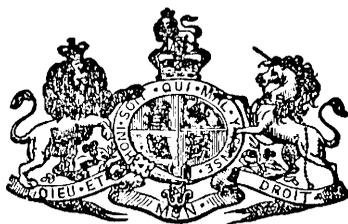


VIC. VOTES & PROCEEDINGS OF THE LEG. COUNCIL. SESS. 1880.

VICTORIA.



VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

DURING THE SESSION

1880,

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

---

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.



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RETURN OF MEMBERS OF THE LEGISLATIVE COUNCIL, 11<sup>TH</sup> MAY, 1880, AT THE  
OPENING OF THE TWENTY-EIGHTH SESSION OF PARLIAMENT.

Names arranged in the Order of Retirement.	Elected at—		Remarks.
	Nomination.	Polling.	
<b>CENTRAL PROVINCE:</b>			
The Honorables—			
William Edward Hearn ... ..	... ..	27th Aug., 1878.	
James Graham, ... ..	15th Aug., 1876.		
Theodotus John Sumner ... ..	15th Aug., 1874.		
James MacBain ... ..	3rd April, 1880	... ..	Elected in room of the Hon. F. T. Sargood, resigned.
James Lorimer ... ..	10th May, 1879.		
<b>SOUTH PROVINCE:</b>			
The Honorables—			
William John Clarke ... ..	17th Aug., 1878.		
James Buchanan ... ..	... ..	29th Aug., 1876.	
Thomas Ferrier Hamilton ... ..	18th Aug., 1874.		
Frank Stanley Dobson ... ..	17th Aug., 1872.		
James Balfour ... ..	... ..	19th June, 1874.	
<b>SOUTH-WESTERN PROVINCE:</b>			
The Honorables—			
Caleb Joshua Jenner ... ..	24th Aug., 1878.		
George Frederick Belcher ... ..	... ..	4th Sept., 1876.	
Henry Cuthbert ... ..	20th March, 1880	... ..	Vacated seat by acceptance of Office of Profit, and re-elected.
James Henty ... ..	23rd Aug., 1872.		
John Cumming ... ..	24th Aug., 1870.		
<b>WESTERN PROVINCE:</b>			
The Honorables—			
William Ross ... ..	29th Aug., 1878.		
Sir Charles Sladen ... ..	29th Aug., 1876.		
Thomas Bromell ... ..	... ..	11th Sept., 1874.	
Niel Black ... ..	30th Aug., 1872.		
Sir Samuel Wilson ... ..	... ..	22nd June, 1875.	
<b>NORTH-WESTERN PROVINCE:</b>			
The Honorables—			
Francis Robertson ... ..	... ..	16th Sept., 1878.	
Alexander Fraser ... ..	... ..	16th Sept., 1876.	
Nicholas Fitzgerald ... ..	4th Sept., 1874.		
William Campbell ... ..	... ..	16th Sept., 1872.	
Sir William Henry Fancourt Mitchell	2nd Sept., 1870.		
<b>EASTERN PROVINCE:</b>			
The Honorables—			
William Wilson ... ..	5th Sept., 1878.		
Robert Stirling Anderson ... ..	5th Sept., 1876.		
John Alston Wallace ... ..	4th Sept., 1874.		
Robert Dyce Reid ... ..	15th Nov., 1876.		
William Highett ... ..	2nd Sept., 1870.		



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- 1880.
- 12th May. 1. Post Office Savings Banks.—Statement of Accounts for year ending 31st December, 1879.
- „ 2. Press Messages—Rates chargeable.—Order in Council (23rd April, 1880).
- „ 3. Wind and Weather Reports—Rates chargeable for copies of.—Order in Council (20th April, 1880).
- „ 4. Import, Export, Transshipment, and Shipping Returns—Summary of, for 1879.
- „ 5. Pilot Board—Accounts of—for year ending 31st August, 1879.
- „ 6. Melbourne Harbor Trust—Accounts of—for year 1878.
- „ 7. Fisheries Acts—Notice under (11th February, 1880).
- „ 8. Mining Surveyors and Registrars—Reports of—for quarter ending 31st December, 1879.
- „ 9. Mineral Statistics of Victoria, 1879.
- „ 10. Mines—Chief Inspector's Report for year 1879.
- „ 11. Health Officer—Report of—for year ending 31st December, 1879.
- „ 12. Discipline Act—Additional Regulation under (9th April, 1880).
- „ 13. Polling-places for Mining Districts.—Orders in Council (2nd February and 9th February, 1880).
- „ 14. Melbourne International Exhibition.—Regulation made by Commissioners. Approved by Governor in Council (20th April, 1880).
- „ 15. Land Act 1869—Regulations under section 110.—Order in Council (17th February, 1880).
- „ 16. Land Act 1869—Ditto, ditto.—(1st March, 1880).
- „ 17. Land Act 1869—Ditto, ditto.—(19th March, 1880).
- 25th May. 18. Land Act 1869.—Report of Proceedings during year ending 31st December, 1879.
- „ 19. Post Office and Telegraph Department.—Report for year 1879.
- „ 20. Estimate of Expenditure proposed to be expended under section 12 of Education Act. £76,686—during year ending 30th June, 1880; for erection of Schools.
- 1st June. 21. Friendly Societies.—Second Annual Report of Government Statist for year 1879.
- 8th June. 22. Fisheries.—Notification regarding close season for fish, at Lake Colac and its tributaries (29th April, 1880).
- „ 23. Colonial Museum in London.—Despatch from the Right Honorable the Secretary of State for the Colonies (25th November, 1879).
- „ 24. Hospitals for the Insane—Report on, for year ending 31st December, 1879.
- „ 25. Friendly Societies—Report on, for year ending 31st December, 1879.
- 15th June. 26. Industrial and Reformatory Schools.—Report of Inspector for year 1879.
- 22nd June. 27. Imports consumed in Victoria, Value of.—Return—1872 to 1879.
- „ 28. Products exported, Value of.—Return—1872 to 1879.
- „ 29. Products exported, 1872 to 1879.—Return specifying the colonies or countries to which articles were exported.
- „ 30. Melbourne International Exhibition, 1880.—Regulation approved (31st May, 1880).
- „ 31. Melbourne International Exhibition, 1880.—Regulation approved (7th June, 1880).
- „ 32. Melbourne Harbor Trust.—Audited Accounts for the year 1879.
-

# VICTORIA.

## SUMMARY OF PROCEEDINGS ON BILLS IN THE LEGISLATIVE COUNCIL DURING THE SESSION 1880.

No.	SHORT TITLES OF BILLS.	By whom and when initiated.	PROGRESS.																Number of Act.	REMARKS.		
			First Reading.	Second Reading.	Committal.	Report.	Re-committal.	Report after Re-committal.	Adoption of Report.	Third Reading.	Passing.	Sent to Legislative Assembly.	Returned from Legislative Assembly :		Amen-ments considered.	Re-trans-mitted to Legislative Assembly.	Assent.	Published as Supplement to <i>Government Gazette</i> .				
														Without Amend-ments.	With Amend-ments.							
1	Bills of Sale Bill .. .. .	Honorable H. Cutlibert .. .. .	1880. 12 May	1880. 12 May	1880. ..	1880. ..	1880. ..	1880. ..	1880. ..	1880. ..	1880. ..	1880. ..	1880. ..	1880. ..	..	..	..	1880. ..	1880. ..	..		
2	Dower Bill .. .. .	Message from Legislative Assembly	1 June	1 June	15 June	15 June	22 June	22 June	22 June	24 June	24 June	24 June	24 June	..	..	..	..	..	..	..	..	Lapsed.
3	Controverted Elections (Council) Bill ..	Honorable W. E. Hearn .. .. .	1 June	1 June	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Not returned from Legislative Assembly.
4	Towns Management Bill .. .. .	Honorable W. E. Hearn .. .. .	1 June	1 June	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Lapsed.
5	Duties of People Bill .. .. .	Honorable W. E. Hearn .. .. .	1 June	1 June	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	Lapsed.
6	Falsification of Accounts Law Amendment Bill	Message from Legislative Assembly	8 June	8 June	15 June	15 June	15 June	..	..	15 June	22 June	22 June	..	..	..	..	..	..	..	..	..	Lapsed.
7	Waterworks Commissioners Act Repeal Bill	Message from Legislative Assembly	15 June	15 June	22 June	22 June	22 June	..	..	22 June	22 June	22 June	22 June	24 June	..	..	..	..	25 June	25 June	DCLV.	
8	Railway Works Construction Bill ..	Message from Legislative Assembly	15 June	15 June	22 June	22 June	22 June	..	..	24 June	24 June	24 June	..	..	..	..	..	..	25 June	25 June	DCLVI.	
9	Audit Act Amendment Bill .. .. .	Message from Legislative Assembly	24 June	24 June	24 June	24 June	24 June	..	..	24 June	24 June	24 June	..	..	..	..	..	..	25 June	25 June	DCLVII.	
																			25 June	25 June	DCLVIII.	

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*Minutes of the Proceedings*  
OF THE  
**LEGISLATIVE COUNCIL.**

TUESDAY, 11<sup>TH</sup> MAY, 1880.

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 the Most Honorable GEORGE AUGUSTUS CONSTANTINE, Marquis of Normanby, Earl of Mulgrave, Vicount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty's Most Honorable Privy Council; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

WHEREAS by *The Constitution Act* it was amongst other things enacted that it should be lawful for the Governor to fix such places within Victoria and, subject to the limitation therein contained, such times for holding the first and every other Session of the Council and Assembly, and to vary and alter the same respectively in such manner as he might think fit; and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he should deem it expedient: And whereas by a Proclamation made on the second day of March now instant I, the Governor of Victoria, in exercise of the power conferred by the said Act, did fix Tuesday the ninth day of March 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: And whereas it is expedient to vary and alter the time fixed in the said Proclamation: Now therefore I, the said Governor, in exercise of the power conferred by the said Act, do by this my Proclamation vary and alter the time fixed in the aforesaid Proclamation, by substituting for Tuesday the ninth day of March instant Tuesday the eleventh day of May in the year of our Lord One thousand eight hundred and eighty, and do now fix such eleventh day of May next 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 fifth day of March in the year of Our Lord One thousand eight hundred and eighty, and in the forty-third year of Her Majesty's reign.

(L.S.)

NORMANBY.  
By His Excellency's Command,  
JAMES SERVICE.

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 second day of March last by His Excellency the Most Honorable GEORGE AUGUSTUS CONSTANTINE, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Our Most Honorable Privy Council; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Our Colony of Victoria and its Dependencies, the said GEORGE AUGUSTUS CONSTANTINE, Marquis of Normanby, did fix Tuesday the ninth day of March last as the time for the commencement and holding of the next Session of the Legislative Council and Legislative Assembly of Our said Colony, 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 whereas by a further Proclamation made the fifth day of March last the said GEORGE AUGUSTUS CONSTANTINE, Marquis of Normanby, did vary and alter the time fixed in the aforesaid Proclamation, by substituting for Tuesday the ninth day of March Tuesday the eleventh day of May, in the year of Our Lord One thousand eight hundred and eighty, and did fix such eleventh day of May, One thousand eight hundred and eighty, as the time for the commencement and holding of the next Session of the said Legislative Council and Legislative Assembly, called "The Parliament of Victoria," for the despatch of business, at Twelve of the clock at noon,

in the Parliament Houses aforesaid: And forasmuch as for certain causes the said GEORGE AUGUSTUS CONSTANTINE, Marquis of Normanby, 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 the Honorable SIR WILLIAM FOSTER STAWELL, Knight, the Chief Justice of Our Supreme Court of Victoria, and SIR REDMOND BARRY, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, a Justice of Our said Court, do give and grant by the tenor of these presents unto you the said SIR WILLIAM FOSTER STAWELL and SIR REDMOND BARRY, or either of you, full power in Our name to begin and hold Our said Parliament, and to do everything which for and by Us, or the said GEORGE AUGUSTUS CONSTANTINE, Marquis of Normanby, 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 WILLIAM FOSTER STAWELL and SIR REDMOND BARRY, or either of them, that 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 right trusty and entirely-beloved Cousin and Counsellor the Most Honorable GEORGE AUGUSTUS CONSTANTINE, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Our Most Honorable Privy Council; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Our Colony of Victoria and its Dependencies, &c., &c., &c., at Melbourne, this tenth day of May, One thousand eight hundred and eighty, and in the forty-third year of Our reign.

(L.S.)

NORMANBY.

By His Excellency's Command,  
JAMES SERVICE.

Entered on Record by me in the Register of Patents, Book 20, page 286, this tenth day of May, One thousand eight hundred and eighty.  
W. H. ODGERS.

The Senior Commissioner informed the Members of the Legislative Council and Legislative Assembly that His Excellency the Governor would, in person, declare the cause of his calling the Parliament, on a future day, 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.

DECLARATIONS OF MEMBERS.—The Honorables the President, W. Highett, C. J. Jenner, J. A. Wallace, J. Henty, J. Balfour, J. Graham, R. S. Anderson, F. Robertson, R. D. Reid, J. Lorimer, W. E. Hearn, A. Fraser, W. J. Clarke, and N. Fitzgerald severally delivered to the Clerk the declarations required by the seventh clause of the Act 32 Victoria No. 334, as hereunder set forth:—

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

“Four thousand seven hundred (4700) acres 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, 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 capital 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 Jika Jika and town of Richmond, in the county or reputed county of Bourke, the description of which lands and tenements is as follows:—

“Part of Crown portion number thirty-seven, town of Richmond, containing nine acres or thereabouts.

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

Number on Roll.	Owner.	Net Annual Value.	Electoral Division.
1    ...    ... } 2    ...    ... }	William Highett    ...    ...	{    £500 0 0 } {    140 0 0 }	Central Province.

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

“WILLIAM HIGHETT.”

"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 Six 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 North Melbourne, Paywit, and Corio, in the counties or reputed counties of Bourke and Grant, the description of which lands and tenements are as follow :—

- "No. 1. Shop and two houses, at the corner of King and Rosslyn streets, being Crown allotment 11, sec. 49, North Melbourne, county of Bourke.  
 "No. 2. Two houses, Little Collins street, being Crown allotment 11, sec. 16A, town of Melbourne, parish of North Melbourne, county of Bourke.  
 "No. 3. House, King street, being Crown allotments 19 and 20, sec. 2, township of Queenscliff, parish of Paywit, county of Grant.  
 "No. 4. Store, Little Collins street west, being Crown allotment 10, sec. 16A, town of Melbourne, parish of North Melbourne, county of Bourke.  
 "No. 5. Store, Little Rytic street, Geelong, being allotment 2, sec. 48, parish of Corio, county of Grant.

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

- "No. 1. Rated in the rate-book of the city of Melbourne at One hundred and twenty-four pounds per annum.  
 "No. 2. Rated in the rate-book of the city of Melbourne at One hundred and fifty pounds per annum.  
 "No. 3. Rated in the rate-book of the borough of Queenscliff at Sixty pounds per annum.  
 "No. 4. Rated in the rate-book of the city of Melbourne at Sixty pounds per annum.  
 "No. 5. Rated in the rate-book of the town of Geelong at Sixty pounds per annum.

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

"C. J. JENNER."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, 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 capital 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 parish of Wooragee, in the county or reputed county of Bogong; in the parish of Bright, in the county or reputed county of Delatite; in the parish of Nepcan, in the county or reputed county of Mornington; and in the parish of South Melbourne, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

Name of Person rated.	Occupation of Person Rated.	Name of Owner.	Situation of Property.	Description of Property Rated.	No. in Rate-Book of Municipal District.	Municipal District.	Electoral District and Division.
No. 1. John A. Wallace	Mine and land owner	John A. Wallace	Wooragee ..	Allotment 1, section A; allotment 2, section A; allotment 3, section C; allotment 4, section C; allotment 8, section C; comprising over 666 acres	2385	United shire of Beechworth	Ovens, Beechworth.
No. 2. John James Roche	Hotelkeeper	John A. Wallace	Beach street, Sandridge	Part of Crown allotment 6, section 1, on which is erected the Bay View Hotel	39	Borough of Sandridge	Sandridge (Sandridge)
No. 3. John A. Wallace	Mine and land owner	John A. Wallace	Pioneer, near Bright	Allotment No. 7, section G, with residence thereon	958	Shire of Bright	Ovens, Bright.
No. 4. John A. Wallace	Mine and land owner	John A. Wallace	Near Rye	Allotments 4, 6, 7, 8, 13, and 14, comprising over 162 acres	445	Shire of Flinders and Kangerong	Mornington Kangerong. (Tootgarook)

"And I further declare that such of the said lands and tenements as are situate in the municipal districts of Beechworth, Sandridge, Bright, and Flinders, and Kangerong, are rated in the rate-books of such municipal districts as follows :—No. 1, rated at £70 per annum; No. 2, rated at £160 per annum; No. 3, rated at £26 per annum; No. 4, rated at £30 per annum.

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

"JOHN A. WALLACE."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, JAMES 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 Pakenham and Nar-nar-Goon, in the county or reputed county of Mornington, the description of which lands and tenements are as follow :—

"Freehold land, known as Pakenham Park, Pakenham.

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

"Pakenham Park, 4000 acres, parishes of Pakenham and Nar-nar-Goon ; net annual value, Six hundred pounds ; No. rate-book, 366.

"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, 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 yearly value of Two hundred and sixty 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 Moorabbin, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

"All that piece of land situated at the corner of South road and New street, containing five acres and a half or thereabouts, being part of Crown portion One, parish of Moorabbin, county of Bourke, with the buildings erected thereon.

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

No. in Rate-Book.	Person Rated.	Trade or Occupation.	Owner.	Description and Situation of Rateable Property.	Riding of Shire.	Electoral District.	Net Annual Value.
735	Balfour, James..	Gentleman..	Balfour, James..	5½ acres, 20 rooms, South road	West ..	Brighton, Brighton West	£260

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

"JAMES BALFOUR."

"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 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 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, situate in Bourke, Russell, and Little Collins streets, in the city of Melbourne, with the several buildings erected thereon.

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

Nos. on the Rate Roll.	} At over Two hundred and fifty pounds sterling per annum.
115 to 125	
891 to 899	
1106 to 1109	
1114 and 1115	

"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 GRAHAM."

"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 Three hundred and five 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 Boroondara, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

"Part of portion eighty-one, parish of Boroondara, in the borough of Kew, consisting of about thirteen acres, with two residences thereon, in one of which I reside.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of Kew are rated in the rate-books of such municipal district as follows, viz., Three hundred and five pounds.

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

"ROBERT S. ANDERSON."

"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 an 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 Newham, Edgecomb, and Doutta Galla, 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 the parish of Edgecomb, and one allotment in the parish of 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, and the borough of Essendon and Flemington are rated in the rate-books of such municipal districts as follows :—

Surname of Person in full.	Christian Name of Person in full.	Trade or Occupation.	Description of Property in respect of which Vote is claimed.	Whether Claimant claims as Owner or Occupier.	Value as stated in Claim.	Electoral District in which Property is situated.	Division of Electoral District in which Property is situated.
Birkin ...	Alfred	Gentleman	Farm in Newham, West riding	Occupier	£ 129 10	West Bourke...	Lancefield.
Birkin ...	Alfred	Gentleman	Farm in Newham...	Occupier	69 10	Dalhousie ...	Langley.
Strawhorn	John ...	Farmer ...	House and land, Edgecomb, secs. 13, 14	Occupier	107 0	Dalhousie ...	Campaspe.
Robertson	Francis	Gentleman	House, land, and garden, Buckley st. west	Owner...	100 0	West Bourke...	Essendon.
Blundell	Eliza ...	Farmer ...	House and land, Mount Alexander road	Occupier	54 0	West Bourke...	Essendon.

“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 DYCE REID, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria, of the value of Seven thousand pounds sterling money, above all charges and incumbrances affecting the same : And further, that the lands and tenements out of which such qualification arises are situate in the parish of Prahran, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

“Part of Crown portion 149A.

“Part of Crown portion 52.

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

Name of Municipal District.	No. on Rate-Book.	Situation and Description of Rated Property.	Full net Annual Value.
1. Town of Prahran ...	3723	Orrong road, eight acres and one-third ... ..	£ 220
2. Borough of St. Kilda ...	739	Brick house, &c., Westbury street, North Ward, St. Kilda N Electoral Division ... ..	200
			£420

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

“R. D. REID.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, JAMES LORIMER, 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 Prahran, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

“House and grounds known as Belcroft, situate in Albany road, Toorak.

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

Rate-Book.	Owner and Occupier.	Net Annual Rated Value.	Electoral Province.
No. 321 ... ..	James Lorimer ... ..	£450 ... ..	South Province.

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

“JAMES LORIMER.”

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, WILLIAM EDWARD HEARN, 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 capital 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 Jika, Kangerong, Wannaeue, and Fingal, in the counties or reputed counties of Bourke and Mornington, the description of which lands and tenements are as follow:—

"One house in the University of Melbourne.

"House and 1107 acres of land in the County of Mornington.

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

"Five hundred and ninety-five acres, Wannaeue, Eighty pounds.

"Four hundred and forty-four acres, Fingal, Forty pounds.

"Sixty-eight acres, and buildings, Dromana, One hundred and fifty pounds.

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

"W. E. HEARN."

"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 erected thereon.

"No. 2. Part allotment 139A, parish of Prahran, county of Bourke, having a frontage of 275 feet to Chapel street, with improvements.

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

"No. 1. Rated in rate-book No. 984, north ward of the borough of St. Kilda, at Two hundred and forty pounds per annum.

"No. 2. Rated in rate-book No. 985, north ward of the borough of St. Kilda, at Fifty pounds per annum.

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

"ALEX. FRASER."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, WILLIAM JOHN CLARKE, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the net annual value of Nine hundred and eight 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 Kalkallo, Mickleham, and Merriang, in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

"Three thousand eight hundred and ninety-three acres of land, shire of Merriang, parishes of Kalkallo, Mickleham, and Merriang.

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

Name of Municipal District.	Owner.	Situation and Description of Rated Property.	Full net Annual Value.
Shire of Merriang, Donnybrook Riding	William John Clarke	Parishes of Kalkallo, Mickleham, and Merriang, 3893 acres	£908

"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. J. CLARKE."

"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 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 Castlemaine and St. Kilda, in the counties or reputed counties of Talbot and Bourke, the description of which lands and tenements are as follow:—

"Malt-houses, mill, brewery, and dwelling-house, at Castlemaine.

"House and land at St. Kilda.

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

“ No. 912, sec. B 8 ...	...	...	...	£100
„ 1497, sec. D 2, on 62/64, 5 and 6 ...	...	...	...	400
„ 2039, sec. C, on 1 and 2 ...	...	...	...	50
„ 913, sec. B 8 ...	...	...	...	50
“ House and land, Alma road, St. Kilda	...	...	...	350
				<hr/>
				£950
				<hr/>

“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.”

ADJOURNMENT.—The Honorable R. S. Anderson moved, That the Council do now adjourn until two 'clock to-morrow.

Question—put and passed.

The Council adjourned at a quarter past twelve o'clock until two o'clock on Wednesday the 12th instant.

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



# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

WEDNESDAY, 12<sup>TH</sup> MAY, 1880.

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.

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

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I have called you together at an earlier period of the year than usual in order that ample time may be afforded you for the due consideration of the important measures which will be laid before you.

The necessary works required to place this colony in a state of defence against possible foreign aggression are in course of construction. Acting upon the request of the Imperial Government to send a delegate to London to give evidence before the Royal Commission now considering the condition of the defences of the Empire, a gentleman of acknowledged fitness has been appointed in that behalf.

The buildings for the International Exhibition intended to be opened in Melbourne this year are approaching completion. The Commissioners estimate that the total expenditure in connection with the Exhibition will amount to Three hundred and twenty thousand pounds ; but they are of opinion that the receipts and the sale of the annexes at the close thereof will reduce the total cost to a quarter of a million sterling.

A large area of land in the settled portions of the colony is totally unprovided with water in the summer season, and the population have suffered in consequence great losses and much personal privation. It has become therefore a necessity that water should be conserved during favourable seasons of the year. My Advisers have appointed a Board to carefully consider and report upon the various schemes which have been suggested, and to submit proposals for the accomplishment of that object.

All the lines of Railway authorised to be constructed by Parliament have been so far completed as to be opened for traffic. My Advisers are fully persuaded that new lines must be constructed to meet the growing requirements of the country. They have carefully investigated and considered the numerous applications which have been made for Railway accommodation, together with the means available for that purpose, and you will be asked to deal with proposals which will have the effect of enabling the construction of further Railways to be undertaken.

You will probably be of opinion that the re-arrangement of the Judicature, and the blending of the administration of law and equity, recently effected in England, ought to be adopted in this colony. I have appointed a Royal Commission for the purpose of considering how such a change can be best effected, and upon the receipt of their report you will be asked to devote some part of your time to the accomplishment of that object.

There are evident signs that the great depression upon our trade and commerce which has prevailed so long, and has affected so seriously all classes of this community, is passing away. The late abundant harvest, the high prices obtained for our wool, the speedy prospect of frozen meat becoming a new and almost unlimited article of export from this country, and the restoration of public confidence, will materially assist in promoting general prosperity.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

In the preparation of the Estimates of Expenditure 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 :

My Advisers regard it as their first duty to submit a measure dealing with the grave and important subject of Constitutional Reform, and they trust that it will receive your earliest and most attentive consideration.

The several Land Acts now in operation expire together at the close of this year. A measure will be laid before you making provision for the settlement and pastoral occupation of the remaining portions of unalienated lands belonging to the Crown.

There are now nearly twelve hundred miles of Railway opened for traffic throughout the colony. It is considered that the time has arrived when a more economical and efficient system of management of our State Railways than at present exists should be adopted. A Bill will be introduced dealing with this important matter, and I trust that your deliberations upon the proposals which will be laid before you will lead to a satisfactory solution of this question.

An amendment of the Public Service Act has long been urgently required. A Royal Commission appointed some years ago furnished a most elaborate and exhaustive report upon this subject. My Advisers are persuaded that a permanent reduction in the expenditure on the Public Service cannot be secured nor maintained until radical changes have been made in the conditions upon which persons shall enter and continue in the service. A measure on this subject will be laid before you for your consideration.

The subject of Mining on Private Property has repeatedly occupied your attention without resulting in legislation. A measure dealing with this most important matter should be passed without further delay, and it is intended to submit proposals for your consideration which it is hoped will secure a satisfactory settlement of this long vexed question.

The recent discoveries of payable quartz reefs upon some of the older alluvial goldfields have again directed public attention to the state of the law regulating mining for gold and silver, and to the insecurity of tenure to mining tenements. A proposed amendment of the law, providing amongst other things for giving greater security to *bonâ fide* holders, will doubtless receive at your hands the attention it deserves.

Several other measures of importance will be submitted for your consideration. Among these will be Bills to authorise the construction of further Railways, to make better provision for the conservation of Water, to provide for the suppression of Rabbits and other noxious vermin, to amend the Instruments and Securities Statute 1865, to amend the Public Health Statute, and to provide for the Decennial Census.

All these matters will require your grave consideration, and I pray that the Almighty may guide your deliberations for the welfare of the country.

NORMANBY.

12 May, 1880.

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

His Excellency the Governor left the Council Chamber.

The President took the Chair.

**DECLARATIONS OF MEMBERS.**—The Honorables W. Campbell, T. J. Sumner, Sir C. Sladen, Dr. Dobson, G. F. Belcher, J. Cumming, and Sir S. Wilson severally 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, 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 situated in the parish of Carlsruhe and in the city of Melbourne, in the counties or reputed counties of Bourke and Dalhousie, the description of which lands and tenements are as follow:—

“1. Six hundred and thirty-seven acres, parish of Carlsruhe.

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

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

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, 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 parish of Brunswick, in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

“Building land, Sydney road.

“Building land, Miller street.

“Brick house, King street.

“Brick hall, stabling, &c., Glenlyon street.

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

No. on the Rate.		£
40	Building land, Sydney road	8
897	Building land, Miller street	9
995	Brick house, King street	60
1063	Brick hall, &c., Glenlyon street	450

"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, CHARLES SLADEN, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parishes of Whoorel and Bambra, in the county or reputed county of Polwarth, the description of which lands and tenements are as follow:—

"Part of the property known as Ripple Vale, near Birregurra.

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

Bambra, 637 acres, valued at ...	£99 0 0
(Birregurra) Whoorel, 2605 acres ...	710 0 0

"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.

"CHARLES SLADEN."

"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 land or tenements in the colony of Victoria of the capital 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 Hawthorn and Prahran, in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

"Houses and land in the boroughs of Hawthorn and Prahran.

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

No. on the Rate.	Name of Person rated.	Name of Owner.	Situation of Property. <i>Hawthorn.</i>	Electoral District and Division.	Net Annual Value.
74	Raleigh, Joseph	Dobson, Frank Stanley	House, Yarra street	Boroondara, Hawthorn	£ s. d. 130 0 0
75	Dobson, Frank Stanley	Dobson, Frank Stanley	Land, Yarra street...	Ditto ...	20 0 0
1158	Craig, William John	Dobson, Frank Stanley	House, Church street	Ditto ...	100 0 0
208	Dobson, Frank Stanley	Dobson, Frank Stanley	<i>Prahran.</i> 44, Darling street...	... ..	130 0 0

"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."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, GEORGE FREDERICK BELCHER, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria, of the annual value of Seven 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 Moorpanyal, in the county or reputed county of Grant, the description of which lands and tenements are as follow:—

"Part of allotment number eighteen of block thirty-five, town of North Geelong.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of North Geelong are rated in the rate-books of such municipal district as follow:—Town of Geelong, Geelong North division, Villamanta ward. Number 26 on Roll. Freehold. Moorabool and Rylie streets. Valuation, Seven hundred and ninety-seven 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.

"G. F. BELCHER."

"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 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:—

"Buildings and land, Clendon road, Toorak.

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

No. on Rate-book.	Surname of Person rated.	Christian Name of Person rated.	Situation and Description of Property.	Full Net Annual Value.
500	Cumming ... ..	John ... ..	Clendon road ; buildings and land ; 11 acres	£500

“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, SIR SAMUEL WILSON, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the net annual value of Seven hundred and nine pounds ten shillings 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 Ercildoun and Burrumbeet, in the counties or reputed counties of Ripon and Talbot, the description of which lands and tenements are as follow :—

“Two thousand three hundred and sixty-six acres, being portion of Ercildoun estate.

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

SOUTH RIDING.

No. on rate—198.  
Surname—Wilson.  
Christian name—Samuel.  
Occupation—Sheep-farmer.  
Name of owner—Sir Samuel Wilson.  
Description—Land, 2366 acres.  
Electoral district—Ripon and Hampden.  
Division of electoral district—Burrumbeet.  
Net annual value—£709 10s.  
Rate at 1s. in the £—£35 9s. 6d.  
Date of payment—  
Amount—£35 9s. 6d.

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

“SAM<sup>L</sup>. WILSON.”

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.

By His Excellency the Most Honorable GEORGE AUGUSTUS CONSTANTINE, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom ; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland ; a Member of Her Majesty's Most Honorable Privy Council ; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George ; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

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

GREETING :

WHEREAS, by the Bill contained in the Schedule to a Statute passed in the Session of the Imperial Parliament holden in the eighteenth and nineteenth years of Her Majesty's 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 : NOW THEREFORE I, the Governor aforesaid, do 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.

Given under my hand and the Seal of the Colony at Melbourne, in the said Colony, this seventh day of July in the year of our Lord One thousand eight hundred and seventy-nine, and in the forty-third year of Her Majesty's reign.

(L.S.)

NORMANBY.

By His Excellency's Command,  
GRAHAM BERRY.

Entered on Record by me, in the Register of Patents, Book 20, page 190, this seventh day of July, One thousand eight hundred and seventy-nine.

W. H. ODGERS.

ELECTIONS AND QUALIFICATIONS COMMITTEE.—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 Victoria Electoral Act 1856, I do hereby appoint—

The Honorable Robert Stirling Anderson,  
The Honorable George Frederick Belcher,  
The Honorable Henry Cuthbert,  
The Honorable William Edward Hearn,  
The Honorable William Hightt,  
The Honorable James Lorimer, and  
The Honorable Sir Charles Sladen,

to be Members of a Committee to be called “The Committee of Elections and Qualifications.”

Given under my hand this twelfth day of May, 1880.

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

WRITS, RETURN OF, SOUTH-WESTERN AND CENTRAL PROVINCES.—The President announced to the Council that Writs issued by him for the election of Members, for the South-Western Province on the 12th March last, and for the Central Province on the 24th March last, had been returned to him, and that the Returning Officers had severally returned, “that Henry Cuthbert was duly returned in pursuance of the Writ” for the South-Western Province, and “that James MacBain was duly returned in pursuance of the Writ” for the Central Province.

SWEARING IN OF MEMBERS, SOUTH-WESTERN AND CENTRAL PROVINCES.—The Honorables H. Cuthbert and James MacBain being introduced, took and subscribed the oath required by the thirty-second clause of the Constitution Act, and delivered to the Clerk the declaration required by the seventh clause of the Act 32 Victoria, No. 334, as hereunder set forth:—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, HENRY CUTHBERT, 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 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 Cardigan, Burrumbeet, and Ballarat, in the counties of Grenville and Ripon, the description of which lands and tenements are as follow:—

“Allotment 6 of section 11, Cardigan, county of Grenville.

“Allotment 2 of section 14, parish of Cardigan, county of Grenville.

“Part of allotment 4 of section 9, city of Ballarat, county of Grenville.

“Allotment 53 A, parish of Burrumbeet, county of Ripon.

“Allotment 29 of section C, parish of Burrumbeet, county of Ripon.

“Allotment 74, parish of Ballarat, county of Ripon.

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

“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.”

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, JAMES MACBAIN, 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 capital value of Six thousand eight 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:—

“Certificate of title under the *Transfer of Land Statute*, vol., 305, fol. 60,873.

“All that piece of land delineated and colored red on the map in the margin, containing seven acres two roods and five perches or thereabouts, being part of Crown portion twenty-seven, parish Prahran, county of Bourke, together with the right of carriage-way over and along the road or way delineated brown on the said map, together with dwelling-house, out-houses, stable, coach-house, &c., erected thereon.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of Prahran are rated in the rate-books of such municipal district as follows:—James MacBain, rated on about seven acres land, in the parish of Prahran, corner of Toorak and Boundary roads, on which are erected dwelling-house (12 rooms), out-houses, stable, &c. Capital value (£6800) Six thousand eight hundred pounds. Annual value on which the municipal rates are levied, £340, say Three hundred and forty pounds sterling.

“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. MACBAIN.”

BILLS OF SALE BILL.—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That leave be given to introduce a Bill to amend the Law relating to Bills of Sale.

Question—put and passed.

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

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

The Honorable J. MacBain moved, That a Select Committee, consisting of seven Members, be appointed to prepare an Address in reply to the Speech of His Excellency the Governor. Question—put and passed.

The Honorable J. MacBain moved, That such Committee consist of the Honorables Sir C. Sladen, H. Cuthbert, W. E. Hearn, J. Cumming, J. Balfour, J. Lorimer, and the Mover.

Question—put and passed.

The Select Committee retired to prepare the Address.

The Honorable J. MacBain 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 the Most Honorable GEORGE AUGUSTUS CONSTANTINE, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of Her Majesty's Most Honorable Privy Council; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY :—

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

We thank Your Excellency for having called us together at an earlier period of the year than usual, in order that ample time may be afforded us for the due consideration of the important measures which will be laid before us.

We thank Your Excellency for informing us that the necessary works required to place this colony in a state of defence against possible foreign aggression are in course of construction. We express our satisfaction that, acting upon the request of the Imperial Government to send a delegate to London to give evidence before the Royal Commission now considering the condition of the defences of the Empire, a gentleman of acknowledged fitness has been appointed in that behalf.

We thank Your Excellency for informing us that the buildings for the International Exhibition intended to be opened in Melbourne this year are approaching completion. Also that the Commissioners estimate that the total expenditure in connection with the Exhibition will amount to Three hundred and twenty thousand pounds; but that they are of opinion that the receipts and the sale of the Annexes at the close thereof will reduce the total cost to a quarter of a million sterling.

We express our regret that a large area of land in the settled portions of the colony is totally unprovided with water in the summer season, and that the population have suffered in consequence great losses and much personal privation. We concur with Your Excellency that it has become therefore a necessity that water should be conserved during favourable seasons of the year. We thank Your Excellency for informing us that Your Excellency's Advisers have appointed a Board to carefully consider and report upon the various schemes which have been suggested, and to submit proposals for the accomplishment of that object.

We thank Your Excellency for informing us that all the Lines of Railway authorised to be constructed by Parliament have been so far completed as to be opened for traffic. We concur with Your Excellency's Advisers that new lines must be constructed to meet the growing requirements of the country. We thank Your Excellency for informing us that they have carefully investigated and considered the numerous applications which have been made for railway accommodation, together with the means available for that purpose, and that we shall be asked to deal with proposals which will have the effect of enabling the construction of further railways to be undertaken.

We are of opinion that the re-arrangement of the Judicature and the blending of the administration of law and equity, recently effected in England, ought to be adopted in this colony. We thank Your Excellency for informing us that Your Excellency has appointed a Royal Commission for the purpose of considering how such a change can be best effected, and that upon the receipt of their Report we shall be asked to devote some part of our time to the accomplishment of that object.

We thank Your Excellency for informing us that there are evident signs that the great depression upon our trade and commerce which has prevailed so long, and has affected so seriously all classes of this community, is passing away. We concur with Your Excellency that the late abundant harvest, the high prices obtained for our wool, the speedy prospect of frozen meat becoming a new article of export from this country, and the restoration of public confidence, will materially assist in promoting general prosperity.

We thank Your Excellency for informing us that Your Excellency's Advisers regard it as their first duty to submit a measure dealing with the grave and important subject of Constitutional Reform, and assure Your Excellency that it will receive our most attentive consideration.

We thank Your Excellency for informing us that the several Land Acts now in operation expire together at the close of this year, and that a measure will be laid before us making provision for the settlement and pastoral occupation of the remaining portions of unalienated lands belonging to the Crown.

We thank Your Excellency for informing us that there are now nearly twelve hundred miles of Railway opened for traffic throughout the colony. We concur in the opinion that the time has arrived when a more economical and efficient system of management of our State Railways than at present exists should be adopted. We thank Your Excellency for informing us that a Bill will be introduced dealing with this important matter, and we trust that our deliberations upon the proposals which will be laid before us will lead to a satisfactory solution of this question.

We thank Your Excellency for informing us that an amendment of the Public Service Act has long been urgently required, and that a Royal Commission appointed some years ago furnished a most elaborate and exhaustive Report upon this subject. We concur with Your Excellency's Advisers that a permanent reduction in the expenditure on the Public Service cannot be secured nor maintained until radical changes have been made in the conditions upon which persons shall enter and continue in the Service. We thank Your Excellency for informing us that a measure on this subject will be laid before us for our consideration.

We regret that the subject of Mining on Private Property has repeatedly occupied our attention without resulting in legislation. We concur with Your Excellency that a measure dealing with this most important matter should be passed without further delay, and we thank Your Excellency for informing us that it is intended to submit proposals for our consideration which it is hoped will secure a satisfactory settlement of this long vexed question.

We thank Your Excellency for informing us that the recent discoveries of profitable quartz reefs upon some of the older alluvial goldfields have again directed public attention to the state of the law regulating mining for gold and silver, and to the insecurity of tenure of mining tenements. We assure Your Excellency that the proposed amendment of the law, providing amongst other things for giving greater security to *bonâ fide* holders will receive at our hands the attention it deserves.

We thank Your Excellency for informing us that, amongst the measures of importance which will be submitted for our consideration, there will be Bills to authorise the construction of further Railways, to make better provision for the Conservation of Water, to provide for the Suppression of Rabbits and other noxious vermin, to amend "*The Instruments and Securities Statute 1855*," to amend "*The Public Health Statute*," and to provide for the Decennial Census.

We assure Your Excellency that all these matters will receive our grave consideration, and we pray that the Almighty may guide our deliberations for the welfare of the country.

The Honorable J. MacBain moved, That the Address be now adopted.  
Debate ensued.

Question—put and passed.

The Honorable H. Cuthbert moved, That the Address be presented to His Excellency the Governor by the President and such Members as may desire to accompany him, at such time as His Excellency may notify that he will be prepared to receive it.

Question—put and passed.

The President informed the Council that it had been intimated to him that His Excellency would be prepared to receive the Address on Tuesday, the 18th instant, at eleven o'clock, at Government House.

PAPERS.—The Honorable H. Cuthbert, by command of His Excellency the Governor, presented to the Council the following Papers :—

1. Post Office Savings Banks.—Statement of Accounts for year ending 31st December, 1879.
2. Press Messages—Rates chargeable.—Order in Council (23rd April, 1880).
3. Wind and Weather Reports—Rates chargeable for copies of.—Order in Council (20th April, 1880).
4. Import, Export, Transhipment, and Shipping Returns—Summary of, for 1879.
5. Pilot Board—Accounts of—for year ending 31st August, 1879.
6. Melbourne Harbor Trust—Accounts of—for year 1878.
7. Fisheries Acts—Notice under (11th February, 1880).
8. Mining Surveyors and Registrars—Reports of—for quarter ending 31st December, 1879.
9. Mineral Statistics of Victoria, 1879.
10. Mines.—Chief Inspector's Report for year 1879.
11. Health Officer—Report of—for year ending 31st December, 1879.

Ordered severally to lie on the Table.

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

1. Discipline Act—Additional Regulation under (9th April, 1880).
2. Polling-places for Mining Districts.—Orders in Council (2nd February and 9th February, 1880).
3. Melbourne International Exhibition.—Regulation made by Commissioners. Approved by Governor in Council (20th April, 1880).

Ordered severally to lie on the Table.

TRANSFER OF LAND STATUTE ASSURANCE FUND.—The Honorable G. F. Belcher, with leave of the Council, moved, without notice, That the Return laid on the Table of the Council on the 4th February, 1880, be printed.

Question—put and passed.

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

Question—put and passed.

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

Question—put and passed.

STANDING ORDERS COMMITTEE.—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That the Honorables the President, R. S. Anderson, C. J. Jenner, Sir C. Sladen, Dr. Dobson, Dr. Hearn, and the Mover be appointed a Select Committee on the Standing Orders of the House.

Question—put and passed.

**PARLIAMENT BUILDINGS (JOINT) COMMITTEE.**—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That the Honorables the President, J. Buchanan, Sir Samuel Wilson, C. J. Jenner, W. Ross, and J. A. Wallace be Members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.

Question—put and passed.

**LIBRARY COMMITTEE (JOINT).**—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That the Honorables the President, N. Fitzgerald, Dr. Dobson, J. Balfour, and J. Graham be Members of the Joint Committee of both Houses to manage the Library.

Question—put and passed.

**PRINTING COMMITTEE.**—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That the Honorables J. Lorimer, J. Cumming, W. Hightett, F. Robertson, and J. MacBain be appointed a Printing Committee; and that papers presented to the House be referred to the said Committee for report.

Question—put and passed.

**REFRESHMENT ROOMS (JOINT) COMMITTEE.**—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That the Honorables Thos. Bromell, T. F. Hamilton, R. D. Reid, G. F. Belcher, and W. J. Clarke be Members of the Joint Committee of both Houses to manage the Refreshment Rooms.

Question—put and passed.

**PAPERS.**—The Honorable H. Cuthbert, by command of His Excellency the Governor, presented to the Council the following Papers:—

1. Land Act 1869—Regulations under section 110.—Order in Council (17th February, 1880).
2. Land Act 1869—Ditto, ditto.—(1st March, 1880).
3. Land Act 1869—Ditto, ditto.—(19th March, 1880).

Ordered severally to lie on the Table.

**ADJOURNMENT.**—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That the House, at its rising this day, adjourn until Tuesday the 25th instant.

Question—put and passed.

The Council adjourned at four o'clock until half-past four o'clock on Tuesday, the 25th instant.

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## NOTICES OF MOTION AND ORDER OF THE DAY.

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TUESDAY, 25TH MAY, 1880.

**NOTICES OF MOTION:—**

1. The Hon. W. E. HEARN: To move for leave to introduce a Bill to amend the Law relating to Controverted Elections to the Legislative Council.
2. The Hon. W. E. HEARN: To move for leave to introduce a Bill to consolidate and amend the Law relating to Towns and other Populous Places and for the Suppression of various Offences.

**ORDER OF THE DAY:—**

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

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

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 25TH MAY, 1880.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

REPLY OF THE GOVERNOR TO ADDRESS.—The President announced to the Council that the Address of the Council to His Excellency the Governor, adopted on the 12th instant, 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 for the Address, and the assurance you give me that the various important measures to be brought under your notice will receive your serious and careful consideration.

Government House,  
Melbourne, May 18th, 1880.

NORMANBY.

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

WESTERN PROVINCE.—ISSUE OF WRIT.—The President announced to the Council that, in consequence of the death of the Honorable Niel Black, it was his intention to issue, on the 26th instant, a Writ for the election of a Member to serve for the Western Province in room of the Honorable Niel Black.

DECLARATION OF MEMBER.—The Honorable J. Buchanan delivered to the Clerk the declaration required by the seventh section 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 BUCHANAN, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the full nett annual value of Five hundred and five pounds sterling money, above all charges and incumbrances affecting the same : And further, that the lands and tenements out of which such qualification arises are situate in the parish of Berwick, in the county or reputed county of Mornington, the description of which lands and tenements are as follow :—

“Four hundred and seventy-eight acres, part sections 7 and 16; 3½ acres, part town allotments 19, 20; house and suburban allotments 7, 8, 9, 11; 1 acre part town allotment 20; 60 acres, part section 6; 250 acres, part section 19; 270 acres, part section 16; 50 acres, part section 19; parish of Berwick, county of Mornington.

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

Number in Rate-book.	Description.	Rated at—	Locality.
45, 46 ...	478 acres, part sections 7 and 9 ...	£215	Parish of Berwick.
56 ...	3½ acres, part town allotments 19, 20 ...	7	”
57 ...	house and suburban allotments 7, 8, 9, 11 ...	75	”
58 ...	1 acre, part town allotment 20 ...	3	”
97 ...	60 acres, part section 6 ...	21	”
146 ...	250 acres, part section 19 ...	94	”
165 ...	270 acres, part section 16 ...	67	”
166, 167 ...	50 acres, part section 19 ...	23	”
		£505	

“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 BUCHANAN.”

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

1. Land Act 1869.—Report of Proceedings during year ending 31st December, 1879.
2. Post Office and Telegraph Department.—Report for year 1879.

Ordered severally to lie on the Table.

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

Estimate of Expenditure proposed to be expended under section 12 of Education Act. £76,686—during year ending 30th June, 1880; for erection of Schools.

Ordered to lie on the Table.

HON. N. BLACK—DEATH OF.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the House do adjourn, at its rising this day, until Tuesday next, as a mark of respect to the memory of the Honorable Niel Black, long a Member of the Council.

Question—put and passed.

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

## NOTICES OF MOTION AND ORDER OF THE DAY.

TUESDAY, 1ST JUNE, 1880.

1. The Hon. R. D. REID: To ask the Honorable the Postmaster-General what action the Government intend to take with respect to finishing the sludge channel at Tarrawingee.

NOTICES OF MOTION:—

1. The Hon. W. E. HEARN: To move for leave to introduce a Bill to amend the Law relating to Controverted Elections to the Legislative Council.
2. The Hon. W. E. HEARN: To move for leave to introduce a Bill to consolidate and amend the Law relating to Towns and other Populous Places and for the Suppression of various Offences.
3. The Hon. Sir C. SLADEN: To move for a return showing the number of Ratepayers in the colony qualified as follows, viz.:—

Freeholders rated on £10 annual value.

" 15 "	"
" 20 "	"
Leaseholders rated on £20	"
" 30 "	"
" 40 "	"

And also showing the total number of lessees of land under Part 2 of The Land Act 1869, and the number of such lessees included in the above classified list of ratepayers, distinguishing the classes in which they appear and the number in such class.

4. The Hon. W. E. HEARN: To move for leave to bring in a Bill to declare, consolidate, and amend the Law relating to the Duties of the People.
5. The Hon. R. D. REID: To move, That leave of absence be granted to the Honorable William Wilson during the continuance of this Session.

ORDER OF THE DAY:—

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

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

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 1st JUNE, 1880.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

**DECLARATION OF MEMBER.**—The Honorable W. Ross 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, WILLIAM ROSS, 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 Yelimba, Pom Pom, and Purdeet, in the counties of Villiers and Heytesbury, the description of which lands and tenements are as follow :—

“The Gums Estate.

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

“5614 acres, The Gums Estate—Chatsworth Riding.

“5326 acres, The Gums Estate—Penshurst Riding.

“Net annual value, £1052 and £998 ; total, £2050.

“Rate at 12d. in the £, £52 12s. and £49 18s. ; total, £102 10s.

“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.

“WM. ROSS.”

**PAPER.**—The Honorable H. Cuthbert, by command of His Excellency the Governor, presented to the Council the following Paper :—

Friendly Societies.—Second Annual Report of Government Statist (for year 1879).

Ordered to lie on the Table.

**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 abolish Dower,*” with which they desire the concurrence of the Legislative Council.

C. MAC MAHON,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 1st June, 1880.

**DOWER BILL.**—The Honorable H. Cuthbert 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 H. Cuthbert, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 8th instant.

**CONTROVERTED ELECTIONS (COUNCIL) BILL.**—The Honorable W. E. Hearn, in accordance with notice, moved for leave to introduce a Bill to amend the law relating to elections to the Legislative Council.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable W. E. Hearn, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 15th instant.

**TOWNS MANAGEMENT BILL.**—The Honorable W. E. Hearn, in accordance with notice, moved, That leave be given to introduce a Bill to consolidate and amend the Law relating to Towns and other populous places, and for the suppression of various Offences.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable W. E. Hearn, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 15th instant.

**RATEPAYERS.**—The Honorable Sir C. Sladen, in accordance with *amended* notice, moved, That there be laid on the table of the House a return showing the number of Ratepayers in the colony qualified as follows, viz. :—

Freeholders rated on £10 annual value.

Freeholders rated above £10 and under £15 annual value.

Freeholders rated above £15 and under £20 annual value.

All ratepayers other than freeholders rated on £20 annual value.

All ratepayers other than freeholders rated above £20 and under £30 annual value.

All ratepayers other than freeholders rated above £30 and under £40 annual value.

And also showing the total number of lessees of land under Part 2 of The Land Act 1869, and the number of such lessees included in the above classified list of ratepayers, distinguishing the classes in which they appear and the number in such class.

Question—put and passed.

**DUTIES OF PEOPLE BILL.**—The Honorable W. E. Hearn, in accordance with notice, moved for leave to bring in a Bill to declare, consolidate, and amend the law relating to the Duties of the People.

Question—put and passed.

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

**POSTPONEMENT.**—The following Order of the Day was postponed until Tuesday, the 8th instant :—

“*Bills of Sale Bill*”—To be read a second time.

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

Question—put and passed.

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

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## ORDERS OF THE DAY.

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TUESDAY, 8TH JUNE, 1880.

1. The Hon. G. F. BELCHER: To call the attention of the Honorable Member representing the Government in this House to the fact, that several so-called art unions of real estate are publicly advertised to take place; and to ask him if it is the intention of the Attorney-General in the cases referred to to carry into effect the 31st section of the Police Offences Statute, which renders such lotteries illegal.

ORDERS OF THE DAY :—

1. DOWER BILL.—To be read a second time.
2. BILLS OF SALE BILL.—To be read a second time.

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TUESDAY, 15TH JUNE.

ORDERS OF THE DAY :—

1. CONTROVERTED ELECTIONS (COUNCIL) BILL.—To be read a second time.
2. TOWNS MANAGEMENT BILL.—To be read a second time.

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TUESDAY, 29TH JUNE.

ORDER OF THE DAY :—

1. DUTIES OF PEOPLE BILL.—To be read a second time.

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

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 8TH JUNE, 1880.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

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

Legislative Assembly Chamber,  
Melbourne, 8th June, 1880.

C. MAC MAHON,  
Speaker.

FALSIFICATION OF ACCOUNTS LAW AMENDMENT BILL.—The Honorable H. Cuthbert 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 H. Cuthbert, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 15th instant.

WESTERN PROVINCE—RETURN OF WRIT.—The President announced to the Council that the Writ issued by him on the 26th ultimo for the election of a Member for the Western Province had been returned to him, and that the Returning Officer had certified that "Robert Simson, of Leura, Toorak, near Melbourne, is duly elected in pursuance of" the Writ.

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

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, 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 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 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 :—

"Rate number 538, Simson, Robert, sheep farmer, 5423 acres land ; Brewster, Ripon and Hampden, Carngham division—Net annual value, £1220 ; owner and occupier.

"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."

PAPERS.—The Honorable H. Cuthbert, by command of His Excellency the Governor, presented to the Council the following Papers :—

1. Fisheries.—Notification regarding close season for fish, at Lake Colac and its tributaries (29th April, 1880).
2. Colonial Museum in London.—Despatch from the Right Honorable the Secretary of State for the Colonies (25th November, 1879).

Ordered severally to lie on the Table.

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

1. Hospitals for the Insane—Report on, for year ending 31st December, 1879.
2. Friendly Societies—Report on, for year ending 31st December, 1879.

Ordered severally to lie on the Table.

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

Debate ensued.

The Honorable J. Balfour moved, That the debate be adjourned until this day week.

Question—That the debate be adjourned until this day week—put and passed.

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

“*Bills of Sale Bill*”—To be read a second time.

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

Question—put and passed.

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

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## ORDERS OF THE DAY.

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TUESDAY, 15TH JUNE, 1880.

ORDERS OF THE DAY :—

1. CONTROVERTED ELECTIONS (COUNCIL) BILL.—To be read a second time.
2. TOWNS MANAGEMENT BILL.—To be read a second time.
3. FALSIFICATION OF ACCOUNTS LAW AMENDMENT BILL.—To be read a second time.
4. DOWER BILL.—Adjourned debate on second reading.
5. BILLS OF SALE BILL.—To be read a second time.

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TUESDAY, 29TH JUNE.

ORDER OF THE DAY :—

1. DUTIES OF PEOPLE BILL.—To be read a second time.

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

# Minutes of the Proceedings

OF THE

## LEGISLATIVE COUNCIL.

TUESDAY, 15<sup>TH</sup> JUNE, 1880.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

DECLARATION OF MEMBER.—The Honorable T. F. Hamilton delivered to the Clerk the declaration required by the seventh section of the Act No. 334, as hereunder set forth :—

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, THOMAS F. 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 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.”

PAPER.—The Honorable H. Cuthbert laid upon the Table the following Paper :—

Industrial and Reformatory Schools—Report of Inspector for Year 1879.

Ordered to lie on the Table.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until Tuesday, the 29<sup>th</sup> instant :—

“*Controverted Elections (Council) Bill*”—To be read a second time.

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

FALSIFICATION OF ACCOUNTS LAW AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, The Honorable H. Cuthbert moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable H. Cuthbert 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 H. Cuthbert moved, That the Report be now adopted.

Question—put and passed.

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

Question—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to repeal the Waterworks Commissioners Act 1869, and for other purposes*” ;

Also, a Bill intituled “*An Act to authorize the construction of Rolling Stock and works connected with the construction of State Railways, and for other purposes* ;” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,  
Melbourne, 15th June, 1880.

C. MAC MAHON,  
Speaker.

WATERWORKS COMMISSIONERS ACT REPEAL BILL.—The Honorable H. Cuthbert 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 H. Cuthbert, ordered to be printed, and the second reading made an Order of the Day for the next day of meeting of the Council.

RAILWAY WORKS CONSTRUCTION BILL.—The Honorable H. Cuthbert 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 H. Cuthbert, ordered to be printed, and the second reading made an Order of the Day for the next day of meeting of the Council.

DOWER BILL.—The Order of the Day for the resumption of the adjourned debate on the second reading of this Bill being read—the debate was resumed.

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

The Honorable H. Cuthbert moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

Ordered.

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

Question—put and passed.

The Council adjourned at a quarter past six o'clock until half-past four o'clock on Tuesday, the 22nd instant.

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## ORDERS OF THE DAY.

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TUESDAY, 22ND JUNE, 1880.

1. The Hon. Dr. DOBSON : To ask, What is the present amount of all the sums of money which have hitherto been received by the Registrar and paid to the Treasurer of Victoria under “*The Transfer of Land Statute*,” and the amount of such sums of money at present invested in Victorian Government securities, as directed by the 143rd section of that Statute.

ORDERS OF THE DAY :—

1. FALSIFICATION OF ACCOUNTS LAW AMENDMENT BILL.—To be read a third time.
2. WATERWORKS COMMISSIONERS ACT REPEAL BILL.—To be read a second time.
3. RAILWAY WORKS CONSTRUCTION BILL.—To be read a second time.
4. DOWER BILL.—To be further considered in Committee.
5. BILLS OF SALE BILL.—To be read a second time.

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TUESDAY, 29TH JUNE.

ORDERS OF THE DAY :—

1. DUTIES OF PEOPLE BILL.—To be read a second time.
2. CONTROVERTED ELECTIONS (COUNCIL) BILL.—To be read a second time.
3. TOWNS MANAGEMENT BILL.—To be read a second time.

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

*Minutes of the Proceedings*  
OF THE  
**LEGISLATIVE COUNCIL.**

TUESDAY, 22<sup>ND</sup> JUNE, 1880.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PAPERS.—The Honorable H. Cuthbert, by command of His Excellency the Governor, presented to the Council the following Papers :—

1. Imports consumed in Victoria, Value of.—Return—1872 to 1879.
2. Products exported, Value of.—Return—1872 to 1879.
3. Products exported, 1872 to 1879.—Return specifying the colonies or countries to which articles were exported.

Ordered severally to lie on the Table.

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

1. Melbourne International Exhibition, 1880—Regulation approved (31st May, 1880).
2. Melbourne International Exhibition, 1880.—Regulation approved (7th June, 1880).
3. Melbourne Harbor Trust.—Audited Accounts for the year 1879.

Ordered severally to lie on the Table.

FALSIFICATION OF ACCOUNTS LAW AMENDMENT BILL.—The President having reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable H. Cuthbert, was read a third time and *passed*. The Honorable H. Cuthbert moved, That the title of the Bill be "*An Act to amend the law with reference to the Falsification of Accounts.*"

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.

WATERWORKS COMMISSIONERS ACT REPEAL BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable H. Cuthbert moved, That the Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable H. Cuthbert 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 H. Cuthbert moved, That the Report be now adopted.

Question—put and passed.

The President having reported that the Chairman of Committees had certified that the Bill as certified was in accordance with the Bill as reported, The Honorable H. Cuthbert moved, That the Bill be now read a third time.

Debate ensued.

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

Question—That the Bill do now pass—put and passed.

The Honorable H. Cuthbert moved, That the title of the Bill be "*An Act to repeal the Waterworks Commissioners Act 1869 and for other purposes.*"

Question—put and passed.

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

RAILWAY WORKS CONSTRUCTION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable H. Cuthbert moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable H. Cuthbert 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 H. Cuthbert moved, That the adoption of the Report be made an Order of the Day for the next day of meeting of the Council.

Question—put and passed.

**DOWER 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 Sir S. Wilson 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 H. Cuthbert moved, That the adoption of the Report be made an Order of the Day for the next day of meeting of the Council.

Question—put and passed.

**POSTPONEMENT.**—The following Order of the Day was postponed until Thursday, the 24th instant :—  
“*Bills of Sale Bill*”—To be read a second time.

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

Question—put and passed.

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

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## ORDERS OF THE DAY.

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THURSDAY, 24TH JUNE, 1880.

ORDERS OF THE DAY :—

1. RAILWAY WORKS CONSTRUCTION BILL.—Adoption of Report.
2. DOWER BILL.—Adoption of Report.
3. BILLS OF SALE BILL.—To be read a second time.

TUESDAY, 29TH JUNE.

1. The Hon. Dr. DOBSON : To ask, What is the present amount of all the sums of money which have hitherto been received by the Registrar and paid to the Treasurer of Victoria under “*The Transfer of Land Statute*,” and the amount of such sums of money at present invested in Victorian Government securities, as directed by the 143rd section of that Statute.

ORDERS OF THE DAY :—

1. DUTIES OF PEOPLE BILL.—To be read a second time.
2. CONTROVERTED ELECTIONS (COUNCIL) BILL.—To be read a second time.
3. TOWNS MANAGEMENT BILL.—To be read a second time.

G. W. RUSDEN,

*Clerk of the Council and Clerk of the Parliaments.*

Minutes of the Proceedings  
OF THE  
LEGISLATIVE COUNCIL.

THURSDAY, 24<sup>TH</sup> JUNE, 1880.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

RAILWAY WORKS CONSTRUCTION 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 Report be now adopted.

Debate ensued.

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 H. Cuthbert, was read a third time and *passed*.

The Honorable H. Cuthbert moved, That the title of the Bill be "*An Act to authorize the Construction of Rolling Stock and Works connected with the construction of State Railways and for other purposes.*"

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.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to repeal the Waterworks Commissioners Act 1869 and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the several amendments made in such Bill by the Legislative Council.

C. MAC MAHON,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 24th June, 1880.

MR. PRESIDENT—

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

C. MAC MAHON,  
Speaker.

Legislative Assembly Chamber,  
Melbourne, 24th June, 1880.

AUDIT ACT AMENDMENT BILL.—The Honorable H. Cuthbert moved, That this Bill be now read a first time.

Question—put and passed.

The Honorable H. Cuthbert moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable H. Cuthbert 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 H. Cuthbert 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 H. Cuthbert, was read a third time and *passed*.

The Honorable H. Cuthbert moved, That the title of the Bill be "*An Act to amend the law relating to the Payment of the Public Moneys.*"

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.

**DOWER 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 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 H. Cuthbert, was read a third time and *passed*.

The Honorable H. Cuthbert moved, That the title of the Bill be "*An Act to abolish Dower.*"

Question—put and passed.

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

**POSTPONEMENT.**—The following Order of the Day was postponed until Tuesday, the 29th instant :—  
"*Bills of Sale Bill*"—To be read a second time.

The Council adjourned at twenty minutes past five o'clock until half-past four o'clock on Tuesday, the 29th instant.

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## ORDERS OF THE DAY.

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TUESDAY, 29TH JUNE, 1880.

1. The Hon. Dr. DOBSON : To ask, What is the present amount of all the sums of money which have hitherto been received by the Registrar and paid to the Treasurer of Victoria under "*The Transfer of Land Statute,*" and the amount of such sums of money at present invested in Victorian Government securities, as directed by the 143rd section of that Statute.

ORDERS OF THE DAY :—

1. DUTIES OF PEOPLE BILL.—To be read a second time.
2. CONTROVERTED ELECTIONS (COUNCIL) BILL.—To be read a second time.
3. TOWNS MANAGEMENT BILL.—To be read a second time.
4. BILLS OF SALE BILL.—To be read a second time.

G. W. RUSDEN,

*Clerk of the Council and Clerk of the Parliaments.*

SELECT COMMITTEES,  
APPOINTED DURING THE SESSION OF 1880.

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No. 1.—ELECTIONS AND QUALIFICATIONS.

Appointed (by President's Warrant) 12th May, 1880.

The Hon. Robert Stirling Anderson George Frederick Belcher Henry Cuthbert William Edward Hearn	The Hon. William Highett James Lorimer, and Sir Charles Sladen.
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No. 2.—ADDRESS IN REPLY TO GOVERNOR'S SPEECH.

Appointed 12th May, 1880.

The Hon. Sir C. Sladen H. Cuthbert W. E. Hearn J. Cumming	The Hon. J. Balfour J. Lorimer J. MacBain ( <i>Mover</i> ).
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No. 3.—STANDING ORDERS.

Appointed 12th May, 1880.

The Hon. The President R. S. Anderson C. J. Jenner Sir C. Sladen	The Hon. Dr. Dobson Dr. Hearn H. Cuthbert ( <i>Mover</i> ).
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No. 4.—PARLIAMENT BUILDINGS (JOINT).

Appointed 12th May, 1880.

The Hon. The President J. Buchanan Sir Samuel Wilson	The Hon. C. J. Jenner W. Ross J. A. Wallace.
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No. 5.—LIBRARY (JOINT).

Appointed 12th May, 1880.

The Hon. The President N. Fitzgerald Dr. Dobson	The Hon. J. Balfour J. Graham.
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No. 6.—PRINTING.

Appointed 12th May, 1880.

The Hon. J. Lorimer J. Cumming W. Highett	The Hon. F. Robertson J. MacBain.
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No. 7.—REFRESHMENT ROOMS (JOINT).

Appointed 12th May, 1880.

The Hon. T. Bromell T. F. Hamilton R. D. Reid	The Hon. G. F. Belcher W. J. Clarke.
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## TRANSFER OF LAND STATUTE—ASSURANCE FUND.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.  
THE HONORABLE W. WILSON.—25TH NOVEMBER, 1879.

LAID UPON THE COUNCIL TABLE BY THE HONORABLE W. WILSON, 4TH FEBRUARY, 1880, AND  
ORDERED BY THE COUNCIL TO BE PRINTED, 12TH MAY, 1880.

RETURN showing—

1. Amount of Contribution to Assurance Fund under section 30 of "*The Transfer of Land Statute;*" the amount of indemnity under sections 31 and 32.
2. Amount of Contributions to the Assurance Fund of a half-penny in the pound sterling upon all lands sold at auction or otherwise alienated in fee simple by the Crown.
3. What claims have been made on the Assurance and Indemnity Funds.
4. Whether the Assurance and Indemnity Fees are paid into the Consolidated Revenue, or kept in a separate account.

80/360.  
80/1765.  
SIR,

(Copy.)

Office of Titles,  
Melbourne, 23rd January, 1880.

In reference to the attached correspondence, I now do myself the honor to forward, as far as possible, the information desired to comply with the Order of the Legislative Council in relation to the Assurance Fund. The Return compiled in this office includes payments made to the Assurance and Indemnity Fund from January 1868 to December 1879. I regret to say that the books relating to the old Office of Titles, from October 1862 to December 1867 are not accessible. The period in question is prior to the amalgamation of that office with the Registrar-General's office, and although every effort and inquiry have been made, and every book in the custody of the accountant has been referred to, no trace can be found of any such books, and the officers who could have thrown any light on the matter are dead. To summarize the figures contained in the Returns, they stand thus:—

Period.			Assurance Fund.	Indemnity.	Total.
			£   s.   d.	£   s.   d.	£   s.   d.
<i>Vide</i> Return from R.-G. O.	1868 to 1879	... ..	21,348   7   4½	8,230   17   6	29,579   4   10½
<i>Vide</i> Return from C. Lands O.	1862 to 1879	... ..	19,164   9   0	...	19,164   9   0
			£40,512   16   4½	£8,230   17   6	£48,743   13   10½

The total payments credited to the Fund, according to the Treasury Return, are £51,439 4s. 1d., not including the interest, which amounts to £6258 19s. 9d., leaving a difference of £2695 10s. 2½d., presumed to have been collected in the Office of Titles from October, 1862, to December, 1867. This calculation gives an average of about £530 per annum for that time, and may, I think, fairly be accepted as correct, especially as the total amount for 1868 is £843, as compared with 1869, £1638. If this hypothesis be admitted, the sum of £2695 10s. 2½d. added to the figures given above would make the Return agree with the Treasury books.

I have the honor to be,  
Sir,  
Your obedient servant,  
RICHARD GIBBS.

£48,743 13 10½  
2,695 10 2½  
-----  
£51,439 4 1  
True copy. }  
H.F.O.—3/2/80. }

(Copy.)

RETURN showing approximately the Amount Paid as Contribution to the Assurance Fund, under the Transfer of Land Statute, on Crown Lands.

From 1st September, 1862, to 31st December, 1879, inclusive,

£19,164 9s. 0d.

Department of Lands and Survey,  
Melbourne, 22nd January, 1880.

A. MORRAH,  
Secretary for Lands.

True copy. }  
H.F.O.—3,2,80. }

(Copy.)

## CONTRIBUTIONS TO ASSURANCE FUND.

Year.	½d. in the £, under Sec. 30.			Indemnity, Secs. 31 & 32.		
	£	s.	d.	£	s.	d.
1868 ... ..	602	16	1	241	1	6
1869 ... ..	1,344	3	0	294	10	6
1870 ... ..	1,278	13	3½	544	10	6
1871 ... ..	1,432	7	7	790	3	6
1872 ... ..	1,409	1	9	728	0	6
1873 ... ..	1,934	6	10½	1,247	7	0
1874 ... ..	2,055	8	0½	813	12	6
1875 ... ..	2,059	12	1	594	0	0
1876 ... ..	2,111	18	6½	748	17	6
1877 ... ..	2,953	15	1½	692	5	0
1878 ... ..	2,173	13	1	799	9	0
1879 ... ..	1,992	11	11	737	0	0
	£21,348	7	4½	£8,230	17	6

£21,348 7 4½

8,230 17 6

£29,579 4 10½

True copy. }  
H.F.O.—3,2,80. }

No. 8053.

(Copy.)

SIR,

The Treasury,  
Melbourne, 17th December, 1879.

I have the honor to return herewith, with such information as this Department is able to contribute, the Order of the Legislative Council (forwarded by your minute of the 12th instant, No. 4278), for a Return respecting the Assurance Fund under the Transfer of Land Statute. The particulars asked for under items 1 and 2 of the Order are not contained in the Treasury records, but can probably be supplied by the Registrar of Titles, as section 142 of the Statute directs that a correct account of moneys received by him under its provisions shall be kept by him. With reference to item 3 of the Order, I transmit herewith a statement of the sums debited and credited to the Fund in each year from 31st December, 1863, to 30th November, 1879. Any further particulars required under this head can also, I presume, be supplied by the Registrar of Titles, on whose certificate the accounts are passed. With reference to item 4, I beg to state that all sums which the Registrar pays in under section 143 are, in accordance with that section, placed to credit of the Assurance Fund.

I have the honor to be,

Sir,

Your most obedient servant,

E. S. SYMONDS,

Under Treasurer.

The Secretary,  
Law Department.

True copy. }  
H.F.O.—3,2,80. }

(Copy.)

## ASSURANCE FUND.

Year.		Dr.			Cr.			
		£	s.	d.	£	s.	d.	
31st December, 1863	...	...			470	10	4	
"	1864	0	5	3	2,101	13	0	
"	1865	2	14	9	1,497	8	3	
"	1866	3	8	4	1,718	8	1	
"	1867	10	9	8	1,740	2	4	
"	1868	226	7	4	1,734	9	11	
"	1869	3	3	4	3,323	8	6	
"	1870	1	5	9	2,946	4	0	
"	1871	4	3	5	3,384	1	7	
"	1872	3	17	4	3,634	13	6	
30 June,	1873	0	10	11	1,981	2	6	Investment.
"	1874	5	18	2	4,843	5	5	£23,000 0 0
"	1875	4	13	1	5,258	12	10	—
"	1876	10	1	9	4,994	13	2	—
"	1877	438	3	6	5,227	19	7	—
"	1878	43	3	10	5,555	3	8	4,480 0 0
"	1879	95	9	7	5,097	11	3	18,520 0 0
		853	16	0	55,509	7	11	46,000 0 0
		—			—			920 0 0
30th November, 1879	...	0	6	10	2,188	15	11	235 14 0
		£854	2	10	£57,698	3	10*	£47,155 14 0

\* Includes Interest, £6258 19s. 9d.

True copy. }  
F.O.—3,2,80. }

(Initialed)

R. G.  
15/12/79.

VIC. VOTES & PROCEEDINGS OF THE LEG. COUNCIL, SESS. 1880.