

VICTORIA.



VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE

COUNCIL.

SESSION

1878.

THE HON. THE PRESIDENT
OF THE LEGISLATIVE COUNCIL.

VICTORIA.



VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

DURING THE SESSION

1878,

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

By Authority:

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1878.

RETURN OF MEMBERS OF THE LEGISLATIVE COUNCIL, 9TH JULY, 1878, AT THE
OPENING OF THE TWENTY-SIXTH SESSION OF PARLIAMENT.

Names arranged in the Order of Retirement.	Elected at—		Remarks.
	Nomination.	Polling.	
CENTRAL PROVINCE:			
The Honorables—			
James Graham	15th Aug., 1876.		
Theodotus John Sumner	15th Aug., 1874.		
Frederick Thomas Sargood ... ..	... ..	12th May, 1874.	
George Ward Cole	10th Dec., 1870.		
Thomas Turner a'Beckett	20th April, 1870.		
SOUTH PROVINCE:			
The Honorables—			
James Buchanan ... ..	... ..	29th Aug., 1876.	
Thomas Ferrier Hamilton	18th Aug., 1874.		
Frank Stanley Dobson	17th Aug., 1872.		
James Balfour ... ..	... ..	19th June, 1874.	
John Pinney Bear ... ..	... ..	3rd Oct., 1868.	
SOUTH-WESTERN PROVINCE:			
The Honorables—			
George Frederick Belcher ... ..	... ..	4th Sept., 1876.	
Henry Cuthbert	14th July, 1877.	... ..	Re-elected to seat vacated by accepting an office of profit under the Crown.
James Henty	23rd Aug., 1872.		
John Cumming	24th Aug., 1870.		
Caleb Joshua Jenner	29th Sept., 1868.		
WESTERN PROVINCE:			
The Honorables—			
Sir Charles Sladen	29th Aug., 1876.		
Thomas Bromell ... ..	... ..	11th Sept., 1874.	
Niel Black	30th Aug., 1872.		
Sir Samuel Wilson ... ..	... ..	22nd June, 1875.	
Robert Simson	6th Oct., 1868.		
NORTH-WESTERN PROVINCE:			
The Honorables—			
Alexander Fraser ... ..	... ..	16th Sept., 1876.	
Nicholas Fitzgerald	4th Sept., 1874.		
William Campbell ... ..	... ..	16th Sept., 1872.	
Sir William Henry Fancourt Mitchell	2nd Sept., 1870.		
Francis Robertson ... ..	... ..	2nd Nov., 1868.	
EASTERN PROVINCE:			
The Honorables—			
Robert Stirling Anderson	5th Sept., 1876.		
John Alston Wallace	4th Sept., 1874.		
Robert Dyce Reid	15th Nov., 1876.		
William Highett	2nd Sept., 1870.		
William Wilson	13th Jan., 1875.		

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- ” 2. Mining Surveyors and Registrars—Report of—for Quarter ending 31st March, 1878.
- ” 3. Ballarat Juvenile Industrial Exhibition.—Further Despatch from the Right Honorable the Secretary of State (with Enclosure) (5th March, 1878).
- ” 4. New Hebrides—Protectorate of.—Circular Despatch from the Right Honorable the Secretary of State (with Enclosures) (28th February, 1878).
- ” 5. Telegraph Line Duplication.—Report of Conference (May, 1878).
- ” 6. Jika Reformatory.—Report of Board, 1878.
- ” 7. Indian Famine Relief Fund.—Despatch (8th May, 1878).
- ” 8. Correspondence respecting differences on Constitutional points between the two Houses of the Legislature of Victoria.
- ” 9. Parliamentary Crisis.—Despatches from the Right Honorable the Secretary of State, 24th April and 30th April, 1878.
- ” 10. Memoranda respecting proposed reinstatement of certain Officers of the Public Service, 11th April, 24th April, 6th May, 1878.
- ” 11. Pilot Board—Accounts of—for Year ending 31st August, 1877.
- ” 12. Post Office and Telegraph Department.—Report (1877).
- ” 13. Telegraph proposed between New Zealand and America.—Despatches.
- ” 14. Post Office Savings Bank.—Accounts for Year ending 31st December, 1877.
- ” 15. Public Accounts.—Regulations (1st April, 1878 ; 8th April, 1878 ; 24th June, 1878).
- ” 16. Friendly Societies Act 1877.—Regulations under 29th April, 1878.
- 16th July. 17. Land Act 1869.—Regulations under sec. 110, prescribing Form of License to be issued.
- ” 18. Land Act 1869—Regulations as to Fee for Re-license under Part II.
- ” 19. Land Act 1869.—Regulation under sec. 110, respecting cutting Timber.
- ” 20. Discipline Act 1870.—Additional Regulation (24th June, 1878).
- 23rd July. 21. Statistical Register of the Colony of Victoria, 1877.—
Part I.—Blue Book.
Part II.—Population.
Part III.—Finance, &c.
- ” 22. Friendly Societies—Statistics of—for 1876.
- ” 23. University of Melbourne—Report of—for Year ending 31st May, 1878.
- ” 24. Penal Establishments and Gaols.—Report (1877).
- ” 25. Lunatic Asylums and Hospitals for Insane.—Report (1877).
- ” 26. Intercolonial Telegraphic Messages.—Order in Council, 3rd June, 1878.
- ” 27. Friendly Societies Act 1877—Regulation under (2nd July, 1878).
- ” 28. Education Act, No. 447.—Amended Regulations.—Salaries of Teachers. To take effect from 1st August, 1878.
- ” 29. Education Act, No. 447.—Regulation.—Examination and Classification of Teachers (8th April, 1878).
- 24th July. 30. Mining on certain Reserved Lands, Sandhurst—Order in Council (8th July, 1878).
- 31st July. 31. Public Works Loan Act 1872.—No. 428.—
Statement of Expenditure during Year ending June, 1878.
Estimate of Expenditure during Year ending June, 1879.
- 6th Aug. 32. Land Act 1869.—Regulations under 110th section—Prescribing Fee for authority to issue Treasurer's Receipts (26th July, 1878).
- 7th Aug. 33. Schedule D to Act 18 & 19 Vict. cap. 55—Statement of Expenditure under, during Year 1877-8.
- ” 34. Parliamentary Crisis.—Further Despatch from the Right Honorable the Secretary of State (13th May, 1878).
- ” 35. Phylloxera Vastatrix—Report of Inspectors of Vineyards (12th June, 1878).
- ” 36. Maldon—Mining Operations authorized on Excepted Lands at.—Order in Council (18th July, 1878).
- 13th Aug. 37. South Bank of Yarra.—Return to an Order of the Council.
- ” 38. Penal Establishments—Report of Inspector-General of, on Management of Prisons in Great Britain and Ireland, Europe, and America.
- ” 39. Press Messages.—Rates chargeable on, in Victoria.—Order in Council (5th August, 1878).
- ” 40. Victorian Water Supply.—Application of Moneys during Year ending 30th June, 1878, out of Loan Acts 428 and 531.
- 14th Aug. 41. Supreme Court.—Regula Generalis (10th August, 1878).
- 20th Aug. 42. Library, Public Museums, and National Gallery.—Report of Trustees for Financial Year 1876-7.
- ” 43. Mines.—Report of Chief Inspector of, for Year 1877.
- ” 44. Industrial and Reformatory Schools—Report of Inspector of, on working of Institutions in Great Britain and Ireland, and in America.

- 1878.
- 27th Aug. 45. Public Account.—Marine Survey Accounts.—Regulation (9th August, 1878).
- 3rd Sept. 46. Mining Surveyors and Registrars—Reports of—for Quarter ending 30th June, 1878.
- „ 47. Lunatic Asylums.—Return of Inspector of Lunatic Asylums (23rd July, 1878).
- 4th Sept. 48. Education Report for Year 1877–8.
- 11th Sept. 49. Telegraphic Messages between certain Border Towns in Victoria and New South Wales.—
Order in Council (5th September, 1878).
- 17th Sept. 50. Statistical Register of Victoria, 1877.—Part IV.—Production.
- 24th Sept. 51. Statistical Register of the Colony of Victoria, 1877.—Part V.—Vital Statistics.
- „ 52. Echuca Bridge.—Royal Commission—Reports of.
- 1st Oct. 53. Industrial and Reformatory Schools.—Report of Inspector for Year 1877.
- 15th Oct. 54. Land Act 1869.—Regulations for Removal of Bark from Wattle Trees on Crown Lands.—
Order in Council (30th September, 1878).
- „ 55. Maldon Police and Public Recreation Reserves — Revocation of Order in Council
authorizing Mining Operations on.—Order in Council (7th October, 1878).
- 22nd Oct. 56. Australian Steam Postal Service—Amended Advertisement—Forms of Tender and
Conditions for (10th October, 1878).
- „ 57. Yan Yean Water Supply.—Cash Statement and Balance-sheet for Year ending 30th
June, 1878.
- „ 58. Statistical Register of Colony of Victoria, 1877.—Part VI.—Accumulation.
- „ 59. Observatory.—Thirteenth Report of Board of Visitors.
- 29th Oct. 60. Closed Roads.—Progress Report of Royal Commission (19th October, 1878).
- „ 61. Fisheries Act 1873.—Notice of Close Season for Schnapper (30th September, 1878).
- „ 62. Savings Banks.—Statements and Returns for Year ending 30th June, 1878.
- 30th Oct. 63. Imports consumed in Victoria—Returns, showing value of—for Years 1870 to 1877.
- 31st Oct. 64. Telegraphic Communication *via* Java.—Despatches from Right Honorable the Secretary
of State, with Enclosures (to May, 1878).
- 6th Nov. 65. Aborigines—Fourteenth Report of Board for Protection of.
- 12th Nov. 66. Victorian Railways.—Estimate of Expenditure to be incurred by Board of Land and Works
during the Year ending 30th June, 1879.—Railway Station at Melbourne, £75,000.
- 14th Nov. 67. Exhibition Building, Carlton Gardens.—Plans and Specifications (11th November, 1878).
- 19th Nov. 68. Education.—Report for Year 1877–8.
- „ 69. Defences of Victoria.—Despatches from the Right Honorable the Secretary of State (17th
July, 1878 ; 11th September, 1878).
- „ 70. Public Accounts—Certification of—Regulation for (4th November, 1878).
- 26th Nov. 71. Statistical Register, Victoria.—Part VII.—Law, Crime, &c.
- „ 72. Statistical Register, Victoria.—Part VIII.—Interchange.
- „ 73. Australasian Statistics for 1877.
- 27th Nov. 74. Parliament Buildings—Second Report of Royal Commission on (19th November, 1878).
- „ 75. Education Act, No. 447.—Amended Regulations.—Salaries and Payments (25th Novem-
ber, 1878).
- 28th Nov. 76. Statistical Register, Victoria, 1877.—Part IX.—Religious, Moral, and Intellectual
Progress.
- „ 77. Mining Surveyors and Registrars—Reports of—for Quarter ended 30th September, 1878.
- 4th Dec. 78. Railway Loan Act 1878, No. 608—Estimate of Expenditure proposed by Board of Land
and Works during Year ending 30th June, 1879, under Second Schedule of.
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VICTORIA.

SUMMARY OF PROCEEDINGS ON BILLS IN THE LEGISLATIVE COUNCIL DURING THE SESSION 1878.

No.	SHORT TITLES OF BILLS.	By whom and when initiated.	PROGRESS.																	Number of Act.	REMARKS.	
			First Reading.	Second Reading.	Committee.	Report.	Re-commitment.	Report after Re-commitment.	Adoption of Report.	Third Reading.	Passing.	Sent to Legislative Assembly.	Returned from Legislative Assembly:		Amendments considered.	Re-transmitted to Legislative Assembly.	Assent.	Published as Supplement to Government Gazette.				
			1878.	1878.	1878.	1878.	1878.	1878.	1878.	1878.	1878.	1878.	1878.	1878.	1878.	1878.	1878.	1878.	1878.			
1	Justices of the Peace Bill	Honorable H. Cuthbert	9 July	9 July	Discharged from Notice Paper, 7 August.
2	Bills of Exchange Bill	Honorable Dr. Dobson	10 July	10 July	16 July	16 July	Discharged from Notice Paper, 24 July.
3	Constitution of Council Bill	Honorable Sir C. Sladen	10 July	10 July	24 July	24 July	7 August	7 August	14 August	7 August	Referred to a Select Committee, 14 August, 1878. Discharged from Notice Paper, 10 September, 1878, with a view to its re-introduction.
4	Consolidated Revenue Bill	Message from Legislative Assembly	16 July	16 July	16 July	16 July	16 July	..	..	16 July	16 July	16 July	..	..	..	..	..	17 July	19 July	DCII.	..
5	Goulburn Valley Railway Bill	Message from Legislative Assembly	23 July	23 July	30 July	30 July	31 July	..	..	31 July	31 July	31 July	..	..	..	..	..	1 August	2 August	DCIII.	..
6	Constitution Act Amendment Bill	Honorable Sir C. Sladen	23 July	23 July	13 August	13 August	3 Sept.	17 Sept.	17 Sept.	17 Sept.	Second and third reading passed by absolute majority. Not returned from Legislative Assembly.
7	Dower Abolition Bill	Honorable T. T. aBeckett	30 July	30 July	7 August	7 August	13 August	13 August	13 August	13 August	Not returned from Legislative Assembly.
8	Railway Construction Act 1877 Amendment Bill	Message from Legislative Assembly	20 August	20 August	27 August	27 August	3 Sept.	..	..	3 Sept.	3 Sept.	3 Sept.	..	..	..	..	..	9 Sept.	13 Sept.	DCVI.	..
9	South Yarra to Oakleigh Railway Bill	Message from Legislative Assembly	20 August	20 August	21 August	21 August	21 August	..	..	21 August	21 August	21 August	..	..	..	..	..	26 August	30 August	DCIV.	..
10	Instruments and Securities Statute 1864 Explanation Bill	Message from Legislative Assembly	20 August	20 August	21 August	21 August	21 August	..	..	21 August	23 August	21 August	..	..	..	..	..	26 August	30 August	DCV.	..
11	Public Works Loan Account Application Bill	Message from Legislative Assembly	4 Sept.	4 Sept.	10 Sept.	10 Sept.	10 Sept.	..	..	10 Sept.	10 Sept.	10 Sept.	..	..	..	..	..	13 Sept.	13 Sept.	DCVII.	..
12	Mining on Private Property Bill	Honorable J. A. Wallace	10 Sept.	10 Sept.	17 Sept.	17 Sept.	25 Sept.	25 Sept.	25 Sept.	1 Oct.	1 Oct.	1 Oct.	Not returned from Legislative Assembly.
13	Legal Professions Bill	Message from Legislative Assembly	10 Sept.	10 Sept.	Ordered to be read a second time "this day six months," 8 October, 1878.
14	Constitution of Council Bill (2)	Honorable Sir C. Sladen	10 Sept.	10 Sept.	10 Sept.	10 Sept.	10 Sept.	11 Sept.	17 Sept.	17 Sept.	Second and third reading passed by absolute majority. Not returned from Legislative Assembly.
15	Victorian Exhibitions Bill	Message from Legislative Assembly	17 Sept.	17 Sept.	1 Oct.	1 Oct.	1 Nov.	..	..	7 Nov.	7 Nov.	7 Nov.	7 Nov.	13 Nov.	..	..	..	14 Nov.	15 Nov.	DCXIX.	..
16	Transfer of Land Statute Amendment Bill	Message from Legislative Assembly	17 Sept.	17 Sept.	25 Sept.	25 Sept.	25 Sept.	..	..	1 Oct.	2 Oct.	2 Oct.	..	..	..	..	..	3 Oct.	4 Oct.	DCX.	..
17	Loans Bill	Message from Legislative Assembly	24 Sept.	24 Sept.	25 Sept.	25 Sept.	25 Sept.	..	..	25 Sept.	25 Sept.	25 Sept.	..	..	..	..	..	30 Sept.	4 Oct.	DCVIII.	..
18	Victorian Stock Conversion Bill	Message from Legislative Assembly	24 Sept.	24 Sept.	15 Oct.	15 Oct.	15 Oct.	..	..	15 Oct.	15 Oct.	15 Oct.	..	..	..	..	..	21 Oct.	25 Oct.	DCXI.	..
19	Consolidated Revenue Bill (2)	Message from Legislative Assembly	1 Oct.	1 Oct.	2 Oct.	2 Oct.	2 Oct.	..	..	2 Oct.	2 Oct.	2 Oct.	..	..	..	..	..	3 Oct.	4 Oct.	DCIX.	..
20	Constitution Act Alteration Bill	Message from Legislative Assembly	15 Oct.	15 Oct.	Lapsed.
21	Lien upon Growing Crops Bill	Message from Legislative Assembly	15 Oct.	15 Oct.	29 Oct.	29 Oct.	30 Oct.	..	..	31 Oct.	6 Nov.	6 Nov.	6 Nov.	13 Nov.	..	..	..	14 Nov.	15 Nov.	DCXVIII.	..
22	Ballarat Public Gardens Land Vesting Bill	Message from Legislative Assembly	15 Oct.	15 Oct.	22 Oct.	22 Oct.	22 Oct.	..	..	22 Oct.	22 Oct.	22 Oct.	..	..	..	..	..	14 Nov.	15 Nov.	DCXIII.	..
23	Juries Statute 1876 Amendment Bill	Message from Legislative Assembly	15 Oct.	15 Oct.	29 Oct.	29 Oct.	30 Oct.	..	..	31 Oct.	6 Nov.	6 Nov.	6 Nov.	13 Nov.	..	..	..	14 Nov.	15 Nov.	DCXXI.	..
24	Rosstown Junction Railway Bill	Message from Legislative Assembly	22 Oct.	22 Oct.	30 Oct.	30 Oct.	30 Oct.	..	..	31 Oct.	6 Nov.	6 Nov.	6 Nov.	..	..	..	..	14 Nov.	15 Nov.	DCXIV.	..
25	Fisheries Act Amendment Bill	Message from Legislative Assembly	29 Oct.	29 Oct.	30 Oct.	30 Oct.	30 Oct.	..	..	31 Oct.	6 Nov.	6 Nov.	6 Nov.	13 Nov.	13 Nov.	..	..	14 Nov.	15 Nov.	DCXXII.	..
26	Bankers' Books Evidence Bill	Message from Legislative Assembly	29 Oct.	29 Oct.	30 Oct.	30 Oct.	30 Oct.	..	..	31 Oct.	6 Nov.	6 Nov.	6 Nov.	13 Nov.	..	..	..	14 Nov.	15 Nov.	DCXX.	..
27	Expiring Laws Continuation Bill	Message from Legislative Assembly	30 Oct.	30 Oct.	31 Oct.	31 Oct.	31 Oct.	..	..	31 Oct.	6 Nov.	6 Nov.	6 Nov.	..	..	..	..	14 Nov.	15 Nov.	DCXXV.	..
28	Rabbit Nuisance Suppression Bill	Message from Legislative Assembly	30 Oct.	30 Oct.	7 Nov.	7 Nov.	13 Nov.	14 Nov.	14 Nov.	14 Nov.	19 Nov.	19 Nov.	19 Nov.	Not returned from Legislative Assembly.
29	Police Offences Statute Amendment Bill ..	Message from Legislative Assembly	31 Oct.	31 Oct.	7 Nov.	7 Nov.	7 Nov.	..	..	12 Nov.	12 Nov.	12 Nov.	12 Nov.	..	26 Nov.	26 Nov.	26 Nov.	2 Dec.	6 Dec.	DCXXXII.	..
30	Diseases in Vines Act 1877 Amendment Bill	Message from Legislative Assembly	31 Oct.	31 Oct.	6 Nov.	6 Nov.	6 Nov.	..	..	6 Nov.	7 Nov.	7 Nov.	..	..	..	..	..	14 Nov.	15 Nov.	DCXXVI.	..
31	Expiring Laws Continuation Bill (2)	Message from Legislative Assembly	31 Oct.	31 Oct.	Discharged from Notice Paper, 6 November, 1878, and Bill returned to Assembly, having been sent to Council by mistake.
32	Felons' Apprehension Bill	Message from Legislative Assembly	31 Oct.	31 Oct.	31 Oct.	31 Oct.	31 Oct.	..	..	31 Oct.	31 Oct.	31 Oct.	..	..	..	..	..	1 Nov.	1 Nov.	DCXII.	..
33	Neglected and Criminal Children Bill ..	Message from Legislative Assembly	6 Nov.	6 Nov.	12 Nov.	12 Nov.	13 Nov.	14 Nov.	14 Nov.	14 Nov.	19 Nov.	19 Nov.	19 Nov.	..	20 Nov.	21 Nov.	..	28 Nov.	29 Nov.	DCXXVI.	..	
34	Melbourne and Hobson's Bay Railway Sale Bill	Message from Legislative Assembly	6 Nov.	6 Nov.	7 Nov.	7 Nov.	7 Nov.	6 Nov.	6 Nov.	12 Nov.	12 Nov.	12 Nov.	..	..	..	..	..	14 Nov.	15 Nov.	DCXVII.	..
35	Railway Loan Account Application Bill ..	Message from Legislative Assembly	7 Nov.	7 Nov.	12 Nov.	12 Nov.	12 Nov.	..	..	12 Nov.	12 Nov.	12 Nov.	..	..	..	..	..	21 Nov.	22 Nov.	DCXXXIII.	..
36	Customs Act 1877 Amendment Bill	Message from Legislative Assembly	7 Nov.	7 Nov.	12 Nov.	12 Nov.	12 Nov.	12 Nov.	12 Nov.	12 Nov.	12 Nov.	12 Nov.	..	..	..	..	..	21 Nov.	22 Nov.	DCXXIV.	..
37	Treason and Felony Law Amendment Bill	Message from Legislative Assembly	7 Nov.	7 Nov.	14 Nov.	14 Nov.	14 Nov.	..	..	19 Nov.	19 Nov.	19 Nov.	19 Nov.	20 Nov.	20 Nov.	21 Nov.	21 Nov.	28 Nov.	29 Nov.	DCXXVII.	..
38	Charitable Trust Property Vesting Bill ..	Message from Legislative Assembly	13 Nov.	13 Nov.	19 Nov.	19 Nov.	19 Nov.	..	..	19 Nov.	19 Nov.	19 Nov.	..	..	..	..	..	28 Nov.	29 Nov.	DCXXV.	..
39	Lunacy Statute Amendment Bill	Message from Legislative Assembly	21 Nov.	21 Nov.	26 Nov.	26 Nov.	26 Nov.	..	..	26 Nov.	26 Nov.	26 Nov.	..	..	..	..	..	28 Nov.	29 Nov.	DCXXVIII.	..
40	Contagious Diseases Prevention Bill	Message from Legislative Assembly	21 Nov.	21 Nov.	26 Nov.	26 Nov.	26 Nov.	..	..	27 Nov.	28 Nov.	28 Nov.	28 Nov.	28 Nov.	..	..	..	2 Dec.	6 Dec.	DCXXX.	..
41	Land Act Amendment Bill	Message from Legislative Assembly	26 Nov.	26 Nov.	28 Nov.	28 Nov.	3 Dec.	3 Dec.	3 Dec.	3 Dec.	4 Dec.	4 Dec.	4 Dec.	..	4 Dec.	4 Dec.	..	6 Dec.	6 Dec.	DCXXXIV.	..	
42	Albert Park School Bill	Message from Legislative Assembly	26 Nov.	26 Nov.	27 Nov.	27 Nov.	27 Nov.	27 Nov.	27 Nov.	27 Nov.	28 Nov.	28 Nov.	28 Nov.	..	..	..	..	2 Dec.	6 Dec.	DCXXXI.	..
43	Railway Loan Application Bill	Message from Legislative Assembly	26 Nov.	26 Nov.	27 Nov.	27 Nov.	27 Nov.	..	..	27 Nov.	27 Nov.	27 Nov.	..	..	..	..	..	28 Nov.	29 Nov.	DCXXXIX.	..
44	Appropriation Bill	Message from Legislative Assembly	26 Nov.	26 Nov.	27 Nov.	27 Nov.	27 Nov.	..	..	27 Nov.	4 Dec.	4 Dec.	..	..	..	..	..	6 Dec.	6 Dec.	DCXXXIII.	..

RECAPITULATION.

Bills initiated during the Session	44
Passed and assented to	33
Not returned from Legislative Assembly	5
Discharged from Notice Paper	4
Ordered to be read a second time "this day six months"	1
Lapsed	1
	44

VICTORIA.

No. 1.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 9TH JULY, 1878.

Pursuant to Proclamation the Council met.

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

PROCLAMATION.

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

WHEREAS by the Constitution Act it 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 the said Council and Assembly, called "The Parliament of Victoria," stand prorogued until Tuesday the twenty-fifth day of June instant, and it is expedient further to prorogue the same and to fix the time for holding the next Session thereof : Now therefore I, the Governor of Victoria, in exercise of the power conferred by the said Act, do by this my Proclamation further prorogue the said Parliament of Victoria from Tuesday the twenty-fifth day of June until Tuesday the ninth day of July next ensuing ; and also I do hereby fix Tuesday the aforesaid ninth day of July as the time for the commencement and holding of the next Session of the said Council and Assembly, called the Parliament of Victoria, for the despatch of business, at Two of the clock in the afternoon, in the Parliament Houses, situate in Parliament place, Spring street, in the City of Melbourne ; and the Honorable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

Given under my hand and the Seal of the Colony, at Melbourne, this eleventh day of June, in the year of Our Lord One thousand eight hundred and seventy-eight, and in the forty-first year of Her Majesty's reign.

(L.S.)

G. F. BOWEN.

By His Excellency's Command,
GRAHAM BERRY,
Chief Secretary.

GOD SAVE THE QUEEN !

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

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

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I have called you together for the purpose of obtaining your advice and assistance at a most important juncture of public affairs.

Notwithstanding serious misgivings to the contrary, it is now probable that the peace of Europe will not be further disturbed, and it is gratifying to know that this satisfactory result has been largely influenced by the firm policy of the Imperial Government. I have, however, the satisfaction of informing you that my Advisers have considerably improved the defence armaments of the colony, and that the further recommendations of Sir Wm. Jervois will be carried out with vigor to their completion at the earliest possible date.

Experience has abundantly proved that a single line of cable connecting Australasia with Europe is subject to such frequent interruptions as to impose great inconvenience and loss, and, in certain eventualities, serious danger. Impressed with a conviction of the necessity for a duplication of the submarine cable, my Advisers readily accepted the suggestion of the Government of South Australia to hold a Conference in Melbourne. The result has been embodied in a contract with the Eastern Extension Company, which in due course will be submitted to you, providing for the speedy laying down of a second cable.

The Victorian Department in the great International Exhibition at Paris has attracted favorable notice, not only to our great natural resources, but also to the mature advance made in the varied manufactures happily established amongst us. His Royal Highness the Prince of Wales has evinced considerable interest in the Victorian display in all its branches, and his hearty approval given on the spot to the result of the labors of the Victorian Commissioners cannot but be ratified by the generous endorsement of our whole community.

My Advisers requested the Commissioners for the Paris Exhibition to adjudicate on the designs for the building in which it is proposed to hold the International Exhibition, and I am glad to inform you that the selection has been made and that preparations have been commenced for the erection of the building on a most suitable and commanding site.

In accordance with promises made by my Advisers during the last Session, I have appointed Commissions to enquire into the Closed Roads of the Colony, the operation of the Land Act, the Export of Wattle Bark, and other important subjects. The Commissioners having during the recess given practical attention to these various investigations at great sacrifice of time and personal exertion, and having accumulated stores of valuable information, are now in a position to submit for your consideration Progress or Final Reports embodying the well-considered results of their enquiries.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I am glad to inform you that the finances of the country are in a satisfactory condition.

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

My Advisers have concluded an agreement with the Directors of the Melbourne and Hobson's Bay United Railway Company for the purchase of that undertaking, subject to your approval and to that of the shareholders.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

The Constitution established in this country nearly a quarter of a century ago was, without doubt, intended to be fashioned on the model of the British Constitution. Unhappily the attempt to embody in comparatively rigid statute law the elasticity inherent in the principles and practice of that Constitution has not been completely successful, and differences in the interpretation of our Constitution Act have resulted in bringing the legislative machinery of the State to a temporary stand-still on no less than four different occasions. A measure of Constitutional Reform, aiming at a final adjustment of the legislative functions of both the Council and the Assembly, will be immediately laid before you, and undoubtedly will be considered from a patriotic point of view by the Members of both Houses, irrespective of party. Its acceptance will put an end for all time to the recurrence of those periodical "deadlocks" which are so injurious to trade and commerce, and a standing disgrace to the constitutional institutions of Victoria.

A Railway Construction Bill, embracing the establishment of a defined State System of Railways, will be submitted to you. The increasing demands for railway facilities now arising from extended agricultural settlement must be promptly met, if that settlement is to be permanently successful. Main trunk lines also to the junction of the Darling with the Murray and to the South Australian border are imperatively demanded in the interests of commerce. The increasing revenue from the existing lines—amounting in the last year to one million two hundred thousand pounds—is gratifying evidence of the financial soundness of the policy of extending our railways to meet the requirements of the agriculture and commerce of Victoria.

The construction of Railways, the contemplated purchase of the Melbourne and Hobson's Bay Railway, the extension of Waterworks, the further erection of State Schools, the completion of the Law Courts and of the Houses of Parliament, and various other Public Works, will necessitate a further loan. The present condition of the money market in London is considered favorable for effecting this purpose, and a Bill authorizing such loan will be submitted to you without delay.

The project of holding an International Exhibition in Melbourne in the year 1880 has been further considered and matured by my Advisers during the recent recess. The experience gained in Paris by our Executive Commissioner, joined to the many offers of co-operation from influential quarters which have been received, fully justify the undertaking. A Bill for the purpose will be submitted for your consideration.

The gravity and importance of Constitutional Reform will most probably prevent your giving attention to other legislation except matters of most urgent moment ; but my Advisers are prepared to deal with many questions of great public importance, including a Mining on Private Property Bill, an Assembly Elections Bill, an Amending Electoral Bill, a Judicature and Court of Primary Appeal Bill, and an Amending Land Bill, which measures they will be ready to submit to you as soon as the Bill to amend the Constitution Act may become law.

The abundant rains of autumn and of the present winter give every promise of a prosperous season for all classes ; and I trust that your labors will, under the blessing of Divine Providence, conduce to the further happiness and prosperity of the people of Victoria.

Which being concluded, a copy of the Speech was delivered to the President, and a copy to

Mr. Speaker, and the Legislative Assembly withdrew.

His Excellency the Governor left the Council Chamber.

The President took the Chair.

The President read the Prayer.

DECLARATION OF MEMBERS.—The Honorable the President, and the Honorables H. Cutlbert, N. Fitzgerald, T. T. a'Beckett, G. W. Cole, Dr. Dobson, F. Robertson, A. Fraser, J. Buchanan, F. T. Sargood, Sir C. Sladen, R. D. Reid, C. J. Jenner, W. Highett, W. Campbell, G. F. Belcher, J. Cumming, W. Wilson, R. S. Anderson, and T. F. Hamilton, 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, 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 is as follows:—

“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 respectively as follows:—At over Two hundred and fifty pounds per annum.

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

“HENRY CUTHBERT.”

“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 or tenements out of which such qualification arises are situate in the parish of Castlemaine, in the county or reputed county of Talbot, the description of which lands and tenements are as follow:—

“Malt-houses, mill, brewery, and dwelling-house.

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

“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
				<hr/>
				£600
				<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.”

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

“No. 1. Part of Crown portions 139 A and 139 B, parish of Prahran, east of St. Kilda, with dwellinghouse and outbuildings erected thereon.

“No. 2. Part of allotment B, of portion 69, parish of Prahran, at the corner of High street and Waterloo street, St. Kilda, on which are erected two shops and dwellings.

“No. 3. Part of Dendy's special survey, having a frontage to Well street and Church street, Brighton, consisting of one acre and a-half, on which are erected a dwellinghouse and other buildings.

“No. 4. Part of allotment 19, block 14, city of Melbourne, Little Collins street, with buildings thereon, part known as Cottenham Chambers, and part formerly known as Bishop's Registry.

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

municipal districts respectively as follows:—the properties described under numbers one and two being in the municipal district or borough of St Kilda; that under number three in the municipal district or borough of Brighton; and that under number four in the municipal district or city of Melbourne:—

Number on Roll.	Surname of Person rated.	Christian name of Person rated.	Occupation.	Name of Owner.	Description and Situation of Rateable Property.	Ward of Borough.	Electoral District.	Net Annual Value.
(Property No. 1.)								
982	Bolitho	Samuel...	Gentleman	Thomas T. a'Beckett	House, nine rooms, wood, Alma street	North	St. Kilda North	£220
(Property No. 2.)								
95	Ross ...	William	Grocer ...	Thomas T. a'Beckett	Shop, four rooms, brick, High street	North	St. Kilda North	106
96					Shop, three rooms, brick, High street	North	St. Kilda North	50
(Property No. 3.)								
875	a'Beckett	Thomas T.	Solicitor	Thomas T. a'Beckett	Brick house, six rooms, Well street	South	Brighton West	105

Lonsdale Ward, 1878.

(Property No. 4.)

Number in Ward.	Name of Occupier of Land.	Name of Owner of Land.	Name or Situation of Land.	Description of Land.	Assessed full and fair average annual value of land clear of all outgoings as adopted by the City Council.
337	Various tenants	Thomas T. a'Beckett ...	93 Little Collins street	16 brick offices 75 x 50	£400.

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

“ THOS. T. A'BECKETT.”

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

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

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

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

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

“ GEORGE WARD COLE.”

“ In compliance with the provisions of the Act 32 Victoria, No. 334, I, FRANK STANLEY DOBSON, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria, of the 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 Hawthorn, in the county or reputed county of Bourke, the description of which lands and tenements are as follow:—

“ Houses and land in the borough of Hawthorn.

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

No. on the Rate.	Name of person rated.	Occupation.	Name of Owner.	Situation of Property.	Electoral District and Division.	Net annual value.	Rate at 1s. in the £.
75	Kennear, Robert Hill	Squatter ...	Dobson, Frank Stanley	House, Yarra street	Boroondara, Hawthorn	£ 130 0 0	6 10 0
75	Dobson, Frank Stanley	Barrister at Law	Dobson, Frank Stanley	Land, Yarra street...	Ditto ...	12 0 0	0 12 0
1158	Craig, William John	Gentleman	Dobson, Frank Stanley	House, Church street	Ditto ...	120 0 0	6 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, FRANCIS ROBERTSON, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the 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 Maribyrnong, in the counties or reputed counties of Bourke and Dalhousie, the description of which lands and tenements are as follow:—

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

“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 shire of Keilor are rated in the rate-books of such municipal districts as follows:—

Surname of Person in full.	Christian Name of same Person.	Trade or Occupation.	Description and Situation of Property in respect of which Vote is claimed.	Whether Claimant claims as Owner or Occupier.	Value as stated in Claim.	Number of Votes claimed.	Electoral District in which Property is situated.	Division of Electoral District in which Property is situated.
Robertson	Francis	Gentleman	Farm in Newham, West riding	Owner...	£ 95	3	West Bourke	Lancefield.
Robertson Strawthorn	Francis Andrew	Gentleman Farmer ...	Farm in Newham... House and land, Edgecombe, secs. 13, 14	Owner... Occupier	95 107	3 ...	Dalhousie ... Dalhousie ...	Langley. Campaspe.
Dunn ...	Edmund	...	640 acres and house, Keilor road	...	204	...	Keilor ...	Maribyrnong.

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

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

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

“Lands and houses situate at Berwick.

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

No.	Description	...	...	...	...	Net Annual Value.
No. 28.	House and land, Berwick,	...	...	...	...	£47 0 0
No. 35.	300 acres land, part section 5	...	...	...	...	126 0 0
No. 36.	178 acres land, part section 16	...	...	...	...	50 0 0
No. 70.	55 acres land, part section 5 and 7	...	...	...	...	20 0 0
No. 113.	270 acres land, part section 16	...	...	...	...	69 0 0
No. 125.	Land, part section 19	...	...	...	...	102 0 0
No. 145.	House and land, part section 19	...	...	...	...	50 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.

"JAMES BUCHANAN."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I, FREDERICK THOMAS SARGOOD, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the 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:—

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

"And I further declare that such of the said lands and tenements as are situate in the municipal district of Caulfield are rated in the rate-books of such municipal district as follows:— At £605 (Six hundred and five 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.

"F. T. SARGOOD."

"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 yearly value of Nine 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 Whoorel and Bamba, in the county or reputed county of Polwarth, the description of which lands and tenements are as follow:—

"Parish Whoorel, Two thousand six hundred and seven acres, being allotments 1, section 17, and 2 and 3, section 15, and allotments 4, 5, 6, and 7, 29, 32, 33, 34, 35, and allotments 45 A and B, 46 A and B, 47 A and B, 48 A and B, and 50 A and B. Parish Bamba, Six hundred and thirty-seven acres, being allotments 1, 2, 3, and 4, A and B, which several lands are known as Ripple Vale.

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

2,606 acres, Whoorel	...	...	...	£781
637 acres, Bamba	...	...	...	119
				£900

"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, 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 Nett Annual Value.
1. Town of Prahran ...	3723	Orrong road, eight acres and one-third	£ 200
2. Borough of St. Kilda	739	Brick house, &c., Westbury street, North Ward, St. Kilda N Electoral Division	180
Total			£380

"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, 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 annual value of Five thousand three 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 St. Kilda, Wannaeue, and North Melbourne, in the counties or reputed counties of Bourke and Mornington, the description of which lands and tenements are as follow:—

- "No. 1. Six acres of land, Brighton road, St. Kilda, on which is erected a residence, and other improvements.
- "No. 2. One hundred and seventy-five acres of land, being Crown allotment 32, section A, parish of Wannaeuc, county of Mornington.
- "No. 3. Shop and two houses, at the corner of King and Rosslin streets, being Crown allotment 11, section 49, North Melbourne, county of Bourke.

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

- "No. 1. Rated in the rate-book of the borough of St. Kilda at Two hundred and fifty pounds per annum.
- "No. 2. Rated in the rate-book of the shire of Kangerong at per annum.
- "No. 3. Rated in the rate-book of the city of Melbourne at One hundred and twenty 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, 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 are as follow :—

"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 follow :—

Number on Roll.	Owner.	Net Annual Value.	Electoral Division.
1 } 2 }	William Highett 	{ £500 0 0 140 0 0 } £640 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, WILLIAM CAMPBELL, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the annual value of Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Carlsruhe and the city of Melbourne, in the counties or reputed counties of Dalhousie and Bourke, the description of which lands and tenements are as follow :—

- "1. Six hundred and forty acres, parish of Carlsruhe.
- "2. Allotment of land and building in King street, in the city of Melbourne.

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

1. Freehold, Lots 17, 18, 19, and 20 A, parish of Carlshroe; net annual valuation 	} In excess of £250 a year.
2. Freehold, 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, 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 North Geelong, in the county or reputed county of Grant, the description of which lands and tenements are as follow :—

"Part of allotment 18 of block 35, town of North Geelong, with the shops and buildings thereon erected.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of are rated in the rate-books of such municipal district [or districts respectively] as follows:—Villamanta ward, Town of North Geelong. Burgess Roll.—Number on Roll, twenty (20). Name, George Frederick Belcher. Nature of property rated—Freehold. Street, lane, or place in ward—Moorabool and Ryrie streets. Residence—Victoria parade. Occupation—Financial broker. Amount of rating—£826. Initial letters of the electoral division—NGD.

"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 capital value of Fifty 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 Terrinallum, Jellalabad, and Kornong, in the county or reputed county of Hampden, the description of which lands and tenements are as follow:—

"23,177 acres of land, known as part of the Terinallum estate.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of Mortlake, are rated in the rate-books of such municipal district as follows:—Owner, John Cumming, 23,177 acres of land in the parishes of Terrinallum, Jellalabad, and Kornong; annual value, £3,139.

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

"Dwelling place known as Dalquhurn, on the Dandenong road, E St. Kilda, with frontage to Westbury street and Canterbury street.

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

"At Four hundred and twelve pounds per annum.

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

"WILLIAM WILSON."

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

Name of Person rated.	Occupation.	Name of Owner.	Situation of Property.	Description.	Electoral District and Division.
No. 1. R. S. Anderson	Solicitor ...	Robert S. Anderson	Cotham road, Kew	Part of portion 81, parish of Boroondara, consisting of over 13 acres, with 2 residences thereon.	South Bourke, Boroondara A.
No. 2. Mrs. Kerr ...	Boarding-house keeper	Robert S. Anderson	Cecil street, Emerald Hill	Allotment 18, section 2, South Melbourne, with a residence thereon.	Emerald Hill.
No. 3. Mr. John Eadie	Vigneron ...	Robert S. Anderson	Sunbury ...	Portions 1, 2, and 3, parish of Holden, with vineyard and wine cellar thereon.	West Bourke, The Gap.
No. 4. R. S. Anderson	Solicitor ...	Robert S. Anderson	Sorrento ...	Allotments 80A and B, 96D, and part of portions 94 and 96, with a residence on part of portion 96, parish of Nepean.	Mornington, Sorrento.

"And I further declare that such of the said lands and tenements as are situate in the municipal districts of Kew, Emerald Hill, Bulla, and Flinders, and Kangerong, are rated in the rate-books of such municipal districts as follows:—No. 1, rated at £253 per annum; No. 2, rated at £73 per annum; No. 3, rated at £100 per annum; No. 4, rated at £70 per annum.

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

"ROBERT S. ANDERSON."

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

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

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

COMMISSION.

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

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

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

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

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

(L.S.)

CANTERBURY.

By His Excellency's Command,
JAMES McCULLOCH.

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

W. H. ODGERS.

JUSTICES OF PEACE BILL.—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That leave be given to introduce a Bill to amend the Justices of the Peace Statute 1865.

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 23rd instant.

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

The Honorable Sir C. Sladen moved, That the Speech of His Excellency the Governor be taken into consideration to-morrow.

Debate ensued.

Question—put and passed.

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

1. Mineral Statistics of Victoria, 1877.
2. Mining Surveyors and Registrars—Report of, for quarter ending 31st March 1878.
3. Ballarat Juvenile Industrial Exhibition.—Further Despatch from the Right Honorable the Secretary of State (with enclosure) (5th March 1878).
4. New Hebrides—Protectorate of.—Circular Despatch from the Right Honorable the Secretary of State (with enclosures) (28th February 1878).

5. Telegraph Line Duplication.—Report of Conference (May 1878).
6. Jika Reformatory.—Report of Board, 1878.
7. Indian Famine Relief Fund.—Despatch (8th May 1878).
8. Correspondence respecting differences on Constitutional points between the two Houses of the Legislature of Victoria.
9. Parliamentary Crisis.—Despatches from the Right Honorable the Secretary of State, 24th April and 30th April 1878.
10. Memoranda respecting proposed reinstatement of certain officers of the Public Service, 11th April, 24th April, 6th May 1878.
11. Pilot Board—Accounts of—for year ending 31st August 1877.
12. Post Office and Telegraph Department—Report—1877.
13. Telegraph proposed between New Zealand and America.—Despatches.
14. Post Office Savings Bank.—Accounts for year ending 31st December 1877.

Ordered severally to lie on the Table.

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

1. Public Accounts.—Regulations (1st April 1878, 8th April 1878, 24th June 1878).
2. Friendly Societies Act 1877.—Regulations under (29th April 1878).

Ordered severally to lie on the Table.

ADJOURNMENT.—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That the House do now adjourn until half-past four o'clock to-morrow.

Question—put and passed.

The Council adjourned at twenty minutes past three o'clock until half-past four o'clock on Wednesday, the 10th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 10TH JULY, 1878.

1. The Hon. Sir CHARLES SLADEN : To ask the Honorable the Postmaster-General when the return of ratepayers in the colony, moved for on the 19th February, will be laid on the Table of the House.

NOTICES OF MOTION :—

1. The Hon. Dr. DOBSON : To move for leave to introduce a Bill to amend the Law relating to Bills of Exchange.
2. The Hon. Sir C. SLADEN : To move for leave to introduce a Bill to alter the Constitution of the Legislative Council.
3. The Hon. H. CUTHBERT : To move, That the Honorable C. J. Jenner be Chairman of Committees.
4. The Hon. H. CUTHBERT : To move, 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.
5. The Hon. H. CUTHBERT : To move, That the Honorables the President, C. J. Jenner, Sir C. Sladen, Dr. Dobson, and the Mover, be appointed a Select Committee on the Standing Orders of the House.
6. The Hon. H. CUTHBERT : To move, That the Honorables N. Black, J. Cumming, W. Highett, T. Bromell, and W. Wilson be appointed a Printing Committee ; and that Papers presented to the House be referred to the said Committee for report.
7. The Hon. H. CUTHBERT : To move, That the Honorables the President, F. T. Sargood, Dr. Dobson, F. Robertson, and J. Graham, be Members of the Joint Committee of both Houses to manage the Library.
8. The Hon. H. CUTHBERT : To move, That the Honorables the President, Sir Charles Sladen, C. J. Jenner, A. Fraser, and H. Cuthbert be Members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.
9. The Hon. H. CUTHBERT : To move, That the Honorables T. J. Sumner, T. F. Hamilton, R. Simson, G. F. Belcher, and W. Wilson, be Members of the Joint Committee of both Houses to manage the Refreshment Rooms.
10. The Hon. F. T. SARGOOD : To move, for a Return showing—
 - (1.) The nature and duration of the tenancy of Wright, Orr, and Co., prior to 22nd December, 1876, in and to the parcels of land situated on the South Bank of the Yarra and occupied by them as sites for dock purposes.
 - (2.) A copy of the last receipt given to them for payment of rent or otherwise in respect of the premises not included in the lease dated 1st July 1876.
 - (3.) Copies of all the Correspondence which has passed between Wright, Orr, and Co., or any one on their behalf, and the Board of Land and Works and the Commissioner of Customs respectively, in reference to such sites and conferring upon Wright, Orr, and Co., any estate or interest therein.

ORDER OF THE DAY :—

1. GOVERNOR'S SPEECH.—Consideration of.

TUESDAY, 23RD JULY.

ORDER OF THE DAY :—

1. JUSTICES OF THE PEACE 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.

WEDNESDAY, 10TH JULY, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ELECTIONS AND QUALIFICATIONS.—In pursuance of "*The Electoral Act 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 Highett,
The Honorable Frederick Thomas Sargood,
The Honorable Sir Charles Sladen, and
The Honorable Sir Samuel Wilson,

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

Given under my hand this tenth day of July, 1878.

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

DECLARATIONS OF MEMBERS.—The Honorables Niel Black, T. Bromell, R. Simson, Sir S. Wilson, T. J. Sumner, 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, NIEL BLACK, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the full value of 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 Glenormiston, Terang, and Narida Yallock, in the counties or reputed counties of Ripon and Hampden, the description of which lands and tenements are as follow :—

"Freehold known as Noorat.

"And I further declare that such of the said lands and tenements as are situate in the municipal district of the shire of Hampden are rated in the rate-books of such municipal district as follows :—Niel Black, 13,334 acres freehold, Glenormiston, Terang, and Narida Yallock ; net annual value, £4583 10s. ; rate, £229 3s. 6d. ; electoral districts, Ripon and Hampden, Villiers and Heytesbury ; divisions of districts, Camperdown and Terang.

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

"NIEL BLACK."

"In compliance with the provisions of the Act 32 Victoria, No. 334, I THOMAS BROMELL, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria of the 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 Kanawalla, Cavendish, Karabeal, and Mockanger, in the county or reputed county of Dundas, the description of which lands and tenements are as follow :—

"Hensley Park, freehold estate.

“And I further declare that such of the said lands and tenements as are situate in the municipal district of the Shire of Dundas are rated in the rate-books of such municipal district as follows :—One thousand six hundred and ninety pounds net annual value.

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

“THOMAS BROMELL.”

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

“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—Sir 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—2nd April 1878.
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.

“SAMUEL WILSON.”

“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.”

PETITION.—The Honorable J. Buchanan presented a Petition signed by W. Bowen and others, styling themselves representatives of Municipal Districts and Railway Leagues, and praying that the purchase of the Hobson's Bay Railway, and connection of the Gippsland Railway by the most direct route, may be sanctioned.

Petition received.

BILLS OF EXCHANGE BILL.—The Honorable F. Robertson, in the absence of the Honorable Dr. Dobson, in accordance with notice, moved for leave to bring in a Bill to amend the law relating to Bills of Exchange.

Question—put and passed.

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

CONSTITUTION OF COUNCIL BILL.—The Honorable Sir C. Sladen, in accordance with notice, moved for leave to bring in a Bill to alter the Constitution of the Legislative Council.

Question—put and passed.

Bill brought in, and on the motion of the Honorable Sir C. Sladen, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 23rd instant.

CHAIRMAN OF COMMITTEES.—The Honorable H. Cuthbert, in accordance with notice, moved, That the Honorable C. J. Jenner be Chairman of Committees.

Question—put and passed.

DAYS OF BUSINESS.—The Honorable H. Cuthbert, in accordance with notice, moved, 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, in accordance with notice, moved, That the Honorables the President, C. J. Jenner, Sir C. Sladen, Dr. Dobson, and the Mover, be appointed a Select Committee on the Standing Orders of the House.

Question—put and passed.

PRINTING COMMITTEE.—The Honorable H. Cuthbert, in accordance with notice, moved, That the Honorables N. Black, J. Cumming, W. Highett, T. Bromell, and W. Wilson, be appointed a Printing Committee; and that papers presented to the House be referred to the said Committee for report.

Question—put and passed.

LIBRARY COMMITTEE (JOINT).—The Honorable H. Cuthbert, in accordance with notice, moved, That the Honorables the President, F. T. Sargood, Dr. Dobson, F. Robertson, and J. Graham, be Members of the Joint Committee of both Houses to manage the Library.

Question—put and passed.

PARLIAMENT BUILDINGS (JOINT) COMMITTEE.—The Honorable H. Cuthbert, in accordance with notice, moved, That the Honorables the President, Sir Charles Sladen, C. J. Jenner, A. Fraser, and the Mover be Members of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.

Question—put and passed.

REFRESHMENT ROOMS (JOINT) COMMITTEE.—The Honorable H. Cuthbert, in accordance with notice, moved, That the Honorables T. J. Sumner, T. F. Hamilton, R. Simson, G. F. Belcher, and W. Wilson, be Members of the Joint Committee of both Houses to manage the Refreshment Rooms.

Question—put and passed.

GOVERNOR'S SPEECH—CONSIDERATION OF.—The Order of the Day for the consideration of the Speech of His Excellency the Governor having been read, the Honorable T. T. a'Beckett moved, That a Select Committee of eight Members be appointed to prepare an Address in reply to the Speech of His Excellency the Governor.

Question—put and passed.

The Honorable T. T. a'Beckett moved, That the Committee consist of the Honorables Sir C. Sladen, R. D. Reid, W. Wilson, F. Robertson, J. Cumming, Sir S. Wilson, and the Mover.

Two Members having required that the Committee should be formed by ballot, and the following Members being reported by the Clerk to have the greatest number of votes, were declared by the President to be the members of the Committee, viz.:—The Honorables T. T. a'Beckett, R. S. Anderson, W. Campbell, H. Cuthbert, N. Fitzgerald, R. D. Reid, F. T. Sargood, and Sir C. Sladen.

The Honorable H. Cuthbert expressed his desire to be excused from serving on the Committee.

The Honorable Sir C. Sladen moved, That the Honorable H. Cuthbert be excused from serving on the Committee.

Question—put and passed.

The Honorable T. T. a'Beckett moved, That the Committee have leave to sit during the adjournment of the House.

Question—put and passed.

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 to six o'clock until half-past four o'clock on Tuesday, the 23rd instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 16TH JULY, 1878.

1. The Hon. R. S. ANDERSON : To call the attention of the Honorable the Postmaster-General to the inconvenience caused by the recent regulations regarding the carriage of "packets" by post; and to ask the cause of such alteration, and whether there is any prospect of the Government reverting to the former practice.

NOTICES OF MOTION :—

1. The Hon. F. T. SARGOOD : To move, for a Return showing—
 - (1.) The nature and duration of the tenancy of Wright, Orr, and Co., prior to 22nd December, 1876, in and to the parcels of land situated on the South Bank of the Yarra and occupied by them as sites for dock purposes.
 - (2.) A copy of the last receipt given to them for payment of rent or otherwise in respect of the premises not included in the lease dated 1st July 1876.
 - (3.) Copies of all the Correspondence which has passed between Wright, Orr, and Co., or any one on their behalf, and the Board of Land and Works and the Commissioner of Customs respectively, in reference to such sites and conferring upon Wright, Orr, and Co., any estate or interest therein.
2. The Hon. A. FRASER : To move, That a Return be laid on the Table of this House, showing the number of free passes issued from the Railway Department between the 1st day of July 1877 and the present date; also, the names of those to whom they were issued; also, the distance by rail and the amount of money represented by such passes, and the purposes for which they were issued.

ORDER OF THE DAY :—

1. BILLS OF EXCHANGE BILL.—To be read a second time.
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TUESDAY, 23RD JULY.

ORDERS OF THE DAY :—

1. JUSTICES OF THE PEACE BILL.—To be read a second time.
2. CONSTITUTION OF COUNCIL BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 3.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 16TH JULY, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

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

“In compliance with the provisions of the Act 32 Victoria, No. 334, I, JOHN ALSTON WALLACE, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria, of the annual value of over Two hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Wooragee, in the county or reputed county of Bogong; in the parish of Bright, in the county or reputed county of Delatite; in the parishes of Nepean and Fingal, 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.	Name of Owner.	Situation of Property.	Description.	Electoral District, Division, Shire, or Borough.
1. John A. Wallace ...	Mine owner...	John A. Wallace	Wooragee, near Beechworth, parish of Beechworth	Allotment 1, section A; allotment 2, section A; allotment 3, section C; allotment 4, section C; allotment 8, section C; consisting of over 666 acres	Beechworth, united shire of Beechworth.
2. John A. Wallace ...	Mine owner...	John A. Wallace	Pioneer, near Bright, parish of Bright	Allotment No. 7, section G, with residence thereon	Bright, shire of Bright.
3. John A. Wallace ...	Land owner...	John A. Wallace	Near Rye, parish Nepean	Allotments 4, 6, 7, 8, 13, and 14, consisting of over 162 acres	Mornington, shire of Flinders and Kangerong.
4. J. S. Darley ...	Farmer ...	John A. Wallace	Near Flinders in the parish of Fingal	Allotments 9, 10, and 11, section A, consisting of over 560 acres	Flinders, shire of Flinders & Kangerong.
5. Thomas Heaney ...	Hotel-keeper	John A. Wallace	Beach street, Sandridge	Part of Crown allotment 6, section 1, on which is erected the Bay View Hotel	Sandridge, borough of Sandridge.

“And I further declare that such of the said lands and tenements as are situate in the municipal districts of Beechworth, Bright, Flinders, and Kangerong, and Sandridge are rated in the rate-books of such municipal districts as follows:—No. 1, rated at £90 per annum; No. 2, rated at £30 per annum; No. 3, rated at £30 per annum; No. 4, rated at £50 per annum; No. 5, rated at £160 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 seized at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the Colony of Victoria, of the annual value of 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 GRAHAM, do declare and testify that I am duly seized at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria, of the 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.

115 to 125

885 to 893

1100 to 1103

1108 and 1109

At over Two hundred and fifty pounds sterling per annum.

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

"JAS. GRAHAM."

HIS EXCELLENCY SIR ARTHUR GORDON, GOVERNOR OF FIJI.—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That a seat be provided for His Excellency Sir Arthur Gordon, Governor of Fiji, within the Council Chamber.

Question—put and passed.

SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The Honorable T. T. a'Beckett brought up the Address prepared by the Committee, and moved, That the same be read.

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

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

MAY IT PLEASE YOUR EXCELLENCY—

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

We thank Your Excellency for having called us together for the purpose of obtaining our advice and assistance at a most important juncture of public affairs.

We concur with Your Excellency that it is matter for sincere congratulation that it is now probable that the peace of Europe will not be further disturbed, owing, as we believe, largely to the firm policy of the Imperial Government. It is, however, satisfactory to learn from Your Excellency that Your Excellency's Advisers have considerably improved the Defence Armaments of the colony, and that the further recommendations of Sir William Jervois will be carried out with vigor to their completion at the earliest possible date.

We are glad to be informed that the result of the late Conference assembled in Melbourne on the subject of Cable Communication with Europe has been embodied in a contract providing for the speedy laying down of a second cable.

We are gratified to know that the Victorian Department in the International Exhibition at Paris has attracted favorable notice, and that His Royal Highness the Prince of Wales evinced considerable interest in the Victorian display in all its branches, and heartily approved of the result of the labors of the Victorian Commissioners.

We thank Your Excellency for informing us that Your Excellency's Advisers propose that an International Exhibition be held in Melbourne, that a design for the building has been selected, and that preparations for erecting it have been commenced on a most suitable site; and we hope that the success of the undertaking will not disappoint expectations.

We shall look forward with interest to the reports that Your Excellency informs us will be submitted to Parliament on the subjects of Closed Roads, the operation of the Land Act, the Export of Wattle Bark, and other important subjects.

We shall give our careful consideration to the measure of Constitutional Reform to be submitted to Parliament, aiming, as Your Excellency assures us, at a final adjustment of the legislative functions of both the Council and the Assembly.

The Railway Construction Bill, to meet the increasing demands for Railway facilities arising from extended agricultural settlement and the development of commerce, will receive our earnest attention.

We are pleased to hear that the revenue from the existing lines of railway is increasing.

The Bill to authorize a loan for the contemplated purchase of the Melbourne and Hobson's Bay Railway, the extension of Waterworks, the further erection of State Schools, the completion of the Law Courts and the Houses of Parliament, and other public works, shall have our serious consideration.

We shall be prepared to give our best attention to those questions alluded to by Your Excellency as of great public importance, such as a Mining on Private Property Bill, an Assembly Elections Bill, an amending Electoral Bill, a Judicature and Court of Primary Appeal Bill, and an amending Land Bill, whenever, in the opinion of Your Excellency's Advisers, the time shall have arrived for submitting them.

We trust that our labors will, under the blessing of Divine Providence, conduce to the further happiness and prosperity of the people of Victoria.

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

Debate ensued.

Question—put and passed.

The Honorable T. T. a'Beckett moved, That the Address be presented to His Excellency the Governor by the President and such Members as may desire to accompany him.

Question—put and passed.

RATEPAYERS IN THE COLONY.—The Honorable H. Cuthbert laid on the Table a Return to the Orders of the Council, made on the 19th February and 14th March, 1878.

The Honorable Sir C. Sladen, with leave of the Council, moved, without notice, That the Return be printed.

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 Sec. 110, prescribing form of License to be issued.
2. Land Act 1869.—Regulations as to Fee for re-License under Part 2.
3. Land Act 1869.—Regulation under Sec. 110, respecting cutting Timber.
4. Discipline Act 1870.—Additional Regulation (24th June 1878.)

Ordered severally to lie on the Table.

SOUTH BANK OF YARRA.—TENANCY OF WRIGHT, ORR, AND Co.—The Honorable F. T. Sargood, in accordance with *amended* notice, moved, That all the papers showing—

- (1.) The nature and duration of the tenancy of Wright, Orr, and Co., prior to 22nd December, 1876, in and to the parcels of land situated on the South Bank of the Yarra and occupied by them as sites for dock purposes.
- (2.) A copy of the last receipt given to them for payment of rent or otherwise in respect of the premises not included in the lease dated 1st July, 1876.
- (3.) Copies of all the Correspondence which has passed between Wright, Orr, and Co., or any one on their behalf, and the Board of Land and Works and the Commissioner of Customs respectively, in reference to such sites, and conferring upon Wright, Orr, and Co., any estate or interest therein—

be laid upon the Table of the House for a period of fourteen days.

Debate ensued.

Question—put and passed.

FREE PASSES, RAILWAY DEPARTMENT.—The Honorable A. Fraser, in accordance with *amended* notice, moved, That a Return be laid on the Table of this House, showing the number of free passes issued from the Railway Department between the 1st day of July, 1877 and the present date; also, the names of those to whom they were issued; also, the distance by rail and the amount of money represented by such passes, and the purpose and period for which they were issued.

Debate ensued.

Question—put and passed.

BILLS OF EXCHANGE BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable Dr. Dobson moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

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

Ordered.

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

MR. PRESIDENT—

The Legislative Assembly transmits to the Legislative Council a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of Nine hundred thousand pounds to the service of the year One thousand eight hundred and seventy-eight and nine;*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 16th July, 1878.

C. GAVAN DUFFY,
Speaker.

CONSOLIDATED REVENUE BILL.—The Honorable H. Cuthbert moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

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 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 apply out of the Consolidated Revenue the sum of Nine hundred thousand pounds to the service of the year One thousand eight hundred and seventy-eight and nine.*"

Question—put and passed.

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

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

The Council adjourned at half-past six o'clock until half-past four o'clock on Tuesday, the 23rd instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 23RD JULY, 1878.

NOTICE OF MOTION :—

1. The Hon. Sir C. SLADEN : To move, for leave to introduce a Bill for amending the Constitution Act .

ORDERS OF THE DAY :—

1. JUSTICES OF THE PEACE BILL.—To be read a second time.
2. CONSTITUTION OF COUNCIL BILL.—To be read a second time.
3. BILLS OF EXCHANGE BILL.—To be further considered in Committee.

CONTINGENT NOTICE :—

1. The Hon. Dr. DOBSON : To move, when the Bill to alter the Constitution of the Legislative Council is in Committee, That the 56th section of the Constitution Act 19 Victoria be repealed, and that the following be substituted for it—"Bills for the appropriation of any part of the public revenue or for the imposing any tax or impost shall originate in the House of Assembly."

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 4.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 23RD JULY, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

REPLY OF HIS EXCELLENCY TO ADDRESS OF THE COUNCIL.—The President announced to the Council that the Address to His Excellency the Governor in reply to his Speech, adopted on the 16th instant, had been presented, in accordance with the resolution of the House, to His Excellency, and that His Excellency had been pleased to make thereto the following reply:—

MR. PRESIDENT AND HONORABLE GENTLEMEN:

I thank you, in the name of the Queen, for this loyal Address. I receive with satisfaction your assurance that you will give your careful attention to the measures which will be submitted for your consideration.

G. F. BOWEN.

Government Offices, Melbourne, 23rd July, 1878.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the Construction by the State of a Line of Railway to be called the Goulburn Valley Railway;*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 23rd July, 1878.

GOULBURN VALLEY RAILWAY 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 30th instant.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—ROYAL ASSENT TO BILL.—The Honorable H. Cuthbert presented to the Council the following Message from His Excellency the Governor:—

G. F. BOWEN,
Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government House, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

"*An Act to apply out of the Consolidated Revenue the sum of Nine hundred thousand pounds to the service of the year One thousand eight hundred and seventy-eight and nine.*"

Government Offices, Melbourne, 17th July, 1878.

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

1. Statistical Register of the Colony of Victoria, 1877.—
2. Part I.—Blue Book.
3. Part II.—Population.
4. Part III.—Finance, &c.
5. Friendly Societies—Statistics of—for 1876.
6. University of Melbourne—Report of—for year ending 31st May, 1878.
7. Penal Establishments and Gaols.—Report (1877).
8. Lunatic Asylums and Hospitals for Insane.—Report (1877).
9. Intercolonial Telegraphic Messages.—Order in Council, 3rd June, 1878.

Ordered severally to lie on the Table.

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

Friendly Societies Act 1877—Regulation under (2nd July, 1878).

Ordered to lie on the Table.

CONSTITUTION ACT AMENDMENT BILL.—The Honorable Sir C. Sladen, in accordance with notice, moved for leave to introduce a Bill for amending the Constitution Act.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable Sir C. Sladen, read a first time, ordered to be printed, and the second reading made an Order of the Day for the 6th proximo.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 6th proximo :—

“*Justices of the Peace Bill*”—To be read a second time.

CONSTITUTION OF COUNCIL BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable Sir C. Sladen moved, That the Bill be now read a second time.

Debate ensued.

The Honorable H. Cuthbert moved, That the debate be adjourned until to-morrow.

Question—That the debate be adjourned until to-morrow—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed until Wednesday, the 24th instant.

“*Bills of Exchange Bill*”—To be further considered in Committee.

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

1. Education Act, No. 447.—Amended Regulations.—Salaries of Teachers. To take effect from 1st August, 1878.

2. Education Act, No. 447.—Regulation.—Examination and Classification of Teachers. 8th April, 1878.

Ordered severally to lie on the Table.

The Council adjourned at twenty-five minutes past nine o'clock until half-past four o'clock on Wednesday, the 24th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 24TH JULY, 1878.

ORDERS OF THE DAY :—

1. CONSTITUTION OF COUNCIL BILL.—Adjourned debate on second reading.
2. BILLS OF EXCHANGE BILL.—To be further considered in Committee.

CONTINGENT NOTICES :—

1. The Hon. Dr. DOBSON : To move, when the Bill to alter the Constitution of the Legislative Council is in Committee, That the 56th section of the Constitution Act 19 Victoria be repealed, and that the following be substituted for it—“Bills for the appropriation of any part of the public revenue or for the imposing any tax or impost shall originate in the House of Assembly.”
2. The Hon. N. FITZGERALD : To move, when the Bill to alter the Constitution of the Legislative Council is in Committee, new clause—

“When in any session the Legislative Council has rejected or laid aside any Bill for the Appropriation of Supplies in the then current year, if the Governor purpose to dissolve the Legislative Assembly on account thereof, His Excellency may, by Message, inform the Legislative Council of such his purpose, and require the said Council to furnish to him the names of twelve members thereof whose seats shall be vacated at the time of such dissolution ; and upon the receipt of such Message, or as soon thereafter as may be, the Legislative Council shall select by lot in such manner as from time to time it thinks fit twelve members, viz., one member from each province, and shall send their names to the Governor ; and the Governor, in the proclamation for the dissolution of the Legislative Assembly, may declare that the seats of the said twelve members are vacant, and thereupon the said seats shall become and be vacant accordingly, in the same manner and with the same effect as if each such member had resigned his seat.”

TUESDAY, 30TH JULY.

1. GOULBURN VALLEY RAILWAY BILL.—To be read a second time.

TUESDAY, 6TH AUGUST.

1. CONSTITUTION ACT AMENDMENT BILL.—To be read a second time.
2. JUSTICES OF THE PEACE BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 5.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 24TH JULY, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Mining on certain reserved lands, Sandhurst.—Order in Council (8th July, 1878).
Ordered to lie on the Table.

PETITION.—The Honorable F. T. Sargood presented a Petition, signed by J. H. Turner, styling himself Mayor of Collingwood and Chairman of a meeting of ratepayers of Collingwood, praying that evidence may be taken on the subject of a Central Railway Passenger Station and direct lines through the city of Melbourne.

Petition received.

PETITION.—The Honorable F. T. Sargood presented a similar Petition, signed by R. Showers, styling himself Mayor of Fitzroy and Chairman of a meeting of ratepayers of Fitzroy.

Petition received.

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

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

Bill read a second time.

The Honorable Sir C. Sladen moved, That the Bill be now considered in Committee of the whole Council.

Debate ensued.

Question—put and passed.

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

The President left the Chair.

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

Ordered.

BILLS OF EXCHANGE BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being called on, the Honorable C. J. Jenner moved, That the Order of the Day be discharged.

Question—put and passed.

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 nine o'clock until half-past four o'clock on Tuesday, the 30th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 30TH JULY, 1878.

1. The Hon. C. J. JENNER: To ask the Honorable the Postmaster-General if it is the intention of the Land Tax Commissioners to sit at Ballarat, and other important centres of population, to hear cases of appeal against the classifiers valuations of certain properties.

NOTICE OF MOTION:—

1. The Hon. T. T. A'BECKETT: To move for leave to introduce a Bill to abolish Dower.

ORDERS OF THE DAY:—

1. GOULBURN VALLEY RAILWAY BILL.—To be read a second time.
2. CONSTITUTION OF COUNCIL BILL.—To be further considered in Committee.

CONTINGENT NOTICES :—

1. The Hon. Dr. DOBSON : To move, when the Bill to alter the Constitution of the Legislative Council is in Committee, That the 56th section of the Constitution Act 19 Victoria be repealed, and that the following be substituted for it—"Bills for the appropriation of any part of the public revenue or for the imposing any tax or impost shall originate in the House of Assembly."
2. The Hon. N. FITZGERALD : To move, when the Bill to alter the Constitution of the Legislative Council is in Committee, new clause—

"When in any session the Legislative Council has rejected or laid aside any Bill for the Appropriation of Supplies in the then current year, if the Governor purpose to dissolve the Legislative Assembly on account thereof, His Excellency may, by Message, inform the Legislative Council of such his purpose, and require the said Council to furnish to him the names of twelve members thereof whose seats shall be vacated at the time of such dissolution ; and upon the receipt of such Message, or as soon thereafter as may be, the Legislative Council shall select by lot in such manner as from time to time it thinks fit twelve members, viz., one member from each province, and shall send their names to the Governor ; and the Governor, in the proclamation for the dissolution of the Legislative Assembly, may declare that the seats of the said twelve members are vacant, and thereupon the said seats shall become and be vacant accordingly, in the same manner and with the same effect as if each such member had resigned his seat."

TUESDAY, 6TH AUGUST.

ORDERS OF THE DAY :—

1. CONSTITUTION ACT AMENDMENT BILL.—To be read a second time.
2. JUSTICES OF THE PEACE BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 6.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 30TH JULY, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

DOWER ABOLITION BILL.—The Honorable T. T. a'Beckett, in accordance with notice, moved, That leave be given to introduce a Bill to abolish Dower.

Question—put and passed.

Bill brought in, and, on the motion of the Hon. T. T. a'Beckett, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 6th proximo.

GOULBURN VALLEY RAILWAY 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 progress, and asked leave to sit again to-morrow.

Ordered.

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

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

Ordered.

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

NOTICE OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 31ST JULY, 1878.

1. The Hon. C. J. JENNER: To ask the Honorable the Postmaster-General if it is the intention of the Land Tax Commissioners to sit at Ballarat, and other important centres of population, to hear cases of appeal against the Classifiers' valuations of certain properties.

Government Business.

ORDER OF THE DAY:—

1. GOULBURN VALLEY RAILWAY BILL.—To be further considered in Committee.

General Business.

ORDER OF THE DAY:—

1. CONSTITUTION OF COUNCIL BILL.—To be further considered in Committee.

CONTINGENT NOTICE:—

1. The Hon. N. FITZGERALD: To move, when the Bill to alter the Constitution of the Legislative Council is in Committee, new clause—

“When in any session the Legislative Council has rejected or laid aside any Bill for the Appropriation of Supplies in the then current year, if the Governor purpose to dissolve the Legislative Assembly on account thereof, His Excellency may, by Message, inform the Legislative Council of such his purpose, and require the said Council to furnish to him the names of twelve members thereof whose seats shall be vacated at the time of such dissolution; and upon the receipt of such Message, or as soon thereafter as may be, the Legislative Council shall select by lot in such manner as from time to time it thinks fit twelve members, viz., one member from each province, and shall send their names to the Governor; and the Governor, in the proclamation for the dissolution of the Legislative Assembly, may declare that the seats of the said twelve members are vacant, and thereupon the said seats shall become and be vacant accordingly, in the same manner and with the same effect as if each such member had resigned his seat.”

TUESDAY, 6TH AUGUST, 1878.

ORDERS OF THE DAY:—

1. CONSTITUTION ACT AMENDMENT BILL.—To be read a second time.
2. JUSTICES OF THE PEACE BILL.—To be read a second time.
3. DOWER ABOLITION BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 7.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 31ST JULY, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Public Works Loan Act 1872, No. 428—

Statement of Expenditure during year ending June, 1878.

Estimate of Expenditure during year ending June, 1879.

Ordered to lie on the Table.

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

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

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

Question—put and passed.

The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable 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 by the State of a Line of Railway to be called 'The Goulburn Valley Railway.'*"

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.

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

The Chairman of Committees reported 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 to ten o'clock, until half-past four o'clock on Tuesday, the 6th proximo.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 6TH AUGUST, 1878.

1. The Hon. C. J. JENNER: To ask the Honorable H. Cuthbert if it is the intention of the Land Tax Commissioners to sit at Ballarat, and other important centres of population, to hear cases of appeal against the classifiers valuations of certain properties.

ORDERS OF THE DAY:—

1. CONSTITUTION ACT AMENDMENT BILL.—To be read a second time.
2. JUSTICES OF THE PEACE BILL.—To be read a second time.
3. DOWER ABOLITION BILL.—To be read a second time.
4. CONSTITUTION OF COUNCIL BILL.—To be further considered in Committee.

CONTINGENT NOTICE :—

1. The Hon. N. FITZGERALD : To move, when the Bill to alter the Constitution of the Legislative Council is in Committee, new clause—

“When in any session the Legislative Council has rejected or laid aside any Bill for the Appropriation of Supplies in the then current year, if the Governor purpose to dissolve the Legislative Assembly on account thereof, His Excellency may, by Message, inform the Legislative Council of such his purpose, and require the said Council to furnish to him the names of twelve members thereof whose seats shall be vacated at the time of such dissolution ; and upon the receipt of such Message, or as soon thereafter as may be, the Legislative Council shall select by lot in such manner as from time to time it thinks fit twelve members, viz., one member from each province, and shall send their names to the Governor ; and the Governor, in the proclamation for the dissolution of the Legislative Assembly, may declare that the seats of the said twelve members are vacant, and thereupon the said seats shall become and be vacant accordingly, in the same manner and with the same effect as if each such member had resigned his seat.”

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 8.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 6TH AUGUST, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

G. F. BOWEN,
Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

*“An Act to authorize the Construction by the State of a Line of Railway to be called the
“Goulburn Valley Railway.”*

Government Offices, Melbourne, 1st August, 1878.

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

Land Act 1869.—Regulations under 110th Section, prescribing Fee for authority to issue Treasurer's Receipts (26th July, 1878).

Ordered to lie on the Table.

PETITION.—The Honorable Dr. Dobson presented a Petition signed by W. Witt, styling himself Chairman of a meeting at Nunawading, and praying that a line of railway to the Upper Yarra district may be sanctioned.

Petition received.

POSTPONEMENT.—The following Orders of the Day were severally postponed until after the disposal of the fourth Order of the Day :—

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

“Justices of the Peace Bill”—To be read a second time.

“Dower Abolition Bill”—To be read a second time.

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

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

Ordered.

The Council adjourned at five minutes past ten o'clock, until half-past four o'clock on Wednesday, the 7th instant.

ORDERS OF THE DAY.

WEDNESDAY, 7TH AUGUST, 1878.

ORDERS OF THE DAY :—

1. CONSTITUTION OF COUNCIL BILL.—To be further considered in Committee.
2. CONSTITUTION ACT AMENDMENT BILL.—To be read a second time.
3. JUSTICES OF THE PEACE BILL.—To be read a second time.
4. DOWER ABOLITION BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 9.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 7TH AUGUST, 1878.

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. Schedule D to Act 18 & 19 Vict. cap. 55—Statement of Expenditure under, during year 1877–8.
2. Parliamentary Crisis.—Further Despatch from the Right Honorable the Secretary of State (13th May, 1878.)
3. Phylloxera Vastatrix.—Report of Inspectors of Vineyards (12th June, 1878.)

Ordered severally to lie on the Table.

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

Maldon — Mining operations authorized on excepted lands at. — Order in Council (18th July, 1878).

Ordered to lie on the Table.

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

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

The Honorable Sir C. Sladen moved, That the Bill be now re-committed on the ninth and forty-fourth clauses, and on the Third Schedule.

Question—put and passed.

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

The President left the Chair.

The Chairman of Committees reported that the Committee had made further amendments in the Bill.

The Honorable Sir C. Sladen moved, That the adoption of the Report of the Committee be made an Order of the Day for Tuesday next.

Question—put and passed.

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

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

JUSTICES OF THE PEACE BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable H. Cuthbert moved, That the Order of the Day be discharged.

Question—put and passed.

DOWER ABOLITION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable T. T. a’Beckett moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

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

Question—put and passed.

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

The President left the Chair.

The Chairman of Committees reported 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 seven o’clock until half-past four o’clock on Tuesday, the 13th instant.

ORDERS OF THE DAY.

TUESDAY, 13TH AUGUST, 1878.

ORDERS OF THE DAY :—

1. CONSTITUTION OF COUNCIL BILL.—Adoption of Report.
2. CONSTITUTION ACT AMENDMENT BILL.—To be read a second time.
3. DOWER ABOLITION BILL.—To be further considered in Committee.

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

VICTORIA.

No. 10.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 13TH AUGUST, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

SOUTH BANK OF YARRA.—The Honorable W. Wilson, on behalf of the Honorable H. Cuthbert, who was absent, laid on the Table a Return to the Order of the Council made on the 16th ultimo.

PAPERS.—The Honorable W. Wilson, by command of His Excellency the Governor, on behalf of the Honorable H. Cuthbert, who was absent, laid on the Table the following Papers:—

1. Penal Establishments—Report of Inspector-General of, on Management of Prisons in Great Britain and Ireland, Europe, and America.
2. Press Messages—Rates chargeable on, in Victoria.—Order in Council (5th August 1878).

Ordered severally to lie on the Table.

PAPER.—The Honorable W. Wilson, on behalf of the Honorable H. Cuthbert, who was absent, laid on the Table the following Paper:—

Victorian Water Supply.—Application of Monies during year ending 30th June, 1878, out of Loan Acts 428 and 531.

Ordered to lie on the Table.

CONSTITUTION OF COUNCIL BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being called on, the Honorable Sir C. Sladen moved, That the Order of the Day be postponed until to-morrow.

Debate ensued.

Question—That the Order of the Day be postponed until to-morrow—put and passed.

CONSTITUTION ACT AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable Sir C. Sladen moved, That the Bill be now read a second time.

Debate ensued.

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

The President pointed out to the Council that, as the Bill came under the provisions of clause LX of the Constitution Act, it would be requisite that the number of Members voting for the Bill should be recorded, and therefore he required the Members voting for the second reading of the Bill to go to the right of the Chair.

It appeared that there were sixteen Members voting for the Bill, and two voting against it.

The question was therefore passed.

Bill read a second time.

The Honorable Sir C. Sladen moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

The President left the Chair.

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

Ordered.

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

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

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

Question—put and passed.

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

The Honorable T. T. a'Beckett moved, That the title of the Bill be "*An Act to abolish Dower.*"

Question—put and passed.

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

The Council adjourned at twenty minutes to seven o'clock until half-past four o'clock on Wednesday, the 14th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 14TH AUGUST, 1878.

General Business.

ORDERS OF THE DAY :—

1. CONSTITUTION OF COUNCIL BILL.—Adoption of Report.
2. CONSTITUTION ACT AMENDMENT BILL.—To be further considered in Committee.

NOTICES OF MOTION :—

1. The Hon. R. S. ANDERSON : To move (*on re-committal of Constitution of Council Bill*), That, in clause 4, at the end of line 23, the word “two” be struck out, and that in line 25 the word “six” be struck out, with the view of inserting the word “eight.”

Contingent on the proposed new clause with regard to Payment of Members of Council being carried—

2. The Hon. Sir CHARLES SLADEN : To move, That the Qualification of Members (in Sect. 9) be reduced to £125.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 11.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 14TH AUGUST, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PAPER.—The Honorable W. Wilson, on behalf of the Honorable H. Cuthbert, who was absent, laid upon the Table the following Paper:—

Supreme Court.—Regula Generalis (10th August, 1878).

Ordered to lie on the Table.

CONSTITUTION OF COUNCIL BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being called on, the Honorable Sir C. Sladen moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

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

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

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

The President left the Chair.

The Chairman of Committees reported progress.

The Honorable N. Fitzgerald, with leave of the Council, moved, without notice, That the Bill be referred to a Select Committee.

Question—put and passed.

The Honorable N. Fitzgerald moved, That the Select Committee consist of seven Members; viz., The Honorables the President, F. T. Sargood, R. S. Anderson, J. Cumming, Dr. Dobson, R. Simson, and the Mover.

Question—put and passed.

The Honorable N. Fitzgerald moved, That it be an instruction to the Select Committee that the number of electoral provinces shall be not less than six nor more than twelve.

Debate ensued.

Question—put and passed.

The Honorable N. Fitzgerald moved, That the Committee have power to call for persons and papers, and have power to sit on days on which the Council does not sit.

Question—put and passed.

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

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

Ordered.

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

Question—put and passed.

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

ORDER OF THE DAY.

TUESDAY, 20TH AUGUST, 1878.

ORDER OF THE DAY:—

1. CONSTITUTION ACT AMENDMENT BILL.—To be further considered in Committee.

MEETING OF SELECT COMMITTEE.

Thursday, 15th August.

CONSTITUTION OF COUNCIL BILL—at four o'clock.

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

VICTORIA.

No. 12.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 20TH AUGUST, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

CONSTITUTION OF COUNCIL BILL—SELECT COMMITTEE, PROGRESS REPORT OF.—The Honorable R. S. Anderson brought up a Progress Report from the Select Committee appointed on the 14th instant, to which was referred the Constitution of Council Bill, with instructions, and moved, That the Report be printed, and taken into consideration on Thursday next.

Debate ensued.

Question—put and passed.

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

1. Library, Public Museums, and National Gallery.—Report of Trustees, for financial year 1876-7.
2. Mines, Report of Chief Inspector of, for year 1877.
3. Industrial and Reformatory Schools, Report of Inspector of, on working of institutions in Great Britain and Ireland, and in America.

Ordered severally to lie on the Table.

ANNUAL RATEABLE VALUE IN PROVINCES.—The Honorable J. Cumming, with leave of the Council, moved, without notice, That a Return be laid upon the Table of the House, showing the annual value of rateable property in each of the Provinces.

Question—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Railway Construction Act, 1877,' so far as it relates to the Construction of the 'Daylesford Railway,'*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 20th August, 1878.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the Construction by the State of a Line of Railway from South Yarra to Oakleigh,'*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 20th August, 1878.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to explain 'The Instruments and Securities Statute 1864,'*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 20th August, 1878.

RAILWAY CONSTRUCTION ACT 1877 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 27th instant.

SOUTH YARRA TO OAKLEIGH RAILWAY 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 Wednesday, the 21st instant.

INSTRUMENTS AND SECURITIES STATUTE 1864 EXPLANATION 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 Wednesday, the 21st instant.

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

The Chairman of Committees reported progress, and asked leave to sit again on Tuesday, the 27th instant.

Ordered.

The Council adjourned at five minutes past five o'clock until half-past four o'clock on Wednesday, the 21st instant.

ORDERS OF THE DAY.

WEDNESDAY, 21ST AUGUST, 1878.

Government Business.

ORDERS OF THE DAY:—

1. SOUTH YARRA TO OAKLEIGH RAILWAY BILL.—To be read a second time.
2. INSTRUMENTS AND SECURITIES STATUTE 1864 EXPLANATION BILL.—To be read a second time.

THURSDAY, 22ND AUGUST.

ORDER OF THE DAY:—

CONSTITUTION OF COUNCIL BILL.—Consideration of Report of Select Committee.

TUESDAY, 27TH AUGUST.

ORDERS OF THE DAY:—

1. RAILWAY CONSTRUCTION ACT 1877 AMENDMENT BILL.—To be read a second time.
2. CONSTITUTION ACT AMENDMENT BILL.—To be further considered in Committee.

MEETING OF SELECT COMMITTEE.

Thursday, 22nd August.

CONSTITUTION OF COUNCIL BILL—at four o'clock.

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

VICTORIA.

No. 13.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 21ST AUGUST, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

SOUTH YARRA TO OAKLEIGH RAILWAY BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable H. Cuthbert moved, That this 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 Honorable H. Cuthbert moved, That the Bill be now read a third time.

Debate ensued.

Question—put and passed.

Bill read a third time, and, on the motion of the Honorable H. Cuthbert, *passed*.

The Honorable H. Cuthbert moved, That the title of the Bill be "*An Act to authorize the Construction by the State of a Line of Railway from South Yarra to Oakleigh.*"

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.

INSTRUMENTS AND SECURITIES STATUTE 1864 EXPLANATION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable H. Cuthbert moved, That this 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 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 explain the Instruments and Securities Statute 1864.*"

Question—put and passed.

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

ADJOURNMENT.—The Honorable 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 six o'clock until half-past four o'clock on Tuesday, the 27th instant.

ORDERS OF THE DAY.

TUESDAY, 27TH AUGUST, 1878.

ORDERS OF THE DAY:—

1. RAILWAY CONSTRUCTION ACT 1877 AMENDMENT BILL.—To be read a second time.
 2. CONSTITUTION ACT AMENDMENT BILL.—To be further considered in Committee.
 3. CONSTITUTION OF COUNCIL BILL.—Consideration of Report of Select Committee.
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MEETING OF SELECT COMMITTEE.

Thursday, 22nd August.

CONSTITUTION OF COUNCIL BILL—at four o'clock.

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

VICTORIA.

No. 14.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 27TH AUGUST, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRIT—RETURN OF.—The President announced to the Council that a Writ issued by him for the election of a Member to serve for the South-Western Province, from and after the 4th proximo, had been returned to him, and that the Returning Officer had certified "that Caleb Joshua Jenner was duly elected in pursuance of" the Writ.

CONSTITUTION OF COUNCIL BILL.—SELECT COMMITTEE.—FINAL REPORT.—The Honorable R. S. Anderson brought up the Final Report of the Select Committee appointed on the 14th instant, to which was referred the Constitution of Council Bill with instructions, and moved, That the Report be taken into consideration with the Order of the Day for the Progress Report from the Select Committee, brought up on the 20th instant.

Question—put and passed.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—

G. F. BOWEN,
Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

"An Act to authorize the construction by the State of a Line of Railway from South Yarra to Oakleigh."

"An Act to explain 'The Instruments and Securities Statute 1864.'"

Government Offices,
Melbourne, 26th August, 1878.

PETITION.—The Honorable A. Fraser presented a Petition signed by W. L. Hargreaves and others, styling themselves residents of Kyneton, Tylden, and Trentham, and praying that the starting point of a branch line of railway may be fixed two miles nearer to Kyneton than that contemplated in "*The Railway Construction Act 1877 Amendment Bill.*"

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable W. Campbell presented a Petition from the Shire of Kyneton, and under the corporate seal thereof, praying that the starting point of the line of railway to Daylesford may be fixed at Kyneton instead of Carlsruhe.

Petition received.

The Petition was read at the Table by the Clerk.

The Honorable W. Campbell moved, That the Petition be taken into consideration with the first Order of the Day.

Question—put and passed.

ANNUAL RATEABLE VALUE IN PROVINCES.—The Honorable H. Cuthbert laid on the Table a Return to the Order of the Council made on the 20th instant.

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

Public Account.—Marine Survey Accounts.—Regulation (9th August, 1878).

Ordered to lie on the Table.

RAILWAY CONSTRUCTION ACT 1877 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.

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

Ordered.

WRITS—ISSUE OF—FOR PERIODIC ELECTIONS.—The President laid on the Table a statement of the issue of Writs for the periodic elections in 1878 for the election of Members to serve for the several Provinces in the Legislative Council, from and after the day named as the Polling Day, as hereunder set forth :—

Province.	Issue of Writ.	Day before which Nomination to be made.	Polling Day.	Return of Writ.
Central ...	7th August ...	15th August ...	27th August ...	4th September.
South ...	7th August ...	17th August ...	29th August ...	4th September.
South-Western ...	15th August ...	24th August ...	4th September...	11th September.
Western...	21st August ...	29th August ...	11th September	25th September.
North-Western ...	28th August ...	5th September...	16th September	25th September.
Eastern ...	28th August ...	5th September...	16th September	25th September.

ANNUAL RATEABLE VALUE IN PROVINCES.—The Honorable J. Cumming, with leave of the Council, moved, without notice, That the Return laid on the Table of the House this day, be printed.

Question—put and passed.

CONSTITUTION OF COUNCIL BILL.—SELECT COMMITTEE.—FINAL REPORT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Final Report of the Select Committee to which the Constitution of Council Bill was referred be printed.

Question—put and passed.

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

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

Ordered.

CONSTITUTION OF COUNCIL BILL.—The Order of the Day for the consideration of the Progress and Final Reports of the Select Committee to which this Bill was referred, being read, the Honorable R. S. Anderson moved, That the Report be now adopted.

Amendment moved by the Honorable Sir C. Sladen, That all the words after the word “That” be omitted with a view to insert the following words instead thereof :—“the consideration of the Reports be postponed with the view of submitting a scheme of twelve provinces, with forty-two Members, for that contained in the Reports of the Select Committee.”

Debate ensued.

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

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

Question—That the consideration of the Report be postponed with the view of submitting a scheme of twelve provinces, with forty-two Members, for that contained in the Report of the Select Committee—put and passed.

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 ten minutes to seven o'clock until half-past four o'clock on Tuesday, the 3rd proximo.

ORDERS OF THE DAY.

TUESDAY, 3RD SEPTEMBER, 1878.

ORDERS OF THE DAY :—

1. RAILWAY CONSTRUCTION ACT 1877 AMENDMENT BILL.—To be further considered in Committee.
2. CONSTITUTION ACT AMENDMENT BILL.—To be further considered in Committee.
3. CONSTITUTION OF COUNCIL BILL.—Adjourned debate on consideration of Reports of Select Committee.

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

VICTORIA.

No. 15.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 3RD SEPTEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRITS—RETURN OF—CENTRAL AND SOUTH PROVINCES.—The President announced to the Council that the Writs issued by him for the election of Members for the Central and South Provinces, from and after the 27th day of August, and the 29th day of August respectively, had been returned to him, and that the Returning Officers had respectively certified “that William Edward Hearn was duly elected in pursuance of” the Writ for the Central Province, and “that William John Clarke, Esquire, of Rupertswood, Sunbury, landowner, has been duly elected in pursuance of” the Writ for the South Province.

SWEARING IN OF MEMBER.—The Honorable W. J. Clarke 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, 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 shire of Merriang, parishes of Kalkallo, Mickleham, and Merriang, Donnybrook riding, 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 are rated in the rate-books of such municipal district [or districts respectively] as follows:—

Name of Municipal District.	Owner.	No. on Rate Book.	Situation and Description of Rated Property.	Full net Annual Value.
Shire of Merriang, Donnybrook Riding	William John Clarke	83	Parishes of Kalkallo, Mickleham, and Merriang, 3893 acres	£908

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

“W. J. CLARKE.”

PETITION.—The Honorable A. Fraser presented a Petition signed by George Patterson and others, styling themselves residents of Daylesford and surrounding districts, and praying that the terminus of the Daylesford Railway may be fixed at Carlsruhe.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable W. Campbell presented a similar Petition signed by Thomas Row and others, styling themselves residents of Trentham and surrounding districts.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable W. Campbell presented a similar Petition, signed by John Stewart and others, styling themselves residents in Bullarto, Upper Coliban, Musk Creek, Kangaroo Creek, and the surrounding districts.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable A. Fraser presented a similar Petition from the Borough Council of Daylesford, and under the corporate seal thereof.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable A. Fraser presented a Petition signed by T. A. Ewing and others, styling themselves residents of Tylden, Trentham, Carlsruhe, and the surrounding districts, and praying that the terminus of the Daylesford Railway may be fixed at Kyneton.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable A. Fraser presented a Petition signed by W. Glover and others, at Woodend, praying that evidence may be taken at the Bar of the House, as to the most suitable point for junction of the Daylesford Railway with the line from Melbourne to Echuca.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable Sir C. Sladen presented a Petition, signed by A. Welsh, on the subject of the Daylesford Railway Bill.

Petition received.

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

Mining Surveyors and Registrars—Reports of, for quarter ending 30th June, 1878.

Ordered to lie on the Table.

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

Lunatic Asylums.—Return of Inspector of Lunatic Asylums (23rd July, 1878).

Ordered to lie on the Table.

RAILWAY CONSTRUCTION ACT 1877 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

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

Question—put and passed.

The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable 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 Railway Construction Act 1877 so far as it relates to the construction of the Daylesford Railway.*"

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.

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

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

The Honorable Sir C. Sladen moved, That the adoption of the Report of the Committee be made an Order of the Day for Tuesday next.

Question—put and passed.

CONSTITUTION OF COUNCIL BILL.—The Order of the Day for the resumption of the adjourned debate on the consideration of the Reports of the Select Committee to which this Bill was referred, being read, the debate was resumed.

The Honorable Sir C. Sladen submitted a tabular statement containing a scheme of twelve Provinces with forty-two Members, and moved, That the same be now adopted.

Debate ensued.

The Honorable R. S. Anderson, with leave of the Council, withdrew the original motion, "That the Report of the Select Committee be now adopted."

Question—That the submitted scheme of twelve Provinces with forty-two Members be now adopted—put and passed.

The Honorable Sir C. Sladen moved, That the scheme be printed, and be referred to the Committee of the whole Council with the Constitution of Council Bill.

Question—put and passed.

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

ORDERS OF THE DAY.

WEDNESDAY, 4TH SEPTEMBER, 1878.

General Business.

ORDER OF THE DAY:—

1. CONSTITUTION OF COUNCIL BILL.—Consideration in Committee.

TUESDAY, 10TH SEPTEMBER.

ORDER OF THE DAY:—

1. CONSTITUTION ACT AMENDMENT BILL.—Adoption of Report.

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

VICTORIA.

No. 16.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 4TH SEPTEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

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

Legislative Assembly Chamber,
Melbourne, 4th September, 1878.

C. GAVAN DUFFY,
Speaker.

PUBLIC WORKS LOAN ACCOUNT APPLICATION 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.

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

Education Report for Year 1877-1878.

Ordered to lie on the Table.

SWEARING IN OF MEMBER—SOUTH-WESTERN PROVINCE.—The Honorable C. J. Jenner 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, 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 annual value of Five thousand three 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 St. Kilda, Wannae, and North Melbourne, in the counties or reputed counties of Bourke and Mornington, the description of which lands and tenements are as follow :—

"No. 1. Six acres of land, Brighton road, St. Kilda, on which is erected a residence and other improvements.

"No. 2. One hundred and seventy-five acres of land, being Crown allotment 32, section A, parish of Wannae, county of Mornington.

"No. 3. Shop and two houses at the corner of King and Rosslyn streets, being Crown allotment 11, section 49, North Melbourne, county of Bourke.

"And I further declare that such of the said lands and tenements as are situate in the municipal districts of St. Kilda, Flinders, and Kangerong, and North Melbourne, are rated in the rate-books of such municipal district [or districts respectively] as follows :—

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

"No. 2. Rated in the rate-book of the shire of Flinders and Kangerong at per annum.

"No. 3. Rated in the rate-book of the city of Melbourne at One hundred and twenty-four pounds per annum.

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

C. J. JENNER."

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.

CONSTITUTION OF COUNCIL BILL.—The Order of the Day for the consideration of this Bill in Committee of the whole Council being read, the Honorable Sir C. Sladen moved, That the Bill be now considered in Committee.

Question—put and passed.

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

The President left the Chair.

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

The Honorable Sir C. Sladen moved, That the adoption of the Report of the Committee be made an Order of the Day for Tuesday next.

Question—put and passed.

ADJOURNMENT.—The Honorable Sir C. Sladen, 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 nine o'clock until half-past four o'clock on Tuesday, the 10th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 10TH SEPTEMBER, 1878.

NOTICES OF MOTION:—

1. The Hon. J. A. WALLACE: To move for leave to bring in a Bill to provide for Mining for Gold and Silver on Private Property.
2. The Hon. Sir C. SLADEN: To move (when the Order of the Day for the consideration of the Report of the Committee of the whole Council upon the Constitution of Council Bill is called on), That the Order be discharged, and also at the same time to move for leave to re-introduce a Bill to alter the Constitution of the Legislative Council.

ORDERS OF THE DAY:—

1. CONSTITUTION ACT AMENDMENT BILL.—Adoption of Report.
2. PUBLIC WORKS LOAN ACCOUNT APPLICATION BILL.—To be read a second time.
3. CONSTITUTION OF COUNCIL BILL.—Adoption of Report.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 17.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 10TH SEPTEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRITS—RETURNS OF—WESTERN AND EASTERN PROVINCES.—The President announced to the Council that Writs issued by him for the election of Members for the Western and Eastern Provinces, from and after the 11th day of September and the 16th day of September respectively, had been returned to him, and that the Returning Officers had respectively certified “that William Ross, the Gums, grazier, was duly elected in pursuance of” the Writ for the Western Province, and that “the Honorable William Wilson, of East St. Kilda, gentleman, is duly elected in pursuance of” the Writ for the Eastern Province.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable W. Wilson, in the absence of, and on behalf of, the Honorable H. Cuthbert, presented to the Council the following Message from His Excellency the Governor :—

G. F. BOWEN,
Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“An Act to amend the Railway Construction Act 1877, so far as it relates to the Construction of the Daylesford Railway.”

Government Offices,
Melbourne, 9th September, 1878.

SWEARING IN OF MEMBER.—CENTRAL PROVINCE.—The Honorable W. E. Hearn 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, 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, Wannacue, and Fingal, in the county 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 district as follows :—

No. on Rate Book.	Name of Person Rated.	Name of Owner of Rateable Property.	Riding of Shire.	Description and Situations of Rateable Property.	Net Annual Value.
70 ...	W. E. Hearn ...	W. E. Hearn ...	West ...	595 acres, Wannacue ...	£80
71 ...	” ...	” ...	” ...	444 acres, Fingal ...	£40
80 ...	” ...	” ...	Centre ...	68 acres and buildings, Dromana...	£150

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

“W. E. HEARN.”

MINING ON PRIVATE PROPERTY BILL.—The Honorable J. A. Wallace, in accordance with notice, moved, That leave be given to bring in a Bill to provide for Mining for Gold and Silver on Private Property.

Question—put and passed.

Bill brought in, and, on the motion of the Honorable J. A. Wallace, read a first time, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 17th instant.

POSTPONEMENT.—The following Order of the Day was postponed until Wednesday, the 11th instant :—
“*Constitution Act Amendment Bill*”—Adoption of Report.

PUBLIC WORKS LOAN ACCOUNT APPLICATION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable W. Wilson moved, That this Bill be now read a second time.

Question—put and passed.

Bill read a second time.

The Honorable W. Wilson 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 W. Wilson 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 W. Wilson, was read a third time and *passed*.

The Honorable W. Wilson moved, That the title of the Bill be “*An Act to sanction the issue and expenditure of certain sums from ‘The Public Works Loan Account 1872’ for Salaries, Wages, and Contingencies for the service of the year ending the thirtieth day of June One thousand eight hundred and seventy-nine.*”

Question—put and passed.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to unite the branches of the Legal Profession in Victoria,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 10th September, 1878.

C. GAVAN DUFFY,
Speaker.

LEGAL PROFESSIONS BILL.—The Honorable W. Wilson 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 W. Wilson, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 24th instant.

CONSTITUTION OF COUNCIL BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being called on, the Honorable Sir C. Sladen, in accordance with *contingent* notice, moved, That the Order of the Day be discharged, with a view to the re-introduction of a Bill to alter the Constitution of the Legislative Council.

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

Question—That leave be given to re-introduce a Bill to alter the Constitution of the Legislative Council—put and passed.

Bill brought in, and, on the motion of the Honorable Sir C. Sladen, read a first time.

The Honorable Sir C. Sladen, with leave of the Council, moved, without notice, That the Bill be now read a second time.

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

The President pointed out to the Council that, as the Bill came under the provisions of Clause LX of the Constitution Act, it would be requisite that the number of Members voting for the Bill should be recorded, and therefore he required the Members voting for the second reading of the Bill to go to the right of the Chair.

It appeared that there were twenty Members voting for the Bill, and none voting against it.

The question was therefore passed.

Bill read a second time.

The Honorable Sir C. Sladen moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable Sir C. Sladen moved, That the adoption of the Report of the Committee be made an Order of the Day for to-morrow.

Question—put and passed.

The Council adjourned at six o'clock until half-past four o'clock on Wednesday the 11th instant.

ORDERS OF THE DAY.

WEDNESDAY, 11TH SEPTEMBER, 1878.

General Business.

ORDERS OF THE DAY :—

1. CONSTITUTION ACT AMENDMENT BILL.—Adoption of Report.
2. CONSTITUTION OF COUNCIL BILL.—Adoption of Report.

TUESDAY, 17TH SEPTEMBER.

ORDER OF THE DAY :—

1. MINING ON PRIVATE PROPERTY BILL.—To be read a second time.

TUESDAY, 24TH SEPTEMBER.

ORDER OF THE DAY :—

1. LEGAL PROFESSIONS BILL.—To be read a second time.

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

THE UNIVERSITY OF CHICAGO

1950

DEPARTMENT OF CHEMISTRY

1951

DEPARTMENT OF CHEMISTRY

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1960

DEPARTMENT OF CHEMISTRY

VICTORIA.

No. 18.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 11TH SEPTEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 17th instant :—
“ Constitution Act Amendment Bill ”—Adoption of Report.

CONSTITUTION OF COUNCIL BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable Sir C. Sladen moved, That the Report be now adopted.

Question—put and passed.

The Honorable Sir C. Sladen moved, That the third reading of the Bill be made an Order of the Day for Tuesday next.

Question—put and passed.

PAPER.—The Honorable W. Wilson, in the absence of, and on behalf of, the Honorable H. Cuthbert, by command of His Excellency the Governor, presented to the Council the following paper :—

Telegraphic Messages between certain border towns in Victoria and New South Wales.—Order in Council (5th September, 1878).

Ordered to lie on the Table.

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

Question—put and passed.

The Council adjourned at twenty minutes to five o'clock until half-past four o'clock on Tuesday, the 17th instant.

ORDERS OF THE DAY.

TUESDAY, 17TH SEPTEMBER, 1878.

ORDERS OF THE DAY :—

1. MINING ON PRIVATE PROPERTY BILL.—To be read a second time.
2. CONSTITUTION ACT AMENDMENT BILL.—Adoption of Report.
3. CONSTITUTION OF COUNCIL BILL.—To be read a third time.

TUESDAY, 24TH SEPTEMBER.

ORDER OF THE DAY :—

1. LEGAL PROFESSIONS BILL.—To be read a second time.

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

VICTORIA.

No. 19.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 17TH SEPTEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

SWEARING IN OF MEMBERS.—EASTERN AND WESTERN PROVINCES.—The Honorables William Wilson and William Ross being introduced, took and subscribed, severally, 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, WILLIAM WILSON, do declare and testify that I am duly seised at law or in equity of an estate of freehold for my own use and benefit in lands or tenements in the colony of Victoria of the freehold value of Three thousand pounds sterling money, above all charges and incumbrances affecting the same: And further, that the lands and tenements out of which such qualification arises are situate in the parish of Prahran, in the county or reputed county of Bourke, the description of which lands and tenements are as follow :—

“Dwelling place known as Dalquhurn, on the Dandenong road, E. St. Kilda, with frontage to Westbury street and Canterbury street.

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

“At Four hundred and twelve pounds per annum.

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

“WILLIAM WILSON.”

“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 shire of Mount Rouse, are rated in the rate-books of such municipal district [or districts respectively] 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.”

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Honorable W. Wilson, in the absence of, and on behalf of, the Honorable H. Cuthbert, presented to the Council the following Message from His Excellency the Governor :—

G. F. BOWEN,
Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz :—

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

Government Offices,
Melbourne, 13th September, 1878.

PAPER.—The Honorable W. Wilson, in the absence of, and on behalf of, the Honorable H. Cuthbert, by command of His Excellency the Governor, presented the following Paper :—

Statistical Register of Victoria, 1877. Part IV.—Production.

Ordered to lie on the Table.

MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable J. A. Wallace moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable J. A. Wallace 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.

CONSTITUTION ACT AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable Sir C. Sladen moved, That the Report be now adopted.

Debate ensued.

Question—put and passed.

The President reported that the Chairman of Committees had certified that the Bill was in accordance with the Bill as reported, and pointed out to the Council that, as the Bill came under the provisions of Clause LX of the Constitution Act, it would be requisite that the number of Members voting for the Bill should be recorded, and therefore he required the Members voting for the third reading of the Bill to go to the right of the Chair.

The Honorable Sir C. Sladen moved, That the Bill be now read a third time.

Question—put.

The President declared that there were twenty-one Members voting for the third reading, and four against it.

The question was therefore passed.

Bill read a third time.

The Honorable Sir C. Sladen moved, That the title of the Bill be "*An Act to amend the Constitution Act.*"

Question—put and passed.

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

CONSTITUTION OF COUNCIL BILL.—The President reported that the Chairman of Committees had certified that the fair print of this Bill was in accordance with the Bill as reported, and pointed out to the Council that, as the Bill came under the provisions of Clause LX of the Constitution Act, it would be requisite that the number of Members voting for the Bill should be recorded, and therefore he required the Members voting for the third reading of the Bill to go to the right of the Chair.

The Honorable Sir C. Sladen moved, That the Bill be now read a third time.

The President declared that there were twenty-four Members voting for the third reading and one against it.

The question was therefore passed.

Bill read a third time.

The Honorable Sir C. Sladen moved, That the title of the Bill be "*An Act to alter the Constitution of the Legislative Council.*"

Question—put and passed.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the holding of Victorian Exhibitions,*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 17th September, 1878.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Transfer of Land Statute' with regard to Easements,*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 11th September, 1878.

TRANSFER OF LAND STATUTE AMENDMENT BILL.—The Honorable W. Wilson 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 W. Wilson, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 24th instant.

VICTORIAN EXHIBITIONS BILL.—The Honorable W. Wilson 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 W. Wilson, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 24th instant.

ADJOURNMENT.—The Honorable W. Wilson, 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 24th instant.

ORDERS OF THE DAY.

TUESDAY, 24TH SEPTEMBER, 1878.

ORDERS OF THE DAY:—

1. LEGAL PROFESSIONS BILL.—To be read a second time.
2. MINING ON PRIVATE PROPERTY BILL.—To be further considered in Committee.
3. TRANSFER OF LAND STATUTE AMENDMENT BILL.—To be read a second time.
4. VICTORIAN EXHIBITIONS BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 20.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 24TH SEPTEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

WRIT—RETURN OF—NORTH-WESTERN PROVINCE.—The President announced to the Council that a Writ issued by him for the election of a Member for the North-Western Province, from and after the 16th instant, had been returned to him, and that the Returning Officer had certified "that Francis Robertson, of Essendon, in the colony of Victoria, Landowner, was duly elected in pursuance of" the Writ.

PETITION.—The Honorable Sir C. Sladen presented a Petition signed by T. Hamlet Taylor and others, styling themselves the Council of the Law Institute of Victoria, and praying that the Council will refuse to pass the Legal Professions Bill now before the House.

Petition received.

The Petition was read at the Table by the Clerk.

SWEARING IN OF MEMBER.—The Honorable F. Robertson 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, 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 in excess 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 Maribyrnong, in the counties or reputed counties of Bourke and Dalhousie, the description of which lands and tenements are as follow :—

"Eight allotments in the parish of Newham, two allotments in Edgecomb, and one allotment in Maribyrnong.

"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 shire of Keilor are rated in the rate-books of such municipal districts as follows :—

Surname of Person in full.	Christian Name of same Person.	Trade or Occupation.	Description and Situation 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.
Robertson	Francis	Gentleman	Farm in Newham, West riding	Owner...	£ 95	West Bourke...	Lancefield.
Robertson Strawthorn	Francis Andrew	Gentleman Farmer ...	Farm in Newham ... House and land, Edgecomb, secs. 13, 14	Owner... Occupier	95 107	Dalhousie ... Dalhousie ...	Langley. Campaspe.
Dunn ...	Edmund	...	640 acres and house, Keilor road	...	204	Keilor ...	Maribyrnong.

"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."

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

1. Statistical Register of the Colony of Victoria, 1877.—Part V.—Vital Statistics, &c.
2. Echuca Bridge, Royal Commission, Reports of.

Ordered severally to lie on the Table.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 1st proximo :—

"Legal Professions Bill"—To be read a second time.

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

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

Ordered.

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 authorize the raising of Money for Railways and for other purposes.*"

Also, a Bill intituled "*An Act to authorize the Conversion of Victorian Government Stock into Debentures,*" with which they desire the concurrence of the Legislative Council.

J. JAMES,
Deputy-Speaker.

Legislative Assembly Chamber,
Melbourne, 24th September, 1878.

LOANS 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 Wednesday, the 25th instant.

VICTORIAN STOCK CONVERSION 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 1st proximo.

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

"*Transfer of Land Statute Amendment Bill*"—To be read a second time.

VICTORIAN EXHIBITIONS BILL.—The Order of the Day for the second reading of this Bill being called on, the Honorable H. Cuthbert moved, That the Order of the Day be postponed until to-morrow.

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

Debate ensued.

Question—That the Order of the Day be postponed until Tuesday next—put and passed.

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

NOTICE OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 25TH SEPTEMBER, 1878.

Government Business.

ORDERS OF THE DAY :—

1. LOANS BILL.—To be read a second time.
2. TRANSFER OF LAND STATUTE AMENDMENT BILL.—To be read a second time.

General Business.

NOTICE OF MOTION :—

1. HON. F. T. SARGOOD : To move, That there be laid on the Table of this House a return showing the amount standing in the Treasury to the credit of the undermentioned Trust Funds, and the amounts invested in debentures or Government stock on account of each of them at the end of each financial year from 1864 to the present time :—

Trust Funds referred to.

Assurance Fund	29	Vict., No. 301
Suitors' Fund	36	" No. 435
Police Superannuation Fund	37	" No. 476
Intestate Estates	{ 27	" No. 230
	{ 36	" No. 427
Post Office Savings Fund	29	" No. 298
Insolvency unclaimed Dividend	34	" No. 379
Loan Redemption Account—		
General Account	22	" No. 86

Together with the totals of such Trust Funds and investments for each year.

ORDER OF THE DAY :—

1. MINING ON PRIVATE PROPERTY BILL.—To be further considered in Committee.

TUESDAY, 1ST OCTOBER.

ORDERS OF THE DAY :—

1. LEGAL PROFESSIONS BILL.—To be read a second time.
2. VICTORIAN STOCK CONVERSION BILL.—To be read a second time.
3. VICTORIAN EXHIBITIONS BILL.—To be read a second time.

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

VICTORIA.

No. 21.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 25TH SEPTEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

LOANS 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 Report of the Committee be now adopted.

Question—put and passed.

The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable 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 raising of Money for Railways, and for other purposes.*"

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

TRANSFER OF LAND STATUTE 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 adoption of the Report of the Committee be made an Order of the Day for Tuesday next.

Question—put and passed.

PAPER—VICTORIAN RAILWAYS.—The Honorable H. Cuthbert laid on the Table a Statement of amounts raised for Railway Construction under various Loans and for Railway Loan Liquidation and Construction Account, to 30th June 1878, and with leave of the Council moved, without notice, That the statement be printed.

Question—put and passed.

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.

TRUST FUNDS—CREDITS AND INVESTMENTS.—The Honorable F. T. Sargood, in accordance with notice, moved, That there be laid on the Table of this House a return showing the amount standing in the Treasury to the credit of the undermentioned Trust Funds, and the amounts invested in debentures or Government stock on account of each of them at the end of each financial year from 1864 to the present time :—

Trust Funds referred to.

Assurance Fund	29	Vict., No. 301
Suitors' Fund	36	„ No. 435
Police Superannuation Fund	37	„ No. 476
Intestate Estates	{ 27	„ No. 230
	{ 36	„ No. 427
Post Office Savings Fund	29	„ No. 298
Insolvency unclaimed Dividend	34	„ No. 379
Loan Redemption Account—		
General Account	22	„ No. 86

Together with the totals of such Trust Funds and investments for each year.

Debate ensued.

Question—put and passed.

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

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

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

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

Question—put and passed.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 1ST OCTOBER, 1878.

NOTICES OF MOTION :—

1. The Hon. H. CUTHBERT : To move, That the Honorable R. S. Anderson be appointed a Member of the Standing Orders Committee.
2. The Hon. H. CUTHBERT : To move, That the Honorable W. Wilson be appointed a Member of the Printing Committee.
3. The Hon. H. CUTHBERT : To move, That the Honorable F. Robertson be appointed a Member of the Library Committee.
4. The Hon. H. CUTHBERT : To move, That the Honorable C. J. Jenner be appointed a Member of the Parliament Buildings Committee.
5. The Hon. H. CUTHBERT : To move, That the Honorables W. J. Clarke and W. Wilson be appointed Members of the Refreshment Rooms Committee.

ORDERS OF THE DAY :—

1. LEGAL PROFESSIONS BILL.—To be read a second time.
2. VICTORIAN STOCK CONVERSION BILL.—To be read a second time.
3. VICTORIAN EXHIBITIONS BILL.—To be read a second time.
4. TRANSFER OF LAND STATUTE AMENDMENT BILL.—Adoption of Report.
5. MINING ON PRIVATE PROPERTY BILL.—Adoption of Report.

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

VICTORIA.

No. 22.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 1ST OCTOBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

G. F. BOWEN,

Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“An Act to authorize the raising of Money for Railways, and for other purposes.”

Government Offices,

Melbourne, 30th September, 1878.

PETITION.—The Honorable F. T. Sargood presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the City of Melbourne, and under the Corporate Seal thereof, praying that the Victorian Exhibitions Bill may be either rejected until the consent of the Petitioners be obtained thereto, or amended so as to vest the real estate of the Carlton Gardens in the Petitioners and the Board of Land and Works as trustees, and to provide that the lands shall remain to the use of the said trustees on behalf of the citizens and the public when not applied as a site for a public exhibition.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable W. E. Hearn presented a Petition, signed by R. Harper and others, praying that the site contemplated by the Victorian Exhibitions Bill may be enlarged, or, otherwise, that a larger site may be selected elsewhere.

Petition received.

The Petition was read at the Table by the Clerk.

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

Industrial and Reformatory Schools—Report of Inspector for year 1877.

Ordered to lie on the Table.

STANDING ORDERS COMMITTEE.—The Honorable H. Cuthbert, in accordance with notice, moved, That the Honorable R. S. Anderson be appointed a Member of the Standing Orders Committee.

Question—put and passed.

PRINTING COMMITTEE.—The Honorable H. Cuthbert, in accordance with notice, moved, That the Honorable W. Wilson be appointed a Member of the Printing Committee.

Question—put and passed.

LIBRARY COMMITTEE (JOINT).—The Honorable H. Cuthbert, in accordance with notice, moved, That the Honorable F. Robertson be appointed a Member of the Joint Committee of both Houses to manage the Library.

Question—put and passed.

PARLIAMENT BUILDINGS COMMITTEE (JOINT).—The Honorable H. Cuthbert, in accordance with notice, moved, That the Honorable C. J. Jenner be appointed a Member of the Joint Committee of both Houses to manage and superintend the Parliament Buildings.

Question—put and passed.

REFRESHMENT ROOMS COMMITTEE (JOINT).—The Honorable H. Cuthbert, in accordance with notice, moved, That the Honorables W. J. Clarke and W. Wilson be appointed Members of the Joint Committee of both Houses to manage the Refreshment Rooms.

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 apply out of the Consolidated Revenue the sum of Six hundred and thirteen thousand pounds to the service of the year One thousand eight hundred and seventy-eight and nine,*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 1st October, 1878.

CONSOLIDATED REVENUE BILL (2).—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.

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

"*Legal Professions Bill*"—To be read a second time.

VICTORIAN STOCK CONVERSION 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 F. T. Sargood moved, That the debate be adjourned until Tuesday next.

Question—That the debate be adjourned until Tuesday next—put and passed.

VICTORIAN EXHIBITIONS 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 progress and asked leave to sit again on Tuesday next.

Ordered.

TRUST FUNDS—CREDITS AND INVESTMENTS.—The Honorable H. Cuthbert laid on the Table a Return to the Order of the Council made on the 25th ultimo.

The Honorable F. T. Sargood, with leave of the Council, moved, without notice, That the Return be printed.

Question—put and passed.

TRANSFER OF LAND STATUTE AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable 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 to-morrow.

Question—put and passed.

MINING ON PRIVATE PROPERTY BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable J. A. Wallace moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable J. A. Wallace moved, That the title of the Bill be "*An Act to provide for Mining for Gold and Silver on Private Property.*"

Question—put and passed.

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

The Council adjourned at twenty minutes to seven o'clock until half-past four o'clock on Wednesday, the 2nd instant.

ORDERS OF THE DAY.

WEDNESDAY, 2ND OCTOBER, 1878.

Government Business.

ORDERS OF THE DAY :—

1. CONSOLIDATED REVENUE BILL.—To be read a second time.
 2. TRANSFER OF LAND STATUTE AMENDMENT BILL.—To be read a third time.
-

THURSDAY, 3RD OCTOBER.

1. The Hon. DR. DOBSON : To call the attention of the Honorable Member representing the Government to the recent case of tampering with jurymen at the County Court, Melbourne, and to ask whether the Government intend to prosecute the offender.
-

TUESDAY, 8TH OCTOBER.

ORDERS OF THE DAY :—

1. LEGAL PROFESSIONS BILL.—To be read a second time.
2. VICTORIAN STOCK CONVERSION BILL.—Adjourned debate on second reading.
3. VICTORIAN EXHIBITIONS BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

STATE OF NEW YORK

IN SENATE

JANUARY 1907

REPORT

OF THE

COMMISSIONERS OF THE LAND OFFICE

ALBANY:

1907

VICTORIA.

No. 23.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 2ND OCTOBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

CONSOLIDATED REVENUE BILL (2).—The Order of the Day for the second reading of this Bill having been 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 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 apply out of the Consolidated Revenue the sum of Six hundred and thirteen thousand pounds to the service of the year One thousand eight hundred and seventy-eight and nine.*"

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.

TRANSFER OF LAND STATUTE 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 Transfer of Land Statute' with regard to Easements.*"

Question—put and passed.

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

ADJOURNMENT.—The Honorable 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 ten minutes to five o'clock until half-past four o'clock on Tuesday, the 8th instant.

ORDERS OF THE DAY.

TUESDAY, 8TH OCTOBER, 1878.

1. The Hon. DR. DOBSON : To call the attention of the Honorable Member representing the Government to the recent case of tampering with jurymen at the County Court, Melbourne, and to ask whether the Government intend to prosecute the offender.

ORDERS OF THE DAY :—

1. LEGAL PROFESSIONS BILL.—To be read a second time.
2. VICTORIAN STOCK CONVERSION BILL.—Adjourned debate on second reading.
3. VICTORIAN EXHIBITIONS BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 24.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 8TH OCTOBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PETITION.—The Honorable F. Robertson presented a Petition, signed by James Scott, praying that the Legal Professions Bill may be passed, or a Select Committee appointed upon it.
Petition received.

The Petition was read at the Table by the Clerk.

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

G. F. BOWEN,

Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“ An Act to apply out of the Consolidated Revenue the sum of Six hundred and thirteen thousand pounds to the service of the year One thousand eight hundred and seventy-eight and nine.”

“ An Act to amend ‘ The Transfer of Land Statute ’ with regard to Easements.”

Government Offices,

Melbourne, 3rd October, 1878.

LEGAL PROFESSIONS BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable W. Wilson moved, That the Bill be now read a second time.

Debate ensued.

The Honorable R. S. Anderson moved, That the word “ now ” be omitted from the question with a view to add the words “ this day six months ” after the word “ time.”

Debate ensued.

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

Question—That the words “ this day six months,” proposed to be added, be so added—put and passed.

Question—That the Bill be read a second time this day six months—put and passed.

VICTORIAN STOCK CONVERSION 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.

The Honorable F. T. Sargood moved, That the word “ now ” be omitted from the question—That the Bill be now read a second time—with a view to add the words “ this day six months ” after the word “ time.”

Debate ensued.

The Honorable J. Buchanan moved, That the debate be adjourned.

Question—That the debate be adjourned—put and passed.

Question—That the debate be adjourned until Tuesday next—put and passed.

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

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

Ordered.

ADJOURNMENT.—The Honorable 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 to seven o'clock until half-past four o'clock on Tuesday, the 15th instant.

ORDERS OF THE DAY.

TUESDAY, 15TH OCTOBER, 1878.

1. The Hon. DR. DOBSON : To call the attention of the Honorable Member representing the Government to the recent case of tampering with jurymen at the County Court, Melbourne, and to ask whether the Government intend to prosecute the offender.

ORDERS OF THE DAY :—

1. VICTORIAN STOCK CONVERSION BILL.—Adjourned debate on second reading.
2. VICTORIAN EXHIBITIONS BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 25.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 15TH OCTOBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to alter and amend the ' Constitution Act,' and to provide a mode of settling differences between the Legislative Council and the Legislative Assembly of Victoria,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 9th October, 1878.

C. GAVAN DUFFY,
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to permit Liens to be given upon Growing Crops.*"

Also, a Bill intituled "*An Act to vest a piece of land situate in the City of Ballarat reserved for Public Gardens in the Minister of Public Instruction,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 9th October, 1878.

C. GAVAN DUFFY,
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Juries Statute 1876,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 15th October, 1878.

C. GAVAN DUFFY,
Speaker.

LIEN UPON GROWING CROPS 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 22nd instant.

BALLARAT PUBLIC GARDENS LAND VESTING 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 22nd instant.

JURIES STATUTE 1876 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 22nd instant.

CONSTITUTION ACT ALTERATION BILL.—The Honorable Sir C. Sladen 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 Sir C. Sladen, ordered to be printed.

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

1. Mr. Gaunt, Police Magistrate—Despatch concerning case of.—Right Honorable the Secretary of State, 15th July, 1878.
2. Education Report—Despatch concerning.—Right Honorable the Secretary of State, 19th August, 1878.
3. Moneys legally available—Despatch concerning.—Right Honorable the Secretary of State, 17th August, 1878.

The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That the Despatches be printed.

Question—put and passed.

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

Land Act, 1869—Regulations for Removal of Bark from Wattle-trees on Crown Lands.—Order in Council (30th September, 1878).

Ordered to lie on the Table.

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

Maldon Police and Public Recreation Reserves—Revocation of Order in Council authorizing Mining Operations on.—Order in Council (7th October, 1878).

Ordered to lie on the Table.

VICTORIAN STOCK CONVERSION 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 on the question—That the word “now” be omitted from the question—“That the Bill be now read a second time”—with a view to add the words “this day six months” after the word “time.”

Question—That the word “now,” proposed to be omitted, stand part of the question—put and passed.

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

Bill read a second time.

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 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 Conversion of Victorian Government Stock into Debentures.*”

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.

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

The Chairman of Committees reported progress and asked leave to sit again on the next day of meeting of the Council.

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 five minutes to six o'clock until half-past four o'clock on Tuesday, the 22nd instant.

ORDERS OF THE DAY.

TUESDAY, 22ND OCTOBER, 1878.

ORDERS OF THE DAY :—

1. LIEN ON GROWING CROPS BILL.—To be read a second time.
2. BALLARAT PUBLIC GARDENS LAND VESTING BILL.—To be read a second time.
3. JURIES STATUTE 1876 AMENDMENT BILL.—To be read a second time.
4. VICTORIAN EXHIBITIONS BILL.—To be further considered in Committee.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 26.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 22ND OCTOBER, 1878.

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 authorize the construction of the Rosstown Junction Railway, and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 22nd October, 1878.

C. GAVAN DUFFY,
Speaker.

ROSSTOWN JUNCTION RAILWAY BILL.—The Honorable Sir C. Sladen, with leave of the Council, moved, without notice, That a Message be sent to the Legislative Assembly, requesting that they will be pleased to communicate to the Legislative Council copies of the Reports and Proceedings taken before the Committees of the Legislative Assembly on the Bill intituled "*A Bill to authorize the Construction of the Rosstown Junction Railway, and for other purposes.*"

Question—put and passed.

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

G. F. BOWEN,
Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

"*An Act to authorize the Conversion of Victorian Government Stock into Debentures.*"

Government Offices,
Melbourne, 21st October, 1878.

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

Australian Steam Postal Service—Amended Advertisement; Forms of Tender and Conditions for (10th October, 1878).

Ordered to lie on the Table.

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

Yan Yean Water Supply.—Cash Statement and Balance-sheet, for year ending 30th June, 1878.

Ordered to lie on the Table.

CONFERENCE WITH COMMITTEE OF LEGISLATIVE ASSEMBLY.—The Honorable Sir C. Sladen, with leave of the Council, moved, without notice, That a Committee consisting of three Members be appointed to confer with a similar Committee of the Legislative Assembly on the subject of Reform of the Constitution as discussed by both Houses during the present Session; and that the Bill “to alter and amend the Constitution Act and to provide a mode of settling differences between the Legislative Council and the Legislative Assembly of Victoria” be referred to such Committees.

Debate ensued.

Question—put and passed.

The Honorable Sir C. Sladen, with leave of the Council, moved, without notice, That the Honorable R. S. Anderson, the Honorable Dr. Hearn, and the Mover be the members of the Committee.

A ballot being required by two Members, the Members proceeded to ballot in the manner appointed by the Standing Order XLV., and it was reported by the Clerk that the Honorables Sir C. Sladen, R. S. Anderson, and W. E. Hearn had the greatest number of votes.

The President declared the Honorables Sir C. Sladen, R. S. Anderson, and W. E. Hearn to be the Members of the Committee.

The Honorable Sir C. Sladen moved, That a Message be sent to the Legislative Assembly informing them that the Legislative Council have appointed a Committee consisting of the Honorable R. S. Anderson, the Honorable W. E. Hearn, and the Mover, to confer with a similar Committee of the Legislative Assembly on the subject of Reform of the Constitution as discussed by both Houses during the present Session; and that the Bill to alter and amend the Constitution Act and to provide a mode of settling differences between the Legislative Council and the Legislative Assembly of Victoria has been referred to such Committees.

Question—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed until Thursday, the 24th instant :—

“*Lien on Growing Crops Bill*”—to be read a second time.

BALLARAT PUBLIC GARDENS LAND VESTING 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 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 vest a piece of land situate in the City of Ballarat reserved for Public Gardens in the Minister of Public Instruction.*”

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.

POSTPONEMENT.—The following Order of the Day was postponed until the next day of meeting of the Council :—

“*Juries Statute 1876 Amendment Bill*”—To be read a second time.

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

The Chairman of Committees reported progress and asked leave to sit again on the next day of meeting of the Council.

Ordered.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council copies of the Reports and Proceedings from the Select Committees appointed on the Bill intituled “*An Act to authorize the construction of the Rosstown Junction Railway and for other purposes,*” in accordance with the request of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 22nd October, 1878.

C. GAVAN DUFFY,
Speaker.

ROSTOWN JUNCTION RAILWAY BILL.—The Honorable Sir C. Sladen produced a certificate of the payment of the sum of Twenty pounds into the hands of the Colonial Treasurer for the public uses of the colony by the promoters of this Bill, and moved, That the Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable Sir C. Sladen moved, That the second reading of the Bill be made an Order of the Day for the next day of meeting of the Council.

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 acquaint the Legislative Council that the Legislative Assembly have appointed a Committee of three Members to confer with the Committee of the Legislative Council on the subject of the reform of the Constitution, as discussed during the present session, and that the Bill to amend the Constitution Act, and the Bill to alter the Constitution of the Legislative Council, have been referred to such Committees.

Legislative Assembly Chambers,
Melbourne, 22nd October, 1878.

C. GAVAN DUFFY,
Speaker.

COMMITTEE TO CONFER, EMPOWERED TO SIT ON DAYS WHEN COUNCIL DOES NOT SIT.—The Honorable Sir C. Sladen, with leave of the Council, moved, without notice, That the Conference Committee be empowered to sit on days when the House does not sit.
Question—put and passed.

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

1. Statistical Register of Colony of Victoria, 1877.—Part VI.—Accumulation.
2. Observatory.—Thirteenth Report of Board of Visitors.

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 next.
Question—put and passed.

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

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 29TH OCTOBER, 1878.

1. The Hon. W. CAMPBELL : To ask whether any correspondence has taken place between the respective Governments of Victoria and South Australia relating to an intercolonial railway to connect these colonies.

NOTICE OF MOTION :—

1. The Hon. A. FRASER : To move, That a Committee of seven Members be appointed for the purpose of enquiring into the mode of issuing free passes by the Railway Department, and to ascertain the number issued during the last fifteen months, the names of those to whom they were issued, the purposes for which they were issued, the extent of the time in which they could be used ; with power to call for persons and papers, and to sit on such days the House is not sitting.

ORDERS OF THE DAY :—

1. JURIES STATUTE 1876 AMENDMENT BILL.—To be read a second time.
2. VICTORIAN EXHIBITIONS BILL.—To be further considered in Committee.
3. ROSSTOWN JUNCTION RAILWAY BILL.—To be read a second time.
4. LIEN ON GROWING CROPS BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 27.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 29TH OCTOBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Closed Roads.—Progress Report of Royal Commission (19th October, 1878).

Ordered to lie on the Table.

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

1. Fisheries Act 1873.—Notice of Close Season for Schnapper (30th September, 1878).

2. Savings Banks.—Statements and Returns for year ending 30th June, 1878.

Ordered severally 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 amend the Fisheries Act 1873,*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 28th October, 1878.

FISHERIES ACT 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 Wednesday, the 30th instant.

COMMITTEE TO CONFER WITH COMMITTEE OF LEGISLATIVE ASSEMBLY—REPORT OF.—The Honorable Sir C. Sladen brought up a Report from the Committee of three Members, appointed on the 22nd instant, "to confer with a similar Committee of the Legislative Assembly on the subject of Reform of the Constitution, as discussed by both Houses during the present Session;" to which Committee was referred the Bill "*To alter and amend the Constitution Act, and to provide a mode of settling differences between the Legislative Council and the Legislative Assembly of Victoria.*"

The Report was read at the Table by the Clerk.

The Honorable Sir C. Sladen moved, That the Report be received and printed.

Question—put and passed.

FREE PASSES BY RAILWAYS.—The Honorable A. Fraser, in accordance with *amended* notice, moved, That a Committee of seven Members be appointed for the purpose of enquiring into the mode of issuing free passes by the Railway Department, and to ascertain the number issued during the last fifteen months, the names of those to whom they were issued, the purposes for which they were issued, the extent of the time in which they could be used; with power to call for persons and papers, and to sit on days the House is not sitting.

Debate ensued.

Question—put and passed.

The Honorable A. Fraser moved, That the following be the Members of the Committee, viz., the Honorables R. D. Reid, J. A. Wallace, W. Highett, T. J. Sumner, F. Robertson, F. T. Sargood, and the Mover.

Question—put and passed.

PETITION.—The Honorable F. T. Sargood presented a Petition, signed by J. Boland, styling himself chairman of a meeting of licensed victuallers, and praying that "*The Juries Statute 1876 Amendment Bill*" may be amended by striking out the words which exempt licensed victuallers from serving as jurors.

Petition received.

The Petition was read at the Table by the Clerk.

JURIES STATUTE 1876 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.

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 progress, and asked leave to sit again to-morrow.

Ordered.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending certain amendments in the Bill intituled "*An Act to vest a piece of Land situate in the City of Ballarat reserved for Public Gardens in the Minister of Public Instruction,*" and inform the Legislative Council that the Legislative Assembly have agreed to the amendments recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 29th October, 1878.

G. F. BOWEN,
Governor.

In pursuance of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly the following amendments, which he recommends to be made in the Bill intituled "*An Act to vest a piece of land situate in the City of Ballarat reserved for Public Gardens in the Minister of Public Instruction*":—

Line 12, after the word "Assembly" insert the words "of Victoria."

Clause 1, after the word "Schedule" insert the word "hereto."

Government Offices,
Melbourne, 29th October, 1878.

BALLARAT PUBLIC GARDENS LAND VESTING BILL.—AMENDMENTS RECOMMENDED BY GOVERNOR.—The Honorable H. Cuthbert moved, That the consideration of the Message, with the Amendments recommended by His Excellency the Governor, be made an Order of the Day for to-morrow.

Question—put and passed.

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

MR. PRESIDENT—

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

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 29th October, 1878.

BANKERS' BOOKS EVIDENCE 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 Wednesday, the 30th instant.

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

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

Ordered.

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

"*Rosstown Junction Railway Bill*"—to be read a second time.

LIEN ON GROWING CROPS 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 progress and asked leave to sit again to-morrow.

Ordered.

The Council adjourned at seven o'clock until half-past four o'clock on Wednesday, the 30th instant.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 30TH OCTOBER, 1878.

Government Business.

ORDERS OF THE DAY :—

1. FISHERIES ACT AMENDMENT BILL.—To be read a second time.
2. JURIES STATUTE 1876 AMENDMENT BILL.—To be further considered in Committee.
3. BALLARAT PUBLIC GARDENS LAND VESTING BILL.—Consideration of amendments recommended by Governor.
4. BANKERS' BOOKS EVIDENCE BILL.—To be read a second time.
5. VICTORIAN EXHIBITIONS BILL.—To be further considered in Committee.
6. LIEN ON GROWING CROPS BILL.—To be further considered in Committee.

General Business.

NOTICES OF MOTION :—

1. The Hon. R. S. ANDERSON : To move, That leave of absence be granted to the Honorable James Balfour for the remainder of this Session of Parliament.
2. The Hon. W. CAMPBELL : To move, That any correspondence that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial Railway to connect these Colonies, be laid on the Table of the House.
3. The Hon. Sir C. SLADEN : To move, That the following Standing Orders relating to Private Bills, viz., 113 and 115, be suspended, in order to facilitate the passage through this House of the Rosstown Junction Railway Bill.

ORDER OF THE DAY :—

1. ROSSTOWN JUNCTION RAILWAY BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 28.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 30TH OCTOBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Imports Consumed in Victoria—Returns, showing value of—For years 1870 to 1877.

Ordered to lie on the Table.

POSTPONEMENT.—The following Order of the Day was postponed until after the disposal of the succeeding five Orders of the Day :—

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

JURIES STATUTE 1876 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole Council being read, the President left the Chair.

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

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

Question—put and passed.

BALLARAT PUBLIC GARDENS LAND VESTING BILL.—AMENDMENTS RECOMMENDED BY GOVERNOR.—The Order of the Day for the consideration of the Message from the Legislative Assembly with the Amendments recommended by His Excellency the Governor in this Bill being read, the Honorable H. Cuthbert moved, That the Council do agree to the amendments as follows :—

Line 12, after the word “*Assembly*” insert the words “*of Victoria.*”

Clause 1, after the word “*Schedule*” insert the word “*hereto.*”

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council have agreed to the amendments.

BANKERS' BOOKS EVIDENCE 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 with amendments.

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

Question—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to continue various Expiring Laws,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 30th October, 1878.

C. GAVAN DUFFY,
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the Suppression of the Rabbit Nuisance,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 30th October, 1878.

C. GAVAN DUFFY,
Speaker.

RABBIT NUISANCE SUPPRESSION 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 5th proximo

EXPIRING LAWS CONTINUATION 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 Thursday, the 31st instant.

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

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

Ordered.

LIEN ON GROWING CROPS 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 H. Cuthbert moved, That the adoption of the Report of the Committee be made an Order of the Day for to-morrow.

Question—put and passed.

FISHERIES ACT 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.

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 with amendments.

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

Question—put and passed.

STANDING ORDERS CXIII AND CXV SUSPENDED.—The Honorable Sir C. Sladen, in accordance with notice, moved, That the following Standing Orders relating to Private Bills, viz., 113 and 115, be suspended, in order to facilitate the passage through this House of the Rosstown Junction Railway Bill.

Question—put and passed.

ROSSTOWN JUNCTION RAILWAY BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable Sir C. Sladen moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable Sir C. Sladen moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable Sir C. Sladen moved, That the Report of the Committee be now adopted.

Question—put and passed.

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

The Honorable Sir C. Sladen moved, That the title of the Bill be "*An Act to authorize the Construction of the Rosstown Junction Railway, 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.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 31ST OCTOBER, 1878.

NOTICE OF MOTION :—

1. The Hon. R. S. ANDERSON : To move, That leave of absence be granted to the Honorable James Balfour for the remainder of this Session of Parliament.

ORDERS OF THE DAY :—

1. JURIES STATUTE 1876 AMENDMENT BILL.—Adoption of Report.
 2. BANKERS' BOOKS EVIDENCE BILL.—Adoption of Report.
 3. EXPIRING LAWS CONTINUATION BILL.—To be read a second time.
 4. VICTORIAN EXHIBITIONS BILL.—To be further considered in Committee.
 5. LIEN ON GROWING CROPS BILL.—Adoption of Report.
 6. FISHERIES ACT AMENDMENT BILL.—Adoption of Report.
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TUESDAY, 5TH NOVEMBER.

NOTICE OF MOTION :—

1. The Hon. W. CAMPBELL : To move, That any correspondence that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial Railway to connect these Colonies, be laid on the Table of the House.

ORDER OF THE DAY :—

1. RABBIT NUISANCE SUPPRESSION BILL.—To be read a second time.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 29.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 31st OCTOBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Telegraphic Communication *via* Java.—Despatches from Right Honorable the Secretary of State, with enclosures (to May 1878).

Ordered to lie on the Table.

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

MR. PRESIDENT—

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

Legislative Assembly Chamber,
Melbourne, 30th October, 1878.

C. GAVAN DUFFY,
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend and continue 'The Diseases in Vines Act 1877,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 31st October, 1878.

C. GAVAN DUFFY,
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to continue various Expiring Laws.*"

Also a Bill intituled "*An Act to facilitate the taking or apprehending of Persons charged with certain Felonies and the punishment of those by whom they are harbored,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 31st October, 1878.

C. GAVAN DUFFY,
Speaker.

POLICE OFFENCES STATUTE 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 the next day of meeting of the Council.

DISEASES IN VINES ACT 1877 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 the next day of meeting of the Council.

EXPIRING LAWS CONTINUATION BILL (2).—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.

FELONS' APPREHENSION BILL.—The Honorable H. Cuthbert moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time.

The Honorable H. Cuthbert moved, That this 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 facilitate the taking or apprehending of persons charged with certain Felonies and the punishment of those by whom they are harbored.*"

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.

LEAVE OF ABSENCE.—HONORABLE J. BALFOUR.—The Honorable H. Cuthbert, in the absence of the Honorable R. S. Anderson, in accordance with notice, moved, That leave of absence be granted to the Honorable James Balfour for the remainder of this Session of Parliament.

Question—put and passed.

JURIES STATUTE 1876 AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council in this Bill being read, the Honorable H. Cuthbert moved, That the Report be now adopted.

Question—put and passed.

Ordered—That the third reading of the Bill be made an Order of the Day for the next day of meeting of the Council.

BANKERS' BOOKS EVIDENCE 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 Honorable H. Cuthbert moved, That the third reading of the Bill be made an Order of the Day for the next day of meeting of the Council.

Question—put and passed.

EXPIRING LAWS CONTINUATION BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable H. Cuthbert moved, That this 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 Honorable H. Cuthbert moved, That the third reading of the Bill be made an Order of the Day for the next day of meeting of the Council.

Question—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed until the next day of meeting of the Council.

"*Victorian Exhibitions Bill*"—to be further considered in Committee.

LIEN ON GROWING CROPS 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 Honorable H. Cuthbert moved, That the third reading of the Bill be made an Order of the Day for the next day of meeting of the Council.

Question—put and passed.

FISHERIES ACT AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable 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 the next day of meeting of the Council.

Question—put and passed.

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

Question—put and passed.

The Council adjourned at a quarter past five o'clock until half-past four o'clock on Wednesday, the 6th proximo.

NOTICE OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, 6TH NOVEMBER, 1878.

Government Business.

ORDERS OF THE DAY :—

1. POLICE OFFENCES STATUTE AMENDMENT BILL.—To be read a second time.
2. DISEASES IN VINES ACT 1877 AMENDMENT BILL.—To be read a second time.
3. EXPIRING LAWS CONTINUATION BILL (2).—To be read a second time.
4. JURIES STATUTE 1876 AMENDMENT BILL.—To be read a third time.
5. BANKERS' BOOKS EVIDENCE BILL.—To be read a third time.
6. EXPIRING LAWS CONTINUATION BILL.—To be read a third time.
7. VICTORIAN EXHIBITIONS BILL.—To be further considered in Committee.
8. LIEN ON GROWING CROPS BILL.—To be read a third time.
9. FISHERIES ACT AMENDMENT BILL.—To be read a third time.
10. RABBIT NUISANCE SUPPRESSION BILL.—To be read a second time.

General Business.

NOTICE OF MOTION :—

1. The Hon. W. CAMPBELL: To move, That any correspondence that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial Railway to connect these Colonies, be laid on the Table of the House.

MEETING OF SELECT COMMITTEE.

Friday, 1st November.

FREE PASSES—at two o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 30.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 6TH NOVEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

G. F. BOWEN,
Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“An Act to facilitate the taking or apprehending of persons charged with certain Felonies, and the punishment of those by whom they are harbored.”

Government Offices,
Melbourne, 1st November, 1878.

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

Aborigines—Fourteenth Report of Board for Protection of.
Ordered to lie on the Table.

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

MR. PRESIDENT—

The Legislative Assembly acquaint the Legislative Council that a Bill intituled *“An Act to continue various Expiring Laws”* was, on the 31st day of October last, sent to the Legislative Council by mistake, and the Legislative Assembly request that the said Bill may be returned to them.

Legislative Assembly Chamber,
Melbourne, 6th November, 1878.

C. GAVAN DUFFY,
Speaker

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled *“An Act to further amend the law relating to Neglected and Criminal Children,”* with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 31st October, 1878.

C. GAVAN DUFFY,
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled *“An Act to authorize the Melbourne and Hobson's Bay United Railway Company to sell their Undertaking and property, and to vest the same in the Board of Land and Works, and for other purposes,”* with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 6th November, 1878.

C. GAVAN DUFFY,
Speaker.

EXPIRING LAWS CONTINUATION BILL (2).—The Honorable H. Cuthbert moved, That a Message be sent to the Legislative Assembly returning this Bill as requested by the Legislative Assembly.

Question—put and passed.

NEGLECTED AND CRIMINAL CHILDREN 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 Thursday, the 7th instant.

MELBOURNE AND HOBSON'S BAY RAILWAY SALE 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 Thursday, the 7th instant.

PETITION.—The Honorable Sir C. Sladen presented to the Council a Petition, signed by Arthur Mandeville and Co. and others, styling themselves tenants of the Crown in Mallee districts, and praying that the Rabbit Nuisance Suppression Bill may not be passed in its present shape.

Petition received.

The Petition was read at the Table by the Clerk.

PETITION.—The Honorable G. F. Belcher presented a similar Petition, signed by Samuel Vaughan and others, styling themselves landowners and others.

Petition received.

The Petition was read at the Table by the Clerk.

POSTPONEMENT.—The following Order of the Day was postponed until Thursday, the 7th instant:—

“*Police Offences Statute Amendment Bill*”—to be read a second time.

DISEASES IN VINES ACT 1877 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 to-morrow.

Question—put and passed.

EXPIRING LAWS CONTINUATION BILL (2).—The Order of the Day for the second reading of this Bill being called on, the Honorable H. Cuthbert moved, That the Order of the Day be discharged.

Question—put and passed.

JURIES STATUTE 1876 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 Juries Statute 1876.*”

Question—put and passed.

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

BANKERS' BOOKS EVIDENCE 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 Bankers' Books Evidence.*”

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.

EXPIRING LAWS CONTINUATION 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 continue various Expiring Laws.*”

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.

VICTORIAN EXHIBITIONS 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 H. Cuthbert moved, That the adoption of the Report of the Committee be made an Order of the Day for to-morrow.

Question—put and passed.

LIEN ON GROWING CROPS 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 permit Liens to be given on Growing Crops.*”

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.

FISHERIES ACT 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 Fisheries Act 1873.*"

Question—put and passed.

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

POSTPONEMENT.—The following Order of the Day was postponed until Thursday, the 7th instant :—

"*Rabbit Nuisance Suppression Bill*"—To be read a second time.

INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.—The Honorable W. Campbell, in accordance with notice, moved, That any correspondence that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial Railway to connect these Colonies, be laid on the Table of the House.

Debate ensued.

The Honorable H. Cuthbert moved, That the debate be adjourned.

Question—put and passed.

Question—That the debate be adjourned until to-morrow—put and passed.

The Council adjourned at half-past five o'clock until half-past four o'clock on Thursday, the 7th instant.

ORDERS OF THE DAY.

THURSDAY, 7TH NOVEMBER, 1878.

ORDERS OF THE DAY :—

1. NEGLECTED AND CRIMINAL CHILDREN BILL.—To be read a second time.
2. MELBOURNE AND HOBSON'S BAY RAILWAY SALE BILL.—To be read a second time.
3. POLICE OFFENCES STATUTE AMENDMENT BILL.—To be read a second time.
4. DISEASES IN VINES ACT 1877 AMENDMENT BILL.—To be read a third time.
5. VICTORIAN EXHIBITIONS BILL.—Adoption of Report.
6. RABBIT NUISANCE SUPPRESSION BILL.—To be read a second time.
7. INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.—Adjourned debate on motion of Hon. W. Campbell.

MEETING OF SELECT COMMITTEE.

Thursday, 7th November.

FREE PASSES BY RAILWAYS—at half-past three o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 31.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 7TH NOVEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to sanction the issue and application of certain sums of money from 'The Railway Loan 'Liquidation and Construction Account, established under the provision of section forty-two of '33 Vict. No. 360,'*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 7th November, 1878.

RAILWAY LOAN ACCOUNT APPLICATION BILL.—The Honorable Sir C. Sladen, in the absence of 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 Sir C. Sladen, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 12th instant.

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 12th instant :—
"*Neglected and Criminal Children Bill*"—to be read a second time.

MELBOURNE AND HOBSON'S BAY RAILWAY SALE BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable R. S. Anderson, in the absence of 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 R. S. Anderson moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

POLICE OFFENCES STATUTE 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.

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 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 adoption of the Report of the Committee be made an Order of the Day for Tuesday next.

Question—put and passed.

DISEASES IN VINES ACT 1877 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 and continue the Diseases in Vines Act 1877.*"

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.

VICTORIAN EXHIBITIONS 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 Order of the Day be discharged, with a view to the re-committal of the Bill.

Debate ensued.

Question—put.

Council divided.

Cotents, 6.

The Hon. W. Wilson

C. J. Jenner

J. Cumming

F. T. Sargood

J. Buchanan

H. Cuthbert (*Teller*).

Not Contents, 9.

The Hon. G. F. Belcher

N. Black

W. Campbell

Sir S. Wilson

W. E. Hearn

T. F. Hamilton

F. Robertson

J. A. Wallace

Sir C. Sladen (*Teller*).

The question was therefore negatived.

The Honorable H. Cuthbert moved, That the Report of the Committee of the whole Council 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 provide for the holding of Victorian Exhibitions.*"

Question—put and passed.

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

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Duties of Customs Act 1877,'*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 7th November, 1878.

C. GAVAN DUFFY,
Speaker.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to abolish forfeitures for Treason and Felony and to otherwise amend the Law relating thereto,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 7th November, 1878.

C. GAVAN DUFFY,
Speaker.

CUSTOMS ACT 1877 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 12th instant.

TREASON AND FELONY 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 12th instant.

RABBIT NUISANCE SUPPRESSION 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 progress and asked leave to sit again on Tuesday next.

Ordered.

ORDERS OF THE DAY.

TUESDAY, 12TH NOVEMBER, 1878.

ORDERS OF THE DAY :—

1. RAILWAY LOAN ACCOUNT APPLICATION BILL.—To be read a second time.
 2. NEGLECTED AND CRIMINAL CHILDREN BILL.—To be read a second time.
 3. MELBOURNE AND HOBSON'S BAY RAILWAY SALE BILL.—Adoption of Report.
 4. POLICE OFFENCES STATUTE AMENDMENT BILL.—Adoption of Report.
 5. CUSTOMS ACT 1877 AMENDMENT BILL.—To be read a second time.
 6. TREASON AND FELONY LAW AMENDMENT BILL.—To be read a second time.
 7. RABBIT NUISANCE SUPPRESSION BILL.—To be further considered in Committee.
 8. INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.—Adjourned debate on motion of Hon. W. Campbell.
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MEETINGS OF SELECT COMMITTEES.

Tuesday, 12th November.

FREE PASSES BY RAILWAYS—at half-past three o'clock.

Wednesday, 13th November.

PRINTING—at four o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 32.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 12TH NOVEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Victorian Railways.—Estimate of Expenditure to be incurred by Board of Land and Works during year ending 30th June 1879.—Railway Station at Melbourne, £75,000.
Ordered to lie on the Table.

PETITION.—The Honorable Sir C. Sladen presented a Petition from the Council of the Shire of Winchelsea, and under the Corporate seal thereof, praying that certain alterations may be made in "*The Rabbit Nuisance Suppression Bill.*"

Petition received.

The Petition was read at the Table by the Clerk.

RAILWAY LOAN ACCOUNT APPLICATION 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 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 sanction the issue and application of certain sums of Money from 'The Railway Loan Liquidation and Construction Account established under the provision of section forty-two of 33 Vict. No. 360.'*"

Question—put and passed.

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

NEGLECTED AND CRIMINAL CHILDREN BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable H. Cuthbert moved, That this 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 progress, and asked leave to sit again to-morrow.

Ordered.

MELBOURNE AND HOBSON'S BAY RAILWAY SALE 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 authorize the Melbourne and Hobson's Bay United Railway Company to sell their undertaking and property, and to vest the same in the Board of Land and Works, 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.

POLICE OFFENCES STATUTE AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable 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 Police Offences Statute 1865.*"

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.

CUSTOMS ACT 1877 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.

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 with amendments.

The Honorable H. Cuthbert 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 amendments.

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

Question—put and passed.

The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as reported, the Bill, on the motion of the Honorable 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 Duties of Customs Act 1877.'*"

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.

POSTPONEMENT.—The following Order of the Day was postponed until after the disposal of the succeeding Orders of the Day:—

"*Treason and Felony Law Amendment Bill*"—to be read a second time.

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

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

Ordered.

POSTPONEMENTS.—The following Orders of the Day were postponed until Wednesday, the 13th instant:—

"*Intercolonial Railway—South Australia*"—adjourned debate on motion of the Honorable W. Campbell.

"*Treason and Felony Law Amendment Bill*"—to be read a second time.

The Council adjourned at twenty minutes to eleven o'clock until half-past four o'clock on Wednesday, the 13th instant.

ORDERS OF THE DAY.

WEDNESDAY, 13TH NOVEMBER, 1878.

Government Business.

ORDERS OF THE DAY :—

1. NEGLECTED AND CRIMINAL CHILDREN BILL.—To be further considered in Committee.
2. RABBIT NUISANCE SUPPRESSION BILL.—To be further considered in Committee.
3. TREASON AND FELONY LAW AMENDMENT BILL.—To be read a second time.

General Business.

ORDER OF THE DAY :—

1. INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.—Adjourned debate on motion of Hon. W. Campbell—
That any correspondence that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial railway to connect these colonies, be laid on the Table of the House.
-

MEETINGS OF SELECT COMMITTEES.

Wednesday, 13th November.

FREE PASSES BY RAILWAYS—at half-past three o'clock.
PRINTING—at four o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 33.

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 13TH NOVEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

PRINTING COMMITTEE—FIRST REPORT.—The Honorable N. Black brought up the First Report of the Printing Committee, and moved, That the Report be printed.

Question—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to vest Property held on Public, Religious, and Charitable Trusts in the succeeding Trustees without Conveyance or Assignment, and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 13th November, 1878.

C. GAVAN DUFFY,
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the following Bills, severally intituled—

"*An Act to permit Liens to be given upon Growing Crops,*"

"*An Act to provide for the holding of Victorian Exhibitions,*"

"*An Act to amend the Law with reference to Bankers' Books Evidence,*"

"*An Act to amend 'The Juries Statute 1876,'*"

and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made by the Legislative Council in the said several Bills.

Legislative Assembly Chamber,
Melbourne, 13th November, 1878.

C. GAVAN DUFFY,
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Fisheries Act 1873,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made by the Legislative Council in this Bill, and have agreed to one of the said amendments with an amendment, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 13th November, 1878.

C. GAVAN DUFFY,
Speaker.

CHARITABLE TRUST PROPERTY VESTING BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a first time.

Question—put and passed.

Bill read a first time, and, on the motion of the Honorable F. T. Sargood, ordered to be printed, and the second reading made an Order of the Day for Tuesday, the 19th instant.

FISHERIES ACT AMENDMENT BILL.—The Honorable H. Cuthbert, with leave of the Council, moved, without notice, That the Council do agree to the amendment made by the Legislative Assembly on the amendment made by the Council in clause 1 of the Bill, viz., omit “no longer” and insert “thence until the end of the next Session of Parliament.”

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council have agreed to the amendment.

NEGLECTED AND CRIMINAL CHILDREN 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 an amendment.

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

Question—put and passed.

RABBIT NUISANCE SUPPRESSION BILL.—The Order of the Day for the further consideration of this Bill 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 C. Sladen moved, That the adoption of the Report of the Committee be made an Order of the Day for to-morrow.

Question—put and passed.

POSTPONEMENTS.—The following Orders of the Day were postponed until Thursday, the 14th instant :—

“*Treason and Felony Law Amendment Bill*”—to be read a second time.

“*Intercolonial Railway—South Australia*”—adjourned debate on motion of the Honorable W. Campbell.

The Council adjourned at ten minutes past nine o'clock until half-past four o'clock on Thursday, the 14th instant.

ORDERS OF THE DAY.

THURSDAY, 14TH NOVEMBER, 1878.

ORDERS OF THE DAY :—

1. **NEGLECTED AND CRIMINAL CHILDREN BILL.**—Adoption of Report.
2. **RABBIT NUISANCE SUPPRESSION BILL.**—Adoption of Report.
3. **TREASON AND FELONY LAW AMENDMENT BILL.**—To be read a second time.
4. **INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.**—Adjourned debate on motion of Hon. W. Campbell—That any correspondence that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial railway to connect these colonies, be laid on the Table of the House.

TUESDAY, 19TH NOVEMBER.

ORDER OF THE DAY :—

1. **CHARITABLE TRUST PROPERTY VESTING BILL.**—To be read a second time.

MEETING OF SELECT COMMITTEE.

Friday, 15th November.

FREE PASSES BY RAILWAYS—at half-past three o'clock.

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

Minutes of the Proceedings
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 14TH NOVEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor, recommending certain amendments in the Bill intituled "*An Act to amend 'The Duties of Customs Act 1877,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 14th November, 1878.

C. GAVAN DUFFY,
Speaker.

G. F. BOWEN,
Governor.

In pursuance of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly the following amendments, which he recommends to be made in the Bill intituled "*An Act to amend 'The Duties of Customs Act 1877,'*" that has been presented to him for Her Majesty's Assent:—

- Clause 2, line 4, after the word "shall" add the words "be deemed to have been and shall"
- Clause 14, line 16, after the word "the" add the words "Legislative Council and the"
- „ line 17, omit the word "its" and substitute the word "the"
- „ line 18, after the word "assembling" add the word "thereof"

Government Offices,
Melbourne, 13th November, 1878.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor, recommending certain amendments in the Bill intituled "*An Act to sanction the issue and application of certain sums of Money from 'The Railway Loan 'Liquidation and Construction Account,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 14th November, 1878.

C. GAVAN DUFFY,
Speaker.

G. F. BOWEN,
Governor.

In pursuance of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly the following amendments, which he recommends to be made in the Bill intituled "*An Act to sanction the issue and application of certain sums of Money from 'The Railway Loan 'Liquidation and Construction Account,' established under the provision of section forty-two of '33 Vict. No. 360,'*" that has been presented to him for Her Majesty's assent:—

- Title, line 1, after the word "of" insert "a"
- „ line 2, omit the final "s" in the word "sums"

Government Offices,
Melbourne, 13th November, 1878.

CUSTOMS ACT 1877 AMENDMENT BILL.—The Honorable H. Cuthbert moved, That the Council concur with the amendments recommended by His Excellency the Governor in this Bill.

Question—put and passed.

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

RAILWAY LOAN ACCOUNT APPLICATION BILL.—The Honorable H. Cuthbert moved, That the Council concur with the amendments recommended by His Excellency the Governor in this Bill.

Question—put and passed.

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

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

G. F. BOWEN,

Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“ *An Act to vest a piece of Land situate in the City of Ballarat reserved for Public Gardens in the Minister of Public Instruction.* ”

“ *An Act to authorize the Construction of the Rosstown Junction Railway, and for other purposes.* ”

“ *An Act to continue various Expiring Laws.* ”

“ *An Act to amend and continue ‘ The Diseases in Vines Act 1877.’* ”

“ *An Act to authorize the Melbourne and Hobson’s Bay United Railway Company to sell their undertaking and property, and to vest the same in the Board of Land and Works, and for other purposes.* ”

“ *An Act to permit Liens to be given upon Growing Crops.* ”

“ *An Act to provide for the holding of Victorian Exhibitions.* ”

“ *An Act to amend the Law with reference to Bankers’ Books Evidence.* ”

“ *An Act to amend ‘ The Juries Statute 1876.’* ”

“ *An Act to amend the Fisheries Act 1873.* ”

Government Offices,

Melbourne, 14th November, 1878.

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

Exhibition Building, Carlton Gardens.—Plans and Specifications (11th November, 1878).

Ordered to lie on the Table.

NEGLECTED AND CRIMINAL CHILDREN BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable F. T. Sargood moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

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

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

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

The President left the Chair.

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

The Honorable H. Cuthbert moved, That the adoption of 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.

RABBIT NUISANCE SUPPRESSION 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 Sir C. Sladen moved, That the Report be now adopted.

Debate ensued.

Amendment moved by the Honorable J. A. Wallace, That all the words after the word “ That ” be omitted, with a view to insert the words “ the Bill be now re-committed.”

Debate ensued.

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

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

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

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

The President left the Chair.

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

TREASON AND FELONY 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 with amendments.
 The Honorable H. Cuthbert moved, That the adoption of the Report of the Committee be made an Order of the Day for Tuesday next.
 Question—put and passed.
 The Council adjourned at seven o'clock until half-past four o'clock on Tuesday, the 19th instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 19TH NOVEMBER, 1878.

NOTICE OF MOTION:—

1. The Hon. Sir C. SLADEN to move—

That, in the opinion of this House, it is desirable to embody in a statement for transmission to the Secretary of State, for the information of Her Majesty, the circumstances under which differences have arisen between the Houses of Legislature on the question of Constitutional Reform.

That a Committee consisting of nine Members be appointed to prepare such statement.

That such Committee consist of the Honorables R. S. Anderson, W. Campbell, H. Cuthbert, N. Fitzgerald, W. E. Hearn, F. T. Sargood, J. A. Wallace, W. Wilson, and the Mover.

Contingent upon the previous motions being carried—

That an Address be presented to His Excellency the Governor requesting him to transmit the statement, and the resolution adopting the same, to the Right Honorable the Secretary of State for the colonies.

That the above Committee prepare such Address.

ORDERS OF THE DAY:—

1. CHARITABLE TRUST PROPERTY VESTING BILL.—To be read a second time.
2. NEGLECTED AND CRIMINAL CHILDREN BILL.—To be read a third time.
3. RABBIT NUISANCE SUPPRESSION BILL.—To be read a third time.
4. TREASON AND FELONY LAW AMENDMENT BILL.—Adoption of Report.
5. INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.—Adjourned debate on motion of Hon. W. Campbell—
 That any correspondence that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial railway to connect these colonies, be laid on the Table of the House.

MEETING OF SELECT COMMITTEE.

Friday, 15th November.

FREE PASSES BY RAILWAYS—at half-past three o'clock.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

VICTORIA.

No. 35.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 19TH NOVEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Education.—Report for year 1877-8.

Ordered to lie on the Table.

CONSTITUTIONAL REFORM.—STATEMENT.—The Honorable Sir C. Sladen, in accordance with notice, moved, That, in the opinion of this House, it is desirable to embody in a statement for transmission to the Secretary of State, for the information of Her Majesty, the circumstances under which differences have arisen between the Houses of Legislature on the question of Constitutional Reform.

Question—put and passed.

The Honorable Sir C. Sladen, in accordance with notice, moved, That a Committee, consisting of nine Members, be appointed to prepare such statement.

Question—put and passed.

The Honorable Sir C. Sladen, in accordance with notice, moved, That such Committee consist of the Honorables R. S. Anderson, W. Campbell, H. Cuthbert, N. Fitzgerald, W. E. Hearn, F. T. Sargood, J. A. Wallace, W. Wilson, and the Mover.

Question—put and passed.

CHARITABLE TRUST PROPERTY VESTING BILL.—The Order of the Day for the second reading of this Bill being read, the Honorable F. T. Sargood moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.

Bill read a second time.

The Honorable F. T. Sargood moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

The Honorable F. T. Sargood moved, That the Report be now adopted.

Question—put and passed.

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

The Honorable F. T. Sargood moved, That the title of the Bill be "*An Act to vest Property held on Public, Religious, and Charitable Trusts in the succeeding Trustees without Conveyance or Assignment, 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.

NEGLECTED AND CRIMINAL CHILDREN 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 further amend the law relating to Neglected and Criminal Children.*"

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.

RABBIT NUISANCE SUPPRESSION 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 provide for the Suppression of the Rabbit Nuisance.*"

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.

TREASON AND FELONY LAW AMENDMENT BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being read, the Honorable H. Cuthbert moved, That the 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 forfeitures for Treason and Felony, and to otherwise amend the Law relating thereto.*"

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 Wednesday, the 20th instant :—
"*Intercolonial Railway—South Australia*"—Adjourned debate on motion of Honorable W. Campbell.

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

Defences of Victoria.—Despatches from the Right Honorable the Secretary of State (17th July, 1878 ; 11th September, 1878).

Ordered to lie on the Table.

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

Public Accounts—Certification of—Regulation for (4th November, 1878).

Ordered to lie on the Table.

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

NOTICE OF MOTION AND ORDER OF THE DAY.

WEDNESDAY, 20TH NOVEMBER, 1878.

General Business.

NOTICE OF MOTION :—

Contingent Notice.

1. The Hon. Sir C. SLADEN, To move—

That an Address be presented to His Excellency the Governor requesting him to transmit the statement, and the resolution adopting the same, to the Right Honorable the Secretary of State for the colonies.

That the Constitutional Reform Statement Committee prepare such Address.

ORDER OF THE DAY :—

1. **INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.**—Adjourned debate on motion of Hon. W. Campbell—

That any correspondence that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial railway to connect these colonies, be laid on the Table of the House.

MEETINGS OF SELECT COMMITTEES.

Wednesday, 20th November.

CONSTITUTION REFORM—STATEMENT—at eleven o'clock.

Thursday, 21st November.

FREE PASSES BY RAILWAYS—at four o'clock.

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

VICTORIA.

No. 36.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 20TH NOVEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to abolish Forfeitures for Treason and Felony and to otherwise amend the law relating thereto,*" and acquaint the Legislative Council that the Legislative Assembly have disagreed to the several amendments made therein by the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 20th November, 1878.

J. JAMES,
Deputy-Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the law relating to Neglected and Criminal Children,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in this Bill by the Legislative Council with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 20th November, 1878.

J. JAMES,
Deputy-Speaker.

TREASON AND FELONY LAW AMENDMENT BILL.—MESSAGE FROM LEGISLATIVE ASSEMBLY.—The Honorable H. Cuthbert moved, That the consideration of the Message from the Legislative Assembly with this Bill be made an Order of the Day for to-morrow.
Question—put and passed.

NEGLECTED AND CRIMINAL CHILDREN BILL.—MESSAGE FROM LEGISLATIVE ASSEMBLY.—The Honorable H. Cuthbert moved, That the consideration of the Message from the Legislative Assembly with this Bill be made an Order of the Day for to-morrow.
Question—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed until Thursday, the 21st instant:—
"*Intercolonial Railway—South Australia*"—Adjourned debate on motion of Honorable W. Campbell.

The Council adjourned at five o'clock until half-past four o'clock on Thursday, the 21st instant.

NOTICE OF MOTION AND ORDERS OF THE DAY.

THURSDAY, 21ST NOVEMBER, 1878.

1. The Hon. R. S. ANDERSON to call the attention of the Honorable H. Cuthbert to the fact, that charges are being made by the Registrar-General for the cost of certificates of title which are not sanctioned by the Act authorizing such charges, and to ask if he will direct the attention of the Honorable the Attorney-General to the circumstance, with a view to the alteration of the existing practice.

NOTICE OF MOTION:—
Contingent Notice.

1. The Hon. Sir C. SLADEN, To move—
That an Address be presented to His Excellency the Governor requesting him to transmit the statement, and the resolution adopting the same, to the Right Honorable the Secretary of State for the Colonies.
That the Constitutional Reform Statement Committee prepare such Address.

ORDERS OF THE DAY:—

1. TREASON AND FELONY LAW AMENDMENT BILL.—Consideration of Message from Legislative Assembly.
 2. NEGLECTED AND CRIMINAL CHILDREN BILL.—Consideration of Message from Legislative Assembly.
 3. INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.—Adjourned debate on motion of Hon. W. Campbell—
That any correspondence that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial railway to connect these colonies, be laid on the Table of the House.
-

MEETING OF SELECT COMMITTEE.

Thursday, 21st November.

FREE PASSES BY RAILWAYS—at four o'clock.

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

VICTORIA.

No. 37.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 21ST NOVEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

FREE PASSES BY RAILWAYS.—The Honorable A. Fraser brought up the Report of the Select Committee appointed on the 29th ultimo, “to enquire into the mode of issuing of Free Passes by the Railway Department, and to ascertain the number issued during the last fifteen months, the names of those to whom they were issued, the purposes for which they were issued, the extent of the time in which they could be used; with power to call for persons and papers, and to sit on days the House is not sitting;” and moved—That the Report be printed, together with the evidence taken, and appendices.

Question—put and passed.

CONSTITUTIONAL REFORM—STATEMENT.—SELECT COMMITTEE—REPORT OF.—The Honorable Sir C. Sladen brought up the Report of the Select Committee, appointed on the 19th instant, to prepare a Statement embodying “the circumstances under which differences have arisen between the Houses of Legislature on the question of Constitutional Reform,” and moved—That the Statement be adopted as follows:—

THE SELECT COMMITTEE appointed to prepare a Statement on the question of Constitutional Reform have the honor to report that they have agreed to the following statement:—

1. In the course of the present session two Bills, copies of which are hereto appended, pur-
 Appendix A. Statement of facts.
 porting, the one to alter the constitution of the Legislative Council, the other to amend the Consti-
 tution Act, were originated in this House, and were passed by it. In the Legislative Assembly, although arrangements with a private member had been made for their reception, the Chief Secretary was so good as to undertake, though unasked, their charge. On his motion they were read a first time, and their second reading was made an order of the day for that day fortnight. No further proceedings appear to have been taken respecting them. In this same session a Bill, with the short title “The Constitution Act Amendment Act 1878,” a copy of which is hereto appended, was sent by the
 Appendix B.
 Legislative Assembly to this House. The character of this measure was such that no member of the Council was willing to take even formal charge of it, much less to move its second reading. The Post-master-General, who represented the Ministry in the Council, had, previous to its introduction, resigned his office rather than accept its advocacy. At the request of the Chief Secretary, a prominent member of the Council, as a matter of courtesy, moved the first reading. But as no member could be found who was willing to give any further assistance, the Bill necessarily fell to the ground. In these circumstances the Chief Secretary requested a conference between representatives of the two Houses upon the subject of the reform of the Constitution as discussed by both Houses in the present session. To this request the Council acceded, and the conference took place. At this conference, of the representatives at which the reports are hereto appended, it was insisted on behalf of the Assembly
 Appendix C.
 —first, that the Council should in no circumstances reject an Appropriation Bill; and second, that all other Bills passed by the Assembly and rejected by the Council, should, after a certain interval, notwithstanding that rejection, become law. The representatives of the Council declined to acknowledge any legislative inferiority of this House, or in any way to compromise its independence. They made certain counter proposals, which the representatives of the Assembly declined to entertain, and the conference terminated without obtaining any basis for negotiations. It has been publicly announced that the Chief Secretary and other representatives of the Assembly are about to visit England for the purpose of requesting the assistance of Her Majesty’s Government to procure an Act of the Imperial Parliament for the alteration of our Constitution in the direction that they wish. We do not entertain the notion that any representations made through a delegation from one House of this Legislature, and that House divided* in opinion as to the propriety of such

* Out of a House of eighty-six members the majority was forty-five against thirty-two.

an application, will move the Imperial Government to initiate such a measure. Our Constitution Act has provided all necessary means for making such modifications in our Constitution as experience may suggest; and it is a maxim which the Imperial Government has long and scrupulously observed, that "parliamentary legislation on any subject of exclusively internal concern to any British colony possessing a Representative Assembly is unconstitutional." But as one of the Houses of Legislature of a colony proud of being an integral portion of the Empire, and knowing that the heart of the Empire is in sympathy with its remotest members, we desire to place upon record, for the information of Her Majesty's Government, our views respecting recent events in this country.

Previous disputes
between the two
Houses.

2. Under the first section of the Constitution Act, Her Majesty, with the advice and consent of the Council and the Assembly, has power to make laws in and for Victoria in all cases whatsoever. This general power is by subsequent sections limited in various ways. Of those limiting provisions which relate to the forms of legislation, the only section which affects the relation of the two Houses is the 56th. That section deals with two classes of Bills—those for appropriating revenue, and those for imposing taxation. With respect to such Bills it contains two enactments—first, that they should originate in the Assembly; and second, that they shall not be altered in the Council. The section is, as regards the Council, restrictive, and not enabling; and, therefore, the general power of withholding its assent, which under the first section the Council possesses, is not taken away. But *ex abundanti cautela*, the 56th section expressly provides that the Council, although it may not alter, may reject Bills of these two exceptional classes. From the commencement of the New Constitution in 1856 until 1865 the two Houses worked together without any serious disagreement. In the latter year, however, there was a vehement agitation for a change in the financial policy of the country. For the purpose of ensuring the acceptance by the Council of a protectionist tariff, the Tariff Bill was first introduced to the Council in the form of a tack to the Appropriation Bill. The Council rejected the composite measure, on the ground that it was contrary to Parliamentary law. Ultimately the Bills were severed, and were dealt with in a separate form. The next serious dispute occurred in 1867, when a grant of £20,000 to the wife of the late Governor, Sir Charles Darling, was included in the Appropriation Bill, although the Council had previously expressed, on grounds of public policy, its grave disapprobation of the vote. In two successive sessions the Appropriation Bill was, on this account, laid aside. After much difficulty the matter was arranged; the grant was withdrawn from the Appropriation Bill; and it was in an altered state of circumstances passed in a separate bill. The third dispute of this kind occurred in the end of 1877. The Act under which members of Parliament are paid for their services was then about to expire, and a Bill for its continuance was sent by the Assembly to the Council. But the Council had notice that, in anticipation of its rejection of this Bill, provision for the continuation of the usual payment had been made in the Estimates for the year. The Council, therefore, declined to consider the Bill until the threat implied by the vote in the Estimates was withdrawn. The Appropriation Bill, however, was passed by the Assembly containing the objectionable grant, and was consequently laid aside by the Council. Ultimately, although not without proceedings more violent and more deplorable than those that had taken place on former occasions, this dispute was also arranged: a new Appropriation Bill without the offensive clause was introduced, and the Payment of Members Bill during the present Parliament became law.

Alleged obstruction
by Council
to general legis-
lation.

3. Two causes of complaint have been alleged against the Council. One is that it has unreasonably obstructed general legislation; the other is that it has improperly rejected Appropriation Bills. In reply to the first assertion, it may be observed that the number of the Acts of the Parliament of Victoria now exceeds 600, and that this amount of Legislative activity is not consistent with any wilful obstruction to legislation. But it may be alleged, without danger of truthful contradiction, that not one single case can be shown of unreasonable opposition by the Council to any measure. On the contrary, the Council has on many occasions waived its well-founded objections, and has passed Bills contrary to its own wishes, because the state of public opinion at the time seemed to require the sacrifice. It has thus surrendered free trade. It has conceded the abolition of State aid to religion. It has permitted the sacrifice of that great public estate with which Her Majesty's bounty had endowed the colony. It has allowed a partial and unjust land tax to be imposed upon one section of its own constituents. On one important subject only, that of mining on private property, has it prevented the legislation that was proposed to it. On several occasions the Council has happily been able to protect the public from Mining Bills, to the principles of which serious objections existed. In relation to this kind of mining, much difficulty at one time existed, because legal opinion was divided respecting the ownership of gold in land sold by the Crown. As soon as this question was finally settled by the Judicial Committee of the Privy Council, the Council proceeded to deal with the whole subject. It has twice sent to the Legislative Assembly a comprehensive Bill which, although there is reason to suppose that it is acceptable to the mining interest throughout the country, has not had the good fortune of attracting the notice of the Assembly.

Alleged improper
rejection of
Appropriation
Bills

4. With regard to the rejection of Appropriation Bills, the brief statement already made shows that the disputes on this matter were not due to any attempt by the Council to assume any control over the ordinary financial arrangements of the year, but that they arose from the abuse by the Legislative Assembly of its legitimate financial powers for the purpose of carrying doubtful political measures on which it was at the time intent. It is true that from the nature of the case the odium of the rejection of the Appropriation Bill has been thrown upon the Council. Yet in every war the blame justly rests not with the party who strikes the first blow, but with the party who renders that blow necessary. It is unreasonable to blame the Council for protecting itself by the means which the law indicates, and which were the only means in its power. The true aggressors were those who, with a full knowledge of the facts, and with the undisguised intent to embarrass the Council, forced upon it, sorely against its will, this most inconvenient remedy. The constitutional remedy which each branch of the Legislature possesses against the undue encroachment of any other branch is its power of refusal. In all ordinary legislation this power is sufficient. Legislation which involves a change in the law can always wait. However desirable any reform may seem, the continued opposition of one legislative chamber is, in ordinary circumstances,

conclusive proof that the country is not yet ripe for the change. In course of time either the opposition is overcome, or concessions are made by which it is disarmed. But the Appropriation Act differs from ordinary legislation. It cannot wait. It is rather in the nature of administration than of an alteration in the law. Consequently, the remedy which suits other projects of law operates very differently in the case of Appropriation Bills. In England the rejection of an Appropriation Bill is unknown, but the abuse of such Bills, whether by way of tack or by the inclusion of grants to which the House of Lords has taken objection, is equally unknown. The House of Commons not only does not exercise such powers, but asserts distinctly the duty of its forbearance. In this country the Legislative Assembly is not so careful to avoid cause of offence. Its view seems to be that the Council should be bound to follow the practice of the House of Lords in never rejecting Appropriation Bills, but that the Assembly should not be bound by the practice of the House of Commons in confining such Bills to their legitimate function. In these circumstances the Council has anxiously sought for some remedy less injurious to the public interest and to Her Majesty's service than that of stopping the annual supplies. It has offered, not once but many times, to submit all disputes as to the interpretation of the Constitution Act to the decision of the Judicial Committee of the Privy Council. In its Bill of this session to amend the Constitution Act it suggested, as will presently appear, the surest remedy for the evil. In the recent conference its representatives proposed two other alternative schemes which carried concession to its extreme limits, and thus deserved at least consideration. But all its efforts have been ineffectual, and it is still exposed to the danger of being held up to universal obloquy as the cause of a great public disaster, or of being compelled to accept, by means which can only be described as a fraud upon an Act of Parliament, some measure to which upon political grounds it entertains an insuperable aversion.

5. The primary cause of the unsatisfactory relations between the two Houses is, indeed, an encroachment, but it is an encroachment not of the Council, but of the Assembly. It has been already observed that the interference by the Council with the ordinary course of supply has never been spontaneous, but has been forced upon it against its will. The Council has always disclaimed any desire for financial control, and has resented the necessity for rejecting the Appropriation Bill as an intolerable grievance. But the claims of the Assembly have not been few, nor has its assertion of these claims been without offence. It insists that it stands in the exact position of the House of Commons, and possesses, whether by the Constitution Act, or if not by some inherent vigour, all the financial privileges of that body. Such a claim has no foundation in law. The Legislative Assembly is not the House of Commons any more than the Legislative Council is the House of Lords. The two Houses of the Victorian Parliament are statutory bodies, all whose powers and duties depend upon and are defined by the Act which they administer. As to financial matters these powers are expressly set forth in the 56th section of the Constitution Act already cited. Whether they are more, or whether they are less than those of the House of Commons, they are just so much, and so much only, as that act, rightly construed, allows. But the Legislative Assembly does not bound its demands even by the privileges of the House of Commons. It claims powers to which the House of Commons has never pretended. It has claimed the right by its own unaided authority of ordering the expenditure of the public revenue. It has claimed the right of tacking Appropriation Bills to Bills for imposing taxes. It has claimed the right to include in Appropriation Bills grants which involve grave questions of public policy, and to which it had notice that the Council objected. Finally, it now, by its Bill—(Appendix A)—claims the right to make laws not only without the consent of the Council, but in spite of its expressed opposition. This last demand has, by the Chief Secretary, acting on behalf of the Assembly, been made the condition precedent of all amicable negotiations on the subject of constitutional reform between the two Houses. Such claims lead directly to the abolition of the Council, or—what would be worse—to its existence in a state of unconditional submission and open degradation.

Encroachments
of Legislative
Assembly.

6. It unfortunately happened that the equilibrium between the two Houses was disturbed very soon after the New Constitution came into operation. Under the Constitution Act a definite proportion between the two Houses was carefully observed. The property qualification for the members of the Council and that for its electors were respectively twice, with one slight exception, the amount of the qualification required for the members and electors of the Assembly. The duration of the Council was twice as long, and the number of its members was one-half as great as that of the Assembly. In all these particulars fundamental alterations were at an early period made in the Assembly, while the structure of the Council remained unchanged. The property qualification of members of the Assembly was abolished. Manhood suffrage was established. The duration of the Assembly was reduced from five years to three. The number of its members was increased from 60 to 78, and by a recent Act to 86. Thus the relations of the Houses were necessarily disturbed. In 1868 a partial attempt was made to correct this inconvenience. The property qualification both for members and for electors of the Council was reduced by one-half, and in the case of the other qualifications the franchise was extended. In the present session the Council, after repeated deliberation, passed a Bill by which it was proposed to make important alterations in the same direction. The property qualification of electors was again reduced by one-half, that is, from a rating of £50 to a rating of £25. The property qualification of members was reduced from a yearly rating of £250 to a like rating of £150. The tenure of office was reduced from ten years to six; and the number of members was increased from 30 to 42. The number of the provinces was doubled, and other popular changes were proposed. But although changes of this character had by those who were opposed to the Council been often demanded, the Bill which proposed those changes was not even taken into consideration.

Disturbance of
original propor-
tion between the
two Houses.

7. So far as the aggressive tendency of the Legislative Assembly is due to positive law, the source of the evil lies in that provision of the 56th section of the Constitution Act which provides that the two classes of Bills therein mentioned may be rejected but not altered by the Council. This provision is the result of an attempt to reduce into a statutory form the well-known practice of the Imperial Parliament. There is, however, an important difference between the two cases. In England the origination of Money Bills by the Commons is a rule of law; but the exemption of such Bills from amendment has no legal validity, and is a mere practice dependent upon the prudent forbearance of the House of Lords. In Victoria both the origination and the

Effect of the in-
equality of the
Houses as to
Money Bills.

exemption from amendment are regulated by the Constitution Act. Such a conversion of a custom into law not unfrequently produces unexpected results. The elasticity of a custom, and the reluctance to press to extremities a disputed right, lead to consequences very different from those which follow from the precise terms of an Act of Parliament, and from a sense of statutory superiority. This unfortunate provision is peculiar to Victoria. Neither in England, nor in any constitutional colony, nor in the United States, nor in any single state of the numerous states included in the Union, is a similar power conferred upon either House by law. The origination of money bills is indeed given by law in accordance with the English precedent, although in America even this rule is not always observed, to the more popular of the two Houses. Whatever in other respects their practice may be, the legal distinction does not go further. In all these countries, deadlocks, such as those with which we are too familiar, are unknown. Yet these countries, especially the other colonies, and Victoria agree, so far as regards their political institutions, in all other material respects except in this, that Victoria has, and that these other countries have not, an inequality in the powers of the two Houses in regard to the amendment of Money Bills. It is thus no rash inference that this inequality is the cause of deadlocks. It was under this conviction that the Council passed the Bill of this session to amend the Constitution Act. It seemed the wisest course to remove the root of the evil. It is not that the Council * desires any financial power beyond that which it possesses. But the removal of a useless inequality would take away both the belief in an undefined superiority, and the temptation to misuse an acknowledged power.

8. There are other circumstances in which a deviation from the spirit of English precedents has tended to place the Council at a disadvantage. Neither from the Governor, nor the Advisers of the Governor, has the Council hitherto received proper consideration. This defect is probably a consequence of the aggressive tendencies of the Legislative Assembly; but these tendencies have been stimulated and not restrained by the action of the Executive. In England the Crown has not hesitated, when occasion required, to exert all its influence in order to restore and to maintain harmony between the two Houses; and it has invariably refused to lend its aid to either House to the detriment of the other. In this country a different practice has occasionally prevailed. Some Governors appear to have understood the principles of responsible government to mean that they were thereby deprived of all discretion, and were bound to permit the Ministry of the day not only to use the whole power of the prerogative, but to strain it, for the purpose of giving effect to the wishes of the Assembly against the Council. It has already been observed that the quarrels between the two Houses have arisen, not from the continued opposition of the Council to any legislative proposal on which the public mind was or was supposed to be intent, but from the abuse of the special financial powers of the Assembly. In every one of these cases the abuse of privilege was followed by an abuse of prerogative. The tack of 1865 was followed by those dealings with one of the banks which the Secretary of State declared to be illegal, and which led to the recall of Sir Charles Darling. The inclusion of the Darling grant in the Appropriation Bill led to the collusive judgments and the consequent modes of discharging public obligations which the Supreme Court emphatically condemned. In the dispute about the payment of members the present Governor, acting on the advice of his responsible Ministers, considered that he was justified in dismissing in a body all the inferior judges and other judicial officers, and thus in suspending, without any pretence or color of law, numerous Acts of Parliament, and in stopping for large classes of Her Majesty's subjects the administration of justice itself. A list of the principal Acts and parts of Acts thus illegally suspended is appended hereto. For this proceeding, directly contrary to the terms of his Commission, and in open violation of the principles declared by the Bill of Rights, this Council made at the time complaint to Her Majesty; but Her Majesty has not yet been advised to grant any redress in the matter, or even to acknowledge the receipt of the Council's complaint. It would have been absolutely impossible for any Ministry to have wrought the mischief that has on these several occasions, but most of all within the present year, been done in the country, without the active assistance of the Governor. If proof of this assertion be wanting, it is found in the readiness with which the unlawful Proclamation of the 8th of January last was cancelled on the 24th of the same month. The Governor has at all times sufficient means to enforce the observance of law, if only he think fit to use them.

9. As regards the relations of the two Houses and the Executive, there is a remarkable difference in the practice of this country and of England. In England the House of Lords always is largely represented in the Ministry. Not to speak of the earlier part of this century, when the preponderance of Peers in the Cabinet was immense, it may be stated that, according to the present practice, about half the Cabinet consists of Peers. At least four Cabinet offices—those of the Lord Chancellor, the Lord Privy Seal, the Lord President, and one Secretary of State—are necessarily held by members of the House of Lords. The number of Peers otherwise connected with the Administration is also considerable. In practice every great department is represented in both Houses of Parliament. No Administration could be formed in England from one House exclusively, and no such attempt has ever been made. "The fixed character of our Constitution," said the late Earl of Derby, "renders it the interest, not to say the paramount duty, of every Minister so to shape his course as, if possible, to keep the two Houses of Parliament in harmony, and not to throw himself absolutely and entirely into the hands of one branch of the Legislature, regardless of the wishes and feelings of the other." But in this country there has never been more than one Minister in the Council, and that Minister very rarely represents any of the more important departments. Frequently there has been none, and the Government business has been conducted by some person having nominally a seat in the Cabinet, but not holding an office under the Crown, or exercising any influence in public affairs. At the present time not even this nominal representation exists. The late Postmaster-General, as has been already stated, resigned his office because he could not support the Reform Bill; and he now, through courtesy, takes charge of Government business; but he is not a member of the Cabinet. Nothing, indeed, can more forcibly show the neglect of the Council by the Executive and the mischievous consequences of that neglect than the fact that not a single member of the Council can be found to

Disregard of the Council by the Governor.

Appendix D.

Disregard of the Council in the formation of Ministries.

move the second reading of the Ministerial Reform Bill. Yet that Bill is said to be of such importance, that not merely the existence of a colonial Ministry and of a colonial Legislative Chamber depends upon it, but even Imperial interests are supposed to be not remotely nor indirectly involved. If the Council had been properly represented in the Administration, the open contest between the two Houses would have been withdrawn to the confidential deliberations of the Cabinet. It is one great function of the modern Ministry to prevent collisions between the Crown and Parliament. But it is also its duty to mitigate, if it cannot entirely prevent, the evils of collision between the two Houses. No such duty has been here recognised, and the result has been that where the Ministry happens to command a large and compact majority in the Lower House the Council practically performs the functions which of right belong to the Opposition in the Assembly.

10. For a long time attempts have been systematically made in this country to create a belief that the Council is composed of and represents persons of a single class, and whose interests are hostile to the interests of the general community. These statements seem, by force of constant iteration, to have been, to some extent, accepted in England. Instead of general contradiction, it will be preferable to state briefly certain facts which are stated in an Appendix and can easily be verified as to the composition of the Council and of its constituencies. The qualifications of electors for the Legislative Council are threefold. They arise from property, or from profession, or from education. Under the property qualification are included the owners, lessees, or occupiers of property rated at £50 a year. Under the professional qualification are included all members of the learned professions, all certificated schoolmasters, and all retired naval, military, and Indian officers. Under the educational qualification are included all graduates of any university in the British dominions, and all matriculated students of the University of Melbourne. A contested election for the Central Province, which includes Melbourne and its suburbs, was held on the 27th of August last. There is appended hereto an analysis of the occupations of the electors who polled on that occasion. This analysis will, perhaps, not appear to be consistent with a statement which, in his place in Parliament on the 7th November, the Chief Secretary is reported to have made, that the members of the Legislative Council "are elected by a very limited portion of the population, not particularly remarkable for intelligence, close application to politics, or for the high stand-point from which they view the public matters of the colony." Had it not been for this assurance of the Chief Secretary to the contrary, it might have been thought that the thriving, industrious, and intelligent classes enumerated in this list form some portion of the "people" of this country, and are entitled to some share in determining its legislation.

Alleged class character of Council.

Appendix E.

Appendix F.

11. Nor is there any reason to doubt that the present Council faithfully reflects the opinions of its constituents. It will be remembered that the Council is not subject to a general dissolution, either by the act of the Crown or by the effluxion of time. Its renewal is effected by means of biennial elections, which extend on each occasion to one-fifth of its entire number. It so happened that when the Ministerial Reform Bill was before the Assembly the time for these periodical elections arrived. In four out of the six provinces no attempt was made by the Ministers to avail themselves of the opportunity which the Constitution thus afforded them to increase their strength in the Council or to test public opinion. Two retiring members and two new members, all opponents of the Ministerial Bill, were elected without opposition. In the fifth province the retiring member was opposed by a candidate in the Ministerial interest, and was returned by a large majority. In the sixth—that is the Central Province—the retiring member did not seek re-election, and a contest, which was generally accepted as a trial of strength, took place between an avowed supporter and an avowed opponent of the Ministry. The result was that, in this, the most populous and the wealthiest constituency in the colony, the Ministerial candidate was defeated by the largest majority ever, it is believed, obtained in this country. Thus that appeal to its constituents which the law has provided for the Council has resulted in a condemnation of the Ministerial Bill so decisive that that Bill has not in the whole House one solitary adherent.

Council faithfully reflects opinions of its constituents.

12. In these circumstances the Council, thus supported by its constituents, declines to consent to any proposal which involves, or tends to involve, legislation for this country by one House only. It is the more confirmed in its resolution by the fact that neither the present Ministerial Bill nor any other Bill with similar provisions has been placed before the constituencies of the Legislative Assembly. There has been no agitation upon the subject. There has been no change of Ministry. There has been no dissolution of the Assembly. The Bill has not even been passed a second time after re-consideration by the present Assembly. Instant submission to the demands of a party that has for the time secured the executive government is peremptorily required. But those demands are to destroy the system of Parliaments by reducing one House to a sham; to destroy representative institutions by substituting for them a *plébiscite*; to destroy colonial self-government by invoking, in a case where the law already gives to the colonial Legislature ample powers of change, and where no serious attempt has been made to exercise much less to exhaust these powers, the interference of Imperial authority. Ambiguous words have been spoken, and hints, meaningless if they do not approach to treason, have been suggested by Ministers of the Crown, and by some of their leading supporters, as to the consequences that may be expected if the Imperial Parliament decline to abolish our existing Constitution. This Council is not aware that in exercising, as it has done, its lawful powers, it has thereby deserved the punishment of annihilation. It is satisfied that it has honestly endeavoured to do its duty; that it has been, and still is, willing to make any reasonable concession, not inconsistent with its duty, for the sake of peace, and of the great interests confided to its care; and that both it and the people whom it represents desire above all things to live under the tempered freedom of Her Majesty's rule, and according to those good laws and honoured institutions which have for centuries been the birthright of Englishmen.

Opposition of Council to Ministerial Bill justified.

APPENDIX A.

"A Bill to alter the Constitution of the Legislative Council," passed by the Council, 17th September, 1878, and "A Bill to amend the Constitution Act," passed by the Council, 17th September, 1878.

APPENDIX B.

"A Bill to alter and amend the Constitution Act and to provide a mode of settling differences between the Legislative Council and the Legislative Assembly of Victoria," received by the Legislative Council from the Legislative Assembly, 15th October, 1878.

APPENDIX C.

Report of the Committee of the Legislative Council appointed to confer with similar Committee of Legislative Assembly on the subject of the Reform of the Constitution and certain Bills, ordered by the Council to be printed, 29th October, 1878.

APPENDIX D.

LIST of Acts or parts of Acts suspended by the operation of the Orders of the Governor in Council, 8th January, 1878, removing from office all Judges of County Courts, Courts of Mines, and Courts of Insolvency; also Chairmen of Courts of General Sessions of the Peace; and all Coroners; and dispensing with the services of all Police Magistrates and Wardens, and of certain specified officers, being all the Inspectors of Licensed Premises and Liquors:—

<i>Copyright Act</i> 1869, s. 55.	<i>Lands Compensation Statute.</i>
<i>Coroners Statute</i> 1865.	<i>Licensing (of Public Houses) Act</i> 1876, ss. 33 to 52, as to applications for transfers of licenses; ss. 95, 96, 97, relating to appointment of inspectors and inspection of public houses.
<i>County Court Statute</i> 1869.	<i>Local Government Act</i> 1874, ss. 392 to 397.
<i>Distillation Act</i> 1862.	<i>Lunacy Statute</i> , s. 22.
<i>Fences Statute</i> 1865.	<i>Markets Statute</i> 1864, ss. 6 and 23.
<i>Friendly Societies Statute</i> 1865, s. 21.	<i>Marriage and Matrimonial Causes Statute</i> 1864, s. 40.
<i>Public Health Statute</i> 1865, s. 58.	<i>Mining Statute</i> 1865, so far as relates to Courts of Mines.
<i>Imprisonment for Debt Act</i> , s. 6.	<i>Waterworks Act</i> 1865, s. 8.
<i>Inebriates Act</i> 1872.	
<i>Insolvency Statute</i> , outside Melbourne district, the whole—within that district, s. 13.	
<i>Judicature Act</i> , 1874, ss. 13, 14, 15.	
<i>Justices of the Peace Statute</i> , 1865. Part II, ss. 18 to 29; Part VII, 135, 139 to 149.	

APPENDIX E.

THE First Election for the Legislative Council under the Constitution Act took place in 1856, and the House comprised—

8 stockowners (pastoral tenants of the Crown)	2 wine and spirit merchants
2 stock agents	1 auctioneer
6 general merchants	1 solicitor
2 farmers and journalists	1 contractor
2 physicians	1 retired merchant
1 banker	—
1 chemist	30
2 retired shopkeepers	—

Ten years afterwards, in 1866, the House comprised—

6 stockowners (pastoral tenants of the Crown)	1 saddler
1 cattle dealer and slaughterman	1 spirit merchant
6 merchants and shipowners	2 physicians
2 retired merchants	1 auctioneer
2 solicitors	1 miller
1 farmer and journalist	1 brewer
1 barrister	—
3 bankers	30
1 contractor	—

In 1878 the House comprises—

6 owners of large country estates	1 auctioneer
7 owners of smaller properties (two of these are pastoral tenants of the Crown)	1 banker
7 merchants and shipowners	1 farmer
2 barristers	1 mining proprietor
2 solicitors	1 broker
1 brewer	—
	30
	—

CLASSIFICATION OF ELECTORS FOR THE LEGISLATIVE COUNCIL UNDER THE EXISTING ACT.

Persons rated upon an annual value of—

	Freehold.	Leasehold.
£50 and under £100	10,992	6,650
100 " 150	3,129	1,468
150 " 200	1,266	474
200 " 250	710	269
250 " 300	422	168
300 " 350	400	161
350 " 400	147	87
400 and upwards	1,016	375
	<u>18,082</u>	<u>9,652</u>

18,082 freehold electors.

9,652 leasehold "

2,029 professional, &c.

29,763 Total electorate under existing Act.

Under the Bill, passed by the Council in the present Session, for altering the Constitution of the Council, the electors qualified by property would be increased to—

49,656

2,029 professional electors.

51,685 Total electorate under proposed Bill.

APPENDIX F.

OCCUPATION of Electors who voted at the Central Province Election, 27th August, 1878.

Occupation.	Number.	Occupation.	Number.
Bakers, butchers, drapery, and retail storekeepers ...	681	Graziers and squatters ...	22
Merchants and importers ...	527	Matriculated students ...	24
Gentlemen ...	515	Painters ...	20
Licensed victuallers ...	487	Travellers ...	19
Builders and contractors ...	200	Laborers ...	19
Civil service ...	145	Hatters ...	18
Agents ..	137	Journalists ...	16
Clerks ...	126	Salesmen ...	16
Solicitors ...	113		
Manufacturers ...	116	Boardinghouse-keepers ...	14
Accountants ...	113	Mechanics and artisans ...	13
Tailors ...	112	Mariners ...	13
Surgeons and physicians ...	110	Storemen ...	13
Boot makers and dealers ...	104	Dairymen ...	12
	<u>3,486</u>	Millers ...	12
School masters and teachers ...	78	Gardeners ...	12
Carpenters ...	76	Cabmen ...	11
Ministers ...	74	Engravers ...	10
Chemists ...	79	Carters ...	10
Brokers ...	64	Curriers and tanners ...	10
Bankers and bank managers ...	59	Surveyors ...	18
Auctioneers ...	54	Watchmakers ...	17
Printers and compositors ...	54	Cordial and gingerbeer makers ...	9
Engineers ...	49	Farriers ...	9
Locksmiths and blacksmiths ...	45	Nurserymen ...	9
Warehousemen ...	42	Brickmakers ...	11
Barristers ...	38		
Pawnbrokers ...	36	Unknown occupation ...	8
Architects ...	33	Coopers ...	8
Jewellers... ..	33	Liverystable-keepers ...	8
Secretaries ...	29	Upholsterers ...	8
	<u>843</u>	Undertakers ...	8
Saddlers ...	28	Maltsters ...	7
Hairdressers ...	26	Trainers ...	7
Coachmakers ...	26	Shipwrights ...	7
Masons ...	23	Carver and gilder ...	7
Brewers ...	23	Bricklayers ...	6
Plumbers... ..	23	Inspector of Liquors ...	5
Teachers and professors of music ...	22	Army officers ...	5
		Gasfitters ...	5
		Notary Public... ..	5

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Occupation.	Number.
Boilermakers ...	5
Slaters ...	5
Judges ...	5
Wireworkers ...	5
Stevedores ...	4
Dyers ...	4
Plasterers ...	6
Letter-sorters ...	3
Farriers ...	3
Dock proprietors ...	3
Pilots ...	3
Money-lenders ...	3
Police magistrates ...	2
Overseers ...	2
Stationmasters ...	2
Railway guards ...	2
Diesinkers ...	2
153	
Slaughtermen ...	2
Draymen ...	2
Shipchandlers ...	3
Ham and bacon curers ...	2
Chaffcutters ...	2
Actors and managers ...	3
Newspaper proprietors ...	2
Reporters ...	2
Waiters ...	2
Deputy-registrars ...	3
Chiropodists ...	2
Pianoforte makers ...	2
Milkmen ...	2

Occupation.	Number.	
Waiters ...	2	
One vote each from the following :—		
Office-keeper, sculptor, market lessee, lithographer, assignee, porter, asphalter, locker, furrier, fireman, stationmaster, packer, assayer, bonded storekeeper, wool stapler, publisher, arbitrator, fisherman, dock proprietor, plate-layer, cook, quarryman, ship-chandler, postmaster, photographer, bath-keeper, goldbeater, engine-driver ...	28	
59		
Returns from scrutineers not complete as to ...	444	
5,069		
Votes polled		
Duplicate and triplicate votes, absent and dead, ascertained ...	685	
6,198		
Possibly double that number of dead and absent could not be traced out.		
Number of voters on the rolls used—16 rolls, 1878—balance used, 1877 ...		10,302

Debate ensued.

Amendment moved by the Honorable H. Cuthbert—That, in Paragraph 8, the words “In the dispute about the payment of members the present Governor, acting on the advice of his responsible Ministers, considered that he was justified in dismissing in a body all the inferior judges and other judicial officers, and thus in suspending, without any pretence or color of law, numerous Acts of Parliament, and in stopping for large classes of Her Majesty’s subjects the administration of justice itself. A list of the principal Acts and parts of Acts thus illegally suspended is appended hereto. For this proceeding, directly contrary to the terms of his Commission, and in open violation of the principles declared by the Bill of Rights, this Council made at the time complaint to Her Majesty; but Her Majesty has not yet been advised to grant any redress in the matter, or even to acknowledge the receipt of the Council’s complaint. It would have been absolutely impossible for any Ministry to have wrought the mischief that has on these several occasions, but most of all within the present year, been done in the country, without the active assistance of the Governor. If proof of this assertion be wanting, it is found in the readiness with which the unlawful Proclamation of the 8th of January last was cancelled on the 24th of the same month. The Governor has at all times sufficient means to enforce the observance of law, if only he think fit to use them.”—be omitted.

Debate ensued.

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

Contents, 16.
The Hon. W. Campbell
J. Graham
T. J. Sumner
R. S. Anderson
N. Fitzgerald
C. J. Jenner
J. Cumming
W. E. Hearn
W. Highett
F. T. Sargood
T. F. Hamilton
Sir S. Wilson
F. Robertson
J. A. Wallace
A. Fraser
Sir C. Sladen (*Teller*).

Not Contents, 5.
The Hon. W. J. Clarke
J. Buchanan
W. Ross
R. D. Reid
H. Cuthbert (*Teller*).

The question was therefore passed.

Question—That the Statement be adopted—put and passed.

ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—The Honorable Sir C. Sladen, in accordance with *contingent* notice, moved, That an Address be presented to His Excellency the Governor, requesting him to transmit the Statement, and the resolution adopting the same, to the Right Honorable the Secretary of State for the Colonies.

Question—put and passed.

The Honorable Sir C. Sladen moved, That the Constitutional Reform Statement Committee prepare such Address.

Question—put and passed.

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

MR. PRESIDENT—

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

Legislative Assembly Chamber,
Melbourne, 21st November, 1878.

C. GAVAN DUFFY,
Speaker.

LUNACY STATUTE 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 the next day of meeting of the Council.

ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—The Honorable Sir C. Sladen brought up the Address, prepared by the Committee appointed to prepare an Address requesting His Excellency to transmit the Statement on Constitutional Reform to the Right Honorable the Secretary of State, as follows :—

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

MAY IT PLEASE YOUR EXCELLENCY :—

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

We pray that Your Excellency will be pleased to transmit to Her Majesty’s Principal Secretary of State for the Colonies, for Her Majesty’s information, the accompanying Statement and Appendices, as adopted by the Legislative Council.

The Address was read at the Table by the Clerk.

The Honorable Sir C. Sladen moved, That the adoption of the Address be made an Order of the Day for Tuesday next.

Question—put and passed.

TREASON AND FELONY LAW AMENDMENT BILL.—MESSAGE FROM LEGISLATIVE ASSEMBLY.—The Order of the Day for the consideration of the Message from the Legislative Assembly with this Bill being read, the Honorable H. Cuthbert moved, That the Council do not insist upon the amendment made by the Council in Clause 4, line 33 of the Bill.

Debate ensued.

Amendment moved by the Honorable Sir C. Sladen, That the Council do insist upon the amendment.

Question—That the Council do insist upon the amendment—put and passed.

The Honorable H. Cuthbert moved, That the Council do not insist upon the amendment to leave out Clause 8.

Question—put and passed.

The Honorable H. Cuthbert moved, That the Council do not insist upon their amendments in Clause 9.

Question—put and passed.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Council insist upon their amendment in Clause 4, line 33, in the absence of any reasons in writing why the Legislative Assembly disagree with such amendment, and that the Council do not insist upon their amendments in Clauses 8 and 9 of the Bill.

NEGLECTED AND CRIMINAL CHILDREN BILL.—MESSAGE FROM LEGISLATIVE ASSEMBLY.—The Order of the Day for the consideration of the Message from the Legislative Assembly with this Bill being read, the Honorable H. Cuthbert moved, That the Council do agree to the amendments made by the Legislative Assembly in the amendments made by the Council in the Bill.

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council have agreed to the amendments made by the Legislative Assembly in the amendments made by the Council in the Bill.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act for the Conservation of Public Health,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 21st November, 1878.

C. GAVAN DUFFY,
Speaker.

CONTAGIOUS DISEASES PREVENTION BILL.—The Honorable F. T. Sargood moved, That this Bill be now read a first time.

Question—put and passed.

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

POSTPONEMENT.—The following Order of the Day was postponed until Tuesday, the 26th instant :—

“*Intercolonial Railway—South Australia*”—Adjourned debate on motion of Honorable W. Campbell.

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

NOTICE OF MOTION AND ORDERS OF THE DAY.

TUESDAY, 26TH NOVEMBER, 1878.

NOTICE OF MOTION :—

1. The Hon. H. CUTHBERT : To move—

(1.) That the Annual Appropriation Bill contain grants for the usual and ordinary services of the year, and for no other purpose ; and shall not contain any matter foreign to such grants.

That the Council may, under a resolution passed by an absolute majority of its members, inform the Assembly by Message that, in their opinion, any grant recommended in a Message from the Governor ought not to be contained in the Appropriation Bill.

That if the Assembly disagree with such Message, the Appropriation Bill, without such disputed grant, shall proceed in the usual way, and the Assembly shall send to the Council the disputed grant in the form of a separate Bill. If the disagreement between the two Houses on such separate Bill continue, and if the Governor in consequence thereof think fit to dissolve the Assembly, the Governor may, at the same time also, dissolve the Council.

(2.) That the Council may amend any Bill under the 56th section of the Constitution Act other than an Appropriation Bill, and if the Assembly disagree from such amendments, the part agreed to shall be passed in the usual way ; and the Assembly may send to the Council in a separate Bill the portions disagreed with. If the disagreement between the two Houses on such separate Bill continue, and if the Governor in consequence thereof think fit to dissolve the Assembly, the Governor may at the same time dissolve the Council.

(3.) That the effects of a dissolution of the Council be similar to those of a resignation of each member.

That no dissolution of Council take place within nine months of period of legal expiration of Assembly.

That a dissolution of Council, if it occur within nine months before the periodical elections, be in substitution for them. If it occur within nine months after such elections, it shall not affect members then returned.

(4.) That on disputes between the Houses as to the construction of the Constitution Act, or other Act affecting their respective powers, either House may petition the Queen in Council.

(5.) That two responsible Ministers at least have seats in the Council.

ORDERS OF THE DAY :—

1. LUNACY STATUTE AMENDMENT BILL.—To be read a second time.

2. ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—Adoption of.

3. CONTAGIOUS DISEASES PREVENTION BILL.—To be read a second time.

4. INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.—Adjourned debate on motion of Hon. W. Campbell—
That any correspondence that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial railway to connect these colonies, be laid on the Table of the House.

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

VICTORIA.

No. 38.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 26TH NOVEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend 'The Land Act 1869,'*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 26th November, 1878.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to abolish forfeitures for Treason and Felony, and to otherwise amend the law relating thereto,*" and acquaint the Legislative Council that the Legislative Assembly do not insist on disagreeing with the amendment insisted on by the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 26th November, 1878.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend 'The Police Offences Statute 1865,'*" and acquaint the Legislative Council that the Legislative Assembly have disagreed to some of the amendments made by the Legislative Council in this Bill, have agreed to others of the said amendments, and have agreed to one of the said amendments with amendments; with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 26th November, 1878.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to annul to a certain extent the operation and effect of an Order in Council reserving from sale permanently the Public Reserve known as the Albert Park.*"

Also, a Bill intituled "*An Act to sanction the issue and application of a certain Sum of Money under 'The Railway Loan Act 1878,'*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 21st November, 1878.

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply a Sum out of the Consolidated Revenue to the Service of the year ending on the last day of June One thousand eight hundred and seventy-nine, and to appropriate the Supplies granted in this Session of Parliament,*" with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 26th November, 1878.

Council divided.

Contents, 18.
 The Hon. Sir C. Sladen
 G. W. Cole
 R. S. Anderson
 G. F. Belcher
 W. J. Clarke
 T. Bromell
 J. Cumming
 C. J. Jenner
 W. E. Hearn
 W. Highett
 F. T. Sargood
 W. Ross
 J. Buchanan
 T. F. Hamilton
 R. D. Reid
 J. A. Wallace
 A. Fraser
 H. Cuthbert (*Teller*).

Not Contents, 7.
 The Hon. N. Black
 W. Campbell
 J. Graham
 Sir S. Wilson
 Dr. Dobson
 F. Robertson
 W. Wilson (*Teller*).

The question was therefore passed.

The Honorable H. Cuthbert moved, That a Message be sent to the Legislative Assembly informing them that this House has passed the above resolutions relating to the question of Constitutional Reform.

Question—put and passed.

LUNACY STATUTE 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 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 Lunacy Statute.'*"

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.

ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—The Order of the Day for the adoption of the Address to His Excellency the Governor, prepared on the 21st instant, being read, the Honorable Sir C. Sladen moved, That the Address be now adopted.

Question—put and passed.

The Honorable Sir C. Sladen moved, That the Address be presented to His Excellency the Governor in the usual manner.

Question—put and passed.

POSTPONEMENT.—The following Order of the Day was postponed until after the disposal of the fourth Order of the Day :—

"*Contagious Diseases Prevention Bill*"—To be read a second time.

INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.—The Order of the Day for the resumption of the adjourned debate on the motion of the Honorable W. Campbell—That any correspondence that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial railway to connect these colonies, be laid on the Table of the House—being read, the debate was resumed.

Question—put and passed.

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

Debate ensued.

Question—put.

Council divided.

Contents, 11.
 The Hon. T. Bromell
 J. Cumming
 T. F. Hamilton
 F. T. Sargood
 J. Buchanan
 R. D. Reid
 F. Robertson
 W. Ross
 H. Cuthbert
 J. A. Wallace
 C. J. Jenner (*Teller*).

Not Contents, 3.
 The Hon. W. E. Hearn
 G. F. Belcher
 Sir C. Sladen (*Teller*).

The question was therefore passed.

Bill read a second time.

The Honorable F. T. Sargood moved, That the Bill be now considered in Committee of the whole Council.

Question—put and passed.

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

The President left the Chair.

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

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

Question—put and passed.

POLICE OFFENCES STATUTE AMENDMENT BILL.—MESSAGE FROM LEGISLATIVE ASSEMBLY.—The Order of the Day for the consideration of the Message from the Legislative Assembly with this Bill being read, the Honorable H. Cuthbert moved, That the Council do not insist on the amendment made by the Council in clause 1, line 15, viz., leave out “being.”

Question—put and passed.

The Honorable H. Cuthbert moved, That the Council do not insist on the amendment made in clause 1, line 16, viz., leave out (1st) “public.”

Question—put and passed.

The Honorable Sir C. Sladen moved, That the Council do insist on the amendment in clause 1, line 16, viz., after (2nd) “public” insert “meeting or any public.”

Question—put and passed.

The Honorable Sir C. Sladen moved, That reasons be sent to the Legislative Assembly acquainting them that the Council insist on the amendment, because an offence of the nature set forth in the twenty-sixth section of the Police Offences Statute, of however aggravated a nature, if committed at a public or political meeting, can rarely be punished under that Statute, in consequence of the construction that has been put on the words “public place,” and this amendment was made with a view to make offences committed at such meetings punishable under the Statute.

Question—put and passed.

The Honorable H. Cuthbert moved, That the Council do not insist on the amendments made on the amendment in clause 1, line 20, viz., leave out “while a sale by auction is there proceeding,” and insert “where two or more persons are assembled for the purpose of attending a sale by auction.”

Question—put and passed.

The Honorable H. Cuthbert moved, That the Council do not insist on the amendment in clause 2, line 7, viz., leave out “public,” and after “place” insert “which in the opinion of the justices in any Court of Petty Sessions shall come or be.”

Question—put and passed.

The Honorable H. Cuthbert moved, That the Council agree to the amendments made by the Legislative Assembly in the new clause B, viz., after “every” insert “city town and,” and leave out “such” and insert “any.”

Question—put and passed.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them that the Council do not insist on certain amendments in the Bill, and have agreed to the amendments made by the Legislative Assembly in Clause B, and that they insist on the insertion of words in Clause 1, line 16, for the reasons assigned, with which they desire the concurrence of the Legislative Assembly.

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

ORDERS OF THE DAY.

WEDNESDAY, 27TH NOVEMBER, 1878.

Government Business.

ORDERS OF THE DAY :—

1. LAND ACT AMENDMENT BILL.—To be read a second time.
2. ALBERT PARK SCHOOL BILL.—To be read a second time.
3. RAILWAY LOAN APPLICATION BILL.—To be read a second time.
4. APPROPRIATION BILL.—To be read a second time.

General Business.

ORDER OF THE DAY :—

1. CONTAGIOUS DISEASES PREVENTION BILL.—Adoption of Report.

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

VICTORIA.

No. 39.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 27TH NOVEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

Parliament Buildings.—Second Report of Royal Commission on (19th November, 1878).

Ordered to lie on the Table.

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

Education Act No. 447.—Amended Regulations.—Salaries and Payments (25th November, 1878).

Ordered to lie on the Table.

POSTPONEMENT.—The following Order of the Day was postponed until after the disposal of the other Orders of the Day :—

“*Land Act Amendment Bill*”—To be read a second time.

ALBERT PARK SCHOOL 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 with an amendment, and with an amended title.

The Honorable H. Cuthbert 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 a further 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 to-morrow.

Question—put and passed.

RAILWAY LOAN APPLICATION 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 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 sanction the issue and application of a certain Sum of Money under ‘The Railway Loan Act 1878.’*”

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.

APPROPRIATION 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 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 to-morrow.

Question—put and passed.

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

Question—put and passed.

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

Question—put and passed.

LAND ACT AMENDMENT BILL.—The Order of the Day for the second reading of this Bill being read the Honorable H. Cuthbert moved, That the Order of the Day be postponed until to-morrow.

Debate ensued.

Question—put and passed.

The Council adjourned at a quarter-past six o'clock until half-past four o'clock on Thursday, the 28th instant.

ORDERS OF THE DAY.

THURSDAY, 28TH NOVEMBER, 1878.

ORDERS OF THE DAY :—

1. ALBERT PARK SCHOOL BILL.—To be read a third time.
2. APPROPRIATION BILL.—To be read a third time.
3. CONTAGIOUS DISEASES PREVENTION BILL.—To be read a third time.
4. LAND ACT AMENDMENT BILL.—To be read a second time.

Contingent NOTICE OF MOTION :—

1. The Hon. Sir C. SLADEN, To move, when the third reading of the Appropriation Bill is moved, that it be read a third time, subject to the following Protest, viz. :—

That this House objects to the vote “For defraying the expenses of three Commissioners to England,” because—

1. The Bill does not disclose the scope or purport of the Commission under which the Commissioners are to act.
2. Assuming that the objects of this Commission are those stated publicly on divers occasions by the Honorable the Chief Secretary, there is no power to issue without the authority of an Act of Parliament any Commission for any of the purposes stated by him, and no such Act of Parliament exists.
3. The vote for defraying the expenses to England of persons who do not represent the Colony, but are the mere delegates of a political party, is a misapplication of the Public Revenue.

This House therefore *protests* against such vote, and also against the assumption by the Commissioners of any authority, either to represent this Colony, or to do any act which may be binding upon it. And it further declares that it passes this Bill, including the vote, with the sole view of preventing injury to Her Majesty's service from the stoppage of Supplies, and that it does not thereby, either by implication or otherwise, authorize or consent to the appointment of any such Commission.

Contingent on adoption of foregoing Notice :—

That the following Address be presented to His Excellency the Governor, viz. :—

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

MAY IT PLEASE YOUR EXCELLENCY :—

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

2. We desire to invite Your Excellency's attention to a grant contained in the Appropriation Bill of this Session, and expressed in the following terms, that is to say, "For defraying the expenses of three Commissioners to England, £5000."

3. From statements publicly made by Your Excellency's Responsible Advisers, it appears that by this grant it is intended to provide for the expenses of the Honorable the Chief Secretary and of other persons to go to England, for the purpose of making to the Secretary of State certain statements respecting the public affairs of this colony, either on behalf of the colony or on behalf of the Legislative Assembly thereof.

4. We desire to remind Your Excellency that there is no power to appoint Commissioners for any such purpose without the authority of an Act of Parliament, and that no such Act exists.

5. In assenting to this grant, this House, as the protest appended hereto further shows, did not intend to authorize, and it has not under the terms of the Act in fact authorized the creation of any new office.

6. We, therefore, respectfully submit that Your Excellency ought not to issue any such Commission as aforesaid in the absence of any Act of Parliament authorizing the same, or to sign any warrant for the payment of any money in respect of this grant to any person to whom a lawful Commission has not been issued.

7. We request that Your Excellency will be pleased to transmit this Address, and the copy of the Protest appended hereto, to the Right Honorable the Secretary of State for the Colonies at your earliest convenience.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author outlines the various methods used to collect and analyze the data. This includes both manual and automated processes. The goal is to ensure that the data is as accurate and reliable as possible.

The third part of the document provides a detailed breakdown of the results. It shows that there is a significant correlation between the variables being studied. This finding is supported by statistical analysis and is consistent with previous research in the field.

Finally, the document concludes with a series of recommendations for future research. It suggests that further studies should be conducted to explore the underlying mechanisms of the observed effects. This will help to build a more comprehensive understanding of the topic.

VICTORIA.

No. 40.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 28TH NOVEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

G. F. BOWEN,
Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“ An Act to Vest Property held on Public, Religious, and Charitable Trusts in the succeeding Trustees without Conveyance or Assignment, and for other purposes.”

“ An Act to further amend the Law relating to Neglected and Criminal Children.”

“ An Act to abolish forfeitures for Treason and Felony, and to otherwise amend the Law relating thereto.”

“ An Act to amend ‘The Lunacy Statute.’ ”

“ An Act to sanction the issue and application of a certain Sum of Money under ‘The Railway Loan Act 1878.’ ”

Government Offices,
Melbourne, 28th November, 1878.

ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—REPLY OF HIS EXCELLENCY.—The President announced to the Council that the Address to His Excellency the Governor, adopted by the Council on the 26th instant, had been presented to His Excellency the Governor, 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—

I thank you for this assurance of your continued attachment to Her Majesty's Throne and Person, and of your respect for myself as Her Majesty's Representative.

I shall transmit, in the terms of your Address, the Statement and other papers which accompanied it.

G. F. BOWEN.

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

1. Statistical Register, Victoria, 1877.—Part IX.—Religious, Moral, and Intellectual Progress.
2. Mining Surveyors and Registrars—Reports of, for quarter ended 30th September, 1878.

Ordered severally to lie on the Table.

POSTPONEMENTS.—The following Orders of the Day were severally postponed until after the disposal of the third Order of the Day:—

“ Albert Park School Bill ”—To be read a third time.

“ Appropriation Bill ”—To be read a third time.

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

The Honorable F. T. Sargood moved, That the title of the Bill be "*An Act for the conservation of Public Health.*"

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.

ALBERT PARK SCHOOL 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 annul to a certain extent the operation and effect of an Order in Council reserving from sale permanently the Public Reserve known as the Albert Park, and to vest part of the land thereby reserved in the Minister of Public Instruction.*"

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 with an amended title, and desiring their concurrence therewith.

APPROPRIATION BILL.—The Order of the Day for the third reading of this Bill being called on, the Honorable H. Cuthbert moved, That the Bill be now read a third time. The Honorable Sir C. Sladen moved, That the Order of the Day be postponed until Tuesday next.

Question—That the Order of the Day be postponed until Tuesday next—put and passed.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend 'The Police Offences Statute 1865,'*" and acquaint the Legislative Council that they still insist on disagreeing to the amendments made by the Legislative Council in Clause 1, line 16, of the Bill for the following reasons:—

Because the proposed alteration of the law would, in the opinion of the Assembly, tend to the limiting of the free expression of opinion in public meeting, and to the undue interference with the conduct of persons attending such meeting.

Legislative Assembly Chamber,
Melbourne, 28th November, 1878.

C. GAVAN DUFFY,
Speaker.

POLICE OFFENCES STATUTE AMENDMENT BILL.—The Honorable Sir C. Sladen moved, That the Council do not now insist on the amendment in Clause 1, with which the Legislative Assembly have disagreed.

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council do not now insist on the amendment.

LAND ACT 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.

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 progress and asked leave to sit again on Tuesday next.

Ordered.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act for the Conservation of Public Health,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made by the Legislative Council in this Bill.

Legislative Assembly Chamber,
Melbourne, 28th November, 1878.

C. GAVAN DUFFY,
Speaker.

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to annul to a certain extent the operation and effect of an Order in Council reserving from sale permanently the Public Reserve known as the Albert Park,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in this Bill by the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 28th November, 1878.

C. GAVAN DUFFY,
Speaker.

The Council adjourned at six o'clock until half-past four o'clock on Tuesday, the 3rd proximo.

ORDERS OF THE DAY.

TUESDAY, 3RD DECEMBER, 1878.

ORDERS OF THE DAY:—

1. APPROPRIATION BILL.—To be read a third time.
2. LAND ACT AMENDMENT BILL.—To be further considered in Committee.

Contingent NOTICE OF MOTION:—

1. The Hon. Sir C. SLADEN, To move, when the third reading of the Appropriation Bill is moved, that it be read a third time, subject to the following Protest, viz. :—

That this House objects to the vote "For defraying the expenses of three Commissioners to England," because—

1. The Bill does not disclose the scope or purport of the Commission under which the Commissioners are to act.
2. Assuming that the objects of this Commission are those stated publicly on divers occasions by the Honorable the Chief Secretary, there is no power to issue without the authority of an Act of Parliament any Commission for any of the purposes stated by him, and no such Act of Parliament exists.
3. The vote for defraying the expenses to England of persons who do not represent the Colony, but are the mere delegates of a political party, is a misapplication of the Public Revenue.

This House therefore *protests* against such vote, and also against the assumption by the Commissioners of any authority, either to represent this Colony, or to do any act which may be binding upon it. And it further declares that it passes this Bill, including the vote, with the sole view of preventing injury to Her Majesty's service from the stoppage of Supplies, and that it does not thereby, either by implication or otherwise, authorize or consent to the appointment of any such Commission.

Contingent on adoption of foregoing Notice :—

That the following Address be presented to His Excellency the Governor, viz. :—

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

MAY IT PLEASE YOUR EXCELLENCY :—

1. We, Her Most Gracious Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of Victoria, in Parliament assembled, beg to approach Your Excellency with renewed expressions of our attachment to Her Majesty's Throne and Person, and of respect to Your Excellency as Her Majesty's Representative.
2. We desire to invite Your Excellency's attention to a grant contained in the Appropriation Bill of this Session, and expressed in the following terms, that is to say, "For defraying the expenses of three Commissioners to England, £5000."
3. From statements publicly made by Your Excellency's Responsible Advisers, it appears that by this grant it is intended to provide for the expenses of the Honorable the Chief Secretary and of other persons to go to England, for the purpose of making to the Secretary of State certain statements respecting the public affairs of this colony, either on behalf of the colony or on behalf of the Legislative Assembly thereof.
4. We desire to remind Your Excellency that there is no power to appoint Commissioners for any such purpose without the authority of an Act of Parliament, and that no such Act exists.
5. In assenting to this grant, this House, as the protest appended hereto further shows, did not intend to authorize, and it has not under the terms of the Act in fact authorized the creation of any new office.
6. We, therefore, respectfully submit that Your Excellency ought not to issue any such Commission as aforesaid in the absence of any Act of Parliament authorizing the same, or to sign any warrant for the payment of any money in respect of this grant to any person to whom a lawful Commission has not been issued.
7. We request that Your Excellency will be pleased to transmit this Address, and the copy of the Protest appended hereto, to the Right Honorable the Secretary of State for the Colonies at your earliest convenience.

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

VICTORIA.

No. 41.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 3RD DECEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

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

G. F. BOWEN,
Governor.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“*An Act to amend ‘The Police Offences Statute 1865.’*”

“*An Act for the conservation of Public Health.*”

“*An Act to annul to a certain extent the operation and effect of an Order in Council “reserving from sale permanently the Public Reserve known as the Albert Park, and to “vest part of the land thereby reserved in the Minister of Public Instruction.”*”

Government Offices,
Melbourne, 2nd December, 1878.

APPROPRIATION BILL.—The Order of the Day for the third reading of this Bill being called on, the Honorable H. Cuthbert moved, That the Order of the Day be postponed until after the disposal of the succeeding Order of the Day.

Debate ensued.

The Honorable Sir C. Sladen moved, That the Order of the Day be postponed until to-morrow.

Debate ensued.

Question—That the Order of the Day be postponed until to-morrow—put and passed.

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

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

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

The Honorable T. Bromell moved, That the Bill be now re-committed.

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

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

The President left the Chair.

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

Question—put and passed.

The Council adjourned at a quarter to eleven o'clock until half-past four o'clock on Wednesday, the 4th instant.

ORDERS OF THE DAY.

WEDNESDAY, 4TH DECEMBER, 1878.

Government Business.

ORDERS OF THE DAY :—

1. APPROPRIATION BILL.—To be read a third time.
2. LAND ACT AMENDMENT BILL.—To be read a third time.

Contingent NOTICE OF MOTION :—

1. The Hon. Sir C. SLADEN, To move, when the third reading of the Appropriation Bill is moved, that it be read a third time, subject to the following Protest, viz. :—

That this House objects to the vote "For defraying the expenses of three Commissioners to England," because—

1. The Bill does not disclose the scope or purport of the Commission under which the Commissioners are to act.
2. Assuming that the objects of this Commission are those stated publicly on divers occasions by the Honorable the Chief Secretary, there is no power to issue without the authority of an Act of Parliament any Commission for any of the purposes stated by him, and no such Act of Parliament exists.
3. The vote for defraying the expenses to England of persons who do not represent the Colony, but are the mere delegates of a political party, is a misapplication of the Public Revenue.

This House therefore *protests* against such vote, and also against the assumption by the Commissioners of any authority, either to represent this Colony, or to do any act which may be binding upon it. And it further declares that it passes this Bill, including the vote, with the sole view of preventing injury to Her Majesty's service from the stoppage of Supplies, and that it does not thereby, either by implication or otherwise, authorize or consent to the appointment of any such Commission.

Contingent on adoption of foregoing Notice :—

That the following Address be presented to His Excellency the Governor, viz. :—

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

MAY IT PLEASE YOUR EXCELLENCY :—

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

2. We desire to invite Your Excellency's attention to a grant contained in the Appropriation Bill of this Session, and expressed in the following terms, that is to say, "For defraying the expenses of three Commissioners to England, £5000."

3. From statements publicly made by Your Excellency's Responsible Advisers, it appears that by this grant it is intended to provide for the expenses of the Honorable the Chief Secretary and of other persons to go to England, for the purpose of making to the Secretary of State certain statements respecting the public affairs of this colony, either on behalf of the colony or on behalf of the Legislative Assembly thereof.

4. We desire to remind Your Excellency that there is no power to appoint Commissioners for any such purpose without the authority of an Act of Parliament, and that no such Act exists.

5. In assenting to this grant, this House, as the protest appended hereto further shows, did not intend to authorize, and it has not under the terms of the Act in fact authorized the creation of any new office.

6. We, therefore, respectfully submit that Your Excellency ought not to issue any such Commission as aforesaid in the absence of any Act of Parliament authorizing the same, or to sign any warrant for the payment of any moneys in respect of this grant to any person to whom a lawful Commission has not been issued.

7. We request that Your Excellency will be pleased to transmit this Address, and the copy of the Protest appended hereto, to the Right Honorable the Secretary of State for the Colonies at your earliest convenience.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 4TH DECEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.—The Honorable H. Cuthbert laid on the Table a Return to the Order of the Council made on the 26th ultimo.

The Honorable W. Campbell, with leave of the Council, moved, without notice, That the Return be printed.

Question—put and passed.

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

Railway Loan Act 1878, No. 608—Estimate of Expenditure proposed by Board of Land and Works during year ending 30th June, 1879, under Second Schedule of.

Ordered to lie on the Table.

APPROPRIATION 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 Honorable H. Cuthbert moved, That the Bill be now read a third time.

Debate ensued.

Amendment moved by the Honorable Sir C. Sladen, in accordance with *contingent* notice, That, after the word "time" the following words be added to the question—"subject to the following Protest, viz:—

"That this House objects to the vote 'For defraying the expenses of three Commissioners to England,' because—

- "1. The Bill does not disclose the scope or purport of the Commission under which the Commissioners are to act.
- "2. Assuming that the objects of this Commission are those stated publicly on divers occasions by the Honorable the Chief Secretary, there is no power to issue without the authority of an Act of Parliament any Commission for any of the purposes stated by him, and no such Act of Parliament exists.
- "3. The vote for defraying the expenses to England of persons who do not represent the Colony, but are the mere delegates of a political party, is a misapplication of the Public Revenue.

"This House therefore *protests* against such vote, and also against the assumption by the Commissioners of any authority, either to represent this Colony, or to do any act which may be binding upon it. And it further declares that it passes this Bill, including the vote, with the sole view of preventing injury to Her Majesty's service from the stoppage of Supplies, and that it does not thereby, either by implication or otherwise, authorize or consent to the appointment of any such Commission."

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

Bill read a third time accordingly, and, on the motion of the Honorable H. Cuthbert, *passed*.

The Honorable H. Cuthbert moved, That the title of the Bill be "*An Act to apply a sum out of the Consolidated Revenue to the service of the Year ending on the last day of June One thousand eight hundred and seventy-nine, and to appropriate the Supplies granted in this Session of Parliament.*"

Question—put and passed.

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

ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—The Honorable Sir C. Sladen, in accordance with *contingent* notice, moved, That the following Address be presented to His Excellency the Governor, viz. :—

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

MAY IT PLEASE YOUR EXCELLENCY :—

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

2. We desire to invite Your Excellency's attention to a grant contained in the Appropriation Bill of this Session, and expressed in the following terms, that is to say, "For defraying the expenses of three Commissioners to England, £5000."

3. From statements publicly made by Your Excellency's Responsible Advisers, it appears that by this grant it is intended to provide for the expenses of the Honorable the Chief Secretary and of other persons to go to England, for the purpose of making to the Secretary of State certain statements respecting the public affairs of this colony, either on behalf of the colony or on behalf of the Legislative Assembly thereof.

4. We desire to remind Your Excellency that there is no power to appoint Commissioners for any such purpose without the authority of an Act of Parliament, and that no such Act exists.

5. In assenting to this grant, this House, as the protest appended hereto further shows, did not intend to authorize, and it has not under the terms of the Act in fact authorized the creation of any new office.

6. We, therefore, respectfully submit that Your Excellency ought not to issue any such Commission as aforesaid in the absence of any Act of Parliament authorizing the same, or to sign any warrant for the payment of any money in respect of this grant to any person to whom a lawful Commission has not been issued.

7. We request that Your Excellency will be pleased to transmit this Address, and the copy of the Protest appended hereto, to the Right Honorable the Secretary of State for the Colonies at your earliest convenience.

Question—put and passed.

The Honorable Sir C. Sladen moved, That the Address be presented to His Excellency the Governor in the usual manner.

Question—put and passed.

LAND ACT AMENDMENT BILL.—The President having reported 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 Land Act 1869.'*"

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.

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

MR. PRESIDENT—

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend 'The Land Act 1869,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made by the Legislative Council in this Bill, have disagreed to others of the amendments, and have agreed to some of the said amendments with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly Chamber,
Melbourne, 4th December, 1878.

C. GAVAN DUFFY,
Speaker.

LAND ACT AMENDMENT BILL.—The Honorable H. Cuthbert moved, That the Council do agree to the following amendment made by the Legislative Assembly on the amendment made by the Council in Clause 10 :—

Insert after "license" the words "hereinafter called non-residence license."

Question—put and passed.

The Honorable H. Cuthbert moved, That the Council do agree to the following amendment made by the Legislative Assembly on the amendment made by the Council, viz. :—

Clause 10, after "allotment," omit the words "(hereinafter called non-residence license)" and insert "as defined in the Principal Act."

Question—put and passed.

The Honorable H. Cuthbert moved, That, in the following amendment made by the Legislative Assembly on the amendment made by the Legislative Council, viz. :—

After "advance" insert "and every such license shall be upon the like (save as in this and the following sections provided) conditions and terms as licenses to occupy Crown Lands may be issued under sections 19 and 20 of Part II of the Principal Act as amended by this Act,"—the Council agree to the amendment with the following amendments, viz. :—

After "license" omit "shall be upon the like"

Before "conditions" insert "shall be issued upon the like," and after "terms as" insert "those upon which"—

Debate ensued.

With leave of the Council, the Honorable H. Cuthbert withdrew his amendment, and moved, That the Council do agree to the amendments made by the Legislative Assembly on the amendment made by the Council.

Question—put and passed.

The Honorable H. Cuthbert moved, That the Council do agree to the amendment made by the Legislative Assembly, viz.:—

After last word “acre” (Clause 10) insert “Provided also that the rent received in any lease obtained in pursuance of the conditions of any non-residence license shall be two shillings per annum for each and every acre or fractional part of an acre.”

Question—put and passed.

The Honorable H. Cuthbert moved, That the Council do not insist on the following amendment in Clause B, with which the Legislative Assembly have disagreed:—

Line 11, after “provisions,” insert “of Part II,”

Same line, leave out “and of”

Leave out “issued under Part II of the Principal Act as amended by this Act”

Line 14, leave out “(except as altered by this section)”

Question—That the Council do not insist on the amendments—put and passed.

The Honorable H. Cuthbert moved, That the Council do agree to the following amendment made by the Legislative Assembly on the amendment made by the Legislative Council in Clause C, line 27, viz., omit “resident” and insert “residence”

Question—put and passed.

The Honorable H. Cuthbert moved, That the Council do not insist on the amendment to add the following words to Clause C:—

“Provided also that the day and hour of each application for a non-resident selection shall be registered, and that the earliest applicant who is otherwise eligible shall have the preference.”

Debate ensued.

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly to acquaint them that the Council have agreed to the amendments made by the Legislative Assembly on the amendments made by the Council in the Bill, and that they do not insist on their amendments with which the Legislative Assembly have disagreed.

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 inform the Legislative Council that they have agreed to the following resolution, viz.:—

That the Resolutions transmitted by Message from the Legislative Council involve an infraction of the rights and privileges of the Legislative Assembly without in any way providing for the Bills carried in that House being ultimately passed into law within any definite period, and that this House declines to consider such resolutions.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 4th December, 1878.

RESOLUTION.—CONSTITUTIONAL REFORM RESOLUTIONS.—The Honorable Sir C. Sladen moved, That this House resolves that the following reply be made to the Message of the Legislative Assembly of this date:—

No reasons are assigned by the Legislative Assembly for asserting that the Legislative Council has infringed upon the rights and privileges of the Assembly by the Resolutions that were transmitted to the Assembly on Tuesday, the 26th November last.

Those Resolutions suggested an amendment of the Constitution Act, and the Council maintain that it has all the power that the Assembly has in proposing any amendment of that Act.

Debate ensued.

Question—put and passed.

Ordered—That a Message be sent to the Legislative Assembly acquainting them with the Resolution.

ADJOURNMENT.—The Honorable H. Cuthbert, with leave of the Council, moved, That the House, at its rising this day, adjourn until a quarter to twelve o'clock on Friday next.

Question—put and passed.

The Council adjourned at ten minutes to ten o'clock, until a quarter to twelve o'clock on Friday, the 6th instant.

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

VICTORIA.

No. 43.

Minutes of the Proceedings

OF THE

LEGISLATIVE COUNCIL.

FRIDAY, 6TH DECEMBER, 1878.

The Council met in accordance with adjournment.

The President took the Chair.

The President read the Prayer.

ROYAL ASSENT TO BILLS.—The President announced to the Council that he had received an intimation from the Private Secretary to His Excellency the Governor, informing the President that it was His Excellency's intention to proceed to the Legislative Council on Friday the 6th December, at noon, to assent, in Her Majesty's name, to certain Bills passed by the Legislative Council and the Legislative Assembly.

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

MR. PRESIDENT—

The Legislative Assembly transmit to the Legislative Council a Message from His Excellency the Governor recommending an amendment in the Bill intituled "An Act to amend 'The Land Act "1869,'" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment recommended by His Excellency the Governor in this Bill, with which they desire the concurrence of the Legislative Council.

C. GAVAN DUFFY,
Speaker.

Legislative Assembly Chamber,
Melbourne, 6th December, 1878.

G. F. BOWEN,
Governor.

Pursuant to the provisions of section 36 of the Constitution Act, the Governor transmits to the Legislative Assembly the following amendments, which he recommends to be made in the Bill intituled "An Act to amend 'The Land Act 1869,'" that has been presented to him for Her Majesty's Assent:—

Clause 12, line 5, after the word "this" insert the words "and the next preceding"

Government Offices,
Melbourne, 6th December, 1878.

LAND ACT AMENDMENT BILL.—The Honorable H. Cuthbert moved, That the Council do agree to the amendment recommended by his Excellency the Governor in this Bill.

Question—put and passed.

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

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

ROYAL ASSENT TO BILLS.—His Excellency the Governor came into the Council Chamber, and commanded the Usher to desire the attendance of the Legislative Assembly in the Council Chamber; who, being come with their Speaker, he delivered the Appropriation Bill to the Clerk of the Parliaments, who brought it to the Table.

His Excellency was pleased to assent, in Her Majesty's name, to the following Bills:—

- "An Act to apply a sum out of the Consolidated Revenue to the service of the Year ending on the last day of June One thousand eight hundred and seventy-nine, and to appropriate the Supplies granted in this Session of Parliament."
- "An Act to amend 'The Land Act 1869.'"

The Royal Assent being read severally by the Clerk of the Parliaments in the following words:—
"In the name and on behalf of Her Majesty I assent to this Act.

"G. F. BOWEN,
"Governor."

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

His Excellency was then pleased to speak as follows:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

It is with pleasure that I release you from the duties of the Session, which, although somewhat less protracted than preceding Sessions, has still been of such length as to enable you to exhibit patient assiduity and attention to the labors of Legislation.

Important measures have been passed, which, I have no doubt, will add to the general prosperity of the country.

I regret, however, that the grave and urgent question of Constitutional Reform has not been brought to a successful issue; but I hope that next Session you may be enabled to surmount satisfactorily the difficulties surrounding this important problem.

Her Majesty has been pleased to express her approval of a Commission to be appointed under the Royal Sign Manual for the promotion of the Melbourne International Exhibition of 1880, and the Exhibition Act will enable the Commissioners to carry out this project, which will tend to attract the notice of the entire civilized world to the natural capabilities and industrial resources of this country.

The Loan Act will enable the national system of railways to be further extended, by several hundred miles, into various districts in which large numbers of land selectors have made their homes, and the consolidation of that system on the south of the City of Melbourne has been further secured by the purchase of the Melbourne and Hobson's Bay United Railway.

The amended Land Act is intended to ease the burdens of present and future land selectors, while, at the same time it extends to persons of small capital, engaged in business in cities and towns an opportunity of acquiring, in the country districts, homes to which they may retire after relinquishing their business avocations.

The Customs Act Amendment Act confers enabling powers on the Governor in Council to make arrangements for the cessation of the collection of duties on the land and river frontiers of Victoria, and may thus lead to the free interchange with the adjacent colonies of the products of each, on terms of reciprocity.

I trust that the various Acts which you have passed tending to the improvement of the laws in connection with Civil and Criminal procedure, by removing therefrom several anomalies, will have a beneficial effect on the general administration of justice.

The Imperial Government is at present engaged in a war which may eventuate in a collision with a foreign power. My Advisers are confident that every possible step has been taken to strengthen and improve our defences, so as to prevent the possibility of a successful hostile demonstration against this country.

The Intercolonial Conference recently held in Melbourne to secure a duplicate cable between Port Darwin and Singapore having been successful, a contract with the Eastern Extension Telegraph Company has been signed, thus rendering telegraphic communication with Europe and America reasonably secure.

I trust that the tenders calling for direct steam services between Plymouth and Melbourne will eventuate in obtaining both increased accommodation for passenger traffic, and also accelerated postal communication with England.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

I thank you on behalf of the Queen for the liberality of your grants towards carrying on the public services and in aid of the further development of the resources of Victoria.

My Advisers will take steps to carry into effect your expressed wishes for the opening up of personal communication between them and the Members of the Imperial Government on the subject of the existing defects in the Victorian Constitution Act.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

During the recess my Advisers will mature the various Bills which the length of the discussions on the main question of Reform has excluded from your consideration during this Session, and will bring them before you early next Session; but whatever attention they propose to give to those Bills will be subordinated to what they feel to be the dominant and overwhelming political necessity of the day—an adjustment of the relations of the Council and the Assembly on a basis satisfactory to the people of this country.

In being relieved from your onerous duties you must be gratified to know that, under the blessing of Divine Providence, the producing and manufacturing interests of this country continue prosperous, notwithstanding the prolonged commercial depression which has prevailed here as well as in Europe, in America, and in the neighboring colonies of Australia.

In the name of Her Majesty I declare this Parliament prorogued to the fourteenth day of January 1879, and it is hereby prorogued accordingly.

G. W. RUSDEN,

Clerk of the Council and Clerk of the Parliaments.

SELECT COMMITTEES.

APPOINTED DURING THE SESSION OF 1878.

No. 1.—ELECTIONS AND QUALIFICATIONS.

Appointed (by President's Warrant) 10th July, 1878.

<p>The Hon. Robert Stirling Anderson George Frederick Belcher Henry Cuthbert William Highett</p>	<p>The Hon. Frederick Thomas Sargood Sir Charles Sladen Sir Samuel Wilson.</p>
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No. 2.—STANDING ORDERS.

Appointed 10th July, 1878.

<p>The Hon. The President C. J. Jenner Sir C. Sladen</p>	<p>The Hon. Dr. Dobson R. S. Anderson * H. Cuthbert (<i>Mover</i>).</p>
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* Appointed (1st October, 1878) *vice* Hon. C. J. Jenner, whose seat in Council was vacated by rotation.

No. 3.—PRINTING.

Appointed 10th July, 1878.

<p>The Hon. N. Black J. Cumming W. Highett</p>	<p>The Hon. T. Bromell W. Wilson.*</p>
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* Re-appointed (1st October, 1878) on re-election after retiring by rotation.

No. 4.—LIBRARY (JOINT).

Appointed 10th July, 1878.

<p>The Hon. The President F. T. Sargood Dr. Dobson</p>	<p>The Hon. F. Robertson * J. Graham.</p>
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* Re-appointed (1st October, 1878) on re-election after retiring by rotation.

No. 5.—PARLIAMENT BUILDINGS (JOINT).

Appointed 10th July, 1878.

<p>The Hon. The President Sir C. Sladen C. J. Jenner *</p>	<p>The Hon. A. Fraser H. Cuthbert (<i>Mover</i>).</p>
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* Re-appointed (1st October, 1878) on re-election after retiring by rotation.

No. 6.—REFRESHMENT ROOMS (JOINT).

Appointed 10th July, 1878.

<p>The Hon. T. J. Sumner T. F. Hamilton R. Simson</p>	<p>The Hon. G. F. Belcher W. Wilson * W. J. Clarke. †</p>
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* Re-appointed (1st October, 1878) on re-election after retiring by rotation.
† Appointed (1st October, 1878) *vice* Hon. R. Simson, who retired by rotation.

No. 7.—ADDRESS IN REPLY TO GOVERNOR'S SPEECH.

Appointed (by ballot) 10th July, 1878.

<p>The Hon. T. T. a'Beckett R. S. Anderson W. Campbell H. Cuthbert.</p>	<p>The Hon. N. Fitzgerald R. D. Reid F. T. Sargood Sir C. Sladen.</p>
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No. 8.—CONSTITUTION OF COUNCIL BILL.

Appointed 14th August, 1878.

The Hon. The President
F. T. Sargood
R. S. Anderson
J. Cumming

The Hon. Dr. Dobson
R. Simson
N. Fitzgerald (*Mover*).

No. 9.—REFORM OF THE CONSTITUTION.—CONFERENCE WITH COMMITTEE OF LEGISLATIVE ASSEMBLY.

Appointed (by ballot) 22nd October, 1878.

The Hon. Sir C. Sladen
R. S. Anderson

The Hon. W. E. Hearn.

10.—FREE PASSES BY RAILWAYS.

Appointed 29th October 1878.

The Hon. R. D. Reid
J. A. Wallace
W. Highett
T. J. Sumner

The Hon. T. Robertson
F. T. Sargood
A. Fraser (*Mover*).

11.—CONSTITUTIONAL REFORM.—TO PREPARE STATEMENT.

Appointed 19th November, 1878.

The Hon. R. S. Anderson
W. Campbell
H. Cuthbert
N. Fitzgerald
W. E. Hearn

The Hon. F. T. Sargood
J. A. Wallace
W. Wilson
Sir C. Sladen (*Mover*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1878.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

No. 1.

Extracted from the Minutes.

TUESDAY, 6TH AUGUST, 1878.

No. 1.—CONSTITUTION OF COUNCIL BILL.—Clause 4.—The council shall consist of thirty members until that number shall be increased under the provisions hereinafter contained, and shall thenceforth consist of that number and such additional number of members as shall from time to time become members thereof after the passing of this Act, so that the whole number shall not exceed forty-two; and for the purpose of returning such members the colony shall be considered to be divided into “six” provinces the boundaries whereof for the purposes of this Act shall be taken to be those set forth in the Second Schedule of the Act No. 279, and each province shall return an equal number of members.

Motion made—That the word “six,” occurring in the fifth line of the above clause, be struck out.—
(*Hon. N. Fitzgerald.*)

Question—That the word proposed to be struck out be so struck out—put.

Committee divided.

Contents, 11.
The Hon. G. F. Belcher
W. Wilson
J. Cumming
W. Highett
F. T. Sargood
R. D. Reid
N. Fitzgerald
J. A. Wallace
F. Robertson
A. Fraser
H. Cuthbert (*Teller*).

Not Contents, 12.
The Hon. Sir C. Sladen
The President
T. T. a'Beckett
N. Black
W. Campbell
J. Graham
R. Simson
Sir S. Wilson
T. F. Hamilton
J. Buchanan
Dr. Dobson
R. S. Anderson (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1878.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 2.

Extracted from the Minutes.

WEDNESDAY, 13TH NOVEMBER, 1878.

No. 1.—RABBIT NUISANCE SUPPRESSION BILL.—Proposed new Clause G.—When it shall be represented to the council of any municipal district that any brushwood or log-fence or stone-wall is a harbor or cover for rabbits, such council may give notice to the owner or occupier or (if such fence or wall be a dividing fence) to the owners or occupiers of the land upon which such fence or wall is situated to remove “*or destroy*” such fence or wall or to improve such wall so that it shall no longer be a harbor or cover for rabbits, and if after six months from and after the time of giving such notice such fence or wall shall not be removed or destroyed or improved so as no longer to be a harbor or cover for rabbits it shall be lawful for any inspector to burn destroy or remove such fence or wall, and the costs and expenses of burning destroying or removing such fence or wall shall be paid by such owner or occupier or owners or occupiers (as the case may be), and the amount thereof shall be deemed to be a debt due to such council and shall be recoverable by any person appointed in that behalf by the said council by writing under the seal of such council in a summary way before any two justices. Provided that in the case of a dividing fence the whole amount of such costs and expenses may be recoverable as aforesaid from any one of such owners or occupiers. Provided also that in the absence of any lease or agreement in writing to the contrary such costs and expenses shall be borne by the owner, and if paid by the occupier may be recovered from the owner in a summary way as aforesaid.

Motion made—That the words “*or destroy*,” occurring in the fifth line of the above clause, be struck out.—(*Hon. H. Cuthbert*.)

Question—That the words proposed to be struck out be so struck out—put.

Committee divided.

Contents, 10.
The Hon. W. J. Clarke
T. Bromell
R. D. Reid
F. T. Sargood
Dr. Hearn
J. Buchanan
T. F. Hamilton
J. A. Wallace
F. Robertson
H. Cuthbert (*Teller*).

Not Contents, 5.
The Hon. W. Campbell
N. Black
Sir S. Wilson
W. Wilson
Sir C. Sladen (*Teller*).

THURSDAY, 14TH NOVEMBER, 1878.

No. 2.—RABBIT NUISANCE SUPPRESSION BILL.—New Clause G.—When it shall be represented to the council of any municipal district that any brushwood or log-fence or stone-wall is a harbor or cover for rabbits, such council may give notice to the owner or occupier or (if such fence or wall be a dividing fence) to the owners or occupiers of the land upon which such fence or wall is situated to remove such fence or wall or to improve such wall so that it shall no longer be a harbor or cover for rabbits, and if after six months from and after the time of giving such notice such fence or wall shall not be removed or destroyed or improved so as no longer to be a harbor or cover for rabbits it shall be lawful for any inspector to burn destroy or remove such fence or wall, and the costs and expenses of burning destroying or removing such fence or wall shall be paid by such owner or occupier or owners or occupiers (as the case may be), and the amount thereof shall be deemed to be a debt due to such council and shall be recoverable by any person appointed in that behalf by the said council by writing under the seal of such council in a summary way before any two justices. Provided that in the case of a dividing fence the whole amount of such costs and expenses may be recoverable as aforesaid from any one of such owners or occupiers. Provided also that in the absence of any lease or agreement in writing to the contrary such costs and expenses shall be borne by the owner, and if paid by the occupier may be recovered from the owner in a summary way as aforesaid.

Motion made—That this clause be struck out.—(*Hon. R. D. Reid.*)

Question—That new Clause G be struck out—put.

Committee divided.

Contents, 8.
The Hon. W. Campbell
W. J. Clarke
R. D. Reid
Dr. Hearn
T. F. Hamilton
F. Robertson
J. A. Wallace
H. Cuthbert (*Teller*).

Not Contents, 7.
The Hon. The President
Sir C. Sladen
J. Buchanan
W. Wilson
N. Black
F. T. Sargood
R. S. Anderson (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1878.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 3.

Extracted from the Minutes.

TUESDAY, 26TH NOVEMBER, 1878.

CONTAGIOUS DISEASES BILL.—Clause 12.—Any person being the “*owner or*” occupier of any house room or place in which a female suffering from the disease shall reside for the purpose of prostitution or to which she may resort for such purpose shall be guilty of an offence under this Act and on summary conviction thereof before any two justices of the peace shall be liable to a penalty not exceeding Twenty pounds or at the discretion of the justices to be imprisoned with or without hard labor for any term not exceeding six months: Provided that no conviction under this section shall exempt the offender from any penal or other consequences to which he or she may be liable for keeping or being concerned in keeping a bawdy house or disorderly house or for the nuisance thereby occasioned.

Motion made—That the words “*owner or*,” occurring in the first line of the above clause, be struck out.—(*Hon. W. Ross.*)

Question—That the words proposed to be struck out be so struck out—put.

Committee divided.

Contents, 6.
The Hon. W. Ross
F. T. Sargood
J. Buchanan
T. F. Hamilton
R. D. Reid
J. Bromell (*Teller*).

Not Contents, 7.
The Hon. W. E. Hearn
G. F. Belcher
H. Cuthbert
F. Robertson
J. Cumming
J. A. Wallace
Sir C. Sladen (*Teller*).

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1878.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 4.

Extracted from the Minutes.

TUESDAY, 3RD DECEMBER, 1878.

No. 1.—LAND ACT AMENDMENT BILL.—Clause 4.—Sub-section five of the said section so far as the words “condition of occupation” inclusive shall be repealed, and the following words shall be substituted in lieu thereof and shall be deemed to be and may be cited as sub-section five of section twenty of the Principal Act (that is to say):—

“(v.) A condition that if the licensee shall during the currency of the license occupy the allotment for not less than five years, and shall fence as herein provided and make the improvements of the nature and value in the previous condition mentioned on the allotment during the said period of six years, and shall prove to the satisfaction of the Board (to be certified under its seal) by such evidence as the Board may require that he has complied with the said conditions and with all other conditions of the said license, he shall be entitled at any time within thirty days after six years from the commencement of the license to demand and obtain a lease of the said allotment; and every such lease shall be for a term of fourteen years at a yearly rent payable in equal parts half-yearly in advance of One shilling for each acre or fractional part of an acre so demised, and shall contain the usual covenant for the payment of rent and a condition for re-entry on non-payment “*thereof*”; and upon the payment of the last sum due on account of the rent so reserved, the lessee or his representatives shall be entitled to a grant in fee of the lands leased, and every such grant shall be subject to such covenants conditions exceptions and reservations as the Governor may direct: Provided that in the case of the death of the licensee during the currency of such license it shall not be obligatory on the executors or administrators of such licensee to comply with the said condition of occupation.”

Motion made—That the words “*and no other covenants or conditions whatever*” be inserted after the word “*thereof*,” in the eleventh line of the above clause.—(*Hon. W. E. Hearn.*)

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

Committee divided.

Contents, 8.

The Hon. F. Robertson
W. Campbell
T. Bromell
W. E. Hearn
J. Highett
T. F. Hamilton
Sir S. Wilson
W. Wilson (*Teller*).

Not Contents, 13.

The Hon. The President
Sir C. Sladen
T. J. Sumner
R. S. Anderson
J. Graham
W. J. Clarke
A. Fraser
W. Ross
R. D. Reid
J. Buchanan
G. F. Belcher
Dr. Dobson
H. Cuthbert (*Teller*).

No. 2.—LAND ACT AMENDMENT BILL.—Clause 10.—The Governor may if he think fit issue to any person to whom a license to occupy Crown lands may be issued under sections 19 and 20 of Part II of the Principal Act as amended by this Act, a license to improve Crown lands for the like area and for the like period and upon the like conditions and terms as licenses to occupy Crown lands may be issued under sections 19 and 20 of Part II of the Principal Act as amended by this Act.

No condition as to occupation by the licensee shall be included in any such license to improve Crown lands; and in respect of every acre and fractional part of an acre described in any such license the fees payable shall be Two shillings per annum in lieu of One shilling, and every such license shall contain a condition annulling the same unless in respect of every such acre or fractional part substantial and permanent improvements be made of the value before the end of the third year from the currency of the license of One pound, and before the end of the sixth year of Two pounds; and the entire sum payable in respect of purchase-money shall be Two pounds in lieu of One pound per acre.

All the provisions of the Principal Act and of this Act that are applicable to licenses and leases and the persons who hold the same issued under Part II of the Principal Act as amended by this Act, including the rights and liabilities thereby conferred or imposed, shall (except as altered by this section) apply and extend to licenses to improve Crown lands and to leases issued in pursuance of the conditions of any such licenses and the persons who may hold such licenses or leases.

Provided always that at any time after the period of the currency of the license and during the term of the lease (such substantial and permanent improvements of said value having been made to the satisfaction of the Board), and upon payment of the difference between the amount of license fees and rent reserved actually paid and the entire sum of Two pounds for each acre, the lessee or his representatives shall be entitled to a grant in fee of the lands so leased, and every such grant shall be subject to such covenants conditions exemptions and reservations as the Governor may direct.

Provided also that during any one year licenses shall not be issued under the provisions of this section for more than two hundred thousand acres of Crown lands.

Motion made—That the first two paragraphs of the above clause be struck out.—(Hon. Sir C. Sladen.)

Question—That the words proposed to be struck out be so struck out—put.

Committee divided.

Contents, 11.	Not Contents, 6.
The Hon. The President R. S. Anderson W. Wilson W. Campbell T. J. Sumner T. Bromell G. F. Belcher W. Highett W. E. Hearn Sir S. Wilson Sir C. Sladen (<i>Teller</i>).	The Hon. R. D. Reid W. Ross T. F. Hamilton A. Fraser J. Buchanan H. Cuthbert (<i>Teller</i>).

No. 3.—LAND ACT AMENDMENT BILL.—New Clause D.—Every licensee under section 49 of the Principal Act shall upon payment of rent amounting in the whole to the sum of Two pounds per acre and who shall have otherwise complied with the conditions of the license be entitled to demand a Crown grant of the land referred to in such license.

Motion made—That the above new clause stand part of the Bill.—(Hon. T. Bromell.)

Question—That the above new clause stand part of the Bill—put.

Committee divided.

Contents 4.	Not Contents, 10.
The Hon. G. F. Belcher Sir S. Wilson W. E. Hearn T. Bromell (<i>Teller</i>).	The Hon. The President Sir C. Sladen W. Ross R. D. Reid W. Campbell W. Highett J. Buchanan F. Robertson W. Wilson H. Cuthbert (<i>Teller</i>).

1878.

VICTORIA.

RATEPAYERS IN THE COLONY.

RETURN TO ORDERS OF THE LEGISLATIVE COUNCIL.

THE HONORABLE SIR C. SLADEN.—19TH FEBRUARY AND 14TH MARCH, 1878.

LAI'D ON THE COUNCIL TABLE BY THE HONORABLE H. CUTHBERT, AND ORDERED BY THE COUNCIL TO BE PRINTED, 16TH JULY, 1878.

1. A RETURN of the Number of Ratepayers in the Colony within the following limits, viz.:—

- The number rated at £20 and under £25,
- The number rated at £25 and under £30,
- The number rated at £30 and under £35,
- The number rated at £35 and under £40,
- The number rated at £40 and under £50,

and that such Return distinguish between Ratepayers who are Freeholders and Ratepayers who are Leaseholders.

2. A FURTHER RETURN showing—

- The number rated at £50 and under £100,
- The number rated at £100 and under £150,
- The number rated at £150 and under £200,
- The number rated at £200 and under £250,
- The number rated at £250 and under £300,
- The number rated at £300 and under £350,
- The number rated at £350 and under £400,
- The number rated at £400 and upwards.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

RATEPAYERS IN THE COLONY

11
30

Cities, Towns, Boroughs, and Shires.	Rated at £20 and under £25.		Rated at £25 and under £30.		Rated at £30 and under £35.		Rated at £35 and under £40.		Rated at £40 and under £50.		Rated at £50 and under £100.		Rated at £100 and under £150.		Rated at £150 and under £200.		Rated at £200 and under £250.		Rated at £250 and under £300.		Rated at £300 and under £350.		Rated at £350 and under £400.		Rated at £400 and upwards.		
	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.									
Alberton ... S.	17	34	18	25	13	24	16	4	25	6	33	12	11	3	6	...	2	...	1	1	1	...	...	...	1	...
Alexandra ... S.	8	3	11	18	23	8	...	5	13	28	28	51	11	...	4	2	2	1	...	...	1	...	2	...	3	...
Ararat ... B.	40	21	30	18	16	5	6	7	10	7	29	21	6	3	3	2	4	...	2	...	3	...	...	...	...	...
Ararat ... S.	†	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Avoca ... S.	†	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Avon ... S.	16	17	18	33	15	7	11	7	18	7	38	7	14	1	8	...	7	...	2	...	1	...	...	...	6	...
Bacchus Marsh ... S.	23	12	26	15	17	11	9	5	22	9	63	23	15	9	5	2	2	...	...	1	...	1	...	1	...	1
Bairnsdale ... S.	74	14	61	11	63	18	54	11	70	12	93	26	23	11	10	2	7	3	2	2	2	...	...	1	4	4
Ballan ... S.	80	3	59	8	38	9	24	3	24	7	92	24	16	4	8	2	2	3	2	2	...	2	...	5	5		
Ballarat ... C.	185	127	116	76	94	66	42	35	63	75	125	101	31	48	20	16	5	2	6	2	3	1	1	1	11	2	
Ballarat East ... T.	95	30	43	12	46	18	18	6	30	17	70	27	34	17	5	...	2	2	2	...	...	3	...	3	...	2
Ballarat ... S.	25	8	25	6	21	10	16	5	37	18	115	51	40	21	23	3	8	5	1	...	3	1	...	3	...	...
Bannockburn ... S.	27	7	23	2	12	6	5	3	25	5	39	6	12	5	5	2	6	...	...	...	1	...	...	3	2	...
Barrabool ... S.	29	12	15	14	10	10	11	5	12	14	40	40	12	4	5	4	3	2	1	2	2	1	...	1	2	2	
Beechworth ... S.	149	93	63	37	26	35	33	30	58	24	73	45	17	2	4	1	2	...	2	...	2	...	1	...	...	...
Belfast ... B.	30	38	9	16	5	8	2	5	12	10	7	32	2	5	4	2	1	3	...	1	...	...	...	1	...	...
Belfast ... S.	31	30	31	14	19	30	13	12	22	12	39	35	22	7	8	4	4	1	3	...	1	1	...	12	...	...
Bellarine ... S.	36	17	20	23	23	19	19	7	16	10	61	21	14	9	2	1	1	...	1	...	1	...	1	...	...	...
Benalla ... S.	66	149	62	146	31	197	18	50	34	261	64	96	24	8	4	2	3	2	2	4	...	1	...	1	5	12	
Berwick ... S.	33	22	41	23	49	11	32	5	37	4	83	3	17	1	4	...	...	2	...	...	...	...	...	4	...	...
Bet Bet ... S.	*	37	39	23	39	26	42	14	18	28	36	61	82	19	6	7	1	2	...	1	...	1	...	1	1	...	
Boroondara ... S.	26	9	17	5	17	4	10	5	16	9	51	17	10	9	7	3	3	...	1	...	1	...	...	...	...	...
Braybrook ... S.	10	9	12	5	10	5	4	3	4	3	26	12	8	6	3	...	2	2	...	...	...	2	...	9	4	
Bright ... S.	70	...	34	...	39	...	37	...	46	...	100	...	17	...	6	...	6	...	1	...	2	...	...	...	...	...
Brighton ... B.	77	22	52	10	27	13	29	8	32	8	145	22	57	5	12	1	8	...	3	...	1	...	...	2	...	...
Broadford ... S.	6	10	...	6	7	11	1	3	3	12	17	1	6	1	2	...	...	2	2	...	...	...	1	1	...	...
Broadmeadows ... S.	10	9	9	3	5	3	2	3	7	2	29	31	11	13	4	6	7	4	3	2	1	1	...	3	...	...
Browns and Scarsdale ... B.	17	1	12	...	7	...	5	...	4	...	9	...	1
Brunswick ... B.	64	21	41	14	31	9	31	13	41	13	81	21	26	5	13	1	9	...	3	1	3	...	...	6	...	...
Bulla ... S.	16	13	7	8	9	4	6	2	5	5	25	10	12	3	6	1	4	...	1	...	1	1	...	6	...	...
Bulleen ... S.	42	4	33	5	27	2	9	2	17	3	34	11	12	7	2	...	...	...	1	...	...	...	...	...	...	...
Bungaree ... S.	64	20	43	18	49	7	27	5	45	7	68	18	15	5	2	...	...	...	...	...	1	...	...	2	...	...
Buninyong ... B.	16	1	7	2	7	1	3	1	1	...	25	5	5	2	1	1	...	...	...	...	...	...	...	...	...	...
Buninyong ... S.	63	62	104	54	66	36	39	7	52	29	26	17	17	10	3	2	5	...	...	2	1	...	...	6	1	...
Carisbrook ... B.	9	2	12	3	11	3	5	...	5	1	11	5	3	...	1	...	1	...	...	...	1	...	...	...	...	...
Castlemaine ... B.	†
Caulfield... S.	26	4	20	3	24	9	18	8	29	6	74	20	29	6	19	2	5	4	4	...	6	1	3	...	5	...	
Chewton ... B.	19	3	19	3	2	...	2	3	4	1	11	...	2
Chiltern ... S.	23	1	16	1	26	1	11	...	13	2	37	4	8	...	1	...	1	...	2
Clunes ... B.	31	15	13	10	13	10	9	4	12	9	19	7	2	4	4	...	1
Coburg ... S.	30	24	31	18	16	8	5	6	8	7	14	8	3	3	2	1

Colac ...	S.	58	18	51	47	30	11	24	4	184	45	114	27	14	8	10	3	6	...	3	2	I	I	...	2	21	5	
Collingwood ...	C.	330	364	65	73	96	84	31	17	58	63	93	141	26	21	8	2	8	3	4	4	...	...	...	2	2	2
Corio ...	S.	63	5	46	2	36	3	12	2	27	3	33	9	8	2	1	7	1	2	1	...	...	...	I	6	4	
Cranbourne ...	S.	101	23	90	20	93	5	80	10	81	1	54	5	13	...	5	1	4	2	...	4	...	...	2	2	...	
Creswick ...	B.	20	16	11	4	6	7	8	...	4	6	27	21	10	2	2	...	2	1	...	...	...	...	...	...	...
Creswick ...	S.	46	16	30	20	40	16	17	9	42	24	90	65	31	15	6	2	3	1	3	2	...	...	...	2	3	
Dandenong ...	S.	22	10	16	8	22	5	10	2	12	5	36	7	7	...	4	1	...	2	1	...	...	...	...	1	...	
Darebin ...	S.	11	3	14	...	8	2	3	...	12	1	16	19	2	9	2	4	...	...	...	...	...	...	...	...	2	
Daylesford ...	B.	54	20	24	7	15	12	7	5	14	7	25	21	13	5	5	2	2	...	2	...	...	...	...	...	...
Dundas ...	S.	30	26	36	26	60	50	20	12	50	8	79	7	16	...	11	...	3	...	...	...	...	...	2	35	...	
Dunmunkle ...	S.	2	84	3	101	8	143	4	212	8	163	16	42	7	...	2	1	1	...	...	...	...	...	...	4	...	
Dunolly ...	B.	13	5	9	5	10	...	9	3	10	3	22	8	12	1	5	...	3	...	2	...	2	...	...	...	...
Eaglehawk ...	B.	72	18	54	9	27	4	13	8	25	5	37	27	7	5	3	4	4	...	1	...	1	...	...	1	...	
East Loddon ...	S.	†	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Echuca ...	B.	79	103	27	34	18	15	5	9	31	22	65	77	32	34	19	11	13	4	2	1	3	3	3	4	...		
Echuca ...	S.	†	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Eltham ...	S.	20	6	14	3	14	12	2	5	16	14	20	13	7	7	1	1	3	...	...	...	...	...	...	1	...	
Emerald Hill ...	T.	410	576	153	259	153	204	64	79	125	143	164	311	32	61	4	13	3	5	1	6	...	3	2	...	12		
Essendon and Flemington ...	B.	90	22	46	26	57	16	8	9	40	24	74	42	16	11	4	3	4	2	...	...	...	...	...	1	...	
Fitzroy ...	C.	†	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Flinders and Kangerong ...	S.	* 18	11	21	8	22	4	5	...	9	4	48	5	2	...	2	...	1	...	3	1	...	...	1	3	1	
Footscray ...	B.	84	29	41	16	47	8	20	...	10	6	63	23	7	3	6	...	4	...	2	...	2	...	...	6	...	
Geelong ...	T.	73	105	42	33	65	54	24	21	54	48	160	142	75	44	45	18	18	14	9	8	6	4	3	2	17	19	
Geelong West ...	B.	30	43	19	21	16	15	11	7	6	9	15	12	2	1	2	...	...	...	1	1	...	...	...	...	...
Gisborne ...	S.	13	8	17	9	17	4	9	6	15	2	35	18	14	9	1	3	...	...	3	...	...	1	1	4	...	
Glenelg ...	S.	38	8	40	6	47	5	59	3	100	7	125	6	35	3	15	...	7	...	1	1	3	...	1	28	6		
Glenlyon ...	S.	26	11	28	23	27	14	12	8	24	7	41	13	21	7	3	...	...	...	...	...	...	...	...	...	1	
Goulburn ...	S.	8	9	13	31	4	11	11	12	23	15	82	22	22	7	7	...	3	2	...	...	...	...	...	1	1	
Graytown ...	B.	3	...	...	...	...	...	...	...	3	...	1	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...
Grenville ...	S.	70	2	40	6	33	1	11	1	38	3	53	4	16	4	2	2	1	1	2	2	...	...	...	2	3	
Hamilton ...	B.	27	1	12	2	12	1	9	3	7	4	32	10	16	5	3	...	4	2	1	...	2	...	1	...	1		
Hampden ...	S.	34	7	29	8	17	5	11	4	24	7	54	6	12	5	4	2	4	...	4	2	...	...	2	1	38	4
Hawthorn ...	B.	74	34	43	21	50	33	24	18	73	36	158	91	40	14	12	...	4	2	2	...	2	...	3	1	3	...	
Heathcote ...	B.	24	2	8	3	15	1	10	1	8	1	22	4	3	...	1	...	...	...	...	...	...	...	...	1	...	...
Heidelberg ...	S.	21	12	21	14	11	12	8	6	15	7	31	23	8	13	4	2	2	7	1	2	2	1	2	...	1	...	
Hotham ...	T.	†
Howqua ...	S.	22	9	12	6	12	3	8	4	12	...	15	1	3	1	2	...	1	...	...	...	...	...	...	...	...	...
Huntly ...	S.	148	...	145	...	143	...	136	...	78	...	116	...	16	...	12	...	2	...	2	...	1	...	1	...	4	...	
Inglewood ...	B.	13	7	10	10	7	2	6	2	2	1	16	...	4	...	2	...	1	...	...	...	...	...	...	...	...	...
Jika ...	S.	53	18	34	18	29	7	11	3	38	3	38	13	10	2	6	2	1	1	...	...	...	...	1	2	1	...
Keilor ...	S.	10	2	7	...	4	3	1	1	3	1	13	3	11	4	9	5	...	1	1	...	2	...	...	4	...	...
Kew ...	B.	54	14	27	17	25	24	24	9	39	20	89	60	42	8	10	2	7	1	1	2	3	1	3	1	5	2	
Kilmore ...	S.	28	5	54	18	20	5	17	11	31	8	55	17	17	1	1	...	...	1	...	...	...	...	...	...	...	...
Koroit ...	B.	42	14	16	4	17	4	4	1	11	7	16	14	13	6	3	3	3	2	...	...	...	2	...	...	3	...
Korong ...	S.	†
Kouree ...	S.	...	17	4	13	2	157	...	3	1	2	9	3	3	3	1	2	3	4	1	2	2	1	1	...	9	11	
Kyneton ...	S.	109	47	83	45	62	33	33	16	67	40	153	77	40	20	13	4	8	...	5	2	...	...	1	1	...	...
Leigh ...	S.	20	4	20	1	11	2	6	3	12	3	25	4	6	...	2	2	1	...	...	...	1	...	1	...	11	5
Lexton ...	S.	46	...	23	...	27	...	12	2	26	...	32	...	13	...	1	...	...	...	1	...	1	...	1	...	7	...
Lilydale ...	S.	20	10	20	10	10	1	9	1	21	1	22	8	9	1	4	1	4	...	1	1	2	...	...	...	7	3
Lowan ...	S.	1	147	2	20	2	39	...	17	2	32	12	33	6	...	1	2	2	...	3	...	...	1	...	4	3	34
Majorca ...	B.	301	...	7	...	13	...	5	...	7	...	8	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

NOTE.—S, denotes Shire. B, Borough. C, City. T, Town.—* In some cases the same persons are returned both as Freeholders and Leaseholders.—† See end.

RATEPAYERS IN THE COLONY—continued.

150

Cities, Towns, Boroughs, and Shires.	Rated at £20 and under £25.		Rated at £25 and under £30.		Rated at £30 and under £35.		Rated at £35 and under £40.		Rated at £40 and under £50.		Rated at £50 and under £100.		Rated at £100 and under £150.		Rated at £150 and under £200.		Rated at £200 and under £250.		Rated at £250 and under £300.		Rated at £300 and under £350.		Rated at £350 and under £400.		Rated at £400 and upwards.	
	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.	Freehold.	Leasehold.								
Maffra ... S.	15	32	24	34	16	21	10	13	11	31	20	49	3	9	6	1	9	...	1	...	3	2	4
Maldon ... S.	95	2	75	1	53	3	33	3	71	2	129	6	32	5	17	...	2	2	5	...	2	...	1	...	3	...
Malmsbury ... B.	12	9	9	5	4	2	1	1	4	3	14	7	4	3	...	1	1
Malvern ... S.	12	11	14	2	22	8	9	1	15	6	40	15	16	3	11	2	6	...	2	...	2
Mansfield ... S.	11	33	16	19	10	21	8	16	11	20	65	20	17	1	5	...	2	1	1	...	...	...	...	8	1
Marong ... S.	†
Maryborough ... B.	22	10	17	7	21	7	8	5	7	10	36	26	15	5	3	...	1	...	1
Melbourne ... C.	†
Melton ... S.	15	9	10	9	6	5	7	1	14	8	27	8	11	6	3	1	2	...	2	...	1	3	...	1	6	...
Meredith ... S.	32	1	39	...	17	2	13	...	18	1	29	4	6	...	1	2	...	1	...	1	...	1	1	3	...	
Merriang ... S.	10	11	26	6	7	4	11	8	10	8	22	11	5	2	3	1	...	1	1	1	1	1	1	2	2	
Metcalfe ... S.	49	5	62	11	30	4	25	3	45	9	83	21	17	5	5	3	1	...	...	...	1	...	...	3	3
Minhamite ... S.	46	7	38	2	15	1	14	...	19	5	32	7	13	...	5	1	2	1	1	...	1	...	24	1		
Moorabbin ... S.	88	10	59	12	58	8	34	3	34	3	69	2	19	...	...	...	4	...	...	2	...	...	...	...	...
Mornington ... S.	75	4	30	2	23	2	10	2	23	1	43	9	13	3	1	1	3	1	1	1	4	...	...	1	...
Mortlake ... S.	24	5	16	5	21	2	6	...	18	6	66	4	30	...	9	...	7	...	4	2	3	...	1	23	6	
Mt. Alexander ... S.	77	18	52	11	28	1	8	2	20	5	39	5	6	...	4	...	...	...	...	2	...	...	...	...	...
Mt. Franklin ... S.	54	...	44	4	22	1	16	1	35	1	64	1	7	2	1	...	2	...	1	...	2	...	...	...	...
Mt. Rouse ... S.	14	7	35	4	10	2	7	2	15	1	52	4	7	2	13	1	5	1	1	...	4	...	3	19	5	
McIvor ... S.	†
Newham ... S.	39	6	35	10	23	9	14	2	24	4	57	20	18	5	5	2	2	...	1	...	...	...	...	...	...
Newstead ... S.	41	...	58	...	17	...	21	...	33	...	62	...	15	...	1	...	1	...	2	...	1	...	...	1	...
Newtown and Chilwell ... B.	51	21	19	16	11	9	6	10	16	14	45	30	12	6	6	...	1	...	2	...	2	1	1	1	...	
North Ovens ... S.	24	31	18	29	15	35	6	9	12	15	47	21	8	...	2	...	1	...	1	...	1	...	...	1	2
Nunawading ... S.	50	3	30	2	38	1	15	1	29	2	66	3	7	1	1	...	1	...	...	...	...	...	...	...	...
Oakleigh ... S.	†
Omeo ... S.	28	...	31	2	20	2	13	1	30	3	4	23	...	5	...	1	...	2	...	...	...	1	...	...	3
Oxley ... S.	54	4	51	1	34	...	14	...	52	...	100	2	23	2	10	2	4	...	2	...	3	...	...	...	...
Phillip Island and Woolamai ... S.	6	14	8	4	13	6	2	...	2	1	23	2	5	3	4	...	...	1	2	...	...	...	...	2	...
Portland ... B.	25	15	14	22	17	24	6	5	13	9	25	14	10	5	7	5	3	2	1	1	3	2	...	1	...	
Portland ... S.	67	32	44	26	30	15	26	21	52	62	86	8	19	4	6	...	4	1	2	1	...	3	4	2	19	
Prahran ... T.	278	329	119	134	122	151	79	43	130	148	272	273	82	49	23	12	14	3	11	...	8	1	7	1	21	
Pyalong ... S.	2	20	6	22	6	24	4	12	11	19	32	11	9	...	...	2	...	...	...	...	...	...	...	...	3
Queenscliff ... B.	15	8	5	5	7	1	1	...	6	4	27	9	3	3	...	1	1	...	...	...	1	...	...	...	...
Raywood ... B.	4	10	2	1	...	...	2	1	3	2	7	1	1	...	...	...	...	...	...	...	...	...	...	...	...
Richmond ... T.	265	268	103	104	98	105	35	45	86	102	182	159	29	22	16	5	1	1	3	...	4	...	...	...	...
Ripon ... S.	66	3	74	3	41	2	27	...	33	...	61	4	9	1	7	1	2	2	1	1	...	2	...	2	1	
Romsey ... S.	7	8	3	10	7	2	4	3	12	5	34	26	14	9	3	7	4	3	4	2	1	...	...	1	1
Rosedale... S.	83	252	13	51	10	58	6	24	15	94	36	71	26	5	8	2	2	7	1	2	...	3	...	10	1	
Rutherglen ... B.	8	2	9	3	3	2	2	...	4	1	14	...	3	...	...	...	1	...	...	...	...	...	...	...	...

A. I.

B.

Rutherglen	... S.	63	28	21	13	11	12	8	12	10	48	6	40	2	3	2	...	2	...	1	1	2	...	2	...	1	...	
St. Arnaud	... B.	15	17	18	14	3	1	6	9	13	8	30	14	10	2	9	...	3	1	1	...	2	...	...	...	...	...
St. Arnaud	... S.	3	236	...	266	1	391	2	321	4	543	15	213	7	4	6	1	1	2	1	4	3	3	1	...	6	10	
St. Kilda	... B.	117	122	55	38	72	47	37	27	81	93	299	256	135	96	68	25	51	10	27	1	16	3	14	1	43	2	
Sale ...	... B.	33	33	13	10	18	24	11	3	17	18	35	34	17	9	7	1	3	1	1	...	1	1	1	...	...	...
Sandhurst	... C.	351	211	241	119	104	80	74	52	105	126	203	231	20	64	16	33	7	17	1	13	3	12	5	7	12	9	
Sandridge	... B.	137	150	42	22	41	31	16	14	35	30	63	42	18	19	13	6	3	1	3	1	1	1	...	...	2	2
Sebastopol	... B.	12	...	7	1	1	...	4	...	...	4	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Seymour	... S.	19	13	20	38	22	20	15	12	15	17	59	26	18	2	2	6	4	1	3	2	2	...	...	...	1	1
Smythesdale	... B.	11	7	2	2	1	...	1	2	4	2	8	3	3	...	...	...	...	...	...	...	...	...	...	...	...	...
South Barwon	... S.	32	8	33	10	16	11	16	10	21	13	37	8	2	1	5	1	1	...	1	...	...	...	...	1	...	1
Springfield	... S.	8	4	11	3	15	2	10	2	15	2	44	11	10	2	4	2	2	...	2	...	1	1	1	...	2	1	
Stavell ...	... B.	91	2	38	3	40	8	5	26	4	41	7	90	17	8	3	4	3	6	1	...	2	...	...	...	...	5
Stavell ...	... S.	20	18	52	58	28	50	15	34	25	62	44	29	12	4	5	1	3	2	2	1	2	1	1	...	8	4
Strathfieldsaye	... S.	† ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Steiglitz ...	... B.	5	...	3	...	3	...	1	...	1	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Swan Hill	... S.	3	101	8	147	1	129	3	163	6	540	12	60	8	5	1	...	1	1	1	2	...	5	...	1	...	20	
Talbot ...	... B.	30	11	26	8	20	4	4	...	22	3	44	10	12	...	4	...	4	...	1	...	...	...	...	...	...	...
Talbot ...	... S.	55	2	35	4	31	5	22	...	31	2	36	6	8	2	3	...	1	...	3	1	1	...	1	...	2	...
Tarnagulla	... B.	24	...	27	...	4	...	6	...	7	...	12	...	7	...	1	...	...	...	...	...	...	...	...	...	...	...
Towong ...	... S.	† ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tullaroop	... S.	117	38	66	26	38	14	35	11	32	14	58	17	17	5	8	...	4	1	3	...	3	...	3	...	7	...	
Walhalla	... B.	34	11	18	6	12	7	2	...	10	4	13	8	10	2	1	...	2	1	...	...	2	...	...	...	...	...
Wangaratta	... B.	24	33	6	8	7	9	3	6	6	2	27	25	5	11	2	2	...	2	...	1	1	2	...	...	...	...
Wannon ...	... S.	26	2	57	10	50	2	91	4	22	7	53	9	20	2	16	...	4	...	7	...	2	...	1	...	29	...
Waranga	... S.	21	181	22	176	16	171	10	161	19	310	113	235	28	13	6	3	4	...	2	...	1	...	1	...	5	2	
Warrnambool	... B.	68	62	29	26	10	36	17	6	28	34	50	47	15	9	2	1	3	...	2	1	2	1	...	1	...	2	
Warrnambool	... S.	59	44	46	29	51	32	27	17	47	38	123	94	36	23	18	13	6	4	7	3	2	...	1	...	18	6	
Whittlesea	... S.	4	7	12	7	8	10	1	4	8	12	13	20	4	9	1	5	...	...	1	...	...	...	...	...	...	1
Williamstown	... B.	611	797	59	47	51	34	48	22	43	51	64	60	6	12	1	1	...	1	2	...	...	...	...	...	3	...
Wimmera	... S.	31	25	29	37	24	38	9	65	24	100	32	85	11	15	5	4	4	1	6	2	5	...	1	...	10	1	
Winchelsea	... S.	40	13	23	7	17	5	15	6	13	5	46	15	7	1	7	...	2	...	1	...	3	...	1	...	7	3	
Wodonga	... S.	25	17	19	13	12	16	12	5	14	10	26	5	8	...	3	...	2	...	...	...	...	...	...	...	1	...
Wood's Point	... B.	8	9	5	2	4	...	2	...	2	...	4	3	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Wyndham	... S.	10	7	21	6	15	6	10	6	13	13	46	9	17	6	5	2	...	3	3	1	1	...	2	...	21	3	
Yackandandah	... S.	†
Yea ...	... S.	11	29	8	24	7	29	4	10	5	28	14	33	7	6	3	4	1	2	...	...	...	...	...	...	1	2
Total	...	8,333	6,235	4,983	3,470	4,030	3,461	2,454	2,093	4,033	4,275	8,108	4,980	2,315	1,086	899	337	464	176	263	105	204	83	102	48	699	258	

NOTE.—S. denotes Shire. B. Borough. C. City. T. Town.—† See end.

† In the undermentioned cases the Totals only of each Class of Rating are given, as the Municipal Officers are unable to distinguish between Freeholders and Leaseholders.

Cities, Towns, Boroughs, and Shires.	Rated at £20 and under £25.	Rated at £25 and under £30.	Rated at £30 and under £35.	Rated at £35 and under £40.	Rated at £40 and under £50.	Rated at £50 and under £100.	Rated at £100 and under £150.	Rated at £150 and under £200.	Rated at £200 and under £250.	Rated at £250 and under £300.	Rated at £300 and under £350.	Rated at £350 and under £400.	Rated at £400 and upwards
Ararat ... S.	121	139	104	53	108	191	44	24	11	7	10	10	58
Avoca ... S.	70	69	58	24	45	122	19	6	6	1	...	2	5
Castlemaine ... B.	85	49	39	16	25	108	40	11	4	7	4	...	7
East Loddon ... S.	33	55	38	44	146	31	8	...	2	...	...	...	15
Echuca ... S.	334	175	826	250	400	376	48	13	4	3	3	2	22
Fitzroy ... C.	960	364	387	139	346	535	101	22	9	4	8	2	4
Hotham ... T.	659	227	215	127	159	217	41	12	4	5	1	1	...
Korong ... S.	97	108	168	176	313	121	17	7	8	5	...	1	5
Marong ... S.	168	171	104	85	146	274	46	13	1	...	2	...	7
Melbourne ... C.	2,458	894	1,088	428	1,047	2,298	777	370	281	180	140	62	297
McIvor ... S.	54	56	44	27	55	119	14	5	3	3	1	1	3
Oakleigh ... S.	35	32	35	20	34	62	9	2	...	2	...	...	...
Strathfieldsaye ... S.	62	75	41	37	45	87	9	4	4	1	...	...	2
Towong ... S.	39	40	38	19	29	17	9	8	1	2	3	3	8
Yackandandah ... S.	82	60	60	29	78	96	14	7	1	2	2	...	1
Total ...	5,257	2,514	3,245	1,474	2,976	4,654	1,196	504	339	222	274	84	434
Totals brought forward *...	14,568	8,453	7,491	4,547	8,308	13,088	3,401	1,236	640	368	287	150	957
Total ...	19,825	10,967	10,736	6,021	11,284	17,742	4,597	1,740	979	590	561	234	1,391

* Freehold and Leasehold.

W. H. ODGERS,
Under Secretary.

1878.
VICTORIA.

ANNUAL RATEABLE VALUE IN PROVINCES.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.
THE HONORABLE J. CUMMING.—20TH AUGUST, 1878.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE H. CUTHBERT, AND ORDERED BY THE
COUNCIL TO BE PRINTED, 27TH AUGUST, 1878.

ANNUAL RATEABLE VALUE IN PROVINCES.
RETURN showing the Annual Value of Rateable Property in each of the Provinces.

Provinces.	Estimated Annual Value of Rateable Property.
	£
Central	1,967,340
North-Western	1,541,666
Western	984,170
South-Western	779,607
South	669,902
Eastern	838,371
Total	6,781,056

NOTE.—This Return is derived from returns furnished by the local authorities. Where any municipality extends into two or more Provinces, the amount of rateable value to be assigned to each has been determined by proportion.

HENRY HEYLYN HAYTER,
Government Statist.

Office of the Government Statist,
Melbourne, 24th August, 1878.

1878.
—
VICTORIA.

SCHEME OF TWELVE PROVINCES WITH FORTY-TWO MEMBERS.

ORDERED BY THE LEGISLATIVE COUNCIL TO BE PRINTED, 3RD SEPTEMBER 1878.

FOURTH SCHEDULE.

NUMBER of Members to be returned for several Provinces at the periodical Elections, and the Tenure of their Seats.

Provinces.	Number of Members.	Num. to be Elected and tenure of Seat.	Date of Election.	Date of Retirement.	Provinces.	Number of Members.	Number to be Elected and tenure of Seat.	Date of Election.	Date of Retirement.				
Central	8	{ 5 old { 2 new	2 for 4 years	1880	1884	Ophir	3	{ 2 old { 1 new	1 for 4 years	1880	1884		
			1 " 6 "	80	86				1 " "	84	90		
			1 " 8 "	80	88				1 " "	86	92		
			1 " 6 "	82	88				1 " "	88	94		
			3 " 6 "	84	90								
			2 " 6 "	86	92								
3 " 6 "	88	94											
South	3 (old)	{ 1 for 6 years { 1 " " { 1 " " { 1 " "	1 for 6 years	1880	1886	North Eastern...	4	{ 3 old { 1 new	2 for 6 years	1880	1886		
			1 " "	82	88				1 " "	82	88		
			1 " "	84	90				2 " "	84	90		
			1 " "	86	92				1 " "	86	92		
1 " "	88	94											
South Eastern...	3	{ 2 old { 1 new	1 for 4 years	1880	1884	Gippsland	3	{ 2 old { 1 new	1 for 4 years	1880	1884		
			1 for 6 years	84	90				1 " "	84	90		
			1 " "	86	92				1 " "	86	92		
			1 " "	88	94				1 " "	88	94		
Western	3 (old)	{ 1 for 6 years { 1 " " { 1 " " { 1 " "	1 for 6 years	1880	1886	North Central...	3 (old)	{ 1 for 6 years { 1 " " { 1 " " { 1 " "	1 for 6 years	1880	1886		
			1 " "	82	88				1 " "	82	88		
			1 " "	84	90				1 " "	84	90		
			1 " "	86	92				1 " "	86	92		
1 " "	88	94											
Beaconsfield	3	{ 2 old { 1 new	1 for 4 years	1880	1884	North Western	3	{ 2 old { 1 new	1 for 4 years	1880	{ 1884 { 86 { 88		
			1 " "	84	90				1 " 6 "			84	90
			1 " "	86	92				1 " 8 "			86	92
			1 " "	88	94				1 for 6 years			88	94
South Western	3 (old)	{ 1 for 6 years { 1 " " { 1 " " { 1 " "	1 for 6 years	1880	1886	Northern	3 (new)	{ 1 for 4 years { 1 " " { 1 " " { 1 " "	1 for 4 years	1880	1884		
			1 " "	82	88				1 " "	84	90		
			1 " "	84	90				1 " "	86	92		
			1 " "	86	92				1 " "	88	94		
1 " "	88	94											

1878.

VICTORIA.

VICTORIAN RAILWAYS.

LAI D ON THE TABLE BY THE HONORABLE H. CUTHBERT AND ORDERED BY THE COUNCIL
TO BE PRINTED, 25TH SEPTEMBER, 1878.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

STATEMENT showing the Amounts raised for Construction purposes under the various Loans, and applied, to

Loan Act, &c.	Construction Act.	Schedule and Item.	Amount.	Premiums.	Discount and Expenses.	Net Amount Raised.	Total Amount Available.
			£	£ s. d.	£ s. d.	£ s. d.	£ s. d.
19 Vict. 15	...	...	68,100	Nil	Nil	68,100 0 0	}
21 Vict. 36	...	...	8,000,000	362,643 12 4	108,855 6 0	8,253,788 6 4	
25 Vict. 150	...	...	300,000	7,713 16 0	5 15 0	307,708 1 0	
29 Vict. 287	...	...	250,000	1,123 4 3	5,688 19 2	245,434 5 1	
			8,618,100	371,480 12 7	114,550 0 2	8,875,030 12 5	8,875,030 12 5
32 Vict. 331	...	Sch. 2, Item 1	1,720,000	2,783 3 0	24,941 10 4	1,697,841 12 8	...
		" 2, " 2	239,000	...	...	239,000 0 0	...
		" 3, " 1	42,000	...	...	42,000 0 0	...
		" 3, " 2	27,000	...	...	27,000 0 0	...
		" 3, " 3	79,000	...	...	79,000 0 0	...
			2,107,000	2,783 3 0	24,941 10 4	2,084,841 12 8	2,084,841 12 8
37 Vict. 468	475	Sch. 2, Item 1	1,224,000	Nil	159,182 10 7	1,064,817 9 5	...
		" 2, " 2	176,000	...	...	176,000 0 0	...
		" 2, " 3	50,000	...	...	50,000 0 0	...
			1,450,000	...	159,182 10 7	1,290,817 9 5	1,290,817 9 5
39 Vict. 531	580	Sch. 2, Item 1	1,300,000	Nil	91,286 18 0	1,208,713 2 0	...
		" 2, " 2	96,693	...	...	96,693 0 0	...
			1,396,693	...	91,286 18 0	1,305,406 2 0	1,305,406 2 0
33 Vict. 360	...	Railway Loan Liquidation and Construction Account				2,200,000 0 0	
	415	...	...	...	...	...	876,681 0 0
	421	...	...	...	...	...	10,000 0 0
	461	...	...	...	...	...	5,000 0 0
	467	...	...	...	...	...	10,000 0 0
	505	...	...	...	...	...	5,000 0 0
	529	...	...	...	...	...	6,000 0 0
	591	...	...	...	...	...	10,000 0 0
	475	...	...	...	...	...	1,251,505 11 0
	580 & 603	...	...	...	...	...	2,601 18 0
	604	...	...	...	...	...	23,211 11 0
							15,756,095 16 6

* The amount authorized by the Act No. 604 for the construction of the line from South Yarra to Oakleigh is £25,000 per mile for construction of this line is £23,211 11s. only, and the remainder

BY AUTHORITY :
JOHN FERRES, GOVERNMENT PRINTER,
MELBOURNE.

1878.
VICTORIA.

TRUST FUNDS—CREDITS AND INVESTMENTS.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.
THE HONORABLE F. T. SARGOOD.—25TH SEPTEMBER, 1878.

LAI D ON THE COUNCIL TABLE BY THE HONORABLE H. CUTHBERT, AND ORDERED BY THE
COUNCIL TO BE PRINTED, 1ST OCTOBER, 1878.

RETURN showing the Amount standing in the Treasury to the Credit of the undermentioned Trust Funds and the Amounts invested in Debentures or Government Stock on account of each of them at the end of each Financial Year, from 1864 to the present time; together with the Totals of such Trust Funds and Investments for each Year.

	TRUST FUNDS REFERRED TO.								
	31st December 1864.		31st December 1865.		31st December 1866.		31st December 1867.		
	At Credit.	Invested.	At Credit.	Invested.	At Credit.	Invested.	At Credit.	Invested.	
Assurance Fund	29 Vict., No. 301
Suitors' Fund	36 " No. 435
Police Superannuation Fund	37 " No. 476
Intestate Estates	{ 27 " No. 230 36 " No. 427
Post Office Savings Bank	29 " No. 298
Insolvency—Unclaimed Dividend	34 " No. 379
Loan Redemption Account
General Account	22 " No. 86

	31st December 1864.		31st December 1865.		31st December 1866.		31st December 1867.	
	At Credit.	Invested.	At Credit.	Invested.	At Credit.	Invested.	At Credit.	Invested.
	£ s. d.	£	£ s. d.	£ s.	£ s. d.	£ s.	£ s. d.	£
Police Superannuation Fund	46,949 10 4	34,200	63,761 9 3	23,000 0	66,292 0 5	21,000 0	69,139 6 5	...
Intestate Estates	5,350 3 11	...	9,362 14 2	...	13,394 10 5	...	11,629 4 1	...
Assurance Fund	2,571 18 1	...	4,066 11 7	...	5,781 11 4	...	7,511 4 0	...
Suitors' Fund	...	...	...	...	...	...	...	...
Post Office Savings Bank	...	...	16,644 15 10	...	57,633 12 9	...	102,203 16 3	...
Insolvency—Unclaimed Dividend	...	...	...	...	...	...	...	...
Loan Redemption Account	...	...	...	...	...	...	...	...
General Account—Trust Fund	117,578 0 8	...	61,658 3 1	...	58,521 8 1	...	43,045 1 8	...
Totals	172,449 13 0	34,200	155,493 13 11	23,000 0	201,623 3 0	21,000 0	233,528 12 5	...

	31st December 1868.		31st December 1869.		31st December 1870.		30th June 1871.	
	At Credit.	Invested.	At Credit.	Invested.	At Credit.	Invested.	At Credit.	Invested.
	£ s. d.	£	£ s. d.	£ s.	£ s. d.	£ s.	£ s. d.	£
Police Superannuation Fund	69,860 19 7	...	71,250 8 7	...	73,124 14 11	...	74,270 6 3	...
Intestate Estates	17,190 3 8	...	14,998 7 6	...	21,355 14 7	...	25,626 16 8	...
Assurance Fund	9,019 6 7	...	12,339 11 9	...	15,284 10 0	...	16,910 11 11	...
Suitors' Fund	...	...	...	...	...	...	...	...
Post Office Savings Bank	162,084 8 8	...	230,944 2 6	129,139 15	265,416 19 6	177,139 15	296,977 13 2	250,000
Insolvency—Unclaimed Dividend	...	...	...	...	...	...	...	...
Loan Redemption Account	...	...	...	...	...	...	...	...
General Account—Trust Fund	34,734 14 0	...	31,252 15 0	...	23,049 4 1	...	35,166 7 9	...
Totals	292,889 12 6	...	360,785 5 4	129,139 15	398,231 3 1	177,139 15	448,951 15 9	250,000

	30th June 1872.		30th June 1873.		30th June 1874.		30th June 1875.				
	At Credit.	Invested.	At Credit.	Invested.	At Credit.	Invested.	At Credit.	Invested.			
	£ s. d.	£	£ s. d.	£ s.	£ s. d.	£	£ s. d.	£ s.			
Police Superannuation Fund ...	75,627 12 6	} 297,000	76,683 17 9	} 550,000 0	78,366 11 10	} 70,000	78,488 5 4	} 70,000 0			
Intestate Estates ...	26,423 13 5		43,201 7 5		3,390 0		58,163 12 3		13,060	46,963 4 5	15,040 0
Assurance Fund ...	20,465 13 0		24,275 15 11				29,113 3 2		23,000	34,367 2 11	23,000 0
Suitors' Fund ...	...		77,609 17 5				48,896 6 0		35,180	67,319 10 3	36,080 0
Post Office Savings Bank ...	463,598 10 5		546,209 14 5				610,698 17 2		457,000	540,715 13 6	457,000 0
Insolvency—Unclaimed Dividend ...	3,411 17 11		2,799 13 10				2,754 11 3			2,671 9 0	
Loan Redemption Account ...	...		...				...			6,929 0 6	
General Account—Trust Fund ...	57,040 2 6		64,381 19 7		43,670 18 5		84,453 11 10	7,333 14			
Totals ...	646,567 9 9	297,000	835,162 6 4	553,390 0	871,664 0 1	598,240	861,907 17 9	608,453 14			

	30th June 1876.		30th June 1877.		30th June 1878.		31st August 1878.	
	At Credit.	Invested.	At Credit.	Invested.	At Credit.	Invested.	At Credit.	Invested.
	£ s. d.	£ s.	£ s. d.	£ s.	£ s. d.	£ s.	£ s. d.	£ s.
Police Superannuation Fund ...	75,372 14 6	70,000 0	71,341 10 11	70,000 0	73,104 3 9	70,000 0	71,860 19 2	70,000 0
Intestate Estates ...	59,258 4 11	17,150 0	77,069 10 4	29,530 0	79,321 2 4	32,360 0	79,965 5 10	33,030 0
Assurance Fund ...	39,351 14 4	23,000 0	44,141 10 5	23,000 0	49,653 10 4	27,480 0	50,423 14 3	27,480 0
Suitors' Fund ...	70,420 10 0	36,860 0	49,165 14 10	31,540 0	42,737 1 8	32,310 0	41,586 14 3	32,310 0
Post Office Savings Bank ...	582,664 6 7	457,000 0	617,587 17 7	467,000 0	605,810 12 11	457,120 0	601,372 14 1	457,120 0
Insolvency—Unclaimed Dividend ...	2,705 17 6		2,620 9 0		2,800 2 1		2,815 1 2	
Loan Redemption Account ...	9,765 12 7		14,948 7 9		16,780 4 3		16,804 9 5	
General Account—Trust Fund ...	74,754 17 7	7,333 14	81,486 14 11	7,333 14	82,908 7 11	8,793 14	77,619 9 1	8,793 14
Totals ...	914,293 18 0	611,343 14	958,361 15 9	618,403 14	953,115 5 3	628,063 14	942,448 7 3	628,733 14

1878.

VICTORIA.

DESPATCH RESPECTING A PETITION TO THE QUEEN FROM MR. W. H.
GAUNT, LATE POLICE MAGISTRATE AT BALLARAT.

LAI'D ON THE COUNCIL TABLE BY THE HONORABLE H. CUTHBERT, AND ORDERED BY THE
COUNCIL TO BE PRINTED 15TH OCTOBER 1878.

THE RIGHT HONORABLE THE SECRETARY OF STATE FOR THE COLONIES TO
HIS EXCELLENCY THE GOVERNOR OF VICTORIA.

SIR,

Downing street, 15th July 1878.

I have the honor to acknowledge the receipt of your Despatch, No. 103, of the 14th of May, enclosing a Petition to the Queen from Mr. W. H. Gaunt, late Police Magistrate at Ballarat, whose services were dispensed with by the Government of Victoria during the recent political crisis.

I request you to cause Mr. Gaunt to be informed that his Petition has been laid before the Queen, but that I have been unable to advise Her Majesty to take any action in respect of its prayer, the matter being one which, under the constitution of the Colony, lies within the jurisdiction of the Governor and Executive Council.

(Signed)

I have, &c.,
M. E. HICKS BEACH.

Governor Sir G. F. Bowen, G.C.M.G.,
&c., &c., &c.

1878.
 —
 VICTORIA.

DESPATCH RESPECTING PROFESSOR PEARSON'S REPORT.

LAI'D ON THE COUNCIL TABLE BY THE HONORABLE H. CUTHBERT, AND ORDERED BY THE
 COUNCIL TO BE PRINTED 15TH OCTOBER 1878.

SIR,

Downing street, 19th August 1878.

I have the honor to acknowledge the receipt of your Despatch, No. 88, of the 1st of May, transmitting copies of the report recently submitted to your Government by Professor Pearson, the Commissioner of Enquiry upon the state of public education in Victoria, and upon the means of further improving it.

I have read this able and exhaustive report with much interest, and have caused a copy to be forwarded to the Education Department.

(Signed) I have, &c.,
 M. E. HICKS BEACH.

Governor Sir G. F. Bowen, G.C.M.G.,
 &c., &c., &c.

1878.

VICTORIA.

DESPATCH TRANSMITTING THE OPINION OF THE LAW OFFICERS IN ENGLAND RESPECTING MONEYS "LEGALLY AVAILABLE."

LAI'D ON THE COUNCIL TABLE BY THE HONORABLE H. CUTHBERT, AND ORDERED BY THE COUNCIL TO BE PRINTED 15TH OCTOBER 1878.

SIR, Downing street, 17th August 1878.

In your Despatch No. 15 of the 25th of January, after referring me to your Despatch No. 202 of the 31st December 1877, and to the Ministerial Memorandum of the same date enclosed therein, you suggested, at the instance of your Responsible Advisers, that my predecessor in this office should consult the Law Officers of the Crown in this country upon the opinion given by the then Attorney-General of Victoria, Mr. Le Poer Trench, to the effect that resolutions adopted by the Assembly in Committee of Supply suffice to make "legally available" for the Public Service money standing to the credit of the public account; and in your subsequent Despatches Nos. 51 and 53 of the 17th and 18th of March, you transmitted to me further legal opinions which had been given by Sir Bryan O'Loughlen, who had succeeded Mr. Le Poer Trench in the office of Attorney-General, and by Mr. Trench and other leading lawyers in the colony, on the separate question whether, having regard to the resolution adopted by the Legislative Assembly, "That in accordance with the 45th section of the Constitution Statute, the costs, charges, and expenses incidental to the collection, management, and receipts of the consolidated revenue shall, during the present financial year and no longer, be treated as a special appropriation," it would be lawful for the Commissioners of Audit to certify that the public money was "legally available," and for the Governor to sign warrants for its issue.

2. As soon as I had received all the documents necessary to complete the case as stated by your Ministers, I submitted them for the report of the Law Officers; and I have now to inform you that, in their opinion, the views entertained by your Ministers and by the Attorney-General, as stated in the papers which you have transmitted to this department, are not entirely correct. The Law Officers agree that the moneys necessary for defraying the costs, charges, and expenses mentioned in section 45 of the Act 18 and 19 Victoria, c. 55, are legally available for, and applicable to the purposes mentioned in that section, because they are in fact specifically appropriated by the statute in question. With respect, however, to the question whether, when the Committee of Supply has voted money for other purposes than those mentioned in the 45th section of the Act, and such vote has been duly reported to the Legislative Assembly, the amount voted becomes thereupon "legally available, &c.," the Law Officers are of opinion that it does not, and that it is not available until it has been appropriated by an Act of the Victorian Legislature.

3. As, however, the Ministerial Memorandum (p. 39, 40) seems to proceed upon a misapprehension of what is the exact procedure of the House of Commons in England with respect to taxation and appropriation, it will be convenient that I should explain, for your information, what really is the system which prevails in this country. That system may briefly be stated as follows:—The annual charges for the Army and Navy, for the collection of revenue, and for the Civil Service are examined and discussed in Committee of the whole House on Supply, and the sanction of the House of Commons is embodied in resolutions of that committee, which are reported to and confirmed by the House. These resolutions grant limited sums for services separately defined and for the limited period of one year.

4. But the resolutions, although they record the sanction of the House of Commons to the expenditure submitted to them, do not enable the Government to draw from the consolidated fund (to which the whole of the accruing income of the State is paid) the money requisite to meet such expenditure. A further authority is required, in the shape of a resolution in Committee of the whole House on Ways and Means, which must be reported to and confirmed by the House, and must be embodied in a Bill to be passed through both Houses of Parliament before practical effect can be given to the votes in Supply by authorizing the Treasury to take out of the consolidated fund the money required to defray the expenditure sanctioned by such votes. The votes in Committee of Supply authorize the expenditure; the votes in Committee of Ways and Means provide the funds to meet that expenditure.

5. The manner in which this provision is made is as follows:—Early in the session, votes are taken for the pay, &c., of the Naval and Military Forces, and a resolution is passed in Committee of Ways and Means for a *general* grant out of the consolidated fund towards making good the Supply granted to Her Majesty. This resolution is reported to and confirmed by the House, and upon it a Bill is founded, which passes through its various stages and finally receives the Royal assent; and then, but not before, the Treasury are empowered to direct an issue out of the consolidated fund to meet the payments authorized by votes in Supply of the House of Commons. This general grant of Ways and Means is made available, so far as it will go, to meet votes in Supply passed both before and after it.

6. The constitutional effect of these regulations is, that, until the House of Lords and the Crown have assented to the grant of Ways and Means, the appropriation of the public money directed by votes in Supply of the House of Commons is inoperative. These general grants of Ways and Means on account during the session, in anticipation of the specific appropriations embodied in the Appropriation Act passed at the close of the session, may be viewed as the form in which Parliament considers it most convenient to convey their sanction to the *ad interim* issue of public money upon the appropriation directed by the Commons alone, relying upon their final confirmation being obtained at the close of the session. For example, on the 4th and 15th March 1878, votes amounting to more than £12,100,000 were granted in Supply for the Army and Navy services of 1878–9; on the 19th March, a vote of £12,000,000 in Ways and Means was taken towards making good the Supply granted to Her Majesty for 1878–9; and this vote was embodied in a Ways and Means Bill, which received the Royal assent on 28th March.

7. These Ways and Means are now being used not only for Military and Naval services, but to meet such votes as have been granted in Supply for civil services and collection of the revenue since the passing of the Ways and Means resolution on 19th March.

8. I have thus, I think, sufficiently explained that, according to the practice followed in this country, a Supply for some branch of the Public Service must have been granted to the Queen, and Ways and Means towards making good that Supply must have been provided by an Act, before Her Majesty can authorize the Treasury to issue any money; but that so soon as Ways and Means have been provided for any service, the Treasury may draw upon these Ways and Means, so long as they last, in order to defray the expense of any votes comprised in the resolutions adopted in Supply (whether before or after the date of the resolution in Ways and Means). Provided always that such resolutions in Supply have been passed in the same session of Parliament. Finally, the Appropriation Act, which is passed at the end of the session, specifically appropriates to the various services the sums granted in Committee of Supply, and, by a covering grant of Ways and Means, provides the money required to meet the whole of the Supplies granted for the year.

9. I am confident that it is the desire of all parties in the Victorian Parliament that a sound and regular procedure should be followed in respect of the expenditure of public money; and I trust that the information which I have now been able to give you will be of service.

I have, &c.,

ML. HICKS BEACH.

Governor Sir G. F. Bowen, G.C.M.G.,
&c., &c., &c.

1878.

VICTORIA.

INTERCOLONIAL RAILWAY—SOUTH AUSTRALIA.

RETURN TO AN ORDER OF THE LEGISLATIVE COUNCIL.

THE HONORABLE W. CAMPBELL.—26TH NOVEMBER, 1878.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE H. CUTHBERT, AND ORDERED BY THE COUNCIL TO BE PRINTED, 4TH DECEMBER, 1878.

CORRESPONDENCE that has taken place between the respective Governments of Victoria and South Australia, relating to an Intercolonial Railway to connect these Colonies.

Honorable the Chief Secretary, South Australia, to Honorable the Chief Secretary, Victoria.

SOUTH AUSTRALIA.

SIR,

Chief Secretary's Office, Adelaide, 15th January, 1875.

I have the honor to inform you that a Commission is now sitting to enquire into and report upon the whole question of the construction and extension of Railways within this Province, and I enclose copy of a communication received from them, requesting certain information from your Government, and I shall esteem it a favor if you can cause the questions put by the Commission to be replied to with as little delay as possible.

I have, &c.,
(Signed) ARTHUR BLYTH.

The Honorable the Chief Secretary, Victoria.

Enclosure to letter of 15th January, from Honorable Chief Secretary, South Australia.

RAILWAY COMMISSION.

SIR,

Adelaide, 14th January, 1875.

The Railway Commissioners, having now before them the subject of a line of railway to unite the South Australian Railway system with that of the Colony of Victoria, direct me to request that you will communicate with the Victorian Government, so as to ascertain their views upon the following points:—

1. If the South Australian Government should determine upon making a line of railway to the Victorian border in the direction of Horsham by the Tatiara, or towards Apsley by way of Narracoorte, or towards Casterton *via* Penola, would the Victorian Government be prepared to join South Australia in the construction of a line so far as the boundary, on any one of the lines proposed?
2. If the Victorian Government should think it desirable to adopt any other line, will they state, for the information of the Commissioners, which direction they would propose to take; and also favor them with the reasons which may have guided them in the selection of the route, which may seem to them to be the best?

The Commissioners are anxious to be put in possession of this information at as early a date as possible.

I have, &c.,
(Signed) J. D. WOODS,
Secretary.

The Honorable the Chief Secretary.

Honorable the Chief Secretary, Victoria, to Honorable the Chief Secretary, South Australia.

VICTORIA.

SIR,

Chief Secretary's Office, Melbourne, 23rd January, 1875.

I have the honor to acknowledge the receipt of your letter of the 15th instant, intimating the appointment of a Commission to consider the question of railway extension, and enclosing a communication from the Commissioners requesting information on points connected therewith.

Your letter shall have my early attention.

I have, &c.,

For Mr. Kerferd,

(Signed)

JAMES SERVICE.

The Honorable the Chief Secretary, South Australia, Adelaide.

Honorable the Chief Secretary, South Australia, to Honorable the Chief Secretary, Victoria.

SOUTH AUSTRALIA.

SIR,

Chief Secretary's Office, Adelaide, 20th February, 1875.

On the 15th ultimo I had the honor to address you, requesting replies to certain questions put by a Commission at present enquiring into the question of the construction and extension of railways in this Province.

To this communication I have not as yet been favored with an answer, and I shall esteem it a favor if the matter may engage the early attention of your Government, as the labors of the Commission referred to are being somewhat retarded in consequence of my inability to supply them with the information required.

I have, &c.,

(Signed)

ARTHUR BLYTH.

The Honorable the Chief Secretary, Victoria.

Honorable the Chief Secretary, Victoria, to Honorable the Chief Secretary, South Australia.

VICTORIA.

SIR,

Chief Secretary's Office, Melbourne, 11th March, 1875.

In reply to your letters of the 15th January and the 20th February, in which you requested to be furnished with information relative to any railway or railways which this Government may contemplate forming to the frontier of South Australia as bearing upon the question of the construction and extension of railways in your Province, and the connection of the railway systems of South Australia and Victoria, I have the honor to state that this Government is fully alive to the mutual benefits and advantages which would result from the connection of the two colonies and their capitals by railway; but in the absence of more definite information than it at present possesses as to the relative advantages of the various routes which have been suggested, as to the quality of the lands to be traversed, the comparative cost of the various lines, the probable extent of population to be served on each, and other circumstances, it is not able at present to pronounce in favor of any particular route.

It is proposed at an early date to ask Parliament to provide funds for a flying survey of each of the lines described in your letter of the 15th January, and of any others that on further consideration may be suggested; and immediately on the completion of those surveys the necessary information shall be forwarded to you.

I have, &c.,

(Signed)

ROBERT RAMSAY.

The Honorable the Chief Secretary, Adelaide.

Honorable the Chief Secretary, South Australia, to Honorable the Chief Secretary, Victoria.

SOUTH AUSTRALIA.

SIR,

Chief Secretary's Office, Adelaide, 16th March, 1875.

I have the honor to acknowledge, with thanks, the receipt of your letter of the 11th instant, having reference to proposed railway extension towards the South Australian boundary.

I have, &c.,

(Signed)

ARTHUR BLYTH.

The Honorable the Chief Secretary, Victoria.

Honorable the Chief Secretary, South Australia, to Honorable the Chief Secretary, Victoria.

SOUTH AUSTRALIA.

SIR,

Chief Secretary's Office, Adelaide, 30th March, 1878.

In view of the importance which the Australian Colonies have now acquired, and of their further growth and development, this Government thinks the time has arrived when the capitals of New South Wales, Victoria, and South Australia should be connected by railway.

Under this conviction it looks forward to joining Melbourne *viâ* the south-east towards Horsham, and also to joining Sydney *viâ* Wentworth, or some point on the Darling.

It by no means follows that our financial position will permit us to adopt both these routes at the present moment, but this Government would be aided in a prompt decision if your Government would be willing to enter into an engagement to meet us on our border, west or north-west of Horsham.

I need not enlarge on the advantages of railway communication to both communities, but trust I may be favored with an early intimation as to whether or not you will be prepared to enter into an engagement as above suggested.

I have, &c.,

(Signed)

WILLIAM MORGAN.

The Honorable the Chief Secretary, Victoria.

Honorable the Chief Secretary, Victoria, to Honorable the Chief Secretary, South Australia.

VICTORIA.
SIR,

Chief Secretary's Office, Melbourne, 5th April, 1878.

I have the honor to acknowledge the receipt of your letter of the 30th ult., No. 331, intimating the desire of your Government that the capitals of South Australia and Victoria should be connected by railway, and enquiring if this Government will enter into an agreement providing for the railway system of the two colonies to meet on the South Australian border west or north-west of Horsham.

I have, &c.,

The Honorable the Chief Secretary, South Australia.

For the Chief Secretary,
(Signed) W. H. ODGERS.

Honorable the Chief Secretary, South Australia, to Honorable the Chief Secretary, Victoria.

SOUTH AUSTRALIA.

SIR,

Chief Secretary's Office, Adelaide, 27th May, 1878.

I have the honor to request your attention to a resolution passed at a Conference of the Australian Colonies, held in Melbourne on the 9th instant, affirming "That it is desirable that the Governments of the Continental Colonies should, at as early a period as possible, interchange views as to the intended routes of their principal railway lines, so as to enable junctions of the various systems to be arranged for at the most suitable points."

This Government is anxious to receive from you, at as early a date as your convenience will admit of, such information as to the points to which it is proposed to extend the Victorian Railways towards the boundaries of this Province, as will place it in a position to decide where best to meet them.

I have, &c.,

The Honorable the Chief Secretary, Victoria.

(Signed) WILLIAM MORGAN.

Honorable the Chief Secretary, Victoria, to Honorable the Chief Secretary, South Australia.

VICTORIA.

SIR,

Chief Secretary's Office, Melbourne, 11th June, 1878.

I have the honor to acknowledge the receipt of your letter of the 27th ultimo, asking, with reference to a resolution of the recent Conference, to be informed as to the points to which it is proposed to extend the Victorian Railways towards the boundaries of South Australia.

I have, &c.,

The Honorable the Chief Secretary, South Australia.

For the Chief Secretary,
(Signed) W. H. ODGERS.

Honorable the Chief Secretary, Victoria, to Honorable the Chief Secretary, South Australia.

VICTORIA.

SIR,

Chief Secretary's Office, Melbourne, 15th July, 1878.

Referring to your letter of the 27th ultimo, asking to what points on the South Australian border it is intended to carry the Victorian lines of railway, I have the honor to inform you that the Commissioner of Railways states that these points have not yet been determined upon, but that at the present time two are under consideration, viz. :—Apsley and Border Town. As soon as anything is finally decided on, no time will be lost in informing you of the choice arrived at.

I have, &c.

The Honorable the Chief Secretary, South Australia.

(Signed) GRAHAM BERRY.

E. Ward, Esq., M.P., South Australia, to the Honorable the Chief Secretary, Victoria.

(Telegram.)

The Hon. Graham Berry, Chief Secretary.

Am moving, Wednesday, railway Adelaide to Melbourne direct. Kindly wire me particulars your proposals for extension towards us, and when probably completed. What about Casterton line?

(Signed)

EBENEZER WARD, M.P.,
Adelaide, 15/7/78.

Honorable the Chief Secretary, Victoria, to E. Ward, Esq., M.P., South Australia.

(Telegram.)

Ebenezer Ward, Esq., M.P., Adelaide.

We have not yet decided as to point of junction at the border. Two are suggested—Apsley and Border Town.

(Signed)

GRAHAM BERRY,
15th July, 1878.

Honorable the Commissioner of Railways, Victoria, to Honorable the Treasurer, South Australia.

(Telegram.)

The Hon. J. P. Boucaut, M.P., Treasurer of S. A., Adelaide.

I have read your recent remarks on railways and confirm all you say. Whatever point we may touch your boundary line, our first destination is Wentworth.

(Signed)

J. WOODS,
27th July, 1878.

1878.

VICTORIA.

R E P O R T

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON THE

CONSTITUTION OF COUNCIL BILL;

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE AND APPENDIX.

ORDERED BY THE COUNCIL TO BE PRINTED, 20TH AUGUST, 1878.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

WEDNESDAY, 14TH AUGUST, 1878.

CONSTITUTION OF COUNCIL BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being called on, the Honorable Sir C. Sladen moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.

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

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

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

The President left the Chair.

The Chairman of Committees reported progress.

The Honorable N. Fitzgerald, with leave of the Council, moved, without notice, That the Bill be referred to a Select Committee.

Question—put and passed.

The Honorable N. Fitzgerald moved, That the Select Committee consist of seven Members; viz., The Honorables the President, F. T. Sargood, R. S. Anderson, J. Cumming, Dr. Dobson, R. Simson, and the Mover.

Question—put and passed.

The Honorable N. Fitzgerald moved, That it be an instruction to the Select Committee that the number of electoral provinces shall be not less than six nor more than twelve.

Debate ensued.

Question—put and passed.

The Honorable N. Fitzgerald moved, That the Committee have power to call for persons and papers, and have power to sit on days on which the Council does not sit.

Question—put and passed.

TUESDAY, 20TH AUGUST, 1878.

CONSTITUTION OF COUNCIL BILL—SELECT COMMITTEE, PROGRESS REPORT OF.—The Honorable R. S. Anderson brought up a Progress Report from the Select Committee, appointed on the 14th instant, to which was referred the Constitution of Council Bill, and moved, That the Report be printed, and taken into consideration on Thursday next.

Debate ensued.

Question—put and passed.

PROGRESS REPORT.

THE SELECT COMMITTEE of Your Honorable House, appointed on the 14th day of August instant, to which was referred the Constitution of Council Bill, have the honour to report—

1. That the Colony be divided into Ten Provinces, as delineated on the map annexed.
2. That each of such Provinces eventually return Four Members, of whom one-half shall retire every third year after the year 1888.

20th August, 1878.

ROBERT S. ANDERSON,
Chairman.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY 15TH AUGUST, 1878.

Members present :

The Hon. The President
N. Fitzgerald
Dr. Dobson

The Hon. J. Cumming
R. S. Anderson
F. T. Sargood.

The Hon. N. Fitzgerald was appointed Chairman.

The Committee deliberated on the number of Provinces.

The Hon. F. T. Sargood moved, That the number of Provinces be increased to *ten*.

The Hon. J. Cumming moved, as an amendment, That the number of Provinces be increased to *twelve*, by dividing each of the present Provinces into two.

Amendment, That the Provinces be increased to *twelve*, by dividing each of the present Provinces into two—put.

Committee divided.

Contents, 2.
The Hon. J. Cumming
The President.

Not contents, 4.
The Hon. R. S. Anderson
F. T. Sargood
Dr. Dobson
N. Fitzgerald.

The amendment was therefore negatived.

Question—That the Provinces be increased to *ten*—put and passed.

The Clerk was instructed to summon Mr. Hayter, the Government Statist.

Committee adjourned until two o'clock next day.

FRIDAY 16TH AUGUST, 1878.

Members present :

The Hon. N. Fitzgerald, in the chair ;
The Hon. R. S. Anderson
F. T. Sargood

The Hon. J. Cumming
Dr. Dobson.

Mr. Hayter, the Government Statist, was called in and examined as to the voting strength of the counties and provinces.

The Hon. F. T. Sargood moved—That the scheme, as set forth in the colored map produced, for the division of the provinces into ten (subject to an alteration of the Central, South, and Eastern Provinces) be adopted.

Question put.

Committee divided.

Contents, 4.
The Hon. F. T. Sargood
Dr. Dobson
R. S. Anderson
N. Fitzgerald.

Not content, 1.
The Hon. J. Cumming.

The question was therefore passed.

The Hon. F. T. Sargood moved—That the Council consist of forty members; four to each province; one-half retiring every three years.

Question put.

Committee divided.

Contents, 4.
The Hon. F. T. Sargood
Dr. Dobson
R. S. Anderson
N. Fitzgerald.

Not content, 1.
The Hon. J. Cumming.

The question was therefore passed.

Ordered—That Mr. Hayter be summoned to attend on Monday, at half-past two p.m., and bring all information on the subject of the proposed provinces.

Committee adjourned until Monday.

MONDAY, 19TH AUGUST, 1878.

Members present :

The Hon. R. S. Anderson

The Hon. J. Cumming.

A quorum not being present, the Clerk was directed to summon Committee for Tuesday, 20th instant.

TUESDAY, 20TH AUGUST, 1878.

Members present :

The Hon. The President
J. Cumming

The Hon. R. S. Anderson
Dr. Dobson.

The Hon. R. S. Anderson was appointed Chairman.

Mr. Hayter, the Government Statist, was in attendance and further examined as to the boundaries and provinces.

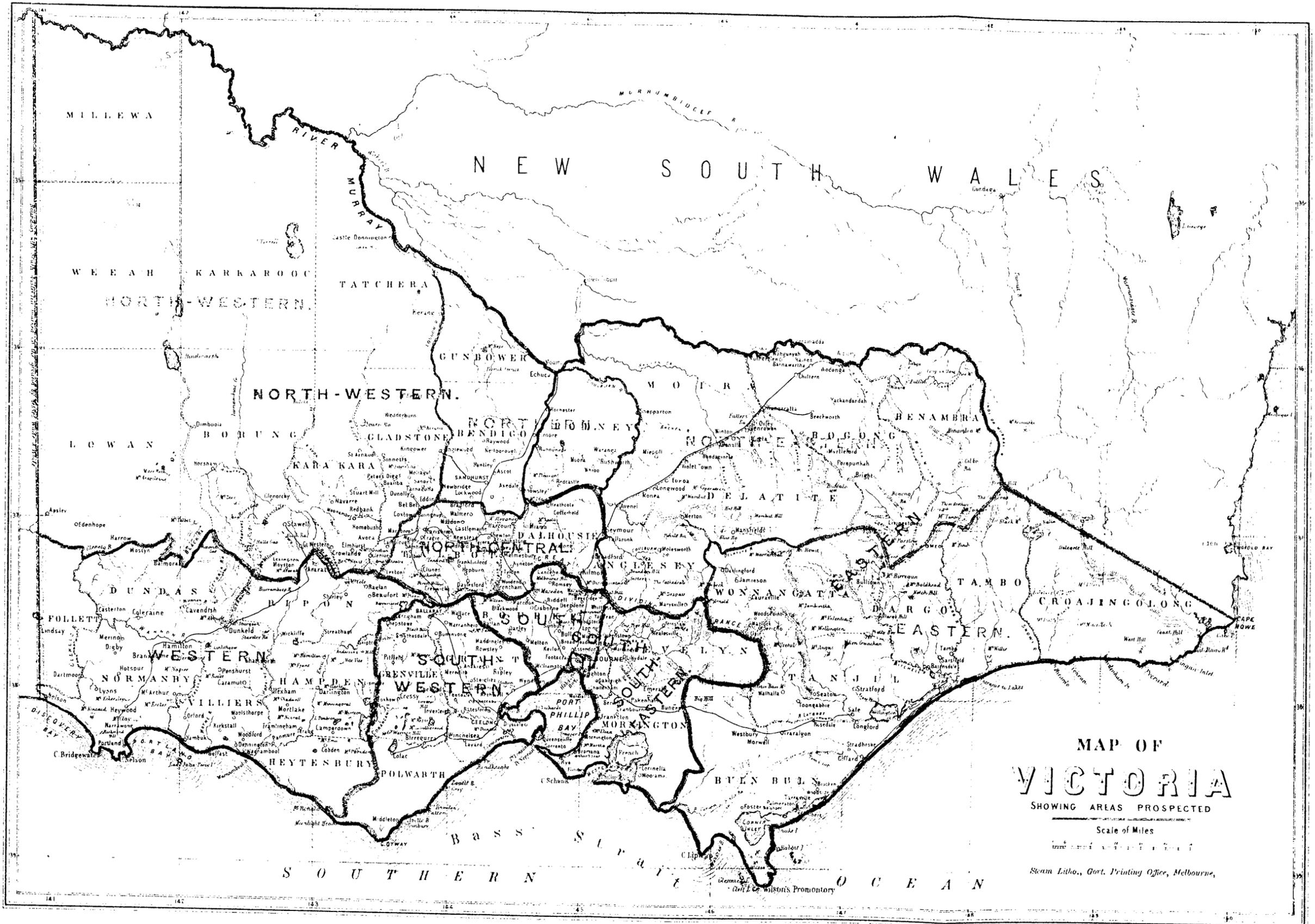
Mr. Hayter submitted a table showing the order of retirement of members according to a proposition that the number of members shall ultimately be forty, representing ten provinces, and that two members retire every three years, the period of retirement of present members not being disturbed, which table is printed (*vide* Appendix).

The Hon. F. T. Sargood entered the Committee-room.

The Hon. the President and the Hon. J. Cumming left the Committee-room.

The Chairman submitted Draft Progress Report, which was read and considered paragraph by paragraph and adopted.

Chairman ordered to report to the House.



Blue lines show Proposed Provinces. Red lines show Present Provinces.

1878.

VICTORIA.

FINAL REPORT

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON THE

CONSTITUTION OF COUNCIL BILL;

TOGETHER WITH

THE PROCEEDINGS OF THE COMMITTEE, SCHEDULE, AND
APPENDICES.

ORDERED BY THE COUNCIL TO BE PRINTED, 27TH AUGUST, 1878.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

WEDNESDAY, 14TH AUGUST, 1878.

CONSTITUTION OF COUNCIL BILL.—The Order of the Day for the adoption of the Report of the Committee of the whole Council on this Bill being called on, the Honorable Sir C. Sladen moved, That the Order of the Day be discharged, with a view to the re-committal of the Bill.
 Question—That the Order of the Day be discharged—put and passed.
 Question—That the Bill be now re-committed—put and passed.
 Question—That the President do now leave the Chair—put and passed.
 The President left the Chair.
 The Chairman of Committees reported progress.
 The Honorable N. Fitzgerald, with leave of the Council, moved, without notice, That the Bill be referred to a Select Committee.
 Question—put and passed.
 The Honorable N. Fitzgerald moved, That the Select Committee consist of seven Members; viz., The Honorables the President, F. T. Sargood, R. S. Anderson, J. Cumming, Dr. Dobson, R. Simson, and the Mover.
 Question—put and passed.
 The Honorable N. Fitzgerald moved, That it be an instruction to the Select Committee that the number of electoral provinces shall be not less than six nor more than twelve.
 Debate ensued.
 Question—put and passed.
 The Honorable N. Fitzgerald moved, That the Committee have power to call for persons and papers, and have power to sit on days on which the Council does not sit.
 Question—put and passed.

TUESDAY, 20TH AUGUST, 1878.

CONSTITUTION OF COUNCIL BILL.—SELECT COMMITTEE, PROGRESS REPORT OF.—The Honorable R. S. Anderson brought up a Progress Report from the Select Committee, appointed on the 14th instant, to which was referred the Constitution of Council Bill, and moved, That the Report be printed, and taken into consideration on Thursday next.
 Debate ensued.
 Question—put and passed.

TUESDAY, 27TH AUGUST, 1878.

CONSTITUTION OF COUNCIL BILL.—SELECT COMMITTEE.—FINAL REPORT.—The Honorable R. S. Anderson brought up the Final Report of the Select Committee appointed on the 14th instant, to which was referred the Council Bill with instructions, and moved, That the Report be taken into consideration with the Order of the Day for the Progress Report of the Select Committee brought up on the 20th instant.
 Question—put and passed.
 CONSTITUTION OF COUNCIL BILL.—SELECT COMMITTEE.—FINAL REPORT.—The Honorable R. S. Anderson, with leave of the Council, moved, without notice, That the Final Report of the Select Committee to which the Constitution of Council Bill was referred be printed.
 Question—put and passed.

FINAL REPORT.

THE SELECT COMMITTEE of Your Honorable House, appointed on the 14th day of August instant, have the honor to report—

That the scheme for the retirement of Members under the Bill be in accordance with the Schedule attached.

The Committee also append hereto returns showing the composition of the present six provinces, and also of the proposed ten provinces.

ROBERT S. ANDERSON,

22nd August, 1878.

Chairman.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY 22ND AUGUST, 1878.

Members present :

The Hon. R. S. Anderson, in the chair ;

The Hon. F. T. Sargood
The President

The Hon. Dr. Dobson.

The Honorable F. T. Sargood moved—That the scheme for the retirement of Members under the Bill be in accordance with the Schedule attached.

Agreed to.

Chairman submitted Report, which was read, adopted, and ordered to be reported to the House.

SCHEDULE.

SCHEDULE showing the Order of Election and Retirement of Members of the Legislative Council; the Number of Members to be Forty, representing Ten Provinces, each Province returning Four Members, Two Members from each Province eventually retiring every Three Years, the period of Retirement of the present Members not being disturbed.

Year.	Number of Members—			To be elected.	Year in which Elected Members retire.
	To retire.				
	Old.	New.	Total.		
1879 ... ..	...	...	...	10	1882
1880	6	...	6	4	1882
				2	1885
1882	6	14	20	18	1885
1884	6	...	6	2	1888
1885 ... ..	...	20	20	6	1888
				14	1891
1886	6	...	6	6	1891
1888	6	14	20	20	1894
1891 ... ..	...	20	20	20	1897

NOTES.—Where any province is divided, the present members are to elect which portion they will sit for; if all five select the same portion, the one latest elected to be allotted to the other portion.

When a province is not divided, the latest elected member to elect which other province he will sit for.

The present members being thus allotted, the quota to make four to each province, to be filled up from the ten new members.

The members who at the elections of 1880, 1882, and 1885 poll the smallest number of votes relatively to the whole number recorded in the constituency for which they stand are to retire soonest. Should the relative numbers polled by two or more members be equal, the question as to priority of retirement to be decided by lot.

APPENDICES.

APPENDIX A.

COMPOSITION OF PRESENT SIX PROVINCES.

Provinces, &c.	Number of Electors.		Provinces, &c.	Number of Electors.	
	Freeholders rated at £25 and upwards; Leaseholders at £50 and upwards.	Freeholders and Leaseholders rated at £25 and upwards.		Freeholders rated at £25 and upwards; Leaseholders at £50 and upwards.	Freeholders and Leaseholders rated at £25 and upwards.
CENTRAL.			EASTERN.		
Melbourne	6,173	9,088	Comprising the Counties of—		
Collingwood	568	808	Rodney	1,193	1,949
Richmond	726	948	Moira	946	1,286
Fitzroy	2,333	2,786	Anglesey	394	630
Hotham	659	845	Delatite	744	898
Sandridge	309	406	Wonnongatta	242	298
Emerald Hill	1,112	1,797	Tanjil	1,015	1,378
St. Kilda	1,292	1,497	Buln Buln	309	456
Prahran	1,225	1,701	Bogong	1,277	1,621
Williamstown	351	505	Benambra	207	293
Caulfield (part of)	90	99	Dargo	185	226
Brighton (part of)	66	72	Craajingolong	40	50
Footscray (part of)	175	197	Tambo	178	255
Braybrook Shire (part of)	10	12			
Essendon and Flemington (part of)	155	192	Total	6,730	9,337
Jika Shire (part of)	38	44			
Heidelberg (part of)	15	19	SOUTH.		
Kew (part of)	88	105	Comprising the Counties of—		
Brunswick (part of)	31	36	Bourke (part of)	3,682	6,210
Hawthorn (part of)	174	210	Evelyn	313	439
			Mornington	1,148	1,248
Total	15,590	21,364	Total	5,143	7,897
WESTERN.			NORTH-WESTERN.		
Follett	230	247	Millewa	20	20
Dundas	770	833	Karkaroc	2	6
Normanby	787	911	Lowan	160	312
Villiers	1,307	1,862	Borong	865	1,549
Ripon	1,043	1,396	Tatchera	37	89
Hampden	359	421	Gladstone	1,207	1,606
Heytesbury	232	322	Kara Kara	618	1,079
			Gunbower	402	624
Total	4,728	5,992	Bendigo	3,259	4,436
			Talbot	3,390	4,179
			Dalhousie	1,500	2,250
			Total	11,460	16,150
SOUTH-WESTERN.			SUMMARY.		
Comprising the Counties of—			Central	15,590	21,364
Grenville	1,572	1,918	Western	4,728	5,992
Polwarth	517	614	South-Western	4,949	6,138
Grant	2,860	3,606	Eastern	6,730	9,337
			South	5,143	7,897
Total	4,949	6,138	North-Western	11,460	16,150
			Grand Total	48,600	66,878

APPENDIX B.

COMPOSITION OF PROPOSED TEN PROVINCES.

Province, &c.	Number of Electors.		Province, &c.	Number of Electors.	
	Freeholders rated at £25 and upwards; Leaseholders at £50 and upwards.	Freeholders and Leaseholders rated at £25 and upwards.		Freeholders rated at £25 and upwards; Leaseholders at £50 and upwards.	Freeholders and Leaseholders rated at £25 and upwards.
CENTRAL.					
Melbourne	6,173	9,088			
Fitzroy	2,333	2,786			
Collingwood	568	805			
Richmond	726	948			
Hotham	659	845			
Total	10,459	14,472			
SOUTH.					
Prahran	1,225	1,701			
Emerald Hill	1,112	1,797			
Sandridge	309	406			
Boroondara	162	185			
Kew	352	420			
Hawthorn	522	630			
Malvern	157	174			
Williamstown	351	505			
Footscray	234	264			
Essendon and Flemington	309	384			
Brunswick	313	362			
Wyndham (part of)	83	97			
Braybrook	104	170			
Keilor	68	73			
Coburg	92	131			
Jika	190	221			
Heidelberg (part of)	103	129			
Whittlesea (part of)	50	70			
Darebin	92	96			
Merriang	108	134			
Springfield	134	143			
Romsey	135	155			
Newham (part of)	103	116			
Gisborne	147	168			
Bacchus Marsh (part of)	158	190			
Ballan (part of)	114	123			
Total	6,727	8,844			
SOUTH-EASTERN.					
Counties of—					
Evelyn	313	639			
Mornington	1,148	1,278			
Municipalities of—					
Dandenong (part of)	246	260			
Moorabbin	281	307			
St. Kilda	1,292	1,497			
Brighton	396	432			
Caulfield	270	297			
Oakleigh	138	187			
Nunawading	191	196			
Bulleen (part of)	107	115			
Total	4,382	5,208			
WESTERN.					
Counties of—					
Dundas	770	833			
Follett	230	247			
Normanby	787	911			
Villiers	1,307	1,862			
Hampden	359	421			
Ripon	1,043	1,396			
Heytesbury	232	322			
Total	4,728	5,992			
SOUTH-WESTERN.					
Counties of—					
Grant	2,860	3,606			
Grenville	1,572	1,918			
Polwarth	517	614			
Total	4,949	6,138			
NORTH-WESTERN.					
Counties of—					
Millewa	20	20			
Lowan	160	312			
Borong	865	1,549			
Karkaroc	2	6			
Gladstone	1,207	1,606			
Kara Kara	618	1,079			
Tatchera	37	89			
Total	2,909	4,661			
EASTERN.					
Counties of—					
Buln Buln	309	456			
Tangil	1,015	1,378			
Dargo	185	235			
Tambo	178	255			
Croajingolong	40	50			
Wonnangatta	242	295			
Total	1,969	2,669			
NORTH-EASTERN.					
Counties of—					
Benambra	207	354			
Bogong	1,277	1,621			
Moira	946	1,286			
Delatite	744	898			
Anglesey	394	655			
Total	3,568	4,814			
NORTH CENTRAL.					
Counties of—					
Talbot	3,390	4,179			
Dalhousie	1,500	2,250			
Total	4,890	6,429			
NORTHERN.					
Counties of—					
Bendigo	3,259	4,436			
Gunbower	402	624			
Rodney	1,193	1,949			
Total	4,854	7,009			
SUMMARY.					
Central	10,459	14,472			
South	6,727	8,844			
South-Eastern	4,382	5,208			
Western	4,728	5,992			
South-Western	4,949	6,138			
North-Western	2,909	4,661			
Eastern	1,969	2,669			
North-Eastern	3,568	4,814			
North Central	4,890	6,429			
Northern	4,854	7,009			
Grand Total	49,435	66,236			

1878.

—
VICTORIA.

R E P O R T

OF THE

COMMITTEE OF THE LEGISLATIVE COUNCIL APPOINTED TO CONFER
WITH SIMILAR COMMITTEE OF LEGISLATIVE ASSEMBLY

ON THE SUBJECT OF THE

**REFORM OF THE CONSTITUTION,
AND CERTAIN BILLS.**

ORDERED BY THE COUNCIL TO BE PRINTED 29TH OCTOBER 1878.

By Authority:

JOHN FERRIS, GOVERNMENT PRINTER, MELBOURNE.

REPORT.

THE COMMITTEE appointed by Your Honorable House to confer with a similar Committee of the Legislative Assembly on the subject of the Reform of the Constitution, as discussed by both Houses during the present Session, has the honor to submit the following Report.

The two Committees have had three lengthy conferences, in the course of which the subject they were appointed to confer upon was discussed exhaustively and with the greatest freedom.

The following basis of negotiation was submitted and insisted on by the Committee representing the Assembly, as the condition precedent to any scheme of Reform being entertained, viz. :—

1. That the Annual Appropriation Bill should in no circumstances be rejected by the Council.
2. That definite legislative finality should be provided with respect to all other Bills.

On the other hand, your Committee refused to consider any proposal that implied any legislative inferiority in your Honorable House, and that was inconsistent with its independence. In these circumstances no further negotiations were possible.

Although your Committee were thus unable to accept the proposed basis of a project for Constitutional Reform, they desired to suggest some means of so dealing with the Appropriation Bill, in case it should contain disputed matter, as to relieve your Honorable House from the necessity of having recourse in defence of your legislative independence to the painful remedy of rejection. They therefore submitted two alternative proposals for the accomplishment of this object. These proposals, however, the Committee representing the Assembly did not entertain.

The proposals, with an introductory preface, were as follow :—

“ All political troubles arising out of dead-locks, as they have been experienced in Victoria, owe their origin to a perverted use of the Annual Appropriation Bill.

“ The use of that Bill, by the Assembly, as a means of coercion, has necessitated the exercise by the Council, in self-defence, of their power of veto under the 56th section of the Constitution Act.

“ The Council Committee admits that the exercise of that power is highly inconvenient, but contends that the Council ought not to have the alternative thrust upon them, *either*, of sanctioning, together with the supplies necessary for the usual and ordinary services of the year, some other matter foreign to the general scope and object of the Annual Appropriation Bill, as to which matter they might desire the opportunity of free discussion ; *or*, of rejecting such Bill, and thereby stopping the supplies, because it contains matter concerning which they might claim the right of independent voice and action.

“ Therefore the Committee of the Legislative Council suggest either of the following proposals, marked respectively A and B, as the basis of an enactment, which it considers would prevent the recurrence of similar dead-locks :—

A.—

1. “ Annual Appropriation Bill to contain grants for the usual and ordinary
“ services of the year, and for no other purpose, and not to contain
“ any matter foreign to such grants.
2. “ Council may, under a resolution passed by an absolute majority of
“ its members, inform the Assembly by Message that, in its opinion,
“ any grant recommended in any Message from the Governor ought
“ not to be contained in the Appropriation Bill.
3. “ If Assembly disagree with such Message, Council may request the
“ Governor to refer the matter to arbitration before the tribunal
“ hereinafter provided.
4. “ Pending such reference, the disputed grant to be in suspense, and the
“ Appropriation Bill to proceed in the usual way, the grant being
“ added thereto or not, according to the award.
5. “ Subject to Her Majesty’s permission and directions, the question,
“ whether such grant is or is not rightly included in the Appropriation
“ Bill, to be submitted in a case stated to two Governors of neigh-
“ boring colonies ; such Governors to appoint, if need be, a third
“ Governor as umpire, and the decision of any two to be binding.
6. “ In disputes between the two Houses on the construction of the
“ Constitution Act, or of any other Act affecting their respective
“ powers, either House may petition the Queen in Council.”

B.—

1. “ Annual Appropriation Bill to contain grants for the usual and
“ ordinary services of the year, and for no other purpose ; and not to
“ contain any matter foreign to such grants.
2. “ Council may, under a resolution passed by an absolute majority of
“ its members, inform the Assembly by Message that, in their
“ opinion, any grant recommended in a Message from the Governor
“ ought not to be contained in the Appropriation Bill.
3. “ If the Assembly disagree with such Message, the Appropriation Bill,
“ without such disputed grant, shall proceed in the usual way, and
“ the Assembly shall send to the Council the disputed grant in the
“ form of a separate Bill. If the disagreement between the two
“ Houses thereon continue, and if the Governor in consequence
“ thereof think fit to dissolve the Assembly, the Governor may at the
“ same time also dissolve the Council.
4. “ Effects of a dissolution of the Council to be similar to those of a
“ resignation of each member.
5. “ No dissolution of Council to take place within nine months of period
“ of legal expiration of Assembly.
6. “ Dissolution of Council, if it occur within nine months before the
“ periodical elections, to be in substitution for them : If it occur
“ within nine months after such elections, not to affect members then
“ returned.
7. “ On disputes between the Houses as to the construction of the Con-
“ stitution Act, or other Act affecting their respective powers, either
“ House may petition the Queen in Council.”

Your Committee have further to report, that the Bill for altering the Constitution of your Honorable House was brought under the notice of the Committee of the Assembly, and that they expressed their readiness to consider the Bill, if the conditions before-mentioned, formulated by that Committee, were first recognised.

Your Committee also further report that they urged the necessity of the constant presence in the Council of at least two, and if possible more, responsible ministers. They believe that such a rule, if it were habitually observed, would, as it has done in England, promote the harmonious working of the two Houses, would facilitate legislation and divide its labours, and would tend to prevent the danger of collision between the Houses, by transferring to the Cabinet in conformity with constitutional theory and usage the most numerous and the most serious causes of dispute.

At the final meeting of the Committees the Committee of the Assembly made the following proposition :—

“ That a short Bill be introduced for submitting the rival Reform Bills prepared in the Council and the Assembly with such amendments as either body may introduce to be accepted or rejected in their entirety by a poll of all qualified electors, the result of such a poll to be considered final, and to be carried into law by both Houses.”

Your Committee however did not consider that this proposition was of a character to induce them to prolong the Conference.

CHARLES SLADEN,
ROBERT S. ANDERSON,
W. E. HEARN.

1878.
—
VICTORIA.

LEGISLATIVE COUNCIL.

FIRST REPORT

OF THE

PRINTING COMMITTEE.

LAI'D UPON THE COUNCIL TABLE BY THE HONORABLE N. BLACK, AND ORDERED BY THE COUNCIL
TO BE PRINTED, 13TH NOVEMBER, 1878.

By Authority:
JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

R E P O R T .

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

Title of Paper.	When moved for and by whom.	When laid on Council Table.	By Command.	Reports and Remarks of the Committee.
Mineral Statistics of Victoria, 1877	1878. 9th July	By Command	No order made.
Mining Surveyors and Registrars—Report of— Quarter ending 31st March, 1878	"	"	"
Ballarat Juvenile Industrial Exhibition.—Further Despatch from the Right Honorable the Secretary of State (with Enclosure) (5th March, 1878)	"	"	"
New Hebrides—Protectorate of.—Circular Despatch from the Right Honorable the Secretary of State (with Enclosures) (28th February, 1878)	"	"	"
Telegraph Line Duplication—Report of Conference (May, 1878)	"	"	"
Jika Reformatory.—Report of Board, 1878	"	"	"
Indian Famine Relief Fund—Despatch (8th May, 1878)	"	"	"
Correspondence respecting differences on Constitutional points between the two Houses of the Legislature of Victoria	"	"	"
Parliamentary Crisis.—Despatches from the Right Honorable the Secretary of State, 24th April and 30th April, 1878	"	"	"
Memoranda respecting proposed reinstatement of certain Officers of the Public Service, 11th April, 24th April, 6th May, 1878	"	"	"
Pilot Board—Accounts of—for Year ending 31st August, 1877	"	"	"
Post Office and Telegraph Department—Report—1877	"	"	"
Telegraph proposed between New Zealand and America.—Despatches.	"	"	"
Post Office Savings Bank.—Accounts for Year ending 31st December, 1877	"	"	"
Public Accounts—Regulations (1st April, 1878; 8th April, 1878; 24th June, 1878)	"	"
Friendly Societies Act 1877.—Regulations under 29th April, 1878	"	"
Land Act 1869.—Regulations under sec. 110, prescribing Form of License to be issued	16th July	By Command	"
Land Act 1869.—Regulations as to Fee for Re-license under Part II.	"	"	"
Land Act 1869.—Regulation under sec. 110, respecting cutting Timber	"	"	"
Discipline Act 1870.—Additional Regulation (24th June, 1878)	"	"	"
Statistical Register of the Colony of Victoria, 1877— Part I.—Blue Book Part II.—Population Part III.—Finance, &c.	23rd July	"	"
Friendly Societies—Statistics of—for 1876	"	"	"
University of Melbourne—Report of—for Year ending 31st May, 1878	"	"	"
Penal Establishments and Gaols.—Report (1877)	"	"	"
Lunatic Asylums and Hospitals for Insane.—Report (1877)	"	"	"
Intercolonial Telegraphic Messages.—Order in Council, 3rd June, 1878	"	"	"
Friendly Societies Act 1877—Regulation under (2nd July 1878)	"	"
Education Act, No. 447.—Amended Regulations.—Salaries of Teachers. To take effect from 1st August, 1878	"	"
Education Act, No. 447.—Regulation.—Examination and Classification of Teachers, 8th April, 1878	"	"
Mining on certain Reserved Lands, Sandhurst—Order in Council (8th July, 1878)	24th July	... ..	"
Public Works Loan Act 1872, No. 428— Statement of Expenditure during year ending June, 1878 Estimate of Expenditure during year ending June, 1879	31st July	... ..	"
Land Act 1869.—Regulations under 110th section—Prescribing Fee for authority to issue Treasurer's Receipts (26th July, 1878)	6th August	By Command	"
Schedule D to Act 18 & 19 Vict. cap. 55—Statement of Expenditure under, during Year 1877-8	7th August	"	"
Parliamentary Crisis.—Further Despatch from the Right Honorable the Secretary of State (13th May, 1878)	"	"	"

Title of Paper.	When moved for and by whom.	When laid on Council Table.	By Command.	Report and Remarks of the Committee.
Phyloxera Vastatrix—Report of Inspectors of Vineyards (12th June, 1878)	1878. 7th August	By Command	No order made.
Maldon—Mining Operations authorized on Excepted Lands at—Order in Council (18th July, 1878)	"	"
Penal Establishments—Report of Inspector-General of, on Management of Prisons in Great Britain and Ireland, Europe, and America	13th August	By Command	"
Press Messages.—Rates chargeable on, in Victoria—Order in Council (5th August, 1878)	"	"	"
Victorian Water Supply.—Application of Moneys during Year ending 30th June, 1878, out of Loan Acts 428 and 531	"	"
Supreme Court.—Regula Generalis (10th August, 1878)	14th August	... ..	"
Library, Public Museums, and National Gallery.—Report of Trustees for Financial Year 1876-7	20th August	By Command	"
Mines.—Report of Chief Inspector of, for Year 1877	"	"	"
Industrial and Reformatory Schools—Report of Inspector of, on working of Institutions in Great Britain and Ireland, and in America	"	"	"
Public Account.—Marine Survey Accounts.—Regulation (9th August, 1878)	27th August	... ..	"
Mining Surveyors and Registrars—Reports of—for Quarter ending 30th June, 1878	3rd Sept.	By Command	"
Lunatic Asylums—Return of Inspector of Lunatic Asylums (23rd July, 1878)	"	"
Education Report for Year 1877-8	4th Sept.	... ..	"
Telegraphic Messages between certain Border Towns in Victoria and New South Wales—(Order in Council, 5th September 1878)	11th Sept.	By Command	"
Statistical Register of Victoria, 1877, Part IV.—Production	17th Sept.	"	"
Statistical Register of the Colony of Victoria, 1877—Part V.—Vital Statistics	24th Sept.	"	"
Echuca Bridge.—Royal Commission—Reports of ... Industrial and Reformatory Schools—Report of Inspector for Year 1877	1st October	... ..	"
Land Act 1869.—Regulations for removal of Bark from Wattle Trees on Crown Lands.—Order in Council (30th September, 1878)	15th October	By Command	"
Maldon Police and Public Recreation Reserves—Revocation of Order in Council authorizing Mining Operations on—Order in Council (7th October, 1878)	"	"
Australian Steam Postal Service.—Amended Advertisement.—Forms of Tender and Conditions for (10th October, 1878)	22nd October	By Command	"
Yan Yean Supply.—Cash Statement and Balance-sheet for Year ending 30th June, 1878	"	"
Statistical Register of Colony of Victoria, 1877—Part VI.—Accumulation	"	By Command	"
Observatory—Thirteenth Report of Board of Visitors Closed Roads—Progress Report of Royal Commission (19th October, 1878)	29th October	"	"
Fisheries Act 1873.—Notice of Close Season for Schnapper (30th September, 1878)	"	"
Savings Banks—Statements and Returns for Year ending 30th June, 1878	"	"
Imports consumed in Victoria—Returns, showing Value of—for Years 1870 to 1877	30th October	By Command	"
Telegraphic Communication <i>via</i> Java—Despatches from Right Honorable the Secretary of State, with Enclosures (to May, 1878)	31st October	"	"
Aborigines—Fourteenth Report of Board for Protection of	6th Nov.	"	"
Victorian Railways—Estimate of Expenditure to be incurred by Board of Land and Works during the Year ending 30th June, 1879.—Railway Station at Melbourne, £75,000	12th Nov.	... ..	"

NIEL BLACK,
Chairman.

Committee Rooms,
Parliament House,
Melbourne, 13th November, 1878.

1878.
VICTORIA.

REPORT

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON

FREE PASSES BY RAILWAYS;

TOGETHER WITH

THE PROCEEDINGS OF COMMITTEE, MINUTES OF EVIDENCE,
AND APPENDICES.

ORDERED BY THE COUNCIL TO BE PRINTED, 21st NOVEMBER, 1878.

By Authority:

JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

EXTRACTED FROM THE MINUTES.

TUESDAY, 29TH OCTOBER, 1878.

FREE PASSES BY RAILWAYS.—The Honorable A. Fraser, in accordance with *amended* notice, moved, That a Committee of seven Members be appointed for the purpose of enquiring into the mode of issuing free passes by the Railway department, and to ascertain the number issued during the last fifteen months, the names of those to whom they were issued, the purposes for which they were issued, the extent of the time in which they could be used ; with power to call for persons and papers, and to sit on days the House is not sitting.

Debate ensued.

Question—put and passed.

The Honorable A. Fraser moved, That the following be the Members of the Committee, viz., the Honorables R. D. Reid, J. A. Wallace, W. Highett, T. J. Sumner, F. Robertson, F. T. Sargood, and the Mover.

Question—put and passed.

THURSDAY, 21ST NOVEMBER, 1878.

FREE PASSES BY RAILWAYS.—The Honorable A. Fraser brought up the Report of the Select Committee appointed on the 29th ultimo, “to enquire into the mode of issuing of Free Passes by the Railway Department, and to ascertain the number issued during the last fifteen months, the names of those to whom they were issued, the purposes for which they were issued, the extent of time in which they could be used ; with power to call for persons and papers, and to sit on days the House is not sitting ;” and moved—That the Report be printed, together with the evidence taken, and appendices.

Question—put and passed.

REPORT.

THE SELECT COMMITTEE appointed by your Honorable House on the 29th October, 1878, to inquire into the mode of issuing Free Passes by the Railway Department, &c., have the honor to present the following Report :—

1. They have held several meetings, and examined the Secretary for Railways, three subordinate officers of the Permanent Staff, and two other witnesses, whose evidence is submitted herewith.

2. From the facts disclosed, your Committee have come to the conclusion that there is a laxity and want of arrangement about the Free Pass system which evidently requires amendment by an improved departmental supervision and more strictly defined responsibility.

ALEX. FRASER,
Chairman.

Committee-room, Parliament Houses,
Melbourne, 21st November, 1878.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 31ST OCTOBER, 1878.

Members present:

The Hon. A. Fraser	|	The Hon. J. A. Wallace
	The Hon. R. D. Reid.	

The Hon. A. Fraser was appointed Chairman.

Committee deliberated.

The Clerk was instructed to summon Messrs. Labertouche and Macartney, of the Railway Department, for examination at next meeting.

The Committee adjourned until two p.m., next day.

FRIDAY, 1ST NOVEMBER, 1878.

Members present:

The Hon. A. FRASER, in the chair ;		
The Hon. R. D. Reid	|	The Hon. T. J. Sumner
W. Highett		J. A. Wallace.

Mr. P. P. Labertouche, Secretary for Railways, was called in and examined.

He produced schedules of persons to whom free passes had been issued ; also, a list of the names of persons authorized to issue free passes for ostensibly political purposes.

Mr. George Macartney, clerk in Railway Department, was called in and examined.

Committee adjourned until half-past three p.m. on Wednesday, the 6th inst.

WEDNESDAY, 6TH NOVEMBER, 1878.

Members present :

The Hon. A. FRASER, in the chair ;		
The Hon. R. D. Reid	|	The Hon. W. Highett.

Mr. P. P. Labertouche was called in and further examined.

Witness handed in return printed as appendix A.

Mr. G. Macartney was called in and further examined.

He handed in return printed as appendix B.

Mr. G. W. Lilley, clerk in Railway Department, was called in and examined.

Clerk directed to summon Mr. G. T. A. Lavator, Railway Department, for next meeting.

The Committee adjourned until half-past three p.m. next day.

THURSDAY, 7TH NOVEMBER, 1878.

Members present:

The Hon. A. FRASER, in the chair ;		
The Hon. T. J. Sumner	|	The Hon. J. A. Wallace
	The Hon. W. Highett.	

Mr. G. T. A. Lavator, Accountant in Railway Department, was called in and examined.

Committee adjourned until half-past three p.m. on Tuesday next.

TUESDAY, 12TH NOVEMBER, 1878.

Members present:

The Hon. A. FRASER, in the chair ;		
The Hon. F. T. Sargood	|	The Hon. J. A. Wallace

Clerk directed to summon Mr. S. Irwin, Manager of Australasian Press Agency, for examination at next meeting.
The Committee adjourned until half-past two p.m. on Wednesday, 13th inst.

WEDNESDAY, 13TH NOVEMBER, 1878.

Members present:

The Hon. A. FRASER, in the chair ;		
The Hon. W. Highett	|	The Hon. J. A. Wallace
F. Robertson		T. J. Sumner.
R. D. Reid		

Mr. Samuel Irwin, Manager of Australasian Press Agency, was called in and examined.
The Committee adjourned until half-past three p.m. on Friday, 15th inst.

FRIDAY, 15TH NOVEMBER, 1878.

Members present:

The Hon. A. Fraser.

No quorum.—Meeting lapsed.

TUESDAY, 19TH NOVEMBER, 1878.

Members present:

The Hon. A. FRASER, in the chair ;

The Hon. R. D. Reid
J. A. Wallace

The Hon. T. J. Sumner
W. Highett.

Mr. P. P. Labertouche was called in and further examined.

Mr. Dallas was called in and examined.

Mr. Samuel Irwin was called in and further examined.

Committee adjourned.

THURSDAY, 21ST NOVEMBER, 1878.

Members present:

The Hon. A. FRASER, in the chair ;

The Hon. W. Highett

The Hon. T. J. Sumner.

The Hon. J. A. Wallace.

The Chairman submitted Draft Report, which was considered and adopted.
Chairman directed to report same to the House.

P.P. Labertouche,
Esq.,
continued,
1st Nov. 1878.

21. Are you preparing a return?—Yes, two men are on it now; they will be upon it till it is finally completed, and that is the reason some of those answers are in pencil. I have brought as much as they had done.

22. *By the Hon. the Chairman.*—Have you got a copy of the motion made by me three or four months ago?—Yes, I have a copy of it here.

23. My inquiry did not relate to such a long time?—There is a copy of your motion—[*handing a paper to the Chairman*].

24. This is a motion that I made upon the 16th of July, asking for that return that has never been furnished yet—but you say it is being prepared—showing the number of free passes issued from the Railway Department from the 1st day of July, 1877, and the present date, that is the 16th July?—It would be fifteen months to the present time.

25. The return you say is not completed?—It is not completed yet.

26. *By the Hon. W. Highett.*—How long will it take to complete the return, do you suppose?—The chief clerk says he has been going into it all this morning; he went over the whole sheet, and he reports this morning—“The return required by Mr. Fraser’s motion will not be complete for a month or five weeks. The information asked for is, however, nearly complete from the 1st July, 1877, to the 30th June 1878.” That is the chief clerk’s report to me to-day.

27. *By the Hon. the Chairman.*—Can it be placed upon the table of the House next week?—Not fully. It will not be completed for a month or five weeks. He says, with a very small exception which I could have completed I think in a few days, I could have the return completed up to the 30th June, 1878,—within a week I should say. There is only one portion of it, I understand, still to be transcribed from the book-register from my own office. It is all in that register, but it has to be transcribed upon that form, and that is the only thing that would prevent its being laid upon the table to the 30th of June.

28. *By the Hon. T. J. Sumner.*—A large sum of money is represented as not paid, that ought to have been paid—how is that dealt with in the Railway Department?—It never was actually earned. It is only an imaginary amount created by mileage.

29. Is it not credited as passengers, and written off on the other side?—No.

30. Then, this is only given in answer to the question of Mr. Fraser, as to the expense?—Yes; to show what the nominal value of the passes would have been.

31. *By the Hon. the Chairman.*—To show that, if the parties had paid their fares, it would have been such a sum?—Yes.

32. *By the Hon. J. A. Wallace.*—Do I understand that the department did not give credit for those returns?—You do. They do not take credit in any shape or form.

33. *By the Hon. T. J. Sumner.*—That informs Mr. Fraser that the amount of money that would have been charged was not charged?—That requires some explanation. A large proportion of all the passes are given to the *employés* upon the line upon duty—that is service. So that nothing really could have been earned out of them in any way, so I could not say that money would have been realized.

34. But it surely shows that the money would have been available if they all had paid?—Quite so—errors and omissions excepted, because some of those passes have to be calculated simply for going from station to station, and we can only guess at the distance for which that pass was made available.

35. *By the Hon. J. A. Wallace.*—If the Post Office, or any other department sent an order to the Railway Department for a certain number of free passes, are the free passes not charged against the department?—Yes, they are, except in the case of the Post Office, with whom there is a special agreement, but the Police and the Penal Department, and all others pay us monthly for every person we carry. For instance, there—[*producing the sheets*]—are the returns for the Post Office.

36. *By the Hon. R. D. Reid.*—Can you tell us the exact number of men or passes that were given at the time of the first election?—I cannot; but it is all in that sheet. I have not made any extracts, because those are things I am not supposed to know anything about what the passes were for.

37. The principal thing the Committee want to see, is the exact number at the two elections?—Yes.

38. How are you to distinguish?—There is a column showing the purpose for which issued.

39. *By the Hon. the Chairman.*—I see here there is a number of these passes have been issued to “Bearer”?—Yes.

40. What is the meaning of that?—That was done to free them at the second period from Ballarat or elsewhere to Maryborough—“Commissioner’s order not known”—I have got the Commissioner’s order for that; that is my warrant for so doing.

41. And you know nothing about the names of the parties?—Nothing.

42. Is this the first commencement of “Bearers”?—I think so, because I think in the other sheet the names are all given. Then there was a second batch given out to “Bearers,” so far as we know; we do not know the names.

43. *By the Hon. T. J. Sumner.*—It says, “not known”?—Not known who they are.

44. You have no reason to believe it was done for political purposes in any way?—That I cannot say.

45. You do not know?—I do not; I do not know the purpose.

46. *By the Hon. the Chairman.*—I find in this sheet eleven are issued to “Bearer”; is that the first election?—Yes; and the second election is there too. I think the second election was all “Bearers.” I will find it out in a moment for you on turning over the pages. Here they are—[*pointing them out*]. I recognize them.

47. In the first election there were eleven?—Yes. There are forty-seven in number at the second election.

48. To “Bearer”?—To “Bearer.”

49. Without any name whatever?—No name whatever—“Bearer.”

50. *By the Hon. T. J. Sumner.*—I should like to understand explicitly whether those applications of “Bearer” were made to you directly, or did they come to you with any warrant. I mean, had you any general instructions to issue—or any of your subordinates to issue—free passes to any person who might apply for a free pass on the plea of coming up to a general election?—Yes; in this case I have not the smallest hesitation in saying that all those passes that were issued to “Bearer” were done so direct by the Commissioner’s special order.

51. In what form did that order appear before you?—It may have been verbal, as nine-tenths of the Minister’s orders are to me; verbal, or I may have had a written paper for it.

52. Was it generally by letter, or paper, or by his own mouth?—By his own mouth.

53. *By the Hon. the Chairman.*—Have you a copy of any of those letters or papers?—No, I have not. I may in some cases have such papers, but nine out of ten orders to me by the Commissioner are verbal, and I issue instructions to Mr. Macartney, or some one else, to set to work and carry out his view.

54. *By the Hon. T. J. Sumner.*—Do you mean that he introduces each “Bearer” to you individually and says, “Give this man a pass”?—No.

55. *By the Hon. the Chairman.*—“These passes were issued blank with a view to facilitate persons recording their votes at the West Melbourne election. The distance travelled is assumed to be 100 miles each way, and the value is computed accordingly”?—Yes, that is the memorandum I directed to be put on. There is no question nor doubt about it, that it was to attend the West Melbourne election.

56. *By the Hon. T. J. Sumner.*—To whom were those blank tickets entrusted?—That I am not in a position to answer.

57. You do not know?—I do not know.

58. *By the Hon. the Chairman.*—It appears that these blank passes that are referred to here were not issued by Mr. Macartney?—No. I remember that that is a special case. This is beyond the 44 that we counted; this is another lot, and they ought to be added to the 44.

59. What number is there there?—[*The witness counted the same*].—There are 26 further passes.

60. *By the Hon. R. D. Reid.*—To attend the second election or the first?—The second election—April the 9th it was.

61. *By the Hon. the Chairman.*—The mileage for those passes is 2000 miles?—Yes. That is only roughly computed at 100 miles each way.

62. *By the Hon. T. J. Sumner.*—Have you any knowledge personally of who had the distribution of those blank passes?—I have not.

63. Did they go through your hands in any way?—I do not suppose I saw one of them.

64. *By the Hon. the Chairman.*—Did they go from Mr. Macartney to the Commissioner of Railways, or whom did they go to from his hands?—They went from Mr. Macartney in all the other cases but this lot. The second lot of blank passes, twenty-six, Mr. Macartney had nothing to do with, I think.

65. *By the Hon. T. J. Sumner.*—Can you tell us the course of application of any of the three lots of blank passes?—With regard to the passes issued for the second election, numbered from 5224 to 5249 inclusive, and from 501 to 521 inclusive, that is one set; we will call that set A.

66. Those were all issued to “Bearer”?—Those were all issued to “Bearer”; but you must bear in mind that there are descriptions of where from and where to, and in that they differ from the other batch that I am going to describe. I wish to draw a distinction between those.

67. This batch A are issued with specific distinctions?—Yes.

68. *By the Hon. the Chairman.*—The others have no distinctions at all?—No particulars at all were given. I will give you the numbers of the second lot: passes 539 to 564 no particulars whatever are given.

69. *By the Hon. the Chairman.*—Is there any officer of the department that knows anything about the parties to whom these passes were issued?—I am quite sure that there is not. I am almost positive that nobody knows.

70. Can Mr. Macartney give us that information?—You will have an opportunity of asking him immediately, but I think you will find that he cannot.

71. I see on this sheet several names of persons to whom four or five passes were given?—If you will allow me to look at it, I may be able to give you some information about it.

72. There is Mr. White, four passes, Mr. MacLean, three passes?—I will tell you how that is. By an arrangement with the Public Works Department we were to issue passes which were paid for afterwards by the Public Works Department.

73. *By the Hon. T. J. Sumner.*—It is setting Peter to pay Paul?—Yes it is; but this was a special case. A party was sent down to Geelong, and the Public Works, to give facilities to these men to see their families, got three passes for each man in the month, and they repaid us that amount of money afterwards. We had to give it in that particular shape to them.

74. Cannot this return be prepared sooner than a month?—I would put on fifty clerks if I saw my way to working the thing, but in putting on men to a progressive thing like this, you can only put on a certain number of men. I have two men now on, and they are working as hard as they can at it, and I fear I should spoil the thing if I put on more; they would get it mixed up; but the chief clerk has every reason, he says, to think that he can have it done within a month. It is a very voluminous thing, but it is the calculations. Heretofore they never went into the computation of either mileage or money, they simply abstracted the block of the book, and it made a very great difference in transcribing. Those returns are usually made annually. I see that the very day that I got the Minister's authority to employ the first clerk, I wrote to him, and he was at work the next morning.

75. *By the Hon. the Chairman.*—Those returns will not be required for you?—I do not think that we require them except to take the additions of the money. Mr. Macartney will be better able to tell you that when he comes in.

76. Are we to understand that, from the 8th of January to the 29th of June, the value of these free passes seems to be £9711 10s. 6d?—Possibly you have only got one branch of it.—[*The witness inspected the return.*].—It represents a good deal more than that; it is about £16,000 in round numbers. That embraces the whole of the officers. For instance, my own pass is calculated at £104 10s. Here is a long list of them, which are merely nominal passes; those are passes to members of the Executive Council, for instance.

77. But the passes we want to get at, are the passes issued for political purposes?—It is part of the 819; you can get the value of the three lots we have picked out, the one in January and the other in March, very soon. I could almost make an abstract of those here at the table, if you like. If you will let me remove that part of the return, I will leave the others if you wish it till a day in next week, when the Committee will meet; I will give you an abstract of those passes and their value—those issued ostensibly for political purposes.

78. Will you be good enough to prepare it for our meeting on Wednesday next? Is there any other clerk in the department that has any authority with reference to the issuing of passes?—Sometimes a senior clerk has to make up one and get it signed by me, or someone else if I am away from the office, but this is generally the only person through whom the passes that you want to know about would pass.

P.P. Labertouche,
Esq.,
continued,
1st Nov. 1878.

79. *By the Hon. J. T. Sumner.*—You see what the Committee require: can you help us to conclusion by adding anything that has not been asked about?—I do not know that I could. I see that the Committee wish to arrive at a knowledge of what passes were issued in relation to the West Melbourne election. I lay before them the list of passes issued, and then they ask—“By whose authority?” I answer—“All by the Commissioner’s authority. As to some, we have information as to where they came from and other information, and with regard to a particular batch of them we have no information; the Commissioner alone can give such information.”

80. You say “in reference to the West Melbourne election;” can you remember how they got that nomenclature?—No, only from general knowledge.

81. Then you are not justified in making a return under that head?—No; I could not swear that the passes were issued to any person in connection with the West Melbourne election.

82. Can you account for how they are put in the return as for that purpose?—I am not at all sure that it is so.

83. Yes it is distinctly so. There must be some reason or some motive for it?—It does say “the West Melbourne election.” “The passes were issued blank with a view to facilitate *employés* recording their votes at the West Melbourne election. The distance travelled is assumed to be 100 miles each way, and the value is computed accordingly.” That explanation was put on by my directions. I must have had some reason to know that that was so.

84. That is put down in an official document as being a fact. I want you to sustain the fact, if you can possibly do so, by your own evidence as to who did it?—I could not say at the present moment what influenced me to put those words as knowing that they were for that purpose.

85. You acted under the impression rather than by direction?—Yes, I acted under impression.

86. Not by direction?—No, not by direction. I have no reason to believe that I got any direction in the matter.

87. Your opinion is that what is written there is correct?—Yes. I should not have written that, if I had not had good reason to believe it.

88. Still it is only your opinion, you may have been wrong?—It must have been my opinion, because I did not grant them myself. I only heard of them incidentally afterwards.

89. Did it happen that you said to the Commissioner, “Shall I put down these *in re* North Melbourne election?”—I do not recollect that I had any conversation with him upon the subject.

90. You did not consult him upon how you should enter it?—No; I do not remember any conversation.

91. It was merely your private memorandum?—This memorandum was put on long subsequently, when the clerk came to me and said “What shall I put down under these blank passes?” and I put that down.

92. It was your own impression alone?—Yes.

93. *By the Hon. the Chairman.*—Were any of those passes posted to any of those parties who were in a distant part of the country—who were electors in the West Melbourne election?—I do not know. I have no means of knowing.

94. *By the Hon. T. J. Sumner.*—And you have said already that you do not know anything of the agency for the distribution of those passes?—I do not.

The witness withdrew.

George Macartney, Esq., examined.

G. Macartney,
Esq.,
1st Nov. 1878.

95. *By the Hon. the Chairman.*—You are the officer whose duty it is to issue free passes from the Railway Department?—Yes, under the secretary’s instructions.

96. *By the Hon. T. J. Sumner.*—In what part of the department are you?—The secretary’s office.

97. Second clerk?—I am next to the chief clerk.

98. *By the Hon. the Chairman.*—Upon whose instructions do you act with reference to issuing those passes?—Under the secretary’s and chief clerk’s—he comes between the secretary and myself; if the chief clerk gives me instructions to issue a pass, I issue it.

99. Do you take instructions to issue free passes from any one else but the secretary?—Yes, the chief clerk.

100. What is his name?—Mr. Lilley.

101. Do you remember the elections that took place for West Melbourne some short time ago?—Yes.

102. Was there a number of passes applied for during that contest?—There were many passes.

103. And where were they applied for from—from the country?—They were applied for—some for journeys from the country stations and, I think, others were issued in blank; that is, we could not say exactly—we could not ascertain where the persons for whom they were issued were coming from.

104. They were issued in blank—they must have been sent to some one?—The passes were issued by me.

105. In blank?—And the chief clerk I think issued some.

106. To whom were the blank passes delivered—were they delivered to agents or to the parties?—Some were handed to members of Parliament and I think some were handed to the Commissioner.

107. Then have you any opportunity of ascertaining by reference to the books to whom they were delivered?—I think the butts will show some to members of Parliament.

108. Could you say to whom they were delivered?—Not all of them.

109. Some of them?—Yes; some of them, I think.

110. *By the Hon. the Chairman.*—Could you from memory tell us the names of those to whom they were delivered, or would you rather wait till Wednesday and say from the books?—I would rather wait till Wednesday.

111. Did you ever issue upon your own authority a pass—have you power to do so?—I have power under the general instructions I receive.

112. *By the Hon. T. J. Sumner.*—If a case comes under your notice that is within the general instructions, you feel yourself warranted in issuing a pass?—Yes.

113. *By the Hon. the Chairman.*—Did you issue many passes upon your own decision in the matter during those contested elections?—No.

114. Yourself?—No, none; I always had special instructions for any pass that I issued of the kind referred to.

115. *By the Hon. T. J. Sumner.*—In fact, you were too wise to risk your reputation as a public officer by taking any political action whatever?—I never issue a pass without I am satisfied that there is proper authority for it.

116. In political matters you would require instructions for it?—Yes; anything outside the general instructions.

117. *By the Hon. the Chairman.*—At the time of these contested elections, was there a great rush for free passes?—There was not a great rush.

118. Were there many applications for them?—I suppose we might have issued over a hundred.

119. *By the Hon. T. J. Sumner.*—To 100 people, or to one applicant?—I think not to one applicant, I speak of the number in the aggregate.

120. *By the Hon. the Chairman.*—I suppose you have issued a good number of these to one person as an agent—an electioneering agent for a certain candidate?—There was no one person so far as I am aware that could be described as an agent whom I gave passes to.

121. *By the Hon. T. J. Sumner.*—But you say that, by reference to your butts, you can possibly ascertain it—not the whole, but there are many instances of persons to whom a good many of those blank passes have been delivered?—I think so.

122. And then the responsibility would rest not upon you, but upon the person who receives them? When a pass leaves my hands I know nothing more about it.

123. *By the Hon. the Chairman.*—But among those to whom passes were sent were Members of Parliament?—Yes.

124. A good number?—I do not think there were many.

125. *By the Hon. the Chairman.*—Had you anything to do with the preparation of that return?—I gave some instructions for the preparation of it.

126. Mr. Labertouche said he could have it ready up to June in eight or ten days?—That is the completed twelvemonths—yes.

127. *By the Hon. T. J. Sumner.*—Did you supervise the preparation of that return?—Not closely.

128. Has it passed through your hands?—No.

129. Do you know the nature of it?—Yes.

130. Can you explain to the Committee the meaning of the passes being issued for the purpose of attending or *in re* the West Melbourne election—why was that term used—it is put down there in broad letters?—May I look at this—[*The witness looked at the memorandum in the return referred to*]—Yes, I see there are about thirty-three passes in a string said to be issued connected with the West Melbourne election.

131. Can you tell us why that appears in the public books, under what authority?—Until I saw the butts of those passes, I would rather not give an opinion.

132. Can you understand why a return is sent up in that form to the Committee?—I cannot say.

133. You do not know?—No.

134. Can you ascertain that and tell us at the next meeting of the Committee?—Yes.

135. You see the expression is there, and it should not be, unless there is a good warrant for saying that the department had issued tickets for political purposes?—I see what you mean.

136. Is it a matter of supposition by the clerks, or direction by the responsible Minister?—My opinion is that that would not appear there, unless there was warrant for it.

137. And you can find that warrant, if such warrant exists?—I believe I can.

The witness withdrew.

Ordered that this Committee be adjourned to Wednesday next at half-past three o'clock.

WEDNESDAY, 6TH NOVEMBER, 1878.

Members present:

The Hon. A. FRASER, in the chair;

The Hon. R. D. Reid

The Hon. W. Highett.

P. P. Labertouche, Esq., further examined.

138. *By the Hon. the Chairman.*—You told us the other day that instructions were given verbally by the Commissioner of Railways to issue the passes?—Which passes do you mean—do you mean generally passes to *employés*? P.P. Labertouche,
Esq.,
6th Nov. 1878.

139. No. I mean free passes to parties outside the department—outside the *employés* of the Government?—I do not think it must be assumed that any of those free passes issued for elections have been issued to persons outside of the department. On the contrary, I shall, I think, show that every pass, as far as we have been able to go through them, was issued to enable persons inside the department to attend the elections.

140. Then how does it happen that you told us that passes were issued to “Bearer”?—Yes; but those “Bearers” may be all in the department, and so far as I know they are, and I think the evidence you will get to day from Mr. MacCartney will show you that, in a large proportion of cases—I do not think I have time to go through them all, but as far as I went and have been able to ascertain from other sources—they were all in the service of the department.

141. *By the Hon. W. Highett.*—Were, or had been?—No, were at the time. I have no reason to think that passes were given to any person outside the department.

142. *By the Hon. the Chairman.*—Then no pass was given to any person outside the department in connection with those elections?—I would not undertake to say that out of the thousands of passes that

F. P. Labertouche
Esq.,
continued.
6th Nov. 1878.

are issued; I have no personal knowledge of the persons to whom they go; but I am speaking of the particular lots that were issued at a particular period, and that we had every reason to believe were given in connection with the West Melbourne election, and we selected out of those three or four lots.

143. And those refer simply to *employés*?—So far as I firmly believe they every one were given to *employés* of the department.

144. And to none other?—No, so far as I know; but as to those passes that went out given by Mr. Woods in blank—as to which we do not know where from or where to—it is impossible to say who received them.

145. Or who used them?—Or who used them; but I have every reason to believe that they were issued to and for the use of *employés* in the department not named at the time.

146. Can you say what number of blank passes were issued to “Bearer”?—I think only the last lot, but I can speak from the records themselves, if you will allow me to get them from the next room.—[*The witness produced the same.*]—We identified certain lots here the other day in relation to which we were to make special inquiry, and we have made it. This—[*pointing to a place in the return*]—was a particular lot that were taken out of the book without any record of who they were, where they went to, or where they went from.

147. Nor who used them?—Nor who used them. In all the other previous cases chapter and verse was given—name of the *employé* and everything else; but this lot—539 to 568—are the only ones in relation to the particulars, all the others you have in the return; but I have every reason to believe even this lot were given to *employés* whose names had not then been ascertained. This is the return for which you asked me the other day—[*producing a paper*].—Nos. 5028 to 5060 have the names, and Mr. Macartney has gone through them, and ascertained by reference to other branches that those men were actually all in the service of the department. That is the only one he could get, for all the rest were given to “Bearer.”

148. So that you cannot ascertain whom they were given to?—No, not the names of the parties; but Mr. Macartney will show you from the block books that, as far as we can ascertain, they were given for distribution to *employés* in the department through a certain man whom Mr. Macartney will tell you of; and that they were *employés* in the department. In this case we have ascertained that, as a matter of fact, for there we have the names.

149. Were they all made use of by the *employés*?—We have every reason to believe so.

150. Did they use them to travel?—We cannot say.

151. Or did they give them away?—It is utterly impossible to say that; we cannot ascertain it.

152. There is no way of ascertaining?—There is no way of ascertaining who used them.

153. Those passes were issued blank, with a view to facilitate *employés* recording their votes at the West Melbourne election. The distance travelled is assumed to be 100 miles each way, and the value is calculated accordingly?—That is my memorandum, written at my dictation, and the only thing I should have inserted there is, “I had reason to believe.” I have stated it rather there as a fact than as a matter of belief.

154. Did you have any order from the Commissioner of Railways to issue passes to any one except *employés*?—Certainly not; I had no general order for that purpose. I might have had. Sometimes he gives away a pass for various reasons not connected with politics at all, charity, or something of that sort, but if they got an order, I should have either written it down myself, or told the issuing clerk to enter it in the book, that it is by the Commissioner’s order.

155. *By the Hon. R. D. Reid.*—Is it usual at election times to issue those passes—at any elections?—Yes. As far as the elections go there is an old order. I have a copy of it here. I think it was issued in Mr. Jones’s time in relation to it. May 3rd, 1877, an order issued by the traffic manager, and which I know from other papers here emanated from Mr. Jones, the then Commissioner of Railways, and it runs to this effect—“All *employés* requiring leave of absence to record their votes on the 11th instant are required to apply at once, that arrangements may be made, if possible, to relieve them from duty.—(Signed)—JOHN ANDERSON, Assistant Traffic Manager.” It has always been the case whenever an election takes place, and it has been more than once. It is provided for in the Civil Service Regulations that every one shall have an opportunity of recording his vote; but in the department it is always understood that every man who can be spared from duty on the day shall have the right to get a certain time to go and register his vote.

156. *By the Hon. W. Highett.*—Have you taken out the number of passes issued in blank?—Yes, it is all recited in the return I have laid before the Committee. The last item, I may say, is the item in which they are utterly blank, like a coin, almost transferable. In the other cases we have some information in regard to them.

157. *By the Hon. the Chairman.*—Has it not been the custom to issue passes to gentlemen who have served in the Government service as Ministers of the Crown or any other department, and after retiring from the service, resigning or otherwise, they retain the right of having a pass when they want it?—That order did for many years apply to members of the Executive Council, and it was only revoked a few months ago.

158. Upon what occasion was it revoked?—I cannot say, but in the Legislative Assembly there was a question raised upon the subject. I really forget the particulars of it now, but I know, upon the following day, I got an order from the Commissioner to revoke those passes, and they were revoked accordingly.

159. Those passes were issued to members of the Executive Council who had been Ministers of the Crown formerly. They were still members of the Executive Council?—Yes, and I know that there have been some Ministers who have ceased to be members of the Executive, and I may add that not all the Ministers enjoyed a pass, but only those who chose to apply for it.

160. They had a right to apply?—Yes.

161. And that right is now taken away?—Entirely taken away.

162. From every one?—From every one of the ex-Ministers.

163. Who gave the occasion that gave reason to withdraw that privilege?—I cannot tax my memory with that.

164. There must have been some one guilty—some Executive Councillor guilty of something wrong before this was withdrawn from all. I should like you to give us the name of the Executive Councillor that was guilty?—By reference to the *Hansard* I could find it. I could state the date of withdrawal from our books, and then I could turn to *Hansard*,* but that is all that I can get at it by; but I forget what it

* *Hansard*, page 2272.

was that gave rise to a passage of arms in the House that resulted in the withdrawal of all the passes. I P.P. Labertouche
remember one member's name was introduced into it—I do not say it was the prime cause of it—Mr. Mac-
Dermott. His name was introduced into that debate, but really I cannot tell on whose name it started. Esq.,
continued,
6th Nov. 1873.

165. What use was made of it by that gentleman when it brought the punishment upon all to withdraw it?—I do not say he did it. I only say his name was introduced into it.

166. You cannot say what was the cause?—I do not recollect.

167. Is there any standing order in your department that certain gentlemen can get passes if they apply for them—not Executive Councillors, but others?—Now you tax my memory. I must think over it; it is a wide range. I do not think, excepting the press, that there are any person or persons or class of persons who have a right to demand passes. The press, as you are aware, is privileged; it is an enormous thing. The returns are here, and without wishing them any harm, I wish it could be curtailed or diminished. It is a very serious item, but I do not know that any other class of persons than the press have any right.

168. So that those free passes that were issued to "Bearer" in that book were issued to, you know not who, to make use of?—I know not who made use of them, and it is only an impression upon my mind that they were issued for the use of *employés*, but I have no means of knowing.

169. If they were issued to *employés*, why were they not issued in the usual way?—I can understand perfectly well. We will suppose that there is some person interested in the West Melbourne election in promoting the views of certain candidates; he knows that there are a certain number of persons in the department, but he does not know what particular men can be spared, or are upon the electors' roll. The difficulty is to identify our list of *employés* with the names upon the electors' roll, and he would not be prepared at the moment to say what man could leave his work or could get away to vote at the election. That is the only way I can account for it, but as I had nothing to do with the issuing of them, I cannot say that that is the reason. I think they were left blank, because they could not say what man could get away to make use of the pass.

170. Were they positive that they would be used by the *employés*?—I could not say that.

171. So that those who received them could give them to any person whom they thought proper?—Of course, nominally a pass is not transferable, but of course our porters cannot identify John Smith who is named in the pass.

172. If they were in blank, and to the "Bearer," there could be no memorandum of that description upon them?—When they left the office, there was no such thing upon them.

173. When the Commissioner of Railways gave you instructions verbally to issue a number of passes, did he give you the names of those to whom they were to be issued?—Not always. This is information you asked from Mr. Macartney, and it has been mentioned by Mr. Macartney to me in conversation, that you did ask it. I will tell you what I know about it. Mr. Woods might say, "Give so-and-so," naming a man—a political agent or anything else, no matter who—"give him ten passes upon the names he will give you." If he gives me the names, they are recorded in the book, and the ten passes are made out in those names and given to the man. In some cases, there were written orders from the Commissioner for it. In other cases, orders written from the Commissioner's dictation in my handwriting for them.

174. Was not a great number of passes issued at the Warrnambool election time?—Is that the last general election, or since that time, when Mr. Francis went in?

175. Mr. Francis's election?—I do not recollect a single pass, speaking from memory.

176. You know that was contested?—I know it was; but we are so far from Warrnambool, that I do not think our lines would be utilized in that case. Speaking from memory, I do not recollect a single pass for Warrnambool.

177. *By the Hon. W. Highett.*—Were any issued in blank upon that occasion?—No; that only occurred upon this one occasion, that they were issued in blank.

178. *By the Hon. the Chairman.*—In all contested elections, during the last twelve months, the gentleman that was favored by the Government was favored by passes to his friends—is that the case?—Not that I am aware of. I do not recollect any cases where passes have been sought after or looked for, save and except in relation to the two West Melbourne elections.

179. Were any passes, at those two elections, issued to members of Parliament?—You mean for distribution?

180. Yes, for distribution?—I could not say. I do not know. Our books and returns might show it; but I could not from my own knowledge and memory say that.

181. An immense number of passes, issued to "Bearer" and in blank, were issued to gentlemen that made use of them?—They are presumed to have made use of them.

182. They could not make use of them for their own travelling?—I do not suppose so; they could only use the one.

183. Was the department aware to whom they were to give them. For instance, a member of Parliament receives a large number of passes at the time of an election, the department does not know to whom he gives them, or is to give them?—No, I presume that is left to his discretion, if they are given *in globo* like that; but I do not remember any case in which they were given *in globo* in that way. I wish to mark that return, if you please, the last line, to distinguish it from all the others. That is the only case in which they were entirely blank. There were 29 of them—[*The witness pencilled the return accordingly*].

The witness withdrew.

George Macartney, Esq., further examined.

184. *By the Hon. the Chairman.*—You were going to prepare some return for us, have you done so?—Yes.—[*The witness produced and handed in the same.*]

185. What do those returns refer to?—What we call the West Melbourne election passes.

186. During that time?—During that time.

187. No time before and no time after?—No.

188. What is it you have got upon record there?—This gives the names of some of the men who got passes—our own *employés* some of them were, and others issued to "Bearer;" we cannot say who used the latter.

189. Who issued them?—Most of them were issued by me, under the orders attached here.

G. Macartney,
Esq.,
continued,
6th Nov. 1878.

190. To "Bearer"?—No, not to "Bearer;" some were handed to the Commissioner.
191. They were not handed to the parties that were to make use of them, and you say some were handed to the Commissioner?—Some were handed to the Commissioner.
192. They were in blank?—As regards the bearer's name and the station from whence he might come.
193. Could you tell us how many were issued that way?—I have a return here—[*The witness referred to the same*]—63.
194. *By the Hon. R. D. Reid.*—Is that the two elections or only one?—I have no record of when the West Melbourne election took place; but the dates of the passes extend from 5th to 10th April. I have some passes with stations upon them, but they are blank as regards the name of the person.
195. And 63 were issued in blank?—From various stations to Melbourne and back.
196. To be used by "Bearer," and were given to the Commissioner of Railways?—Most of them were given to the Commissioner of Railways, and others were handed to Mr. Dallas.
197. Who is he?—I cannot say. I really do not know for a fact who he is. I believe he is connected with some foundry in West Melbourne.
198. Could you tell us how many were issued to Mr. Dallas?—Twenty-six I have in one batch. Thirty I have altogether down to Mr. Dallas.
199. And he is employed in a foundry, you say?—I believe he is employed in connection with a foundry in West Melbourne. He is not connected with us in any way. Those were given to him by the Commissioner's order.
200. Were there any given to the Commissioner during the contested election for Warrnambool?—That I could not say at present. I confined myself to the West Melbourne election in compiling the return presented.
201. You could not say about that?—Not at present.
202. *By the Hon. W. Highett.*—Could you ascertain by referring to the returns?—If I were given the date of the election I could find out by the next day of meeting, I daresay.
203. *By the Hon. R. D. Reid.*—Is that the whole number issued at both elections, or only for one election?—I believe this covers both, but perhaps you can check it by the dates, January 30th to April 10th.
204. How many are there altogether, the whole of the passes—how many altogether were issued during that time, issued to "Bearer" merely?—Sixty-three second-class to "Bearer," to the Commissioner and Mr. Dallas, but there are others; that does not include the whole.
205. But the others were issued to *employés*?—Some *employés* and a few first-class ones were issued.
206. *By the Hon. the Chairman.*—You have no knowledge of who this Mr. Dallas is, except that he is employed in a foundry in West Melbourne?—That is all. I have seen him about the office. I have heard that he is employed in connection with a foundry.
207. *By the Hon. the Chairman.*—Did the Commissioner of Railways ever give you any verbal instructions with reference to those passes?—No.
208. He did not?—No.
209. Did he ever send you a memorandum in writing for them?—No, all the memorandums I have I have attached here; they are from the secretary.

The witness withdrew.

Mr. G. W. Lilley examined.

Mr. G. W. Lilley,
6th Nov. 1878.

210. *By the Hon. the Chairman.*—You are accountant in the Railway department?—No, chief clerk. I was in the accountant's office.
211. Are you acquainted with the whole of the passes that are issued from the department?—The total value in any one year?
212. The whole of those issued; suppose they are issued for Ararat, or any of those places at the time of the contested election for West Melbourne—you remember that?—I do.
213. Have you any record of the expense of the passes issued by the Railway department at that time?—I could not tell you the value of the passes, but I know a great number were issued at that time.
214. A great number?—A great number were issued at that time. I am not the issuing officer of the passes.
215. But you take account of the value of them, do not you?—No.
216. What have you to do with them?—I simply signed a certain number of them for the secretary. I signed the passes to enable them to be issued.
217. And they were no use without your signature?—No use without my signature or that of some other officer authorized to sign. There are only two officers in the secretary's branch, Mr. Macartney and myself, authorised to sign, with the exception of the secretary.
218. That is only three in the department that are authorised to sign free passes?—Three in the secretary's department—there are other branches.
219. Is there any other officer in any of the other departments who has power?—In the traffic branch two officers are authorised to sign—the traffic manager and his principal clerk, and occasionally a third for what they term "emergency passes," when the other two happen to be absent.
220. Can they make free passes available without any other signature but their own in the traffic manager's department?—The traffic manager as a rule would only issue passes to officers and men under him, the secretary has power to issue to anyone.
221. But the traffic manager has not?—The traffic manager has not, to the public generally.
222. It is only to the *employés* under him?—Yes, as a rule.
223. Did it come under your notice during that contest that passes were issued for others outside the department?—I am aware I signed passes issued to "Bearer," but I do not know by whom they were used.
224. And you did not know who was to use them?—I could not tell.
225. You did not inquire?—I did not inquire.
226. *By the Hon. W. Highett.*—Whom did you deliver the passes to?—One of the clerks in the office. I may say that when the pass return was being compiled, I took steps to ascertain by whom the passes were used. As some were issued to "Bearer," of course I could not possibly tell to whom

those were given, but when your return was called for, I addressed this note to the accountant, as he has the passes placed in his possession after collection at the various stations, and it could only be from the passes that the names or the stations they travelled to could be ascertained—"Will the accountant be good enough to send me all or any of my second-class free passes issued in April last, numbered from 539 to 564 inclusive.—G. W. L., for Secretary. 19/10/78." The accountant endorsed that note—"Sent to paper mills with collected tickets. 22/10/78." I may mention that it is no unusual thing for the passes to go to the paper mill; there are periodical clearances of the accountant's office, waste papers in fact, which are disposed of every two or three months, I think.

G. Macartney,
Esq.,
continued,
6th Nov. 1878.

227. Such passes as those in blank, the sooner they went there the better, I suppose?—I cannot say about that, but the steps referred to I took to endeavor to give the information required, if I could have found those passes, I might have been able to state to whom they were issued, and how far they travelled.

228. And they were destroyed?—I believe so.

The witness withdrew.

Ordered that this Committee be adjourned until to-morrow, at half-past three o'clock.

THURSDAY, 7th NOVEMBER, 1878.

Members present:

The Hon. A. FRASER, in the chair;

The Hon. T. J. Sumner

The Hon. J. A. Wallace.

G. T. A. Lavater, Esq., Accountant to the Railway Department, examined.

229. *By the Hon. the Chairman.*—What are your duties?—I have charge of the general accounts of the department, all the locomotive accounts, the work in connection with the Treasury, the payment of the whole of the staff, the audit of 150 stations, charge of the cash advances, charge of the stores, receipts and issue of stores, plant, and material; charge of all tickets and documents which have a money value on being issued, such as passes, tickets, and cloak room tickets; charge of parcels, stamps, and the issue of them, and, in general, the direction of the whole of the financial and account branches of the department and the stores branch. I have under me between sixty and seventy clerks beside the stations.

G. T. A. Lavater,
Esq.,
7th Nov. 1878.

230. Have you anything to do with the free passes issued by the Railway Department?—All that are collected are gathered together and are sent into my office into the Audit branch. They came in with the ordinary tickets.

231. They are sent into your office after they are used?—After they are used.

232. Not before?—No; I do not issue a single pass. I issue the pass books for the issue of passes and keep an account against each branch, but I issue none myself.

233. All those passes, after they are used, come into your office?—Yes, just like an ordinary ticket.

234. *By the Hon. J. A. Wallace.*—Does each pass show what it is for?—Each pass shows the name, the length of the journey that it is for, and if it is not signed by the proper person, or there is anything informal in the pass, I bring it under the notice of the secretary.

235. Do you put all the passes under the same head—"free passes"—the passes given by the department?—All are "free passes."

236. But the passes issued to the Police Department, for instance, are charged to that department?—The Postal Department is the only one that issues free passes. The Police Department give what is termed a "voucher" at the station; in return for that, they receive an ordinary railway ticket. But the Postal authorities issue free passes, and when they issue an undue number on any occasion, as they once did, I bring it under the notice of the secretary.

237. *By the Hon. the Chairman.*—I understand you to say that all passes issued are issued with the name of the individual that is to use them?—I would not say that all are so, but they generally specify somebody.

238. Did ever you see the passes issued in blank?—I have seen them issued to "Bearer," but never to my recollection issued blank. Of course I do not see them till after they are collected.

239. If they were issued in blank, they would be filled up before you would get them?—They would be.

240. They are issued, and come to you after they are used?—Yes.

241. And you have seen them filled up with the word "Bearer"?—Yes; I may say, that I do not see every one, nor yet one in a thousand that is returned. That work is done chiefly by lads, in the classification and sorting of all that comes in. An elder one is in charge of the work, and if there is anything amiss—if the collections are badly made, or there is anything about the tickets or passes that is abnormal, he takes it to the head of the room who brings it to me, and I take action upon it if I think fit, so that I do not see every ticket, although they nominally come in to me. I do not see every one, for it is the work of five or six to check them, and only boys' work.

242. Do you know the value of all the passes issued to "Bearer"?—No, we never calculate the value.

243. *By the Hon. J. A. Wallace.*—You do not keep the distances for each pass?—No.

244. *By the Hon. the Chairman.*—Is it not part of the revenue of the department?—No, not a free pass.

245. It would be, if it were not a free pass?—Yes; we calculate the value of every ticket.

246. What is the loss to the revenue in those tickets?—We have never calculated that. We calculate every ticket in order to protect the revenue but where a pass has the signature of the Minister, or secretary, or anyone authorised to issue passes, I do not observe that.

G. T. A. Lavater,
Esq.,
continued,
7th Nov. 1878.

247. Who are the officers in the department authorised to issue free passes?—There are the secretary (or, in his absence, the chief clerk), the traffic manager, the engineer-in-chief, and the engineer for construction, and the engineer for maintenance. In extraordinary cases the stationmaster at Melbourne would issue in the absence of the traffic manager, or Mr. Barter, the principal clerk; also, in such cases, the stationmaster at any station upon the line; but he would point out the circumstances of the case to the traffic manager. Perhaps he would give a free pass to a man to go to the hospital after an accident, or to send a man down the line to repair, or to an attendant upon stock, and seek authority afterwards, so long as he felt he was acting within the limits of his authority.

248. *By the Hon. T. J. Sumner.*—The stationmaster would use a discretion in that case?—Yes, he is thrown often upon his own authority and responsibility. He may be 150 miles from his chief and the telegraphic communication may be broken, or the case may be an urgent one.

249. *By the Hon. the Chairman.*—You remember the contested elections for West Melbourne in February last and April last?—I do not recollect the dates, but I remember the elections very well indeed.

250. Are you aware whether a number of free passes were issued for a number of parties who thought proper to apply for them in connection with that election?—The only thing I recollect is, that free passes were sent up the line to persons who belonged to the department and who were electors for West Melbourne. They were men that asked for leave to come down to vote, and passes were given for that purpose.

251. They were *employés* of the department?—Yes.

252. Not to any others?—Not to my knowledge. It was not brought under my notice. I did not see any of them.

253. Are you aware whether some free passes were issued to members of Parliament for distribution?—I do not know, indeed.

254. *By the Hon. T. J. Sumner.*—You do not know in such cases where the *employés* were brought down to vote at the election, if the wages for the day were paid?—I believe we always do that in every case if a man has a vote at an election. He can obtain leave by asking, and his pay is not stopped.

255. There is no discrimination at all, if a man is a voter, which way he votes?—I never knew any discrimination to be made.

256. You have not had the opportunity of knowing, perhaps?—No; I only know that, whenever a man has asked for leave to go and vote, he has never been refused, and a free pass has been sent to him.

257. Do you know—(I do not want your opinion)—do you know if a number of those free passes or passes to “Bearer” were delivered to certain individuals, or were they distributed to each person who had to make use of them?—I could not say. I do not see them before they are used at all. I issue the books. For instance, the secretary will say to me, “Give me a first-class pass-book and a second-class pass-book.” I issue them to him out of stock, and I never see them again till they are used.

258. Suppose a requisition for 23 passes is made out, to whom are they delivered?—I do not know.

259. Are you aware whether there is any evidence as to whom they were handed?—I do not know.

260. It is not possible that 20 or 30 or 40 passes were issued and given to political partisans?—I cannot say it is not possible, for anything is possible, but my office has no means of knowing.

261. Do you know whether it is the practice or not?—I do not know. In my office we know nothing of it. I never knew it to be the practice.

262. *By the Hon. the Chairman.*—Even when they came before you, you would not know who issued them?—Yes, I would know that, because they are signed by an officer in addition to the secretary’s printed signature at the bottom.

263. *By the Hon. T. J. Sumner.*—But even then, you could not ascertain the direction they were used in, or the purpose?—I know nothing at all about the purpose they were used for. As long as the pass is purely formal and there is nothing about it calling for any remark, I pass it.

264. *By the Hon. J. A. Wallace.*—Your passes are generally from Williamstown to Footscray, here to Ballarat, or here to Beechworth, to and from?—Yes; for instance, a pass to say yourself would be filled in thus—“Mr. J. A. Wallace, Melbourne to Beechworth, one return journey, or from all stations to all stations, for one month.” If he is a visitor, it states in the body of the pass the time it is to last; and, if a general pass, it says from all stations to all stations; or if it is particular, it will name the stations. If it is for a length of time between those stations, it will say so, and if it is for one return journey, it will say so.

265. *By the Hon. the Chairman.*—Are there any individuals that have been formerly members of the Ministry, or members of any department of the Government that have a right to get a pass, if they thought proper to ask for it, where they are not in office; that is, are you aware of any orders or any instructions with reference to executive councillors?—Orders came over to my office some time ago that the executive councillors’ passes were to be discontinued. I recollect that being the case. There is an order I believe in my office to that effect.

266. *By the Hon. T. J. Sumner.*—Mr. Fraser’s question is, has it been the custom to allow executive councillors free passes in virtue of their official character?—Every executive councillor, until a comparatively short time ago, carried a free pass. It was sent to him yearly.

267. *By the Hon. the Chairman.*—And he always held it?—Till a short time back, and then a change was made.

268. Can you recollect the reason of that change?—I cannot; the reason was never given to me.

269. Can you recollect who was stopped at that time from having a free pass as an executive councillor?—I recollect seeing something of it in the paper, but I do not remember it clearly now. It dwells in my mind, that there was some person who was the occasion of it. I recollect there was something about it in the Parliamentary news I was reading, but I remember nothing more. The instructions given to me were simply, that executive councillors’ passes were discontinued, and then my instructions were to see that they were returned.

270. *By the Hon. T. J. Sumner.*—You say they were discontinued—if they had not the passes how could they use them?—We withdrew them; they were sent in to my office.

271. They were recalled?—They were recalled.

272. *By the Hon. the Chairman.*—But there was a reason for doing that?—That I could not say. I do not know of any departmental reason. At any rate, I do not suppose, that even now, if an executive councillor not in office wanted a free pass and went and asked for one, that it would be refused. I have no reason to think it would be, but there was some reason for their withdrawal. I do not know what it was.

G. T. A. Lavater,
Esq.,
continued.
7th Nov. 1878.

273. You are aware, that at that time a certain executive councillor had notice to return his free pass?—I think the whole of them had notice. There was a general notice I think upon the subject.

274. And that general order was from the Commissioner of Railways?—I got that from the secretary, for the secretary is the medium of communication between the Minister and all the other branches. Mr. Labertouche was speaking to me to day upon the subject, and asked me if I could produce any of the old collected passes. Of course the accumulation of tickets and passes in the course of a few months is immense, and I could not possibly find them. I keep about three months' passes and tickets back, in order to settle any disputes that may arise, and after that I send them to the paper mills, and I send a man to see them put into the pulping vats. We get about £4 a ton for them.

275. *By the Hon. T. J. Sumner.*—Can you, in certain cases, issue those passes yourself?—In an emergency case, I might issue one for the secretary, but never otherwise; and for this reason, that I am the person that has the check upon their collection. That is the reason I do not issue free passes, for if there is anything wrong in the issue, it might be upon one of my issuing, or some one might be unkind enough to say so.

276. The Committee wish to be informed upon the mode of issuing those checks—can you tell us how those passes to "Bearer" are issued in quantity?—I cannot.

277. Who is the motive power in it? Is it the Minister primarily, or is it in the option of the secretary? I do not speak of an emergency case up the country; but take one case, narrow it down to one thing to find out whether the tickets were issued for political purposes—who was the motive power in issuing the tickets for the introduction of voters to West Melbourne?—The only thing that I can say is, that I really know nothing about it personally in any way. Of course I have heard—you understand there is plenty of hearsay evidence to be got in all these cases, but that you do not want from me.

278. *By the Hon. W. Highett.*—You say that there is such a large number of passes issued, that it is impossible you could keep them?—I always could keep the passes, but after they have been once used, they would be of no further value, and I put them with the tickets.

279. As they take up so much room at the end of three months, what is the number of free passes issued?—Free passes alone would not occupy much room, but I classify them with the tickets. A ticket is only another form of a pass. One is paid for, and the other is not. In three months we should have as much as would fill three feet of this room half-way up to the ceiling.

280. *By the Hon. J. A. Wallace.*—Supposing there is a great number of free passes issued upon one particular day, there is no one in the department who would take upon himself to issue them, except the Minister, in large quantities?—The secretary could issue as many as he pleases, and so could the traffic manager. Of course it is to be supposed that they would exercise proper discretion; if not, they are liable to be called to account for it, but there is no limit to their powers in the matter.

281. *By the Hon. the Chairman.*—If they have that power, they could reduce the revenue of the Railway Department very considerably, if the thought proper?—No doubt, and if Mr. Labertouche were not honest, or were inclined to be unfaithful to his trust, he could reduce the revenue some thousands a year.

282. *By the Hon. T. J. Sumner.*—In what way?—By issuing free passes. He might give them to all his friends and acquaintances, and I could never question it. I once questioned the issue by the Postal Department; it was on a Melbourne Cup day—not the last Cup day, but the last but one. The Postal Department issued free passes to the course for 47 operators and 11 messengers upon duty, and I brought it under the notice of the secretary, but he pointed out that, as we had given the Post Office power to issue the passes, and as the passes were duly vouched for as upon duty when returned to me, we could not go behind it.

283. Is there any statement you would like to make yourself upon the matter. You know now generally, from the questions that have been asked you, what is the object of the inquiry?—Yes, I see plainly now that the object of the inquiry is to see what number of tickets were issued in connection with the West Melbourne elections, and in what manner they were issued.

284. Yes, and generally in regard to political purposes?—I have heard lots of things said, but I know nothing of it myself.

285. *By the Hon. J. A. Wallace.*—Can you put the Committee in any way upon the proper track to find out the information?—Have they not been able to make it up for you in the return upon the table? I know that the list has been made out, and I have given every facility in my power to get every block in the place.

286. *By the Hon. the Chairman.*—The return that was asked for in the Council is not yet ready, and Mr. Labertouche says it will take a week or ten days yet?—I may point out that it is not always necessary for a free pass to be upon a free pass form.

287. It is not?—No, a written pass will be accepted, if it is signed by proper authority. I have received lots of written passes for the stonebreakers; the inspectors wrote them out. The breakers were sent down to Lethbridge, and they were to have passes when they knocked off work and a pass to go down. This was at the time of the unemployed. Those were just written upon a piece of paper thus, "Pass 12 men." Now you would not get those in the return, because there is no block to copy from.

288. *By the Hon. the Chairman.*—Passes for the West Melbourne elections are what we want?—Mr. Labertouche could write "Pass bearer—P.P.L." upon a card, and he might issue a hundred that way and you would never see them in the return. I do not know that such a thing has been done—occasional written passes have been given, but there is no record of them. Stationmasters occasionally give a written pass upon an ordinary memo. form.

The witness withdrew.

Ordered—That this Committee be adjourned.

WEDNESDAY, 13TH NOVEMBER 1878.

Members present:

The Hon. A. FRASER, in the chair ;

The Hon. W. Highett
F. Robertson
R. D. Reid

The Hon. J. A. Wallace
T. J. Sumner,

Mr. Samuel Irwin examined.

Mr. Irwin,
13th Nov. 1878.

289. *By the Hon. the Chairman.*—What are you?—At present a newspaper correspondent.

290. What were you some few months ago?—Up to January last I was clerk in the secretary's office in the Railway Department.

291. What position did you hold there?—When I was originally appointed, I was private secretary to the commissioner, Mr. Gillies, and occupied my spare time in general correspondence. I was the same to Mr. Jones.

292. When you left, what were your duties then?—Part of them was in my spare time, beyond private secretary, to fill up passes and to do general correspondence.

293. For whom was that correspondence?—The general correspondence of the whole department centres there, and I assisted in doing it.

294. Who gave you instructions?—The secretary for the time being, Mr. Steavenson at first, and Mr. Labertouche subsequently.

295. While you were there you assisted in issuing free passes?—Yes.

296. What was the nature of the instructions to issue free passes when you were there?—They were nearly all verbal. It was a sort of tradition in the office, that certain passes to the press and others, visitors, &c., should be issued, and now and then special instructions came from the Commissioner for the time being in writing.

297. The Commissioner for the time being?—Yes; gave special instructions in writing to issue a pass to so and so.

298. Whom was that sent to—to you?—It was sent in by a messenger, and in the absence of the clerk who was there to issue passes, I myself issued the pass on the Commissioner's order.

299. Who was the clerk you referred to?—Mr. Macartney.

300. He was the proper clerk appointed to issue free passes?—In saying that I issued them, I mean that he had signed them. He would leave me twenty or thirty in blank, and I filled them up under instructions.

301. Those free passes that passed through your hands, whom were they issued to—the bulk of them?—To all sorts of people.

302. How were they issued first of all?—The same as filling a cheque. There was the butt and the pass itself.

303. Were they issued in blank or to "Bearer"?—Sometimes they were issued in blank.

304. No name at all?—Not a single name.

305. Were many issued in that way?—Not very many; but sometimes they were. I issued some.

306. During the time you were there, before you left, during the contested elections, how many do you think were issued in that way—100?—The West Melbourne elections were since I left; but I have known some issued in blank, and the passes to this day have never come in. I may explain to the Committee that before I went into the department, having been upon the press, and having to manage my own business, having heard that the Railway department was conducted upon commercial principles, when I went in I was astonished at the way things were done. There was a laxity that I would not tolerate in my own business, and it was a hobby of mine that was noted among the people there to point out the irregularity. I initiated a system as to the amount given to the press—the amount of money that the press got every year. I initiated that with the sanction of the late secretary, Mr. Steavenson, to show how absurd it was.

307. *By the Hon. J. A. Wallace.*—You mean, to classify all the passes?—Nearly all. I had other things to do; but I had a general notion of all the business, and not only that, but how they are issued in other branches too. Since I got the summons this morning, I have classified down here a lot of passes—with the permission of the Committee, I will read them.

308. Certainly, we shall be glad to hear them?—There are carriers' passes.

309. *By the Hon. R. D. Reid.*—Who was Minister of Railways at the time those passes were issued that you talk about?—The one is really as bad as another. The fact is, when one Minister comes in he makes an order and that becomes a precedent to his successors, and his successors improve upon it, and so on till the precedents absolutely become a violation of the law.

310. But under which particular Minister was it that you speak of the passes being issued in blank?—Mr. Woods.

311. *By the Hon. the Chairman.*—Mr. Woods was Minister?—Yes, in that case not his present occupancy of office—the previous one.

312. *By the Hon. R. D. Reid.*—Has this been a regular thing with all the Ministers?—Yes, others have done the same, not in my time, but I have heard of it, in talking of these things; the documents are there.

313. *By the Hon. J. A. Wallace.*—Have you any idea of the value of the free passes issued in a year?—Keeping inside the value, about £55,000 a year.

314. *By the Hon. the Chairman.*—I want to know if you can separate the value of those that are for *employés* of the Government and those that are issued to friends of the Ministry, or of any members of Parliament—can you make any division in that?—No, but if you have got your twelve months' return I could very soon do it. I cannot do it from memory, but I would take half of that as given to the public.

315. You think half of that is given to the public?—Yes, absolutely given.

316. And the other half to *employés* of the department?—Yes, but under circumstances that the Committee, if they had the return analysed, would be somewhat surprised at.

317. Are you not one of the unfortunates of Black Wednesday?—I am, but I am not giving my evidence in any way influenced by that fact. I was dismissed on the 24th January last.
318. *By the Hon. J. A. Wallace.*—You say about £55,000 are given, and one-half of that is for the public?—Yes.
319. That is a rough guess?—Yes, unless by analysis, I could scarcely tell.
320. I suppose part of the money would be charged to the different departments, or is that free passes entirely not charged against any department?—There is not one penny given as railway revenue, or charged to a single person in existence. It is an absolute free gift.
321. *By the Hon. R. D. Reid.*—Does not that include the Post Office?—No, I give outside that. The Post Office is a very small item.
322. We are told it is a very large item?—Pardon me, it is not, indeed. Will the Committee excuse me—I think, in the returns that are about to come in for the twelve months, there are items that you have not got a full return of.
323. *By the Hon. the Chairman.*—We expect that in the course of two or three days?—I heard that it had been dispatched. If you had them at hand here, I could point out the items.
324. *By the Hon. the Chairman.*—Have you any other information to offer?—I was about to say something, but, in the absence of returns, it may be better not. I know every particle of the substance of those returns, and I fear they will be incomplete.
325. You know you have made no mistake in the value of those for the *employés* and those for the public?—I think not; but the value of the total money earned by the railways and not paid in is £75,000 a year—that is taking everything into account.
326. *By the Hon. T. J. Sumner.*—I thought you said £55,000?—Yes, but this takes in everything. There is no return in the world for portion of that, and it is given to everybody that asks, or, at any rate, with very slight restriction.
327. *By the Hon. the Chairman.*—It is like throwing that amount of money into the Yarra?—Exactly.
328. *By the Hon. J. A. Wallace.*—Who are the parties generally that have the power of giving passes?—There are two or three in nearly every branch—Mr. Jackson and Mr. Mirks, both at Williams-town, and in the locomotive office at Spencer street.
329. Have they power to issue passes to the public?—No, to *employés* and visitors; and in fact the question of visitors' passes alone would deserve a committee of itself—nearly everybody is a visitor.
330. *By the Hon. the Chairman.*—Did you ever have a gentleman of the name of Dallas call for passes at your office?—No; I know Mr. Dallas personally; he never called during my time, but I have seen him get a pass from Mr. Woods himself for the railway opening to Portland.
331. What is he?—He is the manager of the Victoria Rolling Mills, West Melbourne, and might, I believe, have been member for West Melbourne, had he liked.
332. A foundry?—No; the Victoria Rolling Mills, at the corner of Dudley street.
333. He was a man that was highly favored with the department for giving free passes, was not he?—Not in my time. I never saw him more favored than other people. He got passes for the opening of railways like other people, but not more than they did.
334. Just look at these papers—[*handing two papers to the witness*]. Can you give us any information upon them. Those are returns from the department handed in by Mr. Macartney?—Yes. I know the writing. I knew who it was.
335. Those are not the papers you would like to see?—No; I wanted the returns themselves. I do not want to dispute the accuracy of those, but, knowing the writer of that, whatever it is, it is perfectly correct; this other I would not like to say, but if I had the documents upon the table I would show the Committee the operation of the whole thing; at such time as the Committee wish to examine me, if they will get the ordinary visitors' book—the list of passes issued to visitors are all recorded in that book—you would get a good deal of information upon the general question. I do not mean in reference to the West Melbourne election.
336. Is that book in the possession of Mr. Labertouche?—It is in the secretary's office.
337. *By the Hon. J. A. Wallace.*—You mean to say, that all the visitors who have free passes are in the visitors' book in the butts?—No, there is no butt for them; they are the same as an ordinary annual pass. They have visitors' and annual passes different colors with leather backs, the same as the monthlies upon the Hobson's Bay line.
338. Do you mean to say that there are annual passes as well as free passes?—Yes. Mr. Bagot has an annual pass, and I cannot tell for any earthly reason why.
339. *By the Hon. W. Highett.*—Do you know of any other?—Really I cannot tax my memory without the books. Give me the books and I will explain the whole to you.
340. *By the Hon. the Chairman.*—What books do you want?—The book containing the list of annual passes.
341. Is not there a great deal of difference between that and the day passes?—Yes, and if you ask for the butts of the last month, first and second class, you will get much more information.
342. *By the Hon. R. D. Reid.*—Is not it the custom to grant free passes to visitors in the other colonies upon the railways?—I believe it is.
343. And to the same extent?—I do not think so.
344. *By the Hon. the Chairman.*—Could you give us a clear understanding of the mode of issuing passes in the Railway department—what is the mode of issuing them?—I can tell if I take the pains to go back a good while, to find on what authority they were issued. Save the written authority from time to time, when a precedent is made by the Commissioner, I never could find any written authority for issuing a single pass. It is all "It is the rule." When I used to ask a question, I was informed, "It is the rule." I have gone away back in the old butts for years, and got covered with dust in one of the old rooms, to find out, and I only could find out one that I remember at the moment—Mr. Heales's reporter. There is no written authority for it, or a single thing about it—it is the rule, and the rule is growing so wide, that it will embrace the whole department.
345. *By the Hon. F. Robertson.*—Did you notice any increase in the passes after Mr. Woods took office?—I cannot say that, but the railways are increasing, and they must increase with the extension of the railways.

Mr. Irwin,
continued,
13th Nov. 1878.

346. *By the Hon. the Chairman.*—If you were asked to issue a pass when you were in the department, would you not inquire upon what authority you were to issue it—what would you say?—If the application was for a press pass, or any of those passes which are granted on certain written applications, I would fill in a pass at once. If there was anything irregular or uncommon in the application, I would refer the matter to my next senior officer who might be most accessible, and act on his verbal or other order. In the case of press passes, for instance, the application of the editor or proprietor was complied with as a matter of course, when the object of the journey and its duration were stated.

347. From whom?—The editor of the newspaper.

348. What authority have they?—It is the rule, that is all I can say.

349. What do you mean by the rule?—The rule of the department that those passes are to be given on such application. When I went into the department it was the rule to issue those upon the application of the editor or proprietor, and it is so yet.

350. They must have been issued upon the authority of some one?—Yes; but I could never get at that authority.

351. *By the Hon. T. J. Sumner.*—Were those passes by the year, or upon special cases?—A special pass for each case—for instance, a reporter goes to Ballarat, and he gets a pass there and back. The only passes issued to the press annually are, I believe, for a war reporter and three shipping reporters in Melbourne.

352. They extend simply to the day?—Yes, or rather the occasion or event; all the press passes are issued simply for the single trip for some specific purpose, that must be mentioned in the application by the editor or proprietor.

353. *By the Hon. J. A. Wallace.*—There are other annual passes besides those for the press, are there not?—Yes, several.

354. What class of people are they given to?—The permanent heads of all the other departments. For instance Mr. Turner of the Post Office and Mr. Archer—I really do not know who are their successors, but they and Mr. Skene and some others get them.

355. *By the Hon. the Chairman.*—Could they give a pass to any person they thought proper?—No; they get annual passes for themselves, and the principal officers of the Hobson's Bay Railway have annual passes for which they return the compliment by sending passes to the members of the Ministry, and the principal officers of the Victorian Railways.

356. *By the Hon. J. A. Wallace.*—And the carriers?—Yes, the carriers and their accountants have passes all over the lines; and the Deniliquin and Moama directors have originally for the main line, but now I believe for all the lines.

357. *By the Hon. the Chairman.*—Did ever you know a large number of passes to be issued at one time?—Not personally, but I have heard of it.

358. On certain particular occasions, such as a very heavy contested election in some part of the country?—No, I must honestly say I have never seen that done. The only thing I ever understood about elections was, that all the servants of the railway, wherever they might be, were to have every facility given to vote consistent with the discharge of the business of the department, and to have passes given to them irrespective of what their opinions might be.

359. *By the Hon. R. D. Reid.*—That was done under every Government?—Yes.

360. Could not the officers of the department explain the return as well as yourself?—I must respectfully inform the honorable members that they could not; that there is not an officer of the department that can show it as well as I can.

361. Up to a certain time?—Yes, I can explain it better than any officer in the Victorian Railways. I made it a special study.

The witness withdrew.

Ordered—That this Committee be adjourned to Friday next at half-past three o'clock.

TUESDAY, 19TH NOVEMBER, 1878.

Present:

The Hon. A. FRASER, in the chair;

The Hon. R. D. Reid
T. J. Sumner

The Hon. J. A. Wallace
W. Highett.

P. P. Labertouche, Esq., further examined.

P. P. Labertouche,
Esq.,
19th Nov. 1878.

362. *By the Hon. the Chairman.*—We have got some further returns here—does that complete all that you were asked for?—Yes; but up to the 30th June only.

363. Is that from all the branches up to that date?—From all the branches.

364. Do they give any further information than you gave already with reference to free passes issued during the time of the West Melbourne election?—No, I am sure they do not, because the returns that related to that period were all included in the previous bundle before you.

365. Then these are the utmost returns you can give up to the 30th June?—Yes. The returns are still being made for the subsequent months in accordance with the order of the House.

366. Have you the book where the visitors' passes are entered in?—Yes. I have it here, in accordance with your request.—[*The witness handed in the same.*]—That is the one for the current year—I can give the preceding ones.

367. We have confined ourselves as closely as possible to the period of the West Melbourne election?—No visitors' passes could possibly be issued in connection with that.—[*The witness explained the book.*]

368. Can you tell us the object of issuing blank passes?—No; I cannot tell the object; but I can understand such a thing as their being issued in haste, or in ignorance of some of the requirements that are necessary as to filling up the passes, but I know no object.

369. What is the object of issuing a pass "To bearer"?—It may be, that it is not wished to disclose the name, or it may be that the name of the person going to travel on it is not known at the time, and that is quite consistent with the form of the pass. It is made "Not transferable," and if it is made "To bearer," any one can travel on it.

370. Then, if I got a pass "To bearer," I might hand it over to any person?—To any person.

371. Can you give us any information with reference to some passes issued to a man of the name of Dallas?—No, I cannot; but I believe he did get passes.

372. You know he did?—Yes, but I am quite sure I never handed any to him myself, and, therefore, I only speak of it from what I believe. The butts of the pass-book will no doubt show as to his getting them.

373. Did you give instructions for them to be handed to him by anybody else?—It is quite possible.

374. *By the Hon. T. J. Sumner.*—You have good reason to know he did receive them?—Yes, I have.

375. *By the Hon. the Chairman.*—During the time of that last election for West Melbourne, what number of passes was issued to Dallas?—I cannot say from memory. They are, no doubt, on record in the books. They never passed through my hands at all.

376. *By the Hon. T. J. Sumner.*—Are all the returns here which the Committee asked for, and which you promised to supply at our first meeting?—They are all now on the table before the Committee.

377. *By the Hon. the Chairman.*—I see that these passes—[referring to annual or visitors' passes]—are not signed at all?—No, they are in blank till I sign them.

378. Many are signed in print?—They are lithographed, but those are different from the ones you have in your hand.

379. All the passes of this description, viz., visitors' passes and annual passes, are signed by you?—Yes.

380. *By the Hon. T. J. Sumner.*—They are signed I suppose just the same way that Mr. Bagot signs the race tickets?—No, his are lithographed. In this case it must be an autograph signature to them.

381. *By the Hon. J. A. Wallace.*—Can you tell us how many annual passes are issued?—Very few have those.

382. *By the Hon. T. J. Sumner.*—I have seen passes signed in your hand writing, but evidently lithographed?—Yes, all the paper passes are done that way, but not the book passes.

383. Anybody getting possession of those blank passes might make use of them the same as a bank note?—Yes, they might, but it could only last for a certain time—for instance, the monthly passes.

384. If I had five or six of them, I could fill them up?—If you had five or six in blank, with my signature to them at the foot, and you put on the initials which require to be put on in the office, no doubt they would not be questioned by the porter.

385. Then in addition to your signature, do those passes require to be entered and initialled in a certain way in the office?—Yes.

386. *By the Hon. J. A. Wallace.*—What is the total number of annual passes issued in the present year?—Ninety-eight, including the Executive Council passes which were recalled.

387. How many of those were there?—Fourteen.

388. That leaves 84?—Yes, irrespective of Executive Councillors.

389. What is the cost of the annual passes?—£104 10s. a year.

390. *By the Hon. T. J. Sumner.*—You can go where you like over the lines for that?—Yes, they can be used all over any of the lines.

391. I see two styles of passes here—one with a green back and one with a roan back?—The green is the present annual pass and is only of value between the first of January and the 31st of December of one year. The color is changed each year.

392. Any one can travel anywhere he likes with that?—Yes, that is an annual pass.

393. Then there is the visitor's pass, which it appears is available for one month only—to what class of people does that apply?—It applies only to persons non-resident in the colony. I issue them to any member of the Legislature from any of the neighbouring colonies; to judges of any of the neighbouring colonies; to heads of departments acting immediately under ministers of the Crown in the neighbouring colonies, and to other illustrious or celebrated persons recommended for it.

394. Any person in office may recommend it without your discretion?—I am now speaking only of my own latitude; the Minister may go beyond that to any extent if he likes.

395. Then a man of influence may get a pass for any person, whether belonging to those classes or not?—Yes.

396. How many have been issued this year?—To the present time, 302. That is the total number of visitors' passes issued this year—[*The Committee examined the book.*]

397. You say there is discretion with the officials here; but I take it that, as a rule, all Her Majesty's officers and men-of-war officers of nations in alliance with England get free passes?—Yes.

398. Those are what are called "distinguished" visitors?—Yes.

399. *By the Hon. J. A. Wallace.*—How many of those for 1877?—I did not bring the book.

400. *By the Hon. the Chairman.*—Are there any free passes to young ladies in the colony to travel all over the colony?—I do not recollect a case of that.

401. Are you not aware that some ladies have been travelling over the colony with free passes, going from one place to another?—No.

402. Did you ever hear anything of it?—I might have heard of it, but I have no recollection of anything of the kind occurring, such as young ladies travelling in Victoria from station to station on a free pass.

403. *By the Hon. T. J. Sumner.*—Would you consider Madame Ristori and those great actors "distinguished visitors"?—I think Madame Ristori had a pass at one time, I am not quite sure.

404. On what principle?—As a "distinguished visitor," I fancy.

405. Any person that ranked with her distinction would have the same privilege?—I would not give a pass to her; but it is a matter the Minister, moved by his own wishes, or influenced by any other person, may take action in. I would not give it without the order of the Commissioner.

406. He might give it to any similar case?—Yes.

407. Had Mr. Varley a free pass?—No. Young Mr. Spurgeon had a free pass for a time.

408. Why do they make a distinction between the stage and the pulpit?—I do not know.

The witness withdrew.

Mr. James Dallas examined.

Mr. Dallas,
19th Nov. 1878.

409. *By the Hon. the Chairman.*—What are you?—I am an iron manufacturer—one of the partners in the Victorian Iron Rolling Company.

410. Do you recollect the election for West Melbourne?—Which one?

411. There were two this year?—Yes; I recollect them both.

412. I refer particularly to the last one?—Yes, I recollect that.

413. You took an active part in it?—Yes, I did.

414. You had many favors given to you by the Railway department to get voters to come up to that election?—No favors for myself personally.

415. Nobody knows anything about that but yourself. Whom did you act for?—For a number of the *employés* of the Railway department who had written to me to take steps for them in regard to their votes. They were all residents in the Railway Division of the electorate, and were up the country at the time.

416. Had you not the knowledge that they could have voted without your acting for them?—I had letters stating that there were Railway *employés* in Benalla, Maryborough, and other places, who wanted to come down and vote, and that the foreman was not willing to let some of them down.

417. Could not the men apply to the department themselves?—They considered it better for some one else to make a personal application to the Commissioner, and I agreed to do it.

418. What did you do?—I saw the Commissioner, and stated that I had received letters from the men, and that they asked to be allowed to come down and exercise the franchise; and had requested me to make a personal application, so that they all might be treated alike.

419. What do you mean by all treated alike?—That the one application should be sufficient for all, so that it might not be necessary for them to apply personally.

420. Did the men give you to understand who they came to vote for?—No.

421. Had you no policy in the matter yourself?—Nothing beyond getting those men down. I may state, as this matter has come up, that some of the men in giving me information where those people were who were working at the time, remarked that certain men, mentioning their names, would not be in favor of the views I was carrying out. I said at once, "As soon as anything of that sort is attempted, I will have nothing further to do with it."

422. You applied for the passes then; how many did you get?—I can hardly say. I have been looking for the memos. and forms I had given me, but I cannot find them.

423. Did you get 20 passes?—More than that.

424. Did you get 50?—No, not so many; about 30, I think.

425. Did you not get about 60?—No, I am sure I did not, and of those I got, four were returned—never made use of—and I think I tore up six.

426. When those men applied for those passes, did they give instructions, or did you give them instructions with reference to their voting?—Never.

427. Were you not an agent at that election?—No. I have worked in connection with West Melbourne elections for the last fourteen years.

428. How came you to be picked up as the active man to get those free passes for those men?—I was not picked up; the majority were men I had known personally for the past sixteen years.

429. *By the Hon. J. A. Wallace.*—I suppose you were a committee man?—Not at the last election.

430. *By the Hon. the Chairman.*—Were you in the former one?—Yes. At the last one I declined. It is a fact that I took an active part, but not on the committee.

431. *By the Hon. J. A. Wallace.*—Was your name on the committee?—No; I declined when I was pressed to go on.

432. *By the Hon. the Chairman.*—Did you not work actively for one of the candidates?—I did; but not at all in the way of being appointed on the committee—I declined to accept any position on it.

433. You must have taken some position, or you would not have applied to the department for that number of passes?—That was outside the department, but not in connection with any one of the committees. I took it entirely on myself.

434. Outside the department, you say?—Yes; but for men belonging to the department I acted for them, but not in connection with any committee.

435. Had you any authority from the Commissioner of Railways to do so?—None. I merely called on him to get the passes to enable those men to come down.

436. You called on him?—Yes.

437. What was the cause of your interview?—Stating that the men had written to me asking me to enable them to get passes, and that an order from the department would enable different parties that had the right of voting to come down.

438. Did you not get a pass for any other person than a Railway *employé*?—I believe I made use of one for one man in the Telegraph department at Maryborough.

439. Are you sure you did not get more than one?—I might have got more—there were several that I tore up that I did not make use of, that I never sent out.

440. *By the Hon. J. A. Wallace.*—The question is whether you gave passes to others besides Railway *employés*?—There was that one at Maryborough, and there might be another—I cannot recollect the names.

441. *By the Hon. T. J. Sumner.*—For what reason did you pick out that single Telegraph man?—I merely went from the list.

442. Did he apply for a pass?—I was informed through some of the Railway *employés* at Maryborough—in going over the list, it was mentioned that so and so was at Maryborough—I cannot recollect the name now.

443. You did not know this man personally?—No, I did not.

444. You said a little while ago, that you had known a great number of men in the Railway department for sixteen years?—Yes.

445. Upon your statement to that effect, my conclusion was, that you did this out of friendliness to those men from your personal acquaintance?—Yes.

446. But now it appears that you did not know this particular individual?—I did not.

447. Did you know all the individuals you furnished passes to directly or indirectly?—Yes, I knew them all. I have been a resident in the district for twenty-six years.

448. It is strange you did not know this one?—I did not know him.

449. Did you direct them to the names of the men?—I did. It was more from local acquaintance; the men that knew the party who applied to me knew me.

450. Did each of those men for whom passes were provided apply to you personally, or was it as you say, that a representation was made to you, that so many men you knew personally had votes and wanted to come down?—Yes.

451. Did you send to the man who made the representation the whole of the passes to distribute as he liked or to the individuals named in the list?—To each individual named in the list. I believe O'Brien is the one I sent to Maryborough. I sent it to a person I knew there to deliver.

452. You got the passes from the Railway Department?—Yes.

453. *By the Hon. the Chairman.*—Were they issued "To bearer," or in blank?—"To bearer," I think.

454. None in blank?—They might be as to place at the time. I can show you a list given to me of *employés* who were then going round with Cooper and Bailey's circus.

455. *By the Hon. J. A. Wallace.*—You got a list of the electors, and being an old resident, on seeing it, you knew where they belonged to—did you pick the names?—Only from the electoral roll and from the written applications from the parties themselves.

456. You, seeing the names on the roll and knowing where they were, got passes to bring them down?—Yes.

457. *By the Hon. T. J. Sumner.*—You say you acted in this matter out of pure friendship, from knowing them sixteen years?—Yes.

458. And without distinction of party?—Without distinction of party. When the question was put to me as to not getting a pass for a certain party, I said distinctly, "If you raise that point, I will throw down the whole thing."

459. Nothing prompted you, except your own love and friendship for those men?—No. Of course I might have my own feeling about the election.

460. If there had been fifty men who would have voted on one side and fifty on the other, would you have sent passes to the whole lot?—So far, I did send.

461. I am putting a supposititious case, and your answer to that is, You would have sent to the whole lot?—I would. I declined to go further, if they wanted me to do otherwise.

462. It was mentioned to you then?—Yes; one of the men in the department said one of the parties on the list was "no good," and I said I would take no notice of that.

463. You admit that you were a kind of electioneering agent?—No.

464. Then you must have been a kind of benefactor of your race?—I have always taken an active part in the West Melbourne elections, for Captain MacMahon and the other side also.

465. *By the Hon. the Chairman.*—Did you ever have a verbal order from the Commissioner of Railways to receive a certain number of passes?—I applied for a certain number of passes for the men.

466. Did you have a verbal order from the Commissioner to receive a certain number of passes "To bearer"?—I had.

467. How many did you receive at that time from that verbal order?—I have answered that same question before.

468. No, that is a question from another document?—The same remarks will apply to that as before.

469. Did you not receive twenty-six passes "To bearer" from the Commissioner's order?—I have said it might be over thirty.

470. Did you not receive twenty-six at one time on the verbal order of the Commissioner?—I replied to that same question before. It might be over thirty.

471. I say, at one time did you not receive twenty-six passes "To bearer" from the order of the Commissioner?—I cannot answer the number.

472. *By the Hon. R. D. Reid.*—Did you receive them more than once?—I did; I got a few after; it covers over thirty.

473. *By the Hon. T. J. Sumner.*—The number is not relevant to the argument, it is how you received them—was it on the verbal order of the Commissioner?—I can hardly say from the verbal order. I made application for them.

474. *By the Hon. the Chairman.*—I have it in evidence from one of the clerks of the department that, from the verbal order of the Commissioner to you, you received 26 passes "To bearer"—that is at one time?—It is a question of what time you refer to.

475. *By the Hon. T. J. Sumner.*—You do not dispute receiving them?—I do not dispute receiving them.

476. *By the Hon. the Chairman.*—It would not be right to say you received during that contest upwards of 60 free passes to send to people up the country to come to vote at the West Melbourne election?—I am certain I did not.

477. *By the Hon. T. J. Sumner.*—Have you any record?—I have not kept them.

478. *By the Hon. the Chairman.*—I suppose you gave a good deal of time at the election?—I did not; only during the evening. I was busy in the daytime.

479. You could not go to the Commissioner in the evening?—No doubt I would in the day, but I did not give much time to it.

480. *By the Hon. T. J. Sumner.*—Did you get those passes in the morning or evening?—My memory will not serve me to say as to that.

481. You say, you were busy in the daytime?—No doubt, but whether I got them in the forenoon or not, I cannot say.

482. Your evidence is that, what you did was simply from motives of friendship to the men you had known for upwards of 16 years, and you did it without respect of party or any intention to promote the interests of any party?—Distinctly, I did. I never asked one single man to vote in any way. I merely got the passes, it was for them to vote as they liked.

483. You did it without respect to influencing any party politics?—I did. I had certain views, but I did not let that affect it at all.

Mr. Dallas,
continued,
19th Nov. 1878.

484. *By the Hon. the Chairman.*—You acted for the line of policy you felt you ought to support?—I acted in getting all the electors of the Railway division, to get them all forward and let them all vote as they liked.

485. *By the Hon. T. J. Sumner.*—Believing of course that they would pull on the right side?—I never asked them, though from the way the men upon the Gippsland railway voted, I could judge how they would vote.

486. If they would have voted against you, and you knew it, would you have done the same?—I would, and always said that I would.

The witness withdrew.

Mr. Samuel Irwin further examined.

Mr. Irwin,
19th Nov. 1878.

487. *By the Hon. the Chairman.*—We have got these returns that you referred to, but it is impossible for you to go through them, they are so voluminous; for you to tell us all about them would take some considerable time, and unless you have anything else to tell besides what you told the last day, I do not think it will be well to delay the report of the Committee to get your opinion on these papers. Were you in the Railway Department at the time of those West Melbourne elections?—No, I was not.

488. *By the Hon. T. J. Sumner.*—Had you any connection with the accounts immediately after?—No.

489. You cannot give any substantial evidence?—No.

490. *By the Hon. the Chairman.*—You left on the 24th of January last?—Yes, with the second lot of dismissals.

491. *By the Hon. T. J. Sumner.*—You have no further information to give?—No.

492. *By the Hon. the Chairman.*—What was your occupation in the Railway department?—I was assistant corresponding clerk in the secretary's office.

493. Did correspondence take place between the different departments?—Between the general public and the Railway department, all correspondence for the whole department centres in the secretary's office, and I helped to do that.

494. Could you spend an hour going over these papers and indicate what you wish to show?—Yes, I shall be glad to do so. I could point out two or three things after going over them that might be useful.

The witness withdrew.

Ordered—That this Committee be adjourned.

April 5.—Second Class.—

No. 5224.	Dunolly to Melbourne and back.—	Bearer.	Handed to Commisisoner.	Mr. Lilly signed.
5225.	"	Bearer.	ditto	ditto
5226.	Tallaroak	Bearer.	ditto	ditto
5227.	"	Bearer.	ditto	ditto
5228.	Ballarat	Bearer.	ditto	ditto
5229.	Maryborough	Bearer.	ditto	ditto
5230.	Stawell	Bearer.	ditto	ditto
5231.	Maryborough	Bearer.	ditto	ditto
5232.	Benalla	Bearer.	ditto	ditto
5233.	"	Bearer.	ditto	ditto
5234.	Essendon	Bearer.	ditto	ditto
5235.	Euroa	Bearer.	ditto	ditto
5236.	Sandhurst	Bearer.	ditto	ditto
5237.	"	Bearer.	ditto	ditto
5238.	"	Bearer.	ditto	ditto
5239.	"	Bearer.	ditto	ditto
5240.	"	Bearer.	ditto	ditto
5241.	Kyneton	Bearer.	ditto	ditto
5242.	Echuca	Bearer.	ditto	ditto
5243.	Elmore	Bearer.	ditto	ditto
5244.	Keilor	Bearer.	ditto	ditto
5245.	Footscray	Bearer.	ditto	ditto
5246.	"	Bearer.	ditto	ditto
5247.	Sale to (Melb.) Oakleigh and back.—	Bearer.	ditto	ditto
5248.	"	Bearer.	ditto	ditto
5249.	"	Bearer.	ditto	ditto
501.	"	Bearer.	ditto	ditto
502-4.	"	Bearer.	ditto	ditto
505.	Maryborough to Melbourne and back.—	Bearer.	ditto	ditto
506-10.	Ballarat	Bearer.	ditto	ditto
511.	Ararat	Bearer.	ditto	ditto
512.	Stawell	Bearer.	ditto	ditto
513.	Hamilton	Bearer.	ditto	ditto
514-17.	Maryborough	Bearer.	ditto	ditto
518-19.	Ballarat	Bearer.	ditto	ditto
520.	Portland	Bearer.	ditto	ditto
521.	"	Bearer.	ditto	Acting Secretary signed.

April 9.—Second Class.—

539. ——— Melbourne and back.—Bearer. ditto
 540-64. " " Bearer. ditto, Commissioner's order. Handed to Mr. Dallas.—
 [See memo. attached for 26 passes.]—Passes signed by Mr. Macartney.

April 10.—Second Class.—

565-68. Ballarat to Melbourne and back —Bearer. Secretary's order. Passes signed by Mr. Macartney.

Railway Department, 6/11/78.—J.M.

MEMO. Department of Railways and Roads, Secretary's Office.
 Melbourne, 187
 Mr. Brophy to have six passes, "Bearer," from Ballarat to Melbourne and return (first-class). The Commissioner approves. P. P. L.—9/4/78.

Issued 6581-86.—6.—J.M.

MEMO. Department of Railways and Roads, Secretary's Office,
 Melbourne, 10th April 1878.
 Make out passes as under for the Honorable Major Smith, M.P.:—
 One first-class, Melbourne to Ballarat and back.
 Two " Ballarat to Melbourne and back.
 Four second-class ditto ditto.
 To be made for "Bearer."
 P. P. LABERTOUCHE,
 Acting Secretary.

Issued—6589-91, 1st.; 565-68, 2nd.—J.M.

Telegram for Honorable J. Woods, Railway Department.
 Send pass. Elector. Kilmore to Melbourne and return, first.
 Kilmore, dated 10/4/1878.
 THOS. HUNT.

By the Commissioner's verbal order. Twenty-six passes to Melbourne and return journey be issued and handed to Bearer (Mr. Dallas).
 W. LUCAS.
 9/4/78.
 The Secretary.

Mr. Macartney will please comply (second class). P. P. L.—9/4/78.

539-564.
Write in pencil.

These passes were issued blank, with a view to facilitate employes recording their votes at West Melbourne election. The distance travelled is assumed to be 100 miles each way, and the value is computed accordingly.

VICTORIA



VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE

COUNCIL

SESSION

1878