



FOURTH SUPPLEMENT
TO THE
VICTORIA
GOVERNMENT GAZETTE

OF FRIDAY, SEPTEMBER 29, 1893.

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MONDAY, OCTOBER 2.

[1893.

PUBLIC AND BANK HOLIDAYS.

PROCLAMATION

By His Excellency the Right Honorable John Adrian Louis, Earl of Hopetoun, Viscount Aithrie, and Baron Hope, in the Peerage of Scotland; Baron Hopetoun of Hopetoun, and Baron Niddry of Niddry Castle, in the Peerage of the United Kingdom; Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

IN pursuance of the provisions contained in the *Public Service Act 1890* (54 Vict. No. 1133, Part VI., section 135) and in the *Banks and Currency Act 1890* (54 Vict. No. 1164, Part III., section 20), I, the Governor of Victoria, with the advice of the Executive Council, do by this my Proclamation appoint the days and dates hereunder mentioned to be observed as Public Holidays or Bank Holidays (as the case may be) at the places respectively specified, viz.:—

WEDNESDAY, THE 4TH DAY OF OCTOBER INSTANT,
as a Public Holiday throughout the Western Riding of the Shire of Waranga;

TUESDAY, THE 10TH, AND WEDNESDAY, THE 25TH DAYS OF OCTOBER INSTANT,
as Public Holidays throughout the Devenish Riding of the Shire of Benalla;

WEDNESDAY, THE 11TH DAY OF OCTOBER INSTANT,
as a Public Holiday throughout the Shire of East Loddon;

WEDNESDAY, THE 11TH, AND THURSDAY, THE 12TH DAYS OF OCTOBER INSTANT,
as Public Holidays throughout the Shire of Huntly;

THURSDAY, THE 12TH DAY OF OCTOBER INSTANT,
as a Public Holiday throughout the Shire of St. Arnaud, and as a Bank Holiday at Tungamah;

WEDNESDAY, THE 18TH DAY OF OCTOBER INSTANT, AND WEDNESDAY, THE 1ST DAY OF NOVEMBER NEXT,
as Public Holidays throughout the Shire of Avoca;

THURSDAY, THE 19TH DAY OF OCTOBER INSTANT,
as a Bank Holiday at Camperdown, Cobden, Terang, and Violet Town;

WEDNESDAY, THE 25TH DAY OF OCTOBER INSTANT,
as a Bank Holiday at Shepparton;

WEDNESDAY, THE 1ST DAY OF NOVEMBER NEXT,
as a Public Holiday throughout the Shire of Bet Bet.

Given under my Hand and the Seal of the Colony, at Melbourne, this second day of October, in the year of our Lord One thousand eight hundred and ninety-three, and in the fifty-seventh year of Her Majesty's reign.

(L.S.)

HOPETOUN.

By His Excellency's Command,

J. B. PATTERSON,
Chief Secretary.

GOD SAVE THE QUEEN!

October 2, 1893.

4016

NATIMUK AND GOROKE RAILWAY CONSTRUCTION TRUST.

REGULATION No. 2—FOR AMENDING CERTAIN REGULATIONS PASSED BY THE GOVERNOR IN COUNCIL ON 26TH SEPTEMBER, 1893.

At the Executive Council Chamber, Melbourne, the second day of October, 1893.

PRESENT :

His Excellency the Governor.

Mr. Patterson
Sir Bryan O'Loughlen
Mr. Carter
Mr. McIntyre
Mr. Reid

Mr. McColl
Mr. Richardson
Mr. Cooke
Mr. Abbott.

WHEREAS by section 25 of the *Railway Lands Acquisition Act 1893* (No. 1288) it is amongst other things provided that the Governor in Council may from time to time make regulations for the purposes in the said section specified: And whereas by the *Acts Interpretation Act 1890* (No. 1058) it is among other things provided that where an Act passed after the commencement of the said *Acts Interpretation Act 1890* confers a power to make rules, regulations, or by-laws, the power shall, unless the contrary intention appears be construed as including a power to rescind, revoke, amend, or vary the rules, regulations, or by-laws: And whereas by Order in Council, made the 26th day of September last, certain regulations were made in connexion with the Natimuk and Goroke Railway Construction Trust for convening meetings of the Trust and generally for regulating the conduct of the business of the said Trust: And whereas it is advisable to amend certain of the said regulations so made and to revoke others and substitute therefor new regulations in place of the regulations so revoked: Now therefore His Excellency the Governor, acting by and with the advice of the Executive Council, and in pursuance of the provisions of the Acts hereinbefore referred to, doth make the Regulations following (that is to say):—

1. The regulations numbered respectively 1, 2, 3, 4, and 5 of the General Regulations (No. 1) made on the twenty-sixth day of September, 1893, shall be and the same are hereby revoked, and in lieu thereof the Regulations following shall be, and be read in lieu thereof:—

1. *First meeting.*—The first meeting of the Trust shall be convened by the Minister, at such time and place as he may direct.
2. *Time and place of meeting.*—The subsequent meetings of the Trust shall be held at such time and place as an absolute majority of the Trust may from time to time appoint, or in default of such appointment, as the Minister may direct.
3. *Quorums of meetings.*—There shall be present at least one member from each municipal council in such construction district at such first meeting in order to constitute a quorum, and all future quorums shall consist of six (6) members, exclusive of the chairman.
4. *Chairman.*—The chairman shall be elected at the first meeting of the Trust, or at any adjournment thereof, by a majority of votes of those present, and he shall hold office as chairman so long as he shall remain a member of the municipal council of his district, and may be willing to act.
5. *Vacancy of chairman, how filled.*—Any vacancy in the position of chairman shall be filled at the next meeting of the Trust after such vacancy has occurred, or at any adjournment thereof, in the same manner as aforesaid, and such election shall be the first business on the notice paper for such meeting. Provided that, in the event of the Trust failing or neglecting to elect a chairman, the Minister may by writing under his hand appoint one of the members of the Trust to be chairman, who shall hold office so long as he remain a member of the municipal council of his district and be willing to act.

2. In the general regulations of the 26th of September last, in the regulation numbered seven the word "four" occurring therein is hereby revoked and the word "seven" substituted therefor, and in the regulation numbered nine of the same regulations the word "four" is hereby revoked and the word "seven" substituted therefor; and such regulations shall be read accordingly.

3. In the general regulations of the 26th of September, 1893, in the regulation numbered thirteen the word "six" and figure "6" therein are hereby revoked and the word "nine" substituted therefor; and such regulations shall be read accordingly.

And the Honorable Richard Richardson, Her Majesty's Minister of Railways for Victoria, shall give the necessary directions herein accordingly.

THOS. BRISBANE,
Acting Clerk of the Executive Council.

HEIDELBERG AND ELTHAM RAILWAY CONSTRUCTION TRUST.

REGULATION NO. 1.—FOR CONVENING MEETINGS OF THE TRUST AND GENERALLY FOR REGULATING THE CONDUCT OF THE BUSINESS OF THE TRUST.

At the Executive Council Chamber, Melbourne, the second day of October, 1893.

PRESENT :

His Excellency the Governor.

Mr. Patterson
Sir Bryan O'Loughlen
Mr. Carter
Mr. McIntyre
Mr. Reid

Mr. McColl
Mr. Richardson
Mr. Cooke
Mr. Abbott.

WHEREAS by section 25 of the *Railway Lands Acquisition Act 1893* (No. 1288) it is enacted that the Governor in Council may from time to time make Regulations relating to any Railway Construction Trust appointed and created under Part I. of the said Act, for the purposes following :—

- “(a) The mode in which meetings of the members of Trusts under the said Part of the said Act are to be convened ;
- “(b) The form of any notice or order which may be required to be given by any Trustees under the said Act ; and
- “(c) Generally for regulating the conduct of the business and the proceedings of such Trusts and the numbers of members to form quorums thereof, and the appointment of the Chairman of each Trust, and for carrying into effect the provisions of the said Part of the said Act.”

Now therefore His Excellency the Governor, acting by and with the advice of the Executive Council, and in pursuance of the said provisions of the now in part recited Act, doth for the purposes aforesaid, so far as these may relate to a certain Railway Construction Trust duly appointed and created under the said Act, and known as the Heidelberg and Eltham Railway Construction Trust, make the Regulation following, viz. :—

1. *First meeting.*—The first meeting of the Trust shall be convened by the Minister, at such time and place as he may direct.

2. *Time and place of meeting.*—The subsequent meetings of the Trust shall be held at such time and place as an absolute majority of the Trust may from time to time appoint, or in default of such appointment, as the Minister may direct.

3. *Quorums of meetings.*—There shall be present at least one member from each municipal council in such construction district at such first meeting in order to constitute a quorum, and all future quorums shall consist of six members, exclusive of the chairman.

4. *Chairman.*—The chairman shall be elected at the first meeting of the Trust, or at any adjournment thereof, by a majority of votes of those present, and he shall hold office as chairman so long as he shall remain a member of the municipal council of his district, and may be willing to act.

5. *Vacancy of Chairman, how filled.*—Any vacancy in the position of chairman shall be filled at the next meeting of the Trust after such vacancy has occurred, or at any adjournment thereof, in the same manner as aforesaid, and such election shall be the first business on the notice-paper for such meeting. Provided that in the event of the Trust failing or neglecting to elect a chairman, the Minister may, by writing under his hand, appoint one of the members of the Trust to be chairman, who shall hold office so long as he remain a member of the municipal council of his district, and be willing to act.

6. *Vice-Chairman.*—In the absence of the chairman, through illness or otherwise, at any meeting the members shall elect a vice-chairman to conduct the business of that meeting.

7. *Special meetings.*—The Trust may hold special meetings, which may be called upon the requisition of the chairman, or upon the requisition, in writing under their hands, of any seven members, addressed to the chairman; but no such special meeting shall be held unless seven clear days' notice thereof at least be given.

8. *General conduct of business.*—In all cases not herein provided for, resort shall be had to the rules, forms, and usages of Parliament, which shall be followed so far as the same are applicable to the proceedings of the Trust.

9. *Meetings, notice of.*—A notice of every meeting of the Trust shall be, by the secretary, delivered or sent by the post, addressed to the usual or last known place of abode of each member, seven clear days at least prior to the day upon which such intended meeting is to be held.

10. *Minutes of meeting to be read at subsequent meeting.*—At every meeting of the Trust the first business thereof shall be the reading and putting a question for the confirmation of the minutes of the proceedings at the preceding meeting, and the reading of the minutes of the proceedings of any committee presented at any such preceding meeting; and no discussion shall be permitted thereon except as to their accuracy as a record of the proceedings; and the said minutes of the proceedings at the preceding meeting shall then be signed by the chairman.

11. *Order of business of meetings.*—After the signing of the minutes as aforesaid, the order of business of any ordinary meeting shall be as follows, or as near thereto as may be practicable, but, for the greater convenience of the Trust at any particular meeting thereof, it may be altered by resolution to that effect:—

- (i.) Reading of copies of letters sent by authority of the Trust.
- (ii.) Reading letters received, and considering and ordering thereon.
- (iii.) Reception and reading of petitions and memorials.
- (iv.) Presentation of reports of committees.
- (v.) Payments.
- (vi.) Ordinary business, including dealing with tenders.
- (vii.) Orders of the day, including subjects continued from proceedings of former meetings.
- (viii.) Extraordinary business, new rules and regulations.
- (ix.) Other motions of which previous notice has been given.
- (x.) Notices of motion.

And the order of business at a special meeting shall be the order in which such business stands in the notice thereof.

12. *Addresses to the Governor in Council.*—All addresses and applications to the Governor shall be presented by the chairman and secretary of the Trust, unless otherwise ordered by the Trust.

13. *Motions.*—All notices of motion shall be dated and numbered, and given to the secretary, and by him read at the close of the meeting at which they are handed in, excepting notices under sections 40 and 41 of this regulation, which may be given to the secretary within nine (9) days of the next meeting of the Trust after such business lapsed.

14. *Notice of motion to be given.*—No member shall make any motion initiating a subject for discussion but in pursuance of notice given, as prescribed in the last preceding clause.

15. *Petitions.*—No motion except that for receiving the same shall, unless under most urgent circumstances, and then only by leave being granted by a two-thirds majority of those present at the meeting, be made on any petition, memorial, or other like application until the next ordinary meeting of the Trust after that at which it has been presented.

16. *Motions to be moved in order.*—Except by leave of the Trust, motions shall be moved in the order in which they have been received, and if not so moved shall be struck out.

17. *Motion to be moved by member giving notice.*—No motion shall be proceeded with in the absence of the member who gave notice of the same, unless by some other member producing written authority from him to that effect.

18. *Mover of motion appointing committee to be a member.*—The mover of every motion appointing a committee shall be a member of such committee.

19. *Draft of address or petition to be submitted at previous meeting.*—No motion for any address or petition shall be entertained unless the mover shall at some previous meeting have submitted a draft of the same.

20. *Order, &c., of debate.*—Any member desirous of making a motion or amendment, or taking part in discussion thereon, shall rise and address the chairman, and shall not be interrupted unless called to order, when he shall sit down until the member calling to order shall have been heard thereon, and the question of order disposed of, when the member in possession of the chair may proceed with his subject.

21. *Nature of motion to be stated.*—Any member desirous of proposing an original motion or amendment must state the nature of the same before he addresses the Trust thereon.

22. *No motion to be withdrawn without leave.*—No motion or amendment shall be withdrawn without the leave of the Trust.

23. *Motion to be seconded.*—No motion or amendment shall be discussed or put to the vote of the Trust unless it be seconded, but a member may, however, require the enforcement of any standing order of the Trust by directing the chairman's attention to the infraction thereof.

24. *Mover of motion.*—A member moving a motion shall be held to have spoken thereon, but a member merely seconding a motion shall not be held to have spoken upon it.

25. *Motions, &c., how decided.*—All questions shall be decided in accordance with the terms of section 21, clause 1, of Act No. 1288.

26. *Resolutions how revoked or altered.*—No resolution shall be revoked or altered except in accordance with clause 2 of section 21 of the same Act.

27. *Priority of members.*—If two or more members rise to speak at the same time, the chairman shall decide, by naming the member, who is entitled to priority.

28. *Members to stand while addressing Trust.*—Every member, including the chairman, shall stand while addressing the Trust.

29. *Points of order.*—The chairman, when called upon to decide on points of order or practice, shall state the provision, rule, or practice which he deems applicable to the case, without discussing or commenting on the same; and his decision as to order or practice in each case shall be final.

30. *Members not to digress.*—No member shall digress from the subject-matter of the question under discussion, or comment upon the words used by any other member in a previous debate, and all imputations of improper motives, and all personal reflections on members, shall be deemed highly disorderly.

31. *Members to apologize for disorderly or offensive expressions.*—Whenever any member shall make use of any expression disorderly, or capable of being applied offensively to any other member, the member so offending shall be required by the chairman to withdraw the expression, and to make a satisfactory apology to the Trust.

32. *Members called to order to sit down.*—A member called to order shall sit down, unless permitted by the Trust to explain.

33. *Members twice offending to be liable to a penalty.*—Any member using disorderly or offensive language, and having been twice called to order, or to withdraw, and to apologize for such conduct, and refusing to do so, shall be liable to a penalty for a breach of this regulation.

34. *Strangers.*—Any person, not being a member of the Trust, who shall, having been admitted to any meeting of the Trust, be guilty thereof of any improper or disorderly conduct, or who shall not leave when requested by the chairman to do so, may, on his order, be forthwith removed, and shall be liable to a penalty for a breach of this regulation.

35. *Members may demand documents.*—Any member may of right demand the production of any of the documents of the Trust applying to the question under discussion.

36. *One amendment only to be discussed at a time.*—One amendment only shall be discussed at a time, but if lost one other may be moved before the original motion is put to the vote; but upon any amendment being carried it shall be competent for any member to move one other amendment thereon.

37. *Mover of motion to have right of reply.*—The mover of every original proposition, but not of any amendment, shall have a right of reply, immediately after which the question shall be put from the chair; but no other member shall be allowed to speak more than once on the same question unless permission be given to explain or the attention of the chair be called to a point of order.

38. *No discussion on motion for adjournment of Trust.*—No discussion shall be allowed on any motion for an adjournment of the Trust; but if, on the question being put, the motion be negatived, the subject then under consideration, or the next on the notice-paper, shall be discussed, or any other that may be allowed precedence, before any subsequent motion for adjournment shall be entertained; but if the motion for adjournment be carried, the debates on motions moved and seconded, or any other order of the day may be resumed at the next adjourned meeting of the Trust at the point at which it was so interrupted.

39. *Protests.*—Any member may protest against any resolution of the Trust, and notice of intention to protest shall in every case be given forthwith on the adoption of the resolution protested against; and the protest shall specify the reasons for protesting, and shall be entered three days at least before the next ordinary meeting of the Trust by the protesting member in a book to be kept for that purpose in the office of the secretary, and signed by such member, and shall also be entered in the minutes of the meeting at which notice of the intention to protest shall have been given previously to the confirmation thereof; but such protest may be expunged from the minutes if declared by a majority of the Trust to be not in accordance with truth, or in its terms disrespectful to the Trust.

40. *Lapsed questions.*—If a debate on any motion moved and seconded be interrupted by the number of the members present becoming insufficient for the transaction of business, such debate may be resumed at the point where it was so interrupted.

41. *Lapsed order of the day may be restored.*—If a debate on any order of the day be interrupted by such insufficiency of number as aforesaid happening, such order may be restored to the notice-paper for a future day on motion upon notice, and then such debate shall be resumed at the point where it was so interrupted.

42. *Committees.*—Minutes of all proceedings of committees shall be entered in the committee's minute-book, and, being signed by the chairman of committee, shall be presented to the Trust.

43. *Meetings of committees.*—The secretary shall convene every committee within ten days of its first appointment, or at any other time by order of the Trust, or on the written order of the chairman, or of any two members of the committee.

44. *Petitions.*—No petitions shall be presented after the Trust shall have proceeded to the orders of the day. And every member presenting a petition to the Trust shall acquaint himself with its contents and ascertain that it does not contain language disrespectful to the Trust, and that its contents do not violate any regulation herein contained, and shall write his name at the beginning of the said petition.

45. *No debate shall take place upon petitions.*—No debate shall take place upon any petition or memorial, except as to its being received and taken into consideration as an order of the day at any future meeting, or, if necessary, that it be referred to a committee.

46. *Secretary.*—The secretary shall keep all minutes of meetings of the Trust or of any committee of the same; he shall also keep all accounts, books, and documents, conduct all correspondence, and perform all clerical work required to be performed for the Trust; and shall attend all meetings of the Trust or committees when required, and at the office for the transaction of business as provided for under this regulation; and shall perform all other acts which shall be deemed by the Trust incumbent upon the secretary to discharge; he shall also have the receipt and disbursement of all moneys, and shall provide a guarantee for such amount for his fidelity and due fulfilment of his duties, and for the proper management and disposal of the funds of the Trust, as they may direct. All moneys received by him shall, as soon as possible thereafter, be paid into the account of the Trust to the bank wherein the same is kept. That he shall at no time hold in his hands more than Twenty pounds (£20) for 72 hours without banking the same. That all payments of the Trust shall be made by cheque, signed by the chairman and two members, and countersigned by the secretary. That he shall take account of all moneys received by the collector, and supervise his accounts as provided for under these regulations.

47. *Treasurer.*—The treasurer shall provide a guarantee for such amount for his fidelity and due fulfilment of his duties, and for the proper management and disposal of the funds of the Trust, as they may direct.

48. *Collector.*—The collector shall give security for his fidelity and due fulfilment of his duties, and for the proper management and disposal of the funds of the Trust, for such amount as they may determine. He shall give no receipts except upon the printed forms provided for the same; and every receipt shall have a butt filled in by him, containing all particulars of moneys received and from whom. He shall pay to the treasurer or secretary all moneys received by him at least twice in each week, and he shall at no time hold more moneys of the Trust than Twenty pounds (£20) for 72 hours without paying the same to the treasurer or secretary. He shall, at the close of each month at least, submit his books and butts, with a statement of all amounts collected, to the secretary; and render to him a full account then, or whenever demanded by him, of all moneys received by him on account of the said Trust.

49. *Appointment, &c., of officers.*—No appointment to any office at the disposal of the Trust shall take place until seven clear days' notice shall have been given, by advertisement in one or more newspapers circulating in the construction district, inviting applications from qualified candidates for the same. Where the number of candidates are in excess of the number required the Trust may reduce the same by ballot.

50. *Salaries of officers, &c.*—The salary or allowance attached to all offices and places at the disposal of the Trust shall, in all cases, be fixed before they proceed to appoint any person to fill the same, and before the advertisement inviting applications as aforesaid, and shall be specified in such advertisement.

51. *Expense of preparing security.*—In all cases of security being given for the faithful performance of any duty, the expense of such security shall be borne by the Trust.

52. *Common seal.*—The secretary of the Trust shall have the custody of the common seal, and shall be responsible for the same; and impressions shall only be made by order of the Trust, verified by the signatures of the chairman, a member, and secretary.

53. *Suspension of rules.*—With the exception of clauses 25 and 26, any one or more of the clauses of this regulation may be suspended *pro tem.* in cases of emergency, and with the consent of a majority of the whole Trust.

54. *Penalty.*—Any person guilty of a breach of this regulation shall be liable to a penalty not exceeding Five pounds (£5).

And the Honorable Richard Richardson, Her Majesty's Minister of Railways for Victoria, shall give the necessary directions herein accordingly.

THOS. BRISBANE,
Acting Clerk of the Executive Council.