honorable R. S. Anderson moved, That the Committee consist of the Honorables T. T. a’Beckett, C. J. Jenner, J. Graham, W. A. C. a’Beckett, James Balfour, R. Simson, and the mover.

Question—put and passed.

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

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

“*An Act to apply out of the Consolidated Revenue the Sum of Five hundred thousand pounds to the service of the year One thousand eight hundred and seventy-four and five.*”

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

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

“G. F. BOWEN,
“Governor.”

The Acting Clerk of the Parliaments delivered to Mr. Speaker a Schedule of the Bill assented to.

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

ADJOURNMENT.—The Honorable R. S. Anderson, with the leave of the Council, moved, without notice, That the House, at its rising, adjourn until Tuesday, 13th instant.

Question—put and passed.

The Council adjourned at ten minutes past six o’clock until half-past four o’clock on Tuesday the 13th instant.

NOTICES OF MOTION AND ORDER OF THE DAY.

TUESDAY, 13TH OCTOBER, 1874.

NOTICES OF MOTION :—

1. The Hon. T. T. A’BECKETT : To move, on the motion for the third reading of the New Criminal Court and Practice Amendment Bill, That it be re-committed for the purpose of introducing the following as a new clause :—

“It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “*The Criminal Law and Practice Statute 1864,*” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

2. The Hon. W. A. C. A’BECKETT : To move for a Return of the total number of all persons employed in the Civil Service as clerks, whether classified, unclassified, supernumerary, or temporary ; total number of classified and otherwise, separately, in the departments ; the names, date of present appointment, rate of salary of such appointment ; if classified, when classified ; date and nature of present appointment and salary ; showing whether passed civil service examination or not ; class placed in at first, and present class ; total number of certificates of having passed civil service examination issued.

ORDER OF THE DAY :—

1. NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—To be read a third time.

MEETING OF SELECT COMMITTEE.

Tuesday, 13th October.

CONSTITUTION OF COUNCIL.—At three o’clock.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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TUESDAY, 13TH OCTOBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Gippsland.—Correspondence with the Right Honorable Secretary of State for the Colonies respecting the Governor's official tour in Gippsland.

PAPER.—The Honorable R. S. Anderson presented to the Council the following Paper :—
Public Accounts—Regulations respecting (1st October, 1874).

BUILDING SOCIETIES LAW AMENDMENT BILL.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, for leave to bring in a Bill to amend the Law relating to Building Societies.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, 20th instant.

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

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

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

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

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

“THOMAS BROMELL.”

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to alter certain duties of Customs and to repeal other duties of Customs,*” with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 13th October, 1874.

CUSTOMS DUTIES ALTERATION BILL.—The Honorable R. S. Anderson moved, That the Bill be now read a first time.

Question—put and passed.

Bill read a first time.

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

Debate ensued.

The Honorable F. T. Sargood moved, That the debate be adjourned until Tuesday, 20th instant.

Question—put and passed.

CLERKS IN CIVIL SERVICE.—The Hon. W. A. C. a'Beckett, in accordance with notice, moved for a Return of the total number of all persons employed in the Civil Service as clerks, whether classified, unclassified, supernumerary, or temporary; total number of classified and otherwise, separately, in the departments; the names, date of present appointment, rate of salary of such appointment; if classified, when classified; date and nature of present appointment and salary; showing whether passed civil service examination or not; class placed in at first, and present class; total number of certificates of having passed civil service examination issued.

Debate ensued.

Motion by leave withdrawn.

NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—The Order of the Day for the third reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be re-committed.

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn until Tuesday, 20th instant.

Question—put and passed.

The Council adjourned at twenty minutes to six o'clock until half-past four o'clock on Tuesday the 20th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 20TH OCTOBER, 1874.

ORDERS OF THE DAY:—

1. **BUILDING SOCIETIES LAW AMENDMENT BILL.**—To be read a second time.
2. **CUSTOMS DUTIES ALTERATION BILL.**—Adjourned debate on second reading.
3. **NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.**—Adoption of Report.

NOTICE OF MOTION:—

1. The Hon. T. T. a'BECKETT: To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V. :—

“It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “*The Criminal Law and Practice Statute 1864*,” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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TUESDAY, 20TH OCTOBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday the 27th instant :—
“*Building Societies Law Amendment Bill*”—To be read a second time.

CUSTOMS DUTIES ALTERATION BILL.—The Order of the Day for the resumption of the debate on the question—That the Bill be now read a second time—being read, the debate was resumed.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be “*An Act to Alter certain Duties of Customs and to Repeal other Duties of Customs.*”

Question—put and passed.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to continue the powers of an Act intituled ‘An Act to incorporate the Proprietors of a certain Banking Company called the Bank of Victoria and for other purposes therein mentioned,’*” with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 20th October, 1874.

BANK OF VICTORIA ACT CONTINUATION OF POWERS BILL.—The Honorable W. Highett produced a certificate of the payment of the sum of Twenty pounds into the hands of the Colonial Treasurer for the public uses of the colony, and moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable W. Highett, with leave of the Council, moved, without notice, That a Message be sent to the Legislative Assembly, requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings from the Select Committee of that House, appointed during the present Session of Parliament, on the Bill.

Question—put and passed.

The Honorable W. Highett moved, That the second reading be made an Order of the Day for the next day of meeting.

Question—put and passed.

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be “*An Act to erect a new Court for the Trial of Offences, to establish uniformity of venue in Civil and Criminal Judicature, and amend the Practice and Procedure of Courts of Criminal Jurisdiction.*”

Question—put and passed.

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

PAPER.—The Honorable R. S. Anderson presented to the Council the following Paper :—
Public Accounts Regulation (7th October, 1874).

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn until Tuesday, 27th instant.

Question—put and passed.

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

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 27TH OCTOBER, 1874.

ORDERS OF THE DAY :—

1. BUILDING SOCIETIES LAW AMENDMENT BILL.—To be read a second time.
2. BANK OF VICTORIA ACT CONTINUATION OF POWERS BILL.—To be read a second time.

NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT: To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V. :—

“It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “*The Criminal Law and Practice Statute 1864,*” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

MEETINGS OF SELECT COMMITTEES.

Wednesday, 21st October.

CONSTITUTION OF COUNCIL.—At half-past two o'clock.

CRIMES AND OFFENCES PREVENTION BILL.—At three o'clock.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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TUESDAY, 27TH OCTOBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ROYAL ASSENT TO BILLS.—The President announced to the Council that he had received a communication from the Private Secretary of His Excellency the Governor, intimating that it was His Excellency's intention to proceed to the Legislative Council this day, at six o'clock, for the purpose of giving the Royal Assent to a certain Bill passed by the Legislative Council and Legislative Assembly.

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

Savings Banks.—Statements and Returns for year ending 30th June, 1874.

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

MR. PRESIDENT—

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

C. MAC MAHON,
Speaker.

Legislative Assembly Chambers,
Melbourne, 27th October 1874.

CRIMES AND OFFENCES PREVENTION BILL SELECT COMMITTEE.—The Honorable R. S. Anderson brought up the Report of the Select Committee appointed on the 6th instant, to which Committee was referred "*The Bill to provide for the better prevention of Theft and further to amend the Police Offences Statute 1865 and other enactments,*" and moved, That it be printed (with the Proceedings of the Committee), and made an Order of the Day for consideration on the next day of meeting.

Question—put and passed.

CRIMES AND OFFENCES PREVENTION BILL.—The Honorable R. S. Anderson moved, That the Order of the Day for the second reading of this Bill be restored to the Paper for Tuesday, 3rd November.

Question—put and passed.

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

Question—put and passed.

PARLIAMENT BUILDINGS COMMITTEE.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Members of this House who are members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings have power to sit on days on which the House does not sit.

Question—put and passed.

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

Debate ensued.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

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

“*An Act to alter certain Duties of Customs and to repeal other Duties of Customs.*”

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

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

“G. F. BOWEN,
“Governor.”

The Acting-Clerk of the Parliaments delivered to Mr. Speaker a Schedule of the Bill assented to. The Legislative Assembly withdrew. His Excellency the Governor left the Council Chamber.

BUILDING SOCIETIES LAW AMENDMENT BILL.—The Honorable R. S. Anderson moved, That the Bill be further considered in Committee.

Question—put and passed.

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

The President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again on Tuesday, the 3rd proximo.

Ordered.

BANK OF VICTORIA ACT CONTINUATION OF POWERS BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable W. Highett moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable W. Highett moved, That the consideration of the Bill in Committee of the whole Council be made an Order of the Day for Tuesday, the 3rd proximo.

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn until Tuesday, the 3rd proximo.

Question—put and passed.

The Council adjourned at half-past six o'clock until half-past four o'clock on Tuesday the 3rd proximo.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 3RD NOVEMBER, 1874.

ORDERS OF THE DAY:—

1. CRIMES AND OFFENCES PREVENTION BILL.—REPORT OF SELECT COMMITTEE.—To be considered.
2. CRIMES AND OFFENCES PREVENTION BILL.—To be read a second time.
3. BUILDING SOCIETIES LAW AMENDMENT BILL.—To be further considered in Committee.
4. BANK OF VICTORIA ACT CONTINUATION OF POWERS BILL.—To be considered in Committee.

NOTICE OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V. :—
“It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “*The Criminal Law and Practice Statute 1864*,” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

MEETINGS OF SELECT COMMITTEES.

Wednesday, 28th October.

PARLIAMENT BUILDINGS.—At three o'clock.

Tuesday, 3rd November.

CONSTITUTION OF COUNCIL.—At a quarter past three o'clock.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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TUESDAY, 3RD NOVEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PAPER.—The Honorable R. S. Anderson, by command of His Excellency the Governor, presented to the Council the following Paper :—
Statistics.—Part IX.—Vital.—1873.

PAPER.—The Honorable R. S. Anderson presented to the Council the following Paper :—
Public Accounts—Regulation respecting (21st October, 1874).

NEGLECTED AND CRIMINAL CHILDREN BILL.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, for leave to bring in "*A Bill to amend the Law relating to Neglected and Criminal Children.*"

Question—put and passed.

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday 10th November.

SCAB ACT AMENDMENT BILL.—The Honorable J. Cumming, with leave of the Council, moved, without notice, for leave to bring in "*A Bill to amend and extend the Scab Act 1870.*"

Question—put and passed.

Bill brought in, and, on the motion of the Honorable J. Cumming, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday 10th November.

CRIMES AND OFFENCES PREVENTION BILL.—REPORT OF SELECT COMMITTEE.—The Order of the Day for the consideration of the Report of the Select Committee on the Crimes and Offences Prevention Bill being read, the Honorable R. S. Anderson moved, That the Report be now adopted.

Debate ensued.

The Honorable Dr. Dobson moved, That the debate be adjourned until Tuesday 10th instant.

Debate ensued.

Question—That the debate be adjourned until Tuesday next—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday 10th instant :—
"*Crimes and Offences Prevention Bill*"—To be read a second time.

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

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

The Honorable R. S. Anderson moved, That the adoption of the Report be made an Order of the Day for Tuesday, the 10th instant.

Question—put and passed.

BANK OF VICTORIA ACT CONTINUATION OF POWERS BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council being read, the Honorable W. Highett moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable W. Highett moved, That the adoption of the Report of the Committee be made an Order of the Day for Tuesday, 10th instant.

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn until Tuesday, 10th instant.

Question—put and passed.

The Council adjourned at a quarter-past six o'clock until half-past four o'clock on Tuesday the 10th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 10TH NOVEMBER, 1874.

NOTICE OF MOTION:—

1. The Hon. G. W. COLE: To move, That, in accordance with 7th clause of "*The Public Works Loan Act 1872*," all the particulars be laid before this House relative to the £1,500,000 authorized to be raised under this Act, setting forth an account of the moneys raised, amount of stock erected in respect of such moneys which shall have been issued out of the Consolidated Revenue in respect of the said sum of £1,500,000, as well as any other particulars required to be laid before both Houses of Parliament.

ORDERS OF THE DAY:—

1. NEGLECTED AND CRIMINAL CHILDREN BILL.—To be read a second time.
2. SCAB ACT AMENDMENT BILL.—To be read a second time.
3. CRIMES AND OFFENCES PREVENTION BILL.—REPORT OF SELECT COMMITTEE.—Adjourned debate on.
4. CRIMES AND OFFENCES PREVENTION BILL.—To be read a second time.
5. BUILDING SOCIETIES LAW AMENDMENT BILL.—Adoption of Report.
6. BANK OF VICTORIA ACT CONTINUATION OF POWERS BILL.—Adoption of Report.

CONTINGENT NOTICES OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V. :—
 "It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of "*The Criminal Law and Practice Statute 1864*," extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof."
2. The Hon. HENRY CUTHBERT: To move, on the adoption of the Report on the Building Societies Bill, That the same be re-committed generally with a view of amending certain clauses.

MEETINGS OF SELECT COMMITTEES.

Tuesday, 10th November.

CONSTITUTION OF COUNCIL.—At a quarter-past three o'clock.

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

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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TUESDAY, 10TH NOVEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

H.M.V.S. *Nelson* and H.M.V.S. *Cerberus*—Report upon the condition of, by Commodore Goodenough (8th September, 1874).

PAPER.—The Honorable R. S. Anderson presented to the Council the following Paper :—
Public Accounts—Regulation respecting (28th October, 1874).

PETITION.—The Honorable R. Simson presented a Petition from Thomas Pratt, chairman of a meeting of certain electors of the Western Province held at the Town Hall, Hamilton, on the subject of the Honorable T. McKellar's absence in Europe.

Petition received.

PUBLIC WORKS LOAN ACT 1872—ACCOUNTS OF MONEY RAISED UNDER.—The Honorable G. W. Cole, in accordance with *amended* notice, moved, That, in accordance with 7th clause of "*The Public Works Loan Act 1872*," all the particulars be laid before this House relative to the £1,500,000 authorized to be raised under this Act, setting forth an account of the moneys raised, amount of stock erected in respect of such moneys, and of the moneys which shall have been issued out of the Consolidated Revenue in respect of the said sum of £1,500,000, as well as any other particulars required to be laid before both Houses of Parliament.

Debate ensued.

Question—put and passed.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

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

Question—put and passed.

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

SCAB ACT AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable John Cumming moved, That the Bill be now read a second time.

Debate ensued.

The Honorable T. Sumner moved, That the debate be adjourned until Tuesday 17th instant.

Question—That the debate be adjourned until Tuesday 17th instant—put and passed.

CRIMES AND OFFENCES PREVENTION BILL.—REPORT OF SELECT COMMITTEE.—The Order of the Day for the resumption of the debate on the question—That the Report be now adopted—being read, the debate was resumed.

Question—That the Report be now adopted—put and passed.

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

Debate ensued.

The Honorable W. A. C. a'Beckett moved, That the debate be adjourned until to-morrow.

Question—That the debate be adjourned until to-morrow—put and passed.

BUILDING SOCIETIES LAW AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable H. Cuthbert moved, That the Bill be re-committed.

Question—put and passed.

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

The President left the Chair.

The Chairman of Committees reported the Bill without further amendment.

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

Question—put and passed.

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

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

Question—put and passed.

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

BANK OF VICTORIA ACT CONTINUATION OF POWERS BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable W. Highett moved, That the Report be now adopted.

Question—put and passed.

The Honorable W. Highett moved, That the third reading of the Bill be made an Order of the Day for Tuesday, 17th instant.

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn till Tuesday, 17th instant.

Question—put and passed.

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

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 17TH NOVEMBER, 1874.

ORDERS OF THE DAY:—

1. SCAB ACT AMENDMENT BILL.—Adjourned debate on second reading.
2. CRIMES AND OFFENCES PREVENTION BILL.—Adjourned debate on second reading.
3. BANK OF VICTORIA ACT CONTINUATION OF POWERS BILL.—To be read a third time.

CONTINGENT NOTICE OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V. :—

“It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “*The Criminal Law and Practice Statute 1864*,” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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TUESDAY, 17TH NOVEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

VICTORIA.

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

The Honorable JOHN PINNEY BEAR

to be a Member of the Committee of Elections and Qualifications in room of the Honorable Robert Culbertson Hope, whose seat in the Council became vacant in rotation.

Given under my hand, this seventeenth day of November, One thousand eight hundred and seventy-four.

W. H. F. MITCHELL,

President of the Legislative Council.

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

Kidnapping.—Copy Despatch from the Secretary of State for the Colonies, relating to alleged kidnapping by officers and crew of the *Daphne*.

CONSTITUTION OF COUNCIL COMMITTEE.—The Honorable T. T. a'Beckett brought up the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and moved, That it be printed with the Proceedings of the Committee.

Question—put and passed.

SCAB ACT AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the second reading of this Bill being read, the debate was resumed.

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

Council divided.

Contents, 15.
The Hon. R. S. Anderson
W. Campbell
T. T. a'Beckett
C. J. Jenner
W. Skene
J. Cumming
J. Graham
H. Cuthbert
W. Highett
J. Balfour
J. Henty
J. A. Wallace
J. P. Bear
G. W. Cole
W. A. C. a'Beckett (*Teller*).

Not Contents, 4.
The Hon. R. Simson
P. Russell
F. Robertson
N. Black (*Teller*).

The question was therefore passed.

Bill read a second time.

The Honorable J. Cumming moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable J. Cumming moved, That the Bill be re-committed.

Question—put and passed.

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

The President left the Chair.

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

The Honorable J. Cumming moved, That the adoption of the Report be made an Order of the Day for the next day of meeting.

Question—put and passed.

CRIMES AND OFFENCES PREVENTION BILL.—The Order of the Day for the resumption of the debate on the second reading of this Bill being read, the debate was resumed.

The Honorable H. Cuthbert moved, That the debate be further adjourned until to-morrow.

Question—put and passed.

BANK OF VICTORIA ACT CONTINUATION OF POWERS BILL.—The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable W. Highett, was read a third time and passed.

The Honorable W. Highett moved, That the title of the Bill be "*An Act to continue the powers of an Act intituled 'An Act to incorporate the Proprietors of a certain Banking Company called 'The Bank of Victoria' and for other purposes therein mentioned.'*"

Question—put and passed.

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

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 18TH NOVEMBER, 1874.

1. The Hon. J. P. BEAR: To ask, whether the Government intend, during the present Session, to take any action in favor of the resumption of assisted immigration to this Colony; and, if so, to what extent.

Government Business.

ORDER OF THE DAY:—

1. CRIMES AND OFFENCES PREVENTION BILL.—Adjourned debate on second reading.

General Business.

NOTICE OF MOTION:—

1. The Hon. W. A. C. A'BECKETT: To move, That a Supplementary Return of Unclassified Civil Servants, furnished on the 6th October, be printed.

ORDER OF THE DAY:—

1. SCAB ACT AMENDMENT BILL.—Adoption of Report.

CONTINGENT NOTICES OF MOTION:—

1. The Hon. W. A. C. A'BECKETT: To move, on going into Committee on the Crimes and Offences Prevention Bill, that the whole of Part IV., with the exception of clause 30, and Schedule IV., be expunged, with a view to insert certain new clauses.
2. The Hon. T. T. A'BECKETT: To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V.:—

"It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of "*The Criminal Law and Practice Statute 1864,*" extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof."

TUESDAY, 1ST DECEMBER.

NOTICE OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

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LEGISLATIVE COUNCIL.

WEDNESDAY, 18TH NOVEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

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

Annexation of Fiji—Despatch from Secretary of State relative to.

PAPER.—The Honorable R. S. Anderson presented to the Council the following Paper:—

Public Works Loan Acts of 1868 and 1872.—Water Supply.—Castlemaine and Sandhurst, and Geelong.

CRIMES AND OFFENCES PREVENTION BILL.—The Order of the Day for the resumption of the debate on the second reading of the Bill being read, the debate was resumed.

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

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

The Chairman of Committees reported progress, and asked leave to sit again on Tuesday, 24th instant. Ordered.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, That the House, at its rising, adjourn until Tuesday, 24th instant.

Question—put and passed.

SUPERNUMERARIES AND NON-CLASSIFIED CLERKS IN GOVERNMENT SERVICE.—The Honorable W. A. C. a'Beckett, in accordance with notice, moved, That a supplementary return of unclassified civil servants, furnished on the 6th October, be printed.

Debate ensued.

Motion by leave withdrawn.

SCAB ACT AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable J. Cumming moved, That the Report be now adopted.

Question—put and passed.

The Honorable J. Cumming moved, That the words "*out of the Compensation fund hereinafter mentioned,*" occurring in the 45th line of page 2, be struck out.

Question—put and passed.

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

The Honorable J. Cumming moved, That the title of the Bill be "*An Act to amend and extend the Scab Act 1870.*"

Question—put and passed.

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

The Council adjourned at twenty-five minutes to seven o'clock until half-past four o'clock on Tuesday, 24th instant.

NOTICES OF MOTION AND ORDER OF THE DAY.

TUESDAY, 24TH NOVEMBER, 1874.

1. The Hon. J. P. BEAR: To ask, whether the Government intend, during the present Session, to take any action in favor of the resumption of assisted immigration to this Colony; and, if so, to what extent.
2. The Hon. P. RUSSELL: To ask the Honorable the Commissioner of Public Works—
 - (1.) The number of sheep in this colony actually suffering from the disease called scab.
 - (2.) The number of runs or paddocks on which such sheep are being depastured.
 - (3.) The dates when scab was last seen by inspectors of sheep.
 - (4.) The names of the owners of all infected sheep, giving the number of Crown tenants and freeholders respectively.

NOTICE OF MOTION:—

1. The Hon. W. A. C. A'BECKETT: To move for leave to bring in a Bill to amend *The Land Act* 1869.

ORDER OF THE DAY:—

1. CRIMES AND OFFENCES PREVENTION BILL.—To be further considered in Committee.

CONTINGENT NOTICES OF MOTION:—

1. The Hon. W. A. C. A'BECKETT: To move, on going into Committee on the Crimes and Offences Prevention Bill, that the whole of Part IV., with the exception of clause 30, and Schedule IV., be expunged, with a view to insert certain new clauses.
2. The Hon. T. T. A'BECKETT: To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V.:—

“It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “*The Criminal Law and Practice Statute* 1864,” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

TUESDAY, 1ST DECEMBER.

NOTICE OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

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TUESDAY, 24TH NOVEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

PUBLIC WORKS LOAN ACT 1872—ACCOUNTS OF MONEY RAISED UNDER.—The Honorable R. S. Anderson laid on the Council Table a Return to an Order of the Council made on the motion of the Honorable G. W. Cole on the 10th instant.

LAND ACT 1869 AMENDMENT BILL.—The Honorable W. A. C. a'Beckett, in accordance with notice, moved for leave to bring in "*A Bill to amend the Land Act 1869.*"

Question—put and passed.

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

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

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

Ordered.

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

Government Printing Establishment—Report on, from January to June, 1874.

The Council adjourned at twenty-five minutes to eight o'clock until half-past four o'clock on Wednesday, the 25th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 25TH NOVEMBER, 1874.

Government Business.

ORDER OF THE DAY:—

1. CRIMES AND OFFENCES PREVENTION BILL.—To be further considered in Committee.

General Business.

1. The Hon. W. A. C. a'BECKETT: To call the attention of the Commissioner of Public Works to several inaccuracies in a publication, entitled "*The Colonial Office List,*" purporting to be compiled from official records, &c., with permission of the Secretary of State for the Colonies, by Arthur N. Birch and William Robinson, of the Colonial Office; and to ask whether the information respecting the colony of Victoria, for the years 1869 to 1874 inclusive, was furnished by any officer in the Government service, and if so, by whom.

ORDER OF THE DAY:—

1. LAND ACT 1869 AMENDMENT BILL.—To be read a second time.

CONTINGENT NOTICE OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V.:—

“It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “*The Criminal Law and Practice Statute 1864*,” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

TUESDAY, 1ST DECEMBER, 1874.

NOTICE OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 25TH NOVEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

LOCAL GOVERNING BODIES LOAN ACT AMENDMENT BILL.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, for leave to introduce a Bill to amend "*The Local Governing Bodies Loan Act 1872.*"

Question—put and passed.

Bill brought in, and, on the motion of the Honorable R. S. Anderson, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, 1st December.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to consolidate and amend the Laws relating to Local Government,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 25th November, 1874.

C. MAC MAHON,
Speaker.

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

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be printed, and the second reading made an Order of the Day for Tuesday, 1st December.

Question—put and passed.

PETITION.—The Honorable H. Cuthbert presented a Petition from the Council of the Shire of Buninyong, and under the corporate seal thereof, against the abolition of tolls by the Local Government Laws Consolidation and Amendment Bill.

Petition received.

PETITION.—The Honorable H. Cuthbert presented a Petition from the Council of the Shire of Buninyong, and under the corporate seal thereof, praying the Council so to amend the Local Government Laws Consolidation and Amendment Bill, that no person shall be entitled to be placed on the municipal roll unless he shall have paid the rates due on the property for which he is liable to be rated.

Petition received.

PETITION.—The Honorable H. Cuthbert presented a Petition from the Council of the Shire of Colac, and under the corporate seal thereof, praying the Council not to consent to any alteration in the Local Government Law as to the qualification of voters and their rights, or the time of closing the poll.

Petition received.

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

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

CHAIRMAN OF COMMITTEES.—The Honorable N. Fitzgerald, with leave of the Council, moved, without notice, That the Honorable T. T. a'Beckett do take the Chair, as Chairman of Committees for the remainder of the sitting.

Question—put and passed.

CRIMES AND OFFENCES PREVENTION BILL.—The Honorable R. S. Anderson moved, That this Bill be further considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

The President being unavoidably absent, the Chairman of Committees took the Chair as Deputy President.

The Acting Chairman of Committees reported progress, and asked leave to sit again on Tuesday, 1st December.

Ordered.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House, at its rising, adjourn until Tuesday, 1st December.

The Council adjourned at five minutes past seven o'clock until half-past four o'clock on Tuesday, 1st December.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 1ST DECEMBER, 1874.

1. The Hon. P. RUSSELL : To ask the Honorable the Commissioner of Public Works—
 - (1.) Whether the Acheron Run is freehold or Crown lands.
 - (2.) Whether the Messrs. McColl, the owners or occupiers thereof, hold a license to depasture their scabby sheep under the thirty-seventh section of the *Scab Act*.
 - (3.) Whether the owners of those sheep, described as only legally infected, hold licenses for them under the said thirty-seventh section of the *Scab Act*.
 - (4.) When will those sheep now described as being clean, and only legally infected, be released from quarantine.
 - (5.) Whether he will furnish a Return of all fresh outbreaks of scab during the past twelve months.

NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT : To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein ; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

ORDERS OF THE DAY :—

1. LOCAL GOVERNING BODIES LOAN ACT AMENDMENT BILL.—To be read a second time.
2. LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—To be read a second time.
3. CRIMES AND OFFENCES PREVENTION BILL.—To be further considered in Committee.
4. LAND ACT 1869 AMENDMENT BILL.—To be read a second time.

CONTINGENT NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT : To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V. :—

“It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “*The Criminal Law and Practice Statute 1864*,” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

MEETING OF SELECT COMMITTEE.

Tuesday, 1st December, 1874.

PRINTING—at quarter-past four o'clock.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 1ST DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PETITION.—The Honorable R. S. Anderson presented a Petition from the Council of the Shire of Wangaratta, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITION.—The Honorable R. Simson presented a Petition from the Council of the Borough of Ararat, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

Petition read by the Clerk.

PUBLIC WORKS LOAN ACT 1872—ACCOUNTS OF MONEY RAISED UNDER.—The Honorable G. W. Cole, with leave of the Council, moved, without notice, That the Return on this subject, laid on the Table on the 24th November, be printed.

Question—put and passed.

PETITION.—The Honorable J. Balfour presented a Petition from the Council of the shire of Broadmeadows, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITION.—The Honorable Dr. Dobson presented a Petition from the Council of the Shire of Braybrook, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

Petition read by the Clerk.

PETITION.—The Honorable T. T. a'Beckett presented a Petition from the Council of the Borough of Footscray, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITION.—The Honorable T. J. Sumner presented a Petition from the Mayor and Councillors of the Town of Collingwood, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITIONS.—The Honorable W. Campbell presented Petitions from the Councils of the Shires of Kyneton, Wimmera, Marong, and Bet-bet, and from the Boroughs of Kilmore, Stawell, Carisbrook, and Tarnagulla, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITIONS.—The Honorable F. Robertson presented Petitions from the Councils of the Shire of Creswick, and of the Borough of Dunolly, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITIONS.—The Honorable N. Fitzgerald presented Petitions from the Councils of the Shires of Bet-bet and Stawell, and from the Boroughs of Raywood, Inglewood, and Clunes, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITIONS.—The Honorable J. A. Wallace presented Petitions from the Councils of the Shires of Bright and Rosedale, and from the Borough of Walhalla, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for Mining on Private Property for Gold and Silver,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 1st December, 1874.

C. MAC MAHON,
Speaker.

MINING ON PRIVATE PROPERTY BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be printed, and the second reading made an Order of the Day for Tuesday, 8th instant.

Question—put and passed.

PAPER.—The Honorable R. S. Anderson presented to the Council the following Paper :—

Public Works Loan Act 1872.—Water Supply.—Estimate of Expenditure for Ballarat.

LOCAL GOVERNING BODIES LOAN ACT AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Order of the Day be discharged from the Paper.

Question—put and passed.

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

Ordered.

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

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

Ordered.

LAND ACT 1869 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable W. A. C. a'Beckett moved, That this Bill be now read a second time.

Debate ensued.

Motion by leave withdrawn.

The Council adjourned at a quarter to ten o'clock until half-past four o'clock on Wednesday, the 2nd instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 2ND DECEMBER, 1874.

Government Business.

ORDERS OF THE DAY :—

1. LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—To be further considered in Committee.
2. CRIMES AND OFFENCES PREVENTION BILL.—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION :—

1. The Hon. T. T. a'BECKETT : To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V. :—

“ It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “ *The Criminal Law and Practice Statute 1864*,” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

TUESDAY, 8TH DECEMBER.

ORDER OF THE DAY :—

1. MINING ON PRIVATE PROPERTY BILL.—To be read a second time.

TUESDAY, 29TH DECEMBER.

NOTICE OF MOTION :—

1. The Hon. T. T. a'BECKETT : To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein ; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 2ND DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ADJOURNMENT.—The Honorable W. Campbell moved, That the Council do now adjourn until to-morrow at half-past two o'clock, as a mark of respect for the memory of the Honorable Matthew Hervey, deceased, formerly a Member of this House.

Question—put and passed.

The Council adjourned at twenty-five minutes past five o'clock until half-past two o'clock on Thursday the 3rd instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 3RD DECEMBER, 1874.

ORDERS OF THE DAY:—

1. LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—To be further considered in Committee.
2. CRIMES AND OFFENCES PREVENTION BILL.—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V. :—

“It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “*The Criminal Law and Practice Statute 1864*,” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

TUESDAY, 8TH DECEMBER.

ORDER OF THE DAY:—

1. MINING ON PRIVATE PROPERTY BILL.—To be read a second time.

TUESDAY, 29TH DECEMBER.

NOTICE OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 3RD DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

1. Australasian Statistics, 1873.—Introductory Report by Government Statist.
2. Mining Surveyors' and Registrars' Reports (30th September, 1874).

PETITION.—The Honorable R. S. Anderson presented a Petition from the Council of North Ovens Shire, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITION.—The Honorable J. T. Sumner presented a Petition from the Mayor and Councillors of the Town of Emerald Hill, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITION.—The Honorable T. T. a'Beckett presented a Petition from the Mayor and Councillors of the Borough of Sandridge, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITION.—The Honorable Francis Robertson presented a Petition from the Mayor, Councillors, and Burgesses of the Borough of St. Arnaud, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITIONS.—The Honorable C. J. Jenner presented Petitions from the Councils of the Shires of Warrnambool and Dundas, and of the Borough of Koroit, each under its corporate seal, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Public Works Loan Act 1872*;" also a Bill intituled "*An Act to sanction the issue and expenditure of certain sums from 'The Public Works Loan Account 1872,' for Salaries Wages and Contingencies for the Service of the Year ending the thirtieth day of June One thousand eight hundred and seventy-five*;" and a Bill intituled "*An Act for the Continuation of an Expiring Law*," with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 2nd December, 1874.

PUBLIC WORKS LOAN ACT 1872 AMENDMENT BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be printed, and the second reading made an

Order of the Day for Tuesday, 8th instant.

Question—put and passed.

PUBLIC WORKS LOAN APPLICATION BILL (3).—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Hon. R. S. Anderson moved, That the Bill be printed, and the second reading made an Order of the Day for Tuesday, 8th instant.

Question—put and passed.

EXPIRING LAW (PAYMENT OF MEMBERS ACT) CONTINUATION BILL.—The Honorable J. Balfour moved, That the Message transmitting a Bill intituled “*An Act for the Continuation of an Expiring Law,*” be made an Order of the Day for consideration on Tuesday next.

Question—put and passed.

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

Ordered.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act for the Continuation of an Expiring Law,*” with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 3rd December, 1874.

EXPIRING LAW (DRAWBACKS ACT) CONTINUATION BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be printed, and the second reading made an Order of the Day for Tuesday, 8th instant.

Ordered.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House at its rising adjourn until half-past two o'clock on Tuesday, 8th instant.

Question—put and passed.

PETITION.—The Honorable J. P. Bear presented a Petition from the Mayor, Councillors, and Burgesses of the Borough of Essendon and Flemington, and under the corporate seal thereof, praying the Council to restore the clause providing for the collection of tolls to the Local Government Bill.

Petition received.

PETITIONS.—The Honorable W. Campbell presented Petitions from the Councils of the Shires of Huntley, Newham, and Korong, and under the corporate seals thereof, praying the Council to make certain alterations in the Local Government Bill.

Petitions received.

PETITIONS.—The Honorable H. Cutlbert presented Petitions (2) from the Council of the Shire of Grenville, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITIONS.—The Honorable T. F. Hamilton presented Petitions from the Shire of Keilor and the Borough of Brighton, and under the corporate seals thereof, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

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

MR. PRESIDENT—

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

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 3rd December, 1874.

CONSOLIDATED REVENUE BILL (4).—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

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

Question—put and passed.

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

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, 8th instant :—

"*Crimes and Offences Prevention Bill*"—To be further considered in Committee.

The Council adjourned at a quarter to seven o'clock until half-past two o'clock on Tuesday, 8th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 8TH DECEMBER, 1874.

NOTICES OF MOTION :—

1. The Hon. J. BALFOUR : To move, That there be a Call of the House to consider the Payment of Members Bill.
2. The Hon. T. T. A'BECKETT : To move, That there be laid on the Table of the House the papers relating to the applications made and refused, and the applications made and granted, for the resumption by the Crown of alienated land for mining purposes, under the provisions of the 99th section of "*The Land Act 1869.*"
3. The Hon. N. BLACK : To move, That it is expedient to make provision in the Local Government Bill, Part XVI., to regulate the weight to be carried on drays and waggons in proportion to the width of the tires of such vehicles, and that the Government do prepare clauses to give effect to this resolution.

ORDERS OF THE DAY :—

1. MINING ON PRIVATE PROPERTY BILL—To be read a second time.
2. PUBLIC WORKS LOAN ACT 1872 AMENDMENT BILL—To be read a second time.
3. PUBLIC WORKS LOAN APPLICATION BILL (3).—To be read a second time.
4. EXPIRING LAW (PAYMENT OF MEMBERS ACT) CONTINUATION BILL.—Consideration of Message from Legislative Assembly.
5. LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—To be further considered in Committee.
6. EXPIRING LAW (DRAWBACKS ACT) CONTINUATION BILL.—To be read a second time.
7. CRIMES AND OFFENCES PREVENTION BILL—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT : To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V. :—

"It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of "*The Criminal Law and Practice Statute 1864,*" extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof."

TUESDAY, 29TH DECEMBER.

NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT : To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 8TH DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

PETITION.—The Honorable J. Balfour presented a Petition from the Council of the Shire of Ballan, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITIONS.—The Honorable R. Simson presented Petitions from the Councils of the Shires of Belfast and Mortlake, and of the Borough of Portland, each under its corporate seal, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITIONS.—The Honorable W. Campbell presented Petitions from the Councils of the Shire of Glenlyon and of the Borough of Heathcote, each under its corporate seal, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITIONS.—The Honorable J. Cumming presented Petitions from the Councils of the Shires of Barrabool, Bellarine, and of the Borough of Newtown and Chilwell, each under its corporate seal, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITION.—The Honorable N. Black presented a Petition from the Chairman and Members of the Standing Committee of the Shires Conference, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

Petition read by the Clerk.

PETITIONS.—The Honorable N. Black presented Petitions (2) from the Council of the Shire of Hampden, and under its corporate seal, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

Petitions read by the Clerk.

PETITIONS.—The Honorable J. A. Wallace presented Petitions from the Councils of the Shire of Seymour and of the Borough of Sale, each under its corporate seal, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITIONS.—The Honorable T. J. Sumner presented Petitions from the Councils of the Boroughs of St. Kilda (2) and Williamstown, each under its corporate seal, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITIONS.—The Honorable C. J. Jenner (on behalf of the Honorable T. Bromell) presented Petitions from the Councils of the Boroughs of Warrnambool and Hamilton, each under its corporate seal, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITION.—The Honorable R. Simson presented a Petition from the Council of the Shire of Warrnambool, and under the corporate seal thereof, praying the Council to consider whether it is in the interests of local government that the proposed Local Government Bill should become law.

Petition received.

Petition read by the Clerk.

CALL OF THE HOUSE.—The Honorable J. Balfour, in accordance with notice, moved, That there be a Call of the House to consider the Payment of Members Bill.

Debate ensued.

Motion, by leave, withdrawn.

LAND ALIENATED FOR MINING PURPOSES RESUMED BY THE CROWN.—The Honorable T. T. a'Beckett, in accordance with notice, moved, That there be laid on the Table of the House the Papers relating to the applications made and refused, and the applications made and granted, for the resumption by the Crown of alienated land for mining purposes, under the provisions of the 99th section of "*The Land Act 1869.*"

Question—put and passed.

EXPIRING LAW (PAYMENT OF MEMBERS ACT) CONTINUATION BILL.—The Honorable T. T. a'Beckett, with leave of the Council, moved, without notice, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable T. T. a'Beckett moved, That the Bill be printed, and the second reading made an Order of the Day for Tuesday, 15th instant.

Debate ensued.

Question—put and passed.

POSTPONEMENT.—The Honorable R. S. Anderson moved, That the first four Orders of the Day be postponed until after the consideration of the fifth.

Question—put and passed.

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

The Chairman of Committees reported progress, and asked for leave to sit again.

Ordered.

PETITIONS.—The Honorable Dr. Dobson presented Petitions from the Councils of the Shires of Mornington and Melton, praying the Council to make certain alterations in the Local Government Bill.

Petitions received.

PETITIONS.—The Honorable N. Fitzgerald presented Petitions from the Councils of the Shires of Newstead, and Tullaroop, of the City of Sandhurst, and of the Borough of Castlemaine, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITION.—The Honorable T. F. Hamilton presented a Petition from the Council of the Shire of Romsey, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITIONS.—The Honorable H. Cuthbert presented Petitions (2) from the Councils of the Shire of Bungaree and of the Borough of Buninyong, each under its corporate seal, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

PETITIONS.—The Honorable T. T. a'Beckett presented Petitions from the Councils of the Town of Prahran and the Borough of Hotham, each under its corporate seal, praying the Council to make certain amendments in the Local Government Bill.

Petitions received.

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

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

"An Act to continue the powers of an Act intituled 'An Act to incorporate the proprietors of a certain Banking Company called the Bank of Victoria and for other purposes therein mentioned.'"

"An Act to apply out of the Consolidated Revenue the sum of Five hundred thousand pounds to the service of the year One thousand eight hundred and seventy-four and five."

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

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

"G. F. BOWEN,
"Governor."

The Acting Clerk of the Parliaments delivered to Mr. Speaker a Schedule of the Bills assented to.

The Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Honorable R. S. Anderson moved, That the House go into Committee on this Bill.

Question—put and passed.

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

The President left the Chair.

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

POSTPONEMENTS.—The following Orders of the Day were postponed until to-morrow :—

“Mining on Private Property Bill”—To be read a second time.

“Public Works Loan Act 1872 Amendment Bill”—To be read a second time.

“Public Works Loan Application Bill (3)”—To be read a second time.

“Expiring Law (Drawbacks Act) Continuation Bill”—To be read a second time.

“Crimes and Offences Prevention Bill”—To be further considered in Committee.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House at its rising adjourn until three o'clock to-morrow.

Question—put and passed.

The Council adjourned at a quarter-past ten o'clock until three o'clock on Wednesday, 9th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 9TH DECEMBER, 1874.

Government Business.

ORDERS OF THE DAY :—

1. MINING ON PRIVATE PROPERTY BILL—To be read a second time.
2. LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—To be further considered in Committee.
3. PUBLIC WORKS LOAN ACT 1872 AMENDMENT BILL—To be read a second time.
4. PUBLIC WORKS LOAN APPLICATION BILL (3).—To be read a second time.
5. EXPIRING LAW (DRAWBACKS ACT) CONTINUATION BILL.—To be read a second time.
6. CRIMES AND OFFENCES PREVENTION BILL—To be further considered in Committee.

CONTINGENT NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT : To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V. :—

“It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “*The Criminal Law and Practice Statute 1864*,” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

TUESDAY, 15TH DECEMBER.

ORDER OF THE DAY :—

1. EXPIRING LAW (PAYMENT OF MEMBERS ACT) CONTINUATION BILL.—To be read a second time.

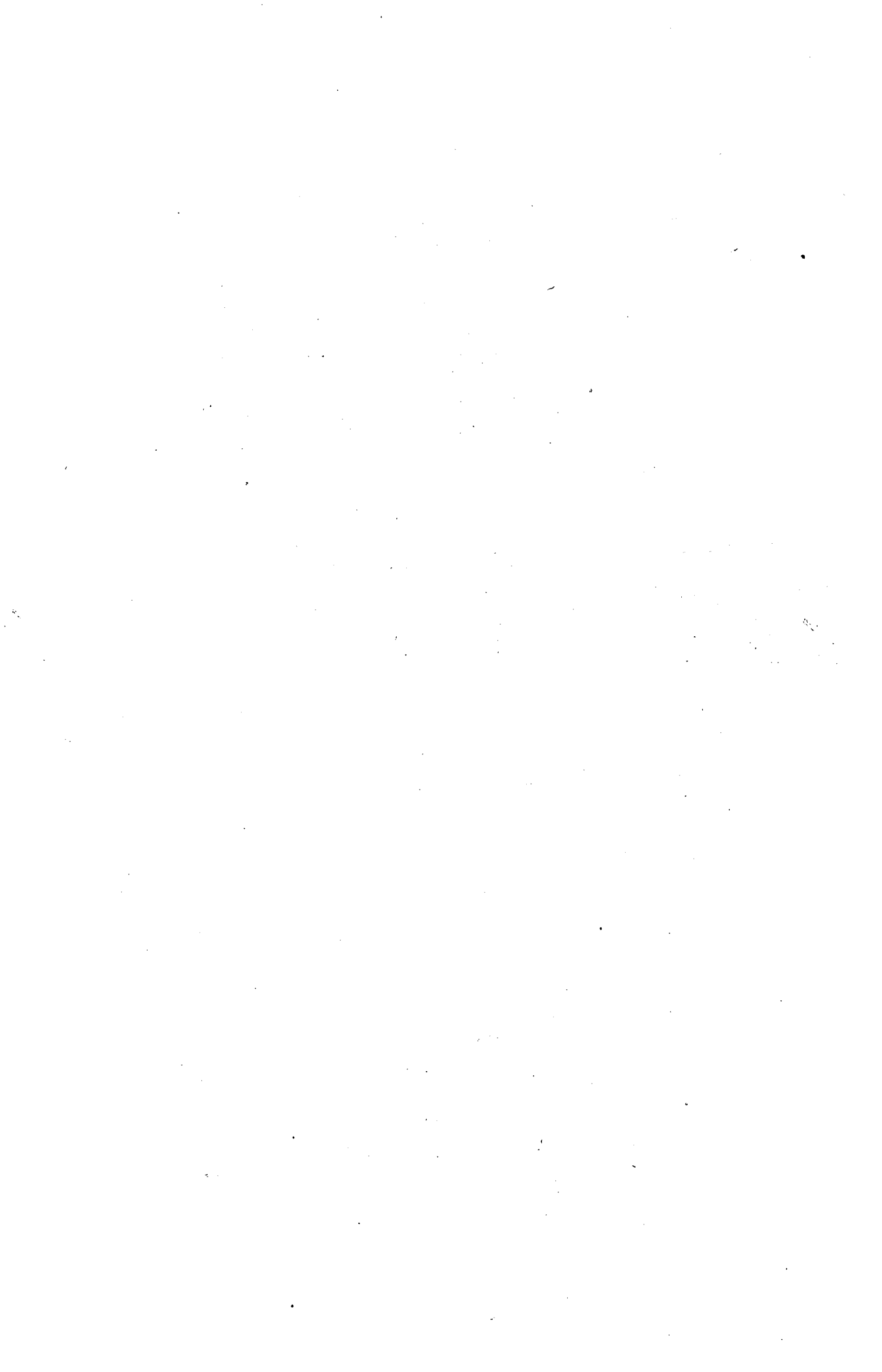
TUESDAY, 29TH DECEMBER.

NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT : To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein ; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.



Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 9TH DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PETITION.—The Honorable P. Russell presented a Petition from the Council of the Borough of Browns and Scarsdale, and under the corporate seal thereof, praying the Council to make certain alterations in the Local Government Bill.

Petition received.

PETITIONS.—The Honorable R. Simson presented Petitions (2) from the Council of the Shire of Kowru, each under the corporate seal, praying the Council to make certain alterations in the Local Government Bill.

Petitions received.

PETITION.—The Honorable J. Balfour presented a Petition from the Council of the Shire of Heidelberg, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

POSTPONEMENT.—The Honorable R. S. Anderson moved, That the first Order of the Day—"Mining on Private Property Bill—To be read a second time"—be postponed till after the consideration of the second Order of the Day.

Question—put and passed.

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

Ordered.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act for the Continuation of an Expiring Law,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th December, 1874.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Law relating to Neglected and Criminal Children,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with amendments, with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 9th December, 1874.

EXPIRING LAW (DISEASES IN STOCK ACT) CONTINUATION BILL.—The Honorable R. S. Anderson moved, That this Bill be read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be printed, and that the second reading be made an Order of the Day for Thursday, 10th instant.

Question—put and passed.

NEGLECTED AND CRIMINAL CHILDREN BILL.—The Honorable R. S. Anderson moved, That the consideration of the Message from the Legislative Assembly with this Bill be made an Order of the Day for Thursday, 10th instant.

Question—put and passed.

POSTPONEMENT.—The Honorable R. S. Anderson moved, That the first, third, fourth, and fifth Orders of the Day be postponed until after the consideration of the sixth.

Question—put and passed.

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

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

The Honorable R. S. Anderson moved, That the adoption of the Report be made an Order of the Day for Thursday the 10th instant.

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House at its rising adjourn until half-past two o'clock to-morrow.

Question—put and passed.

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

Yan Yean Water Supply.—Balance Sheet, 30th June, 1874.

The Council adjourned at five minutes to eleven o'clock until three o'clock on Thursday, 10th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 10TH DECEMBER, 1874.

NOTICE OF MOTION :—

1. The Hon. W. A. C. A'BECKETT : To move, That a Return be laid on the Table of the House giving the names of the persons who have selected land under the Land Act of 1869, with the amount selected, date of application for licenses in the area of Drouin and Gembrook ; also showing those who have applied to have land put up for sale in such areas, with date of application and result of such application, whether allowed or disallowed or under consideration.

ORDERS OF THE DAY :—

1. CRIMES AND OFFENCES PREVENTION BILL—Adoption of report.
2. LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—To be further considered in Committee.
3. EXPIRING LAW (DISEASES IN STOCK ACT) CONTINUATION BILL.—To be read a second time.
4. NEGLECTED AND CRIMINAL CHILDREN BILL—Consideration of Message from Legislative Assembly.
5. PUBLIC WORKS LOAN ACT 1872 AMENDMENT BILL.—To be read a second time.
6. PUBLIC WORKS LOAN APPLICATION BILL (3).—To be read a second time.
7. EXPIRING LAW (DRAWBACKS ACT) CONTINUATION BILL.—To be read a second time.
8. MINING ON PRIVATE PROPERTY BILL.—To be read a second time.

CONTINGENT NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT : To move, on the consideration in Committee of the Crimes and Offences Prevention Bill, the introduction of the following as a new clause in Part V. :—

“ It shall be lawful for the Governor, in cases in which he shall, under the provisions of the 319th section of “ *The Criminal Law and Practice Statute 1864*,” extend mercy to any offender under sentence or judgment of death, to direct that such offender shall, in addition to any lesser punishment to which such offender shall under the provisions of such section be subjected, be whipped as a person convicted of a crime under the 18th, or the 58th, or the 111th sections of the said Statute may be whipped under the provisions of the 296th section thereof.”

TUESDAY, 15TH DECEMBER.

ORDER OF THE DAY :—

1. EXPIRING LAW (PAYMENT OF MEMBERS ACT) CONTINUATION BILL.—To be read a second time.

TUESDAY, 29TH DECEMBER.

NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT : To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein ; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 10TH DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

LAND SELECTED IN THE AREAS OF DROUIN AND GEMBROOK.—The Honorable W. A. C. a'Beckett, in accordance with notice, moved, That a Return be laid on the Table of the House, giving the names of the persons who have selected land under the Land Act of 1869, with the amount selected, date of application for licenses in the areas of Drouin and Gembrook; also showing those who have applied to have land put up for sale in such areas, with date of application and result of such application, whether allowed or disallowed or under consideration.

Debate ensued.

Question—put and negatived.

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

Question—put and passed.

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

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

The President left the Chair.

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

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

Question—put and passed.

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

Question—put and passed.

PETITION.—The Honorable J. Cumming presented a Petition from the Council of the Borough of Queenscliffe, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the report be made an Order of the Day for the next day of meeting.

Question—put and passed.

JOINT STANDING ORDER (No. 12) SUSPENSION.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That Joint Standing Order, No. 12, be suspended as regards the amendment to insert a new Schedule in "*The Local Government Laws Consolidation and Amendment Bill,*" in order to allow that amendment to be transmitted to the Legislative Assembly in print; and that a Message be transmitted to the Legislative Assembly acquainting them that the Legislative Council has suspended such Standing Order, and requesting their concurrence in such suspension.

Question—put and passed.

DAYS OF BUSINESS.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Sessional Order appointing Tuesdays, Wednesdays, and Thursdays as days on which the Council shall meet for despatch of business be suspended, in order that the Council may meet at half-past four o'clock on Monday, 14th instant.

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House at its rising adjourn until half-past four o'clock on Monday, 14th instant.

Question—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the Law relating to Building Societies,*” and acquaint them that the Legislative Assembly have agreed to the same without amendment.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 10th December, 1874.

POSTPONEMENT.—The Honorable R. S. Anderson moved, That the third, fourth, fifth, sixth, and seventh Orders of the Day be postponed until Monday 14th instant, and that the eighth Order of the Day be postponed until Tuesday 15th instant.

Question—put and passed.

The Council adjourned at twenty minutes past ten o'clock until half-past four o'clock on Monday, 14th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

MONDAY, 14TH DECEMBER, 1874.

ORDERS OF THE DAY :—

1. CRIMES AND OFFENCES PREVENTION BILL.—To be read a third time.
2. LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL—Adoption of report.
3. EXPIRING LAW (DISEASES IN STOCK ACT) CONTINUATION BILL—To be read a second time.
4. NEGLECTED AND CRIMINAL CHILDREN BILL—Consideration of Message from Legislative Assembly.
5. PUBLIC WORKS LOAN ACT 1872 AMENDMENT BILL—To be read a second time.
6. PUBLIC WORKS LOAN APPLICATION BILL (3).—To be read a second time.
7. EXPIRING LAW (DRAWBACKS ACT) CONTINUATION BILL.—To be read a second time.

TUESDAY, 15TH DECEMBER.

ORDERS OF THE DAY :—

1. EXPIRING LAW (PAYMENT OF MEMBERS ACT) CONTINUATION BILL.—To be read a second time.
2. MINING ON PRIVATE PROPERTY BILL—To be read a second time.

TUESDAY, 29TH DECEMBER.

NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT: To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

CHARLES L. COMYNS,
Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

MONDAY, 14TH DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Land Act 1869.—Regulations (November, 1874).

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

Volunteer Engineers—Regulations respecting (3rd December 1874).

PETITION.—The Honorable T. Bromell presented a Petition from the Council of the Shire of Dundas, and under the corporate seal thereof, praying the Council to make certain amendments in a Schedule to the Local Government Bill.

Petition received.

Petition read by the Clerk.

PETITION.—The Honorable N. Fitzgerald presented a Petition from the Council of the Shire of Metcalf, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITION.—The Honorable W. Skene presented a Petition from the Council of the Shire of Portland, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

PETITIONS.—The Honorable Dr. Dobson presented two Petitions from the Council of the Shire of Eltham, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

CRIMES AND OFFENCES PREVENTION BILL.—The Order of the Day for the third reading of this Bill being read, the Honorable R. S. Anderson moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

Question—put and passed.

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

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to provide for the better prevention of Theft, and further to amend 'The Police Offences Statute 1865' and other enactments.*"

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

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the adoption of the report of the Committee of the whole Council on this Bill being read, the Honorable R. S. Anderson moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

Question—put and passed.

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

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

The President left the Chair.

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

Ordered.

EXPIRING LAW (DISEASES IN STOCK ACT) CONTINUATION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act for the Continuation of an Expiring Law.*"

Question—put and passed.

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

NEGLECTED AND CRIMINAL CHILDREN BILL.—The Order of the Day for the consideration of the Message from the Legislative Assembly with this Bill being read, the amendments made by the Legislative Assembly in the Bill, on the motion of the Honorable R. S. Anderson, were severally read and agreed to as follows:—

Clause 4, line 2, after "or," leave out "any other fit person," and insert "such other fit person or persons as may be necessary."

Clause 4, line 3, leave out "inspector," and insert "inspectors."

Clause 4, line 3, leave out "such."

After clause 5, insert clause 11.

Before clause 6, insert the following new clause:—

A. "No child adjudged to be a neglected child under the description contained in sub-section (v), section 13, of the principal Act shall be received into any industrial school unless the mandate issued in respect of such child sets forth that the security mentioned in the said sub-section has been given."

Clause 10, line 7, leave out "re-committed," and insert "again sent to an Industrial school."

Clause 13, line 4, after "out," insert "the term of his detention not having expired."

Clause 14, at end of clause add "or may be imprisoned for any time not exceeding fourteen days."

Clause 17, line 3, after "appoint," insert "in writing."

Clause 19, line 3, after "out," insert "and for the deposit of the wages or earnings."

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council have agreed to the amendments in this Bill.

PUBLIC WORKS LOAN ACT 1872 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend the Public Works Loan Act 1872.*"

Question—put and passed.

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

PUBLIC WORKS LOAN APPLICATION BILL (3).—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to sanction the issue and expenditure of certain sums from the 'Public Works Loan Account 1872' for Salaries Wages and Contingencies for the service of the year ending the thirtieth day of June One thousand eight hundred and seventy-five.*"

Question—put and passed.

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

EXPIRING LAW (DRAWBACKS ACT) CONTINUATION BILL.—The Order of the Day for the second reading of this Bill being read, The Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act for the Continuation of an Expiring Law.*"

Question—put and passed.

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

The Council adjourned at a quarter to ten o'clock until half-past four o'clock on Tuesday, 15th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 15TH DECEMBER, 1874.

NOTICE OF MOTION :—

1. The Hon. DR. DOBSON : To move, That a Return be laid upon the Table of this House giving the names of all selectors under the Land Act of 1869 who have received their certificates of improvements, lease, or Crown grants respectively, in all cases in which the selector has not complied with the conditions of the Land Act with respect to "occupation" and cultivation, or either of them.

ORDERS OF THE DAY :—

1. EXPIRING LAW (PAYMENT OF MEMBERS ACT) CONTINUATION BILL.—To be read a second time.
2. MINING ON PRIVATE PROPERTY BILL.—To be read a second time.
3. LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—To be further considered in Committee.

TUESDAY, 29TH DECEMBER.

NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT : To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein ; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 15TH DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Boundary line between South Australia and Victoria—Papers respecting.

SELECTORS WHO HAVE NOT COMPLIED WITH CONDITIONS OF THE LAND ACT.—The Honorable Dr. Dobson, in accordance with notice, moved, That a Return be laid upon the Table of this House, giving the names of all selectors under the Land Act of 1869 who have received their certificates of improvements, lease, or Crown grants respectively, in all cases in which the selector has not complied with the conditions of the Land Act with respect to “occupation” and cultivation, or either of them.

Debate ensued.

Question—put and passed.

EXPIRING LAW (PAYMENT OF MEMBERS ACT) CONTINUATION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a’Beckett moved, That the Bill be now read a second time.

Debate ensued.

Amendment moved by the Honorable W. Campbell, That the word “now” be omitted, with a view to insert the words “this day six months” after the word “time.”

Debate ensued.

Question—That the word “now” proposed to be omitted, stand part of the question—put.

The Council divided.

Contents, 12.
 The Hon. R. S. Anderson
 J. Cumming
 Sir F. Murphy
 H. Cuthbert
 T. F. Hamilton
 W. A. C. a’Beckett
 F. Robertson
 Dr. Dobson
 J. A. Wallace
 G. W. Cole
 C. J. Jenner
 T. T. a’Beckett (*Teller*).

Not Contents, 11.
 The Hon. J. Graham
 N. Black
 W. Skene
 W. Campbell
 J. P. Bear
 J. Balfour
 W. Highett
 R. Simson
 T. J. Sumner
 T. Bromell
 N. Fitzgerald (*Teller*).

The question was therefore passed.

Amendment moved by the Honorable N. Fitzgerald, That the words “read a second time” be omitted, with the view to insert the words “laid aside.”

Debate ensued.

Motion, by leave, withdrawn.

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

Bill read a second time.

The Honorable T. T. a’Beckett moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable T. T. a’Beckett moved, That the Report of the Committee be now adopted.

Question—put and passed.

The Honorable T. T. a’Beckett moved, That the Bill be now read a third time.

Debate ensued.

Question—That the Bill be now read a third time—put.
The Council divided.

Contents 12.
The Hon. R. S. Anderson
G. W. Cole
J. Cumming
T. F. Hamilton
Sir F. Murphy
H. Cuthbert
W. A. C. a'Beckett
F. Robertson
J. A. Wallace
Dr. Dobson
C. J. Jenner
T. T. a'Beckett (*Teller*).

Not Contents 10.
The Hon. T. J. Sumner
W. Skene
J. Graham
J. P. Bear
W. Campbell
J. Balfour
N. Black
N. Fitzgerald
W. Highett
R. Simson (*Teller*).

The question was therefore passed.

The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable T. T. a'Beckett, was read a third time and *passed*.

The Honorable T. T. a'Beckett moved, That the title of the Bill be "*An Act for the Continuation of an Expiring Law.*"

Question—put and passed.

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

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

MR. PRESIDENT—

The Legislative Assembly acquaint the Legislative Council that they agree with the Legislative Council in the suspension of Joint Standing Order No. 12, as regards an amendment made by the Legislative Council to insert a new Schedule in the "*Local Government Laws Consolidation and Amendment Bill*," so far as to allow such amendment to be transmitted in print, and not written on paper, as required by such Standing Order.

Legislative Assembly Chamber,
Melbourne, 15th December, 1874.

C. MAC MAHON,
Speaker.

MR. PRESIDENT—

The Legislative Assembly request that the Legislative Council will communicate to the Legislative Assembly a copy of the Report and Evidence taken before a Committee of the Legislative Council during the present Session, on the Bill intituled "*An Act to provide for the better prevention of Theft, and further to amend the 'Police Offences Statute 1865' and other enactments.*"

Legislative Assembly Chamber,
Melbourne, 15th December, 1874.

C. MAC MAHON,
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council the Bill intituled "*An Act to amend the Local Governing Bodies Loan Act 1872*," and request their concurrence therein.

Legislative Assembly Chamber,
Melbourne, 15th December, 1874.

C. MAC MAHON,
Speaker.

PETITION.—The Honorable J. Cumming presented a Petition from the Council of the Shire of Winchelsea, and under the corporate seal thereof, praying the Council to make certain amendments in the Local Government Bill.

Petition received.

CRIMES AND OFFENCES PREVENTION BILL.—MESSAGE FROM LEGISLATIVE ASSEMBLY.—The Honorable R. S. Anderson moved, That the Report and Evidence taken before a Committee of the Legislative Council during the present Session on the Bill intituled "*An Act to provide for the better prevention of Theft, and further to amend 'The Police Offences Statute 1865' and other enactments*," be communicated to the Legislative Assembly in accordance with their request.

Question—put and passed.

LOCAL GOVERNING BODIES LOAN ACT 1872 AMENDMENT BILL.—The Honorable R. S. Anderson moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be printed, and the second reading made an Order of the Day for to-morrow.

Question—put and passed.

POSTPONEMENT.—The Honorable R. S. Anderson moved, That the second Order of the Day—"Mining on Private Property Bill"—To be read a second time"—be postponed till to-morrow.

Question—put and passed.

RULING OF THE PRESIDENT.—The President delivered the following Ruling on the points referred to him from the Committee of the whole Council on the Local Government Bill, viz.:—“Whether it is competent to make certain amendments in the 252nd and 253rd clauses of such Bill.”

The questions upon which I am called upon for my Ruling in connection with the Local Government Bill now before this House are—

- 1st. The propriety of amending the 252nd clause by striking out the word “mines”; and
- 2nd. Of amending the 253rd clause by reducing the rating power of a municipality from two shillings and sixpence to two shillings in the pound.

It is alleged that the Council, by these alterations, would exceed the powers conferred upon it by the Constitution Act. These objections are not urged for the first time, and I would here quote a portion of resolutions arrived at by this House on the 2nd August 1865, on the Water Works Bill:—

- (1.) The Legislative Council and Legislative Assembly are the creation of an Imperial Statute, and have no powers, either separately or together, which are not conferred upon them by that Act.
- (2.) The First Section of the Constitution Act establishes two Houses of Legislature, and authorizes Her Majesty, with the advice and consent of those two Houses, to make laws.
- (3.) The power thus conferred equally and alike upon both Houses is, by subsequent clauses, qualified and restricted.
- (4.) By the Fifty-sixth Section, certain Bills, including “Bills for imposing any rate,” must originate in the Legislative Assembly, and may be rejected, but not altered, by the Legislative Council.
- (5.) Although the power to impose a rate is incidentally contained in this Bill, it is not “a Bill for imposing a rate,” as such is not its only nor even its main object.
- (6.) Excepting the Fifty-sixth Section, no other section of the Constitution Act restricts or qualifies the power conferred by the First Section.
- (7.) By the Thirty-fifth Section of the Constitution Act and the Act No. 1, the privileges, immunities, and powers of the Council and Assembly may be as extensive as those “held, enjoyed, and exercised” by the House of Commons on the 16th July, 1855, if not inconsistent with the Constitution Act; but there is no provision by which the two Houses are placed in the same relative position as the Houses of Lords and Commons; but, on the contrary, the privileges, immunities, and powers of either House can not exceed those of the House of Commons. * * * * *
- (12.) There is no provision in the Constitution Act which gives to the Legislative Assembly the exclusive power of determining the limits of district to be rated.

It has however been the practice of this House to concede that, in all cases where a clause in a Bill came within the meaning of the 56th section, and distinctly appropriated any part of the Revenue of the colony, or imposed any duty, rate, tax, rent, return, or impost, it should be recognised as though it were a Bill for effecting any of these objects, but it has not been conceded that it had not full power to dispose of all questions outside the provisions of the 56th section, or that it was bound by any precedents or practice of any body not controlled by our Constitution Act.

I am of opinion that striking out the word “mines” from the 252nd clause of the Local Government Bill and reducing in the 253rd clause of the said Bill the power of rating, do not violate the provisions of the 56th section of the Constitution Act, and that this House is not restricted from dealing with the questions referred to.

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

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

Question—put and passed.

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

The President left the Chair.

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

Ordered.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House at its rising adjourn until three o'clock to-morrow.

Question—put and passed.

The Council adjourned at twenty minutes past eleven o'clock until three o'clock on Wednesday, 16th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 16TH DECEMBER, 1874.

Government Business.

ORDERS OF THE DAY:—

1. LOCAL GOVERNING BODIES LOAN ACT 1872 AMENDMENT BILL—To be read a second time.
2. MINING ON PRIVATE PROPERTY BILL—To be read a second time.
3. LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL—To be further considered in Committee.

TUESDAY, 29TH DECEMBER, 1874.

NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT: To move, That the House proceed to the consideration of the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and go into Committee for the consideration and adoption of the several recommendations therein; and, contingent upon the adoption of such recommendations, amended or otherwise, that the Committee be instructed to prepare and bring in a Bill to give effect thereto.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings
 OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 16TH DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PETITION.—The Honorable J. Cumming presented a Petition from the Venerable the General Assembly of the Presbyterian Church of Victoria, praying the Council to interpose in such way as will prevent traffic on the railways on the Sabbath.

Petition received.

Petition read by the Clerk.

POSTPONEMENT.—The Honorable R. S. Anderson moved, That the first and second Orders of the Day be postponed until after the consideration of the third Order of the Day.

Question—put and passed.

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

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

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the Bill be re-committed at half-past four o'clock.

Question—put and passed.

LOCAL GOVERNING BODIES LOAN ACT 1872 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

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

Question—put and passed.

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

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

Central Board of Health.—Fifteenth Report of the Board.

PAPER.—The Honorable R. S. Anderson laid on the Table a Return showing all applications under Section 19, *Land Act* 1869, since March, 1874, in which the recommendations of the Local Land Boards have not been recommended by the Minister for the approval of the Governor.

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Honorable R. S. Anderson moved, That this Bill be re-committed on clause C, clause 399, clause 419, and on the twelfth schedule.

Question—put and passed.

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

The President left the Chair.

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

The Honorable R. S. Anderson moved, That the adoption of the Report be made an Order of the Day for Thursday, 17th instant.

Question—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to erect a new Court for the Trial of Offences, to establish uniformity of venue in Civil and Criminal Judicature, and to amend the practice and procedure of Courts of Criminal Jurisdiction,*" and acquaint the Legislative Council that they have agreed to the same with amendments, with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 16th December, 1874.

NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—The Honorable R. S. Anderson moved, That the consideration of the Message from the Legislative Assembly with this Bill be made an Order of the Day for Thursday, 17th instant.

Question—put and passed.

ADJOURNMENT.—The Honorable R. S. Anderson, moved, That the House at its rising adjourn until five o'clock to-morrow.

Question—put and passed.

The Council adjourned at a quarter to seven o'clock until five o'clock on Thursday, 17th instant.

ORDERS OF THE DAY.

THURSDAY, 17TH DECEMBER, 1874.

ORDERS OF THE DAY :—

1. LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL—Adoption of Report.
2. NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL—Consideration of Message from Legislative Assembly.
3. MINING ON PRIVATE PROPERTY BILL—To be read a second time.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 17TH DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

1. Forest Conservancy—Papers relating to.
2. Pyrites—Treatment of—Report of Board on.

SELECTORS WHO HAVE NOT COMPLIED WITH CONDITIONS OF THE LAND ACT.—The Honorable Dr. Dobson, with leave of the Council, moved, without notice, That a Return be laid upon the Table of this House, giving the names of all selectors under the Land Act 1869 who have received their certificates of improvements, leases, or Crown grants respectively, or whose allotments have been put up for sale with the improvements valued, in all cases in which the selector has not complied with the conditions of the Land Act 1869 with respect to occupation or cultivation, or either of them.

Question—put and passed.

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable R. S. Anderson moved, That the report be now adopted.

Question—put and passed.

The Honorable R. S. Anderson moved, That the words "*and such council may charge for such license a rent for each acre included in said road, equivalent to the valuation per acre of lands abutting on said road, the rent to go to the funds of the municipal district in which the road is situate,*" occurring in the ninth and four following lines of new clause F, and the words "*and the money thus obtained shall go to the funds of the municipal district in which the road is situate: Provided further that if at any time hereafter such road be required for public use, it may be resumed by the Governor in Council; and thereupon the council of the municipality shall pay to the owner a similar amount to that which was received by it for said road,*" occurring in the 30th and five following lines of new clause F, be omitted, but be transmitted written in red ink to the Legislative Assembly, with the other amendments to the Bill.

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to Consolidate and Amend the Laws relating to Local Government.*"

Question—put and passed.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Legislative Council have agreed to the Bill with amendments, with which they desire the concurrence of the Legislative Assembly.

NEW CRIMINAL COURT AND PRACTICE AMENDMENT BILL.—The Order of the Day for the consideration of the Message from the Legislative Assembly with this Bill being read, the following amendments made by the Legislative Assembly in the Bill, on the motion of the Honorable R. S. Anderson, were severally read by the Clerk and agreed to :—

Clause 3, line 6, after "ejectment" insert "and actions of tort for injury to land or buildings."

Clause 6, page 3, line 2, after "hold" insert "during pleasure."

Clause 10, line 2, leave out "of the Court of Insolvency and of every County Court."

Clause 12, leave out this clause.

Clause, 16, line 15, Subsection VIII., leave out this subsection, and alter the numbering of the subsequent subsections in consequence.

Clause 20, line 4, after "hereof" insert "and shall hold the said office during pleasure."

" line 5, after "many" insert "fit and proper."

" line 9, after "years" leave out all the words to the end of the clause.

- Clause 21, line 2, omit "any Law Officer, or for any prosecutor for the Queen, without previously examining any witness on behalf of the Crown," and insert "Her Majesty's Attorney-General or Solicitor-General for Victoria, or for any prosecutor for the Queen in the name of a Law Officer."
- " line 3, after "to" leave out "present," and insert "make presentment."
- " line 5, after "Peace" insert "of."
- " line 7, leave out "Fifth" and insert "Fourth."
- " at the end of clause, add "and shall be as good and of the same force, strength, and effect in the law as if the same had been presented and found by the oaths of twelve men."
- Clause 22, line 5, after "was" leave out "preferred" and insert "made".
- Leave out Clause 25 and insert new clause C—"The several forms of caption contained in the fifth schedule to this Act shall be good and sufficient in law, and the same description of the courts in the said forms respectively mentioned may be used and shall be valid in all legal process and proceedings whatsoever."
- Clause 28, line 3, leave out "preferred" and insert "found or made."
- Clause 33, page 10, line 2, leave out "preferred," insert "made."
- " line 9, leave out "preferred," insert "made."
- Clause 34, line 16, leave out "preferred," insert "made."
- " line 17, after "justices" insert "or coroner."
- Clause 36, line 3, leave out "preferred," insert "made."
- Clause 39, line 15, leave out "presented," insert "found."
- " line 16, leave out "preferred," insert "made."
- Clause 41, line 6, leave out "preferred," insert "made."
- After clause 46 insert new clauses A and B :—

A. Whenever any order shall be made on application on behalf of Her Majesty or of any prosecutor to the said Supreme Court or to any judge thereof for an order that any person charged with any offence committed or supposed to have been committed at any place out of the jurisdiction of the said Central Criminal Court shall be tried at the said Central Criminal Court under the provisions of this Act, it shall be lawful for the said Supreme Court in term time or for the said judge in vacation to issue a certificate, upon the production of which the Treasurer may order to be paid out of any moneys provided by Parliament for allowances to witnesses to the person so charged a sum not exceeding Thirty pounds to enable such person to defray the charges and expenses of the attendance of his witnesses, provided that the sum so advanced shall be allowed for in the sum which in the event of the acquittal of such person may become payable under the order hereinafter mentioned.

B. In case any person who shall be tried at the said Central Criminal Court under the provisions of this Act upon application on behalf of Her Majesty or of any prosecutor shall be there acquitted, it shall be lawful for the justices and judges of the said Central Criminal Court before whom any such acquittal shall have taken place or for any one or more of them (unless the offence shall have been charged to have been committed in the central bailiwick) to issue a certificate for such sum as shall appear to them to have been properly expended for such removal of the trial of such person, and the Treasurer may upon receipt of such certificate pay such sum to the person so acquitted out of any moneys provided by Parliament for allowances to witnesses.

The Honorable R. S. Anderson moved, That the Council agree with the amendment to add to Clause 50, the words "and all actions and prosecutions pending in any court at the time of the commencement of this Act may be proceeded with and determined as they would have been if this Act had not been passed," with the further amendment of the words "*and for the purpose of issuing jury precepts the Prothonotary shall be deemed to be the 'proper officer' of the Central Criminal Court and of every Court of Assize, and may issue such precepts accordingly.*"

Question—put and passed.

The remaining amendments in the Bill were, on the motion of the Honorable R. S. Anderson, severally read by the Clerk and agreed to, viz. :—

After Clause 50 insert new clause :—

D. In all cases where any appeal can by any law now or hereafter to be in force be made to a Court of General Sessions of the Peace such appeal shall be made only to the nearest Court of General Sessions in the bailiwick where the subject matter of such appeal arose.

Third Schedule, line 13, after "Castlemaine" insert "Clunes."

Fourth Schedule—Leave out this Schedule and insert new Schedule :—

To wit.—The Attorney-General [*or Solicitor-General*] of our Lady the Queen presents that, &c.
[*Subsequent counts may commence as follows*]:—

And the Attorney-General [*or Solicitor-General*] aforesaid doth further present, &c.

(Signed) A.B., Attorney-General.

[*or Solicitor-General.*]

[*or C.D., Prosecutor for the Queen.*]

Fifth Schedule—Leave out this Schedule.

Sixth Schedule—Leave out this Schedule and insert new Schedule :—

FIFTH SCHEDULE.

CENTRAL BAILIWICK (TO WIT).—At a session of the Central Criminal Court begun and holden at Melbourne in and for the said bailiwick on the _____ day of _____ in the year of our Lord One thousand eight hundred and _____ before A.B., Esquire, [one of the judges of the Supreme Court] the Attorney or Solicitor-General for our Lady the Queen doth [*or the jurors for our Lady the Queen do upon their oath*] present that, &c.

MIDLAND BAILLIWICK (TO WIT).—At the assizes begun and holden at _____ in and for the said bailiwick on the _____ day of _____ One thousand eight hundred and before A.B., Esquire, one of the judges of the Supreme Court, the Attorney or Solicitor-General for our Lady the Queen doth [*or* the jurors for our Lady the Queen do upon their oath] present that, &c.

NORTHERN BAILLIWICK (TO WIT).—At the General Sessions of the Peace begun and holden at _____ in and for the said bailiwick on the _____ day of _____ One thousand eight hundred and _____ before A.B., Esquire, chairman of the said court [and others his fellows justices of our Lady the Queen assigned to keep the peace of our said Lady the Queen in and for the said bailiwick] the Attorney or Solicitor-General for our Lady the Queen doth [*or* the jurors for our Lady the Queen do upon their oath] present that, &c.

Ordered—That a Message be sent to the Legislative Assembly, acquainting them that the Council have agreed to the amendments in this Bill, and have made an amendment on an amendment of the Legislative Assembly.

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

MR. PRESIDENT—

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

Legislative Assembly Chamber,
Melbourne, 17th December, 1874.

C. MAC MAHON,
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Law relating to Compulsory Vaccination,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with an amendment, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 17th December, 1874.

C. MAC MAHON,
Speaker.

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

Question—put and passed.

Bill read a first time.

The Honorable R. S. Anderson moved, That the Bill be printed, and the second reading made an Order of the Day for the next day of meeting.

Question—put and passed.

VACCINATION BILL.—The Honorable R. S. Anderson moved, That the Council agree with the amendment made by the Legislative Assembly in this Bill, viz.—to leave out the 29th clause.

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly acquainting them that the Council have agreed to the amendment in this Bill.

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

Debate ensued.

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

Council divided.

Contents 7.

The Hon. R. S. Anderson
T. T. a'Beckett
J. Cumming
J. A. Wallace
H. Cuthbert
J. Balfour
C. J. Jenner (*Teller*).

Not Contents 8.

The Hon. W. Campbell
R. Simson
W. Skene
W. Highett
T. Hamilton
Dr. Dobson
J. P. Bear
J. Graham (*Teller*).

The question was therefore negatived.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to erect a new Court for the Trial of Offences, and to establish uniformity of venue in Civil and Criminal Judicature, and to amend the practice and procedure of Courts of Criminal Jurisdiction,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made by the Legislative Council on the amendment of the Legislative Assembly in clause 50.

Legislative Assembly Chamber,
Melbourne, 17th December, 1874.

C. MAC MAHON,
Speaker.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House at its rising, adjourn until half-past four o'clock on Monday 21st instant.

Question—put and passed.

APPLICATIONS FOR LAND RECOMMENDED BY LOCAL BOARDS AND NOT RECOMMENDED BY THE MINISTER OF LANDS.—The Honorable R. Simson, with leave of the Council, moved, without notice, That the Return, save so far as it relates to objections made by the Department of Mines, be printed. Question—put and passed.

The Council adjourned at ten o'clock until half-past four o'clock on Monday, 21st instant.

ORDER OF THE DAY.

MONDAY, 21ST DECEMBER, 1874.

ORDER OF THE DAY :—

1. CUSTOMS LAW AMENDMENT BILL.—To be read a second time.

CHARLES L. COMYNS,
Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

MONDAY, 21ST DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

1. Friendly Societies—Return respecting (1873).

2. Boundary Line between South Australia and Victoria—Additional Papers respecting.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

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

Question—put and passed.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Life Assurance Companies Act 1873,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 21st December, 1874.

C. MAC MAHON,
Speaker.

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

Question—put and passed.

Bill read a first time.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend the Life Assurance Companies Act 1873.*"

Question—put and passed.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Council have agreed to the Bill with amendments, with which they desire the concurrence of the Legislative Assembly.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House at its rising, adjourn until three o'clock to-morrow.

Question—put and passed.

The Council adjourned at twenty minutes past nine o'clock until three o'clock on Tuesday 22nd instant.

NOTICE OF MOTION.

TUESDAY, 22ND DECEMBER, 1874.

NOTICE OF MOTION :—

1. The Hon. T. T. A'BECKETT : To move for leave to introduce a Bill to enable the Trustees for the time being to sell and otherwise deal with certain land situate at Emerald Hill, vested in such Trustees as a site for an asylum for orphan children.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 22ND DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Life Assurance Companies Act 1873*," and acquaint them that the Legislative Assembly have disagreed with the amendments made by the Legislative Council in this Bill.

Legislative Assembly Chamber,
Melbourne, 22nd December, 1874.

C. MAC MAHON,
Speaker.

LIFE ASSURANCE COMPANIES ACT AMENDMENT BILL.—The Honorable R. S. Anderson moved, That the Message from the Legislative Assembly with this Bill be taken into consideration.

Question—put and passed.

The Honorable R. S. Anderson moved, That the Council do not insist in the following amendments made in this Bill:—Clause 11, line 1, leave out "neither this nor" and insert "Section VII. of," and after "shall" insert "not."

The Honorable T. T. A'Beckett moved, as an amendment, That the Council do insist on the amendments made in the Bill.

Debate ensued.

Question—That the Council do insist on their amendments—put and passed.

Ordered—That the Bill be returned to the Legislative Assembly, with a Message acquainting them that the Council do insist on the amendments.

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

MR. PRESIDENT—

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

Legislative Assembly Chamber,
Melbourne, 22nd December, 1874.

C. MAC MAHON,
Speaker.

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

Question—put and passed.

Bill read a first time.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to amend the Mining Statute 1865 Amendment Act*."

Question—put and passed.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to consolidate and amend the Laws relating to Local Government*," and acquaint them that the Legislative Assembly have agreed to some of the amendments made by the Legislative Council in this Bill, that they have disagreed with others of the said amendments, and that they have agreed to some amendments with amendments, and they have also made consequential amendments ; with which several amendments they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 22nd December, 1874.

C. MAC MAHON,
Speaker.

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Honorable R. S. Anderson moved, That the Message of the Legislative Assembly with this Bill be now taken into consideration. Question—put and passed.

On the motion of the Honorable R. S. Anderson, the amendments of the Legislative Council in clauses 7, 19, and 32 were not insisted on.

On the motion of the Honorable R. S. Anderson, the amendments of the Legislative Assembly on the amendment of the Legislative Council to insert clause A, viz. :—After "district," in second line, insert "in respect of which all sums payable in respect of any rates made three months or more before such day shall have been paid." In line 9, after "shire," leave out "amounts to." In line 10, leave out all words from "votes" to "June" inclusive. In line 18, leave out "if all such rates have been paid as aforesaid." In line 20, after "thereof," leave out all the words to the end of clause, and insert—"Provided further that all persons who are not entitled to be enrolled by reason solely of non-payment of rates shall be placed on a separate voters' list, and for the purpose of enabling them to vote at elections of members to serve in the Legislative Council or Legislative Assembly, they shall be included in the rolls of ratepaying electors therefor if duly qualified in other respects, and such separate voters' list shall be subject to all the provisions of this part of this Act and of the Acts Nos. 279 and 334, and any amendments thereof in the same manner as the voters' list of all persons who have paid their rates," were agreed to.

Clause 74.—The Honorable R. S. Anderson moved, That the Council do not insist on their amendment to leave out clause 74.

Debate ensued.

Question—That the Council do not insist on the amendment to leave out clause 74—put.

The Council divided.

Contents, 6.
The Hon. T. T. a'Beckett
C. J. Jenner
P. Russell
T. F. Hamilton
J. A. Wallace
R. S. Anderson (*Teller*).

Not Contents, 10.
The Hon. Sir F. Murphy
W. Skene
W. Campbell
R. Simson
J. Balfour
J. P. Bear
T. J. Sumner
T. Bromell
F. Robertson
N. Black (*Teller*).

The question was therefore negatived.

The Council agreed to insist on their amendment to insert new clause B.

The Council agreed to the insertion of a new clause inserted by the Assembly, consequent on amendment to insert new clause A, viz. :—"On or before the twentieth day of May in each year the council of every municipality shall cause to be published in some newspaper generally circulating in the neighbourhood a notice to ratepayers that no person will be entitled to be enrolled in respect of any property unless before or on the tenth day of June all sums payable in respect of any rates made three months or more before such day in respect of such property, have been paid. The municipal clerk or the rate collector, or some other officer appointed for that purpose by the council shall attend at the office of the council on the seven days (Sundays excepted) immediately preceding the tenth day of June, for the purpose of receiving payment of rates, and notice thereof and of the hours of attendance by the clerk or collector or other officer on the days aforesaid shall be given by the council within the time and in the manner aforesaid."

The Council agreed to the amendment of the Legislative Assembly to insert after "made" in the fourth line of Clause C the following words, "and also from inspection of the lists, if any of defaulters delivered between the twentieth and twenty-fourth days of the said month as hereinafter provided."

The Council agreed to the amendment in Clause 80, line 15, consequent on amendment to insert new clause A, after "aforesaid" to insert "and of the lists, if any, of defaulters as aforesaid."

The Council insisted on their amendment in Clause 91, line 7, to leave out "Where any person is liable to be rated in respect of property in more subdivisions than one, such person may in writing under his hand on or before the tenth day of June in any year notify to the municipal clerk upon the voters' roll of which of such subdivisions he desires to be enrolled, and such person shall, so long as he continues qualified, be entitled to be so enrolled until further notice, and in default of any such notice every such person shall be entitled to be enrolled upon the roll of the subdivision in which the property in respect of which he is liable to be rated is of the greater rateable value according to the last valuation, or in case of equality in the values of such property, upon the roll of such subdivision as to the municipal clerk may seem fit."

On the motion of the Honorable R. S. Anderson, the Council did not insist on their amendments in lines 3 and 13 of Clause 264.

On the motion of the Honorable R. S. Anderson, the Council insisted on their amendments in Clause 284, viz.:—In line 1 (page 60), after “writing” leave out “having endorsed thereon the form of appeal contained in the Sixteenth Schedule.” And in line 4, leave out “or appeal therefrom, or if such person appeal therefrom and fail to prosecute such appeal, or after such appeal be determined.”

On the motion of the Honorable R. S. Anderson, the Council did not insist on their amendment in line 31 of clause 306.

On the motion of the Honorable R. S. Anderson, the Council did not insist on the insertion of new clause D.

The Council agreed to the amendments of the Legislative Assembly in clause 366, line 34, omit “herewith incorporated,” line 35 “omit hereof” and insert “for which the same were taken,” consequent on amendment to insert new clause E.

The Honorable R. S. Anderson moved that the Council do not insist on their amendment to leave out clause 370.

Debate ensued.

Question—That the Council do not insist on their amendment to leave out clause 370—put.

The Council divided.

Contents, 11.

The Hon. Sir F. Murphy
T. T. a'Beckett
T. Bromell
C. J. Jenner
P. Russell
J. Balfour
T. F. Hamilton
W. Skene
J. A. Wallace
F. Robertson
R. S. Anderson (*Teller*).

Not Contents, 5.

The Hon. W. Campbell
R. Simson
T. J. Sumner
J. P. Bear
N. Black (*Teller*).

The question was therefore passed.

On the motion of the Honorable R. S. Anderson, the Council agreed to the amendments made by the Legislative Assembly in new clause F, to omit “three” and insert “two,” also to insert the words—“Provided that every such road, street, or public highway shall be considered to be required for public traffic unless the Council and the Minister shall otherwise decide, and every such decision the Governor in Council may revoke; and every such decision and the revocation thereof shall be published in the *Government Gazette* and take effect thereon,” after “district.”

Also to insert “across” after “on.”

Also to insert “swing” after “unlocked.”

Also to leave out “The council of the municipality with the consent of” before “the Governor.”

Also to insert “on the application of the council of the municipality” after “may.”

Also to insert “swing” before “gates.”

Also to leave out “intention” and insert “application therefor and the reasons for making the same.”

Also to leave out “said” and insert after “Board” “of Land and Works.”

On the motion of the Honorable R. S. Anderson, the Council did not insist on their amendments in Clauses 419, 439, and 491.

On the motion of the Honorable R. S. Anderson, the Council agreed to the amendment of the Assembly in clause 521 to omit “and after 398 leave out 399.”

On the motion of the Honorable R. S. Anderson, the Council did not insist on their amendment at end of clause 521.

The Honorable R. S. Anderson moved, That the Seventeenth Schedule be omitted, and the numbers of the succeeding schedules be altered accordingly.

Question—put and passed.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Council do not insist on some of the amendments, still insist on others, have agreed to the amendments on amendments, and consequential amendments made by the Legislative Assembly on the amendments of the Legislative Council, and have made a consequential amendment.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the Life Assurance Companies Act 1873*,” and acquaint the Legislative Council that the Legislative Assembly still insist in disagreeing with the amendments made by the Legislative Council in this Bill, for the following reasons:—

The principal Act is based on the English Act which specially exempts Friendly Societies by name from the operation thereof. The amounts involved in the transactions of Friendly Societies are generally small, besides being subdivided amongst various branches of their business, and it is difficult to deal with these Societies under the principal Act, or for them to furnish the returns required thereby, and it is intended, during the next Session of Parliament to amend the present Friendly Societies Act, and then the whole subject as affecting these Societies will be dealt with.

It is believed that great injustice to these Societies will be done by suddenly, and without any notice, subjecting them to the operation of this measure, which was not intended on its first introduction to Parliament to include them, and it is considered undesirable to rush into legislation in this Colony with respect to these Societies which the Imperial Parliament has deemed it unwise to adopt.

C. MAC MAHON,

Speaker.

Legislative Assembly Chamber,
Melbourne, 22nd December, 1874.

LIFE ASSURANCE COMPANIES ACT AMENDMENT BILL.—The Honorable R. S. Anderson moved, That the Message of the Legislative Assembly with this Bill be now taken into consideration.

Question—put and passed.

The Honorable R. S. Anderson moved, That the Council do not continue to insist upon the amendments made in this Bill.

Debate ensued.

On the motion of the Honorable J. Balfour, the debate was adjourned until to-morrow.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the last day of June One thousand eight hundred and seventy-five, and to appropriate the supplies granted in this Session of Parliament,*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 22nd December, 1874.

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

Question—put and passed.

Bill read a first time.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the last day of June One thousand eight hundred and seventy-five, and to appropriate the supplies granted in this Session of Parliament.*"

Question—put and passed.

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

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to consolidate and amend the law relating to Local Government,*" and acquaint them that the Legislative Assembly do not insist in disagreeing to the amendments in this Bill insisted upon by the Legislative Council, and that the Legislative Assembly agree with the consequential amendment made in the Bill by the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 22nd December, 1874.

The Council adjourned at a quarter to ten o'clock until half-past four o'clock on Wednesday 23rd instant.

ORDER OF THE DAY.

WEDNESDAY, 23RD DECEMBER, 1874.

ORDER OF THE DAY :—

1. LIFE ASSURANCE COMPANIES ACT AMENDMENT BILL.—Further consideration of Message from Legislative Assembly.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 23RD DECEMBER, 1874.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

1. Victorian Railways.—Report of the Board of Land and Works (1874).
2. Friendly Societies, Statistics of—(1873) with Introductory Report, by Government Statist.

LIBRARY COMMITTEE REPORT.—The Honorable R. S. Anderson laid on the Council Table the Report of the (Joint) Library Committee.

The Report was read at the Table by the Clerk.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council the accompanying communication from the Acting Clerk of the Parliaments, calling attention to certain clerical errors in the Bill intituled “ *An Act to consolidate and amend the Laws relating to Local Government,* ” and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments suggested by the Acting Clerk of the Parliaments, with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
Speaker.

Legislative Assembly Chamber,
Melbourne, 23rd December, 1874.

Legislative Council Chamber,
23rd December, 1874.

SIR,

I do myself the honor to report, in pursuance of the Provisions of the Joint Standing Order, No. 21, that the following clerical errors have been discovered in the Bill intituled “ *An Act to consolidate and amend the Laws relating to Local Government,* ” viz.:—

- | | | | |
|--------------------|---------|--------------------------|--------------------------------------|
| Clause 2 (page 2), | line 3, | “ ss. 76-100 ” | should be changed to ss. “ 77-101.” |
| ” | ” | line 5, “ ss. 101-108 ” | should be changed to “ ss. 102-109.” |
| ” | ” | line 6, “ ss. 109-110 ” | should be changed to “ ss. 110-111.” |
| ” | ” | line 7, “ ss. 111-114 ” | should be changed to “ ss. 112-115.” |
| ” | ” | line 8, “ ss. 115-119 ” | should be changed to “ ss. 116-120.” |
| ” | ” | line 9, “ ss. 120-141 ” | should be changed to “ ss. 121-142.” |
| ” | ” | line 10, “ ss. 142-143 ” | should be changed to “ ss. 143-144.” |
| ” | ” | line 11, “ ss. 144-145 ” | should be changed to “ ss. 145-146.” |
| ” | ” | line 12, “ ss. 146-167 ” | should be changed to “ ss. 147-168.” |
| ” | ” | line 13, “ ss. 168-171 ” | should be changed to “ ss. 169-172.” |
| ” | ” | line 15, “ ss. 172-181 ” | should be changed to “ ss. 173-182.” |
| ” | ” | line 16, “ ss. 182-189 ” | should be changed to “ ss. 183-190.” |
| ” | ” | line 17, “ ss. 190-195 ” | should be changed to “ ss. 191-196.” |
| ” | ” | line 18, “ ss. 196-210 ” | should be changed to “ ss. 197-211.” |
| ” | ” | line 20, “ s. 211 ” | should be changed to “ s. 212.” |
| ” | ” | line 23, “ ss. 212-218 ” | should be changed to “ ss. 213-219.” |
| ” | ” | line 25, “ ss. 219-227 ” | should be changed to “ ss. 220-228.” |
| ” | ” | line 27, “ ss. 228-232 ” | should be changed to “ ss. 229-233.” |
| ” | ” | line 28, “ ss. 233-237 ” | should be changed to “ ss. 234-238.” |
| ” | ” | line 29, “ ss. 238-244 ” | should be changed to “ ss. 239-245.” |
| ” | ” | line 30, “ s. 245 ” | should be changed to “ s. 246.” |
| ” | ” | line 31, “ s. 246 ” | should be changed to “ s. 247.” |
| ” | ” | line 32, “ ss. 247-251 ” | should be changed to “ ss. 248-252.” |
| ” | ” | line 33, “ s. 252 ” | should be changed to “ s. 253.” |

Clause 2 (page 2), line 34, " ss. 253-271 " should be changed to " ss. 254-272."
 " " line 36, " ss. 272-276 " should be changed to " ss. 273-277."
 " " line 38, " ss. 277-283 " should be changed to " ss. 278-284."
 " " line 39, " ss. 284-293 " should be changed to " ss. 285-294."
 " " line 41, " ss. 294-300 " should be changed to " ss. 295-301."
 " " line 42, " s. 301 " should be changed to " s. 302."

I have the honor to be, Sir,
 Your most obedient servant,

CHARLES L. COMYNS,
 Acting Clerk of the Parliaments.

The Honorable the Speaker.

The Honorable R. S. Anderson moved, That the Council concur in the amendments made by the Legislative Assembly in the Bill on the report of the Acting Clerk of the Parliaments.

Question—put and passed.

Ordered—That a Message be transmitted to the Legislative Assembly acquainting them that the Council have concurred in correcting the clerical errors reported by the Acting Clerk of the Parliaments.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend an Act intituled 'An Act to limit the number of persons holding Offices under the Crown 'who may sit and vote in the Legislative Council and Legislative Assembly of Victoria,'*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
 Speaker.

Legislative Assembly Chamber,
 Melbourne, 23rd December, 1874.

OFFICIALS IN PARLIAMENT BILL.—The Honorable T. T. a'Beckett moved, That the Bill be read a first time.

Question—put and passed.

Bill read a first time.

The Honorable T. T. a'Beckett moved, That the Bill be printed, and the second reading made an Order of the Day for to-morrow.

Question—put and passed.

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

MR. PRESIDENT—

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

C. MAC MAHON,
 Speaker.

Legislative Assembly Chamber,
 Melbourne, 23rd December, 1874.

G. F. BOWEN,
 Governor.

In pursuance of the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly the following amendments, which he recommends to be made in the Bill to consolidate and amend the Laws relating to Local Government, presented to him for Her Majesty's assent:—

Clause 10, after the word "Act" at end insert "all creditors of municipalities shall have the same rights and remedies as if this Act had not been passed."

Clause 115, twelfth line from commencement of clause, omit the word "office" and insert the word "place."

Clause 117, fourth line of clause, omit the word "office" and insert the words "place as."

Clause 345, last line but one of clause, omit the word "by" and insert the word "in."

Clause 416, line 3, after "paved" insert "or asphalted."

" line 13, leave out "or."

" line 13, after "paving" insert "or asphaltting."

LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—The Honorable R. S. Anderson moved, That the amendments recommended by His Excellency the Governor be now taken into consideration.

Question—put and passed.

The Honorable R. S. Anderson moved, That the Council do concur in making these amendments.

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council have agreed to the amendments.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to sanction the issue and application of certain sums of money from 'The Railway Loan 'Liquidation and Construction Account,' established under the provision of section forty-two of '33 Vict. No. 360,'*" with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,
 Speaker.

Legislative Assembly Chamber,
 Melbourne, 23rd December, 1874.

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

Question—put and passed.

Bill read a first time.

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

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

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

The Honorable R. S. Anderson moved, That the title of the Bill be "*An Act to sanction the issue and application of certain sums of money from 'The Railway Loan Liquidation and Construction Account,' established under the provision of section forty-two of 33 Vict. No. 360.*"

Question—put and passed.

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

LIFE ASSURANCE COMPANIES ACT AMENDMENT BILL.—The Order of the Day for the further consideration of the Message from the Legislative Assembly with this Bill being read, the Honorable T. T. a'Beckett moved, That the Council still insist on their amendments disagreed to by the Legislative Assembly, for the following reasons:—

The present Assurance Companies Act was intentionally made to differ from the English Act by applying it to Friendly Societies. The lives insured by these societies are those of persons who stand specially in need of the protection of the Act, and the loss of the amount claimable on their death under a policy of assurance would be specially disastrous to their families.

The importance of subjecting the life assurance business of Friendly Societies to the provisions of the Act is proportionate to the extent of such business, and if it be carried on in such a manner as to make it difficult to apply to it those provisions of the Act which are framed for ensuring publication of periodical accounts, and an intelligible exposition of the assets and liabilities of the insurance fund, it may be taken for granted that such a method of business is unsound, and one which the Legislature ought not to tolerate.

As an amendment of the Friendly Societies Act is contemplated, the managers of these societies have the less reason to complain of being bound, in the mean time, by the provisions of the Assurance Companies Act, from which the present Bill proposes to exempt them, but which exemption this House for the reasons above stated cannot assent to.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Council still insist on their amendments in the Bill for the reasons assigned, with the above reasons attached.

ADJOURNMENT.—The Honorable R. S. Anderson, with leave of the Council, moved, That the House at its rising, adjourn till eleven o'clock to-morrow.

Question—put and passed.

The Council adjourned at twenty minutes past five o'clock until eleven o'clock on Thursday, 24th instant.

ORDER OF THE DAY.

THURSDAY, 24TH DECEMBER, 1874.

ORDER OF THE DAY:—

1. OFFICIALS IN PARLIAMENT BILL.—To be read a second time.

CHARLES L. COMYNS,

Acting Clerk of the Council and Acting Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 24TH DECEMBER, 1874.

The President took the Chair at the expiration of half an hour after the time appointed for the meeting of the Council, and, a quorum not being present, adjourned the Council without question put.

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

ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber; who being come with their Speaker, he, after a Speech to His Excellency, delivered the Appropriation Bill to the Acting-Clerk of the Parliaments, who brought it to the Table.

His Excellency was pleased to assent, in Her Majesty's name, to the following Bills:—

“ An Act to apply a sum out of the Consolidated Revenue to the service of the Year ending on the last day of June, One thousand eight hundred and seventy-five, and to appropriate the Supplies granted in this Session of Parliament.”

“ An Act to amend the law relating to Building Societies.”

“ An Act for the continuation of an Expiring Law.”

“ An Act to amend the Law relating to Neglected and Criminal Children.”

“ An Act to amend the Public Works Loan Act 1872.”

“ An Act to sanction the issue and expenditure of certain sums from ‘ The Public Works Loan Account 1872’ for Salaries, Wages, and Contingencies for the service of the year ending the thirtieth day of June, One thousand eight hundred and seventy-five.”

“ An Act for the continuation of an Expiring Law.”

“ An Act for the continuation of an Expiring Law.”

“ An Act to amend the Local Governing Bodies Loan Act 1872.”

“ An Act to amend the Law relating to Compulsory Vaccination.”

“ An Act to erect a new Court for the trial of Offences, to establish uniformity of venue in Civil and Criminal Judicature, and to amend the practice and procedure of Courts of Criminal Jurisdiction.”

“ An Act to further amend the Law relating to the Customs.”

“ An Act to amend the Mining Statute 1865 Amendment Act.”

“ An Act to sanction the issue and application of certain sums of money from ‘ The Railway Loan Liquidation and Construction Account,’ established under the provision of section forty-two of 33 Vict. No. 360.”

“ An Act to consolidate and amend the Laws relating to Local Government.”

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

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

“ G. F. BOWEN,
“ Governor.”

His Excellency was then pleased to speak as follows:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

It affords me pleasure to be able to release you from your long and arduous labors, and I have to express my thanks for the attention which you have bestowed upon your Parliamentary duties.

A claim has been made by South Australia that the boundary line between that colony and Victoria, though fixed so far back as 1847, should be re-adjusted. With the view of preserving the friendly relations that exist between the two colonies, it has been considered desirable to refer the matter to the Judicial Committee of the Privy Council, whose decision will be communicated to you in due course.

The boundary line between Victoria and New South Wales has been satisfactorily adjusted, and the necessary steps have been taken to give full legal effect to the arrangement.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I have to thank you on behalf of Her Majesty for the supplies so liberally granted by you for the service of the year.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

The present Parliament was returned charged with the special duty of dealing with the acknowledged defects of our Constitution. I have observed with satisfaction that this difficult

question occupied the earliest attention of both branches of the Legislature; and although no legislative enactment has been agreed to upon the subject, I cannot regard the time which has been devoted to its discussion as having been wasted, as it must tend to a solution of the difficulty.

Notwithstanding the length of time occupied in the discussion of constitutional reform, it is a matter for congratulation that some very important measures have been dealt with by you—pre-eminently that relating to Local Government. In that measure the fullest effect is given to the principle of local self-government, by extending the powers of the various municipal bodies. In addition to this the law has been so amended as to remedy many of the defects which previously existed.

The Customs Duties Amendment Act is important in respect to the changes made by it in certain duties of Customs, but mainly because it may be regarded as the inauguration of a system of fiscal reform, which will materially lighten the burdens of the people, and at the same time promote the commerce of the country. By the passing of that measure it has been shown that trade can be freed from hindrances of a vexatious character without doing injury to the manufacturing industries of the colony. It will be the duty of my Advisers during the recess to consider carefully the desirability of extending the reform thus inaugurated.

The Act to erect a new Court for the Trial of Offences, to establish uniformity of venue in Civil and Criminal Judicature, and to amend the practice and procedure of Courts of Criminal Jurisdiction will be found most useful, removing many anomalies in the administration of the Criminal law, subdividing the colony into well-defined areas, and rendering more certain the administration of justice.

The amendment of the law respecting Neglected and Criminal Children cannot be regarded as unimportant, affecting as it does the welfare of a class whose after-life will depend greatly upon the treatment which they experience in their youth. The Boarding-out system has been found most beneficial, and this measure cures several defects in the law which considerably interfered with its successful operation.

The Act you have passed relating to Building Societies will place those useful institutions in a more satisfactory position.

It is to be regretted that Parliament has for the third time failed to concur in passing into law the measure dealing with mining on private property, seeing that such a law is urgently required to remove restrictions upon mining enterprise and upon the settlement of the country, and that the necessity for it has been acknowledged by both Houses of Parliament.

I observe with satisfaction that you have amended the law relating to Customs, giving greater facilities for trade and manufactures; and that measures curing defects in Local Governing Bodies' Loans, and various other important matters, have also received your attention.

During the recess full enquiry will be made, by means of a Royal Commission, respecting the present condition of the various Friendly Societies, with a view to effective measures being taken to ensure their being placed on a more satisfactory basis than at present.

The works in connection with the construction of the various lines of Railway authorized by Parliament are being rapidly proceeded with. Several new lines have been opened, and within a short period other lines will be ready for traffic. Of those authorized by Parliament last year two are under contract for construction, for two more tenders have been called, and the remainder are being permanently marked off so that tenders may be invited. On all the lines opened traffic is constantly increasing, and as my Advisers are satisfied that a judicious extension of railway accommodation will promote the comfort and prosperity of the people, trial surveys of new lines are now being made, with the view of submitting to Parliament new proposals for railway extension.

I have observed with pleasure that the prosecution of our great schemes of Water Supply has been attended with satisfactory results. The Coliban scheme has proved to be so far a success that Castlemaine is now supplied with water from the Malmsbury Reservoir; and Geelong, Castlemaine, and Sandhurst are now returning a fair revenue to the State. In several other important localities, under the provisions of the Loan Act, local water supply works are in course of construction.

I am glad to inform you that settlement upon our public lands progresses satisfactorily. The continuous increase of selection has led my Advisers to make enquiries as to the character of settlement that has taken place, and the results prove that of the lands selected, for which leases or Crown grants had been issued after the three years' probation of the selectors had expired, not more than three per cent. has been sold or mortgaged, and of the selectors who have taken up the public lands within the last twelve months, 80 per cent. are in actual personal occupation. Attempts have been made in a few instances to evade the law, but with the means now at the disposal of the Lands Department, and the information which it is constantly in receipt of, the Government will be enabled to frustrate any efforts in that direction, and to punish those who violate the law.

Steps have already been taken for the purpose of establishing a Labor Office which it is expected will benefit alike the employer and the employed. It is confidently anticipated that the scheme will be self-supporting, and will at the same time furnish valuable statistical information as to the employment of the people.

I now, in Her Majesty's name, declare this Parliament to be prorogued to Monday the 1st day of February next, and it is prorogued accordingly.

Melbourne, 24th December, 1874.

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

His Excellency the Governor left the Council Chamber.

CHARLES L. COMYNS,
Acting Clerk of the Council and Acting Clerk of the Parliaments.

SELECT COMMITTEES

APPOINTED DURING THE SESSION 1874.

No. 1.—ADDRESS IN REPLY TO GOVERNOR'S SPEECH.

Appointed 20th May, 1874.

The Hon. G. W. Cole
T. T. a'Beckett
T. F. Hamilton
J. Henty

The Hon. W. Highett
C. J. Jenner
F. T. Sargood
J. A. Wallace (*Mover*).

No. 2.—STANDING ORDERS.

Appointed 20th May, 1874.

The Hon. The President
T. T. a'Beckett
C. J. Jenner

The Hon. Sir F. Murphy
Dr. Hope.

No. 3.—LIBRARY (JOINT).

Appointed 20th May, 1874.

The Hon. The President
F. T. Sargood
Dr. Dobson

The Hon. F. Robertson
R. S. Anderson (*Mover*).

No. 4.—PRINTING.

Appointed 20th May, 1874.

The Hon. J. Henty
J. Cumming
W. Highett

The Hon. J. F. Strachan
J. A. Wallace.

No. 5.—REFRESHMENT ROOMS (JOINT).

Appointed 20th May, 1874.

The Hon. T. J. Sumner
P. Russell
T. F. Hamilton

The Hon. R. Simson
N. Fitzgerald.

No. 6.—PARLIAMENT BUILDINGS (JOINT).

Appointed 20th May, 1874.

The Hon. The President
N. Black
W. Degraives
W. Campbell

The Hon. R. S. Anderson (*Mover*)
J. Balfour.*

*Appointed 27th October, 1874, in the place of Honorable W. Degraives, resigned.

No. 7.—ELECTIONS AND QUALIFICATIONS.

Appointed 20th May, 1874.

The Hon. T. T. a'Beckett
 R. S. Anderson
 R. C. Hope
 J. Cumming

The Hon. W. Highett
 F. S. Dobson
 P. Russell
 J. P. Bear.*

*Appointed (17th November, 1874) *vice* Honorable R. C. Hope, retired by rotation.

No. 8.—CONSTITUTION OF COUNCIL.

Appointed (by ballot) 1st September, 1874.

The Hon. T. T. a'Beckett (*Mover*)
 R. S. Anderson
 W. Campbell
 Dr. Dobson
 J. Graham

The Hon. W. Highett
 The President
 Sir F. Murphy
 F. T. Sargood
 R. Simson.

No. 9.—CRIMES AND OFFENCES PREVENTION BILL.

Appointed 6th October, 1874.

The Hon. T. T. a'Beckett
 C. J. Jenner
 J. Graham
 W. A. C. a'Beckett

The Hon. J. Balfour
 R. Simson
 R. S. Anderson (*Mover*).

LEGISLATIVE COUNCIL.

SESSION 1874.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 1.

Extracted from the Minutes.

TUESDAY, 24TH NOVEMBER, 1874.

No. 1.—CRIMES AND OFFENCES PREVENTION BILL.—PART IV.—OFFENSIVE CONDUCT IN PUBLIC, AND JUVENILE OFFENDERS.—

Clause 24.—If persons assemble together or be in company to the number of three or more in any public street thoroughfare or place with a common purpose or intent of unlawfully causing annoyance to others or to the danger of the public peace, every person so offending shall except as hereinafter provided on conviction be imprisoned for any term not exceeding six months with or without hard labour.

Clause 25.—When any male person under sixteen years of age is convicted of a first offence against the last preceding section of this Act or against any of the sections or sub-sections mentioned in the Fifth Schedule hereto the justices before whom he is convicted may adjudge in lieu of any punishment prescribed by the said sections or sub-sections that such offender shall forthwith in some convenient place adjacent to the court be privately whipped with a birch rod or cane, and the number of strokes shall be specified in such adjudication and shall not exceed twenty, and such offender shall be discharged immediately after having been whipped.

Clause 26.—Such whipping shall be inflicted by a constable in the presence of a justice, who shall direct as to the degree of severity of such whipping and decide as to whether the offender is able to bear the whole of the strokes adjudged or any number less than the whole, and may if he shall think fit remit the whole or any number of such strokes.

Clause 27.—When any such male person as aforesaid is convicted of a second or subsequent offence against any of the sections or sub-sections in this Part aforesaid the justices before whom he is so convicted may in case such offence be punishable only by penalty in money adjudge that in lieu of or in addition to any such penalty the offender be imprisoned and kept in solitary confinement for a space not exceeding seven days, and in case such offence be punishable in their discretion either by penalty in money or by imprisonment or by both or be punishable by imprisonment only, may adjudge that the offender be kept in solitary confinement for a space not exceeding seven days of any period of imprisonment adjudged by them, or if the period adjudged by them be less than seven days then for a space thereof not exceeding such period; and may further in all and each of the cases aforesaid adjudge that the offender during his solitary confinement be once privately whipped, the number of strokes to be specified in the conviction and not to exceed thirty.

Clause 28.—When any male person of sixteen years of age and under twenty-one is convicted of an offence against any of the said sections or sub-sections the justices before whom he is so convicted may in case such offence be punishable only by penalty in money adjudge that in addition to any such penalty the offender be imprisoned and kept in solitary confinement for a space not exceeding seven days, and in case such offence be punishable in their discretion either by penalty in money or by imprisonment or by both or be punishable by imprisonment only, may adjudge that the offender be kept in solitary confinement for a space not exceeding seven days of any period of imprisonment adjudged by them, or if the period adjudged by them be less than seven days then for a space thereof not exceeding such period, and may further in all and each of the cases aforesaid adjudge that the offender during his solitary confinement be once privately whipped, the number of strokes to be specified in the conviction and not to exceed forty.

Clause 29.—In all cases in which the punishment of whipping shall be inflicted under the authority of the two last preceding sections of this Act the surgeon or medical officer of the nearest gaol (although the whipping does not take place at such gaol), or some other person appointed in that behalf by the Governor, shall be present at the time and place when and where the same is to be inflicted; and such surgeon medical officer or other person if he be of opinion that the offender is not at any time able to bear the whole or any part of such punishment may from time to time order the infliction of the whole or any part thereof to be postponed, and shall within two days after the making of any such order send a report in writing stating his reasons for making such order to a

law officer : Provided that no such postponement shall extend to a day more distant than three from the day after the offender would have been entitled to his discharge, but that his imprisonment may for this purpose be prolonged for three days or less upon the order of a police magistrate.

Clause 30.—The Governor in Council shall make rules for generally regulating the infliction of the punishment of whipping and solitary confinement under this Act, and shall have power to amend alter or rescind such rules from time to time, and subject to such rules and the provisions of this Act the convicting justices shall in each case direct in what manner and with what instrument the said punishment of whipping shall be inflicted, but no such punishment of whipping shall be inflicted at the place in any gaol or penal establishment in which criminals punishable with whipping under "*The Criminal Law and Practice Statute 1864*" or any amendment thereof are usually whipped, or by the person by whom such last-mentioned whipping is usually inflicted.

Motion made—That the whole of Part IV. (clauses 24 to 30) be struck out, with a view to insert other clauses.—(*Hon. W. A. C. a'Beckett.*)

Question—That clauses proposed to be omitted be so omitted—put.

Committee divided.

Contents, 9.
The Hon. T. Bromell
W. Campbell
P. Russell
W. Highett
T. F. Hamilton
H. Cuthbert
N. Black
N. Fitzgerald
W. A. C. a'Beckett (*Teller*).

Not Contents, 10.
The Hon. J. A. Wallace
W. Skene
J. Graham
R. Simson
T. T. a'Beckett
T. J. Sumner
J. P. Bear
F. Robertson
F. S. Dobson
R. S. Anderson (*Teller*).

No. 2.—CRIMES AND OFFENCES PREVENTION BILL.—Clause 25 (as amended).—When any male person over ten and under sixteen years of age is convicted of any offence against the last preceding section of this Act or against any of the sections or sub-sections mentioned in the Fourth Schedule hereto the justices before whom he is convicted in lieu of any punishment prescribed may adjudge that such offender shall forthwith in some convenient place near or adjacent to the court be privately caned or whipped on the breech with a rod, and the number of strokes shall be specified in such adjudication and shall not exceed twenty, and such offender shall be discharged immediately after having been whipped.

Motion made—That the following words be added to the clause—"*Provided always that no such male person shall be adjudged to be whipped upon his first conviction of any such 'offence' unless satisfactory evidence shall be given to the presiding magistrates that the offender has been an habitual associate of persons of bad character.*"—(*Hon. T. T. a'Beckett.*)

Amendment moved—That all the words after the word '*offence*,' in the second line of the above proviso, be omitted.—(*Hon. W. A. C. a'Beckett.*)

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

Committee divided.

Contents, 11.
The Hon. J. A. Wallace
T. T. a'Beckett
T. Bromell
T. J. Sumner
J. Graham
P. Russell
T. F. Hamilton
W. Skene
R. Simson
J. P. Bear
R. S. Anderson (*Teller*).

Not Contents, 4.
The Hon. W. A. C. a'Beckett
N. Black
W. Campbell
N. Fitzgerald (*Teller*).

LEGISLATIVE COUNCIL.

SESSION 1874.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

No. 2.

Extracted from the Minutes.

WEDNESDAY, 9TH DECEMBER, 1874.

No. 1.—LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—Clause 253.—The council of every municipality shall once at least in every year, and may from time to time as they see fit in manner hereinafter mentioned, make and levy rates to be called “general rates” equally upon all rateable property within such municipal district; and no such rates made in any one year shall exceed the amount of two shillings “and sixpence” in the “pound” of the annual value of such property as estimated under the provisions of this Act, or be less than sixpence in the pound of such value, and the council of every newly constituted municipality shall within four months after the first election of councillors for such municipality, make one such rate at not less than sixpence in the pound of such annual value.

Amendment proposed—That, in the fifth line of the above clause, the words “and sixpence” be omitted.—(Hon. R. Simson.)

Question—That the words proposed to be omitted be so omitted—put.
Committee divided.

Contents, 14.

The Hon. J. Cumming
W. Skene
W. Campbell
P. Russell
N. Fitzgerald
R. Simson
W. Highett
F. S. Dobson
F. Robertson
J. Henty
N. Black
J. P. Bear
H. Cuthbert
J. Graham (*Teller*).

Not Contents, 8.

The Hon. Sir F. Murphy
J. A. Wallace
R. S. Anderson
G. W. Cole
T. T. a'Beckett
T. J. Sumner
J. Balfour
W. A. C. a'Beckett (*Teller*).

Further amendment—That, after the word “pound,” in the fifth line of the above clause, the following words be inserted, “for shires, and not exceeding two shillings and sixpence in the pound for boroughs.”—(Hon. H. Cuthbert.)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Contents, 18.

The Hon. F. S. Dobson
Sir F. Murphy
G. W. Cole
T. T. a'Beckett
R. S. Anderson
J. Cumming
F. Robertson
P. Russell
W. Skene
J. Balfour
W. Highett
H. Cuthbert
T. J. Sumner
R. Simson
J. Henty
J. P. Bear
N. Black
W. A. C. a'Beckett (*Teller*).

Not Contents, 4.

The Hon. N. Fitzgerald
W. Campbell
J. A. Wallace
J. Graham (*Teller*).

LEGISLATIVE COUNCIL.

SESSION 1874.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 3.

Extracted from the Minutes.

WEDNESDAY, 16TH DECEMBER, 1874.

No. 1.—LOCAL GOVERNMENT LAWS CONSOLIDATION AND AMENDMENT BILL.—Clause 419.—The council of every municipality may, with the consent of the Governor in Council, from time to time place erect and maintain, and may continue and maintain if lawfully existing before the commencement of this Act, upon or near the roads and streets within the municipal district and at or near any bridge or ferry within the municipal district, or placed under the control of the council, all such toll-bars toll-gates toll-houses and ferry-houses chains rails and fences as appear to them necessary for the purpose of enforcing the payment of tolls on such roads bridges or ferries under this Act, and the same may remove or alter.

Motion made—That the following words be added to the clause :—“ *Provided that after the thirty-first day of December One thousand eight hundred and seventy-five no toll shall be payable or be collected on any road or at or near any bridge in the colony of Victoria other than at any bridge which is private property and constructed by virtue of an Act of Parliament, or in such municipal district or part of a municipal district as the Governor in Council shall upon the application of the governing body of such municipal district exempt from the operation of this Proviso, which exemption the Governor in Council may at any time revoke.*”—(Hon. N. Fitzgerald.)

Question—That the words proposed to be so added be added—put.
The Committee divided.

Contents, 8.
The Hon. T. T. a'Beckett
F. S. Dobson
T. Bromell
J. Balfour
W. Highett
T. F. Hamilton
N. Fitzgerald
R. S. Anderson (*Teller*).

Not Contents, 10.
The Hon. W. Campbell
J. Graham
R. Simson
J. A. Wallace
Sir F. Murphy
J. P. Bear
F. Robertson
N. Black
J. Cumming
H. Cuthbert (*Teller*).

FOREIGN OFFENDERS APPREHENSION ACT 1863,
NEW ZEALAND.

ORDERED BY THE COUNCIL TO BE PRINTED, 26TH AUGUST, 1874.

EXTRACTED FROM THE MINUTES, WEDNESDAY, 26TH AUGUST, 1874.

OFFENDERS ESCAPED TO NEW ZEALAND FROM AUSTRALIA APPREHENSION ACT.—The Honorable F. T. Sargood, in accordance with notice, moved, "That the New Zealand Act, intituled "*An Act for the better apprehension of Offenders who shall have escaped to parts within the Colony of New Zealand from any of the Australian Colonies,*" be printed and circulated for the information of members.

Debate ensued.

Question—put and passed.

NEW ZEALAND.

ANNO VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. 22.

ANALYSIS.

- Title.
Preamble.
1. Short title.
2. Interpretation.
3. Application of Act.
4. Apprehension of offenders.

5. Committal of offender for removal.
6. Committal by way of remand.
7. Bail allowed.
8. Copies of depositions.
9. Judge's discharge of offender.

AN ACT for the better Apprehension of Offenders who shall have escaped to parts within the Colony of New Zealand from any other of the Australasian Colonies. Title.

[14th December 1863.]

WHEREAS by a certain Act of the Imperial Parliament passed in the sixth and seventh years of the reign of Her present Majesty intituled "An Act for the Better Apprehension of Certain Offenders" provision is made for the apprehension in any part of Her Majesty's Dominions of persons charged with committing in any other part of Her Majesty's Dominions certain offences in the said Act mentioned and against whom a Warrant shall have been issued by any person or persons having lawful authority to issue the same and for the imprisonment of such offenders and for their removal to that part of Her Majesty's Dominions in which they were charged with having committed the offence: Preamble.
6 & 7 Vic.
c. 34.

AND WHEREAS by another Act of the Imperial Parliament passed in the sixteenth and seventeenth years of the Reign of Her said Majesty intituled "An Act 16 & 17 Vic.
c. 118.

Foreign Offenders Apprehension.

to amend An Act of the seventh year of the Reign of Her Majesty for the better apprehension of certain Offenders" the provisions of the first recited Act were extended to other offences :

AND WHEREAS the contiguity of the Australasian Colonies to each other greatly facilitates the escape of offenders from one to the other of such colonies which said offenders may in many instances elude the pursuit of justice unless provision be made for their apprehension in the Colony to which they shall have escaped without requiring that a Warrant be obtained from a Magistrate of the Colony having the original jurisdiction and that such Warrant shall be endorsed by a Judge of the Colony to which the offender shall have withdrawn himself And Whereas it is expedient that the provisions of the said Acts of Parliament should be applied to persons charged with other offences than those to which the said recited Acts are limited.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows:—

- Short Title. I. The Short Title of this Act shall be the "Foreign Offenders Apprehension Act 1863."
- Interpretation. II. For the purposes of this Act and of the said recited Acts the words "Australasian Colonies" shall be deemed to describe and include the Colonies of New Zealand New South Wales Tasmania Victoria South Australia Western Australia and Queensland with their respective Dependencies as such Colonies are now or may hereafter be defined and limited and also any other Colony which may hereafter be established within the existing limits of any of the said Colonies or within any portion of Her Majesty's Dominions in New Holland.
- Application of Act. III. This Act shall apply to all charges of treason and felony and to all indictable misdemeanours committed or charged to have been committed in any of the Australasian Colonies.
- Apprehension of offenders. IV. After the passing of this Act if any person shall be within the Colony of New Zealand who shall be charged with having committed any offence such as is hereinbefore mentioned within any other of the Australasian Colonies it shall be lawful for any Justice of the Peace to issue his Warrant for the apprehension of such supposed offender in the same manner and upon the like grounds as if the offence was charged to have been committed within the ordinary jurisdiction of such Justice and thereupon it shall be lawful for all Peace Officers and they are hereby required to execute such Warrant by apprehending the person against whom it is directed and to convey him before the same or any other Justice.
- Committal of offender for removal. V. It shall be lawful for any Justice before whom any such supposed offender shall be brought as aforesaid upon such evidence of criminality as would justify his committal for trial if the offence had been committed within the ordinary jurisdiction of the Justice to commit such supposed offender to prison there to remain until he can be sent back to the Colony in which the offence is alleged to have been committed and delivered to the proper authorities therein in the manner mentioned in the said recited Acts of Parliament and immediately upon the committal of such person information thereof in writing under the hand of the committing Magistrate accompanied by a copy of his Warrant and of the depositions on which the same was granted shall be given to the Governor or to the Superintendent of the Province in which the committal shall take place.
- Committal by way of remand. VI. It shall be lawful for any Justice before whom any such supposed offender shall be brought upon such evidence of criminality as would justify the remand of any person for further examination in cases where evidence is expected to be obtained from remote parts if the offence had been committed within the ordinary jurisdiction of such Justice to commit such supposed offenders to prison by way of remand for such reasonable time not exceeding One month until copies of depositions taken certified and attested as hereinafter mentioned shall have been received from the Colony in which the offence is alleged to have been committed and submitted to the

Foreign Offenders Apprehension.

same or some other Justice and upon such copies being so submitted it shall be lawful for the Justice to whom the same shall be so submitted either to discharge such supposed offender or to commit him finally under and in pursuance of the authority hereinbefore given in that behalf. Provided always that immediately upon the committal by way of remand information thereof in writing under the hand of the committing Magistrate accompanied by a copy of the depositions upon which the remand was ordered shall be given to the Governor or to such Superintendent as aforesaid as hereinbefore provided with respect to final committals.

VII. Provided always that it shall be lawful for any such Justice who shall so as aforesaid commit any such supposed offender either finally or by way of remand to allow bail to be taken for the surrender of the prisoner committed at a day and place to be specified in the recognizance of bail if the nature of the offence charged or the character of the evidence of criminality shall be such as would justify the allowance of bail in a similar case occurring within the ordinary jurisdiction of the Justice and thereupon the recognizance of bail shall be of the same force and effect in all respects as if the same had been entered into for the appearance of an accused person to take his trial or for further examination upon a charge of an offence committed within the colony. Bail allowed.

VIII. In every such case as hereinbefore mentioned copies of the depositions upon the charge made against the said supposed offender taken by a person having lawful authority to take the same in the Colony in which the offence is alleged to have been committed if duly certified under the hand of the person taking such depositions and attested on Oath by the person producing the same to be true copies of the original depositions may be received in evidence of the criminality of the person apprehended under the provisions of this Act. Copies of depositions.

IX. The provisions in the said first recited Act of Parliament touching the discharge of any person committed as therein provided if he shall not have been conveyed away within two months after his committal shall be applied to all committals under this Act whether final or by way of remand. Judge's discharge of offender.

LAND REVENUE.—IMMIGRATION EXPENDITURE.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.
THE HONORABLE T. T. A'BECKETT.—26TH AUGUST, 1874.

LAID UPON THE COUNCIL TABLE BY THE HONORABLE R. S. ANDERSON, AND ORDERED BY THE
COUNCIL TO BE PRINTED, 1st SEPTEMBER, 1874.

1. The Net Moneys paid to the Public Revenue yearly during the years 1866 to 1869, both inclusive, in respect of the Sale or Survey of Crown Land, or of Licenses for the use thereof.
2. The Amount paid yearly during the same period from the Public Revenue for Immigration purposes.

1.

NET MONEYS paid to the Public Revenue yearly during the years 1866 to 1869, both inclusive, in respect of the Sale or Survey of Crown Land, or of Licenses for the use thereof.

| | | | | | £ | s. | d. |
|------|-----|-----|-----|-----|---------|----|----|
| 1866 | ... | ... | ... | ... | 848,235 | 17 | 2 |
| 1867 | ... | ... | ... | ... | 795,159 | 9 | 7 |
| 1868 | ... | ... | ... | ... | 836,215 | 2 | 9 |
| 1869 | ... | ... | ... | ... | 810,210 | 14 | 2 |

These are exclusive of Miners' Rights, Business Licenses, Leases of Auriferous and Mineral Land, and Water Right and Searching Licenses. The amount arising from these sources were:—

| | | | | | £ | s. | d. |
|------|-----|-----|-----|-----|--------|----|----|
| 1866 | ... | ... | ... | ... | 32,160 | 2 | 2 |
| 1867 | ... | ... | ... | ... | 28,684 | 8 | 1 |
| 1868 | ... | ... | ... | ... | 33,144 | 3 | 6 |
| 1869 | ... | ... | ... | ... | 43,577 | 17 | 6 |

2.

THE AMOUNT paid yearly during the same period from the Public Revenue for Immigration purposes:—

| | | | | | £ | s. | d. | |
|------|-----|-----|--------|----|----|--------|----|----|
| 1866 | ... | ... | 851 | 5 | 3 | | | |
| | | | 334 | 12 | 1 | | | |
| | | | 34,627 | 2 | 4 | 35,812 | 19 | 8 |
| 1867 | ... | ... | 737 | 14 | 9 | | | |
| | | | 388 | 10 | 4 | | | |
| | | | 37,275 | 4 | 10 | 38,401 | 9 | 11 |
| 1868 | ... | ... | 714 | 1 | 3 | | | |
| | | | 31,834 | 9 | 1 | 32,548 | 10 | 4 |
| | | | 378 | 19 | 8 | | | |
| 1869 | ... | ... | 50,258 | 8 | 0 | 50,637 | 7 | 8 |

1874.
—
VICTORIA.

SUPERNUMERARIES & NON-CLASSIFIED CLERKS
IN THE GOVERNMENT SERVICE.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL,
THE HONORABLE W. A. C. A'BECKETT, 30TH JUNE, 1874.

A RETURN of the Names of all Persons employed as Supernumeraries and Non-classified Clerks in the Government Service; showing Salaries, Date of their Appointment, and the Office they are employed in.

LAID UPON THE COUNCIL TABLE BY THE HONORABLE R. S. ANDERSON, AND
ORDERED BY THE COUNCIL TO BE PRINTED 8TH SEPTEMBER, 1874.

CHIEF SECRETARY'S DEPARTMENTS.

RETURN of the Names of all Persons employed as Supernumeraries and Non-classified Officers in the Departments in the Honorable the Chief Secretary's Division; showing Salaries, Date of Appointment, and Office they are employed in.

CHIEF SECRETARY.

| Name. | Salary. | Date of Appointment. | Office in which employed. |
|------------------------------|-------------------------|--------------------------|--|
| Thomas Brisbane | 10s. per diem | 6th August, 1872 | Supernumerary clerk in Chief Secretary's office. |
| Saml. Labee Whitfield | £2 10s. per week | 18th August, 1874 | Ditto. |

LEGISLATIVE COUNCIL.—POLICE.—PARLIAMENT LIBRARY.—GOVERNMENT SHORTHAND WRITER.

In the above Departments no supernumeraries or non-classified clerks are employed.

CHIEF INSPECTOR OF SHEEP.

| Name. | Salary. | Date of Appointment. | Office in which employed. |
|----------------------------|--------------------|----------------------------|------------------------------------|
| George Pentland | £4 per week | 29th September 1870 | Clerk to Chief Inspector of Sheep. |
| Alfred Morris Gough | £1 " " | 15th July 1874 | Temporary clerk. |

NOTE.—Mr. Gough's services have been since discontinued.

EDWARD M. CURR,

LEGISLATIVE ASSEMBLY.

| Supernumeraries. | Non-classified. | Salary. | Date of Appointment. | Office. |
|------------------|------------------|--------------------|-----------------------|---------------------|
| Nil. | J. H. Bowman ... | £180 per annum ... | 20th January 1857 ... | Reader's Assistant. |

Legislative Assembly,
14th July 1874.

JOHN BARKER,
Clerk of Assembly.

GOVERNMENT STATIST.

| Name. | Office. | Salary. | Date of Appointment. |
|--------------------|--------------------------|--------------------|----------------------|
| Joseph Hart * ... | Non-classified clerk ... | £180 per annum ... | 11th February 1873. |
| W. P. Simons † ... | Supernumerary clerk ... | 10s. per diem ... | 18th February 1874. |

* Mr. Hart was previously employed in the Service as follows:—Audit Office, as supernumerary clerk, at £120 per annum, from 25th March 1865 to 17th July 1865; Warden's clerk, at £350 per annum, from 24th July 1865 to 31st December 1868; Audit Office, as supernumerary clerk, at £120 per annum, from 22nd October 1870 to 9th February 1871; Census Office, as supernumerary clerk, at 10s. per diem, from 12th April 1871 to 10th February 1873.

† Mr. Simons was previously employed as follows:—Registrar-General's Office, as supernumerary clerk, from 8th April 1870 to 30th June 1870, at 10s. per diem; same office, from 1st November to 31st December 1870, at £120 per annum; Census Office, from 10th March 1871 to 30th June 1873, at 10s. per diem. He has received notice that his present engagement will terminate on the 31st inst.

Census Office, Melbourne,
10th July 1874.

H. H. HAYTER,
Government Statist.

PENAL AND GAOLS.

| Name. | Salary. | Date of Appointment. | Office. |
|-----------------------|--------------------|-----------------------|------------------------------------|
| Charles James Agg ... | £120 per annum ... | 1st February 1872 ... | Clerk, Inspector-General's office. |

NOTE.—Previously employed in the Industrial Schools Department, from 22nd December 1871 to 31st January 1872.

The Honorable the Chief Secretary.

GEO. O. DUNCAN,
Inspector-General P.E.
July 1874.

MEDICAL.

| Name. | Salary. | Date of Appointment. | Office in which employed. |
|-----------------|--------------------|----------------------|--|
| Wm. Gaunson ... | £170 per annum ... | 1st March 1870 ... | Central Board of Health. Clerk to secretary. |

NOTE.—The date of Mr. Gaunson's first appointment to the Public Service was 25th April 1865.

W. McCREA,
Chief Medical Officer.

LUNATIC ASYLUMS.

| Name. | Present Salary. * | Date of Appointment. | Office. |
|-----------------------|--------------------|-------------------------|-----------------------------------|
| Michael Cody ... | £105 per annum ... | 15th November 1873 ... | Clerk, Yarra Bend Lunatic Asylum. |
| John Turner † ... | £250 ,, ... | 23rd September 1873 ... | Steward, Kew Lunatic Asylum. |
| Michael Niall ‡ ... | £120 ,, ... | 1st October 1872 ... | Clerk " " |
| William Cleary ... | £150 ,, ... | 19th August 1873 ... | Clerk " " |
| William S. Walker ... | £160 ,, ... | 15th August 1868 ... | Clerk, Ararat Lunatic Asylum. |
| John Vallance ... | £160 ,, ... | 27th April 1868 ... | Clerk, Beechworth Lunatic Asylum. |

* As per Estimates 1874-5,

† Date of first appointment 11th January 1864.

‡ Date of first appointment 27th May 1872.

E. PALEY.

INDUSTRIAL AND REFORMATORY SCHOOLS.

| Name. | Salary. | Date of Appointment. | Staff on which employed. | | Office. |
|--------------------------|----------------------|----------------------|--------------------------|-------------------|--------------------------|
| | | | Perma- nent. | Super- numery. | |
| Henry F. Neal ... | £ 425 0 0 | 25.5.66 | I | ... | Chief clerk. |
| Donald J. Mackintosh ... | 225 0 0 | 15.3.66 | I | ... | Accountant. |
| John R. Scott ... | 375 0 0 | 7.10.69 | I | ... | Superintendent. |
| John Robertson ... | 200 0 0 | 28.1.73 | I | ... | " |
| Emma S. Narracott ... | 144 0 0 | 16.5.66 | I | ... | Matron. |
| Mary C. Wilson ... | 132 0 0 | 9.4.68 | I | ... | " |
| Mary F. Bloxham ... | 132 0 0 | 10.7.69 | I | ... | " |
| Edward C. Connor ... | 180 0 0 | 1.8.64 | I | ... | Teacher. |
| Peter Robin ... | 250 0 0 | 5.4.73 | I | ... | " |
| Thomas Cairncross ... | 180 0 0 | 16.10.68 | I | ... | Storekeeper. |
| Charles M. Lilburne ... | 180 0 0 | 3.5.69 | I | ... | " |
| Parlan Macfarlane ... | 180 0 0 | 22.10.69 | I | ... | " |
| John Brophy ... | 180 0 0 | 28.6.70 | I | ... | " |
| Thomas M. Miller ... | 180 0 0 | 26.6.71 | I | ... | " |
| David S. Robinson ... | 180 0 0 | 14.5.72 | I | ... | " |
| John Duross ... | 180 0 0 | 19.7.65 | I | ... | Summoning officer. |
| William West ... | 150 0 0 | 14.3.66 | I | ... | Drill instructor. |
| George Downward ... | 180 0 0 | 1.1.69 | I | ... | Assistant clerk. |
| Charles J. Tyres ... | 120 0 0 | 14.12.71 | I | ... | " |
| James Maguinness ... | 180 0 0 | 20.7.72 | I | ... | " |
| Robert Wilson ... | 96 13 4 | 24.9.72 | I | ... | " |
| Fredk. T. Cator ... | 180 0 0 | 20.3.73 | I | ... | " |
| Richard H. Phillips ... | 150 0 0 | 1.4.73 | I | ... | " |
| David Miller ... | 120 0 0 | 1.5.73 | I | ... | " |
| William F. H. Brook ... | 60 0 0 | 1.7.73 | I | ... | " |
| Sidney Dominey ... | 100 0 0 | 22.10.73 | I | ... | " |
| Fredk. F. R. Terry ... | 200 0 0 | 1.3.73 | ... | I | " |
| Wm. W. Cuthbert ... | 10s. per working day | 23.4.74 | ... | I | " |
| Margaret Meagher ... | 108 0 0 | 25.11.65 | I | ... | Assistant teacher. |
| Fanny Johnstone ... | 120 0 0 | 20.3.66 | I | ... | " |
| Margaret Mooney ... | 120 0 0 | 1.2.67 | I | ... | " |
| Mark E. Daniels ... | 108 0 0 | 9.3.68 | I | ... | " |
| Elizabeth B. Cowan ... | 108 0 0 | 15.10.68 | I | ... | " |
| John Thomas Walker ... | 108 0 0 | 14.12.71 | I | ... | " |
| Richard Wilson ... | 108 0 0 | 29.7.72 | I | ... | " |
| Patrick Kelly ... | 144 0 0 | 14.3.74 | I | ... | " |
| James R. Dunstone ... | 9s. 6d. per diem | 1.8.64 | I | ... | Trade instructor. |
| William Moody ... | 9s. per diem | 29.12.66 | I | ... | " |
| James Munro ... | 9s. per diem | 8.1.67 | I | ... | " |
| Thomas Thompson ... | 7s. 6d. per diem | 1.1.68 | I | ... | " |
| Georgé Benson ... | 9s. per diem | 1.7.72 | I | ... | " |
| William Chiverton ... | 8s. per diem | 1.7.72 | I | ... | " |
| John Kendall ... | 7s. 6d. per diem | 30.12.67 | I | ... | Agricultural instructor. |
| George Sellin ... | 6s. per diem | 1.1.68 | I | ... | " |
| Daniel McKenzie ... | 7s. 6d. per diem | 3.6.68 | I | ... | " |
| John Wilkinson ... | 7s. per diem | 27.1.73 | I | ... | " |
| Thomas Kenny ... | 6s. per diem | 27.1.73 | I | ... | " |
| Patrick Gordon ... | 6s. per diem | 30.1.73 | I | ... | " |
| Patrick McMahon ... | 6s. per diem | 3.2.73 | I | ... | " |
| George F. Jones ... | 6s. per diem | 20.6.73 | I | ... | " |
| Michael Doherty ... | 5s. per diem | 1.1.68 | I | ... | Store assistant. |
| James Anderson ... | 5s. per diem | 17.3.69 | I | ... | " |
| Hugh G. McDonald ... | 5s. per diem | 1.1.70 | I | ... | " |
| George Denton ... | 5s. per diem | 27.12.71 | I | ... | " |
| Patrick Brahaney ... | 5s. per diem | 1.7.72 | I | ... | " |
| James Daly ... | 5s. per diem | 6.11.72 | I | ... | " |
| John Foster ... | 5s. per diem | 1.2.73 | I | ... | " |
| H.M.V.S. Nelson. | | | | | |
| William Kelly ... | 150 0 0 | 7.2.71 | I | ... | Teacher. |
| John Watson ... | 250 0 0 | 11.3.73 | I | ... | " |

NOTE.—The chief clerk and accountant, the superintendents, teachers, and storekeepers, were gazetted as classified officers in 1866, and shown as such in the Appropriation Act for that year. In view, therefore, of the opinion of the Honorable A. Michie, when Attorney-General (71 R.6c38), these officers seem to have a claim to be included in the Civil Service List.

GEO. O. DUNCAN.

GOVERNMENT ASTRONOMER.

| Name. | Salary. | When first employed. | Remarks. |
|----------------|---------------|--|---|
| F. Kemp ... | £10 per month | 15th January 1873 | Temporarily employed as clerical assistant. |
| J. Grieve ... | £130 per year | 27th October 1873 | Employed as laborer, &c., in connection with Great Telescope. |
| G. Swanson ... | 10s. per day | Formerly in Crown Lands Department; first employed in that department in 1857. | Carpenter. |

ROBT. J. ELLERY,
Government Astronomer,

14th July 1874.

PUBLIC LIBRARY, MUSEUMS, AND NATIONAL GALLERY.

| Name. | Salary. | First Appointment in Library. | Present Appointment. | Office. |
|--------------------|---------|-------------------------------|----------------------|--|
| Robt. Curtis ... | £300 | 10th October 1870... | 1st June 1873 ... | Clerk to the Trustees ; general staff. |
| George Clayton ... | £80 ... | | 1st April 1872 ... | Clerk, National Museum. |

NOTE.—No persons are employed as supernumeraries.

REDMOND BARRY,
President.

30th July 1874.

GOVERNMENT BOTANIST.

| Name. | Salary. | Date of Appointment. | Office. |
|--------------------|------------------|------------------------|---|
| J. G. Luehmann ... | 9s. per diem ... | 21st February 1869 ... | Clerical assistant and Custodian of the Botanic Museum. |

NOTE.—This is the only clerk who can be paid out of the vote granted for the Government Botanist's department, although another officer has been regularly and necessarily employed during the whole financial last year.

10th July 1874.

FRED. VON MUELLER.

AUDIT OFFICE.

| Name. | Rate of Salary. | Date of Appointment. | Office. |
|---------------------------|---|---|---------|
| James Reid ... | £180 per annum to 31st Dec. 1873 £250 per annum from Jan. 1874 | From May to July 1858. 2nd to 31st Aug. 1861. Continuous from 6th January 1862. | |
| Frederick John Parker ... | £120 to 21st Oct. 1870 £144 to 31st Dec. 1873 £200 from 1st Jan. 1874 | 17th August 1865. | |
| Henry John Harvie ... | £120 to 30th June 1873 £144 from 1st July 1873 | 19 March 1869. | |
| Frank Tuckwell ... | £60 to 8th March 1874 £72 from 9th March 1874 | 1st May 1873. | |
| Eugene Ross ... | £120 ... | From 21st March 1865 to 25th January 1871. From 1st March 1871 to 2nd June 1871. Continuous from 8th April 1874. | |
| James Heawood ... | £120 ... | From 10th February to 27th May 1871. From 5th June 1871 to 5th September 1872. From 10th Oct. 1872 to 31st March 1873. Continuous from 5th March 1874. | |
| Frank Savage* | £72 ... | 10th March 1874. | |
| George Richard Leake | £60 ... | 14th March 1874. | |

* The term for which engaged expires on 31st July 1874.

FRANCIS JONES,
Commissioner of Audit.

CENTRAL BOARD FOR PROTECTION OF THE ABORIGINES.

| Names. | Salary. | Date of Appointment. | Office. |
|-----------------------|--------------------|------------------------|---|
| John Green ... | £300 per annum ... | 1st August 1861 ... | Inspector of stations. |
| Thomas Harris ... | £50 " ... | 1st January 1866 ... | Farm laborer, Coranderrk. |
| Wm. Goodall, jun. ... | £90 " ... | 1st June 1869 ... | Master of Framlingham station. |
| Robert Burgess ... | £2 per week ... | 6th September 1872 ... | Overseer of hop plantation, Coranderrk. |
| Leonard Fawssett ... | £10 per annum ... | 9th June 1873 ... | Local guardian, Swan Hill. |
| Mina Robertson ... | £70 " ... | 23rd January 1874 ... | Teacher, Coranderrk. |
| Heinrich Stähle ... | £70 " ... | 9th April 1874 ... | Teacher, Coranderrk. |
| M. De L. Pierse ... | £50 " ... | 11th May 1874 ... | Clerk to the board. |

R. BROUGH SMYTH,
Secretary to the Board.

EDUCATION DEPARTMENT.

RETURN of the Names of all Persons employed as Non-classified Officers and Supernumeraries in the Division of the Honorable the Minister of Public Instruction, showing Salaries, Date of their Appointment, and Office they are employed in.

(Office Branch.—Non-classified Officers.)

| Name. | Rate of Salary. | Date of Appointment. | Office. |
|----------------------|--------------------|--|--------------|
| H. P. Venables ... | £900 per annum ... | March 1858 * 1st October 1862 † 1st January 1873 † | Secretary. |
| T. H. Testar ... | £550 ,, ... | March 1851 * 1st October 1862 † 1st January 1873 † | Accountant. |
| W. H. Handfield ... | £500 ,, ... | November 1856 * 1st October 1862 † 1st January 1873 † | Chief clerk. |
| T. Abcott ... | £375 ,, ... | February 1864 † 1st January 1873 † | Clerk. |
| G. K. Sircom ... | £350 ,, ... | January 1853 * 1st January 1873 † | " |
| J. Bishop ... | £325 ,, ... | January 1853 * 1st October 1862 † 1st January 1873 † | " |
| H. Harris ... | £325 ,, ... | February 1864 † 1st January 1873 † | " |
| A. Leslie ... | £300 ,, ... | September 1856 * 1st October 1862 † 1st January 1873 † | " |
| Robt. Burke ... | £300 ,, ... | August 1867 † 1st January 1873 † | " |
| L. H. Hart ... | £275 ,, ... | October 1866 † 1st January 1873 † | " |
| F. Brown ... | £250 ,, ... | July 1864 † ... 1st January 1873 † | " |
| C. Cavenagh ... | £225 ,, ... | August 1864 † 1st January 1873 † | " |
| J. M. DeLacy ... | £225 ,, ... | July 1865 † ... 1st January 1873 † | " |
| J. F. McCann ... | £200 ,, ... | 7th August 1865 † 1st January 1873 † | " |
| A. Shelton ... | £200 ,, ... | September 1866 † 1st January 1873 † | " |
| F. Adams ... | £200 ,, ... | November 1866 † 1st January 1873 † | " |
| A. Burke ... | £200 ,, ... | December 1867 † 1st January 1873 † | " |
| J. Bagge ... | £200 ,, ... | February 1869 † 1st January 1873 † | " |
| A. G. Dumas ... | £200 ,, ... | January 1870 † 1st January 1873 † | " |
| J. P. Hornidge ... | £200 ,, ... | 3rd March 1873 † | " |
| T. V. Foote ... | £150 ,, ... | December 1867 † 1st January 1873 † | " |
| T. M. Callan ... | £150 ,, ... | February 1869 † January 1873 † | " |
| T. E. Tatham ... | £150 ,, ... | June 1870 † ... 1st January 1873 † | " |
| H. O. B. Lane ... | £130 ,, ... | September 1870 † 1st January 1873 † | " |
| A. C. Witton ... | £80 ,, ... | November 1871 † 1st January 1873 † | " |
| J. L. Eville ... | £80 ,, ... | January 1872 † 1st January 1873 † | " |
| E. P. Despard ... | £80 ,, ... | April 1872 † ... 1st January 1873 † | " |
| J. H. Waterfield ... | £80 ,, ... | July 1872 † ... 1st January 1873 † | " |
| D. Courtney ... | £80 ,, ... | October 1872 † 1st January 1873 † | " |
| L. Stack ... | £80 ,, ... | December 1872 † 1st January 1873 † | " |

Note.—The dates marked * signify the dates of first appointment under the late Denominational or National School Board; that marked † signifies the date of first appointment under the late Board of Education; and those marked ‡ the date of appointment under the present Education Department.

Mr. H. O. B. Lane was, for some time previous to his appointment in the department, employed as a teacher under the late Board of Education.

(Office Branch.—Supernumeraries.)

| | | | |
|----------------------|------------------|-----------------------|--------|
| F. O. Handfield ... | 10s. per day ... | 28th April 1873 ... | Clerk. |
| B. Parker ... | 10s. ,, ... | 7th May 1873 ... | " |
| C. Harper ... | 10s. ,, ... | 19th May 1873 ... | " |
| M. Campbell ... | 10s. ,, ... | 19th May 1873 ... | " |
| F. B. Smith ... | £1 per week ... | 20th May 1873 ... | " |
| R. Paterson ... | 10s. per day ... | 30th July 1873 ... | " |
| J. V. Walkden ... | £2 per week ... | 13th October 1873 ... | " |
| F. M. Hughan ... | 10s. per day ... | 3rd November 1873 ... | " |
| James Martin ... | £1 per week ... | 9th March 1874 ... | " |
| James Symon ... | £40 per year ... | 28th March 1874 ... | " |
| C. H. Streeon ** ... | 10s. per day ... | 6th May 1874 ... | " |
| R. T. C. Yates ... | 10s. ,, ... | 13th July 1874 ... | " |
| C. W. H. James ... | 10s. ,, ... | 20th July 1874 ... | " |

** Mr. Streeon was employed as a teacher for many years before his appointment in the department.

EDUCATION DEPARTMENT—*continued.**(Inspection Branch.—Non-classified Officers.)*

| Names. | Rate of Salary. | Date of Appointment. | Office. |
|------------------------|--------------------|--|--------------------|
| G. W. Brown | £700 per annum ... | May 1859* ... | Inspector-General. |
| J. Sircom | £500 " ... | 1st October 1862 † 1st January 1873 † November 1853* ... | Inspector. |
| H. A. Sasse | £500 " ... | 1st October 1862 † 1st January 1873 † 1st July 1858* ... | " |
| A. Gilchrist | £500 " ... | 1st October 1862 † 1st January 1873 † January 1853* ... | " |
| J. Geary | £500 " ... | 1st October 1862 † 1st January 1873 † 1st August 1857* ... | " |
| J. Main | £475 " ... | 1st October 1862 † 1st January 1873 † 5th March 1865 † ... | " |
| J. S. Elkington | £475 " ... | 1st January 1873 † 29th July 1866 † ... | " |
| T. Bolam | £425 " ... | 1st January 1873 † 12th October 1868 † ... | " |
| T. Brodribb | £425 " ... | 1st January 1873 † March 1869 †... .. | " |
| C. A. Topp | £400 " ... | 1st January 1873 † 13th September 1869 † | " |
| J. Baldwin | £300 " ... | 30th January 1873. | |
| R. G. Burke | £300 " ... | 27th January 1873. | |
| R. Craig | £300 " ... | 27th January 1873. | |
| J. Holland | £300 " ... | 3rd February 1873. | |
| R. Philp | £300 " ... | 12th February 1873. | |
| L. H. Noyes | £300 " ... | 5th May 1873. | |
| C. Tynan | £300 " ... | 2nd March 1874. | |

NOTE.—The date marked * signifies the date of first appointment under the late Denominational or National School Board; that marked † signifies date of first appointment under the late Board of Education; and that marked ‡ the date of appointment under the present Education Department.

The dates of the first appointments under the late Denominational Board of Messrs. Sircom and Gilchrist are the dates on which they were first appointed as teachers. The Inspector-General and Messrs. Main, Brodribb, and Bolam were also employed as teachers for some time previous to the dates shown above.

(Architects' Branch.)

| | | | |
|--------------------------|----------------------|------------------------|--------------|
| <i>Unclassified.</i> | | | |
| Henry R. Baston | £500 per annum ... | 6th March 1873 ... | Architect. |
| <i>Supernumeraries.</i> | | | |
| John P. Holmes | £5 per week ... | 9th June 1873 ... | Draughtsman. |
| H. J. Henderson | £1 " ... | 18th June 1873 ... | " |
| S. E. Bindley | £4 10s. per week ... | 18th June 1873 ... | " |
| F. J. Smart | £3 per week ... | 25th August 1873 ... | " |
| W. Newman | £1 " ... | 25th August 1873 ... | " |
| George Rickarby | £3 " ... | 8th October 1873 ... | Clerk. |
| E. Davies | £3 " ... | 1st November 1873 ... | Draughtsman. |
| Henry Bolger | £4 10s. per week ... | 19th November 1873 ... | " |
| A. F. Seelenmeyer | £2 per week ... | 23rd February 1874 ... | Clerk. |

HENRY VENABLES.

LAW OFFICERS OF THE CROWN.

RETURN of the Names of all Persons employed as Supernumeraries and Non-classified Officers in the Departments of the Law Officers of the Crown; showing Salaries, Date of Appointment, and Office they are employed in.

Supernumeraries.

| Name. | Present Allowance. | Date of Appointment to present Office. | Office in which employed. |
|--------------------------|----------------------|--|------------------------------|
| 1. Barry, E.* | £3 per week ... | 8th September 1873 ... | } Master-in-Equity's Office. |
| 2. Murphy, J. E. | 10s. per diem ... | 19th May 1874 ... | |
| 1. Bolingbroke, L. † ... | £3 15s. per week ... | 11th June 1870 ... | } Crown Solicitor's Office. |
| 2. Morel, F. | £4 per week ... | 30th June 1873 ... | |
| 3. Skinner, G. S. | £60 per annum ... | 24th August 1872 ... | |
| 4. Wilmoth, J. † | £6 per week ... | 13th October 1873 ... | |

* Previously employed.

† Paid by Railway Department.

LAW OFFICERS OF THE CROWN—continued.

| Name. | Present Allowance. | Date of Appointment to present office. | Office in which employed and Remarks. |
|-------------------------------|--------------------|--|--|
| 1. Gordon, A. ... | 10s. per diem ... | February 1872 ... | T. } R.G. } R.G. } Office of Registrar-General, and T. } Titles. T. } R.G. } |
| 2. Hayes, J. F. ... | 7s. 6d. " ... | June 1871 ... | |
| 3. McDonnell, J. † ... | 10s. " ... | March 1872 ... | |
| 4. McFarland, R. ... | 10s. " ... | March 1872 ... | |
| 5. Newenham, E. ... | 10s. " ... | June 1874 ... | |
| 6. Slattery, T. ... | 7s. 6d. " ... | April 1872 ... | |
| 1. Adamson, F. E. ... | £50 per annum ... | 27th September 1866 ... | } Acting Clerks of Courts. |
| 2. Armstrong, T. H. ... | £80 " ... | 16th March 1874 ... | |
| 3. Armstrong, W. ... | £100 " ... | 1st May 1859 ... | |
| 4. Bolton, S. ... | £75 " ... | 1st December 1858 ... | |
| 5. Brown, T. L. ... | £25 " ... | 3rd May 1869 ... | |
| 6. Barr, J. § ... | £80 " ... | 1st February 1860 ... | |
| 7. Burrowes, W. H. ... | £33 " ... | 1st December 1873 ... | } Officers of the Mining department and Acting Clerks of Courts. Al- lowance for travelling expenses only. |
| 8. Cairnes, E. M. ... | £50 " ... | 28th November 1872 ... | |
| 9. Carige, H. * § ... | £130 " ... | 22nd April 1869 ... | } Acting Clerks of Courts. |
| 10. Casey, W. T. ... | £80 " ... | 11th March 1874 ... | |
| 11. Clarke, M. S. ... | £120 " ... | 10th July 1872 ... | |
| 12. Cockburn, N. ... | £300 " ... | 21st January 1870 ... | |
| 13. Cooper, S. § ... | £130 " ... | 7th April 1870 ... | |
| 14. Cresswell, C. A. C. * ... | £150 " ... | 9th May 1873 ... | |
| 15. Cutler, H. J. ... | £25 " ... | 1st September 1873 ... | |
| 16. Despard, S. § ... | £85 " ... | 18th April 1861 ... | |
| 17. Dickson, W. ... | £80 " ... | 13th April 1874 ... | |
| 18. Dixon, H. R. * ... | £50 " ... | 26th January 1871 ... | |
| 19. Dobson, J. § ... | £160 " ... | 1st May 1860 ... | |
| 20. Dorman, S. ... | £70 " ... | 19th January 1869 ... | |
| 21. Duvé, C. § ... | £80 " ... | 1st February 1869 ... | |
| 22. Elkington, J. § ... | £75 " ... | 22nd February 1865 ... | |
| 23. Fricker, G. C. ... | £40 " ... | 19th October 1870 ... | } An officer of the Sheriff's depart- ment and Acting Clerk of Courts. |
| 24. Goldsmith, P. ... | £80 " ... | 9th February 1874 ... | } Acting Clerks of Courts. |
| 25. Gordon, W. T. ... | £80 " ... | 14th April 1874 ... | |
| 26. Graham, J. F. P. ... | £80 " ... | 18th March 1874 ... | |
| 27. Hobbs, F. S. ... | £30 " ... | 9th March 1872 ... | |
| 28. Holderness, T. ... | £50 " ... | 1st December 1873 ... | |
| 29. Jordan, R. ... | £30 " ... | 23rd March 1872 ... | |
| 30. Lilley, C. ... | £50 " ... | 4th November 1867 ... | |
| 31. Martin, J. ... | £140 " ... | 27th November 1871 ... | |
| 32. May, E. ... | £35 " ... | 29th July 1869 ... | |
| 33. Marsden, F. J. M. ... | £150 " ... | 13th August 1869 ... | |
| 34. Maude, N. J. * ... | £175 " ... | 1st September 1870 ... | |
| 35. Miles, F. F. ... | £42 10s. " ... | 27th October 1872 ... | |
| 36. Minchin, C. W. * ... | £75 " ... | 4th February 1873 ... | |
| 37. Moore, G. W. * § ... | £224 " ... | 15th March 1874 ... | |
| 38. Morrison, G. C. ... | £80 " ... | 20th June 1874 ... | |
| 39. Munce, W. R. ... | £200 " ... | 1st May 1860 ... | |
| 40. Murray, T. J. ... | £15 " ... | 19th July 1873 ... | |
| 41. Murphy, G. R. ... | £80 " ... | 5th January 1874 ... | |
| 42. Murphy, J. M. ... | £50 " ... | 20th July 1867 ... | |
| 43. Munt, C. ... | £20 " ... | 15th March 1869 ... | |
| 44. McCall, R. * § ... | £225 " ... | 2nd September 1872 ... | |
| 45. McDonald, S. ... | £25 " ... | 20th September 1873 ... | |
| 46. McWilliams, A. ... | £30 " ... | 3rd January 1861 ... | |
| 47. Nichol, J. ... | £40 " ... | 14th June 1870 ... | |
| 48. Nicholson, D. ... | £25 " ... | 1st August 1871 ... | |
| 49. Potter, J. ... | £40 " ... | 13th July 1870 ... | |
| 50. Palmer, R. ... | £80 " ... | 11th May 1874 ... | |
| 51. Parker, J. ... | £30 " ... | 24th June 1869 ... | |
| 52. Peters, R. B. * § ... | £129 " ... | 14th May 1870 ... | |
| 53. Phipps, W. ... | £85 " ... | 1st October 1863 ... | |
| 54. Puddicombe, W. H. ... | £25 " ... | 18th October 1871 ... | |
| 55. Perrottet, S. ... | £80 " ... | 13th May 1873 ... | |
| 56. Robens, G. R. ... | £20 " ... | 5th February 1869 ... | } Acting Clerk of Courts and an officer of the Mining department, for trav- elling expenses only. |
| 57. Rowan, J. * ... | £36 " ... | 1st July 1872 ... | } Acting Clerks of Courts. |
| 58. Ryan, M. J. ... | £80 " ... | 19th February 1874 ... | |
| 59. Sandilands, J. H. ... | £100 " ... | 1st March 1873 ... | |
| 60. Smart, B. K. ... | £120 " ... | 1st October 1872 ... | |
| 61. Sprigg, G. ... | £100 " ... | 14th January 1873 ... | } Acting Clerk of Courts and an officer of the Mining department. |
| 62. Stark, M. B. ... | £180 " ... | 15th April 1872 ... | |
| 63. Tone, A., jun. ... | £80 " ... | 23rd September 1873 ... | |
| 64. Travis, J. ... | £50 " ... | 27th January 1869 ... | } Acting Clerks of Courts. |
| 65. Wall, E. J. E. § ... | £175 " ... | 4th September 1867 ... | |
| 66. Wall, J. ... | £50 " ... | 5th March 1868 ... | |
| 67. Wallace, J. ... | £30 " ... | 30th October 1871 ... | |
| 68. Weatherhead, J. ... | £35 " ... | 16th June 1871 ... | |
| 69. Woodman, T. ... | £50 " ... | 27th November 1869 ... | |
| 70. Wheelan, W. H. * ... | £300 " ... | 1st April 1870 ... | |
| 71. Taylor, H. M. § ... | £200 " ... | 28th October 1867 ... | |

* Previously employed.
† Paid by Railway Department.
‡ Services not continuous.

|| In training for classification in the 5th Class as Clerk of Courts.
§ Portion of allowance for travelling expenses.

N.B.—Police acting as Clerks of Courts are not included.

LAW OFFICERS OF THE CROWN—continued.

Non-classified Officers.

| Name. | Salary. [Estimates 1874-5.] | Date of Appointment to present Office. | Office in which employed. |
|-------------------------|--------------------------------|---|---|
| 1. Dawson, R. F. * ... | £ 160 s. 0 d. | 10th July 1869 ... | Crown Law Offices. |
| 2. MacDonald, W. ... | 325 0 0 | 23rd August 1869 ... | |
| 1. Curr, Richd. * ... | 200 0 0 | 1st April 1868 ... | Crown Solicitor's Office. |
| 2. Fletcher, M. ... | 200 0 0 | 28th October 1868 ... | |
| 3. Poole, J. F. ... | 300 0 0 | 12th July 1865 ... | |
| 4. Ritchie, Thos. ... | 250 0 0 | 20th September 1867 ... | |
| 1. a'Beckett, M. * ... | 190 0 0 | 1st July 1873 ... | T. } rowspan="11">Office of Registrar-General, and Titles. |
| 2. Adams, J. * ... | 160 0 0 | 1st July 1874 ... | R.G. |
| 3. Barrett, E. ... | 240 0 0 | 12th February 1866 ... | T. |
| 4. Bull, S. T. † ... | 120 0 0 | 1st July 1874 ... | T. |
| 5. Byrne, T. * ... | 220 0 0 | 1st January 1868 ... | T. |
| 6. Davidson, J. * ... | 220 0 0 | 1st January 1868 ... | T. |
| 7. Morris, D. * ... | 160 0 0 | 1st July 1874 ... | R.G. |
| 8. McFarland, A. ... | 325 0 0 | 16th February 1863 ... | T. |
| 9. Palmer, T. W. * ... | 180 0 0 | 1st July 1874 ... | T. |
| 10. Pinn, D. E. * ... | 180 0 0 | 1st July 1874 ... | T. |
| 11. Williams, C. * ... | 180 0 0 | 24th September 1869 ... | R.G. |
| 1. Cain, George ... | 150 0 0 | 14th July 1871 ... | Sheriff's Clerk and Bailiff, Sale. |
| 2. Coleman, J. F. ... | 200 0 0 | 8th August 1873 ... | " " Maryborough. |
| 3. Darvall, Alfd. ... | 200 0 0 | 9th March 1874 ... | " " Beechworth. |
| 4. Forbes, R. H. B. ... | 180 0 0 | 16th November 1872 ... | Sheriff's Office, Melbourne. |
| 5. Fricker, G. C. ... | 200 0 0 | 1st July 1864 ... | Sheriff's Clerk and Bailiff, Belfast. |
| 6. Izod, Joseph ... | 200 0 0 | 1st January 1869 ... | " " Ballarat. |
| 7. Lupton, J. E. ... | 200 0 0 | 15th October 1853 ... | " " Sandhurst. |
| 8. Machamara, J. ... | 200 0 0 | 1st July 1869 ... | " " Castlemaine. |

* Previously employed as supernumeraries, or in Civil Service.

† Previously employed as an assistant messenger. Although performing clerical work, not actually appointed, pending the passing of vote.

B. C. HARRIMAN.

TREASURY DEPARTMENT.

RETURN of the Names of all Persons employed as Supernumeraries and Non-classified Clerks in the Division of the Honorable the Treasurer; showing Salaries, Dates of Appointment, and the Office they are employed in.

| Name. | Salary. | Date of Appointment. | Office employed in. |
|--------------------------|---------|------------------------|---|
| | £ s. d. | | |
| Cotter, F. H. D. (a) ... | 175 0 0 | 23rd October 1862 ... | Receipt and Pay Office, Camperdown. |
| Thomson, J. ... | 325 0 0 | 18th August 1863 ... | Treasury, Melbourne. |
| Crofts, H. C. ... | 180 0 0 | 25th June 1867 ... | Office of Curator of Intestate Estates. |
| McMurray, J. (b) ... | 325 0 0 | 7th April 1869 ... | Ditto ditto |
| Hill, T. B. ... | 80 0 0 | 8th September 1871 ... | Ditto ditto |
| Clarke, J. L. ... | 50 0 0 | 1st August 1872 ... | Receipt and Pay Office, Hamilton. |
| Howes, R. H. ... | 50 0 0 | 9th December 1872 ... | Ditto Belfast. |
| Rutherford, A. H. ... | 120 0 0 | 5th April 1873 ... | Ditto Sandhurst. |
| Anderson, W. ... | 40 0 0 | 5th July 1873 ... | Ditto Stawell. |
| Forbes, J. W. ... | 156 0 0 | 12th January 1874 ... | Ditto Sandhurst. |
| Palmer, T. ... | 50 0 0 | July 1874 ... | Ditto Portland. |

In addition to the foregoing, the undermentioned Officers attached to the Department of Defences have been specially appointed.

| | | | |
|-----------------|---------|------------------------|-------------------------------|
| Phelan, Jas.... | 300 0 0 | 1st July 1863 ... | Ordnance Branch. |
| Sutton, H. B. | 250 0 0 | 21st February 1869 ... | Assistant Paymaster "Nelson." |
| Thompson, J. | 164 5 0 | 1st July 1872 ... | Clerk on board "Cerberus." |

(a) Mr. Cotter was unemployed from 31st December, 1868, to 29th September, 1869.

(b) Mr. McMurray was previously on the permanent staff, from which he retired on the reduction of the Stores Department.

E. S. SYMONDS.

DEPARTMENT OF LANDS AND AGRICULTURE.

RETURN of the Names of all Persons employed as Supernumeraries and Non-classified Clerks in the Division of the Honorable the Minister for Lands and Agriculture, showing Salaries, Date of Appointment, and the Office in which they are employed.

| Name. | Salary. | | | Date of Appointment. | Office. |
|----------------------------|---------|----|----|----------------------|--------------|
| | £ | s. | d. | | |
| J. M. Guille | 230 | 0 | 0 | 6.12.59 | Melbourne. |
| E. Price | 187 | 16 | 0 | 1.4.62 | " |
| H. E. Warde | 187 | 16 | 0 | 1.1.66 | " |
| Charles Forrest | 180 | 0 | 0 | 26.6.65 | " |
| H. G. Chute | 210 | 0 | 0 | 21.8.72 | " |
| A. Munro | 180 | 0 | 0 | 16.9.72 | " |
| Chas. Harding | 180 | 0 | 0 | 13.3.72 | " |
| W. K. Andrews | 225 | 0 | 0 | 16.8.72 | " |
| M. Walker | 225 | 0 | 0 | 1.1.61 | " |
| C. O'Flanagan | 172 | 3 | 0 | 1.7.62 | " |
| P. C. Matthews | 172 | 3 | 0 | 1.6.61 | " |
| C. Fynch | 165 | 0 | 0 | 1.5.65 | " |
| E. Downward | 165 | 0 | 0 | 19.8.72 | " |
| B. Beckett | 156 | 10 | 0 | 1.8.62 | " |
| J. B. Downing | 156 | 10 | 0 | 25.6.63 | " |
| D. Howitz | 156 | 10 | 0 | 3.8.71 | " |
| G. W. Groves | 156 | 10 | 0 | 28.1.62 | " |
| A. M. Mason | 156 | 10 | 0 | 24.3.73 | " |
| J. McLaren | 156 | 10 | 0 | 16.9.72 | " |
| T. N. Martin | 156 | 10 | 0 | 29.8.71 | " |
| J. L. A. Ley | 150 | 0 | 0 | 1.3.72 | " |
| J. Williams | 180 | 0 | 0 | 19.8.72 | " |
| J. Thomson | 180 | 0 | 0 | 16.8.72 | Castlemaine. |
| A. Chamier | 150 | 0 | 0 | 9.8.72 | Melbourne. |
| P. J. B. Clinch | 200 | 0 | 0 | 19.8.72 | Warrnambool. |
| A. L. Bond | 150 | 0 | 0 | 16.9.72 | Melbourne. |
| F. W. King | 150 | 0 | 0 | 1.2.73 | " |
| L. Hall | 150 | 0 | 0 | 7.2.73 | " |
| J. N. Mayes | 150 | 0 | 0 | 27.5.73 | Hamilton. |
| G. E. Farrar | 150 | 0 | 0 | 16.9.72 | Melbourne. |
| J. N. Morgan | 150 | 0 | 0 | 17.10.72 | " |
| W. S. May | 150 | 0 | 0 | 16.9.72 | " |
| W. Barker | 150 | 0 | 0 | 19.5.73 | " |
| R. R. Rogers | 156 | 10 | 0 | 15.5.70 | " |
| J. G. Saunders | 150 | 0 | 0 | 2.9.71 | " |
| J. L. Barrow | 150 | 0 | 0 | 12.9.64 | " |
| W. N. Gregson | 80 | 0 | 0 | 13.2.73 | " |
| W. N. Davis | 75 | 0 | 0 | 29.2.72 | " |
| R. Taylor | 75 | 0 | 0 | 1.7.71 | " |
| T. Matthews | 60 | 0 | 0 | 1.3.72 | " |
| F. Fynch | 50 | 0 | 0 | 21.8.72 | " |
| W. Bowman | 50 | 0 | 0 | 17.10.72 | " |
| J. G. Saxton | 50 | 0 | 0 | 15.1.72 | " |
| C. Farmer | 40 | 0 | 0 | 3.2.73 | " |
| A. Morrow | 40 | 0 | 0 | 1.3.73 | " |
| W. Slight | 300 | 0 | 0 | 24.4.67 | " |
| J. Slight | 60 | 0 | 0 | 1.7.71 | " |
| S. B. Bonny... .. | 300 | 0 | 0 | 4.3.67 | " |
| W. A. Taylor | 150 | 0 | 0 | 6.10.73 | Sandhurst. |
| W. Burmeister | 195 | 12 | 6 | 13.10.73 | Melbourne. |
| W. F. De Mole | 150 | 0 | 0 | 20.10.73 | " |
| P. W. Millane | 150 | 0 | 0 | 22.9.73 | " |
| Jas. Mossman | 50 | 0 | 0 | 3.10.73 | " |
| D. Kyle | 156 | 10 | 0 | 5.12.73 | " |
| A. Morris | 150 | 0 | 0 | 18.12.73 | " |
| H. Taylor | 150 | 0 | 0 | 1.10.73 | " |
| A. M. Ross | 150 | 0 | 0 | 2.12.73 | " |
| T. N. Moyle... .. | 150 | 0 | 0 | 27.12.73 | Seymour. |
| M. McDonald | 200 | 0 | 0 | 13.6.59 | Melbourne. |
| P. McGillicuddy | 220 | 0 | 0 | 6.9.62 | Benalla. |
| F. Fearn | 200 | 0 | 0 | 1.4.66 | Dunolly. |
| M. C. B. Massie | 200 | 0 | 0 | 15.12.66 | Melbourne. |
| T. Dicker | 180 | 0 | 0 | 25.7.64 | " |
| F. J. Fuller | 200 | 0 | 0 | 19.8.64 | Warrnambool. |
| G. R. Watson | 180 | 0 | 0 | 16.3.67 | Sandhurst. |
| A. M. Stewart | 180 | 0 | 0 | 11.5.62 | Beechworth. |
| E. Morres | 200 | 0 | 0 | 11.2.68 | Ararat. |
| W. McNeil | 180 | 0 | 0 | 1.8.70 | Castlemaine. |
| T. F. Morres | 180 | 0 | 0 | 16.4.63 | " |
| John Frayne | 160 | 0 | 0 | 1.5.67 | Bairnsdale. |
| T. Greene | 180 | 0 | 0 | 15.2.63 | Ballarat. |
| A. W. Martin | 174 | 0 | 0 | 1.9.71 | Castlemaine. |
| J. MacDonald | 180 | 0 | 0 | 15.1.59 | Sale. |
| F. W. White | 180 | 0 | 0 | 26.3.73 | Benalla. |
| Jno. Lardner | 180 | 0 | 0 | 1.9.62 | Melbourne. |
| Chas. Morgan | 162 | 0 | 0 | 1.1.57 | Hamilton. |
| G. B. Nethersole | 156 | 10 | 0 | 31.1.63 | Echuca. |
| E. Shattock | 187 | 16 | 0 | 7.11.71 | Melbourne. |
| T. F. Morkham | 200 | 0 | 0 | 1.12.72 | " |
| Jas. Stiffe | 156 | 10 | 0 | 14.8.71 | " |
| R. C. Henderson | 150 | 0 | 0 | 16.9.72 | Ararat. |
| R. Allan (resigned) | 150 | 0 | 0 | 23.1.73 | Melbourne. |
| R. R. Morgan | 150 | 0 | 0 | 29.7.73 | " |

DEPARTMENT OF LANDS AND AGRICULTURE—*continued.*

| Name. | Salary. | | | Date of Appointment. | Office. |
|----------------------------|---------|----|----|----------------------|-----------------------------------|
| | £ | s. | d. | | |
| R. P. Neales | 150 | 0 | 0 | 1.9.61 | Seymour. |
| W. F. Freeman | 180 | 0 | 0 | 11.8.62 | Sale. |
| F. D. Strong | 150 | 0 | 0 | 26.11.72 | Melbourne. |
| C. W. Thomas | 150 | 0 | 0 | 29.4.73 | Ballarat. |
| H. B. Lonsada | 120 | 0 | 0 | 1.1.73 | Echuca. |
| E. Ellis | 150 | 0 | 0 | 9.5.73 | Horsham. |
| H. S. M. Evans | 100 | 0 | 0 | 16.8.72 | Melbourne. |
| T. A. Duncan | 90 | 0 | 0 | 1.9.72 | Port Albert. |
| J. L. Irwin | 75 | 0 | 0 | 25.4.70 | Echuca. |
| M. Taylor | 50 | 0 | 0 | 1.8.71 | Melbourne. |
| H. J. Croker | 150 | 0 | 0 | 1.8.73 | Beechworth. |
| G. Fairmair | 125 | 4 | 0 | 24.2.73 | Melbourne. |
| W. N. Hamilton | 50 | 0 | 0 | 25.8.73 | " |
| Jas. Stirling | 52 | 0 | 0 | 22.8.73 | " |
| W. G. Kelland | 40 | 0 | 0 | 1.8.73 | Warrnambool. |
| Joseph Thomas | 40 | 0 | 0 | 3.7.73 | Geelong. |
| M. Murphy | 109 | 11 | 0 | 26.2.74 | Melbourne. |
| N. Sedgwick | 260 | 0 | 0 | 14.8.62 | " |
| M. S. Ryan | 245 | 0 | 0 | 1.2.62 | " |
| J. Thurgarland | 208 | 0 | 0 | 18.7.64 | " |
| B. Gaunson | 208 | 0 | 0 | 19.6.64 | " |
| E. Aberdeen | 208 | 0 | 0 | 22.2.66 | " |
| P. Weiss | 172 | 0 | 0 | 23.8.69 | " |
| H. Edmonds | 172 | 0 | 0 | 8.5.65 | " |
| G. Kershaw | 172 | 0 | 0 | 7.4.65 | " |
| W. P. Buchanan | 172 | 0 | 0 | 1.5.65 | " |
| J. McGibbon | 172 | 0 | 0 | 2.9.66 | " |
| D. J. Lane | 172 | 0 | 0 | 24.6.70 | " |
| E. Gill | 150 | 0 | 0 | 1.7.61 | " |
| W. A. Moore | 140 | 0 | 0 | 1.8.72 | " |
| W. C. F. Macpherson | 100 | 0 | 0 | 17.5.71 | " |
| R. W. Usher | 80 | 0 | 0 | 6.12.69 | " |
| A. E. W. Agg | 80 | 0 | 0 | 7.5.73 | " |
| James Bloxam | 64 | 0 | 0 | 1.9.69 | " |
| D. McHutcheson | 250 | 8 | 0 | 1.6.54 | " |
| T. Palmer | 226 | 18 | 6 | 1.3.62 | " |
| C. Kellin | 195 | 12 | 6 | 9.6.73 | " |
| A. Richmond | 120 | 0 | 0 | 21.3.72 | " |
| Charles Parry | 203 | 9 | 0 | 17.3.54 | " |
| C. Cubley | 260 | 0 | 0 | 1.1.62 | " |
| W. J. Jones... .. | 240 | 0 | 0 | 1.2.62 | " |
| B. Brook | 250 | 0 | 0 | 2.7.65 | " |
| G. W. Paterson | 210 | 0 | 0 | 18.3.63 | " |
| E. G. Duffus | 190 | 0 | 0 | 14.1.63 | " |
| E. Snellgrove | 175 | 0 | 0 | 12.9.72 | " |
| E. W. Skinner | 172 | 0 | 0 | 16.11.65 | " |
| C. Johnson | 172 | 0 | 0 | 10.1.63 | " |
| E. Smith | 140 | 0 | 0 | 12.7.71 | " |
| A. Fleming | 172 | 0 | 0 | 1.4.66 | " |
| G. B. Gorham | 140 | 0 | 0 | 14.12.70 | " |
| N. W. Wells | 130 | 0 | 0 | 25.4.64 | " |
| A. P. Smith | 130 | 0 | 0 | 13.7.71 | " |
| J. Nollingdale | 130 | 0 | 0 | 17.3.70 | " |
| W. Williams | 130 | 0 | 0 | 1.9.72 | " |
| S. R. Smith | 130 | 0 | 0 | 20.10.71 | " |
| C. M. Smith | 130 | 0 | 0 | 1.10.71 | " |
| R. Buchanan | 120 | 0 | 0 | 15.4.72 | " |
| F. E. Allan | 130 | 0 | 0 | 1.6.72 | " |
| C. J. James | 120 | 0 | 0 | 13.11.72 | " |
| A. Kirkpatrick | 60 | 0 | 0 | 9.1.72 | " |
| J. W. Clarke | 40 | 0 | 0 | 1.4.73 | " |
| R. D. Jones | 60 | 0 | 0 | 21.4.73 | " |
| A. J. F. Atkinson | 50 | 0 | 0 | 1.7.73 | " |
| J. Gourlay | 72 | 0 | 0 | 1.7.73 | " |
| J. L. King | 75 | 0 | 0 | 25.7.73 | " |
| G. H. Agg | 50 | 0 | 0 | 20.11.73 | " |
| G. McCullagh | 100 | 0 | 0 | 7.11.73 | " |
| F. S. Stewart | 110 | 0 | 0 | 20.1.74 | " |
| S. J. Black | 325 | 0 | 0 | 11.3.68 | Inspector of Crown Lands Bailiff. |
| J. Macpherson | 325 | 0 | 0 | 27.7.66 | " " |
| J. Murdoch | *260 | 0 | 0 | 25.1.67 | " " |
| C. K. Witt | *260 | 0 | 0 | 17.2.68 | " " |
| J. Kennedy | *260 | 0 | 0 | 5.5.68 | " " |
| G. B. Silvester | *260 | 0 | 0 | 14.2.67 | " " |
| C. T. Stacey | *260 | 0 | 0 | 28.9.68 | " " |
| P. Keogh | *260 | 0 | 0 | 4.11.67 | " " |
| C. A. Macan | *260 | 0 | 0 | 1.5.71 | " " |
| E. Stubber | *260 | 0 | 0 | 1.11.71 | " " |
| J. McPhail | *260 | 0 | 0 | 17.10.72 | " " |
| R. D. McKay | *330 | 0 | 0 | 9.2.70 | " " |
| W. L. Jones | *260 | 0 | 0 | 18.2.67 | " " |
| R. Macarthur | *260 | 0 | 0 | 25.1.67 | " " |
| J. McLean | *260 | 0 | 0 | 17.6.67 | " " |
| Wm. Tarleton | *260 | 0 | 0 | 18.8.68 | " " |
| Jas. Malone | *260 | 0 | 0 | 13.10.69 | " " |
| N. McCann | *260 | 0 | 0 | 14.2.70 | " " |
| C. Tattam | *260 | 0 | 0 | 16.1.71 | " " |

* Including allowance of £110 for forage and travelling expenses.

DEPARTMENT OF LANDS AND AGRICULTURE—*continued.*

| Name. | Salary. | | | Date of Appointment. | Office. |
|----------------------------|---------|-----|-----|----------------------|-----------------------------------|
| | £ | s. | d. | | |
| R. Thompson | *260 | 0 | 0 | 25.1.70 | Inspector of Crown Lands Bailiff. |
| J. Yeoman | *260 | 0 | 0 | 5.7.69 | " |
| Alex. Cathie | 180 | 0 | 0 | 1.12.71 | " |
| J. Bogue | 100 | 0 | 0 | 1.4.72 | " |
| E. W. Welch | 130 | 0 | 0 | 5.8.72 | Melbourne. |
| E. K. Heales | 120 | 0 | 0 | 1.9.72 | " |
| J. J. Cumming | 80 | 0 | 0 | 16.9.72 | " |
| J. Yewers | 80 | 0 | 0 | 16.9.72 | " |
| M. G. Handasyde | 50 | 0 | 0 | 1.9.72 | " |
| R. O. Campbell | 120 | 0 | 0 | 22.10.72 | " |
| N. M. Casey | 120 | 0 | 0 | 20.8.72 | " |
| D. J. Atkinson | 130 | 0 | 0 | 1.1.73 | " |
| J. Sowersby | 50 | 0 | 0 | 1.11.72 | " |
| J. Lackerstein | 156 | 10 | 0 | 27.3.73 | " |
| S. Wilson | 80 | 0 | 0 | 17.1.70 | " |
| G. A. Walstab | 175 | 0 | 0 | 4.12.73 | " |
| T. C. Ireland | 80 | 0 | 0 | 16.12.73 | " |
| R. Hanley | 100 | 0 | 0 | 27.11.73 | " |
| G. A. Stokes | 50 | 0 | 0 | 12.1.74 | " |
| R. Straw | 50 | 0 | 0 | 16.1.74 | " |
| N. B. Staley | 100 | 0 | 0 | 16.2.74 | " |
| C. M. Davis | 80 | 0 | 0 | 13.2.74 | " |
| E. Joske | 40 | 0 | 0 | 1.3.74 | " |
| G. H. Newman | 40 | 0 | 0 | 1.2.74 | " |
| W. R. Carver | 117 | 7 | 6 | 9.4.74 | " |
| E. T. Dunn | 130 | 0 | 0 | 1.5.74 | " |
| A. P. Chauncy | 109 | 11 | 0 | 1.8.73 | " |
| A. M. Beynon | 80 | 0 | 0 | 15.5.72 | Dunolly. |
| T. J. Doran | 80 | 0 | 0 | 1.10.72 | Castlemaine. |
| W. B. Percival | 60 | 0 | 0 | 5.12.73 | " |
| A. A. Lester | 50 | 0 | 0 | 1.9.72 | " |
| G. Black (resigned) | ... | ... | ... | 1.3.74 | " |
| M. N. Macoboy | 62 | 0 | 0 | 12.8.72 | " |
| B. Murphy | 60 | 0 | 0 | 9.8.72 | Melbourne. |
| W. Ferguson | 250 | 0 | 0 | 7.9.69 | Caretaker of Forests. |
| N. Avery | 100 | 0 | 0 | 1.5.73 | " |
| J. MacGregor | 180 | 0 | 0 | 1.7.73 | " |
| J. M. Meredith | 180 | 0 | 0 | 16.7.73 | " |
| W. E. Ivey | 300 | 0 | 0 | 15.9.73 | Analyst. |
| W. P. Narton | 156 | 10 | 0 | 26.1.74 | Melbourne. |
| J. M. Edwards | 156 | 10 | 0 | 1.1.74 | " |
| T. K. Smith | 150 | 0 | 0 | 5.1.74 | " |
| G. S. Gordon | 150 | 0 | 0 | 29.12.73 | " |
| H. Taylor | 150 | 0 | 0 | 1.10.73 | " |
| N. E. Ovey | 150 | 0 | 0 | 28.6.69 | Dunolly. |
| O. G. C. Armstrong | 150 | 0 | 0 | 29.1.74 | Benalla. |
| F. W. Curry | 78 | 0 | 0 | 12.1.74 | " |
| W. Robertson | 150 | 0 | 0 | 1.2.74 | St. Arnaud. |
| N. L. Kelly | 150 | 0 | 0 | 1.2.74 | " |
| H. P. Cadden | 78 | 0 | 0 | 1.2.74 | Echuca. |
| G. N. Gibson | 156 | 10 | 0 | 12.1.74 | Melbourne. |
| J. Stark | 150 | 0 | 0 | 3.2.74 | " |
| F. Goode | 150 | 0 | 0 | 2.2.74 | " |
| R. Lowe | 156 | 10 | 0 | ... | " |
| A. R. Henderson | 40 | 0 | 0 | 1.2.74 | " |
| T. Turner | 156 | 10 | 0 | 2.2.74 | " |
| J. F. Hutman | 156 | 10 | 0 | 9.3.74 | " |
| J. S. Buchanan | ... | ... | ... | 1.3.74 | " |
| E. Deane | 156 | 10 | 0 | 5.3.74 | " |
| W. P. Lake | 156 | 0 | 0 | 16.3.74 | " |
| J. McHutchison | 40 | 0 | 0 | 10.3.74 | " |
| C. N. Parry | 40 | 0 | 0 | 13.3.74 | " |
| Jas. Power | 80 | 0 | 0 | 16.3.74 | " |
| J. C. Meakin | 40 | 0 | 0 | 23.3.74 | " |
| W. T. Middlecoate | 80 | 0 | 0 | 23.3.74 | " |
| W. C. Lonergan | 100 | 0 | 0 | 27.3.74 | " |
| T. Naves | 60 | 0 | 0 | 15.6.74 | " |
| J. B. Gould | 130 | 0 | 0 | 8.6.74 | " |
| John Butson | 100 | 0 | 0 | 23.5.74 | " |
| C. C. Redmayne | 100 | 0 | 0 | 27.5.74 | " |
| H. C. Malcolm | 100 | 0 | 0 | 17.6.74 | " |
| E. Shillinglaw | 40 | 0 | 0 | 9.6.74 | " |
| A. C. Noble | 40 | 0 | 0 | 29.1.74 | " |
| E. C. Compton | 156 | 10 | 0 | 5.2.74 | " |
| W. Nash | 125 | 0 | 0 | 2.2.74 | " |
| W. Whittaker | 40 | 0 | 0 | 10.2.74 | " |
| F. E. Cobbold | 52 | 0 | 0 | 3.2.74 | " |
| J. P. Lester | 40 | 0 | 0 | 4.3.74 | " |
| H. de Balmont | 156 | 10 | 0 | 4.2.74 | Sandhurst. |
| J. Nandles | 156 | 10 | 0 | 13.4.74 | Echuca. |
| C. O'Brien | 40 | 0 | 0 | 1.5.74 | Melbourne. |
| C. A. Pearson | 156 | 10 | 0 | 30.3.74 | " |
| T. H. Lightfoot | 180 | 0 | 0 | 10.3.74 | " |
| Wm. Thorn | 150 | 0 | 0 | 20.4.74 | " |
| G. T. Clarke | 80 | 0 | 0 | 13.5.74 | Sandhurst. |
| W. B. Rider | 156 | 10 | 0 | 29.4.74 | Ballarat. |
| W. J. Bryant | 40 | 0 | 0 | 28.4.74 | Melbourne. |

* Including allowance of £110 for forage and travelling expenses.

DEPARTMENT OF LANDS AND AGRICULTURE—*continued.*

| Name. | Salary. | | | Date of Appointment. | Office. |
|---------------------------|---------|----|----|----------------------|--------------------------------------|
| | £ | s. | d. | | |
| W. N. Rundell | 40 | 0 | 0 | 9.4.74 | Melbourne. |
| A. D. Scott | 180 | 0 | 0 | 15.5.74 | " |
| F. E. Richards | 52 | 0 | 0 | 5.5.74 | " |
| W. M. Reeve | 120 | 0 | 0 | 15.5.74 | " |
| E. N. Lennie | 84 | 0 | 0 | 4.5.74 | " |
| E. Finn | 156 | 10 | 0 | 29.4.74 | " |
| A. B. Keiller | 180 | 0 | 0 | 21.5.74 | " |
| Wm. Levey | 78 | 0 | 0 | 21.5.74 | " |
| A. J. Heginbottom | 40 | 0 | 0 | 22.5.74 | " |
| Jas. Manning | 40 | 0 | 0 | 23.4.74 | " |
| G. T. Cullen | 40 | 0 | 0 | 27.4.74 | " |
| C. Taylor | 120 | 0 | 0 | 23.4.74 | " |
| Robt. Moore | 60 | 0 | 0 | 11.6.74 | " |
| T. N. Pugh | 200 | 0 | 0 | 22.6.74 | " |
| J. Lardner | 350 | 0 | 0 | 1.1.74 | " |
| Geo. Black | 200 | 0 | 0 | 1.3.74 | Temporary Asst. Surveyor, Sandhurst. |
| J. L. Langtree | 250 | 0 | 0 | 18.3.74 | " " " Echuca. |
| A. McConnoury | 250 | 0 | 0 | 24.3.74 | " " " Melbourne. |
| J. W. E. Pelletier | 350 | 0 | 0 | 1.4.74 | " " " Echuca. |
| S. K. Vickery | 350 | 0 | 0 | 21.3.74 | " " " Benalla. |
| F. Smith | 350 | 0 | 0 | 1.4.74 | " " " Ararat. |
| H. Lavery | 200 | 0 | 0 | 1.4.74 | " " " Hamilton. |
| J. J. Coates | 250 | 0 | 0 | 16.3.74 | " " " Seymour. |
| John Hardy | 350 | 0 | 0 | 1.5.74 | " " " Alexandra. |

Department of Lands and Agriculture,
17th July 1874.

W. H. ARCHER,
Secretary for Lands.

PUBLIC WORKS DEPARTMENT.

RETURN of the Names of all Persons employed as Supernumeraries and Non-classified Clerks in the Division of the Honorable the Commissioner of Public Works, showing Salaries, Dates of Appointment, and the Offices in which they are employed.

| Names. | Salaries. | Date of Appointment. | Offices. |
|---------------------------|----------------------|--------------------------|---|
| C. H. E. Blachmann | £325 per annum ... | 10th March, 1873 ... | Draftsman. |
| J. H. Marsden | £325 " ... | 9th December, 1872 ... | " |
| F. M. Hynes | £325 " ... | 21st July, 1873 ... | " |
| G. W. Watson | £120 " ... | 28th October, 1872 ... | Assistant Draftsman. |
| W. W. Jeremy | £70 " ... | 15th January, 1869 ... | " |
| W. Dowden | £60 " ... | 1st February, 1873 ... | " |
| J. Pfund | £300 " ... | 22nd July, 1864 ... | Clerk. |
| W. Oxenham | £130 " ... | January, 1872 ... | " |
| J. Wall | £120 " ... | 12th November, 1857 ... | Clerk in charge of contractors' room, |
| S. Moore | £200 " ... | 30th August, 1870 ... | Clerk. |
| W. Barker | £60 " ... | 8th June, 1874 ... | Assistant draftsman. |
| F. Edwards | £18 15s. per month | 13th October, 1873 ... | First Assistant to measuring and quantities surveyor. |
| R. Barbour | £3 15s. per week ... | 1st March, 1871 ... | Second Assistant to ditto. |
| F. P. Rogers | £6 " ... | 1st April, 1874 ... | Architectural Assistant. |
| J. H. Harvey | £1 " ... | 1st March, 1874 ... | Tracer. |
| G. P. Aston | £4 " ... | 15th June, 1874 ... | " |
| J. H. Lister | £4 " ... | 15th June, 1874 ... | " |
| H. A. Pellatt | £4 " ... | 23rd June, 1874 ... | " |
| J. Swan | £1 " ... | 1st May, 1873 ... | Junior clerk. |
| Wm. Larter | £120 per annum ... | | Assistant messenger. |
| R. J. Shelley | £6 per week ... | 12th February, 1864 ... | Superintendent of works, clearing River Murray. |
| R. Hayes | £5 " ... | 19th September, 1859 ... | Inspector of Works. |
| J. Hayes | £5 " ... | 3rd October, 1859 ... | " |
| T. Cattanach | £5 " ... | 3rd September, 1862 ... | " |
| E. Nickless | £5 " ... | 1st November, 1862 ... | " |
| J. Freeman | £5 " ... | 23rd January, 1864 ... | " |
| J. Gray | £5 " ... | 28th June, 1864 ... | " |
| W. Gordon | £5 " ... | 1st June, 1866 ... | " |
| S. Wood | £5 " ... | 9th July, 1866 ... | " |
| W. F. Pleydell | £5 " ... | 13th August, 1866 ... | " |
| A. Cook | £5 " ... | 15th October, 1866 ... | " |
| J. Bell | £5 " ... | 10th January, 1867 ... | " |
| W. D. Ball | £5 " ... | 12th January, 1867 ... | " |
| T. Smith | £6 " ... | 1st February, 1867 ... | " |
| J. Moore | £5 " ... | 18th January, 1864 ... | " |
| S. Thomson | £5 " ... | 17th January, 1870 ... | " |
| R. Tough | £5 " ... | 26th January, 1870 ... | " |
| T. Ruddock | £5 " ... | 26th October, 1872 ... | " |
| H. Law | £5 " ... | 1st February, 1873 ... | " |
| R. Dall | £5 " ... | 5th March, 1873 ... | " |
| W. Anderson | £5 " ... | 12th May, 1873 ... | " |
| J. Cosgrove | £5 " ... | 4th September, 1873 ... | " |
| J. Reilly | £5 " ... | 19th January, 1874 ... | " |
| J. Alcock | £5 " ... | 4th February, 1874 ... | " |
| J. Hutton | £5 " ... | 23rd February, 1874 ... | " |

A. GALT, Secretary.

MELBOURNE SEWERS AND WATER SUPPLY.

(Temporary Staff.)

Supernumerary Clerks, &c., appointed by the Honorable the Commissioner of Public Works.

| Name. | Salary. | Date of Appointment. | Office. |
|----------------------|--------------------|-------------------------|---------------------|
| Joseph Tuckwell ... | £230 per annum ... | 11th November, 1868 ... | Inspector of Waste. |
| Harry Moody ... | £90 " ... | 24th August, 1871 ... | Clerk. |
| Michael Casey ... | £90 " ... | 25th August, 1871 ... | " |
| W. J. Irwin ... | £90 " ... | 11th July, 1872 ... | " |
| H. S. Higginson ... | £75 " ... | 17th July, 1872 ... | " |
| W. S. Walshe ... | £70 " ... | 1st August, 1873 ... | " |
| Anthony Loughnan ... | £125 " ... | 10th July, 1874 ... | " |
| H. Chinn ... | £65 " ... | 1st July, 1873 ... | " |
| J. Matheson ... | £200 " ... | 15th August, 1873 ... | Rate collector. |
| W. Davidson ... | 25s. per diem ... | 1st April, 1873 ... | Surveyor. |

GEELONG WATER SUPPLY.

| | | | |
|------------------|--------------------|-------------------|------------|
| C. H. Dawson ... | £200 per annum ... | 1st July 1874 ... | Collector. |
|------------------|--------------------|-------------------|------------|

15 | 7 | 74.

CHARLES LE CREN,
Secretary.

MELBOURNE SEWERS AND WATER SUPPLY.

(Permanent Staff.)

Non-classified Officers appointed by the Governor in Council.

| Name. | Salary. | Date of Appointment. | Office. |
|-------------------------|--------------------|-------------------------|--|
| Charles Le Cren ... | £600 per annum ... | 28th June, 1858 ... | Secretary and Treasurer. |
| Frederick B. Force ... | £425 " ... | 12th October, 1858 ... | Accountant. |
| Augustus F. Dennys ... | £325 " ... | 1st May, 1861 ... | Clerk. Date of first appointment in Railways, 19th November, 1860. |
| Charles C. Campbell ... | £325 " ... | 9th December, 1854 ... | Clerk. |
| William Roberts ... | £260 " ... | 1st May, 1871 ... | " |
| William H. Serrell ... | £200 " ... | 22nd June, 1874 ... | " |
| Thomas Brocklebank ... | £200 " ... | 1st July, 1868 ... | " |
| Nathan Dearman ... | £180 " ... | 5th December, 1872 ... | Warrant Officer. Date of first appointment, 1st September, 1862. |
| Richard C. White ... | £260 " ... | 1st July, 1858 ... | Rate Collector. |
| Owsley Cockburn ... | £260 " ... | 1st January, 1865 ... | " |
| J. T. T. Harding ... | £230 " ... | 1st January, 1871 ... | Reduced December, 1867; re-appointed January, 1871. |
| Robert Little ... | £200 " ... | 10th June, 1871 ... | Rate Collector. |
| Thos. Stripling ... | £230 " ... | 1st May, 1871 ... | Transferred from Public Works. |
| Michael O'Meara ... | £230 " ... | 23rd July, 1871 ... | Rate Collector. |
| Michael McKenna ... | £200 " ... | 16th April, 1871 ... | " |
| J. L. Kenny ... | £200 " ... | 25th April, 1872 ... | " |
| Samuel Saxton ... | £200 " ... | 16th April, 1872 ... | " |
| Charles J. Taylor ... | £650 " ... | 21st June, 1853 ... | Engineer. Absent from service January, 1867, to January, 1872. |
| Edward Lange ... | £450 " ... | 1st January, 1862 ... | Draftsman. Absent from service, June, 1860, to January, 1862 |
| William Bell ... | £300 " ... | 1st September, 1854 ... | Inspector, Yan Yean |
| John Mitchell ... | £250 " ... | 1st April, 1859 ... | Preston. |
| T. Carlyle ... | £300 " ... | 16th January, 1856 ... | " Pipe-laying. |
| Thomas Box ... | £200 " ... | 1st January, 1870 ... | " of Meters. |
| John Sinnott ... | 12s. per diem ... | 1st August, 1861 ... | Turncock. |
| William Bugden ... | 10s. " ... | 1st August, 1861 ... | " |
| A. Eddington ... | 12s. " ... | 19th October, 1863 ... | " |

GEELONG BRANCH.

| | | | |
|------------------|--------------------|----------------------|--|
| J. W. Wemyss ... | £250 per annum ... | 1st August, 1862 ... | Clerk. Absent from service from December, 1853, to December, 1859. |
|------------------|--------------------|----------------------|--|

15 | 7 | 74.

CHARLES LE CREN.

TRADE AND CUSTOMS DEPARTMENT.

RETURN showing the Names of all Persons employed as Supernumeraries and Non-classified Clerks in the Department of Trade and Customs, and showing their Salaries, Date of Appointment, and Offices in which they are employed.

| Name. | Salary. | Date of Appointment. | Office. |
|-------------------------------|-------------------------|--|---|
| <i>Commissioner's Office.</i> | | | |
| James Bennie * | £275 | 7th July 1862 | Extra clerk, and in charge of weights and measures. |
| T. A. Drysdale | £6 per week | 19th August 1872 | Extra clerk, engaged in compilation of statistics. |
| H. E. Hodgkinson | £1 ,, | 2nd March 1874 | Extra clerk. |
| A. B. Henderson | £1 ,, | 2nd March 1874 | " |
| <i>Melbourne.</i> | | | |
| W. Rennick | £4 10s. per week | 24th April 1863 to 24th April 1864, re-appointed 2nd June 1864 | Extra clerk. |
| W. Jackson | £3 10s. ,, | 19th June 1866 | " |
| J. F. Smith | £3 10s. ,, | 27th February 1867 | " |
| E. Price | £3 10s. ,, | 21st May 1869 | " |
| E. Rout | £3 10s. ,, | 21st September 1869 | " |
| T. Thorpe | £3 10s. ,, | 7th February 1870 | " |
| A. Erskine | £3 ,, | 3rd January 1873 | " |
| R. Fitzgerald | £2 10s. ,, | 17th September 1873 | " |
| T. G. Ford | £2 10s. ,, | 9th October 1873 | " |
| J. Saddler | £2 10s. ,, | 10th October 1873 | " |
| C. Macdonald | £1 10s. ,, | 5th February 1872 | " |
| A. R. Fenton | £1 10s. ,, | 1st September 1873 | " |
| <i>Echuca.</i> | | | |
| T. W. Judd | £3 5s. per week | 20th July 1866 to 9th May 1867, re-appointed 31st July 1872 | Extra clerk. |

* Was appointed by the Governor in Council to Telegraph Department, 11th February 1861, and transferred to Customs, 7th July 1862.

DISTILLERIES, IMMIGRATION, ETC.

| Name. | Salary. | Date of Appointment. | Office. |
|-----------------------|-------------------------|----------------------|---------------------------|
| G. Teale | £3 10s. per week | 5th June 1857 | Extra clerk. |
| J. W. Stublely | 8s. 6d. per diem | 14th May 1869 | Extra distillery officer. |
| E. Edwards | 25s. per week | 4th June 1872 | Messenger. |

The following Men are only employed when required, and are paid at the rate of 8s. per diem :—

| | | | | | |
|--------------|-------------|-------------|----------------|----------------|----------|
| W. Williams, | R. Charles, | H. Coope, | A. Turner, | P. H. Cerutti, | D. Hunt, |
| J. Sloan, | J. Corbett, | A. Smith, | A. Richardson, | W. F. Ryan, | G. May. |
| W. Fossey, | W. Macey, | F. L. Clay, | F. G. Lewis, | T. Duff, | |

HENRY J. LEPLASTRIER, Accountant.

J. CHATFIELD TYLER,
Assistant Commissioner of Trade and Customs.

Accounts Branch, Department of Trade and Customs,
Melbourne, 11th August 1874.

POSTAL AND TELEGRAPH DEPARTMENT.

RETURN of the Names of all Persons employed as Supernumeraries and Non-classified Clerks in the Division of the Honorable the Postmaster-General, showing Salaries, Date of Appointment, and the Office they are employed in.

| Name. | Salary. | | Date of Appointment. | Office. |
|-----------------------|---------|-------|--------------------------|---------------------------------|
| | £ | s. d. | | |
| C. A. Poole ... | 180 | 0 0 | 22nd July, 1863 ... | Extra clerk. |
| H. J. Haines ... | 180 | 0 0 | 29th May, 1865 ... | " |
| G. Breading ... | 180 | 0 0 | 11th September, 1865 ... | " |
| F. C. Doveton ... | 170 | 0 0 | 16th April, 1864 ... | " |
| F. A. Rose ... | 160 | 0 0 | 1st April, 1866 ... | " |
| E. V. Browne ... | 160 | 0 0 | 10th May, 1866 ... | " |
| M. Macphail ... | 160 | 0 0 | 10th May, 1866 ... | " |
| J. H. Chads ... | 160 | 0 0 | 22nd July, 1868 ... | " |
| J. B. Pullan ... | 160 | 0 0 | 8th February, 1869 ... | " |
| J. B. Boothman ... | 160 | 0 0 | 1st September, 1873 ... | " |
| R. L. Bissett ... | 156 | 10 0 | 27th April, 1874 ... | " Echuca. |
| F. Good ... | 120 | 0 0 | 1st January, 1870 ... | " |
| A. Lee ... | 110 | 0 0 | 15th May, 1873 ... | " |
| J. J. Doherty ... | 100 | 0 0 | 11th September, 1872 ... | " |
| W. P. Newman ... | 96 | 0 0 | 19th January, 1874 ... | " |
| C. J. Moody ... | 60 | 0 0 | 17th November, 1873 ... | " |
| H. Harmsworth ... | 100 | 0 0 | 1st January, 1870 ... | Assistant Clerk. |
| J. A. Wise ... | 100 | 0 0 | 20th April, 1870 ... | " |
| R. S. Rogers ... | 100 | 0 0 | 22nd May, 1874 ... | " |
| F. Fleming ... | 90 | 0 0 | 22nd May, 1874 ... | " |
| R. Smith ... | 84 | 0 0 | 5th June, 1871 ... | " |
| R. W. Quarrill* ... | 84 | 0 0 | 3rd February, 1870 ... | " |
| C. T. Scott ... | 72 | 0 0 | 2nd October, 1871 ... | " |
| W. A. D. A. Burke ... | 72 | 0 0 | 1st August, 1873 ... | " |
| E. Davy ... | 72 | 0 0 | 17th February, 1873 ... | " |
| P. J. Duggan ... | 60 | 0 0 | 17th November, 1873 ... | " |
| R. Bigley ... | 60 | 0 0 | 15th June, 1872 ... | " |
| J. Dunstone ... | 60 | 0 0 | 7th August, 1873 ... | " |
| Alice Hannah ... | 84 | 0 0 | 13th May, 1874 ... | Telegraph Assistant, Melbourne. |
| Anna D. McKenny ... | 75 | 0 0 | 23rd October, 1871 ... | " |
| Sarah A. Bowie ... | 60 | 0 0 | 22nd November, 1869 ... | " Cape Schanck. |
| Susan E. Dod ... | 52 | 0 0 | 24th November, 1870 ... | " Queenscliff. |
| Lizzie Anderson ... | 40 | 0 0 | 1st November, 1873 ... | " Melbourne. |
| Annie Scott ... | 40 | 0 0 | 13th May, 1874 ... | " |
| Jessie Phillips ... | 40 | 0 0 | 21st March, 1874 ... | " Emerald Hill. |
| Theresa Andrews ... | 40 | 0 0 | 25th November, 1872 ... | " Hawthorn. |
| Mary Greet ... | 40 | 0 0 | 1st October, 1873 ... | " Sandridge. |
| Eliz. C. D'Arcy ... | 40 | 0 0 | 25th November, 1873 ... | " St. Kilda. |
| Clara A. Hodder ... | 40 | 0 0 | 1st August, 1873 ... | " Stockyard Creek. |
| Emmeline B. Hall ... | 30 | 0 0 | 4th May, 1874 ... | " Brighton. |
| Fanny St. Leger ... | 20 | 0 0 | 20th April, 1874 ... | " Longwood. |
| Margt. E. Barry ... | 20 | 0 0 | 23rd May, 1873 ... | " Shady Creek. |
| Fanny L. Kelsall ... | 15 | 0 0 | 1st August, 1873 ... | " Cape Otway. |
| Marcella Comyn ... | 10 | 0 0 | 1st January, 1873 ... | " Kerang. |
| Fanny Dobson ... | 5 | 0 0 | 9th June, 1871 ... | " Dandenong. |

* Resigned 31st January, 1873. Re-appointed 24th July, 1873.

Melbourne, General Post Office,
21st August, 1874.

W. TURNER,
Deputy Postmaster-General,
&c. &c.

RAILWAYS AND ROADS DEPARTMENT.

RETURN of the Names of Persons employed at Daily Pay on the Clerical Staff of the Department of Railways and Roads.

| Name. | Salary. | Date of Appointment. | Office where employed. |
|----------------------|----------------------|--------------------------|------------------------|
| B. B. Greene ... | 7s. 6d. per diem ... | 4th November, 1872 ... | Secretary's office. |
| R. J. Waugh ... | 4s. " ... | 24th February, 1873 ... | Accountant's Office. |
| J. Fussell ... | 4s. " ... | 1st September, 1873 ... | " |
| A. B. Joske ... | 4s. " ... | 1st April, 1874 ... | " |
| J. Donovan ... | 4s. " ... | 22nd April, 1874 ... | " |
| W. G. Tulloch ... | 3s. 6d. " ... | 16th December, 1872 ... | " |
| A. G. Lowerstein ... | 3s. " ... | 16th March, 1874 ... | " |
| W. Ritchie ... | 3s. " ... | 23rd March, 1874 ... | " |
| James Bruce ... | 15s. " ... | April, 1872 ... | Traffic branch. |
| J. Bracken ... | 10s. " ... | 30th June, 1862 ... | " |
| P. Hogan ... | 10s. " ... | 3rd October, 1865 ... | " |
| J. Flanelle ... | 10s. " ... | 14th November 1866 ... | " |
| G. Randall ... | 10s. " ... | 10th March, 1868 ... | " |
| H. Marks ... | 10s. " ... | 4th April, 1869 ... | " |
| J. Paton ... | 10s. " ... | 17th September, 1869 ... | " |
| T. P. Jones ... | 10s. " ... | 29th November, 1869 ... | " |

RAILWAYS AND ROADS DEPARTMENT—*continued.*

| Name. | Salary. | Date of Appointment. | Office where employed. |
|--------------------------|-------------------|--------------------------|-----------------------------|
| W. J. Slattery | 10s. per diem ... | 16th January, 1870 ... | Traffic branch. |
| J. Harvey | 10s. " ... | 1st October, 1857 ... | " |
| F. J. Holmes | 9s. " ... | March, 1874 ... | " |
| R. A. McEwan | 8s. " ... | 23th November, 1871 ... | " |
| G. Sitford | 8s. " ... | 8th November, 1872 ... | " |
| G. Little | 9s. " ... | 15th September, 1873 ... | " |
| P. V. Williams | 9s. " ... | 1st October, 1873 ... | " |
| W. G. Lumley | 9s. " ... | 27th October, 1873 ... | " |
| R. Inray | 8s. " ... | 27th November, 1873 ... | " |
| H. J. Cohen | 8s. " ... | 3rd December, 1873 ... | " |
| J. A. Robertson | 8s. " ... | 27th December 1873 ... | " |
| Kate Nantes | 5s. " ... | 12th July, 1867 ... | " |
| D. M. Dyte | 6s. " ... | 8th April, 1872 ... | " |
| E. Batten | 6s. " ... | 12th August, 1872 ... | " |
| S. O. Cadwallader | 5s. " ... | 20th November, 1872 ... | " |
| C. Stewart | 5s. " ... | March, 1873 ... | " |
| H. Carkeet | 6s. " ... | 16th July, 1873 ... | " |
| J. Hamilton... .. | 5s. " ... | 24th September 1873 ... | " |
| J. Reade | 4s. " ... | 27th October, 1873 ... | " |
| W. R. Johnson | 5s. " ... | 3rd November, 1873 ... | " |
| D. Cameron... .. | 4s. " ... | 28th January, 1874 ... | " |
| Lucy Nantes | 3s. " ... | 10th March, 1873 ... | " |
| P. W. Hynes | 4s. " ... | 24th April, 1874 ... | " |
| J. Heriot | 5s. " ... | 25th May, 1874 ... | " |
| T. Walsh | 5s. " ... | January, 1869 ... | " |
| T. E. Price | 4s. " ... | 8th June, 1874 ... | " |
| W. Selby | 6s. " ... | October, 1870 ... | Railway stores. |
| J. Moore | 7s. 6d. " ... | July, 1873 ... | " |
| B. Aarons | 4s. " ... | 21st July, 1874 ... | " |
| J. Fallon | 13s. 6d. " ... | August, 1871... .. | Engineer-in-Chief's office. |
| W. Black | 10s. 6d. " ... | October, 1871 ... | " |
| A. W. Vines | 10s. 6d. " ... | January, 1870 ... | " |
| W. Walker | 7s. " ... | April, 1874 ... | " |
| J. R. Paterson | 6s. " ... | September, 1872 ... | " |
| G. F. Love | 4s. " ... | March, 1872 ... | " |
| F. W. Brady | 3s. " ... | October, 1872 ... | " |

J. STEAVENSON,
Secretary.

Department of Railways and Roads,
Spencer street, 11th August, 1874.

DEPARTMENT OF MINES.

RETURN of the Names of all Persons employed as Supernumeraries and Non-classified Clerks in the Division of the Honorable the Minister of Mines, showing Salaries, Date of Appointment, and the Office in which they are employed.

| Name. | Salary. | Date of Appointment. | Office in which they are employed. |
|------------------------|--------------------|-------------------------|--------------------------------------|
| W. F. Hoskins | £300 per annum ... | 1st January 1865 ... | Clerk, Mining Department, Melbourne. |
| W. Nicholas | £300 " ... | 12th September 1864 ... | " " " |
| C. A. Richards | £300 " ... | 30th January 1865 ... | " " " |
| R. Bradford | £275 " ... | 7th April 1865 ... | " " " |
| G. Milne | £250 " ... | 6th September 1866 ... | " " " |
| J. B. Simons | £250 " ... | 1st November 1869 ... | " " " |
| F. Hanlon | £200 " ... | 17th May 1866 ... | " " " |
| O. O'Brien | £200 " ... | 20th January 1868 ... | " " " |
| E. Stephen | £200 " ... | 8th March 1872 ... | " " " |
| W. Green | £180 " ... | 20th March 1872 ... | " " " |
| M. De L. Pierse | £180 " ... | 24th November 1871 ... | " " " |
| J. D. Harrison | £150 " ... | 20th June 1873 ... | " " " |
| P. Cohen | £150 " ... | 29th October 1866 ... | " " " |
| W. H. Clegg | £125 " ... | 13th January 1872 ... | " " " |
| H. Passley | £120 " ... | 29th July 1873 ... | " " " |
| H. F. Boyle | £100 " ... | 18th May 1874 ... | " " " |
| G. M. Houston | £70 " ... | 1st July 1869 ... | " " " |
| F. Lear | £52 " ... | 17th November 1873 ... | " " " |
| C. W. Langtree | £300 " ... | 18th July 1865 ... | Draughtsman " " |
| C. Johnstone | £250 " ... | 27th March 1865 ... | " " " |
| A. Everett | £250 " ... | 10th May 1865 ... | " " " |
| S. McDonnell | £250 " ... | 19th March 1869 ... | " " " |
| O. Trickett | £250 " ... | 23th August 1865 ... | " " " |
| G. Groube | £190 " ... | 12th May 1869 ... | " " " |
| M. B. Hearne | £150 " ... | 12th February 1872 ... | " " " |
| J. Bradford | £120 " ... | 15th January 1872 ... | " " " |
| J. Barlow | £36 " ... | 1st September 1875 ... | " " " |

DEPARTMENT OF MINES—continued.

| Name. | Salary. | Date of Appointment. | Office in which they are employed. |
|---------------------------|---------------------------------------|--------------------------|--|
| O. J. Peirce... .. | £36 per annum ... | 1st September 1873 ... | Draughtsman, Mining Department, Melbourne. |
| J. Shepherd... .. | £50 " ... | 1st December 1872 ... | Draughtsman, Mining Department, Melbourne. |
| T. U. Groube | £36 " ... | 1st November 1873 ... | Draughtsman, Mining Department, Melbourne. |
| H. C. Barlow | £36 " ... | 2nd January 1874 ... | Draughtsman, Mining Department, Melbourne. |
| J. Stoops | £90 " ... | 12th August 1870 ... | Messenger, Mining Department, Melbourne. |
| R. Duncan | 30s. per week ... | 13th November 1871 ... | Messenger, Mining Department, Melbourne. |
| E. R. Morris | £170 per annum ... | 30th August 1871 ... | Lithographic Draughtsman, Mining Department, Melbourne. |
| J. Finnie | 16s. per diem ... | 15th February 1859 ... | Lithographic Printer, Mining Department, Melbourne. |
| G. Lusty | 10s. " ... | 15th November 1860 ... | Lithographic Printer, Mining Department, Melbourne. |
| H. Lane | 5s. " ... | 26th September 1872 ... | Lithographic Printer, Mining Department, Melbourne. |
| W. M. Brown | £110 per annum ... | 30th May 1867 ... | Office-keeper, Mining Department, Melbourne. |
| Elizth. J. Brown | £40 " ... | 1st July 1869... .. | Housekeeper, Mining Department, Melbourne. |
| C. Woodhouse | £200 " ... | 19th March 1874 ... | Lithographic Draughtsman, Mining Department, Melbourne. |
| Joseph Rowan | £300 " ... | 14th November 1862 ... | Warden's Clerk, Sandhurst. |
| F. R. Ellis | £275 " ... | 11th February 1863 ... | " " Eaglehawk. |
| J. Greenwood | £150 " ... | 23rd September 1871 ... | Clerk, Warden's Office, Sandhurst. |
| T. Heron | £150 " ... | 3rd November 1871 ... | " " Castlemaine. |
| W. R. Rundell | £150 " ... | 27th November 1871 ... | " " Ballarat. |
| W. H. Burrowes | £200 " ... | 17th November 1873 ... | Warden's Clerk, Walhalla. |
| J. Anderson | £100 " ... | 26th November 1871 ... | Clerk, Warden's Office, Sandhurst. |
| H. M. Taylor | £50 " ... | 23rd December 1867 ... | Warden's Clerk, Alexandra. |
| C. W. Minchin | £50 " ... | } 10th October 1854 ... | { Warden's Clerk, Beaufort. |
| | £20 " ... | | |
| J. Travis | £50 " ... | } 24th July 1865 ... | { Mining Registrar, " |
| | £70 " ... | | |
| T. Holderness | £50 " ... | } 4th December 1873 ... | { Warden's Clerk, Eldorado. |
| | £50 " ... | | |
| A. Alderdice | £100 " ... | } 1st January 1865 ... | { District Mining Registrar and Mining Registrar, Beechworth and Stanley. |
| | £100 " ... | | |
| J. M. Murphy | £30 " ... | } 2nd July 1867 ... | { Warden's Clerk, Majorca. |
| | £10 " ... | | |
| C. A. C. Cresswell | £30 " ... | 19th May 1873 ... | Warden's Clerk, Clunes. |
| N. J. Maude | £25 " ... | 21st September 1870 ... | " Mansfield. |
| J. H. Sandilands | £25 " ... | } 13th October 1873 ... | { " Foster. |
| | £50 " ... | | |
| S. Dorman | £20 " ... | 25th January 1869 ... | Warden's Clerk, Taradale. |
| R. McCall | £20 " ... | 11th September 1872 ... | " Rushworth. |
| B. K. Smart | £50 " ... | 24th July 1873 ... | " Yackandandah. |
| T. Woodman | £10 " ... | 10th July 1871 ... | " Gordon. |
| W. H. Puddicombe | £15 " ... | 2nd April 1873 ... | " Landsborough. |
| N. Cockburn | Paid as C.P.S. ... | 16th June 1873 ... | " Stawell. |
| G. W. Moore | £25 per annum ... | 15th March 1874 ... | " Inglewood. |
| R. B. Peters | £1 per week ... | } 1st October 1870 ... | { " Wood's Point. |
| | £20 per annum and travelling expenses | | |
| R. J. Burrowes | £15 per annum ... | 28th September 1871 ... | " Sale. |
| W. Phipps | Paid as Mining Registrar | } 15th December 1869 ... | { " Omeo. |
| | £60 per annum ... | | |
| F. T. Colvin | Paid as C.P.S. ... | 21st December 1868 ... | Mining Registrar " |
| R. M. Harvey | £80 per annum ... | 9th February 1863 ... | Warden's Clerk, Korong. |
| J. Lynch | £70 " ... | October 1857 | Mining Registrar and Surveyor, Buninyong and Steiglitz. |
| T. Cowan | £100 " ... | May 1856 | Mining Registrar & Surveyor, Smythesdale and Raglan. |
| J. Stevenson | £70 " ... | 5th December 1856 ... | Mining Registrar and Surveyor, Gordon. |
| J. F. Hansen | £40 " ... | 11th November 1868 ... | Mining Registrar and Surveyor, Creswick. |
| P. Wright | £50 " ... | 1st November 1865 ... | Mining Registrar, Blackwood and Blue Mountain. |
| A. B. Ainsworth | £120 per annum ... | 18th January 1864 ... | Mining Registrar and Surveyor, Yackandandah and Sandy Creek. |
| R. Arrowsmith | £100 " ... | 26th May 1862 ... | Mining Registrar and Surveyor, Wood's Point, Gaffney's Creek, and Big River. |
| L. C. Kinchela | £35 " ... | 26th June 1865 ... | Mining Registrar and Surveyor, Indigo and Beechworth. |
| P. Virtue, junior | £100 " ... | 13th November 1867 ... | Mining Registrar, Bright. |
| J. Smith | £70 " ... | 1st May 1865 | " and District Mining Registrar, Maryborough. |
| W. G. Couchman | £90 " ... | 26th June 1865 ... | Mining Registrar and Surveyor, Talbot. |
| | | | " and Surveyor, Tar-nagulla and Dunolly. |

DEPARTMENT OF MINES—continued.

| Name. | Salary. | Date of Appointment. | Office in which they are employed. |
|-------------------------|-------------------------------|----------------------------|--|
| N. G. Stephens | £130 per annum ... | 20th November 1865 ... | Mining Registrar and District Mining Registrar, Sandhurst. |
| J. W. Osborne | Paid by fees | 1st April 1867 | Mining Registrar, Kilmore. |
| J. T. Strong | £70 per annum | 8th August 1864 | " and Surveyor, Heathcote and Waranga South. |
| T. L. Brown | £100 " | 12th July 1856 | Mining Registrar, District Mining Registrar and Surveyor, Castlemaine. |
| M. Amos | £70 " | 24th March 1866 | Mining Registrar and Surveyor, Fryers-town. |
| R. Nankivell | £70 " | 5th March 1860 | Mining Registrar and Surveyor, Maldon. |
| A. Armstrong | £70 " | 30th October 1865 | " " St. Andrews East and Central Eltham. |
| T. Hale | £30 " | 26th November 1866 | Mining Registrar, Hepburn. |
| T. Orwin | Paid by fees | 14th July 1863 | " Taradale and Kyneton. |
| F. M. Krausé | £70 per annum | 11th March 1872 | " and Surveyor, Ararat. |
| J. G. Peers | £70 " | 10th April 1865 | " " Bairnsdale and Mitchell River. |
| C. Gadd | £25 " | 19th July 1862 | Mining Registrar, Russell's Creek. |
| E. S. Gutteridge | £25 " | 23rd November 1868 | " Stringer's Creek. |
| J. Nichol | £25 " | 22nd November 1869 | " Bendoc. |
| C. J. W. Russell | £30 " | 13th March 1865 | " Rushworth. |
| G. McPherson | £8 " | 13th November 1866 | " Trentham. |
| J. Liston | £10 " | 20th September 1869 | " Benalla. |
| R. W. S. Greig | £70 " | 17th December 1855 | " and Surveyor, Alexandra. |
| P. Simpson | £140 " | 9th August 1869 | Mining Registrar and Surveyor, St. Arnaud, Redbank, and Avoca. |
| G. Allen | Paid by fees | 28th February 1871 | Mining Registrar, Boggy Creek. |
| R. Pemberton | £10 per annum | 5th June 1871 | " Dry Creek. |
| R. J. Donaldson | £20 " | 26th February 1872 | " Jericho. |
| C. Denis | £10 " | 30th October 1871 | " Traralgon. |
| G. P. Black | £10 " | 26th August 1872 | " Ballan. |
| H. C. Bate | £70 " | 16th April 1872 | " and Surveyor, Stawell. |
| W. H. Edwards | £10 " | 11th February 1873 | " Jamieson. |
| W. H. Cochrane | £25 " | 16th June 1873 | " Snowy Creek. |
| H. St. H. Blair | £70 " | 1st December 1873 | " and Surveyor, Donnelly's Creek. |
| W. F. Freeman | £50 " | 17th November 1873 | District Mining Registrar and Clerk of the Mining Board, Gippsland. |
| D. Christy | Paid by fees | 24th November 1873 | District Mining Registrar and Mining Registrar, Ballarat. |
| G. Perry | £25 per annum and fees | 1st September 1873 | Mining Registrar, Staffordshire Reef. |
| J. Darbyshire | £35 per annum | 3rd February 1873 | " and Surveyor, Bright. |
| H. Archdall | £100 " | 14th January 1867 | " Blackwood, Taradale, and Kyneton. |
| D. O'Leary | £70 " | 3rd July 1858 | Mining Surveyor, Maryborough. |
| Stuart Murray | £50 " | 9th April 1870 | " Hepburn. |
| J. F. O'Dwyer | £70 " | 19th July 1869 | " Eaglehawk and Raywood. |
| S. B. Rowe | £25 " | 3rd March 1873 | Mining Surveyor, Rushworth. |
| R. G. Johnston | £120 " | 15th January 1874 | Mining Registrar's Office, Sandhurst. |
| A. F. Walker | £70 " | 2nd November 1866 | Mining Surveyor, Sandhurst. |
| O. P. Whitelaw | £35 " | 2nd June 1874 | " Foster. |
| J. M. Bickett | £150 " | 21st October 1873 | Clerk of the Mining Board, Ballarat. |
| J. Burnside | £150 " | 5th January 1864 | " " Sandhurst. |
| D. Beckett | £150 " | 19th January 1874 | " " Maryborough. |
| W. Baker | £150 " | 23rd May 1870 | " " Ballarat. |
| W. T. Paine | £100 " | 1st January 1862 | " " Ararat. |
| Agnes Gourlay | £20 " | 27th May 1861 | Office Keeper, Mining Board, Maryborough. |
| G. W. Goode | £20 " | 1st July 1862 | Office Keeper, Mining Board, Castlemaine. |
| Mary McLeod | £20 " | 1st January 1861 | Office Keeper, Mining Board, Ararat. |
| W. T. Banes | £18 " | 1st January 1861 | " " Ballarat. |
| A. Davidson | £16 " | 1st March 1866 | " " Beechworth. |
| R. Bailie | £150 " | 11th February 1873 | Powder Magazine Keeper, Sandhurst. |
| J. Kilbride | £30 " | 4th June 1872 | " Ballarat. |
| H. W. Frood | £20 " | 17th March 1873 | " Daylesford. |
| R. J. Webb | £20 " | 29th July 1872 | " Eaglehawk. |
| J. Greer | £20 " | 27th February 1865 | " Maldon. |
| E. Scanlon | £20 " | 20th May 1865 | " Sale. |
| P. Harty | £20 " | 20th January 1873 | " Stawell. |
| M. McCraith | £15 " | 6th November 1865 | " Castlemaine. |
| P. McParland | £10 " | 28th August 1871 | " Ararat. |
| J. H. Shanklin | £10 " | 23rd January 1871 | " Avoca. |
| S. Larkan | £10 " | 8th July 1872 | " Bright. |
| W. Lynas | £10 " | 9th November 1871 | " Dunolly. |
| M. Ellis | £10 " | 28th February 1872 | " Jamieson. |
| P. Fahey | £10 " | 30th November 1868 | " Maryborough. |
| H. M. Brady | £10 " | 9th February 1873 | " St. Arnaud. |
| R. P. Wigmore | £10 " | 8th October 1870 | " Smythesdale. |
| W. Britt | £10 " | 19th December 1861 | " Talbot. |
| J. Coyne | £10 " | 23rd August 1873 | " Tarnagulla. |
| J. McNabb | £10 " | 11th September 1871 | " Wood's Point. |
| J. Wright | £10 " | 3rd March 1873 | " Fryerstown. |
| J. McCormick | £10 " | 13th October 1873 | " Alexandra. |
| W. P. Sullivan | £10 " | 13th December 1873 | " Beechworth. |

DEPARTMENT OF MINES—continued.

| Name. | Salary. | Date of Appointment. | Office in which they are employed. |
|-----------------------|--|--------------------------|--|
| P. Delaney ... | £10 per annum ... | 24th April 1871 ... | Powder Magazine Keeper, Inglewood. |
| T. W. Busst ... | £3 10s. per week and £80 per annum allowance for forage | 14th March 1870 ... | Crown Lands Bailiff, Sandhurst. |
| John Andrews ... | £450 per annum ... | 1st December, 1865 ... | Clerk, Melbourne. |
| John Forrester ... | £225 ,, ... | 3rd June, 1872 ... | " " |
| S. W. Viney ... | £210 ,, ... | 15th September, 1873 ... | " " |
| Chas. Snow ... | £180 ,, ... | 18th May, 1874 ... | " " |
| Chas. Gellion ... | 30s. per week ... | 1st June, 1872 ... | " " |
| G. Smellie* ... | £400 per annum ... | 1st January, 1866 ... | Draughtsman, Melbourne. |
| W. C. Kernot † ... | £250 ,, ... | 23rd May, 1872 ... | " " |
| J. T. Praagst † ... | £300 ,, ... | 3rd October, 1872 ... | " " |
| R. Dawson † ... | 35s. per week ... | 27th July, 1873 ... | Messenger " |
| J. B. Henderson † ... | £500 per annum ... | 1st July, 1872 ... | Assistant Engineer, Sandhurst. |
| T. W. Stone ... | £500 ,, ... | 31st May, 1872 ... | " Castlemaine. |
| E. Dobson ... | £700 ,, ... | 12th June, 1871 ... | " Geelong. |
| J. Brady ... | £600 ,, ... | 1st July, 1873 ... | " Sandhurst. |
| J. H. Home ... | £250 ,, ... | 1st August, 1873 ... | Draughtsman " |
| E. H. Roberts † ... | 15s. per diem ... | 10th June, 1873 ... | Clerk " Castlemaine. |
| R. R. Lyall † ... | 15s. ,, ... | 1st February, 1873 ... | Inspector, Geelong. " |
| C. Brown † ... | 15s. ,, ... | 8th July, 1872 ... | " Castlemaine. |
| D. Davies † ... | £5 per week ... | 24th November, 1871 ... | " Geelong. |
| J. Elsdon † ... | 15s. per diem ... | 16th July, 1872 ... | " Castlemaine. |
| J. Kemp † ... | 15s. ,, ... | 10th February, 1871 ... | " Sandhurst. |
| W. McKean † ... | 15s. ,, ... | 1st December, 1872 ... | " " |
| P. Hogan ... | 50s. ,, ... | 1st July, 1873 ... | Surveyor " |
| G. Chamier ... | £300 per annum ... | 23rd December, 1872 ... | " Castlemaine. |
| H. O'Hara † ... | £20 per month ... | 1st March, 1874 ... | Overseer, Sandhurst. |
| D. McLennan † ... | 12s. 6d. per diem ... | 1st May, 1874 ... | " Castlemaine. |
| G. Hampton † ... | 12s. 6d. ,, ... | 5th February, 1873 ... | Foreman, Sandhurst. |
| J. Ryan ... | 10s. ,, ... | 15th August, 1873 ... | " Geelong. |
| W. Harry ... | 10s. ,, ... | 12th December, 1872 ... | Turncock " |
| A. Bayley ... | £3 per week ... | 2nd September, 1873 ... | Stand-pipe keeper, Sandhurst. |
| J. L. Smithers ... | £2 ,, ... | 1st July, 1873 ... | Reservoir keeper, Malmesbury. |
| W. Smythe ... | £3 10s. ,, ... | 30th May, 1872 ... | " Sandhurst. |
| J. Brown † ... | £3 10s. ,, ... | 4th July, 1872 ... | " " |
| P. Kenny ... | £3 ,, ... | 1st July, 1873 ... | " Castlemaine. |
| A. Dallas ... | £2 10s. ,, ... | 29th October, 1871 ... | " " |
| J. Johns ... | £2 ,, ... | 24th April, 1868 ... | " Geelong. |
| R. C. Ellison ... | £2 10s. ,, ... | 25th September, 1871 ... | " " |
| H. Treyrand ... | £2 10s. ,, ... | 8th April, 1871 ... | Channel keeper, Sandhurst. |
| A. H. O'Donahoo ... | £2 10s. ,, ... | 20th September, 1872 ... | " " |
| J. McLachlan ... | £2 10s. ,, ... | 18th January, 1874 ... | " Castlemaine. |
| R. Friedlieb ... | £2 10s. ,, ... | 14th September, 1872 ... | " " |
| J. Cappiter ... | £2 10s. ,, ... | 6th January, 1874 ... | " " |
| Chas. Wayne ... | £2 10s. ,, ... | 1st August, 1874 ... | Water-rate collector " |
| J. Bakewell ... | £350 per annum ... | 1st July, 1873 ... | Superintendent of Water Supply, Sandhurst. |

* Previously employed in the Roads and Bridges Department. † These officers were employed during a previous period in the Water Supply Branch.
‡ Previously employed as a chainman.

R. BROUGH SMYTH,
Secretary for Mines.

PUBLIC WORKS LOAN ACT 1872—ACCOUNTS OF
MONEY RAISED UNDER.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.
THE HONORABLE G. W. COLE.—10TH NOVEMBER, 1874.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE R. S. ANDERSON, 24TH NOVEMBER, 1874,
AND ORDERED BY THE COUNCIL TO BE PRINTED, 1ST DECEMBER, 1874.

“That, in accordance with 7th clause of ‘*The Public Works Loan Act 1872*,’ all the particulars be laid before this House relative to the £1,500,000 authorised to be raised under this Act, setting forth an account of the moneys raised, amount of stock erected in respect of such moneys, and of the moneys which shall have been issued out of the Consolidated Revenue in respect of the said sum of £1,500,000, as well as any other particulars required to be laid before both Houses of Parliament.”

STATEMENT of Moneys raised under Act 428 to 7th November, 1874.

| | £ | s. | d. |
|--|----------|----|----|
| 1. By sale to the Public | 296,085 | 0 | 0 |
| 2. Investment of Trust Moneys | 213,545 | 14 | 0 |
| 3. Conversion of Debentures, as per Schedule to Act | 387,000 | 0 | 0 |
| | <hr/> | | |
| | £896,630 | 14 | 0 |

Treasury, Melbourne,
20th November, 1874.

1874.

VICTORIA.

APPLICATIONS UNDER SECTION 19, LAND ACT 1869,
ETC., ETC.

LAI'D ON THE TABLE OF THE LEGISLATIVE COUNCIL BY THE HON. R. S. ANDERSON, 16TH DECEMBER, 1874, AND ORDERED BY THE COUNCIL TO BE PRINTED (EXCEPT THE PORTION OF IT RELATING TO OBJECTIONS MADE BY THE DEPARTMENT OF MINES), 17TH DECEMBER, 1874.

SUMMARY OF CASES INCLUDED IN WITHIN RETURN.

29 Cases refused, land not being available, previously selected, &c.
6 „ refused, *bonâ fides* being doubtful.
9 „ refused, as applicant could not comply with conditions.
26 „ in which the recommendations of the Local Land Board have been varied, in consequence of excisions for roads, water frontages, &c.
3 „ refused, applicants being authorized surveyors.
1 „ not granted, on account of Railway objections.

Total ... 74 Cases out of 7703 applications made since 30th March, 1874, to 30th November, 1874.

By Authority :

JOHN FERRÉS, GOVERNMENT PRINTER, MELBOURNE.

RETURN showing all Applications under Section 19, Land Act 1869, made since 30th March, 1874, in which the recommendations of the Local Land Boards, that a Licence should issue, have not been recommended by the Minister for the approval of His Excellency the Governor.

| Date of L.L.B. | Local Land Board. | No. of Application. | Applicant. | Parish. | Allotments. | Sec. | Area. | | | Recommendation. | Decision of Minister. |
|----------------|-------------------|---------------------|---------------------|-----------------|-------------|------|-------|----|----|---|---|
| | | | | | | | A. | R. | P. | | |
| 12.6.74 | Melbourne | 1,698 | Alexander Stevenson | Frankston | ... | ... | 5 | 1 | 18 | Recommended | Refused. Applicant could not comply with residence conditions. |
| 1.6.74 | Alexandra | 2 | Samuel Allardyce | Acheron | Pts. 41, 42 | ... | 165 | 0 | 0 | Ditto | Ditto. Applicant ditto ditto |
| 12.10.74 | Seymour | 1,911 | Edward West | Yea | Pt. 95 | ... | 45 | 1 | 5 | Ditto | Ditto. Land not available. |
| 29.10.74 | Kyneton | 152 | Abram Caird | Woodend | ... | ... | 20 | 0 | 0 | Ditto | Ditto. Applicant declines to adhere to conditions of licence. |
| 29.10.74 | Ditto | 455 | Robert Kellett | Ditto | ... | ... | 6 | 0 | 0 | Ditto | Ditto. Applicant states he has no intention of complying with conditions of licence. |
| 16.10.74 | Inglewood | 49 | Eliza Branston | Powlett | ... | ... | 319 | 3 | 37 | Ditto, subject to production of birth certificate | Ditto. Applicant not of age (evidence of age unsatisfactory). |
| 6.8.74 | Dunolly | 743 | Jacob Peart | Bealiba | ... | ... | 220 | 0 | 0 | Recommended | Ditto. Licence not issued, on account of objections urged by Department of Railways. |
| 2.7.74 | Echuca | 10 | S. Abbott | Diggora | Pt. 136 | ... | 100 | 0 | 37 | Ditto | Ditto. The land having been previously selected and licensed, and the recommendation of the Local Land Board having been made in error. |
| 16.7.74 | Rushworth | 608 | Peter Furlong | Mooroopna | ... | ... | 160 | 0 | 0 | Ditto | Ditto. Ditto. |
| 4.6.74 | Echuca | 675 | James Gleeson | Turrumberry | ... | ... | 320 | 0 | 0 | Ditto | Ditto. Ditto. |
| 5.8.74 | Ditto | 678 | Elizabeth Garden | Gunnawarra | ... | ... | 320 | 0 | 0 | Ditto | Ditto. Ditto. |
| 5.8.74 | Ditto | 679 | John Garden | Ditto | ... | ... | 320 | 0 | 0 | Ditto | Ditto. Ditto. |
| 2.9.74 | Ditto | 947 | James H. Knowd | Turrumberry Run | ... | ... | 250 | 0 | 0 | Ditto | Ditto. Ditto. |
| 2.9.74 | Ditto | 1,012 | Willm. Lamont | Ditto | ... | ... | 320 | 0 | 0 | Ditto | Ditto. Ditto. |
| 2.9.74 | Ditto | 1,013 | A. A. G. Lamont | Ditto | ... | ... | 320 | 0 | 0 | Ditto | Ditto. Ditto. |
| 17.9.74 | Rushworth | 1,568 | James Parker | Mooroopna | ... | ... | 192 | 2 | 9 | Ditto | Ditto. Ditto. |
| 7.5.74 | Echuca | 1,596 | Michael Reilly | Koyuga | ... | ... | 160 | 0 | 0 | Ditto | Ditto. Ditto. |
| 1.10.74 | Benalla | 1,607 | John Rogers | Shepparton | Pt. 69 | ... | 239 | 3 | 36 | Ditto | Ditto. Ditto. |
| *4.6.74 | Echuca | 73 | George Blunt | Taripta | Pt. 62 | ... | 40 | 0 | 0 | Ditto | Approved for 12a. 1r. 36p., being all that was available. |
| *2.9.74 | Ditto | 94 | James Bell | Talambe | ... | ... | 278 | 0 | 13 | Ditto | Ditto. 234a. 3r. 31p., ditto. |
| *2.9.74 | Ditto | 277 | Patrick Crimmins | Ditto | 21, 51, 56 | ... | 320 | 0 | 0 | Ditto | Ditto. 240a., ditto. |
| *4.6.74 | Ditto | 1,001 | James Larkins | Mt. Hope Bun | ... | ... | 262 | 1 | 9 | Ditto | Ditto. 120a. 0r. 24p., ditto. |
| *4.6.74 | Ditto | 1,004 | Henry Larkin | Gunbower | ... | ... | 120 | 0 | 0 | Ditto | Ditto. 82a. 0r. 18p., ditto. |
| *29.5.74 | Horsham | 290 | Elizabeth Cox | Cannum | ... | ... | 319 | 3 | 38 | Ditto | Ditto. 312a. 3r. 38p., ditto. |
| *29.5.74 | Ditto | 294 | Donald Cameron | Wallup | ... | ... | 319 | 3 | 37 | Ditto | Ditto. 315a. 0r. 37p., ditto. |
| *26.6.74 | Ditto | 297 | James Collins | Wail | ... | ... | 76 | 1 | 15 | Ditto | Ditto. 41a. 1r. 15p., ditto. Papers at District Survey Office. |
| *28.8.74 | Ditto | 308 | George Christy | Rupanyup | ... | ... | 320 | 0 | 0 | Ditto | Ditto. 315a. 0r. 9p., ditto. |
| *29.5.74 | Ditto | 612 | Wm. Frew, junior | Jung Jung | ... | ... | 320 | 0 | 0 | Ditto | Ditto. 295a. 0r. 32p., ditto. Papers at District Survey Office. |
| *25.9.74 | Ditto | 787 | Michael Harris | Nullan | ... | ... | 320 | 0 | 0 | Ditto | Ditto. 315a. 3r. 2p., ditto. |
| *26.6.74 | Ditto | 937 | Peter Koop | Dunboola | ... | ... | 320 | 0 | 0 | Ditto | Ditto. 312a. 0r. 32p., ditto. |
| *26.6.74 | Ditto | 1,482 | John O'Loughlin | Kellalac | ... | ... | 289 | 0 | 0 | Ditto | Ditto. 273a. ditto. |
| 5.8.74 | Echuca | 57 | Thomas Bignell | Gunbower | ... | ... | 197 | 0 | 0 | Ditto | Refused. Land within a gazetted reserve. |
| 2.7.74 | Ditto | 1,904 | Edward Williams | Turrumberry | ... | ... | 213 | 0 | 0 | Ditto | Ditto. Ditto. |
| 2.7.74 | Ditto | 1,906 | E. A. Williams | Ditto | ... | ... | 320 | 0 | 0 | Ditto | Ditto. Ditto. |
| — | — | 928 | Alexander King | Warragamba | ... | ... | — | — | — | Ditto | Ditto. Ditto. |
| *6.8.74 | Wangaratta | 71 | William Black | Whitfield | ... | ... | 103 | 0 | 0 | Ditto | Approved for 101a. 3r. 12p., excision of water frontage being necessary. |
| *6.8.74 | Ditto | 268 | William Clancy | Ditto | ... | ... | 69 | 3 | 3 | Ditto | Ditto. 67a. 2r. 35p., ditto. |
| *4.8.74 | Benalla | 604 | William Fleming | Shadforth | Pt. 40 | ... | 99 | 3 | 29 | Ditto | Ditto. 97a. 3r., ditto. |
| *4.8.74 | Ditto | 736 | Patrick Halloran | Ditto | Pt. 121 | ... | 95 | 0 | 24 | Ditto | Ditto. 93a. 3r. 30p., ditto. |

| | | | | | | | | | | | | |
|----------|-----------------|-------|--------------------------|-----------------|----------------------|-----|-----|---|----|---|-----|---|
| *3.9.74 | Wangaratta ... | 1,012 | Henry Lim Son ... | Whitfield ... | ... | ... | 60 | 1 | 34 | Recommended ... | ... | Approved for 58a. 3r. 31p., excision of water frontage being necessary. |
| *6.8.74 | Ditto ... | 1,514 | Henry Peacock ... | Ditto ... | ... | ... | 90 | 3 | 15 | Ditto ... | ... | Ditto 89a. 1r. 19p., ditto. |
| *4.8.74 | Benalla ... | 1,436 | John Nelson ... | St. James ... | ... | ... | 319 | 3 | 20 | Ditto ... | ... | Ditto 316a. 0r. 29p., ditto. |
| 5.5.74 | Ditto ... | 1,512 | Sarah Purcell... .. | Shepparton ... | ... | ... | 90 | 3 | 15 | Ditto ... | ... | Refused. Applicant could not reside upon the land. |
| 6.8.74 | Wangaratta ... | 1,914 | James Woulfe ... | Whitfield .. | ... | ... | 46 | 0 | 0 | Ditto ... | ... | Approved for 45a., excision of water frontage being necessary. |
| 2.6.74 | Benalla ... | 60 | John Byrne ... | Currowa ... | Pt. 17 | ... | 76 | 1 | 24 | Ditto ... | ... | Refused, as applicant did not intend to reside on the land. |
| 7.7.74 | Ditto ... | 278 | Theoph. St. G. Caulfield | Shadforth ... | Pts. 38, 38A, 43, 44 | ... | 320 | 0 | 0 | Ditto ... | ... | Ditto, ditto. |
| 3.11.74 | Ditto ... | 1,634 | W. S. Reeves ... | Euroa ... | ... | ... | 151 | 2 | 26 | Ditto ... | ... | Refused. Applicant being an authorized surveyor.. |
| 3.11.74 | Ditto ... | 1,635 | S. K. Reeves ... | Ditto ... | ... | ... | 83 | 0 | 15 | Ditto ... | ... | Ditto. Ditto. |
| 26.8.74 | Bairnsdale ... | 745 | J. G. Peers ... | Bumberrah ... | ... | ... | 146 | 2 | 12 | Ditto ... | ... | Ditto. Ditto. |
| 7.7.74 | Benalla ... | 1,697 | Mary Ann Sergeant ... | Mokoan ... | Pt. 28 | ... | 295 | 0 | 0 | Ditto ... | ... | Ditto. Applicant having been married prior to hearing by Local Land Board. |
| 3.8.74 | Tarrawingee ... | 255 | John Condron ... | Boorhaman ... | 74A | ... | 47 | 2 | 11 | Ditto, if available | ... | Ditto. Land not available, already under licence. |
| 2.7.74 | Echuca ... | 1,933 | Frederick Warlod ... | Gunbower ... | ... | ... | 67 | 2 | 16 | Ditto ... | ... | Ditto. Land not available. Reserved for watering purposes. |
| 6.10.74 | Rutherglen ... | 1,711 | Henry Schluter ... | Carlyle ... | ... | ... | 12 | 0 | 0 | Ditto ... | ... | Ditto. Ditto. In exempted area. |
| 3.8.74 | Tarrawingee ... | 746 | Joseph H. Hart ... | Myrtleford ... | ... | ... | 20 | 0 | 0 | Ditto ... | ... | Ditto. Ditto. Ditto. |
| 11.9.74 | Stawell ... | 265 | Josiah Cock ... | Glynwylln ... | Pt. 123 | ... | 43 | 0 | 0 | Ditto, subject to inspection of timber reserve | ... | Ditto. Ditto. In timber reserve. |
| 16.11.74 | Elmhurst ... | 1,008 | Charles Lord ... | Glenlogie ... | ... | ... | 80 | 0 | 0 | Ditto ... | ... | Ditto. Ditto. Exempted under 102nd sect. Land Act 1869. |
| 7.8.74 | Stawell ... | 1,595 | James Ryan ... | Glynwylln ... | Pts. 97, 98, 99 | ... | 320 | 0 | 0 | Ditto, and postponed until boundaries of State Forest are defined | ... | Ditto. Ditto. Under recommendation of Central Forest Board, to be included in State Forest. |
| *22.5.74 | Palmerston ... | 496 | T. C. Lowther ... | Devon ... | ... | ... | 173 | 0 | 0 | Ditto ... | ... | Approved for 158a., 15 acres excised for water frontage. |
| 26.6.74 | Bairnsdale ... | 134 | Henry M. Cousens ... | Bengwarden ... | ... | ... | 194 | 0 | 38 | Ditto ... | ... | Ditto. Notice to occupy issued for 99a. 0r. 18p., one of the allotments applied for being sold. |
| 26.6.74 | Ditto ... | 223 | William Dyer ... | Bairnsdale ... | ... | ... | 5 | 0 | 6 | Ditto ... | ... | Refused. Land to be temporarily reserved. |
| *25.9.74 | Sandhurst ... | 1,088 | William Morrow ... | Nerring ... | ... | ... | 59 | 3 | 3 | Ditto ... | ... | Approved for 52a. 0r. 16p. Excision of road necessary. |
| *29.5.74 | Ditto ... | 252 | John Cooper ... | Tandarra ... | Pts. 84, 85 | ... | 320 | 0 | 0 | Ditto ... | ... | Ditto 231a. 2r. 24p. Excision of portion held under Sect. 7, A.L.A. 1865. |
| 2.7.74 | Echuca ... | 269 | W. D. Chanter ... | Warragamba ... | 31, 32 | ... | 320 | 0 | 0 | Ditto ... | ... | Refused. Land not available. Held under Sect. 7, A.L.A. 1865. |
| 9.4.74 | Colac ... | 291 | Thomas Fogarty ... | Apollo Bay ... | ... | ... | 45 | 2 | 32 | Ditto ... | ... | Ditto. Within forest boundary. |
| 9.4.74 | Ditto ... | 451 | John E. Kelsall ... | Ditto ... | ... | ... | 99 | 1 | 23 | Ditto ... | ... | Ditto. Ditto. |
| 9.4.74 | Ditto ... | 951 | Mark Whitcombe ... | Ditto ... | ... | ... | 57 | 0 | 39 | Ditto ... | ... | Ditto. Papers at District Survey Office. |
| 9.4.74 | Ditto ... | 952 | Robert Whalley ... | Ditto ... | ... | ... | 100 | 2 | 8 | Ditto ... | ... | Ditto. Within forest boundary. |
| *23.4.74 | Meredith ... | 361 | William Hooley, junior | Narnbool ... | ... | ... | 17 | 1 | 19 | Ditto ... | ... | Approved for 14a. 1r. 19p. Three acres excised for school site. |
| 2.10.74 | Tarrawingee ... | 745 | Thomas Hutton ... | Byawatha ... | ... | ... | 108 | 2 | 7 | Ditto ... | ... | Refused. |
| 2.10.74 | Ditto ... | 748 | Charles Hutton, junior | Ditto ... | ... | ... | 89 | 2 | 31 | Ditto ... | ... | Ditto. |
| 7.7.74 | Hamilton ... | 67 | Tryphena E. Bromell ... | Mokanger ... | ... | ... | 320 | 0 | 0 | Ditto ... | ... | Ditto. |
| 9.10.74 | Stawell ... | 892 | Edward Martin Jessel ... | Wirchelliba ... | 172, 180, 182 | ... | 281 | 3 | 3 | Ditto ... | ... | Ditto. |
| 6.10.74 | Benalla ... | 1,101 | John Z. H. Macvean ... | Taminick ... | Pts. 61, 57 | ... | 319 | 3 | 38 | Ditto ... | ... | Ditto. |
| 6.10.74 | Ditto ... | 1,104 | William Macvean ... | Ditto ... | Pts. 61, 64 | ... | 320 | 0 | 0 | Ditto ... | ... | Ditto. |

NOTE.—In cases marked thus * licences have only been refused to the extent of the area required for necessary modifications.

A. J. SKENE,
Surveyor-General.

BY AUTHORITY :

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

1874.

VICTORIA.

LEGISLATIVE COUNCIL.

FIRST REPORT

OF THE

PRINTING COMMITTEE.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE W. HIGHETT, AND ORDERED BY THE
COUNCIL TO BE PRINTED, 4TH AUGUST, 1874.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

REPORT.

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

| Title of Paper. | When moved for and by whom. | When laid on the Council Table. | By Command. | Report and Remarks of the Committee. |
|--|--------------------------------|---------------------------------------|-------------|--|
| Traralgon and Turton's Creek Mining District.—Polling Places.—Order in Council (15th September, 1873) | | 1874. 20th May | By Command | No order made. |
| Licenses for Races, Drains, &c.—Order in Council (11th May, 1874) | | " | " | " |
| Members of Ararat Mining Board.—Distribution of.—Order in Council (17th November, 1873) | | " | " | " |
| Castlemaine Mining District.—Polling Place.—Order in Council (9th February, 1874) | | " | " | " |
| Maryborough Mining District.—Polling Place.—Order in Council (9th February, 1874) | | " | " | " |
| Maryborough Mining District.—Polling Place.—Order in Council (16th February, 1874) | | " | " | " |
| Sandhurst Mining District.—Polling Place.—Order in Council (16th February, 1874) | | " | " | " |
| Sandhurst and Beechworth Mining Districts altered.—Order in Council (31st December, 1873) | | " | " | " |
| Sandhurst and Beechworth Mining Districts.—Divisions of.—Order in Council (31st December, 1873) | | " | " | " |
| Sandhurst and Beechworth Mining Districts.—Determining Number of Members for Divisions.—Order in Council (31st December, 1873) | | " | " | " |
| Sandhurst and Beechworth Mining Districts.—Polling Places for Divisions.—Order in Council (31st December, 1873) | | " | " | " |
| Melbourne Mint.—Despatch enclosing Report on Weight and Fineness of Coins at Melbourne Branch | | " | " | " |
| Geological Survey of the Colony.—Progress Report ... | | " | " | " |
| Coalfields.—Loutit Bay, Apollo Bay, Wannon District.—Reports of Board | | " | " | " |
| Mining Surveyors and Registrars.—Reports (31st December, 1873) | | " | " | " |
| Mineral Statistics of Victoria, 1873 | | " | " | " |
| Supreme Court Rules (11th April, 1874) | | " | | " |
| Import, Export, Transhipment, and Shipping Returns, for the year 1873 | | " | | " |
| Education Department.—Regulations | | " | | " |
| Railway Construction Act, 1873.—Estimate of proposed Expenditure | | " | | " |
| Yan Yean Water Supply.—Cash and Balance Sheet | | 26th May | | " |
| Public Accounts.—Regulations (23rd February, 1874, and 12th January, 1874) | | " | | " |
| Volunteer Force.—Regulations (30th March, 1874) | | " | | " |
| Discipline Act, 1870.—Regulations (1st December, 1873) | | " | | " |
| Chief Medical Officer.—Return of Diseases, 1873 | | " | By Command | " |
| Lunatic Asylums.—Report of Acting Inspector, 1873 | | " | " | " |
| Health Officer's Report, 1873 | | " | " | " |
| Chief Medical Officer.—Report on Sanatory Station, 1873 | | " | " | " |
| Statistics, Part VII.—Interchange, 1872 | | " | " | " |
| Statistics, Part VIII.—Vital Statistics, &c., 1872 | | " | " | " |
| Statistics, Part IX.—Religious, Moral, and Intellectual Progress, 1872 | | " | " | " |
| Statistics, Part I.—Blue Book, 1873 | | " | " | " |
| Statistics, Part II.—Finance, &c., 1873 | | " | " | " |
| Statistics, Part III.—Population, 1873 | | " | " | " |
| Statistics, Part IV.—Accumulation, 1873 | | " | " | " |
| Land Act 1869.—Regulations (2nd June, 1874) | | 2nd June | " | " |
| Land Act 1865 (Amending) | | " | " | " |
| Regulations relative to Fees for Licenses, &c. (9th March, 1874) | | " | " | " |
| Land Act 1869.—Regulations relative to Issue of Licenses, Parks, Lands, &c. (18th May, 1874) | | " | " | " |
| Land Act 1869.—Regulations (16th March, 1864) | | " | " | " |
| Fisheries Act, 1873.—Notice of intention to make Proclamation (22nd May, 1874) | | " | " | " |
| Post Office and Telegraph Department.—Report for 1873 | | " | " | " |

| Title of Paper. | When moved for and by whom. | When laid on the Council Table. | By Command. | Report and Remarks of the Committee. |
|--|-----------------------------|---------------------------------|-------------|--------------------------------------|
| Post Office and Telegraph Department.—Regulations relating to Appointment, &c., of Sorters, Line Repairers, &c. (6th March, 1874) | | 1874. 2nd June | By Command | No order made. |
| Post Office and Telegraph Department.—Rules for guidance of Officers, &c. (30th March, 1874) | | " | " | " |
| Post Office Savings Bank.—Statement of Accounts, 1873 | | " | " | " |
| Mining Surveyors and Registrars.—Reports for Quarter ending 31st March, 1874 | | " | " | " |
| Penal Establishments and Gaols.—Report of Inspector-General, 1873 | | " | " | " |
| Polynesians—Employment of—on board Her Majesty's vessels.—Copy Despatch from Secretary of State relative to | | " | " | " |
| Land Regulations, with Memoranda | | " | " | " |
| Life Assurance Companies Act 1873.—Copy Despatch from Secretary of State, with Enclosures (17th March, 1874) | | 9th June | By Command | " |
| Border Customs.—Further Correspondence | | " | " | " |
| Land Act 1869.—Regulations (28th May, 1874) | | " | " | " |
| Visits of Her Majesty's Ships to Australian Colonies.—Copy Despatch from Right Honorable Secretary of State | | 16th June | " | " |
| Schedule D—To Act 18 and 19 Vic. cap. 55.—Statement of Expenditure during the Year 1872-3 | | " | " | " |
| Crown Lands Department.—Report of the Board of Inquiry | | " | " | " |
| Public Accounts.—General Regulations (June, 1874) | | " | " | " |
| Charters to Joint Stock Companies.—Despatch, with Enclosures, from Right Honorable Secretary of State relative to Establishment of Agencies in India | | 18th June | " | " |
| Intercolonial Tariffs.—Copy Letter from Colonial Secretary, with Joint Memorandum, &c., New Zealand, on the subject of Intercolonial Reciprocity | | 23rd June | " | " |
| Inebriates Act, 1872—Regulations under | | 30th June | " | " |
| Botanical and Domain Gardens.—Annual Report of Curator | | " | " | " |
| Industrial Schools and Sanatory Station.—Second and Final Report of Royal Commission | | " | " | " |
| Mining District.—Polling Place.—Mount Lookout.—Order in Council (15th June, 1874) | | 8th July | " | " |
| Victorian Railways.—Estimate of Expenditure, 1874-5, on Ballarat and Ararat, Castlemaine and Dunolly, and Ballarat and Maryborough Lines | | 15th July | " | " |
| Victorian Railways.—Estimate of Expenditure, 1874-5, for Lines of Railway under Act 37 Vic. No. 475 | | " | " | " |
| Victorian Railways.—Estimate of Expenditure, 1874-5, North-Eastern Line | | " | " | " |
| Victorian Railways.—Estimate of Expenditure, 1874-5.—Railways, Bridges, &c. | | " | " | " |

WM. HIGHETT,
Chairman.

Committee Room,
Parliament Houses,
Melbourne, 28th July, 1874.

1874.
—
VICTORIA.

EVIDENCE

TAKEN AT THE BAR OF THE LEGISLATIVE COUNCIL

ON THE

VACCINATION BILL,

IN COMMITTEE OF THE WHOLE COUNCIL.

ORDERED BY THE COUNCIL TO BE PRINTED, 1st SEPTEMBER, 1874.

By Authority:
JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

TUESDAY, 4TH AUGUST, 1874.

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

The Chairman of Committees reported progress, and asked leave to sit again this day week.
Ordered.

The Honorable N. Fitzgerald, with leave of the Council, moved, without notice, That Dr. McCrea, Professor Halford, the Resident Medical Officers of the Hospitals of Castlemaine, Sandhurst, and Ballarat, and the gentlemen selected by the Medical Society of Victoria, be summoned to give evidence at the Bar of this House on the Vaccination Bill, on Tuesday 11th instant.

Question—put and passed.

TUESDAY, 1ST SEPTEMBER, 1874.

EVIDENCE TAKEN ON VACCINATION BILL.—The Honorable T. T. a'Beckett moved, That the evidence taken at the Bar of the House before the Committee on the Vaccination Bill be printed.

Question—put and passed.

MINUTES OF EVIDENCE

TAKEN AT THE BAR OF THE LEGISLATIVE COUNCIL, IN THE MATTER OF THE
VACCINATION BILL.

(In Committee of the whole House.)

TUESDAY, 11TH AUGUST, 1874.

William McCrea, Esq., M.B., Chief Medical Officer of the Colony of Victoria, examined.

1. *By Mr. a'Beckett.*—You have been the Chief Medical Officer of the colony for many years?—W. McCrea, Esq.,
M.B.,
11th Aug. 1874.
I have.

2. I believe that the Bill now before this House, entitled "*A Bill to amend the Law relating to Compulsory Vaccination,*" has been prepared very much upon your suggestions; has it not?—It has.

3. If you look at the 6th clause, you will find that, by that clause, power is given to the Governor in Council "to appoint as public vaccinator in any district, or part thereof, or place therein, any person who shall in the opinion of the Governor in Council be qualified to perform the duties of a public vaccinator, although such person may not be a medical practitioner." I dare say that you are aware that there have been opinions very strongly expressed, that that is a very dangerous power to give to the Governor in Council?—Yes.

4. I presume it would never be exercised except under the advice and with the cognisance of the Chief Medical Officer?—Certainly not.

5. Will you state to this House, in your own way, the reasons which, to your mind, are sufficient for appointing persons that are not medical practitioners, and also your reasons for believing that this can be done with perfect safety to the children who are vaccinated?—I requested this clause to be put in the Bill, in consequence of a great number of people in this colony being unable to get their children vaccinated. I have a list here in my hand of 88 districts in which there are deputy-registrars, all of which are unprovided with public vaccinators. I have, in some instances, been able to get medical gentlemen to go there and vaccinate occasionally, but still there are 32 places in which I can get no medical man to vaccinate.

6. When you say you can get no medical vaccinator, you mean to say, except at very great expense?—Excepting at very great expense under the present system; and with the present funds at my disposal, it is utterly impossible.

7. Could you give us some illustration of the difficulty?—There are places in Gipps Land which are 70 miles from the nearest public vaccinator, or the nearest medical man.

8. You mean some parts of Gipps Land?—Some parts of Gipps Land, Swan Hill, and several places of that kind, at such a very great distance off, that a vaccinator can scarcely be got to go; and certainly, under the present system, it would be impossible to get him.

9. What is the extent of population there?—Not very great. The population is scattered throughout the mining districts of Gipps Land.

10. Do you think periodical visits of vaccinators throughout the colony, charged with the duty of inquiring and ascertaining in the neighborhood what children were not vaccinated and vaccinating them, would meet the case?—It would answer the purpose. Some time ago, when Mr. Stephen refused to bring in this Bill, some months ago, I made a proposition to the Government to employ itinerant vaccinators, who should go to the different parts of the colony where medical men could not be got, and I estimated the cost of the process at about £2000 a year. If I had £2000 a year at my disposal, I have no doubt I could get two to do it—it might take three; but I think I could then get all the children in the colony vaccinated.

11. To go through the outlying districts of the colony periodically; it would be only for those districts?—Only for the outlying districts of the colony. That project was not entertained by the Government, and it fell through.

12. Supposing you could exercise your own judgment freely in the matter, and could carry out your own opinions, should you prefer an itinerant vaccinator, a qualified medical practitioner, to the machinery provided by this Bill?—I should.

13. Then it seems to be a question of £2000 a year?—A question of that or a little more, probably a little more than that.

14. I suppose there would be some expense connected with carrying that out here?—There would be some more expense than that; but, with £2000 a year more, I could provide for the vaccination of children in the outlying districts where they are not vaccinated now.

15. By medical men?—By medical men.

16. Would you not have very great difficulty in finding, at those country places, persons you could thoroughly rely upon to vaccinate?—You mean non-medical men?

17. Yes?—Not the slightest difficulty about that.

18. *By Mr. Fitzgerald.*—I presume you meant, that you would not have the slightest difficulty in finding medical men, if that sum was placed at your disposal?—No; that is not the question asked me. I was asked if I could get laymen in those districts to do the duty.

19. *By Mr. a'Beckett.*—The place you mention, 70 miles from any medical man—what place is that?—I forget the name at this moment.

W. McCrea, Esq.,
M.B.,
continued,
11th Aug. 1874.

20. Is it Omeo?—Omeo is one, Upper Dargo and Dargo Flat; there are several of those places.
21. In such a place as that, whom would you select?—Either the postmaster, the schoolmaster, or the deputy-registrar.
22. I have had the benefit of reading a statement written by you, and produced in this House by the honorable the Commissioner of Public Works, in which you state that this is a very simple operation?—Very simple; any intelligent person whatever could perform it with just as much safety and as much precision as any medical man in the whole world.
23. With respect to the selection of the lymph; would that be left to the judgment of the lay vaccinator?—I would give such directions to the lay vaccinator that he could not make a mistake.
24. *By Mr. Bear.*—Would not the lymph be supplied by the Government?—It would in a great many cases.
25. It would be under your own inspection?—Yes, it would be under my own inspection. I keep up a supply of lymph throughout Australasia.
26. *By Mr. a'Beckett.*—Are there not certain conditions of body under which it would be not only undesirable, but even dangerous to vaccinate the child?—That would also be provided for; those lay vaccinators would receive instructions from me not to vaccinate any child that was not in perfect health.
27. Is it not very difficult to say whether a child is in perfect health or not?—It is not. He would examine the child and see that there was no eruption about the skin; that the child was not feverish, and that the mother knows of nothing wrong with it; no medical man can know more than that.
28. Then in that case, what he would have to ascertain would be, that there was no eruptive disease?—None of any kind.
29. But the child may be sickly or feeble?—He would be desired not to vaccinate a sickly child.
30. *By Mr. Bear.*—The mother would be the best evidence on that?—The mother is, in all cases of sickness; the mother first finds it out and brings it to the medical man.
31. *By Mr. a'Beckett.*—You have no fear whatever that, if this power were given to lay vaccinators, it would lead to any injury to health?—I am quite sure it would be attended with no injury whatever, and vaccination is now carried on at this moment by those men just as well as by qualified medical practitioners. When the first bill was brought in, it was contemplated to appoint lay vaccinators, and several were appointed and are now acting. I believe some of the law officers interpreted the Act, that they should not be appointed, but they were appointed, and have been acting for seventeen years, and since the thing came in, I have never heard a single complaint about any of the children.
32. In what part of the colony are those parties acting?—There is one at Avenel. I forget the names of the places where they are at the present moment, but there are three or four.
33. Are they not duly qualified medical men?—No.
34. Is there no medical practitioner at Avenel?—No.
35. Avenel is accessible by railway now, is it not?—Yes.
36. Do you know whether, in any European country, lay vaccination is carried out?—There is a provision in the British Bill passed the other day for it.
37. Similar to this?—Similar to this.
38. Did that Bill pass?—It is passed and is law; and likewise in New Zealand there is a similar provision.
39. Is this a clause framed upon the model of that Bill?—I do not know whether it is framed upon the model of it, but it is in the spirit of it.
40. *By Mr. Sumner.*—It seems to me, from what you have said, that a great deal of discretion would rest upon the medical officers of the colony in the appointment of lay vaccinators and controlling them?—I think not much—if the law was that vaccinators should only vaccinate children in perfect health, and that they should be, before they were appointed vaccinators, instructed perfectly in the art of vaccination by a thoroughly competent vaccinator.
41. I misunderstood you then, in the early part of the evidence. I understood you to say, that you would see that the laymen appointed to vaccinate should be men of a character that you would approve of your own knowledge?—Certainly, the Chief Medical Officer for the time being should be able to approve of them from his own knowledge. I proposed that they should be instructed in the art of vaccination by a thoroughly competent public vaccinator and get a certificate that they were competent.
42. That is, to your satisfaction?—Yes.
43. I thought I understood you also, that wherever in any case you could provide the services of a medical man conveniently, you would do it in preference to employing a layman?—Unquestionably; but many of the objections to this are rather hollow. At the present moment, there are a great many medical men in the colony who employ their assistants to vaccinate. We have no guarantee that they are instructed, or that they are any better than a common layman.
44. I suppose you would go the length of saying, that many common laymen might be better vaccinators than medical men?—I think there are a great many medical men in the colony who are not very sober, and I think a sober layman is better than a drunken doctor.
45. Are you perfectly satisfied as to the question of the lymph to be supplied, which is a very important question—any person who has seen the operation once can do it, but the great danger is in supplying improper lymph. As I understand you now, would you have any guarantee that an unprofessional man could ascertain by observation the proper time at which to take the lymph from the pock and apply it to the purposes of vaccination?—The description of a perfect vaccine vesicle is a simple thing, and may be learned by any layman instructed in it in a few minutes. If he is instructed, as he should be, in making his puncture into the vesicle, and told that, if blood was drawn, he should not attempt to take lymph from it, he would take the lymph as perfectly as any medical man that ever lived.
46. You do not think it would be possible to have a central supply of vaccine, to be disseminated through the colony by post?—Perfectly possible, but in warm weather in this colony the vaccine lymph so taken frequently fails; but it would be quite possible to supply all those people in out-of-the-way districts with lymph. Some of it would fail, and some of it would not, just as at present. At the present moment I supply very largely the medical practitioners throughout the colony with lymph, and I supply the whole of the Australasian Governments with lymph.
47. In the ordinary way, do you take the supply of lymph from the new pock and put it between glasses?—No, we put it in tubes.

48. How long would it be good and useful matter for the purposes of vaccination?—I have vaccinated with matter here that arrived from England here three years ago, and successfully.

49. *By Mr. Graham.*—The only question I want to ask you is, with a limited number of those unprofessional vaccinators, would it not be possible always to keep them well supplied with pure lymph in those glass tubes so as to prevent them vaccinating from arm to arm, and perhaps imparting disease to a child from another one?—It would be perfectly possible to do that.

50. For if that could be done, the great objection to this thing would be removed?—I could supply the whole of them from my office.

51. The simple operation of vaccinating is very simple, so long as we could be satisfied that the pure lymph was supplied to those unprofessional operators?—I do not think any evil result would come from their taking lymph from arm to arm, which is much more certain than any other way: for instance, in the mining gullies in Gippsland they would have to bring their children a considerable distance to the vaccinator, and then it would be much more certain that vaccination should be performed from arm to arm than from glass; but I could supply all the lymph required in these cases to vaccinate the whole of the children in the colony with the supply from my office.

52. But disease is very often conveyed from one child to another by vaccinating from arm to arm?—Disease may be. It is very rarely, however. The only instances that have occurred in this colony have not been by unqualified, but by qualified medical vaccinators. The only two or three instances in this colony have been among medical qualified men.

53. You have no difficulty in supplying pure lymph?—Not the slightest. I can supply the whole colony.

54. *By Mr. W. A. C. a'Beckett.*—Is there any danger at all of spreading any kind of disease through lymph?—There is a danger of spreading disease, not through pure lymph, but through bad vaccination. There is a danger of spreading infectious disease. A number of cases have occurred in Europe, not very many, and in this colony, in two cases, some disease did arise immediately after vaccination.

55. Was it syphilis?—In this colony I do not think any case has been proved of syphilis being conveyed, but an eruptive disease was conveyed to a child, which died from the effect of the disease.

56. Can syphilis be spread by vaccination?—Syphilis can be spread by conveying the blood of one patient to another; in fact, the experiments that have been made in Europe tend to show that syphilis cannot be spread from pure vaccine lymph; that is, lymph unmingled with blood.

57. If a person were vaccinated there, and had secondary symptoms, would that be dangerous?—The danger of contagion from secondary symptoms would be nearly as great as from primary ones.

58. If a person were suffering from secondary symptoms—either congenital disease in a child or as a grown individual?—I think the danger of conveying it would be just as great—it is well known that children convey disease from their mouths to the teats of nurses.

59. What is the age in this Bill?—Three months. I took that from the English Bill, and the reason why I suggested three months was in order that the children should be vaccinated before teething came on, and to be protected as early as possible against the possible contingency of an attack of smallpox.

60. You think it would be dangerous to vaccinate during teething?—I think it would be as well not to vaccinate during teething.

61. Children are vaccinated during teething?—Yes; and if there was a chance of an attack of smallpox, I would vaccinate during teething; it would be better.

62. You would try to avoid the teething time?—It was the principal object.

63. This Bill proposes three months; they do not cut their teeth so soon?—No, they do not cut their teeth till five or six months.

64. Would it be dangerous to delay it to two years?—I do not exactly understand what you mean by dangerous.

65. If you did not vaccinate till two years?—If you did not vaccinate till two years, the children would be liable to take smallpox in the meantime.

66. Would you fear it, if it was delayed till that period—of course it might be done—would it not be safer, as far as the health of the children is concerned, to delay it till after they have got their teeth?—I do not think so.

67. Have you heard of any deaths that have occurred in consequence of vaccination during teething?—I cannot call any to mind at the present moment.

68. The two cases of disease that you mentioned as having spread—were they of a syphilitic character?—I could not say; the matter did not come under my notice till after the thing occurred. I do not think they were.

69. Do you know that the great dislike of arm to arm work among the people arises from the fear of that kind of disease being communicated?—I think there is very little fear of that.

70. You think the percentage is very small?—Very small indeed.

71. Do you think it more likely to be communicated to a grown person than an infant by arm to arm?—I cannot say; there have not been sufficient statistics to form an opinion upon that subject.

72. Do you think in the case of pure and proper lymph being taken from a vesicle, it does not contain anything of an infectious constitutional character?—Dr. Boëck of Copenhagen made many experiments to determine that point, and he vaccinated from a number of children known to be syphilitic, and invariably no evil effect followed.

73. *By Mr. Bear.*—If the matter is good and without blood?—If the matter is taken without blood.

74. *By Mr. Sumner.*—How long did that doctor wait before he formed a conclusion on that matter?—He waited in every instance; the experiment went over a great number of years.

75. He must necessarily have taken some time in making his experiment?—Yes.

76. *By the President.*—You say, you would prefer regularly qualified medical practitioners to itinerary?—I would.

77. The whole question is therefore narrowed down to a question of £2000 a year, which you say it would cost?—In a sense it is.

78. Under this Bill, it is not contemplated that those persons who are not qualified practitioners should receive any fees from the persons bringing their children to be vaccinated?—No, no parents should pay a fee.

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79. Then they must be paid a salary?—They are at the present moment.
80. And they would have to be paid something more if they were going to learn something?—They would be very glad to take it, and to vaccinate as the others do now for 2s. 6d. a case.
81. What difference would there be now between the £2000 a year, and getting the nearest medical practitioner to go, say 70 miles?—A very great difference.
82. Not to the extent of £2000 a year?—The travelling expenses of those vaccinators alone would be £1000 a year; then there would be the salaries. The difference would be very considerable, £1500 or £1600 at the least.
83. The part of the country to which you have just referred is Gippsland?—That is part of it. Swan Hill, and other places out of the way in the colony. The Swan Hill district I speak of, not Swan Hill itself.
84. After all, it is narrowed down to a question of money—
85. *By Mr. a'Beckett.*—In those very distant places, I suppose that those lay vaccinators will have to travel?—No, they would not.
86. You say there is a distance of 70 miles from a medical practitioner?—Yes.
87. Then all the population would not be concentrated at the spot where the lay vaccinator was, would they?—No; but this list contains 80 places where there are deputy-registrars who are not vaccinators.
88. Then in every place where there is a deputy-registrar, you would have a vaccinator?—Yes.
89. *By Mr. Fitzgerald.*—I presume, in the appointment of those persons you propose to appoint under this Bill, you would only take them on the security of their holding appointments under the Government?—I would make inquiries about them, certainly.
90. I suppose inquiries are made now as to whether the doctors you refer to are sober or drunken?—Not always.
91. But the security you would have as to the fact of their being ordinarily sober or practically drunkards would be very small?—I would inquire.
92. But take the Swan Hill district and other outlying places—say Gippsland, for instance—the person holding the office of deputy-registrar might be quite sober enough to attend to the duties of his office, but the security you would have as to his perfect sobriety when performing the operation of vaccination would be very slight?—I think it would be very great.
93. Do you mean to say it would not be very great in the case of medical men?—I do. We must take them whether they are drunkards or not.
94. Would the fact of a man being able to perform the duties of his office as an electoral registrar be of itself proof of his general character for sobriety?—I think any man holding such an appointment as that would give a certain amount of security for his sobriety. I think the Registrar-General would not keep a man in who was in the habit of drinking.
95. I presume he would only have the means of judging from their performance of their duties?—Yes, and there being no complaint.
96. They might be sober enough to perform the duties of their office as registrar, and yet not sufficiently sober to judge whether the general state of the health of a child was such as to show the fitness of that child for the operation of vaccination. As far as your evidence goes, there is no security in the case of a man holding a public position where the duties of that position may only entail a certain degree of sobriety, that the *quasi* medical duties that would fall upon him would not entail a higher order of sobriety; for there is a very great distinction between a man filling up a certain number of returns and a man having a child brought to him and being entrusted with the duty of judging of the general state of health, and forming an opinion whether that child is fit to be vaccinated. I would call your attention to the distinction between these two duties; a medical man may be unfit for his duty and be a disgrace to his profession, but we are now called upon to appoint to a very responsible office others than medical men, and we ought to have some higher guarantee for their sobriety than their holding Government appointments. You say, you have known men holding Government appointments who were not remarkable for sobriety, yet continuing in that office for years uncomplained of?—Yes.
97. That is to say, that you have known men holding public offices not remarkable for sobriety, if I understand you rightly?—I do not know that.
98. But you have heard of such cases?—Yes.
99. And not complained of?—You would have no absolute security in any case, but you would have a great relative security in this case.
100. The necessity for this Bill would not have arisen if the Government had agreed to give you £2000 a year for itinerating medical practitioners?—Certainly not.
101. Then it is a question between the £2000 a year and the introduction of a novelty, certainly, by the employment of other than medical men for the important office of vaccinators?—Certainly.
102. And as against the extra fees those new appointees would get?—I should prefer to employ medical men, if the Legislature would give me the money.
103. *By Mr. W. A. C. a'Beckett.*—You recommended the Government to put that amount on the Estimates, and they refused?—They refused.
104. Do you think that all the vaccinators could be so instructed as to be able to recognize the obscure marks of syphilis?—The marks of syphilis are of such a character, that if a lay vaccinator could not discover the marks of syphilis about a child, a medical man could not.
105. There would be no danger?—No.
106. As regards the purity of the lymph, with the exception of its transmitting any disease, it would be either active or inactive, which of course can be easily remedied?—Yes.
107. If you are satisfied it is pure from disease, the other objection against its being transmitted would be shortly discovered, it would be simply inactive?—I do not exactly understand you.
108. Some honorable members have taken exception to the lymph being sent by post?—Yes.
109. It would be soon discovered and easily remedied if it did not act?—You would see in three days whether it acted or not.
110. And fresh could be transmitted that would act?—Yes.
111. Would the objection be got over by that?—Yes.

112. Putting aside the transmitting of disease, the only question of transmitting by post is whether it is active or not?—Yes, I think so. W. McCrea, Esq.,
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113. *By Mr. Balfour.*—I think you said you could perfectly instruct a layman to perform this vaccination, and they would be perfectly able to ascertain the state of the child?—Yes.

114. But you prefer doctors?—Yes, to be sure I do.

115. Would you state shortly on what grounds you prefer medical men?—Because medical men are usually vaccinators, and if any unusual circumstances occur at any time, medical men would be more reliable on account of their knowledge.

116. Then there might be unusual circumstances, and medical men would be better able to meet them?—I cannot say what those circumstances might be, but if any such contingency arose, I would rather rely upon medical men.

117. *By Mr. Cumming.*—How would you propose to instruct laymen to vaccinate?—I would instruct them to go to a reliable vaccinator, and get this person to show them how to vaccinate—which is a very simple matter indeed; until they got a certificate from that vaccinator, that they could perfectly and thoroughly perform the operation, they should not vaccinate.

118. How long would it take to impart that instruction?—A very short time—it depends upon their intelligence—a person of intelligence, half an hour.

119. Those persons you propose to be instructed to vaccinate would have to travel some distance to wait upon the person to be instructed?—In some cases they would.

120. That in itself would be an expense?—No, I think they would do that very gladly in many cases at their own expense.

121. They could not travel a distance of 70 miles and wait upon the person to be instructed without incurring some considerable expense?—The man might be able to meet them much nearer than 70 miles—medical men often travel—but they might possibly have to travel even 70 miles.

122. But in those cases where medical men travel about in those localities where you propose to have laymen vaccinators, those medical men could themselves perform the operation?—No, they cannot do that, for the children have to be gathered, and there must be notice some considerable time beforehand in order to have them gathered.

123. Then they would receive a certificate on undergoing certain instructions?—They would receive a certificate on undergoing certain instruction.

124. Has this proposition received the approval of the Medical Board?—I do not think there is one of them except myself who approves of it.

125. There is a Medical Board?—Yes.

126. How many in number?—I think there are nine members of it.

127. *By Mr. a'Beckett.*—The Medical Board is a Government Board?—Yes.

128. *By Mr. Cumming.*—Composed of nine members?—Yes; they were elected a little time ago. There was a "shindy" in the Medical Board, and circulars were sent from my office by order of the Chief Secretary to all the medical men in the colony to vote for a Board, and they were elected accordingly.

129. And you are the only member of that Board that approves of this Bill?—Yes, I think I am the only one.

130. I ask the question, because it was stated sometime ago that this had the approval of the Board?—No, that is the Medical Society, which passed a vote in favor of the three months' period, and then there was a subsequent very large meeting which decided against it.

131. *By Mr. Sumner.*—You have mentioned the name of some celebrated authority on this matter?—Dr. Boëck, of Copenhagen.

132. Did I rightly understand you to say, there was no danger in any case in conveying the lymph from the pock of an unhealthy child to a healthy child, so far as inoculating the child with any disease?—Dr. Boëck's experiments point to this effect, that pure lymph—that is, lymph unmixed with blood—from a syphilitic child, did not, after many experiments made, affect the person vaccinated.

133. Is there much danger of taking syphilitic blood with the lymph?—Not a great deal, but it depends upon the size of the vesicle. If the vesicle is very small, it must be punctured very carefully, and no blood be drawn; but all danger would be done away with, if the person were instructed not to take lymph from any case where blood was drawn—all danger would then be entirely done away with.

134. And you adopt that opinion?—I do.

135. And, naturally, you would avoid taking lymph from such a child?—Naturally, I would avoid taking lymph from such a child.

136. Why, if there be no danger?—I should be like Cæsar's wife, I would avoid the appearance of danger.

137. *By Mr. Campbell.*—Would you have any objection to submit a child of your own to a layman to be vaccinated?—Not the slightest, if I had a child that I wanted to be vaccinated, and there was no other person but a layman, I would have it done with pleasure, if I could not do it myself.

138. At the same time, you prefer a medical man, if you can find him within a reasonable distance?—Certainly.

139. In distant localities, you think it necessary to appoint laymen?—Not at all necessary, if the Government give me £2000 a year; but at the same time, all the arguments against employing laymen are, in my opinion, thoroughly hollow as to danger.

140. If you have inspectors going about distributing lymph, and instructing laymen, would there be any danger of outlying districts escaping their attention?—If I had vaccinators appointed to travel, I would take care they went to every place.

141. You think they could go over the whole colony; you think they would not miss any place?—I would make them.

142. Do you think there is much risk of small-pox in outlying places?—I can only tell you that in the last attack of small-pox but one in this colony, one of the cases broke out at Walhalla, which at that time (six or seven years ago) was a very small place.

143. That is in Gippsland?—Yes.

144. How far is it from Sale? it is not far from the seaport of Gippsland?—It is a good way. This woman came from Melbourne a short time before. I traced her to where she got the small-pox; but people travel about so much in this colony that a place being distant does not secure it immunity.

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145. With regard to the preservation of lymph; does lymph harden?—Not in tubes; it keeps fluid in tubes.

146. It is hermetically sealed and will keep for a length of time?—It is hermetically sealed. I have vaccinated, as I tell you, with lymph that I got from England three years before.

147. Would the scab which forms upon the pock be efficacious?—It is one of the most efficacious ways to vaccinate by putting the scab on, but the scab may be mixed up with blood, and that would be very dangerous.

148. And the instructions given to laymen would prevent that?—Unquestionably. They should never vaccinate with a scab as long as I was Medical Officer.

149. *By Mr. Sargood.*—You stated that, in your opinion, half-an-hour would be quite sufficient to instruct any layman so as to be able to vaccinate perfectly?—An intelligent layman.

150. I suppose, of course, intelligence?—Yes; yourself, for instance. I would undertake to teach you in half-an-hour.

151. And you do not think but that any intelligent layman would be perfectly able to judge of the state of the child at the time of the vaccination?—Yes, if there be no eruptions about the face, body, or lips, and no signs of any disease—a medical man cannot know more than that.

152. *By Mr. Bear.*—Do not they generally take the evidence of the mother or the nurse as to the state of the child?—Yes.

153. *By Mr. Sargood.*—You will be aware that you are in difference with a great many gentlemen who are authorities on this point. I mean particularly Dr. Seaton, who has written a book on vaccination, in which he states distinctly that “a general knowledge of the subject is not sufficient to enable,” and so on?—I do not know exactly what you mean by a “general knowledge.”

154. Such general knowledge as you say you could impart in half an hour to an intelligent layman, do you know that you differ materially from other persons who have had as much experience as you in the matter?—This is not “general knowledge”—that is particular knowledge. If you come, and I teach you in that way, it is not general knowledge by any means.

155. This writer, Dr. Seaton, in speaking of medical men who are appointed for the purpose of vaccination, and who are either themselves bound to vaccinate personally, or if they allow their assistants to do it, it must be done in their presence; and he says in respect of such a man—“General knowledge of the subject is not sufficient to enable or to warrant a person to practice vaccine inoculation—he should possess a particular knowledge”?—I say particular knowledge is necessary and could be given.

156. He says—“Seemingly so simple in itself, many of the niceties and cautions which so greatly influence success, and the value of which is so well known to the practised practitioner, have been unheeded in general practice”?—“Unheeded”—yes.

157. He further calls attention to another fact under clause 72 of this book, in which he strongly advocates “the advantages which would result “from confining the practice of vaccination to such persons only, even among those of the medical profession, as are duly qualified to undertake it, and he goes on to advise a special course of instruction for medical men solely?—Exactly; even medical men in England are specially instructed in vaccination.

158. He further states—“Accordingly students have, within my own knowledge, been admitted to practice, and even been appointed public vaccinators, who, so far from having learnt the niceties connected with vaccination have never seen the operation done.” Bear in mind he is all through referring to medical men; and further on he calls attention to the immense number of cases of bad vaccination. He says: “Taken on the whole, imperfect or incomplete vaccination was found to have so far prevailed over England, that on examination of the arms of nearly half a million vaccinated children it was found that about one in eight only had been so vaccinated as to have the fullest protection against small-pox that vaccination is capable of affording.” This is by medical men?—Exactly so.

159. Therefore, if there be such a result from medical men, supposed to devote their attention to the niceties pertaining to vaccination, have you any right to expect that laymen will be equally or more successful?—Unquestionably you have a right to expect it—vaccination is a special thing.

160. That is the mere mechanical portion of it. I am aware that puncturing is merely mechanical; but there is something appertaining to it which is much more important, and that is the state of the child. You say any layman can judge. I should not like to trust my child to the judgment of any layman?—I presume that you know as well as I do that in 99 cases out of 100 the illnesses of children are found out by the parents before they are brought to the doctor at all.

161. Simply that there is something wrong?—But the instructions to the lay vaccinators should be only to vaccinate children with whom there is nothing wrong whatever.

162. Then I think it resolves itself into this simply, that it is a matter of pounds, shillings, and pence—given the money, you would prefer a medical man?—Yes, I should; but I want the children vaccinated by one way or another.

163. And you are in a minority of one as against the medical profession?—No, not one.

164. Very nearly?—Yes, very nearly.

165. And you still adhere to your opinion?—Yes.

166. But it is a question of money?—Yes: if I can have the £2000 I could have them vaccinated by medical men; but I want them vaccinated in one way or another.

167. *By Mr. Simson.*—You say any intelligent layman could be taught the simple operation of vaccination?—Yes.

168. Can any intelligent layman be equally well taught, whether the operation is successful or not?—Yes, certainly.

169. I have seen myself some of the most distinguished physicians in Edinburgh unable for a week to say whether the operation was successful or not?—You would not be able to judge whether a case was entirely successful under a week; on the seventh day after the operation is performed the pustule arrives at maturity, or rather the vesicle arrives at maturity; in some children it will cause a little inflammation, and the vesicle will begin to form in forty-eight hours, in some three days, or even four days; but I have even seen it extend to ten and eleven days before the vesicle arrived at maturity; but those cases are very rare.

170. But granting that those laymen are qualified and do operate, how are they to see those children in those isolated districts?—The children are to be brought back upon the eighth day.

171. Have you considered the difficulty of that, and the inconvenience of parents of bringing their children 40 or 50 miles to be seen?—It is my object to avoid that very thing.

172. How many isolated districts are there in the colony where you would have to employ these laymen to act?—Thirty-three—32 or 33.

173. Perhaps you are not aware that two inspectors of post-offices go frequently over the whole of the colony and inspect every office in it?—Yes.

174. If two qualified men can do that, would it require two qualified men to take those outlandish places in the other case?—I think I can show you that it would:—Suppose one of those inspectors went to a place with a supply of lymph with him and vaccinated a number of children first of all in the immediate neighbourhood, he has to wait a week to know whether the lymph is taking before calling in the children from the country round; then he has to wait another week before giving a certificate of vaccination.

175. True?—And if those children come in, and they have failed, he has to vaccinate them over again; so he has to wait three weeks, and it would take fully the three men, and the £2000 that I want.

176. Have you, as Chief Medical Officer, calculated the difference of cost between appointing those lay vaccinators and medical practitioners required to do it?—Yes.

177. What is the difference?—I think the difference would be £1500, and more than that.

178. I think you said the British Bill, which has just passed for inoculation gives similar powers to our own Bill here?—Yes, there is a provision that the Queen in Council can appoint vaccinators who are not qualified practitioners.

179. But you can easily understand that there is far less difficulty in obtaining qualified medical practitioners there than in those far out districts of the colony here?—Yes, they are as thick as blackberries there.

180. Because, as a general rule, people only go to those far out districts of the colony who are compelled to go, and therefore there would be a much greater difficulty in getting intelligent laymen to perform the operation here than in England?—I think not; the people in the country are very intelligent people, I think.

181. But you would infinitely prefer to have the operation performed by medical men than by laymen, provided you had the choice of the two?—Certainly.

182. *By Mr. Russell.*—But you find the qualified medical men already taught, whereas the laymen must be taught?—If anything occurred. But I have known the operation of vaccination from perfectly pure and good lymph sometimes to bring out disease. One celebrated instance was Sir Eardley Wilmot who was vaccinated some years ago from lymph that was proved to be perfectly pure, but it raised a fever, or some disease, in him from which he died. Those cases are very rare, but in those cases it would be better to have a professional than an unprofessional man.

183. *By Mr. W. A. C. a'Beckett.*—How long have you been Chief Medical Officer?—Since October, 1853—twenty-one years.

184. And how long ago did you take your degree?—A long time ago; it is so long ago, I forget now.

185. What are your degrees?—I am a Licentiate of the Society of Apothecaries, London, a Member of the College of Surgeons, England, and I am a Bachelor of Medicine of London University.

The witness withdrew.

Richard Jones Owen, Esq., examined.

186. *By Mr. a'Beckett.*—What are you?—I am house-surgeon of the Ballarat Hospital.

R. J. Owen, Esq.,
11th Aug. 1874.

187. Have you had very great experience in vaccination?—No, very little indeed.

188. You have heard Dr. McCrea's evidence. Can you give us any information that would be useful to us in deciding upon this question; if so, will you give it?—No, I do not think so. The only thing that struck me was this, that I do not think laymen could be instructed in vaccination in half an hour.

189. What are your reasons for coming to that conclusion?—I think they should see the vaccine vesicle in all its stages from the time the puncture is made to the time the scab drops off; that is about three weeks.

190. They should have an opportunity of watching the development of the vaccination?—Yes. I should not consider that they were properly instructed, unless they understood the subject thoroughly.

191. And they could only get that by practical experience?—By being instructed under a practical vaccinator.

192. *By Mr. Fitzgerald.*—Have you in your practice met with any cases of disease which in your opinion were attributable to impure lymph, or to hereditary diseases, or diseases which you considered were traceable to impure vaccine matter?—No, I have not seen any such cases in my own practice.

193. Do you think that an inexperienced person, with only half an hour's training, might certainly be an unfit person to judge of the condition of the child, or might be an imperfect judge as to the state of the health of the child fitting it for the reception of the matter?—I think the mother would give as good an opinion as any person as to the state of the child's health, if there was no cutaneous eruption or disease.

194. You heard some allusion to syphilis?—Yes.

195. Would the mother, supposing she did not know the constitutional tendency on the part of the child to that disease, be able to inform the doctor?—No, she could not.

196. And in a case of that inability, would lymph taken from that child inheriting that disease cause any danger of that disease being, as it were, transmitted to another child receiving vaccine matter from it?—Yes, I should think it would be dangerous.

197. You think the diagnosis would be such as only a medical man would be able to make in order to prevent the transmission of disease from impure lymph?—No medical man can say, by looking at a child, that it is the subject of congenital syphilis; it may appear to be a healthy robust child for some weeks.

198. In the case of a healthy child, even if no blood be drawn, would the matter taken be capable of containing the germs of disease?—Professor Boëck, that Doctor McCrea quoted, says not, but I think it is a moot point.

199. Are you aware of any admitted recognised authorities to the contrary—do medical men recognise that as conclusive on the subject?—He holds very peculiar views, such as inoculating people for syphilis to cure them.

R. J. Owen, Esq.,
continued,
11th Aug. 1874.

200. Medical authorities are not agreed about it?—No. Mr. Jonathan Hutchinson does not agree with him for one.

201. Then there is danger of transmitting the disease, from the mother knowing nothing of it, and the child showing no eruption whatever?—Yes, there is the possibility of danger.

202. *By Mr. W. A. C. a'Beckett.*—How long have you taken your degrees?—I passed in 1861.

203. What are you?—Member of the College of Surgeons, and Licentiate of the Apothecaries' Company, London.

204. How long have you been in this country?—I came to the colony in 1866.

The witness withdrew.

Edwin Hinchcliff, Esq., M.D., examined.

Edwin Hinchcliff,
Esq., M.D.,
11th Aug. 1874.

205. *By Mr. a'Beckett.*—What position do you hold at the hospital?—Resident Surgeon at the Bendigo Hospital.

206. You have been in the House during the examination of Dr. McCrea and Dr. Owen?—I have.

207. Of course you are aware of the points upon which the examination turned; is your opinion in accordance with that of Dr. McCrea, or does it differ from it; and if so, will you state in what respects it does differ?—I agree with Dr. McCrea in one point—that the mere mechanical part of the operation of vaccination can be done by anybody, and that instruction in that mechanical part can be imparted to any person in a few days.

208. Will you state without having it brought out by examination, your own view upon the matter?—Yes. I decidedly think that the operation of vaccination should not be entrusted to unqualified men, for this reason, that the difficulty of deciding as to the health—as to inherited diseases—diseases which may be inherited by the child—may preclude the child from being a vacciner, or a child to take matter from; and also, there are many points that would have to be decided before one can say whether a child is in a fit state to be vaccinated. I myself have looked over the records of the hospital, and I found that in the last year since I have been there I have had forty-six children under my care, as out-patients, under twelve months old—eleven of those were suffering from constitutional syphilis, and were treated for constitutional syphilis. In many cases, when they were brought to me, the mothers did not know that they were suffering from syphilis, and when they were informed that it was so, it was the first time that the mother knew—in fact, the first time that either she or the father of the child knew that either had syphilitic disease.

209. Do you attribute that to vaccination?—I cannot say, but at the time the children presented themselves to me, in many cases I myself did not detect it at first; in others I did detect it, and I say that a person who has not had proper instruction in the laws of physiology and pathology has a very poor chance, indeed, of detecting disease in children when they come before him.

210. Is there any danger in vaccinating a child in the condition you have described?—I think so, and I would not take matter from such a child.

211. The child itself might have been vaccinated?—I did not vaccinate it.

212. Then you do not agree with the opinion said to be that of very eminent men, that no matter what state of health the child is in from which matter is taken, so long as no blood is taken, no danger would ensue to the child vaccinated?—I do not agree with that—I will give my reason:—It is an acknowledged fact that syphilis is hereditary; the male parent can transmit it and give syphilis to his offspring, and that is done through the spermatozooids which are only a secretion—there is no blood used in that act; and one spermatozoid, which is only a microscopic object, is the agent by which the ovum is fecundated, and the child is the result. That is a secretion: there is no blood. The lymph contained in the vesicle of the arm is a secretion too. I cannot agree with the authority already quoted. If we allow that in the one case disease is transmitted through a secretion, why cannot it be transmitted through another secretion?

213. Then you contend that, because syphilis can be communicated without any admixture of blood in the one case, there may be also a disease from which the child may be suffering which may be communicated in like manner?—Most decidedly I should reason so.

214. But would not a medical man and a layman be equally at fault in dealing with things of that sort?—No, I do not see that. I think the medical man has a greater chance of finding it out; he might be mistaken in some cases, but it would give the public greater security that the health has been attended to, by entrusting it to a man who is presumed to know more.

215. At all events, those cases would be very obscure?—They are obscure. Many cases of children are presented for vaccination who do not show any evidence of constitutional diseases apparent, who are really suffering nevertheless; but there are many things evident to a medical man who is ordinarily observant, by which he can see that the child is not in a fit state to take matter from. I think medical men should act with very great caution.

216. And they would be more likely to act with caution than a non-medical man?—The medical man would act with more caution—he would be more suspicious.

217. *By Mr. W. A. C. a'Beckett.*—Would you please to tell us what your degrees are?—I am a Doctor of Medicine of the University of Edinburgh of 1870, and member of the Royal College of Surgeons, London, 1871.

The witness withdrew.

Thomas McGrath, Esq., M.D., examined.

T. McGrath, Esq.,
M.D.,
11th Aug. 1874.

218. *By Mr. a'Beckett.*—What medical position do you occupy?—Resident surgeon of Castlemaine Hospital.

219. You have heard the evidence given by the other medical witnesses, are your opinions in accord with those?—My opinion accords more with the last witness than with any of the others.

220. In accord with Dr. Hinchcliff's?—Yes, I think medical men ought to be vaccinators.

221. You agree with Dr. Hinchcliff in thinking that the operation is so simple that an intelligent layman might very easily be taught to perform it?—Yes.

222. And that he could tell without difficulty whether the operation was proceeding satisfactorily or unsatisfactorily?—Yes. T. McGrath, Esq.,
M.D.,
continued,
11th Aug. 1874.

223. But he could not so well as a medical man be able to detect constitutional disease in the child?—No.

223*. And you think it would be dangerous to take vaccine matter from a child so suffering?—Yes.

224. And for that reason you think it would be better to have trained medical men to vaccinate?—Yes.

225. How long have you held your present position in the Castlemaine Hospital?—Six years. I was in private practice.

226. Have any cases come under your notice to support your theory, which is opposed to that of Dr. McCrea?—I have seen a great many children very ill after vaccination, and that was attributed to vaccination, but I attributed it to other causes; disturbance from the febrile state brought on by vaccination, not from the use of improper lymph or matter.

227. Does vaccination tend to produce such constitutional disturbance as to affect the health?—Yes, sometimes seriously.

228. Only a trained medical man could deal with a case of that sort; the lay vaccinator of course has to watch the progress of the vaccination?—Yes.

229. And if constitutional disturbances were to be set up he could not so well deal with those disturbances as a medical man?—No; but those disturbances would be set up even if the vaccination were done by a medical man.

230. But in all cases of vaccination, there is a chance of some constitutional disturbance being set up by it?—Yes, generally, but sometimes very serious.

231. Which will require more or less of medical treatment?—Vaccination does not require much medical treatment, except some disturbance is induced.

232. Do not some persons suffer very much under the influence of vaccine matter?—Sometimes I have seen children die from skin diseases caused by vaccination.

233. Then I suppose in the interval between the commencement of such illness and its termination medical advice would have been useful?—Yes.

234. The House understood you to say, that vaccination in itself sometimes produced disorders which medical men could deal with much more effectually than lay vaccinators could?—Yes, of course.

235. *By Mr. Fitzgerald.*—You said you were six years surgeon to the Castlemaine Hospital. Had you occupied any public position previous to that?—I was public vaccinator for six years.

236. A Government office?—Yes.

237. *By Mr. W. A. C. a'Beckett.*—What are your degrees?—Medical doctor of the University of McGill College, Montreal, Canada.

238. Of what year?—1848.

239. Of Montreal?—Yes.

240. Is that a university?—Yes, possessing a royal charter.

241. *By Mr. Graham.*—Do you see any danger in lay vaccinators vaccinating children with pure lymph sent up in glass tubes?—No, I do not.

242. *By Mr. Bear.*—You are of opinion that a lay vaccinator would, in some instances, better perform the operation of vaccination than a medical man?—No, I do not say that.

243. In the case of a sober man, he would be better than a drunken doctor?—Of course he would.

244. *By Mr. Balfour.*—But you do not consider, I suppose, that a layman is so well able to judge of the state of a child to receive vaccination as a medical man?—By no means.

245. *By Mr. a'Beckett.*—If instructions were given to the lay vaccinators that they should, under no circumstances, perform the operation except with vaccine matter sent from Melbourne, would the danger pointed out as resulting from taking matter from an unhealthy child, be completely obviated?—I think it would be obviated.

246. If they adhere to the instructions?—Yes; but my experience leads me to the conclusion that in four out of five cases it will not take. I have tried the tubes in many cases, and I have found them inoperative in many cases.

247. You mean to say this lymph sent in those tubes is very often inert?—I do not say inert, but for some reason it does not take—it is ineffective very often.

248. It is not effective for the purposes of vaccination?—Not so effective as from arm to arm.

The witness withdrew.

George B. Halford, Esq., M.D., F.R.C.P., Lond., Professor of Anatomy, Physiology, and Pathology, University of Melbourne, examined. Prof. Halford,
M.D.,
11th Aug. 1874.

249. *By Mr. a'Beckett.*—You know that, by this Bill, it is proposed to give power to laymen to vaccinate—you have heard the evidence already given?—I have.

250. The House will be much obliged if you would favor it with your opinion on the question before it?—I think that, if you make vaccination compulsory, it would be very cruel if you did not surround the operation with all the precautions you can. If you make it compulsory, you should employ legally qualified medical practitioners, and if you do not make it compulsory, let people do as they like.

251. That is the very essence of the Bill—compulsory vaccination?—Then, I think the Government ought to provide due precautions by having legally qualified medical men to vaccinate. There is frequently constitutional disturbance, and very often great swelling of the arm, and it would alarm mothers and cause a sort of social rebellion. They would not allow their children to be vaccinated—they would evade it.

252. Are you of opinion that, inasmuch as vaccination is likely to produce disorders in the system, the progress of the vaccination ought to be watched by a medical man?—Certainly.

253. And for that reason there ought to be only duly qualified medical practitioners appointed to perform and watch the operation?—Yes.

254. I suppose that, in those outlying places, that have been spoken of, where the necessity is said to exist for appointing laymen, if there were to be any disorders created by the operation there would be a greater difficulty in getting a medical man?—Honorable members are more acquainted with those districts

Prof. Halford,
M.D.,
continued.
11th Aug. 1874.

than I am. I really do not know those outlying districts or the practice in the country at all. I merely speak of what I consider the social and scientific facts. I think it would be unjust and cruel in many instances to do this.

255. *By Mr. Sumner.*—Your evidence, as I take it, is clearly in favour of the employment of qualified medical talent for the operation of vaccination, in preference to that of educated laymen, who might be as available?—Yes, certainly.

256. I would like to ask you, in cases where medical men cannot be available, is there any serious objection to the employment of tutored men of ordinary intelligence for the purpose of vaccination with lymph properly supplied of a guaranteed quality?—You could always get medical men if you pay them. As I have heard it put this evening, it is a question of money.

257. I assume that there might be cases where medical men might not have been available for the purpose; in such a case would you prefer that no vaccination should take place, or that it should be entrusted to intelligent postmasters, registrars, police magistrates, and other men such as those which have been mentioned?—If there was an outbreak of small-pox in Victoria I would let anybody do it; if there were not, I would say, let them wait, it may be six months, or twelve months, or two years. I would not let my children—

258. You give a strong preference to the operation being carried out by medical men?—Certainly.

259. But you do not totally object, where medical men are not available, to employ the services of intelligent laymen?—No, but I would not compel people to have uneducated men; it is a question of like and dislike.

260. You would have no objection as a medical man as to the effect that might be produced. It is rather a question for the State to deal with, should it be compulsory or not be; but we want to know your opinion as a medical man of what the effect would be physically upon the patients?—It is altogether out of a medical man's mind to dream of employing anybody else but medical men. In those cases where you cannot get a medical man you must do your best—it is a question of money.

261. All I want to know is whether in a case where you cannot secure a medical man, you would do without the vaccination at all?—I would; if there were no outbreak of small-pox, I would wait.

262. *By Mr. W. A. C. a'Beckett.*—Do you think that it is a very false economy to grudge £2000 a year for this purpose?—Yes, certainly.

263. As regards the question of transmitting constitutional diseases by lymph—what is your opinion upon that?—I agree with the opinions laid down by the Chief Medical Officer, that the cases are very rare, but they have occurred.

264. Not sufficient to militate much or to contemplate much danger from?—That is a subject that we have not exact knowledge of.

265. Is Dr. Boëck a good authority upon this question?—I am not aware; those are all recent authorities, and those questions require a good deal of time before they can be decided.

266. There are no data, in fact?—No.

267. As to the age at which vaccination should be performed?—I should prefer six months certainly to three months.

268. The longer the better?—No, not the longer the better, but six months would give time. Supposing the child is born in the spring or early summer, three months bring you to the summer, and it must be vaccinated during hot weather, when perhaps the mother is ill.

269. But as to the age of the child, you do not think it material?—It would be, no doubt, better to vaccinate the child before three months, if all the other circumstances were favorable; but if it happened to be a hot week, not so.

270. Dr. McCrea said, that the operation was simple and could be easily taught—do you agree with that as far as the mere operation of inoculation is concerned?—Yes, a person could be taught to do the mechanical operation; but I do not consider that the half hour that was spoken of is sufficient, for the child must be brought back to see if the vaccine has taken. You do not know whether you have efficiently vaccinated till you know the result.

271. Do you think it is very material that the progress of the disease should be watched—do you think a layman could give a proper opinion upon it?—No, it is only in those cases where great inflammation follows. Sometimes you see the arm of the child swollen, and the child in a very, comparatively speaking, dangerous state, frightening the mother.

272. Would a layman be able to deal with such a case?—No, he would be frightened, and he would not know what to do.

273. *By Mr. Bear.*—I understand you are opposed to compulsory vaccination?—No, I am not.

274. Do you advocate it?—Yes, but you should have a properly qualified medical man.

The witness withdrew.

T. M. Girdlestone, Esq., F.R.C.S., examined.

T.M. Girdlestone,
Esq.
11th Aug. 1874.

275. *By Mr. a'Beckett.*—What position do you hold in the medical profession?—I am officer of health to the city of Melbourne, and surgeon to the Alfred Hospital.

276. You have heard the evidence given upon this clause of the Bill, with which you are perfectly well acquainted, no doubt?—Yes.

277. Does your opinion coincide with Dr. McCrea, or do you agree with the evidence that has been given of rather a different complexion from his views?—My opinion is different from Dr. McCrea's upon a great many points which he has stated this evening.

278. Will you state shortly upon what points you differ?—Chiefly upon the appointment of non-medical persons as public vaccinators, I believe, and entertain the opinion, that the vaccine pustule, as it is called, is really a disease, a positive disease as much as small-pox or scarlet fever is a disease, and when it is communicated from one person to another for necessary purposes, it is essential that that communication should be surrounded with all possible precautions; because sometimes erysipelas follows the introduction of vaccine matter into the child, sometimes eruptions take place; very often a great deal of inflammation follows, children have lost their lives, and adults have lost their lives occasionally—I grant, not frequently, but it has happened. I read the other day of an adult having to have his arm amputated at the shoulder

joint on account of the serious inflammation that followed vaccination; that is a well authenticated case, mentioned in the Essay on Vaccination by Dr. Ballard. Those things happen occasionally; therefore I contend that precautions are necessary, and those precautions cannot be so well taken by a layman as by an educated medical practitioner. There are certain seasons when it is not advisable to vaccinate—when erysipelas is about, when it is an epidemic season, and there are sometimes unhealthy conditions of the child, when it is not advisable to vaccinate. Medical men are better judges of these than laymen. Then again, disease may be communicated from one person to another through the vaccine lymph; this is indisputable. Mr. Hutchinson, a surgeon of great eminence in London, has lately proved positively that several cases of syphilis have occurred from vaccine lymph being introduced from the arm of one child to another. Now it is very difficult sometimes to tell when a child is suffering from hereditary syphilis; the medical man in the neighborhood is the most likely person to be acquainted with the fact. Parents would not tell, if they were asked. The eruption may not be developed, but a medical man often possesses within himself the knowledge, from having attended one party or the other, that there is syphilis in the family, and he avoids taking vaccine matter from that child. There are scrofulous children also—it is not desirable to take matter from them. These are points that require positive education, not of half an hour, or a year, but of several years of inquiry and study of physiology, and pathology, which take a man a long time to acquire, and I think that a medical man is the only person that can be trusted with matters of this kind.

279. Do you think that those advantages could be obtained by sending medical men round the country, in cases where medical men are not resident—because you are speaking of the benefit of getting medical advice in thickly populated places, where there are family doctors as they are called—but I am speaking of the outlying places—do you think that all those advantages could be derived by itinerating persons watching the progress of the disease (as you say this is)—by itinerating medical men?—I think it could be done in this way; I disagree with Dr. McCrea in saying that the spirit of the English Act has been copied in the Bill before you; I say it has not. In the English Act it says that, in future, none but qualified medical men shall be public vaccinators, and also that they shall possess a special knowledge of vaccination independently of their professional knowledge. And then, coming more immediately to the point you mentioned just now, the twelfth clause of the Imperial Act provides for vaccination in thinly populated districts, simply by paying the surgeon vaccinators mileage to go from their own places to a distant place, 20, or 30, or 40 miles away, or however far it may be, and the registrars give notice to the children to come in and meet the surgeon; but, it specially says in the instructions to public vaccinators by the Privy Council under this Act, that this distant vaccination is not to be done as often as every three months, but only twice or three times a year in thinly populated districts; that is considered sufficient in England, and it is a positive instruction to vaccinators that where the population is sparse, they are not to go frequently, because it is most desirable to get the children together, and to vaccinate from arm to arm; so, notice is given, and they are told to go twice or thrice a year according to the population of the district, and if that was done in this colony, there would not be the slightest difficulty in getting every child in the colony vaccinated, and I do not think the cost would be much. I have of course no positive information upon it, but I know the colony pretty well, and I do not think the cost would be anything like a thousand a year more than the present cost of vaccinating, if the English law were followed. I had a letter this morning from a medical gentleman at Wood's Point—he says that on one side of him there is no surgeon nearer than 60 miles, and on the other side there is none nearer than 80 or 85 miles, but he does not think there are any children in his district, which is a difficult one to travel over, that are not vaccinated; and he, I believe, has received mileage for travelling to vaccinate in distant places; and is of opinion that such a plan might be generally adopted. In Mr. Seaton's book on vaccination, he gives the report of all—the English law, and the Orders of the Privy Council—and the custom answers very well there. I do not think there would be the slightest difficulty in doing the same thing here, at a very moderate price.

280. *By Mr. W. A. C. a'Beckett.*—Will you have the kindness just to state your degrees and their dates?—I am a Member of the Royal College of Surgeons of England, 1844, and Fellow of the Royal College of Surgeons, England, 1849.

281. *By Mr. Sargood.*—I would call your particular attention to Clause 23, which provides that "Persons arriving in vessels in which small-pox exists, or has existed during the voyage, shall be re-vaccinated." This embraces of course both adults and children—Is such a Clause as that necessary, do you think, bearing in mind that there is a penalty attached for non-vaccination or refusal to be re-vaccinated of "not more than 10s., or less than 5s., for every day after such refusal."—Do you consider re-vaccination absolutely necessary?—Re-vaccination of adults is sometimes attended with very disagreeable results. The older persons get, the less liable are they to take small-pox—it is particularly a disease of youth; and the older they get, the more do they suffer from re-vaccination, and therefore many persons beyond middle age have a great objection to be re-vaccinated, seeing the results that have happened to their friends. There are sometimes other objections to re-vaccination of adults. When it comes to the question of quarantine, the only way that I know of, to avoid the necessity for re-vaccination, would be simply to isolate any persons who objected to be vaccinated, say for fourteen days, or three weeks, if necessary, until all fear of their having small-pox in their blood has passed away, and then they may be let go free. If they object to be re-vaccinated, they must stay longer in quarantine, which would meet the difficulty and save some adults from a great hardship—that of having to undergo a disease that they are not fit to undergo, and that might cause some serious consequences.

282. Then, if I understand you rightly, you think it is not absolutely necessary for adults to be re-vaccinated?—No; not if they are in quarantine.

283. You would give adults, in cases of that sort, the option of being re-vaccinated, or undergoing quarantine for fourteen days?—Yes.

284. And, in your opinion, that fourteen days would perfectly obviate all chance of the disease spreading?—Yes, I think so; it might be fourteen or twenty-one days, according to the opinion of the medical officer in charge of the cases—I think fourteen days is sufficient. The surgeon in charge of the Small-pox Hospital, London, Mr. Marson, says it has a period of incubation never longer than fourteen days, and after that time there is no fear of it; and that opinion, he says, is the result of upwards of 20 years experience.

285. *By Mr. W. A. C. a'Beckett.*—As regards the age, is it advisable that vaccination should take place before teething?—In many cases.

T.M. Girdlestone,
Esq.,
continued.
11th Aug. 1874.

286. Do you think it is dangerous during teething?—I do not think it is wise to vaccinate during teething, if you can possibly help it.

287. Either do it before or delay it till two years' old?—I have vaccinated a great many children a year old.

288. Would it be at all injurious, not to have any vaccination under two years of age?—They are exposed to the risk of catching small-pox. In this country it is not desirable to vaccinate in the hot weather.

289. Are you not a doctor of medicine?—No, I am not a doctor of medicine—I am a surgeon.

The witness withdrew.

Dr. McCrea further examined.

W. McCrea, Esq.,
M.B.,
11th Aug. 1874.

290. *By Mr. a'Beckett.*—Have you any further evidence that you wish to submit to us?—There are two things in Dr. Girdlestone's evidence. With regard to the danger of children, presenting themselves to a vaccinator, having syphilis; if those children had no eruption, nothing about the mouth or ears, or, in fact, any of the marks of syphilis about them, if they have none of those things, and those things would be communicated to any vaccinator that may be appointed, he could judge as well as any medical man—a medical man can only judge by signs which are external. With regard to the point, that a medical man, from his knowledge and experience, would know where diseases existed—that is all very well in populous places; but if a vaccinator had to go sixty or seventy miles to places he had never seen before, he would not know that, and could not judge. Then, as to quarantine, Dr. Girdlestone says that, if you isolate for fourteen days, you make everything safe. Now, suppose a ship came in with fourteen or fifteen cases of small-pox, and you isolate them at once, we immediately re-vaccinate all the rest; if we did not re-vaccinate, but merely isolated for the fourteen days, a case might occur in six or seven days, and then this case of small-pox is amongst those people, and is a fresh source of contagion, and it is in order to prevent any fresh source of contagion that we re-vaccinate in those cases. It has been proved by the vaccinator in the Small-pox Hospital, London, that, if a person is exposed to the contagion of small-pox, and he has taken it, and is vaccinated in three or four days, probably it will stop the small-pox going any further; and it is in those cases, and for those reasons especially, to prevent any further chance of contagion, that we desire to have those persons re-vaccinated.

The witness withdrew.

1874.

VICTORIA.

REPORT

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON THE

CRIMES AND OFFENCES PREVENTION BILL,

TOGETHER WITH

THE PROCEEDINGS OF COMMITTEE, MINUTES OF EVIDENCE,
AND APPENDICES.

ORDERED BY THE COUNCIL TO BE PRINTED, 27TH OCTOBER, 1874.

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EXTRACTED FROM THE MINUTES.

TUESDAY, 6TH OCTOBER, 1874.

CRIMES AND OFFENCES PREVENTION BILL.—The Order of the Day for the resumption of the debate on the question—
That this Bill be now read a second time—being read, the debate was resumed.
The Honorable C. J. Jenner moved, as an amendment, That all the words after the word “now,” be omitted, with a view to insert the words “referred to a Select Committee, with power to call for persons and papers, and to sit when the House is not sitting.”
Question—That the words 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 Bill “*To provide for the better prevention of Theft, and further to amend ‘The Police Offences Statute 1865’ and other enactments*” be now referred to a Select Committee, with power to call for persons and papers, and to sit when the House is not sitting—put and passed.
The Honorable R. S. Anderson moved, That the Committee consist of the Honorables T. T. a’Beckett, C. J. Jenner, J. Graham, W. A. C. a’Beckett, James Balfour, R. Simson, and the mover.
Question—put and passed.

TUESDAY, 27TH OCTOBER, 1874.

CRIMES AND OFFENCES PREVENTION BILL SELECT COMMITTEE.—The Honorable R. S. Anderson brought up the Report of the Select Committee appointed on the 6th instant, to which Committee was referred “*The Bill to provide for the better prevention of Theft, and further to amend ‘The Police Offences Statute 1865’ and other enactments,*” and moved, That it be printed (with the Proceedings of the Committee), and made an Order of the Day for consideration on the next day of meeting.
Question—put and passed.

REPORT.

THE SELECT COMMITTEE of the Legislative Council, to which was referred the Bill intituled "*An Act to provide for the better prevention of Theft, and further to amend 'The Police Offences Statute 1865' and other enactments,*" have the honor to report—

1. That they have given careful consideration to the subject-matter thereof, and have examined several witnesses with reference to the same, whose evidence is appended hereto.

2. That they approve of the principles contained in the Bill, with some modifications, which will be found incorporated with the Bill attached hereto.

ROBERT S. ANDERSON,
Chairman.

Committee-Room,
26th October, 1874.

[N.B.—New matter in italics. Original matter, proposed to be omitted, in erased type.]

A B I L L

To provide for the better Prevention of Theft,
and further to amend "*The Police Offences
Statute 1865*" and other enactments.

(As amended in Select Committee.)

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same, as follows :—

5 1. This Act may be cited for all purposes as "*The Crimes and Offences Prevention Act 1874.*" Short title.

2. This Act shall come into operation on the first day of January 1875. Commencement of Act.

PART I.—PREVENTION OF THEFT BY CONTROL OF DEALERS AND OTHERS.

10 3. For the purposes and in the construction of this Part the term "marine stores" shall mean and include anchors cables sails old junk and marine stores of every description, and the term "old metals" shall mean and include old *copper iron brass muntz* metal scrap metal broken metal and partly manufactured metal goods and defaced or old metal
15 goods, and the term "special wares" shall mean and include both marine stores and old metals, and the word "dealer" shall mean any person dealing in buying and selling special wares of any kind whether such person deals in any other goods or not, and the term "magisterial district" shall mean a part of Victoria for which the Governor in Council
20 has assigned persons as justices to keep the peace therein.

4. Every dealer shall conform to the following regulations (that is to say) :— Regulations to be observed by dealers.

(1.) He shall have his name together with the words "dealer in marine stores and old metals" painted distinctly in letters of

[19]

not

not less than six inches in length on every warehouse or other place of deposit belonging to or occupied by him :

If he does not he shall incur a penalty not exceeding Twenty pounds.

First Schedule.

- (II.) He shall keep a book or books fairly made out according to the form shown in the First Schedule hereto, and shall enter therein an account of all such special wares as he may from time to time become possessed of, stating in respect of each article the day and hour upon and at which and the person by or through whom and the person from whom he purchased or received the same adding a true description of such last-mentioned person's business and place of abode :

If he does not he shall incur, for the first offence a penalty not exceeding Twenty pounds, and for every subsequent offence a penalty not less than ~~Twenty~~ Ten or exceeding Fifty pounds.

Second Schedule.

- (III.) He shall keep a book or books according to the form shown in the Second Schedule hereto, and shall enter therein an account of all such special wares as he may from time to time sell or dispose of, stating in respect of each article the day upon which and the name of the person by or through whom and the person to whom he sold or disposed of the same adding a true description if known to him of such last-mentioned person's business and place of abode :

If he does not he shall incur, for the first offence a penalty not exceeding Twenty pounds, and for every subsequent offence a penalty not less than ~~Twenty~~ Ten or exceeding Fifty pounds.

- (IV.) He shall not by himself or any other person purchase or receive special wares from any person apparently under the age of sixteen years :

If he does so he shall incur, for the first offence a penalty not exceeding Five pounds, and for every subsequent offence a penalty not less than Five or exceeding Twenty pounds.

Cutting up &c. of cables, &c., by dealer.

5. He shall not cut up any cable or any like article exceeding five fathoms in length or unlay the same into twine or paper stuff on any pretence whatever without obtaining such permit and publishing such notice of his having so obtained the same as hereinafter mentioned : If he does so he shall incur, for the first offence a penalty not exceeding Twenty pounds, and for every subsequent offence a penalty not less than Twenty or exceeding Fifty pounds.

Manner of obtaining permit to cut up cables.
17 & 18 Vict. c. 104, s. 481.

6. In order to obtain such permit as aforesaid the dealer shall make a declaration as provided by the Act numbered CCCXLIII. or such other like Act as may be in force touching voluntary declarations before a justice of the peace having jurisdiction in the place where such dealer carries on his business and containing the following particulars (that is to say) :—

- (i.) A statement of the quality and description of the cable or other like article about to be cut up or unlayd : (ii.) A

(ii.) A statement that he purchased or otherwise acquired the same *bonâ fide* and without fraud, and without any knowledge or suspicion that the same had been come by dishonestly :

(iii.) A statement of the name business and place of abode of the person from whom and the day and hour when he purchased or received the same.

And it shall be lawful for the justice before whom any such declaration is made, or for any police magistrate upon the production of any such declaration as aforesaid, to grant a permit authorizing the dealer to cut up or unlay such cable or other like article.

7. No dealer although he shall have obtained such permit as aforesaid shall proceed by virtue thereof to cut up or unlay any cable or other like article until he has, one week at the least and not more than a fortnight before doing any such act, caused to be inserted in some newspaper published nearest to the place where he carries on his business an advertisement notifying the fact of his having so obtained a permit, and specifying the quality and description of the cable or other like article mentioned in the permit, and the place where the same is deposited and the time at which the same is intended to be so cut up or unlayed; and if any person believes or suspects that such cable or other article is his property, he may apply to any justice of the peace having jurisdiction for a warrant, and such justice may, on the applicant making oath or, if a person entitled to make an affirmation, making an affirmation in support of such his belief or suspicion, grant a warrant by virtue whereof the applicant shall be entitled to require the production by such dealer of the cable or other article mentioned in the permit or advertisement and also of the books of entries hereinbefore directed to be kept by every dealer, and upon such cable or other article and books of entries being produced to inspect and examine the same; and if any dealer makes default in complying with any of the provisions of this section, he shall for the first offence incur a penalty not exceeding Twenty pounds, and for every subsequent offence a penalty not less than Twenty pounds or exceeding Fifty pounds.

8. It shall be lawful for any justice of the peace, upon complaint made before him upon oath that the complainant has reason to believe and does believe that any special wares stolen or unlawfully obtained are kept in any house shop room or place by any dealer within the limits of the jurisdiction of such justice, to give authority by special warrant to any constable with such assistance as may be necessary to enter such house shop room or place in the day-time, and if the justice be a police magistrate and be satisfied by further evidence that the search ought to be made by night then either in the night-time or the day-time, and to search for and seize all such special wares there found and to carry the same before such justice or some other justice having like jurisdiction, and such justice shall thereupon issue a summons requiring such dealer to appear before two justices having like jurisdiction at a time and place to be named in such summons; and if such dealer shall not then and there prove to the satisfaction of such justices how he came by such wares, or if any dealer shall be found in possession of any specified wares which have been stolen or unlawfully

Permit to be advertised before dealer proceeds to act thereon.
17 & 18 Vict. c. 104,
s. 482.

Penalty on dealers being in possession of stolen property.
24 & 25 Vict. c. 110,
s. 4.

unlawfully obtained, and on his being taken or summoned before two justices having jurisdiction it shall be proved to the satisfaction of such justices that at the time he received them he had reasonable cause to believe them to have been stolen or unlawfully obtained, then in either of such cases such dealer shall be liable to a penalty not exceeding Five pounds and for any subsequent offence to a penalty not less than Five pounds or exceeding Twenty pounds, or at the discretion of the justices in the case of such second or subsequent offence shall be imprisoned and kept to hard labour for any period not exceeding three calendar months : Provided always that nothing herein contained shall interfere with or affect any proceeding as for an indictable offence to which such dealer may be liable for feloniously and knowingly receiving stolen goods, but no person shall be prosecuted as for an indictable offence and proceeded against under this Part upon the same facts.

Justices may order dealer to be registered.

24 & 25 Vict. c. 110, s. 5.

Third Schedule.

Dealer to give notice of change of place of business.
Ib., s. 6.

9. When any dealer is convicted of either of the offences aforesaid it shall be lawful for the adjudicating justices, or on proof of such conviction for any other two justices having the like jurisdiction, to order and direct that such dealer shall be registered at a principal police station within the magisterial district in which such conviction takes place, in a book to be kept for the purpose by the officer of police in charge of such station, according to the form in the Third Schedule of this Act, and from and after such registration such dealer shall be subject to and shall conform to the several penal regulations hereinafter provided for such period not exceeding three years as such justices shall order ; and if such dealer shall during such period be convicted of any offence under this Act, the justices so convicting him may order such period to be extended for not more than three years from the time when such period would otherwise expire.

10. Every dealer who by reason of registration whether original or derivative as hereinafter mentioned is subject to the penal regulations of this Part shall upon removing to or opening any other place of business as a dealer give notice of such removal or opening at the police station where he is registered, and if he shall carry on business as a dealer without giving such notice he shall incur a penalty not exceeding Five pounds, and for every day after the first on which he continues such business without giving such notice a further penalty not exceeding Ten shillings ; and when such dealer shall remove to or open any place of business as a dealer out of a magisterial district in which he has been registered it shall be the duty of the officer of police having charge of the station at which the book in which he is registered is kept to transmit a certificate of such registration signed by himself which shall be evidence of such registration together with a certified copy of any order of justices as to the period for which such dealer is to be subject to the said regulations which copy shall be evidence of such period or any extended period to a clerk of some court of petty sessions holden within the magisterial district to or in which such dealer has so removed or opened his place of business, and any justice having jurisdiction in

in such district may thereupon issue a summons to such dealer to appear before two such justices, and if it shall appear to such justices that he is or intends carrying on business as a dealer within such district such justices may and shall order him to be registered within such district in the same manner as provided in the ninth section of this Act, and for the residue of the period for which he was, whether under an extending order or not, to be subject to the penal regulations.

11. It shall be lawful for ~~two justices having jurisdiction~~ *any justice of the peace* by order in writing to authorize one or more officers or sergeants of police to visit at any time the places of business and inspect the goods and books of dealers who are subject to the penal regulations of this Part, and every such officer or sergeant shall and is hereby empowered to record in the book required to be kept by such dealer the day and hour of his visit, and place opposite the entry of every article examined by him if hereby subject to entry in such book his initials or name in attestation of the same.

Inspectors and sergeants of police to visit places of business of registered dealers.
24 & 25 Vict. c. 110, s. 7.

12. Every dealer who is registered as aforesaid shall during the period which the justices shall order as above provided conform to the following regulations herein called "penal regulations" (that is to say):—

Penal regulations to be observed by registered dealers.
Ib., s. 8.

(I.) He shall not by himself or any other person purchase or receive any special wares of any description before the hour of nine in the morning or after the hour of six in the evening, nor shall he employ any person under the age of sixteen years to purchase or receive special wares of any description:

(II.) He shall produce to any officer or sergeant of police authorized as in the last preceding section provided whenever thereto requested the book or books required to be kept as aforesaid, and any special wares purchased or received by him then in his possession and such wares shall be deemed to be in the possession of such dealer when they are placed in any house outhouse yard garden or place occupied by him or shall have been removed with his knowledge and permission to any other place without a *boná fide* sale of such wares having been made by him:

(III.) He shall without delay give notice to the officer on duty at the police station nearest to any place where he carries on business of any article then in his possession or which shall thereafter come into his possession answering the description of any articles described as having been stolen embezzled or fraudulently obtained in or by any printed or written information given to him by any member of the police force:

(IV.) He shall keep all special wares purchased or received by him without changing the form in which the several articles were when so purchased or disposing of the same in any way for a period of forty-eight hours after the articles have been purchased or received:

For any act or default contrary to the foregoing penal regulations done or made by any registered dealer during the period which the justices shall have ordered as above provided he shall incur a penalty of not less than Twenty shillings and not exceeding Five pounds, and for every subsequent offence a penalty of not less than Five pounds and not exceeding Twenty pounds. 5

Entries in dealer's books deemed made by him.

13. Every entry in any book belonging to any dealer shall be deemed, unless the contrary be shown, to have been made by or with the authority of such dealer.

Application of penalties.

14. The justices imposing any penalty under this Part may if they shall think fit direct the whole or any part thereof to be applied in compensating any person for any wrong or damage which he may have sustained by the act or default in respect of which such penalty is imposed or to be applied in and towards payment of the expenses of the proceedings. 15

Appeal by dealers.

15. In all cases of convictions under this Part, notwithstanding that the fine penalty or forfeiture does not exceed the sum or value of Five Pounds or the term of imprisonment seven days, the person convicted may appeal against such conviction in the same manner and with the same effect in all respects as any person may under the one hundred and fortieth section of "*The Justices of the Peace Statute 1865*," or such other like enactment regulating appeals from justices as may be in force, and all the provisions of the said Statute or Act shall apply accordingly. 20

On appeal &c. subjection to penal regulations may be suspended by judge &c.

16. In any case in which any person shall seek remedy by way of writ appeal review or the like against any conviction by reason of which a liability to be made subject to penal regulations as hereinbefore provided may be incurred, he may if he seeks remedy from the Supreme Court or a judge thereof apply to a judge of such court, and if from a Court of General Sessions then to the chairman of such court, for an order that the subjection to penal regulations shall not be ordered or take effect until such remedy shall have been denied him, or for such space of time as such judge or chairman may direct, and such judge or chairman in his discretion may make or refuse such order and in either case with or without costs, and may order the person seeking remedy to find such security in such amount manner and form as to such judge or chairman shall seem fit for the prosecution with effect and without delay of his suit or application for the remedy sought by him, and may impose such other terms as may seem fit to such judge or chairman. 30 35 40

Penalty on dealers in old metals purchasing quantities less than stated in Fourth Schedule. 34 & 35 Vict. c. 112, s. 13.

17. Any dealer who either personally or by any servant or agent purchases receives or bargains for any metal mentioned in the first column of the Fourth Schedule annexed hereto whether new or old in any quantity at one time of less weight than the quantity set opposite each such metal in the second column of the Fourth Schedule annexed hereto shall be guilty of an offence against this Act and be liable to a penalty not exceeding Five pounds. 45

PART II.—PREVENTION OF THEFT BY RESTRAINT OF HARBOURERS AND OTHER ABETTORS.

18. Every person who occupies or keeps any common lodging house or any house or place where whether lawfully or not intoxicating liquors are in fact sold or any place of public entertainment or public resort and knowingly lodges or harbours or permits or suffers to meet or assemble therein thieves or reputed thieves, or knowingly allows the deposit of goods therein having reasonable cause for believing them to be stolen, shall be guilty of an offence against this Act, and be liable to a penalty of not exceeding Twenty pounds and in default of payment to be imprisoned for a period not exceeding four months with or without hard labour; and the justices may if they think fit in addition to or in lieu of any penalty require him to enter into recognizances with or without sureties for keeping the peace and being of good behaviour during twelve months:—

(i.) Provided that no person shall be imprisoned for not finding sureties in pursuance of this section for a longer period than three months.

(ii.) The security required from a surety shall not exceed Fifty pounds.

And every license for the sale of any intoxicating liquor or for keeping a place of public entertainment or public resort which has been granted in respect of the occupying or keeping of such house or place as aforesaid to the occupier or keeper thereof may in the discretion of the justices be forfeited on his first conviction of an offence under this section, and on his second conviction for such an offence his license shall stand forfeited and be void and he shall be disqualified for a period of two years from receiving any of such licenses as hereinbefore in this section mentioned; moreover, where two convictions under this section have taken place within a period of two years in respect of the same premises whether the persons convicted were or were not the same the justices shall direct that for a term not exceeding one year from the date of the last of such convictions no such license as aforesaid shall be granted to any person whatever in respect of such premises, and no such license shall, whether such directions be given or not, be so granted, and any license granted in contravention of this section shall be void. Any licensed person charged in pursuance of this section shall produce his license for examination, and if such license is forfeited shall deliver it up altogether, and if such person wilfully neglects or refuses to produce his license he shall in addition to any other penalty under this section be liable on conviction of such offence of neglect or refusal to a penalty not exceeding Five pounds. Provided that notwithstanding that the penalty does not exceed Five pounds any person convicted under this section so as to be liable to or incur forfeiture of a license may appeal against such conviction in the same manner and with the same effect in all respects as any person may under the one hundred and fortieth section of "*The Justices of the Peace Statute 1865*" or such other like enactment regulating appeals from justices as may be in force.

19. Every

Penalty upon liquor sellers and keepers of places of public entertainment harbouring thieves, &c. 32 & 33 Vict. c. 99, s. 10; 34 & 35 Vict. c. 112, s. 10.

Penalty on brothel-keepers harbouring thieves, &c.
34 & 35 Vict. c. 112, s. 11.

19. Every person who occupies or keeps a brothel and knowingly lodges or harbours thieves or reputed thieves or permits or suffers them to meet or assemble therein or allows the deposit of goods therein having reasonable cause for believing them to be stolen shall be guilty of an offence against this Act and be liable to a penalty not exceeding Twenty pounds and in default of payment to be imprisoned for a period not exceeding four months with or without hard labour, and the court before which he is brought may if it think fit in addition to or in lieu of any penalty require him to enter into recognizances with or without sureties as in the last preceding section of this Act described and limited.

Power to search for stolen property.
Ib., s. 16.

20. Any constable may under the circumstances hereafter in this section mentioned be authorized in writing by the Chief Commissioner or any superintendent or inspector of police to enter and if so authorized may enter any house shop warehouse yard or other premises in search of stolen property and search and seize and secure any property he may believe to have been stolen in the same manner as he would be authorized to do if he had a search warrant and the property seized if any corresponded to the property described in such search warrant, and in every case in which any property is seized in pursuance of this section the person on whose premises it was at the time of seizure or the person from whom it was taken if other than the person on whose premises it was shall unless previously charged with receiving the same knowing it to have been stolen be summoned before two justices to account for his possession of such property, and such justices shall make such order respecting the disposal of such property and may award such costs as the justice of the case may require.

In what cases authority to search may be so granted.
Ib., s. 16.

21. It shall be lawful for the Chief Commissioner or a superintendent or inspector of police to give such authority as in the last preceding section aforesaid in the following cases or either of them:—

- (I.) When the premises to be searched are or within the preceding twelve months have been in the occupation of any person who has been convicted of harbouring thieves or of unlawfully permitting the deposit of goods therein contrary to this Act; or,
- (II.) When the premises to be searched are in the occupation of any person who has been convicted of any offence involving fraud or dishonesty and punishable by imprisonment.

And it shall not be necessary for such commissioner superintendent or inspector in giving such authority to specify any particular property, but he may give such authority if he has reason to believe generally that such premises are being made a receptacle for stolen goods.

PART III.—EVIDENCE AGAINST RECEIVERS AND POSSESSORS OF STOLEN PROPERTY.

Evidence against receivers, &c., of stolen property, from previous receipt, &c.
Ib. s. 19.

22. Where proceedings are taken against any person for having received goods knowing them to be stolen or for having in his possession stolen property, evidence may be given at any stage of the proceedings that

that there was found in the possession of such person other property stolen within the preceding period of twelve months, and such evidence may be taken into consideration for the purpose of proving that such person knew the property to be stolen which forms the subject of the proceedings taken against him.

23. Where proceedings are taken against any person for having received goods knowing them to be stolen or for having in his possession stolen property, and evidence has been given that the stolen property has been found in his possession, then if such person has within five years immediately preceding been convicted of any offence involving fraud or dishonesty, evidence of such previous conviction may be given at any stage of the proceedings, and may be taken into consideration for the purpose of proving that the person accused knew the property which was proved to be in his possession to have been stolen: Provided that not less than seven days' notice in writing shall have been given to the person accused that proof is intended to be given of such previous conviction, and it shall not be necessary for the purposes of this section to charge in the information the previous conviction of the person so accused.

Evidence against receivers, &c., of guilty knowledge from previous conviction of fraud &c. 34 & 35 Vict. c. 112, s. 19.

20 PART IV.—OFFENSIVE CONDUCT IN PUBLIC, AND JUVENILE OFFENDERS.

24. If persons assemble together or be in company to the number of three or more in any public or private street ~~thoroughfare or open place to which the public have or are permitted to have access or in any place of public resort~~ with a common purpose or intent of unlawfully causing annoyance to others or to the danger of the public peace, every person so offending ~~shall~~ except as hereinafter provided ~~shall~~ on conviction thereof in a summary way before any two justices of whom a Police Magistrate shall be one be imprisoned for any term not exceeding six months with or without hard labour, and in case any constable or officer of police shall be of opinion that such persons have assembled for any such unlawful purpose and there shall be in such assembly any person known to the police as having been previously guilty of any offence set forth in this part of this Act such persons so assembled shall disperse on being thereto requested by any constable or officer of police; and any of such persons refusing to obey such request may be apprehended forthwith and shall on conviction in like summary manner be imprisoned for a like term with or without hard labour.

Persons assembling in public place to annoy or with danger to peace.

25. When any male person under sixteen years of age is convicted of a ~~first~~ any offence against the last preceding section of this Act or against any of the sections or sub-sections mentioned in the ~~Fifth~~ Fourth Schedule hereto the justices before whom he is convicted may ~~judge~~ in lieu of any punishment prescribed by the said sections or sub-sections may ~~judge~~ that such offender shall forthwith in some convenient place near or adjacent to the court be privately caned or whipped on the breech with a birch rod or cane, and the number of strokes shall be specified in such adjudication and shall not exceed twenty, and such offender shall be discharged immediately after having been whipped.

Males under sixteen to be whipped for first offence. Fourth Schedule.

26. Such

Constable to inflict whipping in presence of justice.

26. Such whipping shall be inflicted by a ~~constable~~ *some fit or proper person to be appointed by the convicting magistrate for that purpose* in the presence of ~~a one or more of the convicting~~ justices, who shall direct as to the degree of severity of such whipping and decide as to whether the offender is able to bear the whole of the strokes adjudged or any number less than the whole, and may if he *or they* shall think fit remit the whole or any number of such strokes. 5

Solitary confinement and whipping for second offence.

27. When any such male person as aforesaid is convicted of a second or subsequent offence against *this part of this act or against* any of the sections or sub-sections ~~in this Part~~ aforesaid the justices before whom he is so convicted may in case such offence be punishable only by penalty in money adjudge that in lieu of or in addition to any such penalty the offender be imprisoned and kept in solitary confinement for a space not exceeding seven days, ~~and or may~~ in case such offence be punishable in their discretion either by penalty in money or by imprisonment or by both or be punishable by imprisonment only, ~~may~~ adjudge that the offender be kept in solitary confinement for a space not exceeding seven days of any period of imprisonment adjudged by them, or if the period adjudged by them be less than seven days then for a space thereof not exceeding such period ; and may further in ~~all~~ ~~and each~~ *any* of the cases aforesaid adjudge that the offender during his solitary confinement be once privately whipped, *the instrument to be used and* the number of strokes to be specified in the conviction and not to exceed thirty. 10 15 20

Males sixteen and under thirty may be whipped and detained in solitary confinement.

28. When any male person of sixteen years of age and under ~~twenty-one~~ *thirty years of age* is convicted of an offence against *this part of this Act or against* any of the said sections or sub-sections the justices before whom he is so convicted may in case such offence be punishable only by penalty in money adjudge that in addition to any such penalty the offender be imprisoned and kept in solitary confinement for a space not exceeding seven days, ~~and or may~~ in case such offence be punishable in their discretion either by penalty in money or by imprisonment or by both or be punishable by imprisonment only, ~~may~~ adjudge that the offender be kept in solitary confinement for a space not exceeding seven days of any period of imprisonment adjudged by them, or if the period adjudged by them be less than seven days then for a space thereof not exceeding such period, and may further in ~~all~~ ~~and each~~ *any* of the cases aforesaid adjudge that the offender during his solitary confinement be once *or twice* privately whipped, *the instrument to be used and* the number of strokes to be specified in the conviction and not to exceed forty *at each whipping*. 25 30 35 40

Medical attendant or other person to regulate whipping in summary cases.

29. In all cases in which the punishment of whipping shall be inflicted under the authority of the two last preceding sections of this Act the surgeon or medical officer of the nearest gaol (~~although the whipping does not take place at such gaol~~); or some other person appointed in that behalf by the Governor, shall be present at the time and place when and where the ~~same~~ 45

same is to be when the said punishment is inflicted ; and where the same is to be inflicted ; and such surgeon medical officer or other person if he be of opinion that the offender is not at any time able to bear the whole or any part of such punishment may from time to time order
 5 the infliction of the whole or any part thereof to be postponed, and shall within two days after the making of any such order send a report in writing stating his reasons for making such order to a law officer : Provided that no such postponement shall extend to a day more distant than ~~three from~~ the day after on which the offender would
 10 have been ~~shall be~~ entitled to his discharge, but that his imprisonment may for this purpose be prolonged for three days or less upon the order of a police magistrate.

30. The Governor in Council shall make rules for generally regulating the infliction of the punishment of whipping and solitary confinement
 15 under this or any other Act, and shall have power to amend alter or rescind such rules from time to time, and subject to in and by such rules and the provisions of this Act the convicting justices shall in each case direct in what manner and with what the instruments with which the said punishment
 20 of whipping shall be inflicted shall be classified as light heavy or otherwise, but no such punishment of whipping under this Act shall be inflicted at the place in any gaol or penal establishment in which criminals punishable with whipping under "The Criminal Law and Practice Statute 1864" or any amendment thereof are usually whipped, or by the person by whom such last-mentioned whipping is usually inflicted.

Governor in Council
to make rules.

25 PART V.—MISCELLANEOUS POLICE OFFENCES AND PROVISIONS.

31. Any person who in any place in which Part I. of the "Police Offences Statute 1865" is in force commits any of the following offences shall be liable to a penalty of Forty shillings for each offence, or in the discretion of the justices before whom he is convicted may be committed
 30 to prison there to remain for a period not exceeding fourteen days, and any constable in whose view any person commits any such offence may take such person into custody without warrant and forthwith convey him before a justice:—

- 35 (I.) Any common prostitute or nightwalker loitering in any street thoroughfare or public place and importuning accosting persons for the purpose of prostitution to the annoyance of passengers or residents :
- 40 (II.) Any person who shall in any way or by any means wilfully obstruct the free passage of any footway street or highway to the annoyance of passengers or shall in any such place be guilty of insulting language or behaviour :
- 45 (III.) Any person who wilfully and without lawful excuse disturbs any resident by pulling or ringing any door-bell or knocking at any door or other part of any dwelling :
- (IV.) Any person climbing any tree shrub or plant growing in any street or highway : (v.) Any

- (v.) Any person throwing any rubbish into any public park garden or enclosure, or trespassing therein, or climbing any fence thereof, or committing any nuisance therein :
- (vi.) Any person who places any flower-pot or box or other heavy article outside any upper window without sufficiently securing such article against falling : 5
- (vii.) Any person who throws or wilfully permits to fall from the roof or any part of any house or other building or structure so as to alight in or upon any part of a street highway or footway then in use for passage by the public any slate brick wood building material rubbish or other thing : 10
- (viii.) Any person selling gunpowder squibs rockets or other combustible matter by gas candle or other artificial light :
- (ix.) Every person who shall hoist or cause to be hoisted or lower or cause to be lowered goods of any description from any opening in front of any building in any street lane or passage without sufficient and proper ropes and tackling : 15
- (x.) Every person who shall place any line cord or pole across any street lane or passage or hang or place clothes thereon to the danger or annoyance of any person : 20
- (xi.) Every person who shall place hang up or affix upon any building ~~within ten feet of any street~~ any signpost board house-ticket notice or other similar thing *overhanging the street* or otherwise than close and paralld to or flat upon the wall of the house shop or building. 25
- (xii.) Every person who without lawful excuse shall affix any posting bill or other paper against or upon or write upon soil deface or mark with chalk or paint or in any other way whatsoever any telegraph post or post-office pillar.

5 & 6 Vict. c. 24,
s. 14, sub-section
10.

Occupants of certain
places harbouring
dissolute persons
and vagrants, &c.

32. Every person who occupies or keeps any common lodging-house or any house or place where, whether lawfully or not, intoxicating liquors are in fact sold, or any place of public entertainment or public resort, and knowingly harbours prostitutes, or permits or suffers men and women of notoriously bad fame or dissolute boys and girls to meet or assemble therein, or knowingly lodges entertains or harbours therein to the annoyance of the inhabitants any prostitute or idle and disorderly person or rogue and vagabond or incorrigible rogue, shall be guilty of an offence against this Act and be liable to a penalty not exceeding Ten pounds; and the justices may if they think fit, in addition to or in lieu of any penalty, require him to enter into recognizances with or without sureties as in the eighteenth section of this Act described and limited. 30 35 40

Power to prevent
obstructions in the
streets during pub-
lic processions, &c.
10 & 11 Vict. c. 89,
sec. 21.

33. The Chief Commissioner or any superintendent of police may from time to time make orders for the route to be observed by all carts carriages horses and persons and for preventing obstruction of the streets and thoroughfares within any city shire or borough in all times of public processions rejoicings or illuminations and in any case when the streets are thronged or liable to be obstructed, and may also give directions 45

directions to the constables for keeping order and preventing any obstruction of the streets in the neighbourhood of theatres and other places of public resort; and every wilful breach of any such order shall be deemed a separate offence against this Act, and every person committing
5 any such act after having been informed by a constable of such order shall be liable to a penalty not exceeding Forty shillings.

34. It shall be lawful for any constable to stop and detain until due inquiry can be made all carts and carriages which he shall find employed in removing the furniture of any house or lodging between the hour of
10 eight in the evening and six in the following morning if the constable shall have good ground for believing that such removal is made for the purpose of evading the payment of rent: Provided that no such detention shall extend beyond the hour of ~~eight~~ *ten* in the said following morning.

Removing furniture to avoid rent.
2 & 3 Vict. s. 67.

15 35. There is hereby incorporated with the fifth section of "*The Police Offences Statute 1865*," as the description of an offence additional to those therein described, the following, that is to say:—

Shanghaies, &c.

Using within any place in which any of the provisions of Part I. of the said Statute are in force any of the instruments for
20 discharging missiles known as slings shanghaies or catapults or other like instrument.

36. The seventeenth section of "*The Police Offences Statute 1865*" shall be read as though there were inserted after and as part of the sixth subdivision thereof the words following, that is to say:—"or
25 wilfully trespassing in any place after having been previously warned in writing by any such owner or person not to commit trespass in such place."

Persons repeating trespass after written warning.

37. The twelfth sub-section of the thirty-sixth section of "*The Police Offences Statute 1865*" shall be construed as if instead of the words
30 "highway or place adjacent" there were inserted the words "or any highway or any place adjacent to a street or highway," and in proving the intent to commit felony it shall not be necessary to show that the person charged with an offence against the said sub-section was guilty of any particular act or acts tending to show his purpose or intent; and he may be convicted if from the circumstances of the case and
35 from his known character as proved to the justices or court it appears to such justices or court that his intent was to commit felony.

Amendment of law touching vagrancy and the evidence thereof.
34 & 35 Vict. c. 112, s. 15.

38. Every person playing *any game of chance* or betting by way of wagering or gaming in any street road highway or other open and public
40 place or in any open place to which the public have or are permitted to have access at or with any table or instrument of gaming or any coin card token or other article used as an instrument or means of such wagering or gaming at any game or pretended game of chance shall be deemed a rogue and vagabond within the true intent and meaning of
45 "*The Police Offences Statute 1865*," and as such may be convicted and punished under the provisions of that Statute, or in the discretion of the justices in lieu of such punishment by a penalty for the first offence

Gaming, &c. in a public place.
36 & 37 Vict. c. 38, s. 3.

offence not exceeding Forty shillings, and for the second or any subsequent offence not exceeding Five pounds.

Remand of accused.

39. Any person accused of an offence against this Act may be remanded from time to time by the court before which he is brought for the purpose of enabling evidence to be obtained against him or for any other just cause. 5

Who shall be deemed owners of public property.

40. All property of a public character, whether real or personal, shall for all the purposes of "*The Police Offences Statute 1865*" and of this Act be deemed to be vested in the Board of Land and Works if maintained or managed by the State, and if maintained or managed by any body corporate then in such body corporate. 10

PART VI.—EVIDENCE AND LEGAL PROCEEDINGS IN SUMMARY CASES.

Questions of age how determined by justices.

41. The justices or court before whom in the execution of this Act any question of age or apparent age may arise may determine such question on their own view or on evidence whether of opinion or fact or on any or all of these, having before so determining heard the evidence (if any) tendered for the defence. 15

What description sufficient in convictions.

42. The description of any offence against any Act and punishable on conviction before justices shall be sufficient in law if it is in the words of such Act and names such Act and the section thereof creating the offence. 20

Exceptions, &c., in Acts to be proved by defendant.

43. Any exception exemption proviso excuse or qualification whether it does or does not accompany in any Act the description of an offence punishable under such Act on conviction before justices may be proved by the defendant but need not be specified or negatived in the information or complaint, and if so specified or negatived no proof in relation to the matters so specified or negatived shall be required on the part of the informant or prosecutor or complainant. 25

Warrants, &c., not to be quashed for want of form, &c.

44. No warrant or conviction in respect of any offence against any Act and punishable on conviction before justices shall be quashed for want of form, and the court before whom any question relating to the validity of any such warrant or conviction is brought may amend such warrant or conviction if it is of opinion that there was sufficient evidence before the justices by whom the warrant was issued or conviction made to justify the issue of such warrant or making of such conviction. 30

Validating, &c., provisions of other Acts saved.

45. None of the provisions of this Part shall diminish or abridge or shall affect otherwise than by addition any previous enactments whereby power is given or provision made to amend or sustain, or give validity to or deal with as valid or otherwise to uphold or give force to any information summons warrant order conviction or other like document or proceeding. 35 40

SCHEDULES.

SCHEDULES.

FIRST SCHEDULE.

Section 4.

ENTRY OF PURCHASES AND RECEIPTS.

| Day of purchase or receipt, and hour of day. | Description of special wares purchased or received. | Name and surname of person who purchased or received. | Name and surname of person from whom purchased or received. | Business and place of abode of person from whom purchased or received. |
|--|---|---|---|--|
| | | | | |

SECOND SCHEDULE.

Section 4.

ENTRY OF SALES.

| Day of sale. | Description of special wares sold. | Name and surname of person who sold or disposed of wares. | Name and surname of person to whom sold. | Business and place of abode or business of person to whom sold. |
|--------------|------------------------------------|---|--|---|
| | | | | |

THIRD SCHEDULE.

Section 9.

REGISTER OF DEALERS IN MARINE STORES AND OLD METALS.

| Date of Registration. | Date of Conviction. | Period for which to be subject to regulations of this Act. | Name. | Place of Abode and Business. |
|-----------------------|---------------------|--|-------|------------------------------|
| | | | | |

FOURTH

Section 17.

FOURTH SCHEDULE.

| Column 1—List of Metals. | Column 2—Quantities of not less than |
|---|--------------------------------------|
| Lead or any composite, the principal ingredient of which is lead ... | 112 lbs. |
| Copper or any composite the principal ingredient of which is copper | 56 lbs. |
| Brass or any composite, the principal ingredient of which is brass | 56 lbs. |
| Tin or any composite, the principal ingredient of which is tin ... | 56 lbs. |
| Pewter or any composite, the principal ingredient of which is pewter | 56 lbs. |
| German silver or spelter or any composite, the principal ingredient of which is German silver or spelter | 56 lbs. |

Section 25.

FIFTH FOURTH SCHEDULE.

| Act. | Sections and Sub-sections. |
|-------------------------------------|--|
| "The Police Offences Statute 1865." | Sub-sections 14 and 23 of section 5. Section 15. So much of sub-section 8 of section 16 as relates to acts or omissions with respect to dogs. Sub-sections 4, 5, 6, and 7 of section 17. Sub-sections 1, 3, and 4 of section 23. Section 26. Sub-sections 1, 11, 12, and 13 of section 36. Sub-sections 2 and 3 of section 37. So much of section 68 as relates to inciting or encouraging any person to resist or assault any constable or officer of the local authority in the execution of his duty. |

PROCEEDINGS OF COMMITTEE.

FRIDAY, 9TH OCTOBER, 1874.

Members present :

| | | |
|--|--|--|
| The Hon. R. S. Anderson T. T. a'Beckett | | The Hon. W. A. C. a'Beckett J. Balfour. |
|--|--|--|

The Hon. R. S. Anderson was appointed Chairman.
 The Committee deliberated.
 The Hon. C. J. Jenner entered the room.
 The Hon. R. Simson entered the room.
 F. C. Standish, Esq., Chief Commissioner of Police, was called in and examined.
 Sergeant James Dalton, of the city police, was called in and examined.
 The Committee adjourned until three o'clock on Wednesday, 14th instant.

WEDNESDAY, 14TH OCTOBER, 1874.

Members present :

| | | |
|--|--|-----------------------------------|
| The Hon. R. S. ANDERSON, in the chair ; | | |
| The Hon. C. J. Jenner W. A. C. a'Beckett R. Simson | | The Hon. J. Balfour J. Graham. |

Communication (Appendix A.) received from the Chief Commissioner of Police, was handed in.
 G. O. Duncan, Esq., Inspector-General of Penal Establishments, was called in and examined.
 F. A. Winch, Esq., Superintendent of Police, was called in and examined.
 W. B. Montford, Esq., Sub-Inspector of Police, was called in and examined.
 Thomas Parkinson, Sergeant of Police at Prahran, was called in and examined.—[*Witness handed in return printed as Appendix B.*]
 Mr. Francis Meaker, Crown Lands Bailiff of the Royal Park, was called in and examined.
 The Committee adjourned until two o'clock on Friday the 16th instant.

FRIDAY, 16TH OCTOBER, 1874.

Members present :

| | | |
|---|--|-----------------------------------|
| The Hon. R. S. ANDERSON, in the chair ; | | |
| The Hon. T. T. a'Beckett J. Graham C. J. Jenner | | The Hon. J. Balfour R. Simson. |

E. P. S. Sturt, Esq., Police Magistrate, was called in and examined.
 Sergeant Henry Pewtress, in charge of the Swanston street Lock-up, was called in and examined.
 Mr. Joseph d'Drew called and examined.
 The Committee adjourned until three o'clock on Wednesday, 21st instant.

WEDNESDAY, 21ST OCTOBER, 1874.

Members present :

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|---|--|---|
| The Hon. R. S. ANDERSON, in the chair ; | | |
| The Hon. T. T. a'Beckett R. Simson J. Balfour | | The Hon. C. J. Jenner W. A. C. a'Beckett J. Graham. |

Draft Report submitted by Chairman and considered.
 Bill as proposed to be amended gone through, and several amendments agreed to.
 Bill with proposed amendments ordered to be printed in such a manner as to distinguish amendments from original matter, and circulated to the members of the Committee.
 The Committee adjourned until three o'clock on following Monday.

MONDAY, 26TH OCTOBER, 1874.

Members present :

| | | |
|---|--|---------------------|
| The Hon. R. S. ANDERSON, in the chair ; | | |
| The Hon. J. Balfour J. Graham | | The Hon. R. Simson. |

Bill further considered and amended.
 Draft Report agreed to.
 Chairman ordered to report to the House.

MINUTES OF EVIDENCE.

FRIDAY, 9TH OCTOBER, 1874.

Members present:

The Hon. R. S. ANDERSON, in the chair;

The Hon. T. T. a'Beckett
J. Balfour
R. Simson

The Hon. W. A. C. a'Beckett
C. J. Jenner.

Frederick C. Standish, Esq., Chief Commissioner of Police, examined.

1. *By the Chairman.*—Have you read the Bill now before the Legislative Council, entitled the “Crimes and Offences Prevention Bill”?—Yes, I have seen a draft of the Bill.

F. C. Standish,
Esq.,
9th Oct. 1874.

2. Clause 24, Part 4, refers to offensive conduct in public of juvenile offenders—have you read that?—Yes.

3. What is your opinion of the provisions in this Part?—They entirely meet my views as to the best way of suppressing a certain class of juvenile offences. I am of opinion that whipping—not flogging—would be productive of a very beneficial effect to the class known as “larrikins,” provided it is administered with discretion. By flogging, as distinguished from whipping, I mean a judicial flogging administered in a gaol by the common hangman. I may say, that there are three classes of juvenile offenders who are collectively called “larrikins”. The first class consists of the offspring of criminal parents. These children have not had the advantages of education, and their first lisp almost is blasphemy. From the age of 11 or 12, they frequent brothels and the dens of thieves. They seldom miss the opportunity of insulting people, and of pouring out the most foul and coarse language. This is the really dangerous class to which, in my opinion, whipping would be very beneficial; for the infliction of a fine or the sending of them to gaol for two or three weeks or months has but little effect. The fines are paid by their associates, whilst they themselves emerge from prison greater heroes in the eyes of their comrades than they were before. The second class are boys of a better sort—boys employed in factories, workshops, and apprentices at different trades. These are in the habit of walking about in bands after working hours, also on Sundays and holidays, and, indeed, at all hours of the night. In their prowls they are most mischievously inclined, for they do not shrink from all kinds of annoyance to people and damage to property. The third class consists of mischievous boys whom we see in every country, who are guilty of breaking windows, pulling bells, and that kind of thing from sheer love of fun. I do not think that these minor offences that are the result of youth and exuberance of spirits should be dealt with by whipping. I think the ordinary remedies now in the hands of the magistrates are sufficient for them; but, for the first two classes, I strongly approve of corporal punishment; it should be administered as provided for in the Bill—immediately after leaving court—and they should be turned out with their backs sore. They would thus be laughed at rather than regarded as heroes by their companions; but it is essential that such punishment should be awarded with great discretion. The magistrates, in my opinion, generally err on the side of leniency; but any undue use of the whip would create a strong feeling on the part of the community.

4. Is there any other mode that you could prescribe, or any different penalty?—No, I think that much must be left to the discretion of the adjudicating magistrates.

5. That is to say, there must be some penalty, and magistrates must decide as to its application?—Yes. For my part, I think, from what I see of the way these offenders are dealt with, that there is little fear that the magistrates would be unduly severe. The punishment held *in terrorem* would have a very good effect.

6. *By Mr. T. T. a'Beckett.*—Do you think that it would be very good to have a police magistrate always a party to a sentence?—As a rule, I should prefer seeing a police magistrate deal with such cases.

7. *By the Chairman.*—If one is not available, would you entrust it to the other magistrates?—I think so.

8. *By Mr. T. T. a'Beckett.*—These outrages are most frequently committed in centres of population, and not in outlying districts?—In large towns: Melbourne and its suburbs, Geelong and Ballarat, and in Sandhurst and Castlemaine, though to a less extent.

9. A police magistrate is always to be found in those places?—Yes.

10. *By Mr. Balfour.*—One objection to imprisoning is the association and the degradation that they undergo in such confinement. How would it meet that case to give solitary confinement?—They might with advantage be confined to a cell, be kept on bread and water for some days and then discharged with a final whipping.

11. Would it meet the case, for a first offence, to give solitary confinement without the whipping, bearing in mind that the objection to imprisonment appears to be the association with other prisoners?—I would recommend whipping for a first offence, but for subsequent and serious offences solitary confinement and whipping should both be tried.

12. But there are some minor offences?—It is left optional with the magistrates to inflict whipping; the word used in the Bill is “may”.

13. My question is this—do you think that, for a certain number of offences, anything short of flogging would do. We all feel that flogging is degrading; it may be necessary; it is a thing we would not like to legislate for unless it be necessary. Now, do you think, on looking at these offences, there would

F. C. Standish,
Esq.,
continued,
9th Oct. 1874.

be any way of meeting the minor ones without resorting to flogging for a first offence, at all events; and I suggest solitary confinement as one of the proposals?—The Bill says “may adjudge” in lieu of any punishment prescribed. I think the matter might be safely left to the discretion of a police magistrate.

14. *By the Chairman.*—May we ask you whether the class of offences referred to in the fifth schedule of the Bill are on the increase or not?—I believe they are. From conversations I have had with members of the police force, I have come to the conclusion that of late they are considerably on the increase.

15. *By Mr. Balfour.*—In large towns?—I speak principally of Melbourne.

16. As we grow and have manufactories, and have this class of lads, no doubt that class of offences would increase?—No doubt.

17. *By Mr. W. A. C. a'Beckett.*—Would you flog a boy for wilfully putting out a lamp for the first time?—I would not. I do not suppose any magistrate would do so.

18. But there is the power?—The Bill says—“May adjudge in lieu of any punishment prescribed.”

19. *By Mr. Balfour.*—How would you estimate the effectiveness of a sentence, comparing a flogging or whipping with the solitary confinement for three days—which do you think would be most deterrent?—Whipping.

20. *By Mr. T. T. a'Beckett.*—And I suppose, as far as degradation is concerned, being imprisoned for a few days is degrading, is not it?—Certainly.

21. *By Mr. Balfour.*—But solitary confinement does not degrade them so much as association?—No.

22. *By Mr. Simson.*—Is not it the case that, amongst that class, a boy who has been imprisoned three or four times is a hero, a sort of king?—Very frequently it is so.

23. *By Mr. Balfour.*—Now, as to cases of resistance of the police, are they becoming seriously difficult to deal with by the police?—During the last three or four months there have been several cases in which the police have been assaulted and injured by the larrikins.

24. *By the Chairman.*—Have you the number of cases where private individuals have been injured by assaults during the same period?—No. I could cause a return to be prepared so far as Melbourne is concerned, if the Committee desire it. Some of these cases are dealt with so differently by different magistrates, that such a return would not give the information desired. It would not enlighten you as to the atrocity of the offences.

25. It is not so much the atrocity as the number of cases that we want to know?—I will have the return prepared.

26. Do you consider, as Commissioner of Police, that the force is insufficient to deal with them with the present law?—I think the hands of the police would be strengthened by the provisions of the Bill.

27. *By Mr. T. T. a'Beckett.*—Do you find that these youths are brought up again and again for the same offence under the present system?—A certain number of the leaders of gangs are constantly before the police court.

28. Constantly?—Yes.

29. *By Mr. Balfour.*—The same names?—Yes, such characters are well known to the police.

30. *By Mr. Jenner.*—Do you propose to whip them upon the bare back with the rod?—I think it should be rather lower down.

31. You would strip them?—I would, just as I would strip a schoolboy.

32. *By Mr. W. A. C. a'Beckett.*—Look at sub-section 3. Will you read that?—Yes.—[*The Witness did so.*]—“Any person who in any manner encourages, aids, or assists at the fighting or baiting of any animal.”

33. That might be anything; it might be a very harmless amusement?—It might be, but it might be attended with circumstances of great atrocity.

34. *By Mr. Jenner.*—That must be left to the discretion of the magistrates?—Yes.

35. *By the Chairman.*—It has been suggested that an addition to the police force to meet the necessity of the case would render the provisions of this part of the Bill unnecessary; is that your opinion?—I doubt it much.

36. You would rather have the provisions of this Bill in law for the use and support of the police, than a moderate increase in their numbers?—I think the provisions of this Bill would tend more effectually to suppress larrikinism than even a large increase in the number of police.

37. *By Mr. W. A. C. a'Beckett.*—Do you think it would do, if the police had power to arrest any certain number of people in the street congregated together making a row, and so on, without being charged?—Collecting in the street is made an offence under the Bill.

38. *By the Chairman.*—It is only with an intention to annoy and insult people?—Yes.

39. *By Mr. W. A. C. a'Beckett.*—A policeman told me the other day that one of the best laws would be, if they had power to take men up who would not move on; without a charge being made?—They can take them up under the provision of this Bill without a charge.

40. *By Mr. Balfour.*—But this law in that respect is rather wide, it would need a great deal of discretion in the police?—Yes.

41. *By Mr. T. T. a'Beckett.*—Under this Bill, there is no power to take them up, unless they manifest their intention to annoy, and how can you know their intention till they do something; would not it be desirable to have some power to cause them to move on?—That might be made an addition to this provision. I may observe that, as a general rule, the police are not anxious to make unnecessary arrests.

42. *By Mr. Jenner.*—Do you think that Clause 24 in Part IV. should remain as it is?—I fancy that some legal objection might be raised to the proof of “a common purpose.”

43. *By the Chairman.*—As far as you can judge, you approve of the principle of it?—I approve of the principles of the Bill.

44. *By Mr. W. A. C. a'Beckett.*—Do you say you would flog for a first offence?—Yes.

45. Do not you think respectable boys might be entrapped suddenly into some of those offences—not disgraceful or cowardly things, but such things as breaking windows?—I think that, if the magistrates err, it will be on the side of leniency.

46. You do not think it is advisable to make it compulsory for a second offence?—I do not.

The witness withdrew.

Jas. Dalton, Sergeant of Police, examined.

47. *By the Chairman.*—What is your duty in connexion with the police?—My duties are very numerous—it would be very hard for me to enumerate them.

Serg. Dalton,
9th Oct. 1874.

48. Are you not engaged in connexion with the City Court?—No, I am continually about the streets day and night.

49. *By Mr. Jenner.*—To see that the men do their duty?—Yes, and to do it myself.

50. *By the Chairman.*—Have you read the Bill now before Parliament for the prevention of crimes and offences?—No.

51. In that Bill it is proposed that, if juvenile criminals are brought up charged with offences which are set forth in the paper before you, which are chiefly offences committed by youth and provided against by the Police Offences Statute, if they be under sixteen years of age and be convicted for a first offence, they are liable to be whipped at the discretion of the magistrates and sent home, in lieu of being punished by means of the Police Offences Statute?—Yes.

52. He is to be whipped with a cane or rod at the rising of the court and sent home hot. There are two other cases, for the second offence under sixteen years of age, in addition to any fine under the Police Offences Statute, it is proposed to whip him again, or he may be sent to solitary confinement for a certain space of time, not exceeding in the whole seven days. For a third offence, if above sixteen and under twenty-one years of age, in addition to the fine or imprisonment under the Police Offences Statute, he shall have a whipping and imprisonment again, solitary. In each of those cases it is proposed to prevent those young culprits from being sent to gaol to mix with the other prisoners; but if they are confined at all, it should be solitary confinement, and in no case should the terms of imprisonment be more than seven days in each case. The young culprit would be whipped the first offence, he would be merely whipped in lieu of the other penalty, and in the other case either in lieu of or in addition to it, as the magistrate thought fit; and in the third case, in addition to the other penalty. The Committee wish to have your opinion as an officer of much experience as to what would be your ideas?—I would not like to see any boy whipped for a first offence, unless he were caught thieving, or I knew him to be very hardened. A great many of them about the streets I know to be very hardened, but it is very hard to catch them; but if I were to catch a young fellow that I knew nothing about, I would not like to have him whipped.

53. Does that arise from the goodness of your heart, or from the soundness of your judgment?—From my judgment, sir.

54. *By Mr. T. T. a'Beckett.*—What would you have done with them the first time?—Leave it to the magistrates.

55. *By Mr. Simson.*—Is it not much worse for a boy to be sent to gaol, say for seven days—is not it far worse than putting him over a form and whipping him with a birch rod?—I think not, for I think that if a boy is once publicly whipped—

56. But this is privately whipped?—But it goes abroad, and it would be a drawback to him afterwards.

57. Boys are whipped at school?—Everyone gets that.

58. Would it not be degrading a boy more to put him six days in a common gaol with the associates he meets there, than to put him over a form and give him twenty-five strokes with a birch rod?—It would not.

59. *By Mr. Balfour.*—Do you think three days' solitary confinement would be as degrading?—I think not.

60. And would it be as effective?—Yes, it would be; for I think a boy may be well flogged and forget it very soon; but it hangs to him for ever afterwards.

61. *By Mr. Simson.*—But this Bill deals with a class of boys who are supposed to have at present almost the command of the police, and to be a terror to decent people walking the streets?—Yes, I know that; and I know a great many of them are as bad that never are convicted as those that are convicted, and a great deal cleverer, and they put the others in a hole, and still escape themselves. Still a respectable young fellow might accidentally get a glass of beer and be sure to be caught, for the old birds put him in. I have seen a good deal of that.

62. It is left to the discretion of the magistrates?—Mr. Sturt is the most painstaking man in the world; yet even he might be misled by the evidence brought forward by the mob, and this boy might be accidentally whipped.

63. *By Mr. T. T. a'Beckett.*—Are not some very gross outrages committed by youths who are brought up for the first time?—There are. I say the cleverest of them always escape; for, from day to day they get recruits in the ranks, and the latest caught is put forward in the rank; and, if he is not clever enough to escape, the police are most likely to catch him.

64. But are there not very gross cases brought before the magistrates of offences committed by youths who appear for the first time before the magistrates?—Yes, I say so.

65. Would not a whipping be a very judicious punishment under those circumstances?—Yes, I am sure it would, if you always knew the right one; but what I say is, I would not like to be the cause of a mistake, and having a respectable boy flogged on my account.

66. But if it is a police magistrate, would he not be sure to discriminate between the boy you have in your mind that you would not like to see punished in this way and the young larrakin who would be only effectively punished in such a manner?—Yes, no doubt in many cases he would; but in perhaps one case in a number he would be accidentally led away with young ruffians.

67. *By Mr. Simson.*—But the police would state to the bench that this boy was not an old offender, but was now brought up for the first time?—Yes.

68. But if you have no power to whip for the first offence, the greatest ruffian might get off just on that ground alone?—Yes, no doubt, and very often he would.

69. Do not you think that the very fact of whipping being the punishment for the first offence would be a deterrent to respectable boys from acting in this way?—Yes it would.

70. *By Mr. Balfour.*—Would anything else than a whipping be a sufficient deterrent?—I think solitary confinement would be as effective.

71. *By Mr. Simson.*—But does not confinement make a hero of a boy when he comes out again?—Yes, when he has been carrying on for a long time, they look up to him; but still they like him better after doing a sentence.

Serg. Dalton,
continued,
9th Oct. 1874.

72. Which shows that a sentence of punishment in gaol is not a deterrent from crime among those boys?—No; they will say "I can do that on my head." Children will say "I can do that on my head" three months or so.

73. *By Mr. T. T. a'Beckett.*—Are there not many well-known larrikins that have been fortunate enough to have escaped conviction, and yet have been participators in a great many outrages?—I say that.

74. Then supposing that you happened to get a conviction against one of those fellows, would it not be desirable to whip him?—I would like to see him flogged.

75. But you are afraid of mistakes being made?—Yes, I would fear in after time some respectable man saying that I was the man that caused him to be flogged.

76. *By Mr. Jenner.*—But the magistrates always inquire if it is the first offence?—Yes.

77. And if the lad has been a ringleader, or has come before the court before, they would inflict a heavier penalty, no doubt?—Yes. And again, larrikins from the suburbs we think are far worse than those in town. I do not know whether it is that we know those in town, and can deal easily with them, but they have one name in town, and another in Collingwood, and another name in Richmond. And again, if you know them one year they change so much that you do not know them next year.

78. *By the Chairman.*—Why so?—They grow so, and they change. It is not like knowing an old thief. If you know a man to be a thief you know him for ever, but not so with the boys.

79. *By Mr. Simson.*—What is the average age of these boys who are a terror to the streets?—I know some of them up to 25, but those are also thieves.

80. *By the Chairman.*—Take the younger class. What is the youngest age that they begin those practices?—From twelve years. I have known them go in mobs to hoot and pelt stones at the police. You may say from eight years of age. I get children as clever for thieving and other things about Melbourne at eight years of age—you would be astonished at them.

81. And are the offences said to be committed by larrikins numerous committed by boys from 10 to 11 years of age?—I suppose from about 14 to 18; the younger only join to hoot, and, if they get the opportunity, to throw a stone, or something of that sort.

82. Then this class of offence is chiefly indulged in by youths between 14 and 18?—Yes, and up to 20; but they are beginning to get more sense. When they get up to 20, if they are not entirely bad, they begin to rise out of it.

83. *By Mr. W. A. C. a'Beckett.*—Of course you know cases of fellows breaking windows by stone throwing; do you know many cases of that?—Yes.

84. And cutting the gas-pipes, for instance?—Yes; that is, thieving.

85. No; merely cutting them to let the gas escape?—I do not know of that.

86. You do know of breaking windows and fencing, and so on?—Yes. All those professional larrikins carry shangaies with them; and they can stand here with them, and, if they owe a man at the Treasury Hotel a spite, they can break his windows, and he have no knowledge of where the stones come from.

87. What sort of boys are they who do that—what do they do?—Some of them shoemakers, and more of them will be rag and bone gatherers; and they loaf and hang about corners.

88. Are they apprentices?—About the apprenticeship and being bootmakers, I never can know when they are out of their time at all.

89. Do you think the apprentices to various trades in Melbourne, in the evening, when they get together, do these things?—I do not mean apprentices.

90. You mean boys who have no employment?—A great many in boot factories, they are very bad, and those boys who carry shangaies going about gathering rags and bones. And they lie about the corners of streets; and if you lived in the neighborhood, and you disoblged them, they will break your windows; and they will lie behind a tree, and if they do not strike the windows with one stone they will stay throwing them till they do.

91. Are any of them of a better class—children of well-to-do people; do they do those things?—No, I believe not; but I know people who have worked hard and made money, and been very respectable, whose children turned out as great ruffians as any of them; and many of them will turn out of a good bed and a good home and sleep out about the wharf and other places.

92. Children of gentlemen?—No; but people who have made money.

93. But do you think any of the boys who go, for instance, to the various colleges come out at night and do those tricks?—No, I never met with any of them; young men may be upon the spree and pull down a barber's pole, or something of that kind, but that is only sport.

94. They never do malicious damage?—No.

95. Not criminally?—No. I never see them in mobs, interfering with the police. I could always settle them. The principal thing with the genuine vagabonds is, when they get together in mobs.

96. Then those fellows have no home but boilers and so on?—A great many of them have splendid homes, if they would only go to them.

97. What sort of education have those boys?—Some of them first-rate for their age.

98. And notwithstanding their education, they do those things?—Yes.

99. *By Mr. Simson.*—Are those young scoundrels really dangerous, or becoming so, now to the police?—They are, and to the public at large. I see them going from one street to another, with, say, two or three old dogs with them, and when they come to a corner they will hold one of those dogs and commence to worry the dog, prodding him; he wants to get away from them, and they make any parties going past believe that the dog is anxious to get away and bite them, and they frighten poor old men and women. They are up to everything imaginable; and also a great many of those young vagabonds hang about after prostitutes; and boys of 14 and 15 are often found about brothels in the same way, hanging about after old prostitutes.

100. *By Mr. W. A. C. a'Beckett.*—What for?—Just to get some money out of them; and they will say "That is my b——y woman."

101. *By Mr. Jenner.*—Those larrikins do not go into the schools?—No; and if they do, they are enough to contaminate all the schools, for they are as well up as an old hand from Pentridge in all the slang and gaol talk; and when one of the genuine larrikins is discharged from a gaol, I have often seen them about in dozens, waiting to receive them. It is surprising to see the number of boys and girls—children—that assemble in front of a gaol when there is anything like a good gaol delivery.

102. *By Mr. W. A. C. a'Beckett.*—Have you known any case of repeatedly breaking windows of some particular house, where the police could not find out who did it?—I have known it, but I do not know whether it is the larrikins or the ill-will of some neighbour.

103. *By Mr. T. T. a'Beckett.*—Do you think this larrikinism is on the increase?—Yes, I do. On a fine night like this you would be surprised to see the number of them about the town, and they continue up to three or four o'clock in the morning; and if a couple of dogs begin to fight in the street, it is astonishing what a crowd collects at once.

104. *By Mr. Jenner.*—Does the police force require any more force to deal with this evil?—If the police could disperse them, or take them up for being in mobs—they are powerless if you break up the mob.

105. *By Mr. W. A. C. a'Beckett.*—You cannot deal with it now, unless a charge is made?—No; we may see a mob from a distance, and throwing stones from a considerable distance, for they will not let us get near them except by chance; but if you can catch one or two of them, and know them to be of the same mob, that is the only way we can deal with them now.

106. *By the Chairman.*—Will you read the 24th clause, and see if you think it would meet your views in that respect?—I do. I think it would do, for the police do not care about them in small mobs of three or four, but if seven or eight of them get together, and the constable speaks to them, they insult him. To me they do not do that, for even if I do not know them they think I do; and if they are planted at any corner of any street, they take another corner.

107. But generally?—Yes; but they will stop there till another constable does go past, and tells them to get up and go away.

108. Do they ever insult the police?—Yes, especially in the night; but in the day time, too, if they are numerous, they become bold. If one of them is misbehaving himself, and one constable alone goes to arrest him, they set upon him then.

109. *By Mr. W. A. C. a'Beckett.*—Have those larrikins any degree of education at all, or any kind of moral or other training?—Yes, the worst of them in general, as we look upon them, are the shoemakers, and they can earn very good wages at times, but I believe business is slack now at the factories; but all those have prostitutes of their own that go to the brothels at the night time. If they keep away a week they are sure to go there on Saturday night.

110. That is, all those who earn any money?—Yes.

111. But the younger boys whom Captain Standish classified—the first class being the rag and bone gatherers—have they any sort of education at all?—Very few of them.

112. Are they utterly ignorant, do you think, of the first principles of right and wrong?—They know it well enough and are very wide awake at twelve years of age, and they are fit to lead a man of seventy years of age astray as far as lying and so on is concerned. They will tell you their parents are dead, and they are orphan children, if it answers their purpose.

113. Can the boys that do this read and write?—Some of them can.

114. Questions are asked of those boys sometimes whether they know about the ordinary truths of scripture and so on—do they know that?—That is never asked at the watchhouse.

115. Evidence is given in court of those points though; have you any idea of their knowledge upon those matters?—I have no idea.

116. *By Mr. Jenner.*—They always know when they do wrong, however?—Yes, they do.

117. *By Mr. W. A. C. a'Beckett.*—But you do not know whether they are utterly destitute of any moral training?—They are asked what religion they are of.

118. Do they know that?—At times I have seen that they did not, or sometimes they pretend not to know; but that is to lead the police astray, by saying that he is a Roman Catholic one time, and another time a Protestant. And sometimes again he will say he does not know.

119. They do it for the sake of deceiving?—Yes, they do it for the sake of deceiving.

120. You think they do know all the time?—Yes, they do.

121. You think none of those larrikins are ignorant that there is such a book as the Bible, or that there is a God?—They all know that.

122. *By Mr. Jenner.*—Do you think that, if more power is given by this proposed Bill, the police will be able to put down the nuisance complained of?—I think they would in a great measure; I think this would nearly cover it, for if they were broken up, and afraid to be together, the police would be able to manage it.

123. Under the 24th clause you would be able to arrest the ringleaders?—I may not be able to catch the ringleaders, but if I could catch any of the mob, and bring a charge, that frightens them; and even if I could not catch them at the time, if I could get a summons, that would frighten them. They never care to stand if they think anything is coming upon them afterwards.

124. *By Mr. Simson.*—What do you think of flogging to frighten them?—I think it would have a great effect upon them; I am sure of it.

125. *By Mr. W. A. C. a'Beckett.*—Worse than imprisonment?—Yes, I am sure of it; they do not like the thought of it at all.

The witness withdrew.

WEDNESDAY, 14TH OCTOBER 1874.*Members present:*

The Hon. R. S. ANDERSON, in the chair;

The Hon. C. J. Jenner
W. A. C. a'Beckett
R. SimsonThe Hon. J. Balfour
J. Graham.

G. O. Duncan, Esq., examined.

G. O. Duncan,
Esq.,
14th Oct. 1874.126. *By the Chairman.*—You are Inspector-General of Penal Establishments?—I am.

127. In that capacity, have you had a great deal of experience in respect of offenders commonly known as “larrikins”?—I have, although only recently.

128. You have had an opportunity of reading Part V. of the Bill now before the Legislative Council for the better prevention of theft and other matters?—I have.

129. Do you consider legislation is necessary for the curbing of the offences which are now perpetrated by this class of individuals?—I think so; but I have not had an opportunity of knowing much myself of these lads, except after they come into prison. I do not know much of their conduct outside.

130. In your experience, have you seen young lads convicted and sent to prison, and obliged to associate for the whole time of their sentences with offenders of a more pronounced criminal type?—I have.

131. Do you think it is desirable to prevent that?—I think it is highly desirable.

132. Do you think the provisions in this Bill would accomplish that—the provisions being in the first instance to flog a boy for a first offence and send him home, and for a second offence to give him a more severe punishment, but keep him apart altogether from the criminal classes?—I think it would have a good effect, so long as that punishment was not inflicted except in cases where there was unusual depravity or cruelty of disposition shown. I do not think it should be lightly inflicted.

133. You are aware that under the existing law the penalty for a first offence may be imprisonment?—Yes, I am aware of that.

134. Would not it be an improvement in the law, in your opinion, instead of imprisonment, to give corporal punishment in such cases?—I understand by corporal punishment, punishment inflicted upon the breech with a cane or birch?

135. Yes, privately on the breech?—I think it would.

136. *By Mr. Simson.*—Do you not think that flogging would be a greater deterrent from that crime than mere imprisonment?—I think so, inflicted as it is proposed to be.

137. Imprisonment is not thought a degradation now, I believe, but rather makes those offenders appear better in the eyes of their fellows?—Some do feel it a great degradation, but then those who belong to the criminal classes or are associated with the criminal classes, look upon imprisonment as very little degradation—there are exceptions.

138. The general run of them are of that class who do not think imprisonment derogatory?—Yes.

139. *By Mr. Balfour.*—On the last occasion we had evidence from Sergeant Dalton to the effect that, as regards those convicted for larrikinism, often the less guilty were put forward, whilst the more guilty managed to escape, and that therefore the least deserving of severe punishment were those who were caught by the police and were punished accordingly?—That is frequently said, but it would be better known to the police.

140. Supposing that to be the case, that class of lads who had not been convicted before would feel imprisonment to be a deep degradation?—No doubt they would; if they are once placed in prison they must lose some portion of their own self-respect. I do not think they would lose so much by more summary punishment and being sent away.

141. Do you consider that solitary confinement from one day to three days would have the same evil effects as ordinary imprisonment?—I think solitary imprisonment would not be so prejudicial as ordinary imprisonment, still they would be branded as having been in gaol for a certain period. I should say to a certain extent that might lessen their self-respect.

142. More than flogging?—Yes, as proposed, it is but a schoolboy's punishment.

143. Except ordered by the bench and inflicted by a policeman?—Yes.

144. Another question is this. Would you be disposed to recommend such punishment—that is, flogging in the way proposed for a first offence?—Not as a rule.

145. What is your opinion of flogging by way of punishment for a first offence?—I think flogging should not be inflicted for a first offence. That is my own view of it, but I do not think for a first offence there should be any punishment except it was serious. If it was a culprit of whom little or nothing was known, he should be admonished.

146. *By Mr. Simson.*—Say that this is not inflicted, you have to fall back on the law as it at present stands. Is it not a greater ignominy for a respectable boy to be sent to prison for three days in solitary confinement? would not he have a greater horror of solitary confinement than of flogging?—Yes.

147. Do you consider a boy would be more disgraced by being whipped privately in the magistrates' room and turned out than by being sent for three days to gaol, say?—I think he would be more disgraced if sent to gaol.

148. And which do you think would be the greatest deterrent from the offence we are considering?—I am looking at two things; first, at the deterrent effect, and then at the consequence upon the boy himself afterwards. I think the birch would be a deterrent—the whipping—and there would not be the same feeling of the loss of self-respect on the part of the boy.

149. *By Mr. Balfour.*—You have already said, you think that, for a first offence, you prefer a caution and dismissal?—Yes.

150. That is the first offence, where the boy or lad has never been known to have been associated with this class?—Yes.

151. But wherever a lad brought up has been guilty of the offence, or had the repute of being so, you would give a flogging?—Without hesitation, then.

152. *By Mr. Simson.*—Do you not think that this would prove to be a deterrent to the respectable boys joining this class?—What?

153. This provision?—Do I understand you to mean, would the flogging be a greater deterrent to such lads than imprisonment?

154. Yes?—I think it would operate upon respectable lads about equally. They would both alike feel it a great disgrace.

155. *By the Chairman.*—Do you not think that boys who have had no experience of solitary confinement would not be able to appreciate the nature of the punishment. Might they not think that solitary confinement was much more easily borne than those who have experienced it have found it to be?—If I may judge from my own youthful recollections, I used to think solitary confinement must be a most frightful punishment, beyond anything I could imagine.

156. Would you think that, if a provision was in this Bill enabling the magistrates to forego any portion or the whole even of the strokes proposed to be given for a first offence would meet the case, leaving it to the discretion of the magistrates, whether the punishment should be carried out in its entirety, or at all, or would you suggest any other mode by which this matter should be dealt with than merely letting the criminal go free?—I fear I have not made myself understood. I understand the lad brought up to be one who has either had a good character previously, or one who has had a bad character previously, and I think that that previous character should be taken into consideration in awarding punishment; and where the lad has had a good reputation previously and the offence is not a serious one, in my opinion he should be let go with a caution.

157. Have you seen this list [*handing one to the witness*]. These are the offences which are the subject of this part of the Act?—An offence in type sometimes looks very different to what it does when the offender is before the Court to be dealt with.

158. *By Mr. W. A. C. a'Beckett.*—This return shows 175 convictions since the 1st of April 1874 in Melbourne and the northern suburbs. Among these there is assault; assault on the police; insulting behaviour; damage to property; larceny; drunk and disorderly; and vagrancy. Do you think, even for a first offence in any of those, you would discharge the offender with a caution?—Much depends upon the circumstances.

159. Considering that you would not flog for a first offence, would not it be advisable for the bench to have power to fine the parents of people under twenty-one?—Oh, yes. I think, in a very large number of those cases, the parents are more to blame than the youths themselves.

160. Say for one offence, at least, would it not be advisable, and be deterrent, too, to fine the parents, not the individual, for a first offence?—That is a matter that requires some consideration. If it be a lad of eighteen or twenty, as has been stated, he might, without the knowledge of his parents, act thus; but I look upon these offences as arising in many cases from a want of early training.

161. *By Mr. Graham.*—A boy of that age may have left his parents altogether.—Yes.

162. *By Mr. W. A. C. a'Beckett.*—What do you understand as regards the word “larrikins,” as to the age?—I have scarcely been able to satisfy myself.

163. Under the age of twenty-one—there are many that come under your notice between the ages of fifteen and sixteen?—Very young lads are generally sent to the Reformatory.

164. *By Mr. Graham.*—Up to that age, do they send them to the Reformatory?—Up to fifteen.

165. After the age of fifteen, do you separate them from the other criminals?—They are always kept apart. I have a lad now who has been in prison for twelve months, and I have not allowed him to have any conversation with any prisoners. He is only fourteen now.

166. Can you do that with any number of boys?—Yes, with a greater number than we have heretofore received.

167. What hard work do you put those lads to—are they taught any trade?—No, we cannot teach them trades; we have not facilities for it.

168. *By Mr. W. A. C. a'Beckett.*—Have you the superintendence of the Reformatory?—Yes, the Reformatory boys are taught.

169. Between the ages of six and fifteen, have you noticed any diminution in the number of criminals of that age within the last year or two. Has the Education Act made any great difference?—There has been no diminution. The numbers are as great as they were, but the number of youths going into prison has fallen off, when compared with the increased population.

170. *By Mr. Graham.*—Within what time?—Within the last two years.

171. *By Mr. W. A. C. a'Beckett.*—Since the Education Act?—I cannot say. That Act is partial in its operations yet.

172. *By Mr. Simson.*—Can you suggest any better method of dealing with that class than the method proposed now?—No, I cannot think of any.

173. Taking it for granted this is an evil grown to such an extent that the town in many parts is unfit for males or females to walk in after dark, could you suggest anything else that would be an equally good deterrent against crimes of this nature, as the one proposed in the Bill?—No.

174. *By Mr. W. A. C. a'Beckett.*—To take care that no person shall be harshly dealt with or flogged, not being a determined larrikin, do you not think a previous conviction being shown would be sufficient to guard against that, as it would show that they were incorrigible, and that previous conviction would be the best guide to the magistrate as to whether they were incorrigible?—Yes; I should like to say generally I am opposed to flogging in any shape or form, if it can be done without; but as proposed in the Bill, with the limitations I have suggested, I think it would be upon the whole the best.

The witness withdrew.

Frederick Alfred Winch, Esq., Superintendent of Police, examined.

175. *By the Chairman.*—Will you give the Committee any suggestions you may have to offer as to the best mode, in your opinion, of punishing the description of crime known as “larrikinism”?—My opinion is that, as far as the imprisonment is concerned, experience shows so far that it is no deterrent whatever, for records show that some of those boys have been sent to gaol six and seven times—time after time.

176. Up to what age?—Up to 16 and 17 and 18 years of age, and 19 years of age. When they come out, they seem to be just as reckless as ever. The punishment does not seem to have the effect of deterring them from committing offences of a similar kind.

F. Winch, Esq.,
continued.
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177. And do you think that whipping and being prevented from associating with other criminals in gaols, in case they should be obliged to be sent there, would be an improvement on the existing law?—To my mind, there is no doubt a whipping would have the effect of suppressing what is called “larrikinism” altogether, or very nearly so.

178. Some persons are very averse to the punishment of whipping being inflicted for a first offence; what is your opinion in that respect?—It depends a good deal upon the character of the offence. As a rule, I should not be disposed to flog boys for a first offence; but I think it might be inflicted where they become, as might be considered, incorrigible—that they should be then flogged. I would treat those more as badly conducted boys, and give them a whipping, as you would bad boys. It would take all the heroism from them. If it were done otherwise, they would go out as heroes to their companions again.

179. Would you make a special provision for boys of previous good character who had committed a first offence, or would it be sufficient to leave it to the discretion of the magistrate?—Where it was shown the boys had been otherwise respectable and well conducted, I would not flog them. I would not leave it to the discretion of the magistrate. I should say they should have no power to flog boys for the first offence, if it was shown that they had been before that well-conducted, decent boys.

180. What would you do in such a case—would you inflict no punishment, but let them go with a caution?—I think so. They would know then what they would have to expect if they committed themselves again in a similar way.

181. *By W. A. C. a'Beckett.*—If the parents of boys, up to a certain age, say for one offence, were fined, what then?—I do not think that would be any good. It would not be a punishment to the person committing the offence.

182. Are the parents not responsible for it a good deal?—Theoretically, but not practically. It would in effect punish the parent, even though he may come before the court and show that he has done all that he could to prevent those children committing themselves, and has tried to keep them out of the streets.

183. *By Mr. Jenner.*—Would you not punish a boy for a first offence?—It would depend entirely upon the nature of the offence. If it was shown he had been led away by elder boys, I would admonish him, and he would know that, if he came again, he would be severely punished.

184. If you let them off free, would not it encourage those boys?—Not with the terror of flogging overhanging them.

185. If the police think they are justified in arresting certain boys, even though it is the first time, do you not think they should be punished—they are according to the present law?—I mean to say this, if those boys have hitherto borne a good character, and they are unfortunately led away, I think they should be cautioned for a first offence.

186. *By Mr. Graham.*—There are many boys that by habit and repute are very bad indeed, whom the police never have been able to bring up and get convicted?—Then it would become a question of character; they must be able to prove that hitherto they have been properly conducted and well-behaved boys; this would be a matter of evidence—the police could go into the box and say, “Though it is the first offence, we know him to be an ill-conducted boy,” or the reverse.

187. *By Mr. W. A. C. a'Beckett.*—Would not a previous conviction be the best evidence?—I would look upon the record of a boy having been brought up, admonished, and sent about his business as a previous conviction.

188. Would you not demand evidence that he had been convicted or even brought up before you flogged him?—Yes, that is what I say; but the fact of this admonition in respect of the first offence recorded against him would be sufficient; he should be flogged after that.

189. *By Mr. Balfour.*—Would you not consider it sufficient to justify, under the new Act, flogging, if the police could swear to his being of the habit and repute of the class?—It would be difficult to embody that quite in an Act.

190. Repute?—Just so.

191. *By the Chairman.*—Supposing the first offence happened to be one of breach of trust, would you, in such a case, have a provision that the magistrate should be bound to acquit the boy, because it is a first offence?—If it was an offence of great atrocity, it would not come under the head of “larrikinism”; violent assaults on the police could be dealt with under the Police Act quite outside this Act, if necessary.

192. Supposing a very bad offence be committed by a person who was for the first time brought up by the police, would you provide in that case, being a first offence, the offender should be discharged?—No.

193. Does not that of necessity bring you to this, that the magistrate must have a discretionary power?—No, not altogether; because, if it were proved to the court, that this was an offence of a very mild character, associating with those larrikins and being concerned, perhaps, in some slight disturbance, I think then the boy might be discharged; but if he was guilty of a very serious offence, such as assaulting the police or inciting others to do so, then the magistrate under the Statute would punish him for that.

194. Would you not then have to schedule what you consider such offences as the magistrates would be bound to let a boy go for?—No, I think not.

195. There is a provision in this Bill, that the magistrate in whose presence the whipping is proposed to be inflicted shall have it in his power to remit the whole or any number of strokes proposed to be inflicted?—After the sentence?

196. Yes?—I do not approve of it at all.

197. This is the clause as proposed to be amended: “Such whipping shall be inflicted in the presence of one or more of the convicting justices”?—I think it would defeat the whole object of the clause. The justices sitting will hear the evidence calmly and impartially, and order a certain flogging; then possibly, before that is carried out, the parents of those children may go and talk to a tender-hearted justice, and he goes into the yard and perhaps does not like the appearance of it, and suddenly says, “Oh, never mind; take him down.”

198. Does not that provision come near to your proposal of letting him go free?—If he is ordered a flogging, it should be carried out in its integrity, and should not be interfered with, except by a higher authority than the court ordering it.

199. *By Mr. W. A. C. a'Beckett.*—Do you think the presiding magistrate would not be at all a fit person to see the punishment carried out, or would you leave it entirely to the police?—I think it might be left to the superintendent or inspector of police of the district to see it done; but I do not think you will find the constables will undertake the flogging.

200. But if they are ordered to do it?—I do not think it would be right to order them to do it; and if they were, many would sooner resign their position altogether. It is not their duty to act as public flagellators. F. Winch, Esq.,
continued,
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201. *By Mr. Jenner.*—You think some person could be appointed simply for that purpose?—Some prisoner would do it willingly enough, if he got an extra ration, or something of that sort for doing it.

202. Could not some of the police be got to do it without going to the prison?—I have great doubts upon it.

203. *By Mr. W. A. C. a'Beckett.*—Have you heard any expression of opinion on that?—No; I have been twenty-three years in the police force, and I know their feelings—they would risk their lives readily, but not become public flagellators. I think they would consider that derogatory to them as police constables, and more than that, it forms no part of their duty. Then again, how are you to select the men for the duty—if you go for volunteers, you would not get one, and it would place me in a most invidious position to call upon me to tell off some one to do it.

204. *By Mr. Balfour.*—Have you anything else to add to your evidence?—Some time ago, under the Criminal Law and Practice Statute, 35 Victoria, justices were empowered to flog for offences against the 36th section of the Police Offences Statute—indecent exposure of the person and analogous offences, and as a matter of fact, since that became law, that class of offences has very much decreased indeed, and I do not know that there have been more than half-a-dozen, if so many, where it has been necessary to carry out the power of flogging: the very fact of having this power, I know, has acted as a deterrent.

205. *By Mr. Jenner.*—Would not the same apply to the larrikins?—The first offence of a larrikin is a very different thing from exposure of the person.

206. *By Mr. Simson.*—A first offence may be charged against an ordinary ringleader of one of those gangs—he may be caught inadvertently at last, perhaps—if that boy is caught—if you say there should be no punishment for a first offence, you must equally make it apply to him as to a respectable boy?—Yes, but the question was put to me and, perhaps, I answered that portion rather hurriedly, and from what falls from the honorable members of the Committee, I should be, perhaps, disposed to withdraw what I said with respect to not giving justices discretion in these matters; otherwise, there would be a difficulty in classifying the offences.

207. *By Mr. Balfour.*—Hence, do you not consider that the evidence of the police to that effect would be sufficient?—You see then it would become a question of evidence as to the boy's character.

208. Would not it be "habit and repute"?—That would be a matter for the discretion of the justices then, after hearing the evidence of the police.

209. You would take out the power of a magistrate to flog for a first offence, the boy having neither habit nor repute of being connected with those so convicted before?—It is surrounded with difficulties; after all, it must be left to the discretion of the justices.

210. *By Mr. Simson.*—Otherwise, you might be guilty of class legislation?—Yes.

211. *By Mr. W. A. C. a'Beckett.*—You alluded to accusations against people, of exposing their persons—are not most of them trumped up cases?—No, cases come often under my knowledge of men exposing their persons and indecently assaulting young children in the public gardens. I get notices of such complaints from women, but they must be taken with a considerable number of grains of salt.

212. *By Mr. Jenner.*—As to Part I, I wish to ask a question—the first part of this Bill as it stands at present refers to the prevention of theft by marine store dealers and others. I want to ascertain, or to ask if you can give any opinion as to what these people do with the goods that they steal; do they dispose of them to the marine store dealers principally, or is there any particular way of selling articles?—It depends upon the sort of article; but lead, iron, bottles, and things of that sort, are all disposed of to these marine store dealers.

213. At St. Kilda, where I reside, not only myself, but those in the neighborhood lose their fowls, clothing hung out to dry, garden tools, and property of that description almost every night—how do they dispose of those articles, and to whom are they disposed?—Very often children are put up to steal those things, they take them home to their parents and they are used, and in other cases they are disposed of; and often the clothes are torn into rags and sold to marine store dealers—rags and such things are easily sold to marine store dealers—they encourage these boys and hire them for the purpose. I have known cases where astute boys have sold things to marine store dealers, stolen the same articles from them and sold them to them again.

214. Do you think the first part of this Bill would be an improvement on the former Bill?—To a great extent.

215. *By Mr. W. A. C. a'Beckett.*—Do people in very poor circumstances set their children to go and steal things from their neighbors?—Yes.

216. Teach them to do it?—Yes.

217. And live on it?—Yes, I know that as a fact.

218. *By Mr. Simson.*—Is larrikinism really such a serious thing to deal with as it is represented in the public press now-a-days?—It is very bad indeed; you only have to go into Bourke street on Saturday nights, you will see them in hundreds, and you would scarcely believe the language that comes out of the lips of little boys just lisping—mere children almost.

219. *By the Chairman.*—Have you anything further to add to the evidence you have given?—I wish to add this, with respect to the assemblage of three or more. First of all, it would be difficult, if not impossible, to prove any common intent on the part of the boys. I think there should be a clause, what is called in London "the moving-on clause," where if you saw a number of those lads, or anybody in fact—practically it would point to them—who are always hanging about public-houses and lanes at night; there may be from five to twenty leaning against the door posts and the windows of the houses, and spitting right across the pavement. What I mean is, that the police should have the power to order those fellows to move on, and not allow them to assemble at the corners of the streets and those other places at all, and if ordered to move on and they refuse, they should be arrested, and a penalty, say of 40s., inflicted on them for this.

220. *By Mr. Jenner.*—The police in London have that power?—They have, but we have not here. I know that power is given to the police in that direction at home.

221. *By Mr. Simson.*—Would these boys feel whipping or imprisonment the greater degradation?—I am sure they do not feel imprisonment as the slightest degradation; on the contrary, they come out as little heroes, and are met by their companions, and cheered and shouted to.

F. Winch, Esq.,
continued,
14th Oct. 1874.

222. Your opinion is, that a whipping would have a deterrent effect?—I am perfectly convinced of it.

223. *By the Chairman.*—When a fine is inflicted, is not it the case, the fine is frequently collected among their associates?—Yes; that is a common thing. I believe, to some extent, they have a fund to meet such things.

224. Is not it a fact therefore that corporal punishment is the only mode in which they can be dealt with?—I believe it is the only way to effectually deal with and put a stop to it.

225. *By Mr. Simson.*—Do you not think, if there was no getting off at all for a first offence, it would act as a great deterrent of respectable boys going into the company of those lawless boys—that is, no getting out of punishment, because it was a first offence. Would not that be a means of keeping respectable boys out of the company of those who would get them into such a position as would make them liable to punishment for a first offence?—I think hardly so. And I think sometimes a word in time to boys in that way has the desired effect. They say “I have made a fool of myself, and I will not go among them any more,” and you see no more of them. I think there are boys who are not really bad, who have been led away, and in those cases an admonition might be a good thing.

226. *By Mr. Balfour.*—What do you think of solitary confinement?—I think it is an admirable thing.

227. *By Mr. Simson.*—Would it be as much a deterrent to a boy of 16, say, as a whipping?—No, because they are flogged like bad boys, instead of being made heroes of in gaol.

228. *By the Chairman.*—It is humiliating?—Yes; they go back shamefaced, and with a sore back.

The witness withdrew.

William Bradish Montfort, Esq., examined.

229. *By the Chairman.*—What is your position in the police force?—Sub-Inspector of Police.

230. Have you had much experience in connection with the offences usually committed by youths under twenty-one years of age?—I have been twenty-one years and a half in the police force, and I have been two and a half years in Melbourne in direct contact with the larrikins, doing duty night and day.

231. Have you read the provisions in this Bill?—Not till within the last half hour.

232. Do those provisions appear to you to be likely to accomplish what they are intended for, or have you any suggestions to offer to the Committee as amendments upon them?—I think the provisions are adapted for the purposes intended.

233. Then you would be in favor of giving personal punishment in preference to imprisonment in certain cases?—Certainly.

234. Would you be good enough to state any exceptional cases you think of?—I would not be in favor of whipping for a first offence. Under these sub-sections in connection with the fifth part of that Act, if the numbers were altered from first, second, and third, to second, third, and fourth, it would be better.

235. Then, for a first offence, would you be inclined to give any punishment, and if so, what?—I should say solitary confinement for twenty-four hours in a lock-up.

236. For a first offence?—Yes.

237. Would you not discriminate between the perpetrator of a first offence being a person who may have simply escaped early punishment and a first offender who is for the first time known to crime?—I think it would not be right to flog them at all, unless it were proved that they were associates of thieves and prostitutes and persons of that class, to be proved by two witnesses, and that they are embryo criminals; otherwise respectable youths who might get accidentally into their company might run the risk of being flogged. In fact, it should not be left to the magistrate's option and power to do so.

238. Why do you think solitary confinement would be likely to be more beneficial as a punishment for a first offence than a whipping?—I say “solitary,” so that they shall not be brought in contact with criminals. If possible, I would confine them to the lock-up for the first offence, as is done now by the police magistrate, to avoid it.

239. Do you think imprisonment has more terror to the youthful imagination than whipping?—No, such imprisonment is the lesser punishment of the two.

240. Then would not it follow, it would be less effectual?—I would not resort to whipping, except in extreme cases. Hence, for a first offence, I would imprison for a short period, and then, if the offender was brought up a second time, he would come under the category of the youths who should be flogged by the alteration of first offence to second offence.

241. Supposing it was only a charge of a first offence, but that the party had been guilty of many things for which he was not caught, and which could not be actually proved against him; would you not make a distinction between him and a lad not known to the police at all?—I said before, that he should not be flogged, unless he was a larrikin within my meaning of the word, as I have described it.

242. Would you be in favour of retaining the provision in the Bill of flogging for a first offence, if the magistrates had discretion to remit any part or even the whole of the punishment, if they thought fit to do so?—Yes, if discrimination were used in the way I have described, otherwise it would be dangerous. There is always a first step to crime. A youth of 14 or 15 gets on the spree—as it is termed—and the larrikin class are so acute, they are certain to let him in. If any of them is caught, it will be him. The consequence is, that this unfortunate fellow, the first or second time he has been out in the streets, is brought up and flogged and the bad ones get away; in fact, the worse he is, the greater are his facilities for getting away. There are hundreds actually at present known to the police that could be proved to the satisfaction of the magistrates to be dangerous, and them I would flog, because nothing else will cure them.

243. Do you think that it might be left to the discretion of the magistrates, according to the evidence that would be brought before them on the points that you now indicate, to decide whether the party should be flogged for a first offence, or would you absolutely prohibit it for a first offence?—I would prefer leaving it to the magistrates; but I have known magistrates to whose discretion I would not trust, and there would be the difficulty.

244. Supposing it were provided that there should be two magistrates, and one of them should be a police magistrate, would you have any hesitation then?—None.

W. B. Montfort,
Esq.,
14th Oct. 1874.

245. *By Mr. Simson.*—Do you really think that the punishment of the birch rod to the boy, as proposed under the Act, on the breech, is a greater degradation than being sent to gaol for a first offence?—No; it is a degradation to a boy properly brought up, but imprisonment in gaol would be a greater degradation to a properly brought up young lad. As regards the classes of offenders I referred to, I would advocate the use of the birch too; it is the only way you can reach their feelings.

W. B. Montfort,
Esq.,
continued,
14th Oct. 1874.

246. For a first offence under the present Act, they must be either fined or sent to gaol?—Yes.

247. Do you not think it would not have merely a more deterrent effect, but be less degrading to a boy to be birched in the way it is now proposed than imprisonment?—Certainly; the moment he goes to gaol he comes within the category of a criminal.

248. Therefore would you not think it a greater degradation to a respectable boy to be sent to prison, than to have a birching?—Having regard to being on the gaol books, in the moral point of view, I would.

249. Not only is it less degrading, but it would have a better effect in preventing the boy's joining the class of boys who would get him into such trouble?—I am quite willing to leave it to the discretion of the police magistrate.

250. *By Mr. W. A. C. a'Beckett.*—Do you think the police would make any objection to administering the Act?—It would never do for a constable to be a public flagellator.

251. *By Mr. Graham.*—Would it cause respectable men to leave the force, if they were likely to be called upon to act as public flagellators?—I am certain of it, and it would have a great effect in destroying the *morale* of the force. Whatever you may call it in the press, or the Act, still the constable would be called a public flagellator.

252. *By the Chairman.*—Can you make any suggestions as to any person who can do it?—There is a man at present frequents the watchhouse. He is a messenger, and is not employed by Government, but gets a living by taking messages for prisoners—men locked up and waiting to be bailed out. That man, or a man of a similar description, could be utilized for the purpose.

253. *By Mr. Simson.*—Could you depend upon men like that; is he the sort of person wanted?—I think so. He would have the fear of losing his billet, as it would be done before a justice of the peace.

254. But by the amendment of the Act, it is proposed to be done before one or other of the convicting magistrates?—That is better still, because the convicting magistrate would know the circumstances under which he ordered the whipping.

255. *By Mr. Graham.*—Would there be any difficulty up the country in getting a man to do this—you have only answered about Melbourne?—Because you can get a class of men in Melbourne you would not get up the country.

256. Do you think, men in prison, by giving them some little indulgence, would do it?—There would be a difficulty in certain townships, I am sure.

257. But larrikinism does not prevail in those townships?—No, my impression is, the moment this Bill becomes the law of the land, the use of the rod will rarely be found necessary.

258. In cases where flogging has been resorted to, has it had a deterrent effect?—Certainly, in the case of indecent exposure, for instance.

259. *By Mr. Balfour.*—You stated, very generally, that those who are not confirmed larrikins are those who are put forward by the others, and are those likely to be captured by the police?—The genus larrikin are very cowardly?—They go together in gangs scarcely less than ten, you never find one by himself, and, if one of those youths gets amongst them, he is usually a more self-reliant and determined character. He is not afraid of the police, and generally, he is foremost in the row.

260. And these are those most usually caught?—Yes, and the others would get away.

261. You would then prefer to leave it to the discretion of the magistrates, one being a police magistrate, whether one of that class should be flogged for a first offence, or would you put it in the Act that those who were convicted for a first offence and were not by habit and repute larrikins, should not be flogged?—I would leave it discretionary, a police magistrate being on the bench.

262. Still, in your opinion, no such lad should be flogged for the first offence?—I would not, if I had anything to do with it.

263. *By Mr. W. A. C. a'Beckett.*—Would not the safest way be to have a previous conviction shown?—Of course, if I had anything to do with it, I would call upon two policemen independently to say if they knew anything of the boy's character.

264. *By Mr. Balfour.*—And have no practice fixed in the Act?—I think you might safely entrust it to the administration of the police magistrate and the other justices. Much more important functions are performed by him. There are one or two other things I wish to refer to, viz., the great difficulty we have in the city, especially of Saturday nights, when larrikins assemble in great numbers from the suburbs, Collingwood and elsewhere, is this, the constable on the beat is not allowed to disperse them unless they commit themselves. In some places ten, fifteen, or twenty assemble; they are perfectly quiet when the constable passes, but it takes him nearly twenty minutes before he goes up and comes back again, and that leaves the larrikins an opportunity of obstructing the people and committing offences. Now, unless the constable has power to move them on, the same as in London, there is nothing in the proposed Act enabling us to deal with it—we want what is called "the moving on" clause.

265. *By the Chairman.*—You are in favour of a provision that would enable you to disperse people hanging about a place without any business?—Yes, decidedly. I have seen respectable people of a wet night have to leave the footpath and go out on the road just because we could not disperse those larrikins. If we had had the power, we could have made them move away. Another point I wish to bring under the notice of the Committee is, that in certain parts these lads are in the habit of gaming on Sundays and other days in partially fenced open spaces (private property) which are no thoroughfares, and consequently we cannot get at them through this Act, because the public have no right of resort to these places.

266. *By Mr. W. A. C. a'Beckett.*—Do you trace any evils of larrikinism in connection with the Chinese?—No. In fact, they are often the victims of the larrikins. I got assaulted by the larrikins when I first came to Melbourne, when endeavoring to protect a Chinaman.

The witness withdrew.

Thomas Parkinson examined.

Mr. T. Parkinson,
14th Oct. 1874.

267. *By the Chairman.*—What are you?—A Sergeant of Police in Prahran.

268. Have you had much experience at Prahran in respect of the offences that are committed ordinarily by lads under 21 years of age?—I have.

269. Are the offences committed by lads of that description on the increase or decrease?—I have compiled a return which extends over a period of twelve months ending 14th October, 1873, also a second return up to 14th October, 1874, which shows that, in the case of drunkenness, there has been an increase of eleven cases; that in the case of insulting behavior and language there has been an increase of seven; in the case of larceny there has been a decrease of nine cases.—[*The return was read.*—*Vide Appendix B.*]

270. Is it your opinion that personal punishment would have a deterring effect upon criminals of this class, if it was applied instead of the punishment that is provided under the Police Offences Statute?—Under 16 years of age they should be fined, or have solitary confinement, not over three days, for the first offence. As to the second conviction, my opinion would be, that there should be whipping and solitary confinement for a similar class of offence.

271. *By Mr. W. A. C. a'Beckett.*—You think the flogging should not be inflicted except they proved to be incorrigible?—Yes; I have had great experience among this class, and I would give them all one chance.

272. *By the Chairman.*—Do you think that imprisonment is better calculated than flogging to deter from crime?—Yes, for the reason I have assigned—that respectable children may get incorporated with and become contaminated by them.

273. Is not it a greater degradation to a respectable boy and to his respectable connections to have him imprisoned than to have him whipped?—That is a matter of opinion.

274. *By Mr. Simson.*—You are asked your opinion?—If it was my own boy, I would sooner see him whipped and sent home to me than be imprisoned.

275. *By Mr. W. A. C. a'Beckett.*—This provides, it is to be done by a police constable; would the police force agree to that?—No, it would bring them into contempt; to a certain extent they are in contempt here too much so now.

276. Would it be an indignity to them?—Yes.

277. Would they be branded as public flagellators?—No doubt.

278. Do you think they would resign sooner than do it?—Yes.

279. *By Mr. Graham.*—Do you think a fine is any punishment to boys of this class?—Not for a second offence.

280. For any offence?—No, I do not; because as soon as they are fined—if a boy is fined ten shillings or a pound—as soon as it is made known outside the court, the fine is immediately paid, and that is no punishment to the boy. Perhaps the remarks from the bench might have some effect on the boy or his parents.

281. *By Mr. Balfour.*—Our idea is, that a first offence should not be treated by flogging?—Yes.

282. And probably the boy might never be guilty again, if let off the first time with something less?—Yes.

283. What do you think of dismissal with a caution for a first offence?—A fine amounts to the same; that should be left, I think, entirely to the discretion of the bench.

284. *By Mr. Simson.*—As a matter of fact, are not a number of those boys quite independent of parents?—Yes; they have means of their own from their occupations.

285. *By Mr. Balfour.*—Is that the class of boys you think are likely to be drawn into a first offence?—No.

286. *By Mr. W. A. C. a'Beckett.*—School-boys or boys going to college?—Yes, often.

287. If the parents were made to pay a fine, say for one offence, so as to make them bear the responsibility of their children in such case, would that be an advantage?—They are responsible to a certain extent.

288. For one offence—say the first offence—would not it be advisable to fine the parents and not the individual?—I know boys now in Prahran that it is impossible; the parents have no more control over them than you or I have.

289. If taken in time?—If taken in time.

290. Do you think the parents there encourage their children to commit crime—thieving or anything of that sort—and live on their thieving?—That arises along with the children from their parents, and larceny has a very large average for children of that age, as you will see by the return, and the marine stores, or dealers receiving from them, are the main cause of that. These boys run to the marine store or second-hand store, and when the police go there, “Oh, we know nothing of it.”

291. Do you think any of those larrikins in Prahran come in from Oakleigh or elsewhere and make a raid on the place, as it were?—There may be an exception, but very few.

292. *By Mr. Simson.*—Is larrikinism on the increase in Prahran?—Yes. Since I took charge of the station I have placed a constable constantly on in plain clothes by day and one by night, and I find that that has more effect to suppress this offence than actually six constables on duty. I myself dress in plain clothes, say from six in the evening and remain so till twelve or so, when I go to bed, and I place a man in plain clothes, and we receive from men on duty in uniform information, and it is suppressed.

293. Then it is on the decrease?—Through that. The constable in uniform is seen night and day, but the constable in plain clothes can go to a store or any place if he sees anything to draw his attention, and he is not noticed, and I account for the decrease in that manner.

294. *By Mr. W. A. C. a'Beckett.*—As to the depredations committed about Prahran, the police, though they took every means, were unable to discover the perpetrators?—In many instances.

295. Would you suggest any legislation that would enable them to discover it by any more power?—I could not, more than the efficient working of the station. It entirely depends upon the working of the station.

296. You think no extra powers are required?—I could suggest none.

297. *By Mr. Graham.*—You think a stricter looking after those marine stores will have a good effect?—Yes; but I find here, looking at the Act, it is utterly powerless, as far as the working would go. I am referring to two justices signing an order to authorise an officer or sergeant to visit.

298. *By the Chairman.*—You mean the marine stores?—Yes.

299. *By Mr. Graham.*—The 11th clause, page 5?—Yes. [*The same was read and is as follows*]:—“It shall be lawful for two justices having jurisdiction, by order in writing, to authorise one or more officers or sergeants of police to visit at any time the places of business and inspect the goods and books of dealers who are subject to the penal regulations of this part, and every such officer or sergeant shall, and is hereby empowered to record, in the book required to be kept by such dealer the day and hour of his visit, and place opposite the entry of every article examined by him, if hereby subject to entry, in such books his initials or name in attestation of the same.” There is no power given for a sergeant or constable, if he finds anything going on, to walk in and visit the place. He will have to go about and search for an order under the signature of two justices—it may be two or three hours.

300. And the things may be got rid of in the meantime?—Yes.

301. *By the Chairman.*—What suggestion would you make?—A sergeant or constable (every constable being liable for his actions) should have power to visit at any time he thinks fit, to visit those marine stores.

302. *By Mr. W. A. C. a'Beckett.*—Have you not power to go into public-houses at all hours?—Not without a justice's writing at night.

303. The justice has power?—But where will you get the justice?

304. *By Mr. Balfour.*—In the day time a constable has power to visit?—Yes.

305. *By Mr. W. A. C. a'Beckett.*—Would it do to get it from a superintendent of police?—He may be absent.

306. Suppose it were with the sergeant in charge?—The sergeant in charge, or, if he is absent, whoever he leaves in charge of the station. I would wish to suggest with regard to larrikinism, that in clause 24, the words “or intent” be struck out, as we cannot prove the intent.

307. *By Mr. Balfour.*—That there should be a sort of “moving-on” clause, as in England?—Yes.

308. *By the Chairman.*—You wish to have the power of dispersing people met together in numbers without cause?—Yes.

309. *By Mr. W. A. C. a'Beckett.*—If there is any subsequent overt act?—Yes.

The witness withdrew.

Francis Meaker examined.

310. *By the Chairman.*—What is your employment?—Crown Lands Bailiff of the Royal Park.

Mr. F. Meaker,
14th Oct. 1874.

311. What are your duties there?—Looking after the park, keeping order, and seeing no damage is done in any respect.

312. Who are the parties that you find chiefly committing offences against the law in your district?—The larrikins.

313. *By Mr. W. A. C. a'Beckett.*—What do you call “larrikins”?—Boys from twelve years of age to twenty.

314. What is the nature of the offences you find them to commit?—Swearing, hallooing, and calling out in bad language, and insulting respectable people, particularly old and defenceless men and women.

315. Where do the larrikins you find in the park principally come from?—They all belong to Hotham.

316. *By the Chairman.*—The Committee are considering the proposal to substitute corporal punishment in place of imprisonment for lads that are convicted of crimes that are commonly known as “larrikinism”; do you think that that kind of punishment would be more deterrent than imprisonment?—I think the whippings would be for some of them. I instance the case of a man being knocked down at two o'clock in the daytime, and the young man's face was all over blood; we could only get just one taken in to the lock-up; and if you had heard the language that that one used, it would have astonished you.

317. Would not flogging be a good thing there?—Yes.

318. What are the exceptions?—The small ones are led away by the big ones, and some might not deserve it.

319. What would you do? would you send them to gaol in preference, which is the penalty now?—I think they must have some punishment.

320. What would it be in such a case?—I think I would send them to gaol for a short time.

321. Why would you send them to gaol in preference to whipping?—I think solitary confinement for two or three days would make a greater impression on them.

322. Would it make a greater impression than a sharp whipping?—The older ones, I think.

323. *By Mr. W. A. C. a'Beckett.*—Do you think a sharp whipping would be too severe for a first time?—Yes.

324. Do you mean, it would inflict a greater disgrace than imprisonment?—Yes.

325. *By Mr. Graham.*—Do you find this misbehaviour in the parks on the increase or decrease?—Increasing fast.

326. *By Mr. W. A. C. a'Beckett.*—Do not the lions rather attract the larrikins?—Yes, they will come in mobs and insult ladies passing along.

The witness withdrew.

FRIDAY, 16TH OCTOBER, 1874.

Members present:

| | |
|---|--------------------|
| The Hon. R. S. ANDERSON, in the chair ; | |
| The Hon. T. T. a'Beckett | The Hon. R. Simson |
| J. Graham | J. Balfour. |
| C. J. Jenner | |

E. P. S. Sturt, Esq., P.M., examined.

E. P. S. Sturt,
Esq.,
16th Oct, 1874.

327. *By the Chairman.*—You have read Part IV. of the provisions in the Bill for amending “*The Police Offences Statute 1865*”?—I have.

328. You see that, by the provisions of that part of the Bill, it is proposed to change the nature of the punishment that is now being inflicted upon juvenile offenders in certain cases?—I think it is most necessary that there should be some alteration in the mode of dealing with juvenile offenders.

329. Will you inform the Committee if you are in favor generally of the provisions that are contained in this part of the Bill, and in the alterations in punishments that are there suggested?—I think that the punishment itself, as provided in the 4th Part of the Bill, is certainly the most effectual mode of dealing with the growing evil which any person who has the experience of dealing with offences of that nature can possibly conceive. There can be no doubt that offences of this kind committed by the lads of the growing-up generation are increasing day by day; that the impunity with which the offences are committed encourages them in their repetition, and they have no dread of the punishment which can now be inflicted upon them—that of sending them to the gaol. The general salutation which I receive upon sentencing them to periods of imprisonment and stone-breaking is that “they can do it upon their heads.” At the gaol I have spoken on the subject to Mr. Duncan and Mr. Castieau, and, as far as possible, the gaol authorities have provided a separate yard in which those lads are generally worked; and in the afternoons they have a certain amount of schooling, and are treated with every kindness; but nothing keeps those lads down; they have no real suffering. The punishment inflicted upon them is restraint, not punishment, and the consequence is, they have no dread of it. I do not look upon it as recommending a course of proceeding of a cruel nature, because I am convinced that they are mainly evil-disposed boys who can only be kept under control by letting them feel what punishment actually is. And moreover, I think that the course pointed out in this Act, that they should receive their punishment and then be turned out on to the streets rubbing their backsides, is the very best thing that can possibly be adopted. They could then have nothing to boast of; and I think it would have a most salutary effect in keeping those boys under control.

330. Have you any suggestions to make, or any opinions to offer generally, on the subject?—In the 24th clause, the first section of Part IV, a difficulty will, I think, arise through the wording of it. It stands as at present in that clause, “If persons assemble together, or be in company to the number of three or more in any public street, thoroughfare, or place.” From my experience those lads will get into vacant pieces of private ground, unenclosed, or with only one rail perhaps, it is not a public place, consequently there is a difficulty in adjudicating under that section, if it be not more clearly defined, and if any questions are allowed to arise as to whether it is a public place or whether it is not a public place. If you have got a vacant allotment not enclosed, the lads will assemble there on Sundays, and will perhaps have a fight; or there may be a prize-fight. They will gather there to gamble, or to play at pitch-and-toss, and do other things greatly to the annoyance of the whole neighborhood. I think the interpretation there should be more clearly defined. I would suggest that the words “public street or thoroughfare” be omitted, and the clause to read—“three or more in any place with a common purpose or intent of unlawfully causing annoyance.”

331. It has been suggested that this clause generally ought to be amended by including in it the provision that enables the police, as, we are informed, in London, to disperse persons assembled at a particular place, so as to prevent the accumulation of a large number of people, what is known as the “moving-on clause,” which is absent in the legislation at present before us in this country. The Committee would like to know your opinion as to a provision enabling the police here to prevent the assemblage of more than a certain number of people in places evidently for the purposes of concocting mischief?—This clause might certainly be extended to meet that.

332. *By Mr. T. T. a'Beckett.*—It would be a desirable extension of the clause, would not it?—I think it would be most desirable.

333. To break up such an assembly, in point of fact, before they proceeded to any overt act?—Yes, and refusing to disperse on direction by the police.

334. *By the Chairman.*—Have you anything further to add?—I think it is necessary that, in describing the mode of punishment, it should be clearly defined in clause 25, so that the punishment should be understood to be such as a young monkey of a boy at school would deservedly receive for similar offences which he might commit at school.

335. *By Mr. a'Beckett.*—Supposing line 42 included the words “on the breech”?—I would alter the word “cane.” A whipping to a boy—if he is told to go up to a certain room after school hours, in the case of a school boy, he knows what that is for. A whipping with a birch is given upon the bare breech; that is what I understand to be whipping with a birch; but I think a caning ought to be understood not to be upon the bare breech. A boy getting punished upon the bare breech with a cane would receive a very severe punishment. I think it should be left to the discretion of the magistrate. I think I should rather suggest that the words “or cane” be altered. It should be “privately whipped on the bare breech with a birch rod” or “caned”—not with a cane on the bare breech.

336. *By the Chairman.*—Supposing that a cane is the instrument of punishment to be used in the way you suggest, and that being approved of, would you be inclined to punish for a first offence in that manner, or would you leave it to the discretion of the magistrate?—I think it should be left entirely to the discretion of the magistrate.

337. *By Mr. Simson.*—In the event of its not being left to the discretion of the magistrate at all, whether any punishment shall be inflicted for the first offence with a birch or cane, would not that lead to deterring those respectable boys from joining those rougher boys?—Certainly, I think so. Any magistrate upon the bench would know that punishment to a boy whose antecedents had been in Little Bourke street, which might be nothing to him, but be dreadful to a boy brought up under other circumstances.

338. *By Mr. T. T. a'Beckett.*—Would you make it necessary that, whenever this punishment is inflicted, the police magistrate should concur in awarding it?—I think it would afford more general satisfaction.

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339. *By the Chairman.*—Is it not the case that there are many parts of the colony where the assistance of a police magistrate could not be secured, and, in such case, how would you carry out the law?—I think there are many such cases, but they are not in populous districts where the larrikin evil prevails. Then, again, it is not a *sine qua non* that the punishment under the 25th clause is to be inflicted. There are other means of dealing with offences that this Act does not reveal, and therefore we are not necessarily required to deal with every offence under this Act—we can fall back upon the modes of punishment now in force, and I do not think, moreover, you find that this evil exists in country places.

340. *By Mr. Graham.*—There are certain cases where the punishment of the lash is administered now; can that be administered by an honorary magistrate, or is it necessary that the police magistrate should be present, such as in the case of exposure of the person?—There must be two magistrates to form the court, but not necessarily a police magistrate.

341. There are three degrees of punishment provided in this part of this Bill; are you in favor of that classification?—That came under my observation, and I should like to make some observations upon the 26th clause. "To inflict whipping in the presence of a justice." I am afraid that is an unworkable provision. I do not believe a magistrate would accept such a duty. I also do not think that the constables will like such a duty; and I am quite certain if they did it, it would be administered with very great incertitude. And, secondly, it is making a great deal too much of giving a boy a flogging upon mis-behaving himself. As to the disgrace, I think that sending a boy up for two or three or six months to work in the gaol, it would be more likely to be contaminating and degrading to a boy than marching him up into one of the rooms of the gaol, whipping him, and sending him off rubbing his bottom, and going to his mamma to have a little plaster placed upon it. That mode of punishment would have a more salutary effect as a preventative. But to think of a magistrate going to watch the boy having a caning, or a police constable being told off for that purpose, would not work. I would not suggest that the public flagellator should be employed; but let the boy know it is an offence he has committed, and that he must feel the consequences.

342. *By Mr. a'Beckett.*—Who is to flagellate?—You might get any one of the short sentenced prisoners for half-a-crown to give the boy a whipping. It is making too much of it, and showing too much sympathy as regards those youngsters to say that a justice of the peace is to go and see the boy get a dozen. I think that the clause should be altered as follows: "That such whipping shall be inflicted at the gaol, or some authorized place, in the presence of the keeper or other officers of the gaol; such punishment not to be inflicted by the public flagellator."

343. *By Mr. Balfour.*—Should there be in no cases caning on the bare breech?—I never saw a caning in my life on the bare breech.

344. Would you not cane them?—I would give the cat-o'-nine-tails, to those who are under the age of twenty-five, substituting "males sixteen and under twenty-five" for twenty-one.

345. *By the Chairman.*—Would it meet your views, if the term were extended from twenty-one to twenty-five years of age, and if the rules, which by this part of the Act the Governor in Council is entitled to make to regulate the punishment of whipping, were to define the instrument to be used?—Under the criminal law at present, it is left in the discretion of the magistrate not exceeding a certain number of lashes, and the instrument to be used.

346. You would recommend that course?—I would.

347. *By Mr. Balfour.*—The cat-o'-nine-tails would be used, not on the back, but on the breech?—I would substitute the cat-o'-nine-tails as the instrument to be used under the 28th section.

348. *By Mr. a'Beckett.*—What are those fellows whipped with now?—The cat-o'-nine-tails.

349. *By the Chairman.*—Is there any other suggestion you would make under that division of the Bill?—Not under that division of the Bill.

350. *By Mr. Graham.*—From your experience of those people brought up before you that have been sentenced to the lash for such offences as exposure of the person and so on, do you think that crime has been on the increase or decrease?—I think on the decrease.

351. Since the flogging has been established?—Yes, I think so.

352. It has a deterring influence?—It has.

353. *By Mr. Balfour.*—You know the schedule under this 5th Part?—Yes.

354. Would you be disposed to subdivide that, so that any one found guilty under this 28th clause, the punishment should be omitted?—I think so. That again shows the necessity of there being very great judgment and discrimination in dealing with offences of this kind, because under the 28th section persons might be amenable to a flogging who were guilty of very trifling offences. There are some persons to whom a punishment of that kind would be most likely followed by blowing his brains out perhaps, from the frightful disgrace entailed upon him for doing some foolish act for which he is brought up and might be subject to that to him frightful punishment, and it would involve such an indelible disgrace, it would be absolute ruin. I think those offences should be exempt from the operation of those sections.

355. *By Mr. Graham.*—Would you leave it in the discretion of the magistrate?—Supposing a young man just landed, and not much known as to anything of the kind, should be brought up for committing some trifling offence, and his parents do not know the position he is put in, and he is sent out flogged?

356. The magistrate should inquire as to that from the police. Still, do you think the law ought to lay him open to it?—It would be necessary to be very cautious in whom you placed the power of inflicting this punishment.

357. *By Mr. Balfour.*—Is it your experience, that very often the one that is brought up out of a mob of larrikins is one who was not the ring leader, but one put forward by them?—I find that mothers will come up and say they are the most excellent boys in the world, and I have had letters of the same kind where the evidence was conclusive that they were the most depraved young scamps. And then the parents get up petitions and get other people to declare that they are respectable.

358. Have you anything further to state?—In the Fifth Part of the Act, line 26, it says "any common prostitute or night walker loitering in any street thoroughfare or public place importuning persons for the purpose of prostitution to the annoyance of passengers or residents." I think it would be advisable

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to omit those words "annoyance of passengers or residents," because if one man may not be annoyed by the filthy language used, the public may be, and moreover, it would necessitate that the constable should show that the passenger was annoyed by it.

359. *By the Chairman.*—Then you would strike out the words "annoyance of passengers or residents," and end with the word "prostitution"?—Yes.

360. Are you in favor of the provisions of Part V of this Bill generally?—Yes, with that exception. I think all those provisions are useful. There is one point, I think, which should be seen to, which is in relation to insulting conduct where it is not intended to create a breach of the peace, and yet the conduct is offensive.

361. Will you be good enough to draw some section founded upon that point and forward it to the Committee?—I will do so.

362. Have you any further observations to make?—We commenced with the fourth Part of the Bill. I think that I might perhaps be permitted to make some observations in regard to the first Part. It seems to me that this Part of the Bill has been framed upon the English Act, and I think we must bear in mind that the circumstances of the countries are very different. The first Part of this Bill for the "prevention of theft by control of dealers and others," is suitable to a country such as England, and workable where you have such large sea-faring places as Liverpool, Plymouth, Woolwich, Portsmouth, and those various large places where the marine store dealers carry on a very large business. In the next century here perhaps that is a precaution which may be required to be carried out, but I think it would have been better not to have amplified the Act so much; but, if it is continued, I think the penalties ought to be amazingly reduced. We must bear in mind, though, it is the fashion to cry down these marine stores (and there is no doubt they do afford and have afforded facilities for getting rid of stolen property) at the same time they are of a very necessary class in a large city like this. There is an immense number of people who get their support and earn for themselves considerable sums of money by utilizing that which would otherwise be thrown away, and I think by imposing such heavy penalties as this, you would absolutely ruin a certain class of persons here carrying on that class of business—there are very few here of that class could stand a penalty of £50. And there is another provision I would omit altogether, that is defining, under the Fourth Schedule, column one, "the quantity." In a place like this it would be prohibitory, or it would lead to the establishment of a class of middle-men—there would be a number of boys who would be over sixteen, who would purchase from the boys under sixteen, and these lads would accumulate all this property from the youngsters, and use all the arts and ingenuity of youth to conceal it until they had accumulated a heap to be disposed of. I think a surveillance over these classes is very desirable, but to bring into force the whole of that Act, as it now stands, I think is undesirable. I do not think it would have a good effect, and I think the penalties are too heavy. There are a great number in this place of women who have been deserted by their husbands, who have nominally gone to look for work up the country, or on the railways, or elsewhere, or they go to Port Darwin, and they leave their wives and children, varying from young children at the breast to fourteen and fifteen years old, and generally, I have known those women obliged to utilize their boys—they cannot earn a living for themselves and family without, and many of those boys, I know, pick up a living and bring home to their mothers the produce of their day's work—they take hand-carts and go round and take away old pieces of tin and other things which can be disposed of, but how are those boys to dispose of those things if they are not to be allowed to sell any until they are sixteen years of age, or cannot sell it till it gets to 112 lbs. weight?

363. *By Mr. Graham.*—Still, there must be a number of boys regularly trained up to go into empty houses to steal lead and other things?—There can be no question about it.

364. *By Mr. T. T. a'Beckett.*—The question is, whether the remedy would not be worse than the disease?—You must prevent crime as much as possible, but, at the same time you must not check industry.

365. *By the Chairman.*—Are you in favour of the proposition in Part III in this Bill, enabling evidence to be given of previous convictions?—I have some observations to make with regard to that in some previous section bearing upon the same point; I must say I think it would be a most cruel power to bring into operation. If you revert back for five years—that is, if a man has within five years immediately preceding been convicted of any offence involving thefts or dishonesty—if we are going into that, it would be going into the antecedents of a vast number of people.

366. *By Mr. T. T. a'Beckett.*—Why should it not be known?—A man may have committed one offence and since then he may have been a man of good conduct. He has already been punished; is it not rather contrary to the British law in such case to prejudice the judge? I am referring to where a person's character may be affected as having been previously convicted within a period of five years; in that case, what hope have you to offer to a man? He is tabooed.

367. Is it not proper that a man who is an old offender should be dealt with somewhat more severely than a man committing an offence for the first time?—It seems to me that we have quite sufficient power given to the magistrates. In dealing with cases of stolen property at present, we have the power of search-warrant and the power of committal to a higher court. I do not see what more we can possibly require. In regard to receiving stolen property, I have never found any difficulty in the matter.

368. Does not it resolve itself into this—is it desirable that the magistrates should know the fact, or is it not?—I have never found any difficulty in following up charges that have been brought against receivers.

369. *By the Chairman.*—Is there any other part of the Act that you wish to refer to?—In the 11th clause it says—"It shall be lawful for two justices having jurisdiction, by order in writing, to authorize one or more officers or sergeants of police to visit at any time the places of business, and inspect the goods and books of dealers." I think that, if this Act is carried out, inspectors or sergeants of police should at any time have the power to go and visit and inspect the books and premises of all registered dealers. It should not require the order of two justices. And then it says—"Who are subject to the penal regulations of this Part." I do not see why the police should not go and inspect the books before they are registered.

370. *By Mr. Graham.*—Clause No. 20 bears on that?—I would omit appeal by dealers. That is in the 15th and 16th sections. There is a power of appeal under £5; I cannot see why that power of appeal should be under £5, or why the law of appeal should in any way be affected or be altered in regard to these penalties. It appears to me inadvisable. The section in the Justices Peace Statute regulating appeals will meet that case.

371. *By the Chairman.*—I understand you to recommend that the power of appeal under £5 should be struck out?—I would strike that out and allow them to appeal under the Justice of the Peace Statute as it now stands. The 17th section I would strike out altogether. There will be sufficient police surveillance without it. Then you come to the second Part, I think in the 18th section, which says, "Every person who occupies or keeps any common lodging-house or any house or place where, whether lawfully or not, intoxicating liquors are in fact sold or any place of public entertainment or public resort, and knowingly lodges or harbours or permits or suffers to meet or assemble therein thieves or reputed thieves." I would omit "lodges or harbours"; I would go on and say "knowingly permits or suffers to meet or assemble therein," and so on. Then further, in the same clause, it says at line 36, "Moreover where two convictions under this section have taken place within a period of two years in respect of the same premises." So that if a landlord has got a tenant who proves to be not a respectable tenant, and that tenant gets into trouble, the landlord is punished as well as the tenant—so that the innocent is punished as well as the guilty. From the word "moreover," in the 36th line, to the words "shall be void," in the 43rd line, I would omit altogether. Then as to the 20th section—"Power to search for stolen property." I think that would be a most injudicious power to give to the persons it is proposed to give it to here, that "any constable may, under the circumstances hereafter in this section mentioned, be authorized in writing by the Chief Commissioner—or any superintendent or inspector—of Police to enter and, if so authorized, may enter any house, shop, warehouse, yard, or other premises," and so on, in search of stolen property. The result of that would be, a constable, upon a very loose representation to the inspector, may go and search any shopkeeper's place.

372. *By Mr. Graham.*—See the next section?—"Have been in the occupation." There has been no difficulty hitherto in getting search-warrants, or in following up the cases of robbery.

373. Have you anything to add to your evidence?—I do not think I have anything else to say.

The witness withdrew.

Henry Pewtress, Sergeant of Police, in charge of the Swanston street Lock-up, examined.

374. *By the Chairman.*—In your position, you have a large acquaintance with the juvenile offenders?—Yes, in the city of Melbourne.

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375. Have you remarked whether the offences which are usually committed by youths are on the increase or decrease of late years?—My belief is, the offences are on the increase; in fact, I am sure of it.

376. Is this attributable to the inadequacy or nature of the punishment now inflicted?—I daresay it is; but I think, in the first instance, it is attributable to the neglect of the parents.

377. Are you of opinion the means of punishment at present available would be sufficient, or do you think the alterations suggested by this Bill would be an improvement?—I think some of the means proposed by this Bill would be an improvement; one reason is, that the most of those that I have seen who have been fined in the Police Court care little or nothing for the fine; and for the offences they are invariably charged with, such as insulting behaviour and assault, they are fined, and the fine is generally paid by the parents of the boys, therefore the boy is not punished, but the parents are.

378. *By Mr. Graham.*—And is not it often paid by the associates of the boys?—I have not seen it often done. I have seen it in a few cases where boys have clubbed together the amount of the fine.

379. *By the Chairman.*—As to imprisonment, would you state your opinion as to the present mode of punishment by imprisonment?—The majority of the boys termed larrikins, that have been brought under my notice care very little for imprisonment. I have seen instances in which boys have been fined, and in default of payment go to gaol for a certain period absolutely refuse to have their fine paid for them, and insist upon going to gaol. A fortnight ago a young man, 21 years of age, was fined twenty shillings, and he refused to have the fine paid for him, and at the request of the parents I put him out of the watch-house after they had paid the fine.

380. *By Mr. T. T. a'Beckett.*—Was this an old offender?—Yes, he had been in two or three times before.

381. *By Mr. Simson.*—They do not consider it anything of a punishment after they have been imprisoned once or twice before?—They do not consider a short sentence as a punishment.

382. A week, or anything like that?—No.

383. *By Mr. T. T. a'Beckett.*—Do they stand much in terror of solitary confinement?—The younger portion. I might state that the majority of those brought to the watch-house are boys over sixteen years of age; not more than ten or twelve per cent. of boys are under fifteen years of age.

384. *By the Chairman.*—Your impression is, that a whipping would be more likely to deter than the present mode of punishment?—Yes, that is, with a birch rod, but not with the cane; that is, if the cane is to be applied to the boy's bare breech; it would be barbarous to flog a boy on the bare breech with a cane.

385. Then you would apply birch to the breech and cane outside the clothes for a first offence?—Yes; although a boy is brought to the watch-house, and it is the first time he is caught, perhaps it is not the first offence. Then again, boys may come from Emerald Hill or Richmond and they would say, as they often do, "Let us go into Bourke street, or give the Theatre a turn to-night," and I have heard that they have mobbed the check-taker and got in without payment. Those boys may be brought before the Police Court the following morning and not known, whereas, perhaps they have been convicted previously at Emerald Hill or Richmond, and we should not know whether it was their first offence or not; we should only know it was their first appearance in the Melbourne Police Court.

386. It has been suggested, as an amendment to the proposal in the 24th clause of this Bill, that a provision should be put in, enabling the constables to disperse parties assembled in public places—in fact, to have a provision that is known in London as "the moving-on" clause—are you acquainted with the provisions of that clause?—It is twenty-three years since I was in the police in London, but, I am under the impression, there was a clause that allowed the London police to "move on" persons standing and obstructing the footpath, and, if they did not move on, to arrest them; but, I believe you had to prove an obstruction; and the reason why I think that was so, I had a case at Westminster Police Court one morning, in which three or four young men were brought up for that very offence of obstructing the footpath, and Mr. Brodrib, the then police magistrate, asked the constable how the footpath was obstructed.

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They were loitering about and refused to leave, and Mr. Brodrib asked "Had persons to leave the footpath and go into the road to get by?" The constable said "No," and the magistrate dismissed the case.

387. *By Mr. Balfour.*—Are you aware that persons have met in the open air in London and other places, and, so long as they did not obstruct the thoroughfare, they could not be moved?—So long as there were no complaints, the police would not interfere.

388. But supposing an open-air meeting did not obstruct the footpath or the thoroughfare and nothing inciting to a breach of the peace took place, then the police could not interfere?—I am of opinion they could not.

389. The "moving-on" clause, if there were an obstruction, would enable them to move such an assemblage as that?—I am under the impression you want to prevent a number of larrikins assembling for the purpose of annoying people, though they take care to annoy no one while the police are in sight; but even, if the Bill were passed punishing obstructions, this class of people would soon know that, and put their backs against the wall and be as great a nuisance as ever—I think, if it was made law to flog, the very fear of the flogging would deter them.

390. *By Mr. T. T. a Beckett.*—The consciousness that they might be flogged?—Yes.

391. *By Mr. Simson.*—Those lads varying from twenty to thirty years of age, would you give them the birch rod?—No, the cat, because they are the very worst kind, from nineteen to twenty-four, twenty-five and twenty-six are the worst of all. Three weeks ago there were three, one was twenty-one years of age, one twenty-three, speaking from memory, and one, I think was twenty-six or twenty-eight, and he was in the Volunteer Force; they committed one of the most unprovoked and brutal assaults I ever heard related in the police court—they struck two women in the face without the least provocation, and blacked their eyes to a dreadful extent. The birch would be no use under these circumstances.

392. *By Mr. Balfour.*—Were they intoxicated at the time?—No, perfectly sober.

393. *By Mr. Jenner.*—What punishment did they get?—I believe three month's imprisonment, and they are in prison now; the offence occurred at night-fall.

394. *By Mr. Graham.*—Who ought to administer the lash or the birch?—I think it would be very degrading for the police to do it, and I am sure they would have a very strong objection to it.

395. *By Mr. Jenner.*—Would not there be volunteers, if they received compensation for it?—If so, they would be sent to Coventry immediately afterwards. I have thought of that very seriously, and believe that a prisoner in the gaol should flog, and that flogging should take place in the gaol. I would give him a small sum, say 2s. 6d., or a shorter term of imprisonment, or something of that kind.

396. *By Mr. Balfour.*—Bearing in mind your answer, that the punishment is one that the police would object to administer, you recommend a prisoner to do it?—Yes.

397. Would you be disposed to leave it in the option of the magistrate to inflict such a punishment upon a young offender who was for the first time convicted and who had not been hitherto known as amongst the larrikin class?—If it were possible to ascertain that it was his first offence.

398. That he was not by repute a larrikin?—I would not flog him at all for a trifling offence.

399. I ask you distinctly—would you be disposed to leave it optional to the magistrate to inflict such a penalty upon such a boy?—Yes. I wish to add, that if a policeman inflicted the punishment, I should not be surprised to see him mobbed and stoned.

400. *By the Chairman.*—Suppose the police were called upon to do it indiscriminately?—I think the police would refuse to do it. I have spoken to a great number of the men about it, and they are all in favor of the boy being flogged, but not of being the flogger. It would be very easy to appoint a man at a small salary, and let him be entirely under the supervision of the police, but not a policeman. One man would be sufficient for the whole of the Melbourne district. His head quarters could be at Swanston street, and he could be telegraphed for from Richmond, Prahran, St. Kilda, and other places. That is, if they are to be flogged at the police stations.

401. *By Mr. Graham.*—You think that it would be such a deterrent that the crime would lessen very much?—Yes. There has been one thing omitted—that is, boys robbing shop tills. I have had some cases within the last twelve months, four or five or perhaps half a dozen, in which boys have gone between the lights, on hands and knees, and got up to the counter and taken the contents of the till. They generally go in twos and threes. Now the magistrates, in consequence of their youth, fine them some such sum as ten or twenty shillings, and the parents pay it, and the boys get out scot free. That is the first step towards being a thief. It is not included in the Bill to flog boys for that offence.

402. *By Mr. Simson.*—What aged boys are these that rob tills?—Boys of from 10 to 14 years of age, not older than that. Some time ago three boys, the eldest not more than 12, climbed upon the roof of the Eastern Market and stripped the lead, and their parents paid the fine, therefore it was no punishment to the boys.

403. *By Mr. Balfour.*—Under the 28th section, would you apply the cat to the breech?—In all cases on the breech.

404. Or would you leave it optional to the Bench with lads of that age for all such offences as are specified there?—I would not flog a boy for a first offence in all cases. I would not flog him for breaking a lamp, climbing a tree, or ringing a door-bell, for instance.

405. Would you have it in that schedule that the magistrate might order the cat?—No, a boy merely charged with the offences I have named—I think the magistrate should not have the power to flog. They are a schoolboy tricks we have all seen and done in our time. There is one thing seems to have been left out in the 38th section. It says—"Every person playing or betting by way of wagering or gaming in any street" and so forth. I am under the impression that after the words "Every person playing" should be "at pitch and toss with money."

406. *By Mr. T. T. a Beckett.*—Would you limit it to that?—It goes on and includes the others. A great many evils arise from the assemblage of such people in crowds. They make use of very bad language and quarrel, and the game ends in a free fight. If the boys cannot get the money by fair means they get it by dishonest means to carry on their games.

The witness withdrew.

Joseph d'Drew examined.

Joseph d'Drew,
16th Oct. 1874.

407. *By the Chairman.*—What are you?—I am manager of Messrs. Sargood, Son, and Company's boot factory, at which factory there are employed about 230 hands, and in one room alone about 80 lads.

408. In that capacity I presume you have a great deal to do with youths under the age of twenty-one years?—Yes.

409. Are you aware if it happens frequently that those lads are charged with, or convicted of offences?—Oh, yes.

410. Do you know the feelings with which they are actuated regarding the kind of punishment that they receive?—With contempt; they do not feel degraded by such punishment; a fine or slight imprisonment is not any punishment to them. The only way you can control them is, by corporal punishment. I have been about sixteen years the manager now, and that is the only way in which I can control them.

411. Do you think that, if the present mode of punishment were altered from fine and imprisonment to corporal punishment, it would be a deterrent from crime?—Especially if vigorously carried out; but if there is any false sympathy, so that they are made heroes of, instead of being degraded, it would do more harm than good.

412. There is not much heroism attached to getting one's back well whipped?—It depends upon what is experienced by them outside; they would now sooner go to gaol, because when they come out they are great heroes among their companions.

413. *By Mr. Graham.*—Imprisonment is no punishment?—Not the slightest, they will tell you so repeatedly, and the lax manner in which the Masters and Servants Act is administered here is bad, in allowing this larrikinism to get in vogue—the masters have no control over them, and the moment they are from under the control of the master the outside public have no control over them.

414. *By Mr. Simson.*—Is it very difficult to control large numbers?—Yes.

415. *By Mr. Graham.*—Are they worse here than in England, or in America?—Yes.

416. Is larrikinism on the increase or decrease?—I think on the increase all over the world with the English-speaking public, at all events, but here it is far worse than in America.

417. I am speaking of here?—It is decidedly on the increase here.

418. *By Mr. Simson.*—Do you find these boys impudent, as a rule, in the workshops?—Very.

419. And not amenable to control?—No, and you are not supported by the parents in controlling them.

420. *By Mr. Graham.*—Do these boys get fair wages?—That is the great thing in making larrikinism—there is so much money in their hands, and the parents the same—the parents themselves, receiving larger salaries here than at home, try to bring the lads up to what they call a higher grade; and in very few cases do the parents take the money or wages from them. They have no control over them at home; they have a large amount to spend, and they would just as soon pay a fine as not.

421. Fining is not a punishment?—Not the slightest.

422. Do you find, if any of those boys are heavily fined, there is any subscription among the boys to pay it?—Yes, they associate together to get the money—you see twenty or thirty of their companions back them up, and go and bail them out, or do anything in their power to support their companions.

The witness withdrew.

APPENDICES.

APPENDIX A.

SIR,

Police Department, Chief Commissioner's Office,
Melbourne, 13th October, 1874.

I have the honor to forward herewith a return showing the number of offenders known as "Larrikins" who have been convicted since the 1st April last.

The return is only for Melbourne and the suburbs north of the Yarra. It would take a considerable time to compile a return for the other suburbs.

May I request that the same may be laid before the Committee now sitting on the Criminal Law and Practice Amendment Bill.

I have the honor to be, Sir,

Your most obedient Servant,

FRED. C. STANDISH,

Chief Commissioner.

The Clerk to the Legislative Council,
&c., &c.Police Department, Superintendent's Office,
Melbourne, 13th October, 1874.

RETURN of Offenders known as "Larrikins" Convicted for Offences from 1st April 1874 to date.

| Nature of Offence. | No. of Convictions. | No. previously Convicted. | Average Age. | Remarks. |
|-----------------------------------|---------------------|---------------------------|--------------|---|
| Assault | 27 | 85 | 19 years | Sixteen of the offenders were previously convicted six times and over. In four cases the police were severely assaulted. |
| Assault on Police | 15 | | | |
| Insulting Behaviour | 53 | | | |
| Wilfully Damaging Property | 8 | | | |
| Larceny | 29 | | | |
| Drunk and Disorderly | 13 | | | |
| Vagrancy, &c. | 30 | | | |
| Total | 175 | 85 | ... | |

RETURN showing Proportion of Convictions of "Larrikins" in Melbourne and Suburbs.

| Melbourne. | Carlton. | Collingwood. | Fitzroy. | Hotham. | North Fitzroy. | Richmond. | Total. |
|------------|----------|--------------|----------|---------|----------------|-----------|--------|
| 63 | 24 | 23 | 10 | 44 | 3 | 8 | 175 |

FRED. A. WINCH,
Superintendent.

APPENDIX B.

RETURN of Cases brought before the Court of Petty Sessions at Prahran, for Twelve Months ending 14th October, 1873, charged with the undernamed offences, and under the age of 22 years.

| Offences. | Under 16 Years. | 16 to 20 Years. | 20 to 22 Years. | Totals. | Remarks. |
|--------------------------------------|-----------------|-----------------|-----------------|---------|--|
| Drunk and disorderly ... | 2 | 12 | 13 | 27 | The 25th section "Police Offences Statute" insufficient to suppress this offence. Marine stores offer peculiar facilities for this offence. |
| Insulting behaviour and language ... | 16 | 46 | 8 | 70 | |
| Larceny... .. | 46 | 12 | 4 | 62 | |

RETURN of Cases brought before the Court of Petty Sessions at Prahran, for Twelve Months ending 14th October, 1874, charged with the undernamed offences, and under the age of 22 years.

| Offences. | Under 16 Years. | 16 to 20 Years. | 20 to 22 Years. | Totals. | Remarks. |
|--------------------------------------|-----------------|-----------------|-----------------|---------|------------|
| Drunk and disorderly ... | ... | 23 | 15 | 38 | See above. |
| Insulting behaviour and language ... | 7 | 58 | 12 | 77 | |
| Larceny | 29 | 20 | 4 | 53 | |

Prahran Station,
14th October, 1874.T. PARKINSON,
Sergeant 14 B, in charge of Station.

1874.

—
VICTORIA

R E P O R T

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON THE

CONSTITUTION OF THE LEGISLATIVE COUNCIL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE AND APPENDICES.

ORDERED BY THE COUNCIL TO BE PRINTED, 17TH NOVEMBER 1874.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

WEDNESDAY, 8TH JULY, 1874.

CONSTITUTION OF COUNCIL COMMITTEE.—The Honorable T. T. a'Beckett, in accordance with notice, moved, "That the subject of altering and amending the Constitution of this House be referred to a Select Committee of ten members, and that the Committee have power to sit during the adjournment of the House."

Debate ensued.

The Honorable R. Simson moved the previous question.

Debate ensued.

Motion for the previous question by leave withdrawn.

The Honorable J. P. Bear moved, That the debate be adjourned for a fortnight.

Debate ensued.

Question—put and passed.

TUESDAY, 4TH AUGUST.

CONSTITUTION OF COUNCIL COMMITTEE.—The Order of the Day for the resumption of the debate on the question "That the subject of altering and amending the Constitution of this House be referred to a Select Committee of ten members, and that the Committee have power to sit during the adjournment of the House," being read, the Honorable J. P. Bear moved, That the debate be further adjourned until Wednesday, 19th instant.

Question—put and passed.

WEDNESDAY, 19TH AUGUST.

CONSTITUTION OF COUNCIL COMMITTEE.—The Order of the Day for the resumption of the debate on the question "That the subject of altering and amending the Constitution of this House be referred to a Select Committee of ten members, and that the Committee have power to sit during the adjournment of the House," being read, the debate was resumed.

The Honorable N. Black moved, That the debate be adjourned until this day week.

Debate ensued.

Question—put and passed.

TUESDAY, 1ST SEPTEMBER.

CONSTITUTION OF COUNCIL COMMITTEE.—The Order of the Day for the resumption of the debate on the question "That the subject of altering and amending the Constitution of this House be referred to a Select Committee of ten members, and that the Committee have power to sit during the adjournment of the House," being read, the debate was resumed.

The Honorable T. T. a'Beckett, with leave of the Council, amended the motion by the insertion of the words "and the conducting the election of members thereof" after "House," and the addition of the words "and to call for witnesses and papers" at the end of the motion.

Question (as amended)—That the subject of altering and amending the Constitution of this House, and the conducting the election of members thereof, be referred to a Select Committee of ten members, and that the Committee have power to sit during the adjournment of the House, and to call for witnesses and papers—put and passed.

Two members having required that the Committee should be formed by ballot, the Council proceeded to the ballot, and the following members being reported by the Acting Clerk to have the greatest number of votes, were declared by the President to be the members of the Committee, viz. :—The Honorables T. T. a'Beckett, R. S. Anderson, W. Campbell, Dr. Dobson, J. Graham, W. Highett, the President, Sir F. Murphy, F. T. Sargood, and R. Simson.

TUESDAY, 17TH NOVEMBER.

CONSTITUTION OF COUNCIL COMMITTEE.—The Honorable T. T. a'Beckett brought up the Report of the Select Committee to which was referred the subject of altering and amending the Constitution of the Legislative Council, and moved that it be printed (with the Proceedings of the Committee).

Question—put and passed.

REPORT.

THE SELECT COMMITTEE of your Honorable House, appointed on the 1st September of the present year, to which was referred the subject of altering and amending the Constitution of the Legislative Council, have held thirteen meetings, and have agreed to the following Report:—

Your Committee have taken into consideration the following subjects:—

1. Qualification of candidates.
2. Qualification of electors.
3. Tenure of seats.
4. Number of members.
5. Distribution of seats.
6. Conduct of elections.

and have agreed to recommend as follows:—

1. QUALIFICATION OF CANDIDATES.

That the present qualification in respect of freehold property be retained.

That the possession of leasehold property held for a term, of which ten years shall be unexpired, rated at £250 per annum in excess of the rent reserved by the lease, or of so much in excess thereof as shall, with a freehold qualification, make up a qualification founded upon a rating of £250 per annum, subject to the same conditions as a freehold qualification, shall be a qualification for a candidate for a seat in the Legislative Council.

That the candidate has been a resident in the colony for a period of at least five years.

That a member whose seat shall be vacated by his becoming insolvent, bankrupt, assigning his property to or compounding with his creditors, shall not be eligible for re-election during a period of five years thereafter.

2. QUALIFICATION OF ELECTORS.

That the present qualification be altered by reducing the amount at which the property giving the qualification must be rated from £50 to £25; but that every elector rated at £100 and under £250 shall have two votes, and those rated at £250 and over shall have three votes.

3. TENURE OF SEATS.

That the present members shall be entitled to retain their seats for the term for which they have been elected; and that in the event of any of the said seats being vacated by death, resignation, or disqualification, the new member shall be elected for the unexpired portion of the term.

That at the expiration of the term for which existing members have been elected every new election for such seats be for a term of six years.

4. NUMBER OF MEMBERS.

That the number of members be increased to thirty-six by the addition of one member to each province—the six new members on their first election being elected for a term which will expire in September, 1880—thenceforth for a term of six years.

5. DISTRIBUTION OF SEATS.

That no alteration be made in the number or in the designation of the provinces, but that the number of representatives be six instead of five for each province.

6. CONDUCT OF ELECTIONS.

That the nomination paper shall be accompanied by a declaration by the candidate, setting forth particulars of his qualification.

That the whole of the deposit made by a candidate be forfeited in the event of his polling less than one-fifth of the number polled by the successful candidate last on the poll, and one-half thereof if he poll more than one-third, but less than one-half of such number.

That no election or committee meetings be permitted in a public-house.

That the poll be opened at 8 a.m.

The above recommendations are the result of much consideration and discussion. The subjects as to which the largest number of suggestions was offered were those of the tenure of seats, the number of members, and the distribution of seats. Your Committee, while of opinion that it is undesirable to subdivide the colony for the purposes of representation in the Legislative Council into less than six provinces, consider that the boundaries of these provinces require alteration. Such an alteration, however, would involve so many considerations, that your Committee determine upon leaving the details thereof to be considered and settled hereafter and made the subject of a separate measure.

The number of members, tenure of seats, and rotation of elections involved very difficult questions, it having been agreed that no member of the House should be deprived of his seat before it became vacant by effluxion of time. Ultimately the scheme now recommended was adopted. It will be found, by reference to the working of the scheme as shown at foot of the report, that, without disturbing in any way existing rights, the election of members for a term of six years only will come at once into operation, and that in the year 1880 and thenceforth every second year there will be an election of twelve members, each of whom will be elected for six years only.

Approximate returns have been obtained of the number of persons rated at £25 and upwards, and these returns show that the number of votes for the Legislative Council will be increased from about 23,736 to about 56,400 by ratepayers alone, to which will have to be added those who have a vote in respect of other qualifications.

Your Committee have thought it desirable to submit their recommendations to the House for its consideration as a preliminary to the introduction of a Bill for altering the Legislative Council as at present constituted.

THO. T. A'BECKETT,
Chairman.

10th November, 1874.

The Scheme above referred to.

It is proposed to increase the number of members to thirty-six, viz., one additional for each province.

That the six new members be elected in 1875; and, in the first instance, for a term of five years only; in 1880 and thenceforth, for six years.

That the existing members of the provinces retain their seats for the period for which they were elected, and at the expiration of this period, that each member newly elected hold seat for six years only.

The scheme will then work thus:—

| | | | | |
|---|-----|-----|-----|------|
| 1875.—Six new members to be elected, retiring in | ... | ... | ... | 1880 |
| 1876.—Six to be elected in lieu of those elected in 1866, and who will retire in | ... | ... | ... | 1882 |
| 1878.—Six to be elected in lieu of those elected 1868, who will retire in | | | | 1884 |
| 1880.—Twelve—six in lieu of those elected in 1875, and six in lieu of those elected in 1870, retiring in | ... | ... | ... | 1886 |
| 1882.—Twelve—six in lieu of those elected in 1876, and six in lieu of those elected in 1872, retiring in | ... | ... | ... | 1888 |
| *1884.—Twelve—six in lieu of those elected in 1878, and six in lieu of those elected in 1874, retiring in | ... | ... | ... | 1892 |

* At this date, the tenure of the seats of all members originally elected for ten years will have expired by effluxion of time.

PROCEEDINGS OF COMMITTEE.

TUESDAY, 8TH SEPTEMBER, 1874.

Members present :

The Hon. T. T. a'Beckett
The President
F. T. Sargood
R. Simson

The Hon. R. S. Anderson
W. Campbell
Dr. Dobson
W. Highett.

The Hon. T. T. a'Beckett was appointed Chairman of the Committee. Committee deliberated on the question of altering the Qualification of Candidates for seats in the Council. The Hon. R. S. Anderson left the Committee-room. Question—That the qualification of Members be abolished—put. The Committee divided.

Contents, 3.

The Hon. T. T. a'Beckett
Dr. Dobson
W. Campbell.

Not Contents, 4.

The Hon. The President
R. Simson
F. T. Sargood
W. Highett.

The question was therefore negatived. The Committee adjourned until three p.m. to-morrow.

WEDNESDAY, 9TH SEPTEMBER, 1874.

Members present :

The Hon. T. T. A'BECKETT, in the chair ;

The Hon. F. T. Sargood
W. Campbell
W. Highett

The Hon. J. Graham
R. Simson
The President.

The minutes of last meeting were read by the Clerk.

On the motion of the Honorable F. T. Sargood, the Committee agreed that "Candidates for seats in the Legislative Council shall have resided in the colony for five years."

The Hon. F. T. Sargood moved, "That the qualification of candidates shall consist of £2500, or £250 per annum, either freehold property, or be represented by Government or Corporation debentures, bank shares, gas shares, railway shares, building society shares, or bank deposits, all of which shall have been held for twelve months prior to candidature, and be retained during occupancy of seat."

Question—put.

The Committee divided.

Contents, 2.

The Hon. T. T. a'Beckett
F. T. Sargood.

Not Contents, 4.

The Hon. W. Campbell
W. Highett
J. Graham
The President.

The question was therefore negatived.

The Hon. W. Highett moved, "That the amount of qualification of candidates be not less than £2500, of which not less than £1250 shall be freehold property rated at £125 per annum, and the remainder may consist of Government or Corporation debentures, or real securities held on the same terms as to time."

The Committee deliberated.

The Committee divided.

Contents, 2.

The Hon. T. T. a'Beckett
W. Highett.

Not Contents, 5.

The Hon. F. T. Sargood
W. Campbell
R. Simson
J. Graham
The President.

The question was therefore negatived.

The Hon. T. T. a'Beckett moved, "That the possession of leasehold properties, of which not less than ten years shall be unexpired, which shall be rated at £250 a year, in excess of the rent payable to the lessor thereof, or of so much in excess as will, with a freehold qualification, make up a qualification founded upon a rating of £250 per annum, subject to the same conditions as to freehold qualification, be a qualification for candidates for seats in the Legislative Council."

The Committee divided.

Contents, 5.

The Hon. T. T. a'Beckett
W. Campbell
The President
F. T. Sargood
W. Highett.

Not Content, 1.

The Hon. R. Simson.

The question was therefore carried.

The Honorable F. T. Sargood moved, "That a member, if he become insolvent, bankrupt, or make an assignment or composition of his property for the benefit of his creditors, shall not be eligible for re-election for a period of five years from the time of his seat becoming vacant."

Question—put and passed.

The Hon. F. T. Sargood moved, "That the absence of a member during the whole of any session shall vacate his seat."

The Committee divided.

Contents, 2.
The Hon. F. T. Sargood
T. T. a'Beckett.

Not Contents, 5.
The Hon. W. Campbell
W. Highett
J. Graham
The President
R. Simson.

The question was therefore negatived.
The Committee adjourned until three p.m. on Thursday.

THURSDAY, 10TH SEPTEMBER, 1874.

Members present:

The Hon. The President
F. T. Sargood
W. Campbell
R. Simson

The Hon. Dr. Dobson
R. S. Anderson
J. Graham.

The Hon. the President was appointed Chairman.

The minutes of last meeting were read by the Clerk.

The Hon. the President announced that the Hon. T. T. a'Beckett was unable to attend in consequence of illness, and moved that the Committee adjourn until Thursday 17th instant.

Question—put and passed.

THURSDAY, 17TH SEPTEMBER, 1874.

Members present:

The Hon. T. T. a'BECKETT, in the chair;

The Hon. F. T. Sargood
The President
J. Graham

The Hon. W. Highett
W. Campbell
R. Simson
R. S. Anderson.

Minutes of last meeting were read by the Clerk.

The Hon. W. Highett moved, "That a professional and educational status be a qualification for candidates for seats in the Legislative Council without reference to property."

The Committee divided.

Contents, 3.
The Hon. R. S. Anderson
W. Highett
T. T. a'Beckett.

Not Contents, 5.
The Hon. The President
J. Graham
R. Simson
W. Campbell
F. T. Sargood.

The question was therefore negatived.

The Honorable Dr. Dobson entered the Committee-room.

The Committee deliberated on the amount of qualification of electors for the Legislative Council.

The Honorable T. T. a'Beckett moved, That the qualification be altered.

The Committee divided.

Contents, 8.
The Hon. T. T. a'Beckett
The President
W. Highett
F. T. Sargood
J. Graham
R. S. Anderson
R. Simson
Dr. Dobson.

Not Content, 1.
The Hon. W. Campbell.

The question was therefore carried.

The Hon. the President moved, That the qualification of electors for the Legislative Council be reduced by one-half, viz., to £25.

The Committee divided.

Contents, 7.
The Hon. T. T. a'Beckett
The President
J. Graham
R. Simson
F. T. Sargood
W. Highett
R. S. Anderson.

Not Contents, 2.
The Hon. W. Campbell
Dr. Dobson.

The question was therefore carried.

The Committee adjourned until 3 p.m. on Wednesday next.

WEDNESDAY, 23RD SEPTEMBER, 1874.

Members present :

The Hon. T. T. A'BECKETT, in the chair ;

| | | |
|--|--|---|
| <p>The Hon. W. Campbell J. Graham The President W. Highett</p> | | <p>The Hon. R. Simson R. S. Anderson F. T. Sargood.</p> |
|--|--|---|

The minutes of last meeting were read by the Clerk.

The Committee agreed, on the motion of the Hon. the President, that, in the event of the tenure of seats in the Legislative Council being shortened, the holders of seats for a term longer than that prescribed shall retain their seats until the effluxion of the time for which they have been elected.

The Committee deliberated on the question whether the size of the Provinces should be altered, what number of members there should be for each Province, and by what arrangement members should retire.

The Hon. R. S. Anderson and the Hon. R. Simson submitted schemes which were to be worked out by the Government statist, and brought up at the next meeting of the Committee. *Vide* Appendices C and D.

The Committee deliberated on the conduct and expense of elections, and agreed that a Candidate should deposit £100 as at present, the whole to be forfeited by the unsuccessful candidate if he do not poll one-fifth of the votes given for successful candidate last on the poll, and one half to be forfeited if he do not poll one-fourth.

The Committee agreed that no election or committee meetings shall be held in public houses.

The Committee deliberated on the question of candidates paying canvassers, scrutineers, &c., and postponed their decision.

On the motion of the Hon. F. T. Sargood, it was agreed, That the poll at elections should be opened at 8 a.m. instead of 9 a.m.

The Committee adjourned until 3 p.m. on Thursday next.

THURSDAY, 1ST OCTOBER, 1874.

Members present :

The Hon. T. T. A'BECKETT, in the chair ;

| | | |
|---|--|--|
| <p>The Hon. The President F. T. Sargood W. Campbell</p> | | <p>The Hon. W. Highett Dr. Dobson.</p> |
|---|--|--|

The Hon. T. T. a'Beckett submitted the following scheme for the increase of members, and their distribution between the provinces :—

It is proposed to increase the number of members to thirty-nine.

That the nine new members be apportioned to the different provinces as follows :—

| | | | | | Present Population. | No. of Votes. |
|------------------|-----|-----|-----|--------|---------------------|---------------|
| Central Province | ... | ... | ... | Three | 180,854 | 7,481 |
| North-Western | ... | ... | ... | Two | 198,299 | 4,452 |
| South-Western | ... | ... | ... | Two | 138,582 | 3,981 |
| South Province | ... | ... | ... | One... | 69,318 | 2,715 |
| Western | ... | ... | ... | One... | 64,150 | 2,226 |
| Eastern | ... | ... | ... | Nil | 77,331 | 2,020 |

That the colony be divided, as now, into six electoral provinces, bearing the same names as those now given to them; but that the boundaries be re-adjusted so as to diminish Central Province, and enlarge the adjoining provinces, and so as to make all the provinces more compact and more accessible to candidates—regard being had to the new lines of railway, completed and in course of construction—and also so as to prevent, as far as possible, the creation in any one province of largely preponderating local influences.

That the nine new members be elected in 1875; and, in the first instance, for a term of five years only: In 1882 and thenceforth, for six years.

That the existing members of the provinces retain their seats for the period for which they were elected, and at the expiration of this period, that the member newly elected hold seat for six years only.

The scheme will then work thus :—

| | |
|--|------|
| 1875.—The nine new members to be elected, retiring in | 1880 |
| 1876.—Six to be elected in lieu of those elected in 1866, and who will retire in | 1882 |
| 1878.—Six to be elected in lieu of those elected 1868, who will retire in | 1884 |
| 1880.—Fifteen—nine in lieu of those elected in 1875, and six in lieu of those elected in 1870, retiring in | 1886 |
| 1882.—Twelve—six in lieu of those elected in 1876, and six in lieu of those elected in 1872, retiring in | 1888 |
| 1884.—Twelve—six in lieu of those elected in 1878, and six in lieu of those elected in 1874, retiring in | 1892 |

After this date there will, every second year, be an election of fifteen, or twelve members, as the case may be.

In 1886 the fifteen will be thus distributed :—

| | | | | | | | |
|------------------------|-----|-----|-----|-----|-----|-----|---|
| Central Province | ... | ... | ... | ... | ... | ... | 4 |
| North-Western Province | ... | ... | ... | ... | ... | ... | 3 |
| South-Western Province | ... | ... | ... | ... | ... | ... | 3 |
| South Province | ... | ... | ... | ... | ... | ... | 2 |
| Western Province | ... | ... | ... | ... | ... | ... | 2 |
| Eastern Province | ... | ... | ... | ... | ... | ... | 1 |

In 1886 the twelve will be new members for each Province.

In 1890 the like.

In 1892 fifteen will be distributed as in 1866, and so on.

The Committee deliberated on the same.

The Hon. the President moved, That this Committee will not concur in any scheme of distribution of members which alters the present equality of the Provinces as to the number of their representatives.

The Committee postponed the consideration of this question until the next meeting.

The Committee adjourned until two p.m. to-morrow.

FRIDAY, 2ND OCTOBER, 1874.

Members present :

The Hon. T. T. A'BECKETT, in the chair ;

The Hon. The President
F. T. Sargood

The Hon. W. Campbell.

The Committee instructed the Clerk to send a circular to the Town Clerks and Secretaries of the different Cities, Towns, Boroughs, Shires, and Road Districts throughout the colony, asking for a Return of the number of ratepayers rated under £25 a year, and of the number rated at and above that sum. *Vide* Appendix A.

Mr. Sargood submitted a scheme to increase the number of members and reduce the term of seat.

The Committee adjourned until three p.m. on Tuesday next.

TUESDAY, 6TH OCTOBER, 1874.

Members present :

The Hon. T. T. A'BECKETT, in the chair ;

The Hon. The President
W. Campbell
F. T. Sargood
W. Highett

The Hon. J. Graham
R. Simson
Dr. Dobson.

The Hon. The President moved, That the Committee consider that it is not advisable to adopt any scheme of distribution of members which alters the present equality of the Provinces as to the number of their representatives.
Carried.

The Committee deliberated on the Hon. F. T. Sargood's scheme to increase the number of members, and reduce the term of seat, viz. :—

To increase the number of members to thirty-six, viz., one additional for each province.

That the six new members be elected in 1875 ; and in the first instance, for a term of five years only : in 1880 and thenceforth, for six years.

That the existing members of the provinces retain their seats for the period for which they were elected, and at the expiration of this period, that each member newly elected hold seat for six years only.

The scheme will then work thus :—

| | | | | | |
|--|-----|-----|-----|-----|------|
| 1875.—Six new members to be elected retiring in | ... | ... | ... | ... | 1880 |
| 1876.—Six to be elected in lieu of those elected in 1866, and who will retire in | ... | ... | ... | ... | 1882 |
| 1878.—Six to be elected in lieu of those elected 1868, who will retire in | ... | ... | ... | ... | 1884 |
| 1880.—Twelve—six in lieu of those elected in 1875, and six in lieu of those elected in 1870, retiring in | ... | ... | ... | ... | 1886 |
| 1882.—Twelve—six in lieu of those elected in 1876, and six in lieu of those elected in 1872, retiring in | ... | ... | ... | ... | 1888 |
| 1884.—Twelve—six in lieu of those elected in 1878, and six in lieu of those elected in 1874, retiring in | ... | ... | ... | ... | 1892 |

After this date there will, every second year, be an election of twelve members.

On the question being put for its adoption, the Committee divided.

Contents, 6.
The Hon. The President
F. T. Sargood
T. T. a'Beckett
W. Highett
J. Graham
Dr. Dobson.

Not Contents, 2.
The Hon. W. Campbell
R. Simson.

The question was therefore passed.

The Committee adjourned until three p.m. on Tuesday nex

TUESDAY, 13TH OCTOBER, 1874.

Members present :

The Hon. T. T. A'BECKETT, in the chair ;

The Hon. The President
R. Simson
R. S. Anderson
Dr. Dobson

The Hon. J. Graham
W. Highett
F. T. Sargood.

The minutes of last meeting were read by the Clerk.

The clerk was instructed to send circulars to the clerks of the various cities, towns, boroughs, shires, and road districts, for a return of the number of ratepayers rated at £75 a year and under £100 a year ; of those rated at £100 a year and under £200 a year, and of those rated at and over £200 a year, and at and over £250 a year.

The Honorable F. T. Sargood moved, That the being a minister of religion be not a disqualification for a seat in the Legislative Council.

The Committee divided.

Contents, 3.
The Hon. F. T. Sargood
The President
W. Highett.

Not Contents, 5.
The Hon. Dr. Dobson
W. Campbell
R. Simson
T. T. a'Beckett
R. S. Anderson.

The question was therefore negatived.
The Committee adjourned *sine die*.

WEDNESDAY, 21ST OCTOBER, 1874.

Members present :

The Hon. T. T. A'BECKETT, in the chair ;

The Hon. F. T. Sargood
W. Campbell

The Hon. R. Simson
R. S. Anderson, and
The President.

On the motion of the Hon. T. T. a'Beckett, the Committee ordered that the Town Clerks of Fitzroy and Collingwood should be summoned to give evidence before the Committee on Tuesday next.

The Committee adjourned until a quarter-past 3 p.m. on Tuesday, 27th instant.

TUESDAY, 27TH OCTOBER, 1874.

Members present :

The Hon. T. T. A'BECKETT, in the chair ;

The Hon. F. T. Sargood
W. Highett
The President

The Hon. R. S. Anderson
R. Simson
J. Graham.

Mr. Hart, Town Clerk of Fitzroy, was called in and examined as to the causes of the delay in his supplying the Committee with returns asked for.

Mr. McNaughton, Town Clerk of Collingwood, was called in and examined as to returns of ratepayers sent in by him.

The Chairman submitted a Draft Report for the consideration of the Committee.
The Committee adjourned until quarter-past 3 o'clock on Tuesday next.

TUESDAY, 3RD NOVEMBER, 1874.

Members present :

The Hon. T. T. A'BECKETT, in the chair ;

The Hon. F. T. Sargood
The President

The Hon. W. Campbell
R. S. Anderson.

The Committee deliberated and adjourned until a quarter past three o'clock on Tuesday, 10th instant.

TUESDAY, 10TH NOVEMBER, 1874.

Members present :

The Hon. T. T. A'BECKETT, in the chair ;

The Hon. The President
W. Campbell

The Hon. W. Highett
J. Graham
R. Simson.

The Chairman read the Draft Report paragraph by paragraph.

Paragraph 2.—Under the head of "Qualification of Electors," was amended, on the motion of the Hon. the President, by the addition of the words "but that every elector rated at £100 and under £250 shall have two votes, and those rated at £250 and over shall have three votes."

The Draft Report as amended was read and adopted.

The Chairman was ordered to report the same to the House.

APPENDICES.

APPENDIX A.

APPROXIMATE RETURN OF RATEPAYERS REFERRED TO IN THE REPORT AND PROCEEDINGS.

| Province. | No. of Ratepayers rated under £25. | No. of Ratepayers rated at and above £25. | No. of Ratepayers rated at £100 and under £250. | No. of Ratepayers rated at and above £250. |
|----------------------|------------------------------------|---|---|--|
| Central | 30,785 | 16,621 | 3,799 | 764 |
| South | 7,651 | 6,132 | 803 | 193 |
| South-Western | 19,954 | 7,862 | 788 | 271 |
| Western | 4,509 | 4,567 | 477 | 380 |
| North-Western | 32,708 | 13,157 | 1,455 | 336 |
| Eastern | 12,016 | 8,061 | 709 | 193 |
| | 107,623 | 56,400 | 8,031 | 2,137 |

APPENDIX B.

SCHEME PROPOSED BY MR. MITCHELL.

Under the Constitution Act, the number of members of the Legislative Council was half that of the Assembly—thirty against sixty.

The number of the latter is now seventy-eight; the half of that would be thirty-nine.

It is proposed to make the number forty-two, by adding twelve new members, two for each province, as set forth below; and if the number of the Assembly should be increased, to add two more members to be returned by the University.

In September 1875, elect six new members for five years.

„ 1876 „ twelve members for six years, six of these additional and six in place of retiring members elected in 1866.

„ 1878 „ six for six years, in place of members retiring, elected in 1868.

„ 1880 „ twelve for six years, in place of members elected in 1870 and 1875.

„ 1882 „ eighteen for six years, in place of members elected in 1872 and 1876.

„ 1884 „ twelve for six years, in place of members elected in 1874 and 1878.

„ 1886 „ twelve for six years, in place of members elected in 1880.

„ 1888 „ eighteen for six years, in place of members elected in 1882.

It is not proposed to divide the provinces geographically, but the result would be attained by only allowing an elector to have one vote, although there should be two or more candidates.

The term of six years is named for the duration of the sitting of members to be hereafter elected, because it is in accordance with the original Constitution Act, double the period for which members of the Assembly are elected; and at the first election of 1875, the proposal that the term for the six members then elected should be five years is likewise in accordance with the shorter terms for which members were returned at the first election under the Constitution Act.

APPENDIX C.

SCHEME PROPOSED BY MR. ANDERSON.

TABLE showing the order of retirement of Members of the Legislative Council according to a proposition that the number of Members shall ultimately be forty, representing five Provinces, and that two Members from each Province shall retire every two years, the period of retirement of present Members not being disturbed.

| Year. | Present Provinces. | | | | | | Proposed Provinces. | | | | | | | | | | Number of Members the House consists of. | Year. |
|-------|--------------------|--------|-------------|-------|-------------|-------|---------------------|---|---|---|---|-------------------|-----|-----|-----|-----|--|-------|
| | Members Retiring. | | | | | | Members Elected. | | | | | Members Retiring. | | | | | | |
| | Central. | South. | South West. | West. | North West. | East. | 1 | 2 | 3 | 4 | 5 | 1 | 2 | 3 | 4 | 5 | | |
| 1875 | ... | ... | ... | ... | ... | ... | 2 | 2 | 2 | 2 | 2 | ... | ... | ... | ... | ... | 40 | 1875 |
| 1876 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | ... | ... | ... | ... | ... | 39 | 1876 |
| 1878 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | ... | ... | ... | ... | ... | 38 | 1878 |
| 1880 | 1 | 1 | 1 | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 37 | 1880 |
| 1882 | 1 | 1 | 1 | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 36 | 1882 |
| 1884 | 1 | 1 | 1 | 1 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 35 | 1884 |
| 1886 | ... | ... | ... | ... | ... | ... | 2 | 2 | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 40 | 1886 |
| 1888 | ... | ... | ... | ... | ... | ... | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 40 | 1888 |

NOTE.—Five of the Members elected in 1875 retire in five years, and the other five in seven years. All other retire in eight years.

APPENDIX D.

SCHEME PROPOSED BY MR. SIMSON.

TABLE showing the order of retirement of Members of the Legislative Council according to a proposition that the number of Members shall ultimately be forty, representing ten Provinces, and that one Member from each Province shall retire every two years, the period of retirement of present Members not being disturbed.

| Year. | Present Provinces. | | | | | | Proposed Provinces. | | | | | | | | | | | | | | | | | | | | Number of Members the House consists of. | Year. |
|-------|--------------------|--------|-------------|-------|-------------|-------|---------------------|---|---|---|---|---|---|---|---|----|-------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|--|-------|
| | Members Retiring. | | | | | | Members Elected. | | | | | | | | | | Members Retiring. | | | | | | | | | | | |
| | Central. | South. | South West. | West. | North West. | East. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | | |
| 1875 | ... | ... | ... | ... | ... | ... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 40 | 1875 |
| 1876 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 44 | 1876 |
| 1878 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 38 | 1878 |
| 1880 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 42 | 1880 |
| 1882 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 36 | 1882 |
| 1884 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 40 | 1884 |
| 1886 | ... | ... | ... | ... | ... | ... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 40 | 1886 |

NOTE.—The Members elected in 1875 retire in three years. Those elected in 1876 retire in six years. All subsequently elected retire in eight years.

Office of the Government Statist,
Melbourne, 28th September, 1874.

H. H. HAYTER,
Government Statist.

APPENDIX E.

SCHEME PROPOSED BY MR. A'BECKETT.

It is proposed to increase the number of members to thirty-nine.

That the nine new members be apportioned to the different provinces as follows :—

| | | Present Population. | No. of Votes. |
|------------------|--------------|---------------------|---------------|
| Central Province | Three | 180,854 | 7,481 |
| North-Western | Two | 198,299 | 4,452 |
| South-Western | Two | 138,582 | 3,981 |
| South Province | One | 69,318 | 2,715 |
| Western | One | 64,150 | 2,226 |
| Eastern | Nil | 77,331 | 2,020 |

That the colony be divided, as now, into six electoral provinces, bearing the same names as those now given to them ; but that the boundaries be re-adjusted so as to diminish Central Province, and enlarge the adjoining provinces, and so as to make all the provinces more compact and more accessible to candidates—regard being had to the new lines of railway, completed and in course of construction—and also so as to prevent, as far as possible, the creation in any one province of largely preponderating local influences.

That the nine new members be elected in 1875 ; and, in the first instance, for a term of five years only : In 1882 and thenceforth, for six years.

That the existing members of the provinces retain their seats for the period for which they were elected, and at the expiration of this period, that the member newly elected hold seat for six years only.

The scheme will then work thus :—

| | | |
|--|--------|------|
| 1875.—The nine new members to be elected, retiring in | ... | 1880 |
| 1876.—Six to be elected in lieu of those elected in 1866, and who will retire in | | 1882 |
| 1878.—Six to be elected in lieu of those elected 1868, who will retire in | | 1884 |
| 1880.—Fifteen—nine in lieu of those elected in 1875, and six in lieu of those elected in 1870, retiring in | ... | 1886 |
| 1882.—Twelve—six in lieu of those elected in 1876, and six in lieu of those elected in 1872, retiring in | ... | 1888 |
| 1884.—Twelve—six in lieu of those elected in 1878, and six in lieu of those elected in 1874, retiring in | ... | 1892 |

After this date there will every second year be an election of fifteen, or twelve members, as the case may be.

In 1886 the fifteen will be thus distributed :—

| | | | | | | |
|------------------------|-----|-----|-----|-----|-----|---|
| Central Province | ... | ... | ... | ... | ... | 4 |
| North-Western Province | ... | ... | ... | ... | ... | 3 |
| South-Western Province | ... | ... | ... | ... | ... | 3 |
| South Province | ... | ... | ... | ... | ... | 2 |
| Western Province | ... | ... | ... | ... | ... | 2 |
| Eastern Province | ... | ... | ... | ... | ... | 1 |

In 1886 the twelve will be new members for each Province.

In 1890 the like.

In 1892 fifteen will be distributed as in 1866, and so on.

VICTORIA.



VOTES
AND
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL.

SESSION.

1874.