

[1815]



SECOND SUPPLEMENT
TO THE
VICTORIA
GOVERNMENT GAZETTE
OF FRIDAY, SEPTEMBER 21, 1877.

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THURSDAY, SEPTEMBER 27.

[1877.

LEGISLATIVE ASSEMBLY.

SOUTH GIPPSLAND—PETITION.

I HEREBY notify that there was presented to me, on Wednesday, the 26th September instant, a Petition of which the following is a true copy.

C. GAVAN DUFFY,
Speaker.

To the Honorable the Speaker of the Legislative Assembly.

The Petition of Francis Conway Mason, of Carlton, near Melbourne, in the colony of Victoria, gentleman,

RESPECTFULLY SHEWETH—

1. That on the twenty-fourth day of August last past an election was in due form of law held for one member to serve in the Legislative Assembly in this present Parliament for the Electoral District of South Gippsland.
2. That George David Macartney, Doctor of Laws, and your Petitioner, were the only candidates at the said election.
3. That as the result of such election the Returning Officer publicly and in due form of law declared that the number of votes for the said George David Macartney was four hundred and sixty, and for your Petitioner three hundred and sixty-six, and that the said George David Macartney was duly elected as aforesaid, and made his return accordingly.
4. That the said George David Macartney was by himself, by his agents, or agent, and by other persons in his behalf, guilty of bribery and undue influence before and during the said election, whereby he was and is incapacitated to serve in the present Parliament for the said or any other electoral district, and the said election and return of the said George David Macartney was and is wholly null and void.
5. That the said George David Macartney was, at the time of his said election, a minister of a religious denomination within the meaning of the eleventh section of the Constitution Act, and was therefore then incapable of being so elected as aforesaid.
6. That the said George David Macartney has at various times and places since then month of August, in the year of our Lord One thousand eight hundred and sixty-eight, preached, conducted religious services, and otherwise acted in the discharge of the functions of his sacred calling and office.
7. That the electors of the said district were, at the time of giving their votes at the said election, well aware that the said George David Macartney had been held and was a minister of a religious denomination aforesaid, and a person incapable, in consequence, of being so elected as aforesaid.

8. That at the said election a polling booth in one of the divisions of the said electoral district was closed before the time appointed by law, whereby a number of electors who desired to record their votes at the said election for your Petitioner were prevented from so doing, and there were unpolled in the said booth and division a sufficient number of electors entitled to vote to have given your Petitioner a majority of votes at the said election.

9. That a person entitled to act as scrutineer for your Petitioner in a certain polling booth of one of the divisions of the said electorate was not allowed by the Deputy Returning Officer presiding in such booth to take the usual declaration required by law from persons desirous of acting as scrutineers before they can act as such, nor was such person permitted by such Deputy Returning Officer to be present in the polling booth where the ballot papers were received, nor otherwise allowed to act as scrutineer for your Petitioner, and that in consequence of the aforesaid refusal of the Returning Officer as aforesaid your Petitioner was deprived of the services of a scrutineer in the polling booth aforesaid, whereby your Petitioner believes he was seriously prejudiced in his election.

10. That your Petitioner ought, by reason of the allegations in the premises, or some of them, to be declared to be duly elected at the said election.

Your Petitioner therefore respectfully prays—

That you will communicate the matter of this Petition to the Legislative Assembly of Victoria, in order that the same may be referred to the Committee of Election and Qualifications, to be dealt with by such Committee according to law. And that the said George David Macartney may be declared by himself, agents, or agent, guilty of bribery and undue influence as aforesaid, and incapacitated to serve in Parliament for the said district.

That it may be declared that the said George David Macartney was not duly elected to serve as aforesaid.

That it may be declared that your Petitioner was duly elected to serve as aforesaid for the said electoral district.

That your Petitioner may have such further and other relief as the circumstances of the case may require.

And your Petitioner will ever pray, &c.

FRANCIS CONWAY MASON.

Dated at Melbourne this twenty-sixth day of September, One thousand eight hundred and seventy-seven.

LANDS TEMPORARILY RESERVED FROM SALE, ETC.

IN pursuance of the provisions of *The Land Act 1869* (33 Vict. No. 360, § 6 and 9): Notice is hereby given that the Governor, with the advice of the Executive Council, has reserved from sale, temporarily, and has also excepted from occupation for residence or business under any miner's right or business license, and withheld from sale, leasing, and licensing, in pursuance of the 6th and 102nd sections of the said *Land Act 1869*, the lands hereinafter described, viz.:

Pursuant to Order of 27 September 1877.

MELBOURNE—Site for Railway purposes; also withheld from sale, leasing, and licensing, and excepted from occupation for residence or business under any miners' right or business license.—Two hundred and twenty-nine acres, more or less, county of Bourke, city of Melbourne, and parish of North Melbourne; in the two separate portions hereinafter described, viz.:—Two hundred and thirteen acres, more or less: Commencing at the north-east angle of allotment B, purchased by the Melbourne Gas and Coke Co.; bounded thence by a line bearing N. 0° 27' W. ninety-five links; thence by allotment A, purchased by W. Williams, bearing N. 74° 37' W. one chain sixty links and N. 27° 20' W. five chains eighty-one links; thence by a line bearing N. 27° 54' W. thirty-seven chains eighty-three links; thence by a line, being the prolongation of the south-eastern side of Dudley street, bearing S. 56° 24' W. to the northern boundary of the land vested in the Melbourne Harbor Trust Commission; thence easterly by that boundary, being a line running parallel with and two chains distant from the right bank of the Yarra Yarra River, to the west boundary of allotment 44; thence by that allotment bearing N. 2° 40' E. to the south boundary of allotment 45; thence by that allotment bearing S. 89° 58' W. ninety-eight links, north three chains fifty links, east two chains ten links, and south to a point in line with the north boundary of allotment 43; thence by a line and the last-mentioned allotment bearing east to a point on the north boundary of the allotment distant twenty-one links from the north-west angle thereof; thence by a line bearing N. 0° 22' W. seven chains fifty-three links; and thence by a line and allotments 41 and A aforesaid bearing N. 89° 44' E. twelve chains eighty-four links to the point of commencement.

And sixteen acres, more or less: Commencing at a point bearing N. 39° 54' W. one chain fifty-one links from the north angle of the above described portion; bounded thence by a line bearing N. 39° 54' W. two chains one link; thence by a line bearing S. 56° 24' W. seventy-nine chains, more or less, to the northern boundary of the land vested in the Melbourne Harbor Trust Commission; thence easterly by that boundary,

being a line running parallel with and two chains distant from the right bank of the Yarra Yarra River, to the point where it would be intersected by the prolongation of the north-western side of Dudley street; and thence by a line bearing N. 56° 24' E. to the point of commencement.—(76.C. 12642.)

F. LONGMORE,

Commissioner of Crown Lands and Survey,
Office of Lands and Survey,
Melbourne.

SPECIAL PLACE FOR GRANTING PUBLICANS' LICENSES.

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 Licensing Act 1876* it was amongst other things enacted that notwithstanding the provisions thereinbefore contained it should be lawful for the Governor in Council from time to time to proclaim any place or district a place or district where, owing to a sudden increase of population or otherwise, the necessity for the immediate grant of publicans' licenses exists, to be a place or district wherein publicans' licenses might be specially granted, and from time to time to revoke any such proclamation: Now therefore I, the Governor of Victoria, with the advice of the Executive Council, do hereby proclaim

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to be a district where publicans' licenses may be specially granted.

Given under my Hand and the Seal of the Colony, at Melbourne, this twenty-seventh day of September in the year of our Lord One thousand eight hundred and seventy-seven, and in the forty-first year of Her Majesty's reign.

(L.S.)

G. F. BOWEN.

By His Excellency's Command,

J. M. GRANT,
Minister of Justice.

GOD SAVE THE QUEEN!