













8  
NEW SOUTH WALES.

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VOTES

AND

PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL,

DURING THE

SECOND SESSION OF THE YEAR

1851.

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

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IN TWO VOLUMES.

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VOL. I.

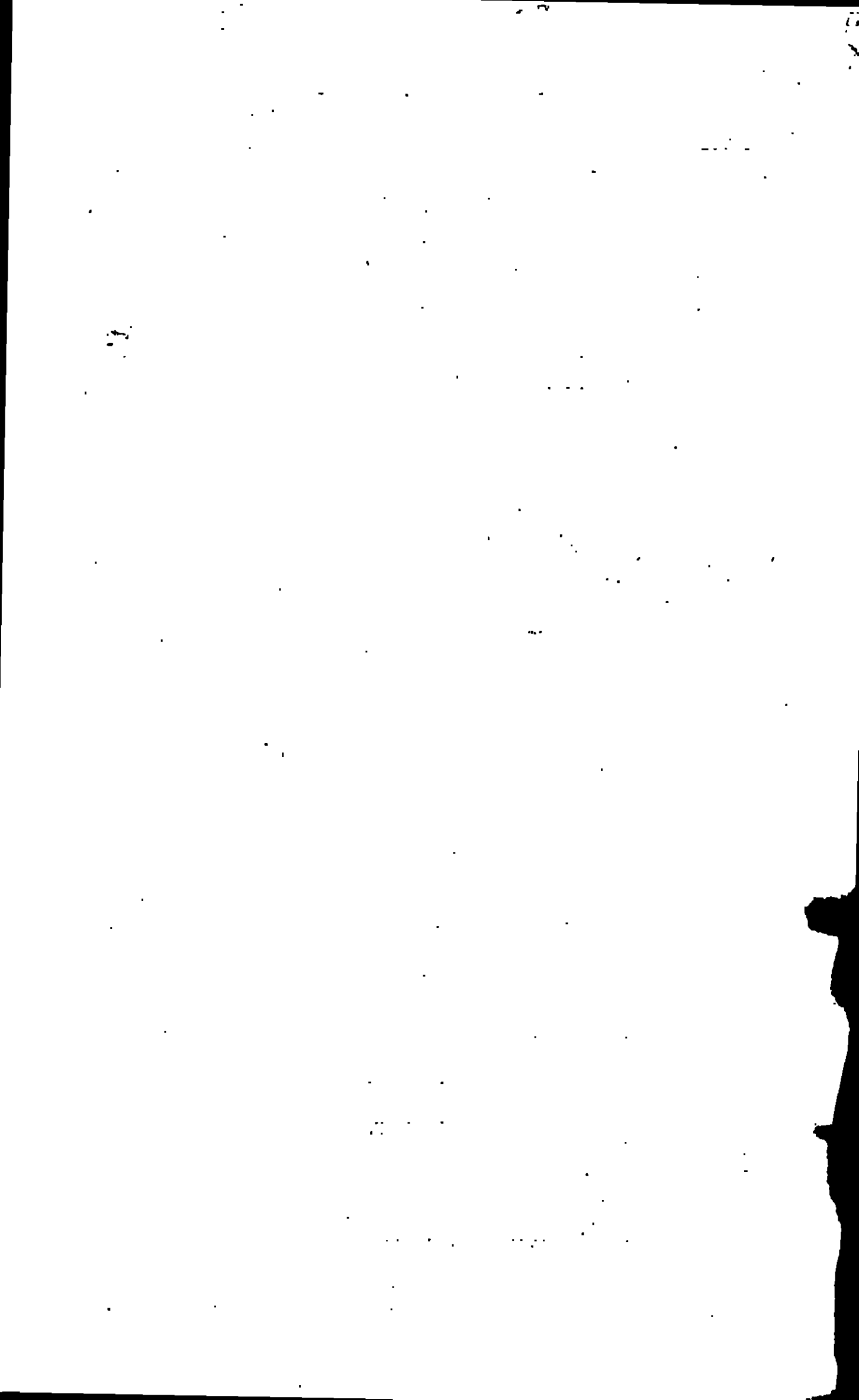
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*Sydney:*

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1851.





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# SELECT COMMITTEES

## APPOINTED DURING THE SECOND SESSION OF 1851.

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### REPLY TO GOVERNOR-GENERAL'S OPENING SPEECH.

MR. A. OSBORNE, THE COLONIAL SECRETARY, MR. WENTWORTH, MR. WM. MACARTHUR,	} Appointed 16th October, 1851.	{ MR. CHISHOLM, MR. BOWMAN, MR. MARTIN, MR. FLOOD.
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### STANDING RULES AND ORDERS.

THE COLONIAL SECRETARY, THE SPEAKER, THE ATTORNEY GENERAL, MR. WENTWORTH, MR. PARKER,	} Appointed 17th October, 1851.	{ MR. JAMES MACARTHUR, MR. DONALDSON, MR. NICHOLS, MR. COWPER, MR. BROADHURST.
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### PENRITH NEPEAN BRIDGE BILL.

MR. DARVALL, CAPTAIN KING, MR. W. MACARTHUR, THE AUDITOR GENERAL	} Appointed 23rd October, 1851.	{ MR. MARTIN, MR. HOLROYD, MR. HOLDEN.
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MR. BLIGH added 28th October, 1851.

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### ELECTIONS AND QUALIFICATIONS.

MR. ALLEN, MR. BLIGH, MR. CHISHOLM, CAPTAIN KING,	} Appointed 24th October, 1851.	{ MR. LAMB, MR. J. MACARTHUR, THE SOLICITOR GENERAL.
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### AUSTRALASIAN STEAM NAVIGATION COMPANY'S BILL.

MR. COWPER, THE ATTORNEY GENERAL, MR. LAMB, MR. ALLEN,	} Appointed 30th October, 1851.	{ CAPTAIN DUMARESQ, MR. BETTINGTON, MR. RICHARDSON.
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### NEW SOUTH WALES MARINE ASSURANCE COMPANY'S BILL.

MR. COWPER, THE ATTORNEY GENERAL, MR. JEFFREYS, MR. CHISHOLM,	} Appointed 30th October, 1851.	{ MR. SMART, MR. BETTINGTON, MR. NICHOLS.
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### SYDNEY EXCHANGE COMPANY.

MR. COWPER, MR. ALLEN, MR. BROADHURST, MR. DONALDSON,	} Appointed 31st October, 1851.	{ MR. HOLDEN, MR. JEFFREYS, MR. JONES.
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### GENERAL GRIEVANCES.

MR. WENTWORTH, MR. JAS. MACARTHUR, MR. DARVALL, MR. DONALDSON, MR. LAMB,	} Appointed 31st October, 1851.	{ MR. HOLROYD, MR. MARTIN, MR. NICHOLS, MR. COWPER, CAPTAIN DUMARESQ.
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MR. JOHN MARSH.

MR. NICHOLS,  
MR. WENTWORTH,  
MR. J. MACARTHUR,  
THE COLONIAL TREASURER,

} Appointed  
4th November, 1851. }

MR. DARVALL,  
MR. SMART,  
MR. HOLDEN.

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ASSAY AND REFINING OFFICE.

MR. DARVALL,  
MR. WENTWORTH,  
MR. MARTIN,  
MR. DONALDSON,

} Appointed  
18th November, 1851. }

MR. LAMB,  
THE COLONIAL SECRETARY,  
MR. COWPER.

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CATARACT AND NEPEAN BRIDGES' BILL.

MR. HOLDEN,  
MR. A. OSBORNE,  
MR. ALLEN,  
THE AUDITOR GENERAL,

} Appointed  
18th November, 1851. }

MR. HOLROYD,  
MR. BRADLEY,  
MR. FLOOD,  
MR. JEFFREYS.

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PARISH ROADS' BILL.

MR. COWPER,  
MR. SMART,  
MR. BRADLEY,  
MR. NICHOLS,

} Appointed  
19th November, 1851. }

MR. A. OSBORNE,  
MR. JEFFREYS,  
MR. FLOOD,  
MR. WENTWORTH.

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SYDNEY BETHEL UNION BILL.

THE SOLICITOR GENERAL,  
MR. LAMB,  
MR. COWPER,  
DR. DOUGLASS,

} Appointed  
19th November, 1851. }

MR. OAKES,  
MR. DONALDSON,  
MR. BLIGH.

---

GREAT LEADING THOROUGHFARES.

THE COLONIAL SECRETARY,  
MR. LESLIE,  
MR. HUGHES,  
CAPTAIN DUMARESQU,  
MR. DONALDSON,

} Appointed  
2nd December, 1851. }

MR. HOLDEN,  
MR. W. MACARTHUR,  
MR. BRADLEY,  
MR. ICELY,  
MR. MARTIN.

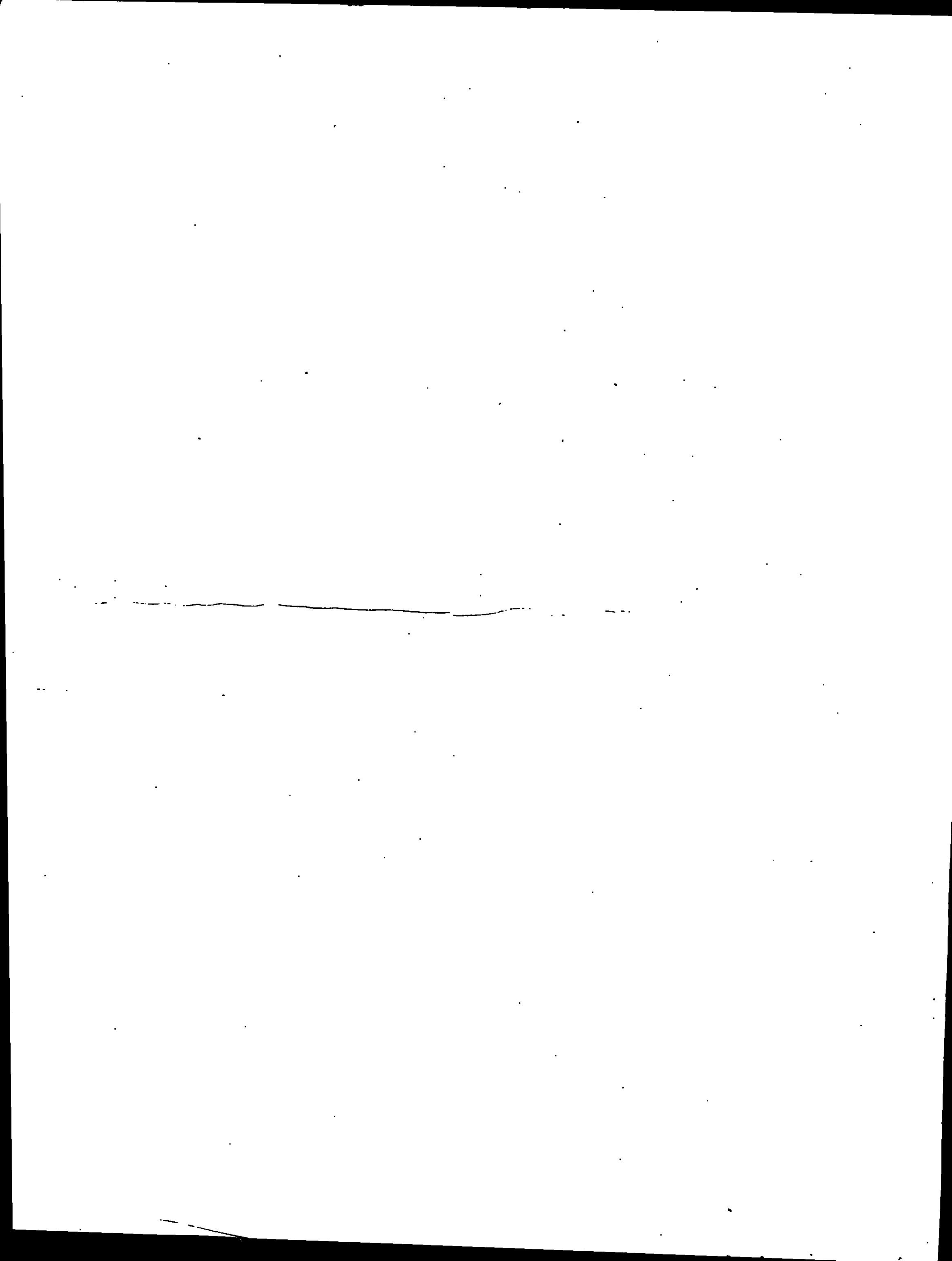
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**SUMMARY OF PROCEEDINGS ON BILLS DURING THE SECOND SESSION OF 1851.**

SHORT TITLES OF BILLS.	HOW AND WHEN INITIATED.		PROGRESS.										REMARKS.	
			First Reading.	Second Reading.	Committee.	Report.	Amendments proposed by the Governor-General.	Re-committed.	Report after Re-commitment.	Passed.	Assented to.	Publication in Government Gazette.		
Gunpowder Exportation Bill	By Message	17 Oct.	22 Oct.	23 Oct.	23 Oct.	23 Oct.					20 Nov.	1 Dec.	5 Dec.	Lapsed in the House, 29th October, 1851.
Orphans' Apprenticing Bill	By Message	17 Oct.	22 Oct.	23 Oct.	23 Oct.	30 Oct.					20 Nov.	1 Dec.	5 Dec.	
Merchant Seamen's Bill	By Message	17 Oct.	29 Oct.											To be read a third time this day six months, 13th November, 1851.
Public Roads' Bill	By Message	17 Oct.	22 Oct.											
Deceased Persons' Estates Bill	By Message	17 Oct.	22 Oct.	23 Oct.	23 Oct.	23 Oct.	2 Dec.	4 Dec.	4 Dec.		20 Nov.	9 Dec.	12 Dec.	To be further considered in Committee this day six months, 12th Decr., 1851.
Jury Bill	By Message	17 Oct.	22 Oct.	6 Nov.	6 Nov.	13 Nov.					26 Nov.	1 Dec.	5 Dec.	
Hyde Park Bill	By Message	17 Oct.	29 Oct.	6 Nov.	6 Nov.	20 Nov.					3 Dec.	4 Dec.	6 Dec.	Referred to a Select Committee, 31st October, 1851.
Vagrant Bill	By Mr. Nichols	17 Oct.	17 Oct.	29 Oct.	4 Nov.	7 Nov.					11 Nov.	11 Nov.	21 Nov.	
Maitland Cattle Bill	By Mr. Nichols	17 Oct.	17 Oct.	18 Nov.	21 Nov.	21 Nov.					28 Nov.	28 Nov.	9 Dec.	Discharged from the Paper, 5th December, 1851.
Sewerage Bill	By Message	21 Oct.	23 Oct.	6 Nov.	6 Nov.	6 Nov.								
Limited Partnerships Bill	By Dr. Douglass	21 Oct.	21 Oct.											Discharged from the Paper, 20th November, 1851.
Distresses for Rent Bill	By Mr. Martin	21 Oct.	21 Oct.	28 Oct.	28 Oct.	4 Nov.					{ 28 Nov. 12 Dec. }	{ 9 Dec. 12 Dec. }	16 Dec.	
Acts Shortening Bill	By Mr. Nichols	Oct.	28 Nov.	0 Dec.	12 Dec.									Discharged from the Paper, 20th November, 1851.
Penrith Nepean Bridge Bill	By Mr. Darvall	23 Oct.	2 Dec.	5 Dec.	5 Dec.	5 Dec.								
Sydney Exchange Company's Bill	By Mr. Lamb	28 Oct.	28 Oct.	28 Nov.	9 Dec.	9 Dec.					17 Dec.	17 Dec.	12 Dec.	Referred to a Select Committee, 19th November, 1851, and reported against.
Australasian Steam Navigation Company's Bill	By Mr. Cowper	28 Oct.	28 Oct.	18 Nov.	28 Nov.	28 Nov.								
Law Simplifying Bill	By Mr. Darvall	28 Oct.	28 Oct.											Referred to a Select Committee, 10th November, 1851.
Marine Assurance Company's Bill	By Mr. Cowper	24 Oct.	28 Oct.	18 Nov.	18 Nov.	18 Nov.					28 Nov.	1 Dec.	5 Dec.	
Northumberland and Hunter Roads' Bill	By Dr. Douglass	29 Oct.	29 Oct.											Lapsed in the House, 4th December, 1851.
Small Debts' Bill	By Message	4 Nov.	6 Nov.											
Land Titles Bill	By Message	5 Nov.	12 Nov.											Lapsed in the House, 4th December, 1851.
Growing Timber Bill	By Message	5 Nov.	12 Nov.	13 Nov.	13 Nov.	26 Nov.					3 Dec.	4 Dec.	12 Dec.	
Sydney Corporation Bill	By Message	11 Nov.	13 Nov.	19 Nov.	19 Nov.									Lapsed in the House, 4th December, 1851.
Hard Labor Bill	By Message	11 Nov.	13 Nov.	19 Nov.	19 Nov.	19 Nov.					26 Nov.	1 Dec.	5 Dec.	
Parish Roads' Bill	By Mr. Cowper	12 Nov.	12 Nov.											Lapsed in the House, 4th December, 1851.
Cataract and Nepean Bridges Bill	By Mr. Holden	12 Nov.	12 Nov.	28 Nov.	5 Dec.	5 Dec.					12 Dec.	15 Dec.	19 Dec.	
Sydney Bethel Union Bill	By Solicitor General	18 Nov.	18 Nov.	2 Dec.	5 Dec.	5 Dec.					9 Dec.	10 Dec.	16 Dec.	Lapsed in the House, 4th December, 1851.
Postage Bill	By Message	19 Nov.	26 Nov.	27 Nov.	3 Dec.	18 Dec.					18 Dec.	18 Dec.	20 Dec.	
Gunpowder Destruction Bill	By Message	19 Nov.	26 Nov.	27 Nov.	3 Dec.	3 Dec.								Lapsed in the House, 4th December, 1851.
Marriages Bill	By Message	21 Nov.	4 Dec.											
Marrriages Registration Bill	By Message	21 Nov.	4 Dec.											Lapsed in the House, 4th December, 1851.
Cattle Slaughtering Bill	By Mr. Martin	28 Nov.	28 Nov.	5 Dec.	12 Dec.	18 Dec.					20 Dec.	22 Dec.	30 Dec.	
Customs' Duties Bill	By Message	28 Nov.	4 Dec.											Lapsed in the House, 4th December, 1851.
Annual Appropriation Bill	By Colonial Treasurer	12 Dec.	17 Dec.	18 Dec.	18 Dec.	18 Dec.					19 Dec.	22 Dec.	30 Dec.	
Government Indemnity Bill	By Message	16 Dec.	17 Dec.	18 Dec.	18 Dec.	18 Dec.					19 Dec.	22 Dec.	6 Jan., 1852	Lapsed in the House, 4th December, 1851.
Ordinary Revenue Appropriation Bill	By Mr. Wentworth	16 Dec.	17 Dec.	17 Dec.	17 Dec.	17 Dec.					19 Dec.	22 Dec.	" "	
Judges' Taxation Powers Repeal Bill	By Mr. Wentworth	17 Dec.	17 Dec.	18 Dec.	18 Dec.	18 Dec.					19 Dec.	22 Dec.	" "	Lapsed in the House, 4th December, 1851.
Mitchell's Tram Road Bill	By Mr. Donaldson	18 Dec.	18 Dec.	19 Dec.	19 Dec.	19 Dec.					20 Dec.	22 Dec.	" "	

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VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

TUESDAY, 14 OCTOBER, 1851.

**PRESENT:**—George Allen, Esq.; George Barney, Esq.; Alexander Berry, Esq.; James Brindley Bettington, Esq.; James William Bligh, Esq.; George Bowman, Esq.; Edward Broadhurst, Esq.; James Chisholm, Esq.; Charles Cowper, Esq.; John Bayley Darvall, Esq.; John Dobie, Esq.; Stuart Alexander Donaldson, Esq.; Henry Grattan Douglass, Esq.; Robert Fitzgerald, Esq.; Edward Flood, Esq.; John George Nathaniel Gibbes, Esq.; John Rose Holden, Esq.; Arthur Todd Holroyd, Esq.; Arthur Jeffreys, Esq.; Philip Parker King, Esq.; John Lamb, Esq.; William Lithgow, Esq.; James Macarthur, Esq.; William Macarthur, Esq.; William Montagu Manning, Esq.; James Martin, Esq.; Francis Lewis Shaw Merewether, Esq.; George Robert Nichols, Esq.; Charles Nicholson, Esq.; George Oakes, Esq.; Alick Osborne, Esq.; Henry Osborne, Esq.; Henry Watson Parker, Esq.; The Honorable John Hubert Plunkett, Esq.; The Honorable Campbell Drummond Riddell, Esq.; Thomas Ware Smart, Esq.; William Spain, Esq.; The Honorable Edward Deas Thomson, Esq.; William Charles Wentworth, Esq.

**ABSENT:**—Francis Edward Bigge, Esq.; Alfred Denison, Esq.; William Dumaresq, Esq.; Henry Hughes, Esq.; Thomas Icely, Esq.; Richard Jones, Esq.; Rev. John Dunmore Lang, D. D.; George Farquhar Leslie, Esq.; Alexander Longmore, Esq.; George Macleay, Esq.; Matthew Henry Marsh, Esq.; Augustus Morris, Esq.; Terence Aubrey Murray, Esq.; John Richardson, Esq.; William Henry Suttor, Esq.

1. **Members sworn:**—The Council met pursuant to Proclamation of His Excellency the Governor-General, bearing date the 26th day of September, 1851, and the Clerk read the said Proclamation.  
The Colonial Secretary produced a Commission from His Excellency the Governor-General, authorizing himself, the Attorney General, and the Colonial Treasurer, to administer to each other, and to the Members of the Council, the Oath or Affirmation prescribed by the 25th section of the Constitution Act, 5 and 6 Victoria, chap. 76, to be taken by each Member before he can sit or vote in the Council,—which Commission was read by the Clerk.  
The Colonial Secretary then took the Oath himself, and administered the same to the other Commissioners, after which the Members present were duly sworn before the Commissioners; the Letters Patent appointing the Non-Elective Members and the Writs returning the Elective Members being produced as the Members were severally called to the Table.
2. **Election of Speaker:**—The Colonial Secretary having reminded the Council that the first business to be transacted was the Election of Speaker,—  
Mr. James Macarthur moved, That Charles Nicholson, Esquire, do take the Chair as Speaker of this Council.  
The Motion having been seconded by Mr. Nichols, and no other Member having been proposed as Speaker, Charles Nicholson, Esquire, stood up in his place and expressed his sense of the honor proposed to be conferred upon him, and submitted himself to the House,—  
Whereupon his Proposer and Seconder took him out of his place, and conducted him to the Chair, where, standing on the upper step, he expressed his true sense of the high honor the House had been pleased to confer upon him, and took his seat as Speaker elect.  
The Colonial Secretary congratulated Mr. Speaker elect, and informed the Council that His Excellency the Governor-General would be prepared to receive their Speaker elect at Government House, to-morrow, at Noon.  
Whereupon the Council adjourned at half-past One o'clock, until to-morrow at Noon.

WEDNESDAY, OCTOBER 15.

**MEMO:**—The Council meet at Noon, and proceed to Government House, there to present their Speaker elect to His Excellency the Governor-General.

WM. MACPHERSON,  
Clerk of the Council.

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 primary and secondary data collection techniques. The primary data was gathered through direct observation and interviews with key personnel. Secondary data was obtained from existing reports and databases.

The third section details the statistical analysis performed on the collected data. Various tests were conducted to determine the significance of the findings. The results indicate a strong correlation between the variables studied, suggesting that the observed trends are not merely coincidental.

Finally, the document concludes with a series of recommendations based on the research findings. These suggestions are aimed at improving the efficiency of the current processes and preventing future issues. It is hoped that these measures will lead to a more streamlined and effective operation.



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

WEDNESDAY, 15 OCTOBER, 1851.

1. Presentation and Allowance of Speaker:—Council met pursuant to adjournment; the Speaker elect took the Chair.  
On motion of Mr. James Macarthur, the Council proceeded to Government House, and there presented their Speaker elect to His Excellency the Governor-General. The Council having returned, the Speaker reported that the Council had been to Government House and had there presented him to His Excellency the Governor-General, who had concurred in their choice of him to be their Speaker; that he had, in their name and on their behalf, laid claim to all the rights and privileges properly appertaining to them, and that His Excellency the Governor-General had confirmed to them all such rights and privileges as fully and amply as heretofore. The Speaker then repeated his most respectful acknowledgments for the honor the Council had done him.
2. Opening the Session:—The Speaker also reported that His Excellency the Governor-General had been pleased to signify his intention of coming to the Council Chamber in person to-morrow, at Noon, to declare the purposes for which he has called the Council together, and to open the Session thereof.
3. Speaker's Commission to swear:—The Speaker further reported that he had been authorized, by Commission, under the hand of the Governor-General and Seal of the Territory, to administer the oath or affirmation prescribed by the 25th section of the Constitution Act, 5 & 6 Victoria, chap. 76, to be taken by each Member before he can sit or vote in the Council,—which Commission was read by the Clerk.
4. Declarations of Qualification:—The Speaker then reminded the Council that this was the proper time for the Elective Members to deliver to the Clerk their Declarations of Qualification, as required by the 3rd section of the Act of Parliament 7 & 8 Victoria, chap. 74.

Whereupon the Speaker first, and then the other Elective Members present, handed to the Clerk their several Declarations of Qualification, as follows:—

“ I, Charles Nicholson, do declare and testify, That I am seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the value of two thousand pounds sterling money, above all charges and incumbrances affecting the same;—such estate being situate at Darlinghurst, in the City of Sydney, and County of Cumberland, and consisting of the Dwelling-house in which I reside, and four acres of Land adjoining thereto; and I further declare that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

CHARLES NICHOLSON.

“ I, James Martin, 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 New South Wales, of the value of two thousand pounds sterling money, above all charges and incumbrances affecting the same, that is to say, forty-six acres of land in the district of Upper Nelson, in the county of Cumberland, bounded on the north-west side by Clower's farm, bearing east thirty-eight degrees north thirty-five chains eighty links, on the north-east by a line east thirty-seven degrees south twelve chains forty links to a chain of ponds, thence by the ponds to Davis's farm, on the south-east by Davis's farm west thirty degrees south thirty-four chains fifty links to the Windsor Road, and on the south-west by that road, together with the capital messuage or dwelling-house, stables, and other buildings thereon erected and built; and also one hundred acres of land, in the county of Northumberland, at Brisbane Water, commencing at Mulling's north-east corner, and bounded on the south by a line east fifty-three chains, on the east by a line north twenty-five chains, on the north by a line west thirty-nine chains to Brisbane Water, and on the west by that water; of which said parcels of land and the appurtenances I am seised in fee simple; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

JAMES MARTIN.

15th October, 1851.

“ I

" I, George Robert Nichols, 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 and tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, that is to say, of an allotment of land in the City of Sydney, and County of Cumberland, having a frontage to Kent-street of forty-five feet, on which is erected a dwelling house, now in the occupation of William Burns,—of two allotments of land at Balmain (fifty and fifty-two of the Waterview Estate) in the said County, on which is erected a dwelling house, known by the name of Amelia Cottage, for an estate for my own life,—of six hundred and forty acres of land at Wollombi, in the County of Hunter, bounded on three sides by Boucher's Grant, a Village Reserve, and Richard Hill's Grant, in fee simple; of an allotment of land in the City of Sydney, County of Cumberland, having a frontage of fifty-eight feet to Dowling-street, being part of Hallen's Grant, in fee simple; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying me to be returned a Member of the Legislative Council of the said Colony."

GEO. R. NICHOLS.

*Dated this fourteenth day of October, in the year of Our Lord one thousand eight hundred and fifty-one.*

" I, Arthur Todd Holroyd, do declare and testify, That I am duly seised in Equity, as the owner of the Equity of redemption of an estate in freehold, for my own use and benefit, in lands and tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate in Erskineville Lane, at Newtown, in the County of Cumberland, and consisting of a dwelling-house and premises, of six acres of land or thereabouts, surrounding the said dwelling-house and premises, and of eight tenements erected thereon; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

ARTHUR T. HOLROYD.

*Sydney, October 15th, 1851.*

" I, William Charles Wentworth, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate at Greendale, in the District of Bringelly and County of Cumberland; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

W. C. WENTWORTH.

" I, James Brindley Bettington, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate at Oatlands, in the Parish of the Field of Mars, in the County of Cumberland; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

J. B. BETTINGTON.

*Sydney, 15th October, 1851.*

" I, John Rose Holden, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate at the corner of Macquarie and Bent-streets, in the City of Sydney, in the said Colony of New South Wales, consisting of five dwelling houses; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

J. R. HOLDEN.

" I

" I, George Bowman, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate at Prospect, in the District of Parramatta, in the County of Cumberland, containing a grant of land of one thousand two hundred acres, and also a grant of land of two thousand five hundred and sixty acres, situate near Jerry's Plains, in the County of Hunter; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

GEORGE BOWMAN.

*Sydney, October 15th, 1851.*

" I, Henry Grattan Douglass, do declare and testify, That I am duly seised in Law or Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges affecting the same, being two thousand seven hundred acres of land, in the County of Philip, part of which is on the north side of the Cudgegong River, part at Tombong Creek, and part at Louee Creek, at Peanglar, in said County; and 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 qualifying or enabling me to be returned a Member of the Legislative Council of New South Wales."

HENRY GRATTAN DOUGLASS.

" I, John Lamb, Commander in the Royal Navy, do declare and testify, That I am duly seised at Law of an estate in freehold, for my own use and benefit, in allotments of ground and tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling, above all charges and incumbrances affecting the same, viz.—Three tenths share of a wharf, stores, and offices, situated in Fort-street, Sydney, abutting on the waters of Darling Harbour, and which I hold in fee simple; and that I have not collusively or colourably obtained a title to, or become possessed of the said wharf, stores, and offices, or any part thereof, for the purpose of qualifying or enabling me to be returned as a Member of the Legislative Council of the Colony of New South Wales."

JNO. LAMB.

*Sydney, October 14th, 1851.*

" I, James Macarthur, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, namely,—A Grant from the Crown to the late John Macarthur, Esquire, called Camden Park, and another Grant from the Crown to Walter Stevenson Davidson, Esquire, called Belmont, which Estates are situated in the County of Camden, and which I hold in fee simple; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

JAS. MACARTHUR.

*Sydney, 14th October, 1851.*

" I, Robert Fitzgerald, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the value of two thousand pounds sterling money, above all charges and incumbrances affecting the same, that is to say—the dwelling-house and premises in which I reside, in the Town of Windsor, in the County of Cumberland, in the said Colony, of which said dwelling-house and premises I am seised in fee simple; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

R. FITZGERALD.

*15th October, 1851.*

" I, James Chisholm, do declare and testify, that I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the value of two thousand pounds sterling money, above all charges and incumbrances affecting the same, to wit,—twelve hundred acres, known as " Kippilaw," situated on the Wollindilly River, in the County of Argyle; two thousand acres, known as Gorham Park, situated on the Wollindilly River, in the aforesaid County of Argyle; and seven hundred acres adjoining the said two thousand acres, on the Wollindilly River, in the County of Argyle, all of which lands I hold in fee simple; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

JAMES CHISHOLM.

" I

" I, William Macarthur, do declare and testify, That I am duly seised at Law  
" or in Equity, of an estate in freehold, for my own own use and benefit, in lands or  
" tenements, in the Colony of New South Wales, of the yearly value of one hundred  
" pounds sterling money, above all charges and incumbrances affecting the same,  
" situate at Camdon, namely—a grant from the Crown to the late John Macarthur, Es-  
" quire, called Melrose, and another Grant from the Crown to the said John Macarthur,  
" Esquire, called Cawdor; and that I have not collusively or colourably obtained a  
" title to, or become possessed of the said lands and tenements, or any part thereof,  
" for the purpose of qualifying or enabling me to be returned a Member of the Legis-  
" lative Council of the Colony of New South Wales."

WM. MACARTHUR.

*Sydney, 15th October, 1851.*

Then, on motion of the Colonial Secretary, the Council adjourned at a quarter before  
One o'clock, until to-morrow at Noon.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
**LEGISLATIVE COUNCIL.**

THURSDAY, 16 OCTOBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.

Qualification of Members:—The following Declarations of Qualification were handed to the Clerk at the Table by the Elective Members whose names are thereto respectively subscribed:—

“ I, Charles Cowper, 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 and  
“ tenements, in the Colony of New South Wales, of the value of two thousand  
“ pounds, sterling money, above all charges and incumbrances affecting the same,  
“ namely, the Estate of Wivenhoe, on which are erected the dwelling-house and  
“ premises in which I reside, and which contains nine hundred acres of land, situate  
“ in the County of Cumberland, and Parish of Narcollan, bounded by the Cowpasture  
“ River, the North Richmond and Cobbitty Roads, and the Estates of John Oxley,  
“ Esq., and the Rev. Thomas Hassall, and which I hold in fee simple; and that I  
“ have not collusively or colourably obtained a title to, or become possessed of the  
“ said lands and tenements, or any part thereof, for the purpose of qualifying or  
“ enabling me to be returned a Member of the Legislative Council of the Colony of  
“ New South Wales.”

CHARLES COWPER.

*Legislative Council Chamber,  
Sydney, 16th October, 1851.*

“ I, Stuart Alexander Donaldson, do declare and testify, That I am duly  
“ seised at Law and in Equity of an estate in freehold, for my own use and benefit,  
“ in lands and tenements, in the Colony of New South Wales, of the value of two  
“ thousand pounds sterling, and of the yearly value of one hundred pounds sterling  
“ money, above all charges and incumbrances affecting the same, namely, of five  
“ acres of land, at Darlinghurst, in the City of Sydney, together with dwelling-house  
“ and other buildings, situate in Macleay and William streets, Woolloomooloo; and  
“ that I have not become possessed of the said lands and tenements, or any part thereof,  
“ for the purpose of qualifying or enabling me to be returned a Member of the  
“ Legislative Council of the Colony of New South Wales.”

STUART A. DONALDSON.

*Sydney, 14th October, 1851.*

“ I, Alick Osborne, do declare and testify, That I am duly seised at Law or  
“ in Equity, of an estate or freehold, for my own use and benefit, in lands or tenements,  
“ in the Colony of New South Wales, of the yearly value of one hundred pounds  
“ sterling money, above all charges and incumbrances affecting the same, situated at  
“ Dapto, in the district of Illawarra, and County of Camden; and that I have not  
“ collusively or colourably obtained a title to, or become possessed of the said lands  
“ and tenements, or any part thereof, for the purpose of qualifying or enabling me to  
“ be returned a Member of the Legislative Council of the Colony of New South  
“ Wales.”

ALICK OSBORNE.

*Sydney, October the 16th, 1851.*

*Sydney, October 14th, 1851.*

“ I Henry Osborne, do declare and testify, That I am duly seised at Law or  
“ in Equity, of an estate in freehold, for my own use and benefit, in lands or tene-  
“ ments, in the Colony of New South Wales, of the yearly value of one hundred  
“ pounds sterling money, above all charges and incumbrances affecting the same,  
“ namely a Grant from the Crown called Marshall Mount, which Estate is situated  
“ in the County of Camden, in the District of Illawarra, and that I have not collusively  
“ or colourably obtained a title to, or become possessed of the said Estate, or any part  
“ thereof, for the purpose of qualifying or enabling me to be returned a Member of  
“ the Legislative Council of the Colony of New South Wales.”

HENRY OSBORNE.

“ I, Thomas Ware Smart, do declare and testify, That I am duly seised at  
“ Law and in Equity, of an estate of freehold for my own use and benefit, in land  
“ in the Colony of New South Wales, of the value of eight thousand pounds sterling  
“ money, above all charges and incumbrances affecting the same, and which I hold in  
“ fee simple, namely, at Darlinghurst, in the City of Sydney, in Victoria, Brougham,  
“ Dowling, and Forbes streets; and that I have not collusively or colourably obtained  
“ a title to, or become possessed of the said lands, or any part thereof, for the pur-  
“ pose of qualifying or enabling me to be returned a Member of the Legislative  
“ Council of the Colony of New South Wales.”

T. W. SMART.

*Legislative Council Chambers,  
Sydney, 15th October, 1851.*

“ I

" I, James William Bligh, 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 and tenements of the clear yearly value of one hundred pounds sterling, over and above all charges and incumbrances affecting the same, namely, thirty-three allotments containing about seventeen acres of land, situated in the Town of Bathurst and County of Bathurst, one hundred acres of Suburban Land situated in the Parish of Bathurst and County of Bathurst, two allotments of land in Wynyard-square, in the City of Sydney and County of Cumberland; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

JAS. W. BLIGH.

" I, Arthur Jeffreys, 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 and tenements, in the Colony of New South Wales, of the value of two thousand pounds sterling money, above all charges and incumbrances affecting the same, namely,—six hundred and sixty-nine acres, or thereabouts, situated in the parish of Petersham, in the County of Cumberland, bounded on the west by a fence commencing on the south side of the Liverpool Road, bearing by compass south four degrees east ninety-two chains fifty links to Cook's River, on the south by the north bank of Cook's River aforesaid downwards (including the village of Canterbury, except those allotments which have been sold,) to the boundary line of the Sugar Company's property, on the east by a line bearing about east eight degrees north one hundred and twenty-five chains more or less to the Sydney and Liverpool Road, and on the north by the south side of the said Sydney and Liverpool Road sixty-three chains more or less to the point of commencement, and which I hold in fee simple; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

ARTHUR JEFFREYS.

*Sydney, 14 October, 1851.*

" I, Edward Flood, 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 New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, that is to say, four hundred and fourteen acres of land at Alnwick, in the County of Northumberland, purchased by me from the Crown, and also forty-five acres of land at Botany, in the County of Cumberland, partly granted to me by the Crown, and partly purchased by me from Mr. John Robey Hatfield, which lands I hold in fee simple; and that I have not collusively or colourably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

EDWD. FLOOD.

*16th October, 1851.*

2. Oath and Qualification of Members:—John Richardson and Richard Jones, Esquires, having taken the Oath and handed to the Clerk at the Table the following Declarations of their respective Qualifications, took their Seats,—John Richardson, Esquire, as Member for the Electoral District of the County of Stanley, and Richard Jones, Esquire, as Member for the Electoral District of the Stanley Boroughs.

" I, John Richardson, do declare and testify, That I am duly seised at Law or in Equity of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred and fifty pounds sterling money, above all charges and incumbrances affecting the same, situate in the town of North Brisbane, County of Stanley, viz., two houses in Queen-street, occupied as shops and dwelling-houses; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

J. RICHARDSON.

*Sydney, October 16th, 1851.*

" I, Richard Jones, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate at and near the Town of Brisbane, County of Stanley, viz., my private residence, called New Town, containing ninety-three acres of cleared land; and that I have not collusively or colourably obtained title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

RICHARD JONES.

*Sydney, 16 October, 1851.*

3. Governor-General's Opening Speech:—His Excellency the Governor-General having been announced by the Serjeant-at-Arms, and conducted to his seat by the Speaker, read the following Speech:—

MR. SPEAKER, AND GENTLEMEN OF THE LEGISLATIVE COUNCIL:—

In calling you together for the first time since the General Election, I gladly avail myself of the opportunity of expressing to you my anxious desire to co-operate with you in every way calculated to promote the best interests of the Colony, and with the same cordiality which happily characterised my official intercourse with your predecessors. I regret that the necessary measures for the settlement of the Electoral Divisions of the Colony and the preparation of the Electoral Lists according to the extended franchise created by the new Constitution Act have prevented your meeting at an earlier period of the year and one more convenient therefore, especially to those Members of your body whose interests are connected with the agricultural and pastoral pursuits of the Colony. I think under these circumstances I shall best consult your general convenience by confining the measures to be introduced by the Government in the present Session to those of such an urgent nature as will not admit of delay without inconvenience or injury to public interests, and by appointing an earlier period than usual for your meeting in the ensuing year.

2. Her Majesty having been graciously pleased to confer upon me the important appointment of Governor-General of all Her Majesty's Australian Possessions, I deem it proper to lay before you a copy of a Despatch from the Right Honorable the Secretary of State, explaining the objects for which this appointment has been created. It will afford me much gratification in the exercise of the powers which are thus conveyed to me to promote and cement those friendly relations between the several Colonies over which my Commission extends, which are so desirable for their mutual welfare and prosperity.

3. The Writs for the first Election of Members to serve in the Legislative Council of Victoria having been issued on the 1st July last, that portion of the former Territory of New South Wales became a separate Colony, and the authority of the Governor and Council of this Colony therefore finally ceased therein from that date.

4. In the very short period which has elapsed since the termination of the last Session, a most important change has taken place in the resources of the Colony. The discovery of an extensive and productive gold field has opened out fresh prospects of advancement and prosperity which cannot fail eventually to prove highly advantageous in its results. I am happy to say that this discovery has not hitherto been attended with any serious interruption to or disturbance of the ordinary industrial pursuits of the Colony. The order and obedience to the Regulations which the Government has deemed it expedient provisionally to establish for the collection of Revenue and for the decision of disputes in working the gold field are highly creditable to the large body of persons employed, and afford the gratifying presumption that the same orderly and satisfactory conduct will characterize their future proceedings,—a result equally favorable to their own prosperity and the general welfare of the Colony. I have found it necessary, under the peculiar circumstances which have so suddenly arisen out of this extraordinary state of things, to increase the pay of the Constabulary force and of some other persons holding subordinate situations under the Government. I rely upon your giving your Legislative sanction to this increase, which the great rise in the price of provisions and the temptation to leave the public service offered by the successful prosecution of gold digging, rendered absolutely necessary for the public advantage.

5. I regret to say that the wheat crops, both in this Colony and in the neighbouring Settlements, partially failed during the last season; and the price of flour—partly owing to this cause, and partly to the speculation created by the gold discovery—has been considerably higher than usual. I am happy to learn, however, that there is at present a larger breadth of land under wheat culture than at any former period; and, as the season has been very favorable, there is every prospect, under the Divine blessing, of an abundant harvest, while it is to be expected that the recent importation of wheat will prevent a further rise in the price of flour until the growing crops can be gathered in. The other necessaries of life fortunately continue both cheap and abundant.

6. I will immediately lay before you a Despatch from the Right Honorable Earl Grey containing the decision of Her Majesty's Government on the Address of the late Council to Her Most Gracious Majesty, of the 1st of October, 1850, on the subject of transportation, and intimating the intention of advising Her Majesty to take an early opportunity of revoking the existing Order in Council so far as it relates to New South Wales.

7. I have also received from the Right Honorable the Secretary for the Colonies a Despatch in reply to an Address of the late Council of the 9th October, 1849, which requested me to forward to His Lordship the report of the Select Committee on Crown Lands. A copy of this Despatch will be immediately laid before you.

8. I will also lay before you without delay several other Despatches replying to various Addresses from the late Council, together with such further documents of public interest as it will be desirable to communicate to you.

9. The Estimates of Revenue and Expenditure have already been prepared and will be forthwith presented to you. The latter have been framed with an anxious desire to observe every possible economy in the public Expenditure; but in the peculiar

peculiar circumstances of the Colony at the present time, some considerable additions will be necessary to ensure efficiency in the Public Service. The increase in the Revenue has happily kept pace with the increasing demand upon it. Besides a considerable amount beyond its estimated produce in the present year when the Estimates were laid before the late Council in the Session of 1850, there was a much larger balance unexpended at the close of that year than was anticipated. The particulars embracing the whole of the financial arrangements of the Session will be fully explained to you when the Estimates are laid upon the Table.

10. Amongst the most important measures to be laid before you is a Bill for imposing a new and improved tariff of duties on articles imported into the Colony. This measure has been framed upon the most moderate scale consistent with the raising of a sufficient revenue to provide for the public requirements, and abolishes all distinction whatever in the rates imposed on articles in whatever Country produced or from whatever Country imported. I anticipate the most favorable result from a measure based on a liberal principle of this nature,—no less to the interests of commerce than to those of the community generally. It is calculated by the removal of the present high duties on many articles of foreign produce and manufacture, to open out a market in this Colony for their disposal, and thus to offer inducements for the sale of its numerous and valuable productions in those countries which may use this new field for their commercial enterprise. Whether it may be expedient to proceed with this important measure in the present Session, or whether the Bill should be merely printed, and its further progress postponed until next year, with a view to endeavour to obtain the enactment in the other Australian Colonies of a similar comprehensive measure, is worthy of your serious and deliberate consideration. It appears to me, that the general interests of all these communities render it desirable that the same principle should be adopted as far as local circumstances will permit in the enactment of a law of this nature.

11. By the Constitution Act 13 and 14 Vict., cap. 59, a considerably increased control is given to the Colonial Legislature over that part of the Expenditure which is included in the Schedules to that Act. In consequence of the inadequacy of the sums thereby appropriated for the administration of justice, and an excess in the amount expended, arising principally from the establishment of Circuit Courts at Moreton Bay and Geelong, and for which some Legislative provision will be necessary, I have availed myself of the assistance and advice of their Honors the Judges of the Supreme Court, and of the Crown Law Officers, to suggest such measures as they might conceive desirable, having a due regard for all the interests concerned, for bringing the Expenditure within the amount provided for the purpose. A copy of the able Report which has been drawn up by His Honor the Chief Justice as the Chairman of the Board, and the accompanying documents, together with a copy of the Minute of my Executive Council containing the decision which has been made on the several recommendations of the Board, will be immediately laid before you. It will be perceived that the reductions prospectively proposed and ordered to be carried into effect fully accomplish the object required. The expenditure for the other departments chargeable on the Schedules is within the amount appropriated for their support. I am desirous nevertheless that the whole subject of the expenditure in question should be brought under your careful and attentive review; and I beg to recommend that it should form the subject of investigation by a Select Committee of the Council, either in the present or the ensuing Session, as may be found most convenient. It will afford me much satisfaction to see the important interests concerned placed upon a satisfactory and permanent basis. I will readily concur with you in any measures for the purpose which may be consistent with a proper regard for the claims of existing office holders, who accepted those offices with expectations which cannot justly be disappointed. It will also be necessary, under the instructions which I have received from Her Majesty's Government, that any reduction of fixed establishments or of any expenditure provided for by permanent laws, should be effected by Acts of the Legislature subject in the usual manner to the assent of the Crown.

12. In accordance with the intention expressed in my Message to the late Council, of the 29th April last, a copy of the Report of the Board on the management of the Post Office Department will be laid before you, together with a copy of the Minutes of my Executive Council containing the decision at which I arrived with their advice on the several points recommended by the Board. The necessary Bill to give effect to these recommendations will be immediately laid before you. In deference to public opinion which has been so generally expressed, it is my intention to introduce in it a provision for exempting in future all newspapers passing through the Post Office from the payment of any charge for Postage. I have received and will lay before you without delay copies of a Despatch from the Secretary of State and correspondence with the Postmaster General of England, intimating the intention of Her Majesty's Government to comply with the request contained in the Address of the late Council for the establishment of a system of optional pre-payment in respect to letters passing between this Colony and the United Kingdom.

13. In consequence of the present unsatisfactory state of the Marriage Laws in the Colony, and the uneasiness which is felt on this important subject, it is my intention to introduce in the present Session a Bill which I trust will have the effect of removing all future cause of complaint in this respect, and of placing the matter on a comprehensive, satisfactory, and permanent basis.

14. Having brought the subject of the Military Defences of Port Jackson under the consideration of Her Majesty's Government, I have received from the Secretary of State a Despatch of which a copy shall be communicated to you, offering certain  
assistance



assistance in the execution of the works by means of Military labour; provided the necessary funds be supplied by the Colony, for the ordinary and working pay of the troops, who would be sent out for this purpose at the expense of the Home Government, and to whom inducement would be held out eventually to settle in the Colony. This proposal appears to me to offer such advantages as to render it desirable that it should be favorably entertained; and I accordingly recommend it to your early and attentive consideration. I shall be glad to be favored with the result of your conclusions on the subject as soon as may be convenient.

15. Any further Measures that I may have occasion to submit to you shall be communicated to you in the usual way by Message.

CH<sup>s</sup>. A. FITZ ROY.

*Legislative Council Chamber,  
16 October, 1851.*

His Excellency the Governor-General having been conducted to the door by the Speaker, the Council adjourned at a quarter before One o'clock, until Three o'clock, P.M. of this day.

4. Qualification of Members:—The Council having resumed, the following Declarations of Qualification were handed to the Clerk at the Table by the Elective Members whose Names are thereto respectively subscribed:—

“ I, John Bayley Darvall, of Cleves, in the County of Cumberland, in the Colony of New South Wales, Barrister-at-Law, do declare and testify, That I am duly seised at Law, of an estate in freehold, for my own use and benefit, in lands and tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate at Botany, in the County of Cumberland, in the Colony of New South Wales, in the occupation of Messrs. Darvall Castilla & Co., containing twenty-three acres of land, more or less, with buildings thereon; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

J. B. DARVALL.

“ I, Phillip Parker King, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands and tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate near Penrith at the South Creek, of three thousand acres of land and a dwelling; and that I have not collusively or colourably obtained a title to, or become possessed of said lands and dwelling, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

PHILLIP P. KING.

*Declared and subscribed by me,  
this 14th day of October, 1851.*

5. Address in reply to the Governor-General's Opening Speech:—The Speaker read the copy of the Speech of His Excellency the Governor-General on opening the Session,—Mr. Alick Osborne then moved, That a Select Committee be appointed to prepare an Address in reply to the Speech of His Excellency the Governor-General on opening the Session, and that such Committee consist of the following Members, namely,—The Colonial Secretary, Mr. Wentworth, Mr. Wm. Macarthur, Mr. Chisholm, Mr. Bowman, Mr. Martin, and Mr. Flood.

Question put and passed.

Mr. Alick Osborne having brought up the Address in reply to the Speech of His Excellency the Governor-General on opening the Session of the Council, as prepared by the Committee, the same was read by the Clerk, on motion of Mr. Alick Osborne, as follows:—

“ To His Excellency Sir Charles Augustus Fitz Roy, Knight Companion of the Royal Hanoverian Guelphic Order, Governor-General of all Her Majesty's Australian Possessions, and Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.”

“ MAY IT PLEASE YOUR EXCELLENCY:—

“ We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Council of New South Wales, in Council assembled, desire to express to Your Excellency our affection and loyalty to the Person and Government of our Most Gracious Sovereign, and to offer our respectful thanks for Your Excellency's Speech to this Council.

“ 2. We beg to assure Your Excellency of our earnest desire to preserve the same good understanding that has hitherto happily subsisted between Your Excellency's Administration and our predecessors; for we believe that by the cordial co-operation of the Legislative and Executive Authorities the welfare and good government of the Colony will be best promoted.

“ 3.

" 3. The unavoidably late period at which we are now assembled, and the necessity that exists on the part of many Members of bestowing their personal attention to those Pastoral and Agricultural pursuits in which they are engaged, furnish strong grounds for limiting the business of the present Session to the consideration of such measures as are of immediate and pressing necessity.

" 4. We congratulate Your Excellency upon the high appointment of Governor-General of the Australian Colonies, which Her Majesty has been graciously pleased to confer upon You, and we join in the hope expressed by Your Excellency that those feelings of mutual good will may be maintained amongst the several Australian Dependencies, upon the continuance of which their general prosperity and advancement must greatly depend.

" 5. The recent discovery of extensive Gold fields in New South Wales—their rich and highly productive character—is an event the importance of which it is impossible to overrate, whether as regards the interests of the British Empire generally, or as affecting the political and social condition of the Colony. That the ultimate result of this discovery will be highly beneficial, we entertain strong hopes, although its immediate effect has been to impose very serious burthens upon the principal productive interests of the Country. We feel that the greatest vigilance and circumspection will be required in enforcing obedience to the laws, and maintaining that orderly and satisfactory conduct which has hitherto characterized the proceedings of those engaged in this pursuit.

" 6. The prospects of a favourable harvest and of an abundant supply of all the necessaries of life, are subjects of congratulation; and it is earnestly hoped that sufficient labor may be found for securing the wheat crops when ripe—for shearing the sheep—and for the conveyance of our staple product, Wool, to the places of shipment.

" 7. The several Despatches and Documents to which Your Excellency refers shall receive, when laid before us, our most attentive consideration. It is satisfactory to us to hear that it was the intention of Her Majesty's Government to take an early opportunity of advising Her Majesty to revoke the existing Order in Council, appointing the places to which British Convicts may be transported, so far as it relates to New South Wales.

" 8. In considering the Estimates of Revenue and Expenditure, we shall be prepared to maintain the greatest possible degree of economy consistent with the exigencies of the Public Service.

" 9. We shall carefully consider the Bill which Your Excellency has intimated Your intention of laying before us, establishing a new and improved Tariff of Duties on articles imported into this Colony.

" 10. The Report of the Board appointed by the Government to enquire into the management of the Post Office, together with the Bill embodying the recommendations it contains, will receive our careful consideration. We are glad to learn that it is at length the intention of Her Majesty's Government to comply with the Address of the late Council, for the establishment of a system of optional pre-payment in respect to letters passing between this Colony and the United Kingdom. We agree with Your Excellency that the present uncertain state of the Marriage-Laws in this Colony should be remedied, and that it is a question the consideration of which ought not to be postponed.

" 11. The Despatch from the Right Honorable the Secretary of State for the Colonies respecting the Military Defence of Port Jackson, shall have our attentive consideration. We shall not fail to place Your Excellency in possession of the result of our conclusions at the earliest possible period."

*Legislative Council Chamber,  
Sydney, 16th October, 1851."*

Moved by Mr. Alick Osborne, That the Address as read by the Clerk be adopted as the reply of this Council to His Excellency the Governor-General's Speech on opening the Session.

Debate ensued.

Question put and passed.

The Speaker was proceeding to appoint a Deputation to wait upon His Excellency the Governor-General, to ascertain when His Excellency may be pleased to receive their Address, when the Colonial Secretary said that, in anticipation of the wish of the Council, he had already ascertained it to be His Excellency's pleasure to receive their Address in reply to His Excellency's Speech on opening the Session, at Government House, to-morrow, at half-past Two o'clock.

6. Qualification of Member :—George Oakes, Esquire, handed to the Clerk at the Table the following Declaration of his Qualification :—

" I, George Oakes, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the value of two thousand pounds sterling, above all charges and incumbrances affecting the same, viz,—Dwelling-house which I occupy in the Town of Parramatta, in the County of Cumberland; also an Estate in the Counties of King and Georgiana, known as Oak Park, consisting of nineteen hundred and seven acres; and that I have not collusively or colourably obtained a title to, or become possessed of the said land and tenement, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

GEORGE OAKES.

*Legislative Council Chambers,  
Sydney, October 14th, 1851.*

7. Papers :—The Colonial Secretary laid upon the Table the several undermentioned Papers :—
- (1.) A Despatch respecting Crown Lands, from the Right Honorable Earl Grey to His Excellency Sir C. A. Fitz Roy, No. 114, of date 14th August, 1850.  
Ordered to be printed.
  - (2.) A Despatch respecting the Duties on Spirits, from the Right Honorable Earl Grey to His Excellency Sir C. A. Fitz Roy, No. 60, of date 12th May, 1850.  
Ordered to be printed.
  - (3.) A Despatch respecting the disallowance of the Vagrant Act, 13 Victoria, No. 46, from the Right Honorable Earl Grey to His Excellency Sir C. A. Fitz Roy, No. 91, of date 4th July, 1850.  
Ordered to be printed.
  - (4.) A Despatch respecting the appointment of Sir C. A. Fitz Roy, as Governor-General of the Australian Colonies, No. 1, of date 13th January, 1851.  
Ordered to be printed.
  - (5.) Report from the Director of the Botanic Gardens, Sydney, for the year 1850.  
Ordered to be printed.
  - (6.) Report from together with Evidence taken before the Board of Inquiry on the Lunatic Asylum at Tarban Creek.  
Ordered to be printed.
  - (7.) Report from and Evidence taken before the Board of Inquiry on the General Post Office, together with certain Extracts from the Minutes of the Executive Council in reference thereto.  
Ordered to be printed.
  - (8.) The third Annual Report from the Denominational School Board, together with Appendices.  
Ordered to be printed, without the Appendices.
  - (9.) Returns of the Liabilities and Assets of the several Banks of the Colony for the Quarters respectively ended 30th September, 1850, 31st December, 1850, 31st March, 1851, and 30th June, 1851, rendered pursuant to 4 Vict., No. 13.  
Ordered to be printed.
  - (10.) Accounts of the South Head Roads Trust for the half-year ended 31st December, 1850, rendered pursuant to 11 Vict., No. 49.  
Ordered to be printed.
  - (11.) Accounts of the Cumberland Roads Trusts for the half-year ended 31st December, 1850, rendered pursuant to 13 Vict., No. 41.  
Ordered to be printed.
  - (12.) Return of all Moneys received or payable to Her Majesty's Ordnance Department since 9th May, 1850, rendered pursuant to 4 Vict., No. 2.  
Ordered to be printed.
  - (13.) Return of all Lands and Buildings vested in Her Majesty's Ordnance, rendered pursuant to 4 Vict., No. 2.  
Ordered to be printed.
  - (14.) Further Return to an Address respecting the Immigration Depôt at Hyde Park Barracks, adopted, on motion of Mr. Nichols, on 11th April, 1851.  
Ordered to be printed.
  - (15.) Return to an Address respecting Denominational Schools, adopted, on motion of Mr. Donaldson, on 30th August, 1850.  
Ordered to be printed.
- Council adjourned at twenty minutes past Four o'clock, until to-morrow at a quarter after Two o'clock.

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## NOTICES OF MOTION.

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FRIDAY, OCTOBER 17.

MEMO.—The Council meet at a *quarter after Two o'clock* and proceed to Government House, there to deliver to His Excellency the Governor-General their Address in reply to His Excellency's Speech on opening the Session.

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### NOTICES OF MOTION :—

1. MR. MARTIN to move, That the Inspector General of Police do take care that during the Session of Council, the passages through the streets leading to this House be kept free and open, and that no obstruction be permitted to hinder the passage of the Members to and from this House; and that no disorder be allowed in the vicinity of this House, or in the passages leading to this House, during the Sitting of Council; and that there be no annoyance therein or thereabouts; and that the Sergeant-at-Arms attending this House do communicate this order to the Inspector-General aforesaid.
2. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return, shewing the number and description of all cases dealt with at the respective places for holding Petty Sessions, between the 1st January, 1850, and the 30th September last, specifying the mode in which they were disposed of, whether by dismissal, summary conviction, or committal for trial at the Supreme Court or Courts of Quarter Sessions.

3. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the Fines and Fees collected at the Sydney Police Office, during each month within the last seven years, and shewing the amount paid into the Colonial Treasury, and to the Treasurer of the Benevolent Society respectively; the Return to be completed to the 30th September last.
4. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
- (1.) A Return of the Officers and persons employed in the Customs' Department, and of the Salaries and Allowances granted to each individual, stating the dates of their appointment, and the duties performed by them respectively.
- (2.) A Return of the Officers and persons employed in the Surveyor General's Department, specifying the Salaries and Allowances granted to each individual, and the duties respectively performed by them, distinguishing the Licensed Surveyors or Officers temporarily employed, from those permanently attached to the Department.
5. THE COLONIAL SECRETARY to move, That Henry Watson Parker, Esq., be the Chairman of Committees of the whole Council for the Session.
6. THE COLONIAL SECRETARY to move, That Tuesday, Wednesday, Thursday, and Friday in each week, be the days on which this Council shall meet for the dispatch of business, during the present Session.
7. THE COLONIAL SECRETARY to move, That on Wednesday and Thursday in each week, the transaction of Government business shall take precedence of all other business.
8. THE COLONIAL SECRETARY to move, That the following Members be appointed a Select Committee to prepare such Standing Rules and Orders as shall appear best adapted for the orderly conduct of the business of this Council; such Committee to report not later than this day fortnight, that is to say :—The Speaker, The Attorney General, Mr. Wentworth, Mr. Parker, Mr. James Macarthur, Mr. Donaldson, Mr. Nichols, Mr. Cowper, and Mr. Broadhurst.
9. THE COLONIAL SECRETARY to move, That the Library Committee for the present Session consist of the following Members, that is to say, The Speaker, The Attorney General, Mr. Wentworth, Mr. Parker, Mr. James Macarthur, Mr. Donaldson, Captain King, Mr. Nichols, and Mr. Murray.
10. MR. NICHOLS to move for leave to bring in a Bill for the more effectual prevention of Vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales.
11. MR. NICHOLS to move for leave to bring in a Bill to prevent the Driving of Cattle, whether for sale, slaughter, or shipment, through the Towns of East and West Maitland, except at certain hours.
12. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, A Return of the number of Districts which have been organized by the Inspector General of Police, in pursuance of the powers vested in him by the provisions of the Act of Council 14th Vict., No. 38, together with the dates of the notification of the organization thereof respectively.

TUESDAY, OCTOBER 21.

NOTICES OF MOTION :—

1. DR. DOUGLASS to move for leave to bring in a Bill to authorise Limited Partnerships.
2. DR. DOUGLASS to move for leave to bring in a Bill for the managing, making, and upholding of the Public Roads in the United Counties of Northumberland and Hunter, and for other purposes therein mentioned.
3. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
4. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing :—
- (1.) The number of licenses to dig for gold issued in each month, since the discovery of gold in this Colony, at Summer Hill, in May last.
- (2.) The number of Commissioners for the gold districts appointed since such discovery— their names—the dates of their appointments—and the salaries paid to each.
- (3.) The number of additional police employed since such discovery in the gold districts, including those employed in escorting gold to the Metropolis, and the cost of their maintenance.
- (4.) The gross revenue derived by the Government from the gold fields since their discovery, and the gross amount paid by the Government in relation to such gold fields.
- (5.) The quantity of gold, the produce of this Colony, exported since such discovery.
- (6.) The places at which gold fields have been discovered in the Colony.
- (7.) The Regulations made by the Government, since such discovery, respecting the gold fields.
5. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of the Report of the Board appointed by the Executive Government, in the year 1850, to inquire into the management of the Lunatic Asylum, Farban Creek, and of any Correspondence which may have taken place between the Colonial Government and the Superintendent of that Establishment, in reference to the complaints of mismanagement.

6. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all Correspondence between the Colonial Government and the Secretary of the Benevolent Society, in reference to pecuniary support from the Public Revenue, and to the inadequacy of the accommodation for the inmates of the Benevolent Asylum.

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WEDNESDAY, OCTOBER 22.

NOTICE OF MOTION :—

1. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
- (1.) A copy of any Correspondence which has taken place between the Colonial Government and their Honors the Judges, or any Board appointed to report upon the subject, in reference to the carrying out the sentences pronounced by the Colonial Courts for criminal offences.
- (2.) A Nominal Return of all persons upon whom sentences have been pronounced for criminal offences, either in the Supreme Court, or Courts of Quarter Sessions, since the 1st January, 1845, specifying the particulars of the sentence, and the remission, if any; also stating upon whose recommendation the clemency of the Crown was exercised.

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THURSDAY, OCTOBER 23.

NOTICES OF MOTION :—

1. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Exiles introduced into the Colony since the 1st July, 1843, specifying the districts for which they obtained tickets-of-leave; the number located in each district; the number reported as having absconded; the number retaken, and the number still at large. Also, the number whose tickets-of-leave have been cancelled, or who have been otherwise punished, and the offences for which such punishments have been inflicted.
2. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return of all Prisoners received into the Goal at Brisbane between the 1st January, 1849, and the 30th September last; specifying the condition of each Prisoner; the nature of the offence with which he was charged; the punishment awarded, if any, and by what Court; the Bench by which committed or sentenced; and the names of the Justices acting in the respective cases.
3. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the rates of *ad valorem* Duties charged on all articles upon which such duties are leviable, since the 1st January, 1840, stating the cost price of such articles, and also their marketable value in Sydney, at the time of their entry in the Customs.

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FRIDAY, OCTOBER 24.

NOTICE OF MOTION :—

1. MR. LAMB to move, That this Council having had under consideration the Despatch from Earl Grey to Sir Charles Fitz Roy, No. 24, dated April 10th, 1851, Resolves :—
- (1.) That since the passing of the Resolutions of the late Legislative Council, on the 1st of October, 1850, events have occurred which render indisputable the policy of the Resolution then affirmed, "that no more Convicts ought, under any conditions, to be sent to any part of this Colony."
- (2.) That the opinion of the Legislative Council having been twice expressed, at the invitation of the Secretary of State, under his promise to abide by the result of its deliberations, the disposition evinced by Earl Grey to keep open the question of Transportation, and to sanction the separation of Moreton Bay, for the express purpose of evading the fulfilment of his pledge, fills this Council with alarm, and is calculated to inspire the Colonists with distrust in the faith of Her Majesty's Ministers.
- (3.) That the objections before entertained against Penal Transportation to the Australasian Colonies have been so much strengthened by the recent discovery of large auriferous deposits within the territories, as to induce many who formerly advocated the system, to join the ranks of its opponents; and that, consequently, the feeling is now general that the continued introduction of the criminals of the Mother Country into these Colonies would be highly injurious to the religious, moral, and social condition of their inhabitants.

(4.) That the Imperial Government, whilst admitting the extent of evil inflicted on the People of Van Diemen's Land by the accumulation of Convicts within its limits, avows the intention of relieving that Island by dispersing them in the other Australasian Colonies, which, since the discoveries of Gold, are, for Imperial as well as Colonial considerations, wholly unfitted for their reception.

(5.) That, for these reasons, this Council solemnly protests against the continuance of Transportation to Van Diemen's Land, or any of the existing Australasian Colonies; and deprecates the establishment of any new Penal Settlement, either to the northward of New South Wales, or elsewhere in the Southern Hemisphere.

(6.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, with a recommendation of their favorable consideration by Her Majesty's Government.

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TUESDAY, 28 OCTOBER.

NOTICE OF MOTION:—

1. MR. COWPER, to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—

(1.) A Return of all moneys expended by the National Board of Education from the date of its establishment to the 30th September last, distinguishing the particular services for which such expenditure has been made, and specifying the amount charged for the Verandahs, enclosing Wall, and Lodge to the Model School, Sydney; the amount expended for each School established under the Board, whether for building, repairs, salaries, or other expenses; and where a School House has been erected, stating the amount contributed by the Board or private individuals; if such private contribution was made in land, describing the quantity and the estimated value in money.

(2.) A Nominal Return of all persons employed by the National Board of Education, from the date of its establishment to the 30th September last, specifying their office or designation, and the remuneration given to each individual; also the date of appointment and discharge, (if not now employed by the Board), if the remuneration be in part only by fixed salary, then specifying what other emolument is given, and shewing the addition made to the income thereby; also a return of all Schools established by the Board, and the number of children under education in each School.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

FRIDAY, 17 OCTOBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Address in reply to His Excellency the Governor-General's Opening Speech:—On motion of the Colonial Secretary, the Council proceeded to Government House, there to present to His Excellency the Governor-General their Address in reply to His Excellency's Opening Speech.  
The Council having returned, the Speaker reported that the Council had been to Government House, and there presented to His Excellency the Governor-General their Address in reply to His Excellency's Speech on opening the Session, and that His Excellency had been pleased to make thereto the following answer:—

MR. SPEAKER, AND GENTLEMEN OF THE LEGISLATIVE COUNCIL;

I thank you for this Address and for the expression of your earnest desire to preserve the same good understanding between the Executive Government and the Legislative Council which has hitherto been maintained during my Administration of this Government.

2.—I beg also to thank you for your congratulations on my appointment as Governor General of Her Majesty's Australian Colonies, and for the assurance that you will give attentive consideration to the measures I shall lay before you.

CH<sup>S</sup>. A. FITZ ROY.

*Government House,  
Sydney, 17 October 1851.*

2. Messages:—The following Messages from His Excellency the Governor-General received and read:—

(1.) Royal Instructions:—

CH<sup>S</sup>. A. FITZ ROY,  
*Governor-General.*

*Message No. 1.*

The Governor-General avails himself of the earliest opportunity of placing before the Legislative Council, a copy of that portion of the Queen's Instructions, by which it is Her Majesty's Royal Will and Pleasure that he should be guided "in assenting to, or dissenting from, or reserving for the signification of Her Majesty's Pleasure" such Bills as the Council may pass.

2. These Instructions appear to vary in some respects from those previously issued to His Excellency, and which were communicated to the Legislative Council on the 9th September 1846.

*Government House,  
Sydney 17th October 1851.*

Ordered to be printed, together with the accompanying Document.

(2.) Immigration:—

CH<sup>S</sup>. A. FITZ ROY,  
*Governor-General.*

*Message No. 2.*

The Governor-General transmits to the Legislative Council copies of certain Despatches from the Right Honorable the Secretary of State for the Colonies, on the subject of Immigration; one of which is in reply to an Address of the late Legislative Council dated 2nd August 1850.

*Government House  
Sydney 17th October 1851.*

Ordered to be printed, together with the accompanying Despatches.

(3.)

## (3.) Duty on Colonial Wine:—

CH<sup>s</sup>. A. FITZ ROY,  
Governor-General.

Message No. 3.

The Governor-General transmits to the Legislative Council a copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, in reply to an Address from the late Council dated 14 September 1849, on the subject of the duty chargeable in Great Britain on the Importation of Colonial Wine.

Government House  
Sydney 17 October 1851.

Ordered to be printed, together with the accompanying Despatch.

## (4.) Colonial Appointments:—

CH<sup>s</sup>. A. FITZ ROY,  
Governor-General.

Message No. 4.

The Governor-General transmits to the Legislative Council a copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, in reply to an Address from the late Legislative Council, dated 16th July 1850, praying that the appointment to all Public Offices in the Colony may be absolutely vested in the local Executive.

Government House, Sydney  
17th October 1851.

Ordered to be printed, together with the accompanying Despatch.

## (5.) Military Establishment:—

CH<sup>s</sup>. A. FITZ ROY,  
Governor-General.

Message No. 5.

The Governor-General transmits to the Legislative Council a copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, in answer to the Address of the late Council, dated 4th September 1850, on the subject of the reduction of the Military Establishments in this Colony.

Government House  
Sydney 17 October 1851.

Ordered to be printed, together with the accompanying Despatch.

## (6.) Dr. Douglass:—

CH<sup>s</sup>. A. FITZ ROY,  
Governor-General.

Message No. 6.

The Governor-General transmits to the Legislative Council a copy of a Despatch from the Right Honorable the Secretary of State for the Colonies in reply to the Address of the late Council, dated 18th September 1850, on the subject of the claim of Dr. Henry Grattan Douglass to a Grant of 2000 acres of Land in this Colony.

Government House,  
Sydney 17 October 1851.

Ordered to be printed, together with the accompanying Despatch.

## (7.) Gunpowder Exportation Bill:—

CH<sup>s</sup>. A. FITZ ROY,  
Governor-General.

Message No. 7.

In accordance with the provisions of the Act of the Imperial Parliament 5 and 6 Vict: cap. 76, the Governor-General transmits to the Legislative Council the Draft of a Bill intituled "A Bill to continue for a further limited time an Act intituled 'An Act to regulate for a limited time, the exportation of Gunpowder and 'Warlike Stores, from the Colony of New South Wales.'"

Government House  
Sydney 17 October, 1851.

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.

## (8.) Orphans' Apprenticing Bill:—

CH<sup>s</sup>. A. FITZ ROY,  
Governor-General.

Message No. 8.

In accordance with the provisions of the Act of the Imperial Parliament 5 & 6 Vict: Cap 76, the Governor-General transmits to the Legislative Council the Draft of a Bill intituled "A Bill to make further provision for the apprenticing of the 'children in the Male and Female Orphan Schools, and other poor children.'"

Government House  
Sydney 17 October 1851.

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.



## (9.) Merchant Seamen's Bill:—

CH<sup>s</sup>. A. FITZ ROY,*Message No. 9.**Governor-General.*

In accordance with the provisions of the Act of the Imperial Parliament 5 & 6 Vict., Cap 76, the Governor-General transmits to the Legislative Council the Draft of a Bill intituled, "A Bill for improving the condition of Masters, Mates, and Seamen, and maintaining Discipline in the Merchant Service of the Colony of New South Wales, and for consolidating the Laws relating thereto."

*Government House**Sydney 17 October 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday, the 29th instant.

## (10.) Public Roads Bill:—

CH<sup>s</sup>. A. FITZ ROY,*Message No. 10.**Governor-General.*

In accordance with the provisions of the Act of the Imperial Parliament, 5 and 6 Vict: Cap 76, the Governor-General transmits to the Legislative Council the Draft of a Bill intituled, "A Bill for the managing, making, and upholding the Public Road from the Nepean River to the Town of Bathurst, and to enable the Governor-General and Executive Council to bring other Public Roads within the provisions thereof, as occasion may require."

*Government House**Sydney 17 October 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.

## (11.) Deceased Persons Estates Bill:—

CH<sup>s</sup>. A. FITZ ROY,*Message No. 11.**Governor-General.*

In accordance with the provisions of the Act of the Imperial Parliament 5 and 6 Vict: Cap 76, the Governor-General transmits to the Legislative Council the Draft of a Bill, intituled "A Bill to amend, in certain particulars, the Act passed for the better preservation of the Estates of deceased persons."

*Government House**Sydney 17 October 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.

## (12.) Jury Bill:—

CH<sup>s</sup>. A. FITZ ROY,*Message No. 12.**Governor-General.*

In accordance with the provisions of the Act of the Imperial Parliament 5 and 6 Vict: Cap. 76, the Governor-General transmits to the Legislative Council the Draft of a Bill intituled "A Bill to amend in some respects the Act passed to consolidate the Laws relating to Juries."

*Government House**Sydney 17 October 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.

## (13.) Hyde Park Bill:—

CH<sup>s</sup>. A. FITZ ROY,*Message No. 13.**Governor-General.*

In accordance with the provisions of the Imperial Act 5th and 6th Victoria, Cap. 76, the Governor-General transmits to the Legislative Council the draft of a Bill for enclosing a portion of the public Road running through Hyde Park, known as a continuation of Macquarie-street, in the City of Sydney.

2. As the late Legislative Council declined to pass a similar measure, His Excellency deems it proper to explain that he has introduced this Bill in compliance with the urgent request of the Corporation of the City of Sydney.

*Government House**Sydney 17 October 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday, the 29th instant.

3. Committee of Elections and Qualifications :—Pursuant to the provisions of the Electoral Act of 1851, the Speaker laid upon the Table the following Warrant appointing the Committee of Elections and Qualifications for the present Session of the Legislative Council.

*By Charles Nicholson, Esquire, the Honorable the Speaker of the Legislative Council of the Colony of New South Wales.*

“ Pursuant to the power in that behalf vested in the Speaker of the Legislative Council of New South Wales, by the Electoral Act of 1851, I, Charles Nicholson, Esquire, as Speaker of the Legislative Council aforesaid, do hereby appoint

- “ Charles Cowper,
- “ John Bayley Darvall,
- “ Stuart Alexander Donaldson,
- “ Arthur Todd Holroyd,
- “ James Martin,
- “ George Robert Nichols, and
- “ William Charles Wentworth, Esquires,

“ being Members of the said Council, to be Members of the Committee of Elections and Qualifications in the said Act referred to, during the present Session of the Council aforesaid.”

“ Given under my hand at the Legislative Council Chamber, Macquarie-street, Sydney, this seventeenth day of October, in the year of our Lord one thousand eight hundred and fifty-one.

“ CHARLES NICHOLSON,  
“ Speaker.”

4. Vacant Seat :—The Speaker reported, That he had received a letter from the Colonial Secretary, dated this day, enclosing a communication from the Revd. John Dunmore Lang, D.D., addressed to His Excellency the Governor-General, and bearing date the 16th instant, in which Dr. Lang resigns his Seat as a Member of this Council, for the Electoral District of the City of Sydney.

The Speaker then stated that he would, in the exercise of the powers vested in him by the Electoral Act of 1851, forthwith issue a Writ for the return of a Member to serve in this Council, in room of the Revd. Dr. Lang, resigned.

5. Transportation :—The Colonial Secretary laid upon the Table two Despatches, respecting Transportation, from the Right Honorable Earl Grey to Sir C. A. Fitz Roy, of date respectively 10th April, 1851, (No. 29,) and 20th September, 1850, (No. 136.) Ordered to be printed.

6. Preservation of Order without the House :—Mr. Martin moved, pursuant to notice, “ That” the Inspector General of Police do take care that during the Session of Council, the passages through the streets leading to this House be kept free and open, and that no obstruction be permitted to hinder the passage of the Members to and from this House ; and that no disorder be allowed in the vicinity of this House, or in the passages leading to this House, during the Sitting of Council ; and that there be no annoyance therein or thereabouts ; and that the Sergeant-at-Arms attending this House do communicate this order to the Inspector-General aforesaid.

The Colonial Secretary moved, That the Question be amended by the insertion after the word “ That,” at the commencement thereof, of the words “ it be an instruction to the Standing Orders Committee, when appointed, to inquire into and report upon the expediency of the adoption of a Resolution by this Council to the effect That”

Debate ensued.  
Question put, That the words proposed to be inserted after the word “ That,” be there inserted.  
Council divided.

- Ayes, 18.
- The Colonial Secretary,
  - The Attorney General,
  - The Solicitor General,
  - Mr. James Macarthur,
  - The Postmaster General,
  - The Chief Commissioner of Crown Lands,
  - Mr. Dobie,
  - The Collector of Customs,
  - Captain King,
  - Mr. William Macarthur,
  - The Auditor General,
  - The Colonial Treasurer,
  - Mr. Parker, (Teller.)

- Noes, 17.
- Mr. Wentworth,
  - Mr. Bowman,
  - Dr. Douglass,
  - Mr. Jeffreys,
  - Mr. Donaldson,
  - Mr. Bligh,
  - Mr. Alick Osborne,
  - Mr. Cowper,
  - Mr. Nichols,
  - Mr. Flood,
  - Mr. Richardson,
  - Mr. Jones,
  - Mr. Allen,
  - Mr. Lamb,
  - Mr. Henry Osborne,
  - Mr. Holden,
  - Mr. Martin, (Teller.)

Original Question put and negatived.

7. Petty Sessions Cases :—Mr. Cowper moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return, shewing the number and description of all cases dealt with at the respective places for holding Petty Sessions, between the 1st January, 1850, and the 30th September last, specifying

- specifying the mode in which they were disposed of, whether by dismissal, summary conviction, or committal for trial at the Supreme Court or Courts of Quarter Sessions.
- Question put and passed; Address to be presented by the Speaker.
8. Police Office Fines and Fees:—Mr. Cowper moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the Fines and Fees collected at the Sydney Police Office, during each quarter within the last seven years, and shewing the amount paid into the Colonial Treasury, and to the Treasurer of the Benevolent Society respectively; the Return to be completed to the 30th September last.
- Question put and passed; Address to be presented by the Speaker.
9. Customs and Survey Departments:—Mr. Cowper moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
- (1.) A Return of the Officers and persons employed in the Customs' Department, and of the Salaries and Allowances granted to each individual, stating the dates of their appointment, and the duties performed by them respectively.
- (2.) A Return of the Officers and persons employed in the Surveyor General's Department, specifying the Salaries and Allowances granted to each individual, and the duties respectively performed by them, distinguishing the Licensed Surveyors or Officers temporarily employed, from those permanently attached to the Department.
- Question put and passed; Address to be presented by the Speaker.
10. Chairman of Committees:—The Colonial Secretary moved, pursuant to notice, That Henry Watson Parker, Esq., be the Chairman of Committees of the whole Council for the Session.
- Question put and passed.
- Whereupon Mr. Parker made his acknowledgments to the House.
11. Days for Dispatch of General Business:—The Colonial Secretary moved, pursuant to notice, That Tuesday, Wednesday, Thursday, and Friday in each week, be the days on which this Council shall meet for the dispatch of business, during the present Session.
- Question put and passed.
12. Days for Dispatch of Government Business:—The Colonial Secretary moved, pursuant to notice, That on Wednesday and Thursday in each week, the transaction of Government business shall take precedence of all other business.
- Question put and passed.
13. Standing Orders Committee:—The Colonial Secretary moved, pursuant to notice, That the following Members be appointed a Select Committee to prepare such Standing Rules and Orders as shall appear best adapted for the orderly conduct of the business of this Council; such Committee to report not later than this day fortnight; that is to say:—The Speaker, The Attorney General, Mr. Wentworth, Mr. Parker, Mr. James Macarthur, Mr. Donaldson, Mr. Nichols, Mr. Cowper, and Mr. Broadhurst.
- Question put and passed.
14. Library Committee:—The Colonial Secretary moved, pursuant to notice, That the Library Committee for the present Session consist of the following Members, that is to say, The Speaker, The Attorney General, Mr. Wentworth, Mr. Parker, Mr. James Macarthur, Mr. Donaldson, Captain King, Mr. Nichols, and Mr. Murray.
- Question put and passed.
15. Vagrant Bill:—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill for the more effectual prevention of Vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales.
- Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
16. Maitland Cattle Bill:—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill to prevent the Driving of Cattle, whether for sale, slaughter, or shipment, through the Towns of East and West Maitland, except at certain hours.
- Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
17. Vagrant Bill:—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill for the more effectual prevention of Vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales,*"—read a first time; ordered to be printed, and read a second time this day week.
18. Maitland Cattle Bill:—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill to prevent the Driving of Cattle, whether for sale, slaughter, or shipment, through the Towns of East and West Maitland, except at certain hours,*"—read a first time; ordered to be printed, and read a second time this day fortnight.
19. Postponement:—Mr. Nichols postponed the motion standing in his name twelfth on the Notice Paper for to-day, until this day fortnight.
- Council adjourned at Five o'clock, until Tuesday next at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, OCTOBER 21.

## NOTICES OF MOTION :—

1. DR. DOUGLASS to move for leave to bring in a Bill to authorise Limited Partnerships.
2. DR. DOUGLASS to move for leave to bring in a Bill for the managing, making, and upholding of the Public Roads in the United Counties of Northumberland and Hunter, and for other purposes therein mentioned.
3. MR. MARTIN to move for leave to bring in a Bill to regulate Distresses for Rent.
4. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing :—
  - (1.) The number of licenses to dig for gold issued in each month, since the discovery of gold in this Colony, at Summer Hill, in May last.
  - (2.) The number of Commissioners for the gold districts appointed since such discovery—their names—the dates of their appointments—and the salaries paid to each.
  - (3.) The number of additional police employed since such discovery in the gold districts, including those employed in escorting gold to the Metropolis, and the cost of their maintenance.
  - (4.) The gross revenue derived by the Government from the gold fields since their discovery, and the gross amount paid by the Government in relation to such gold fields.
  - (5.) The quantity of gold, the produce of this Colony, exported since such discovery.
  - (6.) The places at which gold fields have been discovered in the Colony.
  - (7.) The Regulations made by the Government, since such discovery, respecting the gold fields.
5. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of the Report of the Board appointed by the Executive Government, in the year 1850, to inquire into the management of the Lunatic Asylum, Tarban Creek, and of any Correspondence which may have taken place between the Colonial Government and the Superintendent of that Establishment, in reference to the complaints of mismanagement.
6. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all Correspondence between the Colonial Government and the Secretary of the Benevolent Society, in reference to pecuniary support from the Public Revenue, and to the inadequacy of the accommodation for the inmates of the Benevolent Asylum.

WEDNESDAY, OCTOBER 22.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor-General's Message No. 7, with Gunpowder Exportation Bill.
2. Consideration of Governor-General's Message No. 8, with Orphans' Apprenticing Bill.
3. Consideration of Governor-General's Message No. 10, with Public Roads Bill.
4. Consideration of Governor-General's Message No. 11, with Deceased Persons' Estates Bill.
5. Consideration of Governor-General's Message No. 12, with Jury Bill.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A copy of any Correspondence which has taken place between the Colonial Government and their Honors the Judges, or any Board appointed to report upon the subject, in reference to the carrying out the sentences pronounced by the Colonial Courts for criminal offences.
  - (2.) A Nominal Return of all persons upon whom sentences have been pronounced for criminal offences, either in the Supreme Court, or Courts of Quarter Sessions, since the 1st January, 1845, specifying the particulars of the sentence, and the remission, if any ; also stating upon whose recommendation the clemency of the Crown was exercised.
2. DR. DOUGLASS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all sums of Money voted or expended to make or improve the Roads of the Colony, since the 1st of January, 1846, specifying the sums appropriated for each County or Police District.

THURSDAY,

28.

THURSDAY, OCTOBER 23.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Exiles introduced into the Colony since the 1st July, 1848, specifying the districts for which they obtained tickets-of-leave; the number located in each district; the number reported as having absconded; the number retaken, and the number still at large: Also, the number whose tickets-of-leave have been cancelled, or who have been otherwise punished, and the offences for which such punishments have been inflicted.
2. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return of all Prisoners received into the Goal at Brisbane between the 1st January, 1849, and the 30th September last; specifying the condition of each Prisoner; the nature of the offence with which he was charged; the punishment awarded, if any, and by what Court; the Bench by which committed or sentenced; and the names of the Justices acting in the respective cases.
3. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the rates of *ad valorem* Duties charged on all articles upon which such duties are leviable, since the 1st January, 1840, stating the cost price of such articles, and also their marketable value in Sydney, at the time of their entry in the Customs.

FRIDAY, OCTOBER 24.

NOTICE OF MOTION :—

1. MR. LAMB to move, That this Council having had under consideration the Despatch from Earl Grey to Sir Charles Fitz Roy, No. 24, dated April 10th, 1851, Resolves :—
  - (1.) That since the passing of the Resolutions of the late Legislative Council, on the 1st of October, 1850, events have occurred which render indisputable the policy of the Resolution then affirmed, "that no more Convicts ought, under any conditions, to be sent to any part of this Colony."
  - (2.) That the opinion of the Legislative Council having been twice expressed, at the invitation of the Secretary of State, under his promise to abide by the result of its deliberations, the disposition evinced by Earl Grey to keep open the question of Transportation, and to sanction the separation of Moreton Bay, for the express purpose of evading the fulfilment of his pledge, fills this Council with alarm, and is calculated to inspire the Colonists with distrust in the faith of Her Majesty's Ministers.
  - (3.) That the objections before entertained against Penal Transportation to the Australasian Colonies have been so much strengthened by the recent discovery of large auriferous deposits within the territories, as to induce many who formerly advocated the system, to join the ranks of its opponents; and that, consequently, the feeling is now general that the continued introduction of the criminals of the Mother Country into these Colonies would be highly injurious to the religious, moral, and social condition of their inhabitants.
  - (4.) That the Imperial Government, whilst admitting the extent of evil inflicted on the People of Van Diemen's Land by the accumulation of Convicts within its limits, avows the intention of relieving that Island by dispersing them in the other Australasian Colonies, which, since the discoveries of Gold, are, for Imperial as well as Colonial considerations, wholly unfitted for their reception.
  - (5.) That, for these reasons, this Council solemnly protests against the continuance of Transportation to Van Diemen's Land, or any of the existing Australasian Colonies; and deprecates the establishment of any new Penal Settlement, either to the northward of New South Wales, or elsewhere in the Southern Hemisphere.
  - (6.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, with a recommendation of their favorable consideration by Her Majesty's Government.

ORDER OF THE DAY :—

1. Vagrant Bill; second reading.

TUESDAY, OCTOBER 28.

NOTICES OF MOTION :—

1. MR. COWPER, to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of all moneys expended by the National Board of Education from the date of its establishment to the 30th September last, distinguishing the particular services for which such expenditure has been made, and specifying the amount charged for the Verandahs, enclosing Wall, and Lodge to the Model School, Sydney; the amount expended for

for each School established under the Board, whether for building, repairs, salaries, or other expenses; and where a School House has been erected, stating the amount contributed by the Board or private individuals; if such private contribution was made in land, describing the quantity and the estimated value in money.

(2.) A Nominal Return of all persons employed by the National Board of Education, from the date of its establishment to the 30th September last, specifying their office or designation, and the remuneration given to each individual; also the date of appointment and discharge, (if not now employed by the Board), if the remuneration be in part only by fixed salary, then specifying what other emolument is given, and shewing the addition made to the income thereby; also a return of all Schools established by the Board, and the number of children under education in each School.

2. Mr. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—

(1.) A Return of all moneys expended by the Denominational Board of Education from the date of its establishment to the 30th September last, distinguishing the particular services for which such expenditure has been made.

(2.) A Nominal Return of all persons employed by or under the Denominational Board of Education, from the date of its establishment to the 30th September last, specifying their office or designation, and the remuneration given to each individual; also the date of appointment and discharge (if not now employed by the Board); if the remuneration be in part only by fixed salary, then specifying what other emolument is given, and shewing the addition made to the income thereby; also, a Return of all Schools under the supervision of the Board, the number of children under education in each School, the longest time during which any child has remained at each School, and the average time of the continuance of children at each School.

(3.) A Nominal Return of the Local Boards for each School, and the number of times (if any) on which each Board has attended and examined the children in each School.

(4.) A Return, shewing the books of instruction used in each School, and the daily routine of instruction therein.

3. Mr. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth:—

(1.) All Correspondence which may have taken place between the National Board of Education and the Clergymen of various denominations, respecting Religious Instruction in the National Schools.

(2.) The Schools, if any, at which Ministers of Religion attend to impart Religious Instruction, and the days and times on which they attend.

(3.) A Nominal Return of the Clergymen who have been invited by the National Board to impart Religious Instruction in the National Schools, and who have declined doing so, with the reasons, if any, given by them for so declining.

WEDNESDAY, OCTOBER 29.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor-General's Message No. 9, with Merchant Seamen's Bill.
2. Consideration of Governor-General's Message No. 13, with Hyde Park Bill.

OTHER BUSINESS—NOTICE OF MOTION:—

1. Mr. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—

(1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.

(2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.

(3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.

(4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.

(5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.

(6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.

(7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.

(8.)

(8.) A Return of the number of Immigrants, at the expenso of the Land Revenue landed at Brisbane between the 30th June, 1850, and 30th September, 1851.

(9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.

(10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.

(11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.

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FRIDAY, OCTOBER 31.

NOTICE OF MOTION :—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Districts which have been organized by the Inspector General of Police, in pursuance of the powers vested in him by the provisions of the Act of Council, 14th Vict., No. 38, together with the dates of the notification of the organization thereof respectively.

ORDER OF THE DAY :—

1. Maitland Cattle Bill; second reading.

CHARLES NICHOLSON,  
*Speaker.*

26.



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

TUESDAY, 21 OCTOBER, 1851.

1. Council met pursuant to adjournment ; the Speaker took the Chair.  
Member sworn :—The Letters Patent appointing Thomas Icely, Esquire, a Non-elective Member of the Council, having been produced, and the Speaker having administered to him the Oath, Mr. Icely took his Seat as a Non-elective Member of the Council.
2. Abercrombie-street Toll Gate :—Mr. Lamb presented a Petition from certain inhabitants and proprietors of the Southern part of the City of Sydney, praying inquiry into the obstruction presented by a Toll Gate erected in Abercrombie-street, in the Southern part of the City of Sydney.  
Petition received.
3. Proposed Penrith Nepean Bridge :—Mr. Darvall presented a Petition from certain inhabitants of the District of Penrith, and others interested, praying leave to introduce a Bill for the erection of a Bridge over the Nepean River, at Penrith, and to be empowered to demand and take toll thereat.  
Petition received.  
Mr. Darvall then produced the *Government Gazette* containing notice of the intention to apply for such Bill, during the four weeks—26th August, and 2nd, 12th; and 19th September, 1851.
4. Papers :—The Colonial Secretary laid upon the Table the several undermentioned Papers :—
  - (1.) A Despatch respecting the Pre-payment of Ship Letters, from Sir C. A. Fitz Roy to the Right Honorable Earl Grey, No. 163, of date 13th September, 1850, with Earl Grey's reply thereto, No. 64, of date 3rd June, 1851.  
Ordered to be printed.
  - (2.) A Return to an Address requesting a Return of the number of Convictions under the Vagrant Act, adopted on motion of Mr. Nichols, on 16th April, 1851.  
Ordered to be printed.
  - (3.) The Report from the Board of National Education for the year 1850, with Appendices.  
Ordered to be printed.
  - (4.) The Blue Book for the year 1850.  
Ordered to lie upon the Table.
  - (5.) The Annual Statistical Returns.  
Ordered to be printed.
5. New South Wales Marine Assurance Company :—Mr. Cowper presented a Petition from certain Directors and Proprietors of the New South Wales Marine Assurance Company, praying leave to introduce a Bill to incorporate the said Company, and for other purposes in such Bill to be mentioned.  
Petition received.  
Mr. Cowper then produced the *Government Gazette* containing notice of the intention to apply for such Bill, during the four weeks—12th, 19th, 23rd and 30th September, 1851.
6. Limited Partnerships' Bill :—Dr. Douglass moved, pursuant to notice, for leave to bring in a Bill to authorise Limited Partnerships.  
Debate ensued.  
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
7. Messages :—The following Messages from His Excellency the Governor-General received and read :—
  - (1.) Finance, 1851-2 :—His Excellency the Governor-General's Financial Message, No. 14, of 21st October, 1851, for the year 1851-2.  
Ordered to be printed, together with the accompanying Estimates of Ways and Means and Probable Expenditure, for the year 1852, and Estimate of Supplementary Expenditure, for the year 1851, and taken into consideration to-morrow week.

## (2.) Sewerage Bill :—

CH<sup>s</sup> A. FITZ ROY,  
Governor-General.

Message No. 15.

In accordance with the provisions of the Act of the Imperial Parliament 5 and 6 Vict : cap 76, the Governor-General transmits to the Legislative Council the Draft of a Bill intituled " *A Bill to give effect to an Act of the Governor and Council passed in the 14th year of Her Majesty's Reign intituled ' An Act for the better sewerage, cleaning, and draining of the City of Sydney, and to promote the health of the Inhabitants thereof.' "*

Government House

Sydney 21. October 1851.

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Thursday next.

8. Limited Partnerships' Bill :—Dr. Douglass having presented this Bill, intituled, " *A Bill to authorise Limited Partnerships*", read a first time ; ordered to be printed, and read a second time this day fortnight.
9. The Sydney Exchange Company :—Mr. Lamb presented a Petition from Joseph Scaife Willis, John William Gosling, John Walker, Alexander Campbell, Joshua Richmond Young, John Gilchrist, George Rees, David Jones, George Thorne, and Thomas Whistler Smith, Gentlemen, praying leave to introduce a Bill to incorporate them with others, under the name and style of the " *Sydney Exchange Company*," and for other purposes in such Bill to be mentioned.  
Petition received.  
Mr. Lamb then produced the *Government Gazette* containing notice of the intention to apply for such Bill, during the four weeks, 9th, 16th, and 26th September, and 3rd October, 1851.
10. Postponement :—Dr. Douglass postponed the motion standing in his name second on the Notice Paper for to-day, until this day week.
11. Distresses for Rent Bill :—Mr. Martin moved, pursuant to notice, for leave to bring in a Bill to regulate Distresses for Rent.  
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
12. Gold Districts :—Mr. Martin moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing :—
- (1.) The number of licenses to dig for gold issued in each month, since the discovery of gold in this Colony, at Summer Hill, in May " *last*."
  - (2.) The number of Commissioners for the gold districts appointed since such discovery—their names—the dates of their appointments—and the salaries paid to " *each*."
  - (3.) The number of additional police employed since such discovery in the gold districts, including those employed in escorting gold to the Metropolis, and the cost of their " *maintenance*."
  - (4.) The " *gross*" revenue derived by the Government from the gold fields since their " *discovery*" and the " *gross*" amount paid by the Government in relation to such " *gold fields*."
  - (5.) The quantity of gold, the produce of this Colony, exported since such discovery.
  - (6.) The places at which gold fields have been discovered in the Colony.
  - (7.) The Regulations made by the Government, since such discovery, respecting the " *gold fields*."
- Mr. Holroyd moved, That the Question be amended,—  
By adding after the word " *last*," at the end of section (1), the words " *specifying the places respectively where such Licenses have been issued, and the number of Licenses issued at each of such places.*"  
By adding after the word " *each*," at the end of section (2), the words " *and where stationed respectively.*"  
By adding after the word " *maintenance*," at the end of section (3), the words " *specifying also the daily pay paid to the Mounted and Foot Police respectively.*"  
By inserting after the word " *discovery*," in section (4), the words " *specifying the Revenue from each Gold District ;*" and by adding after the words " *gold fields*," at the end of the same section, the words " *specifying the several Items of Expenditure*," and by the omission of the word " *gross*," twice occurring in the same section.  
By adding after the words " *gold fields*," at the end of section (7), the words, " *and the Instructions to the Gold Commissioners.*"  
And by adding at the end of the Question the following additional Section—" (8.) " *The Receipts and Disbursements, week by week, arising out of, or connected with, the transport of Gold from Sofala to Bathurst,—from Ophir to Bathurst,—and from Bathurst to Sydney, from the month of May to the present time.*"  
Question,—That the Question be amended as proposed,—put and passed.  
Original Question as so amended,—That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing :—

(1.) The number of licenses to dig for gold issued in each month, since the discovery of gold in this Colony, at Summer Hill, in May last, specifying the places respectively where such Licenses have been issued, and the number of Licenses issued at each of such places.

(2.)

- (2.) The number of Commissioners for the Gold Districts appointed since such discovery—their names—the dates of their appointments—and the salaries paid to each, and where stationed respectively.
- (3.) The number of additional police employed since such discovery in the gold Districts, including those employed in escorting gold to the Metropolis, and the cost of their maintenance, specifying also the daily pay paid to the Mounted and foot police respectively.
- (4.) The revenue derived by the Government from the gold fields since their discovery, specifying the revenue from each gold district, and the amount paid by the Government in relation to such gold fields, specifying the several items of expenditure.
- (5.) The quantity of gold, the produce of this Colony, exported since such discovery.
- (6.) The places at which gold fields have been discovered in the Colony.
- (7.) The Regulations made by the Government, since such discovery, respecting the gold fields, and the instructions to the Gold Commissioners.
- (8.) The receipts and disbursements week by week arising out of or connected with the transport of gold from Sofala to Bathurst, from Ophir to Bathurst, and from Bathurst to Sydney, from the month of May to the present time,—  
put and passed; Address to be presented by the Speaker.
13. Distresses for Rent Bill:—Mr. Martin having presented this Bill, Bill, intituled, “*A Bill to regulate Distresses for Rent*,” read a first time; ordered to be printed, and read a second time this day week.
14. Lunatic Asylum, Tarban Creek:—Mr. Cowper moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of any Correspondence which may have taken place between the Colonial Government and the Superintendent of the Lunatic Asylum, at Tarban Creek, in reference to the recommendations contained in the Report from the Board appointed by the Executive Government in the year 1850, to enquire into the management of that Establishment.  
Question put and passed; Address to be presented by the Speaker.
15. Benevolent Societies:—Mr. Cowper moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all Correspondence between the Colonial Government and the Secretary of the Benevolent Society, in reference to pecuniary support from the Public Revenue, and to the inadequacy of the accommodation for the inmates of the Benevolent Asylum.  
Moved by Mr. Martin, That the Question be amended by adding at the end the words, “and also a Return shewing,  
“(1.) The number of Benevolent Asylums in the Colony.”  
“(2.) The annual cost of each—distinguishing the cost of management and superintendence in each case, and the amount expended in out-door relief.”  
“(3.) The average number of inmates in each during each Year since their establishment respectively.”  
“(4.) The number of inmates in each on 30th September last.”  
Question.—That the Question be amended as proposed,—put and passed.  
Original Question as so amended.—That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, A Return of all Correspondence between the Colonial Government and the Secretary of the Benevolent Society, in reference to pecuniary support from the Public Revenue, and to the inadequacy of the accommodation for the inmates of the Benevolent Asylum:—And also, a Return shewing,—  
(1.) The number of Benevolent Asylums in the Colony.  
(2.) The annual cost of each, distinguishing the cost of management and superintendence in each case, and the amount expended in out-door relief.  
(3.) The average number of inmates in each during each year, since their establishment, respectively.  
(4.) The number of inmates in each on the 30th September last,—  
put and passed;—Address to be presented by the Speaker.  
Council adjourned at Five o'clock, until to-morrow at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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WEDNESDAY, OCTOBER 22.

### GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor-General's Message No. 7, with Gunpowder Exportation Bill.
2. Consideration of Governor-General's Message No. 8, with Orphans' Apprenticing Bill.
3. Consideration of Governor-General's Message No. 10, with Public Roads Bill.
4. Consideration of Governor-General's Message No. 11, with Deceased Persons' Estates Bill.
5. Consideration of Governor-General's Message No. 12, with Jury Bill.

OTHER

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—  
(1.) A copy of any Correspondence which has taken place between the Colonial Government and their Honors the Judges, or any Board appointed to report upon the subject, in reference to the carrying out the sentences pronounced by the Colonial Courts for criminal offences.  
(2.) A Nominal Return of all persons upon whom sentences have been pronounced for criminal offences, either in the Supreme Court, or Courts of Quarter Sessions, since the 1st January, 1845, specifying the particulars of the sentence, and the remission, if any; also stating upon whose recommendation the clemency of the Crown was exercised.
2. DR. DOUGLASS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all sums of Money voted or expended to make or improve the Roads of the Colony, since the 1st of January, 1846, specifying the sums appropriated for each County or Police District.
3. MR. NICHOLS to move for leave to bring in a Bill for shortening the language used in Acts of the Legislative Council of New South Wales.

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THURSDAY, OCTOBER 23.

## GOVERNMENT BUSINESS :—

1. Consideration of Governor-General's Message No. 15, with Sewerage Bill.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Exiles introduced into the Colony since the 1st July, 1848, specifying the districts for which they obtained tickets-of-leave; the number located in each district; the number reported as having absconded; the number retaken, and the number still at large. Also, the number whose tickets-of-leave have been cancelled, or who have been otherwise punished, and the offences for which such punishments have been inflicted.
2. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return of all Prisoners received into the Goal at Brisbane between the 1st January, 1849, and the 30th September last; specifying the condition of each Prisoner; the nature of the offence with which he was charged; the punishment awarded, if any, and by what Court; the Bench by which committed or sentenced; and the names of the Justices acting in the respective cases.
3. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the rates of *ad valorem* Duties charged on all articles upon which such duties are leviable, since the 1st January, 1840, stating the cost price of such articles, and also their marketable value in Sydney, at the time of their entry in the Customs.
4. MR. HOLROYD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the number of letters, month by month, from the 1st of January, 1851, to the 30th September following, received at and dispatched from the Post Office of Bathurst; the number of letters registered at Bathurst month by month, during the same period; the quantity of Gold which has passed through the Post Office at Bathurst, during the same period, specifying the quantity weekly, and the amount paid weekly in the way of Postage for Gold during the same period; the number of Mails arriving at and departing from the Bathurst Post Office weekly, during the same period, specifying the days and hours of such arrival and departure; the number of Letter-Carriers employed to deliver letters in the Town of Bathurst; the average daily applications at the Post Office at Bathurst; the salary paid to the Postmaster at Bathurst, his Assistant and Letter-Carriers respectively; and the allowance, if any, to the Postmaster at Bathurst for rent, firing, lighting, and fire-arms.
5. MR. DARVALL to move for leave to bring in a private Bill, to incorporate a Company, to be called the "Penrith Nepean Bridge Company," and to enable the said Company to erect and maintain a Bridge over the River Nepean, at Penrith, in direct continuation of the present line of the Great Western Road, and to take toll thereat for a term of years, and for other purposes therein mentioned.
6. MR. DARVALL to move for leave to bring a Bill to alter the law and to amend an Act passed in the 12th year of the Reign of Her Majesty, intituled, "*An Act to simplify and alter the Law in some respects.*"

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FRIDAY,

FRIDAY, OCTOBER 24.

## NOTICES OF MOTION :—

1. **MR. LAMB** to move, That this Council having had under consideration the Despatch from Earl Grey to Sir Charles Fitz Roy, No. 24, dated April 10th, 1851, Resolves :—
  - (1.) That since the passing of the Resolutions of the late Legislative Council, on the 1st of October, 1850, events have occurred which render indisputable the policy of the Resolution then affirmed, "that no more Convicts ought, under any conditions, to be sent to any part of this Colony."
  - (2.) That the opinion of the Legislative Council having been twice expressed, at the invitation of the Secretary of State, under his promise to abide by the result of its deliberations, the disposition evinced by Earl Grey to keep open the question of Transportation, and to sanction the separation of Moreton Bay, for the express purpose of evading the fulfilment of his pledge, fills this Council with alarm, and is calculated to inspire the Colonists with distrust in the faith of Her Majesty's Ministers.
  - (3.) That the objections before entertained against Penal Transportation to the Australasian Colonies have been so much strengthened by the recent discovery of large auriferous deposits within the territories, as to induce many who formerly advocated the system, to join the ranks of its opponents; and that, consequently, the feeling is now general that the continued introduction of the criminals of the Mother Country into these Colonies would be highly injurious to the religious, moral, and social condition of their inhabitants.
  - (4.) That the Imperial Government, whilst admitting the extent of evil inflicted on the People of Van Diemen's Land by the accumulation of Convicts within its limits, avows the intention of relieving that Island by dispersing them in the other Australasian Colonies, which, since the discoveries of Gold, are, for Imperial as well as Colonial considerations, wholly unfitted for their reception.
  - (5.) That, for these reasons, this Council solemnly protests against the continuance of Transportation to Van Diemen's Land, or any of the existing Australasian Colonies; and deprecates the establishment of any new Penal Settlement, either to the northward of New South Wales, or elsewhere in the Southern Hemisphere.
  - (6.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, with a recommendation of their favorable consideration by Her Majesty's Government.
2. **MR. NICHOLS** to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return from the Courts of Requests in the County of Cumberland, established under the Act of Council 6 Victoria, No. 15, of the total number of Plaints entered in each Court, from the time when the Act came into operation, up to and inclusive of the 1st day of October instant; specifying the number of Plaints in the £10 Jurisdiction; and the number of Plaints in the £30 Jurisdiction.
  - (2.) A Return of the total number of Days that each Court has sat within the above period; the total number of causes heard in each Court during the above period, distinguishing the number of defended and undefended suits, and those which were dismissed for default of appearance of parties.
  - (3.) A Return of the Amount of Money now in the hands of the respective Registrars of the said Courts belonging to suitors.
  - (4.) A nominal Return of the Officers employed in the said Courts, with the amount of their respective Salaries.
3. **MR. NICHOLS** to move, That an Address be presented to His Excellency the Governor-General, praying His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the Fines and Fees collected at the Maitland Police Office during each quarter, since the 2nd of October, 1847; and shewing the amount paid into the Colonial Treasury, and to the Treasurer, (or Trustees), of the Maitland Hospital, respectively; the Return to be completed to the 2nd of October instant.
4. **MR. COWPER** to move for leave to bring in a Bill to Incorporate a certain Company called the New South Wales Marine Assurance Company.
5. **MR. DONALDSON** to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between the Local Government and the Home Government, and also between the Colonial Office and the Horse Guards, with reference to the Addresses agreed to by the Legislative Council on Friday, 13th September, 1850.
  - (1.) On the subject of Remission Money to Retired Officers, and
  - (2.) On the subject of a certain Petition from Commuted Pensioners.

## ORDER OF THE DAY :—

1. **Vagrant Bill**; second reading.

TUESDAY,

TUESDAY, OCTOBER 28.

## NOTICES OF MOTION :—

1. MR. COWPER, to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of all moneys expended by the National Board of Education from the date of its establishment to the 30th September last, distinguishing the particular services for which such expenditure has been made, and specifying the amount charged for the Verandahs, enclosing Wall, and Lodge to the Model School, Sydney; the amount expended for each School established under the Board, whether for building, repairs, salaries, or other expenses; and where a School House has been erected, stating the amount contributed by the Board or private individuals; if such private contribution was made in land, describing the quantity and the estimated value in money.
  - (2.) A Nominal Return of all persons employed by the National Board of Education, from the date of its establishment to the 30th September last, specifying their office or designation, and the remuneration given to each individual; also the date of appointment and discharge, (if not now employed by the Board), if the remuneration be in part only by fixed salary, then specifying what other emolument is given, and shewing the addition made to the income thereby; also a return of all Schools established by the Board, and the number of children under education in each School.
2. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of all moneys expended by the Denominational Board of Education from the date of its establishment to the 30th September last, distinguishing the particular services for which such expenditure has been made.
  - (2.) A Nominal Return of all persons employed by or under the Denominational Board of Education, from the date of its establishment to the 30th September last, specifying their office or designation, and the remuneration given to each individual; also the date of appointment and discharge (if not now employed by the Board); if the remuneration be in part only by fixed salary, then specifying what other emolument is given, and shewing the addition made to the income thereby; also, a Return of all Schools under the supervision of the Board, the number of children under education in each School, the longest time during which any child has remained at each School, and the average time of the continuance of children at each School.
  - (3.) A Nominal Return of the Local Boards for each School, and the number of times (if any) on which each Board has attended and examined the children in each School.
  - (4.) A Return, shewing the books of instruction used in each School, and the daily routine of instruction therein.
3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth :—
  - (1.) All Correspondence which may have taken place between the National Board of Education and the Clergymen of various denominations, respecting Religious Instruction in the National Schools.
  - (2.) The Schools, if any, at which Ministers of Religion attend to impart Religious Instruction, and the days and times on which they attend.
  - (3.) A Nominal Return of the Clergymen who have been invited by the National Board to impart Religious Instruction in the National Schools, and who have declined doing so, with the reasons, if any, given by them for so declining.
4. MR. LAMB to move for leave to bring in a Bill for the Incorporation of a Company called "The Sydney Exchange Company."
5. DR. DOUGLASS to move for leave to bring in a Bill for the managing, making, and upholding of the Public Roads in the United Counties of Northumberland and Hunter, and for other purposes therein mentioned.

## ORDER OF THE DAY :—

1. Distresses for Rent Bill; second reading.

WEDNESDAY, OCTOBER 29.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor-General's Message No. 9, with Merchant Seamen's Bill.
2. Consideration of Governor-General's Message No. 13, with Hyde Park Bill.
3. Consideration of Governor-General's Financial Message No. 14, with Estimates and Supplementary Estimate for 1851-2.

## OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett. Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.

(2)

- (2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.
- (3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.
- (4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.
- (5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.
- (6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.
- (7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.
- (8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.
- (9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.
- (10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.
- (11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.

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FRIDAY, OCTOBER 31.

NOTICE OF MOTION :—

- 1. Mr. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Districts which have been organized by the Inspector General of Police, in pursuance of the powers vested in him by the provisions of the Act of Council, 14th Vict., No. 38, together with the dates of the notification of the organization thereof respectively.

ORDER OF THE DAY :—

- 1. Maitland Cattle Bill; second reading.

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TUESDAY, NOVEMBER 4.

ORDER OF THE DAY :—

- 1. Limited Partnerships' Bill; second reading.

CHARLES NICHOLSON,  
Speaker.





# VOTES AND PROCEEDINGS

## OF THE

# LEGISLATIVE COUNCIL.

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WEDNESDAY, 22 OCTOBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
 Dr. Leichhardt:—In answer to a question by Mr. Nichols, the Colonial Secretary laid upon the Table a letter from Rear Admiral Austin, of date 30th April, 1851, to His Excellency Sir C. A. Fitz Roy, in reply to a proposition to detach a vessel from his Squadron to aid in the search for Dr. Leichhardt.  
 Ordered to be printed.
2. Glebe Island:—Mr. Nichols presented a Petition from John Marsh, praying relief in the matter of an award in reference to a certain portion of land at Glebe Island belonging to Petitioner.  
 Petition received.
3. Dungog:—Mr. Donaldson presented a Petition from certain inhabitants of Clarence Town and its vicinity, praying the establishment of a Court and Lock-up House there.  
 Petition received.
4. The Australasian Steam Navigation Company:—Mr. Cowper presented a Petition from the Directors of the Australasian Steam Navigation Company, praying leave to introduce a Bill to incorporate the said Company, and for other purposes in such Bill to be mentioned.  
 Petition received.  
 Mr. Cowper then produced the *Government Gazette* containing notice of the intention to apply for such Bill, during the four weeks, 19th and 26th September, and 3rd and 10th October, 1851.
5. Committee of Elections and Qualifications:—Mr. Cowper moved, as a point of order and without previous notice, That this Council disapproves of the Warrant issued by the Speaker under the 55th clause of the Act of Council 14 Vict., No. 48, appointing a Committee of Elections and Qualifications for the present Session.  
 Debate ensued.  
 Question put.  
 Council divided.

Ayes, 17.

The Colonial Secretary,  
 The Postmaster General,  
 The Attorney General,  
 Mr. Berry,  
 Mr. William Macarthur,  
 Mr. Bowman,  
 Mr. Cowper,  
 Mr. Lamb,  
 Mr. Donaldson,  
 Mr. Oakes,  
 The Chief Commissioner of Crown  
 Lands,  
 Mr. Smart,  
 Mr. Richardson,  
 The Collector of Customs,  
 Mr. James Macarthur,  
 Captain King,  
 Mr. Parker, (Teller.)

Noes, 15.

Mr. Wentworth,  
 Dr. Douglass,  
 Mr. Bligh,  
 Mr. Holroyd,  
 Dr. Dobie,  
 Mr. Chisholm,  
 Mr. Jones,  
 Mr. Flood,  
 Mr. Nichols,  
 Mr. Henry Osborne,  
 Mr. Holden,  
 Mr. Alick Osborne,  
 The Auditor General,  
 The Colonial Treasurer,  
 Mr. Martin, (Teller.)

6. Gunpowder exportation Bill:—The Governor-General's Message No. 7, received with this Bill on the 17th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled "A Bill to continue for a further limited time an Act, intituled, 'An Act to regulate for a limited time the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales,'" read a first time; to be read a second time to-morrow.

7. Orphans' Apprenticing Bill:—The Governor-General's Message No. 8, received with this Bill on the 17th instant, having been read on motion of the Colonial Secretary, the Colonial Secretary moved, That the accompanying Bill be now read a first time. Debate ensued.  
Question put and passed; and Bill, intituled "A Bill to make further provision for the apprenticing of the Children in the Male and Female Orphan Schools, and other poor Children," read a first time; to be read a second time to-morrow.
8. Public Roads' Bill:—The Governor-General's Message No. 10, received with this Bill on the 17th instant, having been read on motion of the Colonial Secretary, the Colonial Secretary moved, That the accompanying Bill be now read a first time. Debate ensued.  
Question put and passed; and Bill, intituled "A Bill for the managing, making, and upholding the Public Road from the Nepean River to the Town of Bathurst, and to enable the Governor-General and Executive Council to bring other Public Roads within the provisions thereof as occasion may require," read a first time; to be read a second time on this day fortnight.
9. Deceased persons Estates' Bill:—The Governor-General's Message No. 11, received with this Bill on the 17th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled "A Bill to amend in certain particulars the Act passed for the better preservation of the Estates of deceased persons," read a first time; to be read a second time to-morrow.
10. Jury Bill:—The Governor-General's Message No. 12, received with this Bill on the 17th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled "A Bill to amend in some respects the Act passed to consolidate the Laws relating to Juries," read a first time; to be read a second time this day week.
11. Punishment of Colonial Offenders:—Mr. Cowper moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—A copy of any Correspondence which has taken place between the Colonial Government and their Honors the Judges, or any Board appointed to report upon the subject, in reference to the carrying out the sentences pronounced by the Colonial Courts for criminal offences.  
Debate ensued.  
Question put and passed; Address to be presented by the Speaker.
12. Expenditure upon Public Roads:—Dr. Douglass moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all sums of Money voted or expended to make or improve the Roads of the Colony, since the 1st of January, 1846, specifying the sums appropriated for each County or Police District.  
Question put and passed; Address to be presented by the Speaker.
13. Acts Shortening Bill:—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill for shortening the language used in Acts of the Legislative Council of New South Wales.  
Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.  
Council adjourned at a quarter after Five o'clock, until to-morrow at Three o'clock.

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NOTICES OF MOTION AND ORDERS OF THE DAY.

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THURSDAY, OCTOBER 23.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor-General's Message No. 15, with Sewerage Bill.
2. Gunpowder Exportation Bill; second reading.
3. Orphans' Apprenticing Bill; second reading.
4. Deceased Persons Estates' Bill; second reading.

OTHER

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Exiles introduced into the Colony since the 1st July, 1848, specifying the districts for which they obtained tickets-of-leave; the number located in each district; the number reported as having absconded; the number retaken, and the number still at large. Also, the number whose tickets-of-leave have been cancelled, or who have been otherwise punished, and the offences for which such punishments have been inflicted.
2. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return of all Prisoners received into the Goal at Brisbane between the 1st January, 1849, and the 30th September last; specifying the condition of each Prisoner; the nature of the offence with which he was charged; the punishment awarded, if any, and by what Court; the Bench by which committed or sentenced; and the names of the Justices acting in the respective cases.
3. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the rates of *ad valorem* Duties charged on all articles upon which such duties are leviable, since the 1st January, 1840, stating the cost price of such articles, and also their marketable value in Sydney, at the time of their entry in the Customs.
4. MR. HOLROYD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the number of letters, month by month, from the 1st of January, 1851, to the 30th September following, received at and dispatched from the Post Office of Bathurst; the number of letters registered at Bathurst month by month, during the same period; the quantity of Gold which has passed through the Post Office at Bathurst, during the same period, specifying the quantity weekly, and the amount paid weekly in the way of Postage for Gold during the same period; the number of Mails arriving at and departing from the Bathurst Post Office weekly, during the same period, specifying the days and hours of such arrival and departure; the number of Letter-Carriers employed to deliver letters in the Town of Bathurst; the average daily applications at the Post Office at Bathurst; the salary paid to the Postmaster at Bathurst, his Assistant and Letter-Carriers respectively; and the allowance, if any, to the Postmaster at Bathurst for rent, firing, lighting, and fire-arms.
5. MR. DARVALL to move for leave to bring in a private Bill, to incorporate a Company, to be called the "Penrith Nepean Bridge Company," and to enable the said Company to erect and maintain a Bridge over the River Nepean, at Penrith, in direct continuation of the present line of the Great Western Road, and to take toll thereat for a term of years, and for other purposes therein mentioned.
6. MR. DARVALL to move for leave to bring a Bill to alter the law and to amend an Act passed in the 12th year of the Reign of Her Majesty, intituled, "*An Act to simplify and alter the Law in some respects.*"

FRIDAY, OCTOBER 24.

## NOTICES OF MOTION :—

1. MR. LAMB to move, That this Council having had under consideration the Despatch from Earl Grey to Sir Charles Fitz Roy, No. 24, dated April 10th, 1851, Resolves :—
  - (1.) That since the passing of the Resolutions of the late Legislative Council, on the 1st of October, 1850, events have occurred which render indisputable the policy of the Resolution then affirmed, "that no more Convicts ought, under any conditions, to be sent to any part of this Colony."
  - (2.) That the opinion of the Legislative Council having been twice expressed, at the invitation of the Secretary of State, under his promise to abide by the result of its deliberations, the disposition evinced by Earl Grey to keep open the question of Transportation, and to sanction the separation of Moreton Bay, for the express purpose of evading the fulfilment of his pledge, fills this Council with alarm, and is calculated to inspire the Colonists with distrust in the faith of Her Majesty's Ministers.
  - (3.) That the objections before entertained against Penal Transportation to the Australasian Colonies have been so much strengthened by the recent discovery of large auriferous deposits within the territories, as to induce many who formerly advocated the system, to join the ranks of its opponents; and that, consequently, the feeling is now general that the continued introduction of the criminals of the Mother Country into these Colonies would be highly injurious to the religious, moral, and social condition of their inhabitants.
  - (4.) That the Imperial Government, whilst admitting the extent of evil inflicted on the People of Van Diemen's Land by the accumulation of Convicts within its limits, avows the intention of relieving that Island by dispersing them in the other Australasian Colonies, which, since the discoveries of Gold, are, for Imperial as well as Colonial considerations, wholly unfitted for their reception.
  - (5.) That, for these reasons, this Council solemnly protests against the continuance of Transportation to Van Diemen's Land, or any of the existing Australasian Colonies; and deprecates the establishment of any new Penal Settlement, either to the northward of New South Wales, or elsewhere in the Southern Hemisphere.

(6.)

- (6.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, with a recommendation of their favorable consideration by Her Majesty's Government.
2. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
- (1.) A Return from the Courts of Requests in the County of Cumberland, established under the Act of Council 6 Victoria, No. 16, of the total number of Plaints entered in each Court, from the time when the Act came into operation, up to and inclusive of the 1st day of October instant; specifying the number of Plaints in the £10 Jurisdiction; and the number of Plaints in the £30 Jurisdiction.
- (2.) A Return of the total number of Days that each Court has sat within the above period; the total number of causes heard in each Court during the above period, distinguishing the number of defended and undefended suits, and those which were dismissed for default of appearance of parties.
- (3.) A Return of the Amount of Money now in the hands of the respective Registrars of the said Courts belonging to suitors.
- (4.) A nominal Return of the Officers employed in the said Courts, with the amount of their respective Salaries.
3. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the Fines and Fees collected at the Maitland Police Office during each quarter, since the 2nd of October, 1847; and shewing the amount paid into the Colonial Treasury, and to the Treasurer, (or Trustees), of the Maitland Hospital, respectively; the Return to be completed to the 2nd of October instant.
4. MR. COWPER to move for leave to bring in a Bill to Incorporate a certain Company called the New South Wales Marine Assurance Company.
5. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between the Local Government and the Home Government, and also between the Colonial Office and the Horse Guards, with reference to the Addresses agreed to by the Legislative Council on Friday, 13th September, 1850.
- (1.) On the subject of Remission Money to Retired Officers, and
- (2.) On the subject of a certain Petition from Commuted Pensioners.
6. MR. NICHOLS to move, That the Petition presented by him from Mr. John Marsh, on the 22nd instant, in reference to an allotment at Glebe Island, be printed.
7. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return of all officers and persons employed in the Department of the Chief Commissioner of Crown Lands; specifying the nature of the services performed; the salary received; and the locality in which the service is performed by each such officer or person;—also, a Return of all other expenses incurred in the said Department—the whole to extend over 12 months, from 1st October, 1850, to 1st October, 1851.
8. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all instructions which have been given to Francis L. S. Merewether, Esq., on his appointment as Postmaster General, with a view to remedy the irregularities exposed by the Report of the Board of Enquiry into that department, dated 21st March last, and also to introduce such improvements as the exigencies of the country require.

## ORDER OF THE DAY :—

1. Vagrant Bill; second reading.

TUESDAY, OCTOBER 28.

## NOTICES OF MOTION :—

1. MR. COWPER, to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
- (1.) A Return of all moneys expended by the National Board of Education from the date of its establishment to the 30th September last, distinguishing the particular services for which such expenditure has been made, and specifying the amount charged for the Verandahs, enclosing Wall, and Lodge to the Model School, Sydney; the amount expended for each School established under the Board, whether for building, repairs, salaries, or other expenses; and where a School House has been erected, stating the amount contributed by the Board or private individuals; if such private contribution was made in land, describing the quantity and the estimated value in money.
- (2.) A Nominal Return of all persons employed by the National Board of Education, from the date of its establishment to the 30th September last, specifying their office or designation, and the remuneration given to each individual; also the date of appointment and discharge, (if not now employed by the Board), if the remuneration be in part only by fixed salary, then specifying what other emolument is given, and shewing the addition made to the income thereby; also a return of all Schools established by the Board, and the number of children under education in each School.

2. Mr. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of all moneys expended by the Denominational Board of Education from the date of its establishment to the 30th September last, distinguishing the particular services for which such expenditure has been made.
  - (2.) A Nominal Return of all persons employed by or under the Denominational Board of Education, from the date of its establishment to the 30th September last, specifying their office or designation, and the remuneration given to each individual ; also the date of appointment and discharge (if not now employed by the Board) ; if the remuneration be in part only by fixed salary, then specifying what other emolument is given, and shewing the addition made to the income thereby ; also, a Return of all Schools under the supervision of the Board, the number of children under education in each School, the longest time during which any child has remained at each School, and the average time of the continuance of children at each School.
  - (3.) A Nominal Return of the Local Boards for each School, and the number of times (if any) on which each Board has attended and examined the children in each School.
  - (4.) A Return, shewing the books of instruction used in each School, and the daily routine of instruction therein.
3. Mr. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth :—
  - (1.) All Correspondence which may have taken place between the National Board of Education and the Clergymen of various denominations, respecting Religious Instruction in the National Schools.
  - (2.) The Schools, if any, at which Ministers of Religion attend to impart Religious Instruction, and the days and times on which they attend.
  - (3.) A Nominal Return of the Clergymen who have been invited by the National Board to impart Religious Instruction in the National Schools, and who have declined doing so, with the reasons, if any, given by them for so declining.
4. Mr. LAMB to move for leave to bring in a Bill for the Incorporation of a Company called "The Sydney Exchange Company."
5. Dr. DOUGLASS to move for leave to bring in a Bill for the managing, making, and upholding of the Public Roads in the United Counties of Northumberland and Hunter, and for other purposes therein mentioned.
6. Mr. COWPER to move for leave to bring in a Bill to Incorporate the Australasian Steam Navigation Company and for other purposes in such Bill to be mentioned.
7. Mr. NICHOLS to move, That a Select Committee, consisting of The Speaker, Mr. Lamb, Mr. Wentworth, The Colonial Secretary, Mr. Smart, Mr. Flood, Mr. Holden, Captain King, and Mr. James Macarthur, be appointed to consider the necessity of erecting a suite of buildings for the accommodation of the Legislature of the Colony ; and that such Committee be instructed to devise a plan for the buildings aforesaid, as to arrangement and architectural design befitting the wants and appropriate to the high functions which this House is called upon to exercise.

ORDER OF THE DAY :—

1. Distresses for Rent Bill ; second reading.

WEDNESDAY, OCTOBER 29.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor-General's Message No. 9, with Merchant Seamen's Bill.
2. Consideration of Governor-General's Message No. 13, with Hyde Park Bill.
3. Consideration of Governor-General's Financial Message No. 14, with Estimates and Supplementary Estimate for 1851-2.
4. Jury Bill ; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—
  - (1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.
  - (2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.
  - (3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.
  - (4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.
  - (5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.

(6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.

(7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.

(8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.

(9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.

(10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.

(11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.

2. MR. RICHARDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852:—

(1.) The sum of £150 for the purpose of Repairing the Reservoir for Water in the Town of North Brisbane.

(2.) The sum of £250 for the purpose of making a Reservoir for Water in the Town of Ipswich.

(3.) The sum of £200 for the purpose of erecting Beacons at the Bar and entrance of the Brisbane River, and also on the flats of that River, above and below Eagle Farm.

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FRIDAY, OCTOBER 31.

NOTICE OF MOTION:—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Districts which have been organized by the Inspector General of Police, in pursuance of the powers vested in him by the provisions of the Act of Council, 14th Vict., No. 38, together with the dates of the notification of the organization thereof respectively.

ORDER OF THE DAY:—

1. Maitland Cattle Bill; second reading.

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TUESDAY, NOVEMBER 4.

ORDER OF THE DAY:—

1. Limited Partnerships' Bill; second reading.

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WEDNESDAY, NOVEMBER 5.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Public Roads Bill; second reading.

CHARLES NICHOLSON,  
Speaker.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

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THURSDAY, 23 OCTOBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Postponement:—Mr. Lamb postponed the motion standing in his name first on the Notice Paper for Friday, the 24th instant, until Friday, the 31st instant.
2. Municipal Franchise:—Mr. Lamb presented a Petition from the Mayor, Aldermen, Councillors, and Citizens of the City of Sydney, praying an extension of the Municipal Franchise.  
Petition received.
3. Sewerage Bill:—The Governor-General's Message No. 15, received with this Bill on the 21st instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, "*A Bill to give effect to an Act of the Governor and Council, passed in the fourteenth year of Her Majesty's reign, intituled, 'An Act for the better sewerage, cleansing, and draining of the City of Sydney, and to promote the health of the Inhabitants thereof,'*" read a first time; to be read a second time on Wednesday next.
4. Gunpowder Exportation Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.  
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day fortnight.
5. Orphans' Apprenticing Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.  
The Chairman reported progress, and obtained leave to sit again this day week.
6. Deceased Persons Estates' Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.  
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day fortnight.
7. Exiles:—Mr. Cowper moved, pursuant to notice, that an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Exiles introduced into the Colony since the 1st July, 1848, specifying the districts for which they obtained tickets-of-leave; the number located in each district; the number reported as having absconded; the number retaken, and the number still at large. Also, the number whose tickets-of-leave have been cancelled, or who have been otherwise punished, and the offences for which such punishments have been inflicted.  
Mr. Dobie moved, That the question be amended, by the addition of the following words at the end thereof,—"*also the names of the employers of these exiles, whether hired by the masters or their agents, and, as far as possible, the manner in which these exiles have been employed, whether in domestic service or in out-door service.*"  
Question,—That the Question be amended as proposed,—put and passed.  
Original Question, as so amended, put and passed; Address to be presented by the Speaker.
8. Committee of Elections and Qualifications:—Mr. Wentworth moved, as a point of order and without previous notice, That in the opinion of this Council, no non-elective Member ought to be placed on "the Committee of Elections and Qualifications."  
Debate ensued.  
Motion by leave withdrawn.
9. Prisoners committed to Brisbane Gaol:—Mr. Cowper moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return of all Prisoners received into the Gaol at Brisbane between the 1st January, 1849, and the 30th September last; specifying the condition of each Prisoner; the nature of the offence with which he was charged; the punishment awarded, if any, and by what Court; the Bench by which committed or sentenced; and the names of the Justices acting in the respective cases.  
Debate ensued.  
Motion by leave withdrawn.

10. **Ad Valorem Duties**:—Mr. Cowper moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the rates of *ad valorem* Duties charged on all articles upon which such duties are leviable, since the 1st "January," 1840, stating the cost price of such articles, and also their marketable value in Sydney, at the time of their entry in the Customs.  
 Debate ensued.  
 Mr. Martin moved, That the Question be amended, by the omission of all the words and figures thereof following the word "January," and by the insertion after the said word "January" of the figures "1845."  
 Debate continued.  
 Question,—That the words and figures proposed to be omitted stand part of the Question,—put and negatived.  
 Question,—That the figures proposed to be inserted after the word "January" be so inserted,—put and passed.  
 Original Question, as so amended, put and passed; Address to be presented by the Speaker.
11. **Bathurst Post Office**:—Mr. Holroyd moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the number of letters, month by month, from the 1st of January, 1851, to the 30th September following, received at and dispatched from the Post Office of Bathurst, the number of letters registered at Bathurst month by month, during the same period; the quantity of Gold which has passed through the Post Office at Bathurst, during the same period, specifying the quantity weekly, and the amount paid weekly in the way of Postage for Gold during the same period; the number of Mails arriving at and departing from the Bathurst Post Office weekly, during the same period, specifying the days and hours of such arrival and departure; the number of Letter-Carriers employed to deliver letters in the Town of Bathurst; the average daily applications at the Post Office at Bathurst; the salary paid to the Postmaster at Bathurst, his Assistant and Letter-Carriers respectively; and the allowance, if any, to the Postmaster at Bathurst for rent, firing, lighting, and fire-arms.  
 Question put and passed; Address to be presented by the Speaker.
12. **Penrith Nepean Bridge Bill**:—Mr. Darvall moved, pursuant to notice, for leave to bring in a private Bill to incorporate a Company, to be called the "Penrith Nepean Bridge Company," and to enable the said Company to erect and maintain a Bridge over the River Nepean, at Penrith, in direct continuation of the present line of the Great Western Road, and to take toll thereat for a term of years, and for other purposes therein mentioned.  
 Question put and passed.  
 Mr. Darvall having presented the Bill, Bill, intituled, "A Bill to incorporate a Company, to be called the 'Penrith Nepean Bridge Company,' and to enable the said Company to erect and maintain a Bridge over the River Nepean, at Penrith, in direct continuation of the present line of the Great Western Road, and to take toll thereat for a term of years, and for other purposes therein mentioned," read a first time, and referred for the consideration and report of a Select Committee to consist of Captain King, Mr. William Macarthur, the Auditor General, Mr. Martin, Mr. Holroyd, and Mr. Holden.
19. **Postponement**:—Mr. Darvall postponed the motion standing in his name sixth on the Notice Paper for to-day, until Tuesday next.  
 Council adjourned at Six o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, OCTOBER 24.

### NOTICES OF MOTION:—

1. **MR. NICHOLS** to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
  - (1.) A Return from the Courts of Requests in the County of Cumberland, established under the Act of Council 6 Victoria, No. 15, of the total number of Plaints entered in each Court, from the time when the Act came into operation, up to and inclusive of the 1st day of October instant; specifying the number of Plaints in the £10 Jurisdiction; and the number of Plaints in the £30 Jurisdiction.
  - (2.) A Return of the total number of Days that each Court has sat within the above period; the total number of causes heard in each Court during the above period, distinguishing the number of defended and undefended suits, and those which were dismissed for default of appearance of parties.
  - (3.) A Return of the Amount of Money now in the hands of the respective Registrars of the said Courts belonging to suitors.
  - (4.) A nominal Return of the Officers employed in the said Courts, with the amount of their respective Salaries.



- 2. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the Fines and Fees collected at the Maitland Police Office during each quarter, since the 2nd of October, 1847; and shewing the amount paid into the Colonial Treasury, and to the Treasurer, (or Trustees), of the Maitland Hospital, respectively; the Return to be completed to the 2nd of October instant.
- 3. MR. COWPER to move for leave to bring in a Bill to Incorporate a certain Company called the New South Wales Marine Assurance Company.
- 4. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between the Local Government and the Home Government, and also between the Colonial Office and the Horse Guards, with reference to the Addresses agreed to by the Legislative Council on Friday, 13th September, 1850.
  - (1.) On the subject of Remission Money to Retired Officers, and
  - (2.) On the subject of a certain Petition from Commuted Pensioners.
- 5. MR. NICHOLS to move, That the Petition presented by him from Mr. John Marsh, on the 22nd instant, in reference to an allotment at Glebe Island, be printed.
- 6. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return of all officers and persons employed in the Department of the Chief Commissioner of Crown Lands; specifying the nature of the services performed; the salary received; and the locality in which the service is performed by each such officer or person;—also, a Return of all other expenses incurred in the said Department—the whole to extend over 12 months, from 1st October, 1850, to 1st October, 1851.
- 7. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all instructions which have been given to Francis L. S. Mercwether, Esq., on his appointment as Postmaster General, with a view to remedy the irregularities exposed by the Report of the Board of Enquiry into that department, dated 21st March last, and also to introduce such improvements as the exigencies of the country require.

ORDER OF THE DAY :—

- 1. Vagrant Bill; second reading.

TUESDAY, OCTOBER 28.

NOTICES OF MOTION :—

- 1. MR. COWPER, to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of all moneys expended by the National Board of Education from the date of its establishment to the 30th September last, distinguishing the particular services for which such expenditure has been made, and specifying the amount charged for the Verandahs, enclosing Wall, and Lodge to the Model School, Sydney; the amount expended for each School established under the Board, whether for building, repairs, salaries, or other expenses; and where a School House has been erected, stating the amount contributed by the Board or private individuals; if such private contribution was made in land, describing the quantity and the estimated value in money.
  - (2.) A Nominal Return of all persons employed by the National Board of Education, from the date of its establishment to the 30th September last, specifying their office or designation, and the remuneration given to each individual; also the date of appointment and discharge, (if not now employed by the Board), if the remuneration be in part only by fixed salary, then specifying what other emolument is given, and shewing the addition made to the income thereby; also a return of all Schools established by the Board, and the number of children under education in each School.
- 2. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of all moneys expended by the Denominational Board of Education from the date of its establishment to the 30th September last, distinguishing the particular services for which such expenditure has been made.
  - (2.) A Nominal Return of all persons employed by or under the Denominational Board of Education, from the date of its establishment to the 30th September last, specifying their office or designation, and the remuneration given to each individual; also the date of appointment and discharge (if not now employed by the Board); if the remuneration be in part only by fixed salary, then specifying what other emolument is given, and shewing the addition made to the income thereby; also, a Return of all Schools under the supervision of the Board, the number of children under education in each School, the longest time during which any child has remained at each School, and the average time of the continuance of children at each School.
  - (3.) A Nominal Return of the Local Boards for each School, and the number of times (if any) on which each Board has attended and examined the children in each School.
  - (4.) A Return, shewing the books of instruction used in each School, and the daily routine of instruction therein.

3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth :—
- (1.) All Correspondence which may have taken place between the National Board of Education and the Clergymen of various denominations, respecting Religious Instruction in the National Schools.
  - (2.) The Schools, if any, at which Ministers of Religion attend to impart Religious Instruction, and the days and times on which they attend.
  - (3.) A Nominal Return of the Clergymen who have been invited by the National Board to impart Religious Instruction in the National Schools, and who have declined doing so, with the reasons, if any, given by them for so declining.
4. MR. LAMB to move for leave to bring in a Bill for the Incorporation of a Company called "The Sydney Exchange Company."
5. DR. DOUGLASS to move for leave to bring in a Bill for the managing, making, and upholding of the Public Roads in the United Counties of Northumberland and Hunter, and for other purposes therein mentioned.
6. MR. COWPER to move for leave to bring in a Bill to Incorporate the Australasian Steam Navigation Company and for other purposes in such Bill to be mentioned.
7. MR. NICHOLS to move, That a Select Committee, consisting of The Speaker, Mr. Lamb, Mr. Wentworth, The Colonial Secretary, Mr. Smart, Mr. Flood, Mr. Holden, Captain King, and Mr. James Macarthur, be appointed to consider the necessity of erecting a suite of buildings for the accommodation of the Legislature of the Colony; and that such Committee be instructed to devise a plan for the buildings aforesaid, as to arrangement and architectural design befitting the wants and appropriate to the high functions which this House is called upon to exercise.
8. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all correspondence which has taken place between His Excellency the Governor-General and the Right Honorable the Secretary of State, in reference to the appointment of a Mineral or Geological Surveyor, together with any Instructions given by the Colonial Government to that Officer since his arrival in the Colony; also, a copy of any Correspondence which has taken place between the Geological Surveyor and the Colonial Government in reference to the Gold Fields recently discovered; also a copy of any Instructions given to the Surveyor-General of the Colony to report upon such Gold Fields, and of any Reports made in consequence by that Officer to the Colonial Government; also a copy of any Commission issued or Instructions given to any other Scientific Gentlemen appointed by the Government as Prospectors throughout the Districts of New South Wales, and of any Reports made by those Gentlemen to the Government; also, a copy of any Correspondence which has taken place between the Colonial Government and the Crown Law Officers in reference to the steps to be taken by the Government consequent upon the discovery of Gold Fields in New South Wales.
9. MR. DARVALL to move for leave to bring a Bill to alter the law and to amend an Act passed in the 12th year of the Reign of Her Majesty, intituled, "*An Act to simplify and alter the Law in some respects.*"

## ORDER OF THE DAY :—

1. Distresses for Rent Bill; second reading.

WEDNESDAY, OCTOBER 29.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor-General's Message No. 9, with Merchant Seamen's Bill.
2. Consideration of Governor-General's Message No. 13, with Hyde Park Bill.
3. Consideration of Governor-General's Financial Message No. 14, with Estimates and Supplementary Estimate for 1851-2.
4. Jury Bill; second reading.
5. Sewerage Bill; second reading.

## OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—
  - (1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.
  - (2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.
  - (3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.
  - (4.) A Return of the Revenue derived from Depasturing Licences in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.

(5.)

- (5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.
- (6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.
- (7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.
- (8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.
- (9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.
- (10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.
- (11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.
- 2. MR. RICHARDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852 :—
  - (1.) The sum of £150 for the purpose of Repairing the Reservoir for Water in the Town of North Brisbane.
  - (2.) The sum of £250 for the purpose of making a Reservoir for Water in the Town of Ipswich.
  - (3.) The sum of £200 for the purpose of erecting Beacons at the Bar and entrance of the Brisbane River, and also on the flats of that River, above and below Eagle Farm.

THURSDAY, OCTOBER 30.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

- 1. Orphans' Apprenticing Bill; to be further considered in Committee.

FRIDAY, OCTOBER 31.

NOTICE OF MOTION :—

- 1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Districts which have been organized by the Inspector General of Police, in pursuance of the powers vested in him by the provisions of the Act of Council, 14th Vict., No. 33, together with the dates of the notification of the organization thereof respectively.
- 2. MR. LAMB to move, That this Council having had under consideration the Despatch from Earl Grey to Sir Charles Fitz Roy, No. 24, dated April 10th, 1851, Resolves :—
  - (1.) That since the passing of the Resolutions of the late Legislative Council, on the 1st of October, 1850, events have occurred which render indisputable the policy of the Resolution then affirmed, "that no more Convicts ought, under any conditions, to be sent to any part of this Colony."
  - (2.) That the opinion of the Legislative Council having been twice expressed, at the invitation of the Secretary of State, under his promise to abide by the result of its deliberations, the disposition evinced by Earl Grey to keep open the question of Transportation, and to sanction the separation of Moreton Bay, for the express purpose of evading the fulfilment of his pledge, fills this Council with alarm, and is calculated to inspire the Colonists with distrust in the faith of Her Majesty's Ministers.
  - (3.) That the objections before entertained against Penal Transportation to the Australasian Colonies have been so much strengthened by the recent discovery of large auriferous deposits within the territories, as to induce many who formerly advocated the system, to join the ranks of its opponents; and that, consequently, the feeling is now general that the continued introduction of the criminals of the Mother Country into these Colonies would be highly injurious to the religious, moral, and social condition of their inhabitants.
  - (4.) That the Imperial Government, whilst admitting the extent of evil inflicted on the People of Van Diemen's Land by the accumulation of Convicts within its limits, avows the intention of relieving that Island by dispersing them in the other Australasian Colonies, which, since the discoveries of Gold, are, for Imperial as well as Colonial considerations, wholly unfitted for their reception.
  - (5.) That, for these reasons, this Council solemnly protests against the continuance of Transportation to Van Diemen's Land, or any of the existing Australasian Colonies; and deprecates the establishment of any new Penal Settlement, either to the northward of New South Wales, or elsewhere in the Southern Hemisphere.

(6.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, with a recommendation of their favorable consideration by Her Majesty's Government.

3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1852 :—

(1.) The sum of £10,000 towards the repair of the Great Western Road, from the Nepean to the Town of Bathurst.

(2.) That in the opinion of this Council the nett profit realized by the Government from the gold fields of the Colony, ought, in addition to any sums applied to such purpose from the Ordinary Revenue, to be expended in the maintenance and improvement of the Roads and Bridges.

ORDER OF THE DAY:—

1. Maitland Cattle Bill; second reading.

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TUESDAY, NOVEMBER 4.

NOTICE OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to establish an Assay Office, and make Gold stamped therein a legal tender.

ORDER OF THE DAY:—

1. Limited Partnerships' Bill; second reading.

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WEDNESDAY, NOVEMBER 5.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Public Roads Bill; second reading.

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THURSDAY, NOVEMBER 6.

1. Gunpowder Exportation Bill; third reading.  
2. Deceased Persons' Estates Bill; third reading.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

FRIDAY, 24 OCTOBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Standing Orders Committee:—The Colonial Secretary moved, That the time within which the Standing Orders Committee are instructed to report, be extended to Friday, the 31st instant.  
Question put and passed.
2. Supreme Court Rules:—The Colonial Secretary laid upon the Table,—  
(1.) The copy of a series of Rules framed by their Honors the Judges of the Supreme Court.  
(2.) The Copy of a Letter from the Chief Commissioner of Insolvent Estates, of date 23th July, 1851, stating that no new Rules have been made by their Honors the Judges of the Supreme Court, in matters of Insolvency.  
Ordered to be printed.
3. Oath and Qualification of Member:—William Dumaresq, Esquire, having taken the Oath, and handed to the Clerk at the Table the following Declaration of his Qualification, took his Seat as Member for the Electoral District of the Counties of Phillip, Brisbane, and Bligh:—

“ I, William Dumaresq, of Tivoli, near Sydney, do declare and testify, That I  
“ am duly seised at Law or in Equity, of an Estate in freehold, for my own use and  
“ benefit, in lands or tenements, in the Colony of New South Wales, of the yearly  
“ value of one hundred pounds sterling money, above all charges and incumbrances  
“ affecting the same, situate at St. Aubins, in the County of Brisbane, consisting of  
“ 12,810 acres of land, with the buildings and other improvements thereon; and that  
“ I have not collusively or colourably obtained a title to, or become possessed of the  
“ said lands and tenements, or any part thereof, for the purpose of qualifying or  
“ enabling me to be returned a Member of the Legislative Council of the Colony of  
“ New South Wales.”

WM. DUMARESQ.

*Sydney, 24th October, 1851.*

4. Committee of Elections and Qualifications:—Pursuant to the provisions of the Electoral Act of 1851, the Speaker laid upon the Table the following Warrant appointing the Committee of Elections and Qualifications for the present Session of the Legislative Council:—

*By Charles Nicholson, Esquire, the Honorable the Speaker of the Legislative Council of New South Wales.*

“ Pursuant to the power in that behalf vested in the Speaker of the Legislative Council  
“ of New South Wales, by the Electoral Act of 1851, I, Charles Nicholson, Esquire,  
“ as Speaker of the Legislative Council aforesaid, do hereby appoint

“ George Allen,  
“ James William Bligh,  
“ James Chisholm,  
“ Phillip Parker King,  
“ John Lamb,  
“ James Macarthur, and  
“ William Montagu Manning, Esquires,

“ being Members of the said Council, to be Members of the Committee of Elections  
“ and Qualifications in the said Act referred to, during the present Session of the  
“ Council aforesaid.”

“ Given under my hand at the Legislative Council Chamber, Macquarie-street,  
“ Sydney, this twenty-fourth day of October, in the year of our Lord  
“ one thousand eight hundred and fifty-one.

“ CHARLES NICHOLSON,  
“ Speaker.”

5. Mr. James Cooper:—Mr. Nichols presented a Petition from Mr. James Cooper, of Englehurst, Glenmore Road, in the District of Sydney, praying consideration for his private interests should the Hyde Park Bill be passed.  
Petition received.

6. Courts of Requests, County of Cumberland :—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
- (1.) A Return from the Courts of Requests in the County of Cumberland, established under the Act of Council 6 Victoria, No. 15; of the total number of Plaints entered in each Court, from the time when the Act came into operation, up to and inclusive of the 1st day of October instant; specifying the number of Plaints in the £10 Jurisdiction; and the number of Plaints in the £30 Jurisdiction.
  - (2.) A Return of the total number of Days that each Court has sat within the above period; the total number of causes heard in each Court during the above period, distinguishing the number of defended and undefended suits, and those which were dismissed for default of appearance of parties.
  - (3.) A Return of the Amount of Money now in the hands of the respective Registrars of the said Courts belonging to suitors.
  - (4.) A nominal Return of the Officers employed in the said Courts, with the amount of their respective Salaries.
- Question put and passed; Address to be presented by the Speaker.
7. Committee of Elections and Qualifications :—Mr. Martin moved, as a point of order, and without previous notice, That this Council is of opinion that the Warrant laid upon the Table of the House this day appointing a new Committee of Elections and Qualifications is void, inasmuch as the Speaker did, on the 17th day of October instant, lay upon the Table of the House a Warrant appointing such a Committee, which Warrant has not been disapproved of either in respect of the Constitution of the whole Committee, or of any particular Member named in the Warrant.
- Debate ensued.
- Question put and negatived.
8. Maitland Police Office Fines and Fees :—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the Fines and Fees collected at the Maitland Police Office during each quarter, since the 2nd of October, 1847; and shewing the amount paid into the Colonial Treasury, and to the Treasurer; (or Trustees), of the Maitland Hospital, respectively; the Return to be completed to the 2nd of October instant.
- Question put and passed; Address to be presented by the Speaker.
9. New South Wales Marine Assurance Company's Bill :—Mr. Cowper moved, pursuant to notice, for leave to bring in a Bill to Incorporate a certain Company called the New South Wales Marine Assurance Company.
- Question put and passed.
10. Retired Officers and Commuted Pensioners :—Mr. Donaldson moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence between the Local Government and the Home Government, and also between the Colonial Office and the Horse Guards, with reference to the Addresses agreed to by the Legislative Council on Friday, 13th September, 1850,—
- (1.) On the subject of Remission Money to Retired Officers, and
  - (2.) On the subject of a certain Petition from Commuted Pensioners.
- Question put and passed; Address to be presented by the Speaker.
11. Mr. John Marsh :—Mr. Nichols moved, pursuant to notice, That the Petition presented by him from Mr. John Marsh, on the 22nd instant, in reference to an allotment at Glebe Island, be printed.
- Question put and passed.
12. Department of Chief Commissioner of Crown Lands :—Mr. Donaldson moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return of all officers and persons employed in the Department of the Chief Commissioner of Crown Lands; specifying the nature of the services performed; the salary received; and the locality in which the service is performed by each such officer or person;—also, a Return of all other expenses incurred in the said Department—the whole to extend over 12 months, from 1st October, 1850, to 1st October, 1851.
- Question put and passed; Address to be presented by the Speaker.
13. Postponements :—
- (1.) Mr. Donaldson postponed the motion standing in his name seventh on the Notice Paper for to-day, until Tuesday next.
  - (2.) The second reading of the Vagrant Bill postponed, on motion of Mr. Nichols, until Wednesday next.
- Council adjourned at twenty minutes before Five o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, OCTOBER 28.

NOTICES OF MOTION :—

1. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of all moneys expended by the National Board of Education from the date of its establishment to the 30th September last, distinguishing the particular services for which such expenditure has been made, and specifying the amount charged for the Verandahs, enclosing Wall, and Lodge to the Model School, Sydney; the amount expended for each School established under the Board, whether for building, repairs, salaries, or other expenses; and where a School House has been erected, stating the amount contributed by the Board or private individuals; if such private contribution was made in land, describing the quantity and the estimated value in money.
  - (2.) A Nominal Return of all persons employed by the National Board of Education, from the date of its establishment to the 30th September last, specifying their office or designation, and the remuneration given to each individual; also the date of appointment and discharge, (if not now employed by the Board), if the remuneration be in part only by fixed salary, then specifying what other emolument is given, and shewing the addition made to the income thereby; also a return of all Schools established by the Board, and the number of children under education in each School.
2. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of all moneys expended by the Denominational Board of Education from the date of its establishment to the 30th September last, distinguishing the particular services for which such expenditure has been made.
  - (2.) A Nominal Return of all persons employed by or under the Denominational Board of Education, from the date of its establishment to the 30th September last, specifying their office or designation, and the remuneration given to each individual; also the date of appointment and discharge (if not now employed by the Board); if the remuneration be in part only by fixed salary, then specifying what other emolument is given, and shewing the addition made to the income thereby; also, a Return of all Schools under the supervision of the Board, the number of children under education in each School, the longest time during which any child has remained at each School, and the average time of the continuance of children at each School.
  - (3.) A Nominal Return of the Local Boards for each School, and the number of times (if any) on which each Board has attended and examined the children in each School.
  - (4.) A Return, shewing the books of instruction used in each School, and the daily routine of instruction therein.
3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth :—
  - (1.) All Correspondence which may have taken place between the National Board of Education and the Clergymen of various denominations, respecting Religious Instruction in the National Schools.
  - (2.) The Schools, if any, at which Ministers of Religion attend to impart Religious Instruction, and the days and times on which they attend.
  - (3.) A Nominal Return of the Clergymen who have been invited by the National Board to impart Religious Instruction in the National Schools, and who have declined doing so, with the reasons, if any, given by them for so declining.
4. MR. LAMB to move for leave to bring in a Bill for the Incorporation of a Company called "The Sydney Exchange Company."
5. DR. DOUGLASS to move for leave to bring in a Bill for the managing, making, and upholding of the Public Roads in the United Counties of Northumberland and Hunter, and for other purposes therein mentioned.
6. MR. COWPER to move for leave to bring in a Bill to Incorporate the Australasian Steam Navigation Company and for other purposes in such Bill to be mentioned.
7. MR. NICHOLS to move, That a Select Committee, consisting of The Speaker, Mr. Lamb, Mr. Wentworth, The Colonial Secretary, Mr. Smart, Mr. Flood, Mr. Holden, Captain King, and Mr. James Macarthur, be appointed to consider the necessity of erecting a suite of buildings for the accommodation of the Legislature of the Colony; and that such Committee be instructed to devise a plan for the buildings aforesaid, as to arrangement and architectural design befitting the wants and appropriate to the high functions which this House is called upon to exercise.
8. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all correspondence which has taken place between His Excellency the Governor-General and the Right Honorable the Secretary of State, in reference to the appointment of a Mineral or Geological Surveyor, together with any Instructions given by the Colonial Government to that Officer since his arrival in the Colony; also, a copy of any Correspondence which has taken place between the Geologica<sub>1</sub>

- gical Surveyor and the Colonial Government in reference to the Gold Fields recently discovered; also a copy of any Instructions given to the Surveyor-General of the Colony to report upon such Gold Fields, and of any Reports made in consequence by that Officer to the Colonial Government; also a copy of any Commission issued or Instructions given to any other Scientific Gentlemen appointed by the Government as Prospectors throughout the Districts of New South Wales, and of any Reports made by those Gentlemen to the Government; also, a copy of any Correspondence which has taken place between the Colonial Government and the Crown Law Officers in reference to the steps to be taken by the Government consequent upon the discovery of Gold Fields in New South Wales.
9. MR. DARVALL to move for leave to bring a Bill to alter the law and to amend an Act passed in the 12th year of the Reign of Her Majesty, intituled, "*An Act to simplify and alter the Law in some respects.*"
  10. MR. LAMB to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns from the Customs' Department, for the year 1850, and for the first nine months of the year 1851, viz. :—
    - (1.) An Account of the quantities of Tea and Sugar entered for Home Consumption, and the amount of duties paid on each.
    - (2.) An Account of the quantities of Wine entered for Home Consumption, and the amount of duties paid thereon, specifying those of the value of £12 10s. per pipe and under; those valued above £12 10s., and not over £25 per pipe; and those valued above £25 per pipe.
    - (3.) An Account of the quantities of Grain imported, specifying the different kinds, and the amount of duties received on each kind.
    - (4.) An Account of the value of Goods imported, subject to *ad valorem* duties, other than those enumerated above, and the amount of duties paid thereon.
    - (5.) An Account of the value of Goods imported, exempt from duties.
  11. MR. DARVALL to move, That Mr. Bligh be added to the Penrith Nepean Bridge Bill Committee
  12. DR. DOUGLASS to move the appointment of the following Members as a Committee to take into consideration the state of the Internal Communications throughout the Colony, and to report thereon to the House, with such recommendations as they may think advisable, viz. :—The Colonial Secretary, the Postmaster-General, the Speaker, Mr. Fitzgerald, Mr. Chisholm, Mr. Wentworth, Mr. Donaldson, Mr. William Macarthur, Mr. Henry Osborne, and Mr. Bligh.
  13. MR. FLOOD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Prisoners of the Crown employed in the City of Sydney; where and by whom employed; the nature of such employment; also, the date of the arrival of each of such Prisoners, and the period for which they were severally sentenced.
  14. MR. FLOOD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the number of Houses and other Premises in the City of Sydney and other Towns and Places in the County of Cumberland and also the City of Newcastle, the property of the Crown, with the annual or supposed annual value of each; how they are occupied; and, if occupied by any Public Officer, the amount of salary received by such Officer.
  15. MR. COWPER to move, That the New South Wales Marine Assurance Company's Bill be now read a first time.
  16. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all instructions which have been given to Francis L. S. Merewether, Esq., on his appointment as Postmaster General, with a view to remedy the irregularities exposed by the Report of the Board of Enquiry into that department, dated 21st March last, and also to introduce such improvements as the exigencies of the country require.

## ORDER OF THE DAY :—

1. Distresses for Rent Bill; second reading

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WEDNESDAY, OCTOBER 29.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor-General's Message No. 9, with Merchant Seamen's Bill.
2. Consideration of Governor-General's Message No. 13, with Hyde Park Bill.
3. Consideration of Governor-General's Financial Message No. 14, with Estimates and Supplementary Estimate for 1851-2.
4. Jury Bill; second reading.
5. Sewerage Bill; second reading.

OTHER



## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—
  - (1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.
  - (2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.
  - (3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.
  - (4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.
  - (5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.
  - (6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.
  - (7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.
  - (8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.
  - (9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.
  - (10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.
  - (11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.
2. MR. RICHARDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852:—
  - (1.) The sum of £150 for the purpose of Repairing the Reservoir for Water in the Town of North Brisbane.
  - (2.) The sum of £250 for the purpose of making a Reservoir for Water in the Town of Ipswich.
  - (3.) The sum of £200 for the purpose of erecting Beacons at the Bar and entrance of the Brisbane River, and also on the flats of that River, above and below Eagle Farm.
3. MR. NICHOLS to move, That a Select Committee be appointed to enquire into the allegations contained in the Petition of John Marsh, with reference to his claim for compensation upon the Local Government for land resumed by it at Glebe Island, under the award made by certain arbitrators appointed to value such land; and that the Committee consist of Mr. Wentworth, Mr. Jas. Macarthur, the Colonial Treasurer, Mr. Darvall, Mr. Smart, and Mr. Holden.

## ORDER OF THE DAY:—

1. Vagrant Bill; second reading.

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THURSDAY, OCTOBER 30.

## GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Orphans' Apprenticing Bill; to be further considered in Committee.

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FRIDAY, OCTOBER 31.

## NOTICES OF MOTION:—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Districts which have been organized by the Inspector General of Police, in pursuance of the powers vested in him by the provisions of the Act of Council, 14th Vict., No. 38, together with the dates of the notification of the organization thereof respectively.

2.

2. MR. LAMB to move, That this Council having had under consideration the Despatch from Earl Grey to Sir Charles Fitz Roy, No. 24, dated April 10th, 1851, Resolves:—
- (1.) That since the passing of the Resolutions of the late Legislative Council, on the 1st of October, 1850, events have occurred which render indisputable the policy of the Resolution then affirmed, "that no more Convicts ought, under any conditions, to be sent to any part of this Colony."
  - (2.) That the opinion of the Legislative Council having been twice expressed, at the invitation of the Secretary of State, under his promise to abide by the result of its deliberations, the disposition evinced by Earl Grey to keep open the question of Transportation, and to sanction the separation of Moreton Bay, for the express purpose of evading the fulfilment of his pledge, fills this Council with alarm, and is calculated to inspire the Colonists with distrust in the faith of Her Majesty's Ministers.
  - (3.) That the objections before entertained against Penal Transportation to the Australasian Colonies have been so much strengthened by the recent discovery of large auriferous deposits within the territories, as to induce many who formerly advocated the system, to join the ranks of its opponents; and that, consequently, the feeling is now general that the continued introduction of the criminals of the Mother Country into these Colonies would be highly injurious to the religious, moral, and social condition of their inhabitants.
  - (4.) That the Imperial Government, whilst admitting the extent of evil inflicted on the People of Van Diemen's Land by the accumulation of Convicts within its limits, avows the intention of relieving that Island by dispersing them in the other Australasian Colonies, which, since the discoveries of Gold, are, for Imperial as well as Colonial considerations, wholly unfitted for their reception.
  - (5.) That, for these reasons, this Council solemnly protests against the continuance of Transportation to Van Diemen's Land, or any of the existing Australasian Colonies; and deprecates the establishment of any new Penal Settlement, either to the northward of New South Wales, or elsewhere in the Southern Hemisphere.
  - (6.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, with a recommendation of their favorable consideration by Her Majesty's Government.
3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1852:—
- (1.) The sum of £10,000 towards the repair of the Great Western Road, from the Nepean to the Town of Bathurst.
  - (2.) That in the opinion of this Council the nett profit realized by the Government from the gold fields of the Colony, ought, in addition to any sums applied to such purpose from the Ordinary Revenue, to be expended in the maintenance and improvement of the Roads and Bridges.
4. MR. FLOON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of vessels that have entered the Port of Newcastle from the 1st January, 1849, to the 1st October, 1851, stating their tonnage, and whether Foreign or British, together with the amount of imports and exports during the same period.

## ORDER OF THE DAY:—

1. Maitland Cattle Bill; second reading.

## TUESDAY, NOVEMBER 4.

## NOTICE OF MOTION:—

1. MR. MARTIN to move for leave to bring in a Bill to establish an Assay Office, and make Gold stamped therein a legal tender.

## ORDER OF THE DAY:—

1. Limited Partnerships' Bill; second reading.

## WEDNESDAY, NOVEMBER 5.

## GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Public Roads Bill; second reading.

## THURSDAY, NOVEMBER 6.

1. Gunpowder Exportation Bill; third reading.
2. Deceased Persons' Estates Bill; third reading.

CHARLES NICHOLSON,  
Speaker.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

TUESDAY, 28 OCTOBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Motions withdrawn:—  
(1.) Mr. Cowper withdrew the motion standing in his name first on the Notice Paper for to-day.  
(2.) Mr. Martin withdrew the motions standing in his name second and third on the Notice Paper for to-day.
2. Bank Liabilities and Assets:—The Colonial Secretary laid upon the Table a Return of the Liabilities and Assets of the several Banks of the Colony for the Quarter ended 30th September, 1851, rendered pursuant to 4 Vict., No. 13.  
Ordered to be printed.
3. Emigration of certain Chartist Crown Witnesses:—The Colonial Secretary laid upon the Table a Despatch respecting the Emigration of certain Chartist Crown Witnesses, from the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir C. A. Fitz Roy, of 23rd June, 1850, No. 85.  
Ordered to be printed.
4. Customs Establishments:—The Colonial Secretary laid upon the Table certain Circular Despatches relating to the Customs Establishments, from the Right Honorable the Secretary of State for the Colonies to Sir C. A. Fitz Roy, of date, respectively, 8th August, 1850, and 19th April, 1851, with enclosures.  
Ordered to be printed.
5. Penrith Nepean Bridge Bill:—Mr. Broadhurst presented a Petition from William Russell, Esquire, in opposition to this Bill.  
Petition received.
6. Sydney Exchange Company's Bill:—Mr. Lamb moved, pursuant to notice, for leave to bring in a Bill for the Incorporation of a Company called "The Sydney Exchange Company."  
Question put and passed.  
Mr. Lamb having presented the Bill, Bill, intituled, "*A Bill for the Incorporation of a Company called 'The Sydney Exchange Company,'*" read a first time.
7. Northumberland and Hunter Roads Bill:—Dr. Douglass moved, pursuant to notice, for leave to bring in a Bill for the managing, making, and upholding of the Public Roads in the United Counties of Northumberland and Hunter, and for other purposes therein mentioned.  
Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
8. City Endowment:—Mr. Lamb presented a Petition from the Mayor, Aldermen, and Councillors of the City of Sydney, in Council assembled, praying relief in certain matters of proposed endowment in the Petition set forth.  
Petition received.
9. Australasian Steam Navigation Company's Bill:—Mr. Cowper moved, pursuant to notice, for leave to bring in a Bill to Incorporate the Australasian Steam Navigation Company, and for other purposes in such Bill to be mentioned.  
Question put and passed.  
Mr. Cowper having presented the Bill, Bill, intituled "*A Bill to incorporate the Proprietors of a certain Company called 'The Australasian Steam Navigation Company,' and for other purposes therein mentioned,*" read a first time.
10. New Legislative Council Buildings:—Mr. Nichols moved, pursuant to notice, That a Select Committee, consisting of The Speaker, Mr. Lamb, Mr. Wentworth, The Colonial Secretary, Mr. Smart, Mr. Flood, Mr. Holden, Captain King, and Mr. James Macarthur, be appointed to consider the necessity of erecting a suite of buildings for the accommodation of the Legislature of the Colony; and that such Committee be instructed to devise a plan for the buildings aforesaid, as to arrangement and architectural design befitting the wants and appropriate to the high functions which this House is called upon to exercise.  
Debate ensued.  
Motion by leave withdrawn.
11. Geological Surveys:—Mr. Cowper moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all correspondence which has taken place between His Excellency the Governor-General and the Right Honorable the Secretary of State, in reference to the appointment of a Mineral or Geological Surveyor, together with any Instructions given by the Colonial Government to that Officer since his arrival in the Colony; also, a copy of any Correspondence which has taken place between the Geological Surveyor and the Colonial Government in reference to the Gold Fields recently discovered; also a copy of any Instructions given to the Surveyor-General of the Colony to report upon

upon such Gold Fields, and of any Reports made in consequence by that Officer to the Colonial Government; also a copy of any Commission issued or Instructions given to any other Scientific Gentlemen appointed by the Government as Explorers throughout the Districts of New South Wales, and of any Reports made by those Gentlemen to the Government.

Question put and passed; Address to be presented by the Speaker.

12. Law Simplifying Bill:—Mr. Darvall moved, pursuant to notice, for leave to bring in a Bill to alter the law and to amend an Act passed in the 12th year of the Reign of Her Majesty, intituled, "*An Act to simplify and alter the Law in some respects.*"

Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.

13. Customs Duties:—Mr. Lamb moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Returns from the Customs' Department, for the year 1850, and for the first nine months of the year 1851, viz. :—

(1.) An Account of the quantities of Tea and Sugar entered for Home Consumption, and the amount of duties paid on each.

(2.) An Account of the quantities of Wine entered for Home Consumption, and the amount of duties paid thereon, specifying those of the value of £12 10s. per pipe and under; those valued above £12 10s., and not over £25 per pipe; and those valued above £25 per pipe.

(3.) An Account of the quantities of Grain imported, specifying the different kinds, and the amount of duties received on each kind.

(4.) An Account of the value of Goods imported, subject to *ad valorem* duties, other than those enumerated above, and the amount of duties paid thereon.

(5.) An Account of the value of Goods imported, exempt from duties.

Debate ensued.

Mr. Darvall moved, That the question be amended, by adding at the end of section (3,) the words "and the price per bushel at which such grain was valued by the "Importer;" and by adding at the end of section (4,) the words "and the value put "upon such goods by the Importer."

Debate continued.

Question,—That the Question be amended as proposed,—put and passed.

Original Question, as so amended, put and passed; Address to be presented by the Speaker.

14. Law Simplifying Bill:—Mr. Darvall having presented this Bill, intituled, "*A Bill to alter the law and to amend an Act passed in the twelfth year of Her Majesty, intituled, 'An Act to simplify and alter the law in some respects,'*" read a first time; ordered to be printed, and read a second time on Tuesday next.

15. Penrith Nepean Bridge Bill Committee:—Mr. Darvall moved, pursuant to notice, That Mr. Bligh be added to the Penrith Nepean Bridge Bill Committee.

Question put and passed.

16. Motion Withdrawn:—Dr. Douglass withdrew the Motion standing in his name twelfth on the Notice Paper for to-day.

17. Convicts Employed in the City of Sydney:—Mr. Flood moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Prisoners of the Crown employed in the City of Sydney; where and by whom employed; the nature of such employment; also, the date of the arrival of each of such Prisoners, and the period for which they were severally sentenced.

Question put and passed; Address to be presented by the Speaker.

18. Public Buildings Occupied by Public Officers:—Mr. Flood moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the number of Houses and other Premises in the City of Sydney and other Towns and Places in the County of Cumberland, and also the City of Newcastle, the property of the Crown, with the annual or supposed annual value of each; how they are occupied; and, if occupied by any Public Officer, the amount of salary received by such Officer.

Debate ensued.

Question put.

Council divided.

Ayes, 18.

Mr. Holden,  
Mr. Holroyd,  
Mr. Richardson,  
Mr. Donaldson,  
Mr. Jeffreys,  
Mr. William Macarthur,  
Mr. Bowman,  
Mr. Lamb,  
Mr. Smart,  
Mr. Nichols,  
Captain Dumaresq,  
Mr. Bligh,  
Dr. Douglass,  
Mr. Chisholm,  
Mr. Alick Osborne,  
Mr. Martin,  
Mr. Flood,  
Mr. Cowper, (Teller.)

Noes, 15.

Mr. Wentworth,  
Mr. James Macarthur,  
The Colonial Secretary,  
The Attorney General,  
Mr. Darvall,  
Mr. Bettington,  
The Colonial Treasurer,  
The Solicitor General,  
Mr. Dobie,  
Mr. Broadhurst,  
The Chief Commissioner of Crown Lands,  
Mr. Parker,  
Captain King,  
The Collector of Customs,  
The Postmaster General, (Teller.)

Address to be presented by the Speaker.

19.

- 19. New South Wales Marine Assurance Company's Bill :—Mr. Cowper moved, pursuant to notice, That the New South Wales Marine Assurance Company's Bill be now read a first time.  
Question put and passed; and Bill, intituled, "*A Bill to Incorporate the New South Wales Marine Assurance Company,*" read a first time.
- 20. Motion Withdrawn :—Mr. Donaldson withdrew the Motion standing in his name sixteenth on the Notice Paper for to-day.
- 21. Distresses for Rent Bill :—Mr. Martin moved, That this Bill be now read a second time.  
Debate ensued.  
Question put and passed; Bill read a second time.  
Whereupon, on motion of Mr. Martin, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration thereof.  
The Chairman reported progress, and obtained leave to sit again on Friday next.  
Council adjourned at Six o'clock, until to-morrow at Three o'clock.

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NOTICES OF MOTION AND ORDERS OF THE DAY.

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WEDNESDAY, OCTOBER 29.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Consideration of Governor-General's Message No. 9, with Merchant Seamen's Bill.
- 2. Consideration of Governor-General's Message No. 13, with Hyde Park Bill.
- 3. Consideration of Governor-General's Financial Message No. 14, with Estimates and Supplementary Estimate for 1851-2.
- 4. Jury Bill; second reading.
- 5. Sewerage Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

- 1. MR. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—
  - (1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.
  - (2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.
  - (3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.
  - (4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.
  - (5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.
  - (6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.
  - (7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.
  - (8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.
  - (9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.
  - (10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.
  - (11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.

2. MR. RICHARDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852:—
  - (1.) The sum of £150 for the purpose of Repairing the Reservoir for Water in the Town of North Brisbane.
  - (2.) The sum of £250 for the purpose of making a Reservoir for Water in the Town of Ipswich.
  - (3.) The sum of £200 for the purpose of erecting Beacons at the Bar and entrance of the Brisbane River, and also on the flats of that River, above and below Eagle Farm.
3. MR. NICHOLS to move, That a Select Committee be appointed to enquire into the allegations contained in the Petition of John Marsh, with reference to his claim for compensation upon the Local Government for land resumed by it at Glebe Island, under the award made by certain arbitrators appointed to value such land; and that the Committee consist of Mr. Wentworth, Mr. Jas. Macarthur, the Colonial Treasurer, Mr. Darvall, Mr. Smart, and Mr. Holden.
4. MR. BROADHURST to move, That the Petition of William Russell, Esquire, presented by him yesterday, be printed.

## ORDER OF THE DAY:—

1. Vagrant Bill; second reading.

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THURSDAY, OCTOBER 30.

## GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Orphans' Apprenticing Bill; to be further considered in Committee.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WENTWORTH to move, in reference to the Despatch of Earl Grey, No. 32, of the 22nd April, 1851, placed on the Table of this House by His Excellency the Governor-General:—
 

That this Council having had under its consideration the Despatch of the Right Honorable Earl Grey, bearing date the 22nd April, 1851, on the subject of Dr. Henry Grattan Douglass' claim to a Grant of 2,000 acres of land in this Colony, are of opinion—

  - (1.) That such Despatch is not a satisfactory answer to the Address adopted by the Legislative Council on the 18th of September, 1850.
  - (2.) That inasmuch as it indisputably appears that "a promise was made," on behalf of His late Majesty George the Fourth, by His Excellency Sir Thomas Brisbane, of 2,000 acres of land, in the Colony of New South Wales—which promise has not yet been performed—the 22nd section of the Land Sales Act, 5 and 6 Vict., cap. 36, clearly leaves it open to the Crown to see that promise now carried out; and that, therefore, Dr. Douglass' case is precisely such a one as was contemplated by that section.
  - (3.) That in the opinion of this Council the dignity of the Crown requires that "Equitable," as well as "Strict Legal Rights," should be equally recognised; and that if the latter only, the section of the Lands Sale Act, before alluded to, would be, in most cases, if not altogether, inoperative.
  - (4.) That this Council cannot see on what principle it should be recommended to compensate Dr. Douglass out of the General Revenue, for the breach of a promise, the mode of performing which is specially and otherwise provided for by an Act of Parliament; moreover, as the proceeds of the land promised to and formerly in possession of Dr. Douglass, and by mistake sold to another person, have been paid into the Territorial Revenue, this Council is still, therefore, of opinion, that Dr. Douglass should be permitted, by way of compensation, to select an equal portion of Government Land, in any part of the Colony, open to selection; or that a remission of £2,000 be granted to him, out of the Territorial Revenue, in the purchase of 2,000 acres of Crown Land.
  - (5.) That these Resolutions be transmitted to His Excellency the Governor-General, with the request of this Council, that He will be pleased to consider them, and render justice, too long delayed, to this gentleman.
2. MR. COWPER to move, That the Australasian Steam Navigation Company's Bill be referred to the consideration and report of a Select Committee, to consist of the following Members, viz.:—The Attorney General, Mr. Lamb, Mr. Allen, Captain Dumaresq, Mr. Bettington, and Mr. Richardson.
3. MR. COWPER to move, That the New South Wales Marine Assurance Company's Bill, be referred for the consideration and report of a Select Committee, to consist of the following Members, viz.:—The Attorney General, Mr. Jeffreys, Mr. Chisholm, Mr. Smart, Mr. Bettington, and Mr. Nichols.

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FRIDAY,

FRIDAY, OCTOBER 31.

## NOTICES OF MOTION :—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Districts which have been organized by the Inspector-General of Police, in pursuance of the powers vested in him by the provisions of the Act of Council, 14th Vict., No. 38, together with the dates of the notification of the organization thereof respectively.
2. MR. LAMB to move, That this Council having had under consideration the Despatch from Earl Grey to Sir Charles Fitz-Roy, No. 24, dated April 10th, 1851, Resolves :—
  - (1.) That since the passing of the Resolutions of the late Legislative Council, on the 1st of October, 1850, events have occurred which render indisputable the policy of the Resolution then affirmed, "that no more Convicts ought, under any conditions, to be sent to any part of this Colony."
  - (2.) That the opinion of the Legislative Council having been twice expressed, at the invitation of the Secretary of State, under his promise to abide by the result of its deliberations, the disposition evinced by Earl Grey to keep open the question of Transportation, and to sanction the separation of Moreton Bay, for the express purpose of evading the fulfilment of his pledge; fills this Council with alarm, and is calculated to inspire the Colonists with distrust in the faith of Her Majesty's Ministers.
  - (3.) That the objections before entertained against Penal Transportation to the Australasian Colonies have been so much strengthened by the recent discovery of large auriferous deposits within the territories, as to induce many who formerly advocated the system, to join the ranks of its opponents; and that, consequently, the feeling is now general that the continued introduction of the criminals of the Mother Country into these Colonies would be highly injurious to the religious, moral, and social condition of their inhabitants.
  - (4.) That the Imperial Government, whilst admitting the extent of evil inflicted on the People of Van Diemen's Land by the accumulation of Convicts within its limits, avows the intention of relieving that Island by dispersing them in the other Australasian Colonies, which, since the discoveries of Gold, are, for Imperial as well as Colonial considerations, wholly unfitted for their reception.
  - (5.) That, for these reasons, this Council solemnly protests against the continuance of Transportation to Van Diemen's Land, or any of the existing Australasian Colonies; and deprecates the establishment of any new Penal Settlement, either to the northward of New South Wales, or elsewhere in the Southern Hemisphere.
  - (6.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, with a recommendation of their favorable consideration by Her Majesty's Government.
3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1852 :—
  - (1.) The sum of £10,000 towards the repair of the Great Western Road, from the Nepean to the Town of Bathurst.
  - (2.) That in the opinion of this Council the nett profit realized by the Government from the gold-fields of the Colony, ought, in addition to any sums applied to such purpose from the Ordinary Revenue, to be expended in the maintenance and improvement of the Roads and Bridges.
4. MR. FLOOD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of vessels that have entered the Port of Newcastle from the 1st January, 1849, to the 1st October, 1851, stating their tonnage, and whether Foreign or British, together with the amount of imports and exports during the same period.
5. MR. COWPER to move, That the Sydney Exchange Company's Bill be referred for the consideration and report of a Select Committee, to consist of the following Members, viz. :—Mr. Allen, Mr. Broadhurst, Mr. Donaldson, Mr. Holden, Mr. Jeffreys, and Mr. Jones.
6. MR. WENTWORTH to move, That a Select Committee be appointed to prepare petitions to Her Majesty and both Houses of Parliament, setting forth all the grievances of the Colony, whether the result of Imperial Legislation or of Imperial Executive Control;—such Committee to consist of the following Members, exclusive of the mover :—Mr. James Macarthur, Mr. Darvall, Mr. Donaldson, Mr. Lamb, Mr. Holroyd, Mr. Martin, Mr. Nichols, Mr. Cowper, and Captain Dumaresq.

## ORDERS OF THE DAY :—

1. Maitland Cattle Bill; second reading.
2. Distresses for Rent Bill; to be further considered in Committee.

TUESDAY, NOVEMBER 4.

## NOTICE OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to establish an Assay Office, and make Gold stamped therein a legal tender.

ORDERS

## ORDERS OF THE DAY:—

1. Limited Partnerships' Bill; second reading.
2. Law simplifying Bill; second reading.

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WEDNESDAY, NOVEMBER 5.

## GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Public Roads Bill; second reading.

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THURSDAY, NOVEMBER 6.

1. Gunpowder Exportation Bill; third reading.
2. Deceased Persons' Estates Bill; third reading.

CHARLES NICHOLSON,  
*Speaker.*



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

WEDNESDAY, 29 OCTOBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Hyde Park Bill:—Mr. Lamb presented a Petition from certain Inhabitants of Sydney, in favor of the Hyde Park Bill.  
Petition received.
2. Northumberland and Hunter Roads Bill:—Dr. Douglass having presented this Bill, Bill, intituled, "*A Bill for the managing, making, and upholding of the Public Roads in the United Counties of Northumberland and Hunter, and for other purposes therein mentioned,*" read a first time; ordered to be printed, and read a second time this day week.
3. Retired Officers and Commuted Pensioners:—The following Message from His Excellency the Governor-General received and read:—

CHS. A. FITZ ROY,

*Governor-General.*

*Message No. 16.*

With reference to the Address of the Legislative Council dated 24th instant, requesting the Governor-General to cause to be laid upon the Table of the House copies of all correspondence between the local Government and the Home Government, and also between the Colonial Office and the Horse Guards, with reference to the Addresses agreed to by the Legislative Council on Friday the thirteenth of September 1850;—His Excellency begs to inform the Council that he has not yet received answers to the Despatches in which he forwarded these Addresses to Her Majesty's Secretary of State for the Colonies.

2. His Excellency has, however, been furnished by the Honorable the Major-General commanding Her Majesty's Troops in the Australian Colonies with a copy of a letter from the War Office, in which is transmitted the copy of a Despatch from the Secretary of State to the Governor-General, in answer to the Petition of the Commuted Pensioners, which documents His Excellency now lays before the Council.

3. As soon as the reply from Her Majesty's Secretary of State for the Colonies to the Despatch of the Governor-General forwarding the Address of the Legislative Council on the subject of the remission money to be granted to retired officers is received, copies of the Despatch and reply shall be also communicated to the Council.

*Government House*

*Sydney 29 October 1851.*

Ordered to be printed, together with the accompanying Documents.

4. Department of Chief Commissioner of Crown Lands:—The Colonial Secretary laid upon the Table the Return to the Address in reference to this Department, adopted on motion of Mr. Donaldson, on the 24th instant.  
Ordered to be printed.

5. Merchant Seamen's Bill:—The Governor General's Message No. 9, received with this Bill on the 17th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, "*A Bill for improving the condition of Masters, Mates, and Seamen, and maintaining discipline in the Merchant Services of the Colony of New South Wales, and for consolidating the laws relating thereto,*" read a first time. The Colonial Secretary then moved, That the Bill be read a second time this day week.

Debate ensued.

Motion by leave withdrawn.

6. Hyde Park Bill:—The Governor-General's Message No 13, received with this Bill, on the 17th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, "*A Bill to authorise the Surveyor-General to enclose certain parts of the Public Road running through Hyde Park, in the City of Sydney, known as a continuation of Macquarie-street, and to authorise the same to be included within the enclosures of the Domain, known as Hyde Park,*" read a first time; to be read a second time this day week.

7. Finance 1851-52 :—The Financial Message No. 14, received from His Excellency the Governor-General, on the 21st instant, having been read on motion of the Colonial Treasurer,—

The Colonial Treasurer moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1851-52, accompanying the Message just read.

Mr. Donaldson moved, That the Question be amended by adding at the end thereof the words “ and that as the Public Expenditure originating in the discovery of Gold, or in any way connected therewith, ought, in justice, to be borne upon the Territorial Revenue, it be an Instruction to the Committee not to vote such Expenditure or any portion thereof from the General Revenue of the Colony.”

Debate ensued

Question put,—That the Question be amended as proposed.

Council divided.

Ayes, 25.

- Mr. Donaldson,
- Mr. Holroyd,
- Mr. Richardson,
- Mr. Oakes,
- Mr. Cowper,
- Mr. Jones,
- Captain King,
- Mr. Jeffreys,
- Mr. Bowman,
- Mr. James Macarthur,
- Mr. Wentworth,
- Mr. Holden,
- Mr. Martin,
- Mr. Clisholm,
- Dr. Douglass,
- Captain Dumaresq,
- Mr. Alick Osborne,
- Mr. Bligh,
- Mr. Henry Osborne,
- Mr. Bettington,
- Mr. Smart,
- Mr. William Macarthur,
- Mr. Allen,
- Mr. Lamb,
- Mr. Parker, (Teller.)

Noes, 11.

- The Solicitor General,
- The Chief Commissioner of Crown Lands,
- The Collector of Customs,
- The Postmaster General,
- Mr. Broadhurst,
- The Inspector General of Police,
- The Auditor General,
- Mr. Berry,
- The Colonial Secretary,
- The Attorney General,
- The Colonial Treasurer, (Teller.)

Original Question, as so amended, put and passed,—

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman reported progress, and obtained leave to sit again to-morrow.

8. Postponements :—

(1.) The remaining Orders of the Day on the Paper of Government Business for to-day postponed, on motion of the Colonial Secretary, until to-morrow.

(2.) Mr. Jones postponed the motion standing in his name first on the Notice Paper of Other Business for to-day, until Friday, November 7th.

(3.) Mr. Richardson postponed the motion standing in his name second on the Notice Paper of Other Business for to-day, until to-morrow.

(4.) Mr. Nichols postponed the motion standing in his name third on the Notice Paper of Other Business for to-day, until to-morrow.

9. Penrith Nepean Bridge Bill :—Mr. Broadhurst moved, pursuant to notice, That the Petition of William Russell, Esquire, presented by him yesterday, be printed.

Question put and passed.

Ordered to be printed.

10. Vagrant Bill, on motion of Mr. Nichols, read a second time; to be considered in Committee on Friday next.

Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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THURSDAY, OCTOBER 30.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Orphans' Apprenticing Bill; to be further considered in Committee.
2. Estimates for 1851-52; to be further considered in Committee.
3. Jury Bill; second reading.
4. Sewerage Bill; second reading.

OTHER

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WENTWORTH to move, in reference to the Despatch of Earl Grey, No. 32, of the 22nd April, 1851, placed on the Table of this House by His Excellency the Governor-General:—  
That this Council having had under its consideration the Despatch of the Right Honorable Earl Grey, bearing date the 22nd April, 1851, on the subject of Dr. Henry Grattan Douglass' claim to a Grant of 2,000 acres of land in this Colony, are of opinion—  
(1.) That such Despatch is not a satisfactory answer to the Address adopted by the Legislative Council on the 18th of September, 1850.  
(2.) That inasmuch as it indisputably appears that "a promise was made," on behalf of His late Majesty George the Fourth, by His Excellency Sir Thomas Brisbane, of 2,000 acres of land, in the Colony of New South Wales—which promise has not yet been performed—the 22nd section of the Land Sales Act, 5 and 6 Vict., cap. 36, clearly leaves it open to the Crown to see that promise now carried out; and that, therefore, Dr. Douglass' case is precisely such a one as was contemplated by that section.  
(3.) That in the opinion of this Council the dignity of the Crown requires that "Equitable," as well as "Strict Legal Rights," should be equally recognised; and that if the latter only, the section of the Lands Sale Act, before alluded to, would be, in most cases, if not altogether, inoperative.  
(4.) That this Council cannot see on what principle it should be recommended to compensate Dr. Douglass out of the General Revenue, for the breach of a promise, the mode of performing which is specially and otherwise provided for by an Act of Parliament; moreover, as the proceeds of the land promised to and formerly in possession of Dr. Douglass, and by mistake sold to another person, have been paid into the Territorial Revenue, this Council is still, therefore, of opinion, that Dr. Douglass should be permitted, by way of compensation, to select an equal portion of Government Land, in any part of the Colony, open to selection; or that a remission of £2,000 be granted to him, out of the Territorial Revenue, in the purchase of 2,000 acres of Crown Land.  
(5.) That these Resolutions be transmitted to His Excellency the Governor-General, with the request of this Council, that He will be pleased to consider them, and render justice, too long delayed, to this gentleman.
2. MR. COWPER to move, That the Australasian Steam Navigation Company's Bill be referred to the consideration and report of a Select Committee, to consist of the following Members, viz.:—The Attorney General, Mr. Lamb, Mr. Allen, Captain Dumaresq, Mr. Bettington, and Mr. Richardson.
3. MR. COWPER to move, That the New South Wales Marine Assurance Company's Bill, be referred for the consideration and report of a Select Committee, to consist of the following Members, viz.:—The Attorney General, Mr. Jeffreys, Mr. Chisholm, Mr. Smart, Mr. Bettington, and Mr. Nichols.
4. MR. RICHARDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852:—  
(1.) The sum of £150 for the purpose of Repairing the Reservoir for Water in the Town of North Brisbane.  
(2.) The sum of £250 for the purpose of making a Reservoir for Water in the Town of Ipswich.  
(3.) The sum of £200 for the purpose of erecting Beacons at the Bar and entrance of the Brisbane River, and also on the flats of that River, above and below Eagle Farm.
5. MR. NICHOLS to move, That a Select Committee be appointed to enquire into the allegations contained in the Petition of John Marsh, with reference to his claim for compensation upon the Local Government for land resumed by it at Glebe Island, under the award made by certain arbitrators appointed to value such land; and that the Committee consist of Mr. Wentworth, Mr. Jas. Macarthur, the Colonial Treasurer, Mr. Darvall, Mr. Smart, and Mr. Holden.

FRIDAY, OCTOBER 31.

## NOTICES OF MOTION:—

- Contingent*—CAPTAIN KING to move, as an amendment upon Mr. Lamb's motion,—  
(1.) That this Council having had under its consideration the Despatch of Earl Grey to His Excellency Sir Charles Fitz Roy, No. 24, bearing date 10th April, 1851, and having again deliberated upon the whole question of Transportation, re-affirms the decision of the late Council, that "no more Convicts ought under any circumstances "to be sent to any part of this Colony."  
(2.) That the grave objections which have hitherto been urged against the continuance of Transportation to the Australian Colonies derive increased weight from the recent discoveries of productive gold fields, which, having been found so widely distributed throughout New South Wales and Victoria, may also reasonably be expected to be developed in the neighbouring Colony of Van Diemen's Land.  
(3.) That this Council, therefore, convinced that under existing circumstances the transportation of criminals from the United Kingdom would entail upon these Colonies, and more especially upon New South Wales, the most serious moral and social evils, and be wholly inefficacious as a secondary punishment, protests against its continuance, in any form whatever, to any part of Her Majesty's Australasian Possessions.

(4.)

(4.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, and to recommend them to the early consideration of Her Majesty's Government.

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Districts which have been organized by the Inspector General of Police, in pursuance of the powers vested in him by the provisions of the Act of Council, 14th Vict., No. 38, together with the dates of the notification of the organization thereof respectively.
2. MR. LAMB to move, That this Council having had under consideration the Despatch from Earl Grey to Sir Charles Fitz Roy, No. 24, dated April 10th, 1851, Resolves:—
  - (1.) That since the passing of the Resolutions of the late Legislative Council, on the 1st of October, 1850, events have occurred which render indisputable the policy of the Resolution then affirmed, "that no more Convicts ought, under any conditions, to be sent to any part of this Colony."
  - (2.) That the opinion of the Legislative Council having been twice expressed, at the invitation of the Secretary of State, under his promise to abide by the result of its deliberations, the disposition evinced by Earl Grey to keep open the question of Transportation, and to sanction the separation of Moreton Bay, for the express purpose of evading the fulfilment of his pledge, fills this Council with alarm, and is calculated to inspire the Colonists with distrust in the faith of Her Majesty's Ministers.
  - (3.) That the objections before entertained against Penal Transportation to the Australasian Colonies have been so much strengthened by the recent discovery of large auriferous deposits within the territories, as to induce many who formerly advocated the system, to join the ranks of its opponents; and that, consequently, the feeling is now general that the continued introduction of the criminals of the Mother Country into these Colonies would be highly injurious to the religious, moral, and social condition of their inhabitants.
  - (4.) That the Imperial Government, whilst admitting the extent of evil inflicted on the People of Van Diemen's Land by the accumulation of Convicts within its limits, avows the intention of relieving that Island by dispersing them in the other Australasian Colonies, which, since the discoveries of Gold, are, for Imperial as well as Colonial considerations, wholly unfitted for their reception.
  - (5.) That, for these reasons, this Council solemnly protests against the continuance of Transportation to Van Diemen's Land, or any of the existing Australasian Colonies; and deprecates the establishment of any new Penal Settlement, either to the northward of New South Wales, or elsewhere in the Southern Hemisphere contiguous to the shores of Australia, Van Diemen's Land, or New Zealand.
  - (6.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, with a recommendation of their favorable consideration by Her Majesty's Government.
3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1852:—
  - (1.) The sum of £10,000 towards the repair of the Great Western Road, from the Nepean to the Town of Bathurst.
  - (2.) That in the opinion of this Council the nett profit realized by the Government from the gold fields of the Colony, ought, in addition to any sums applied to such purpose from the Ordinary Revenue, to be expended in the maintenance and improvement of the Roads and Bridges.
4. MR. FLOOD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of vessels that have entered the Port of Newcastle from the 1st January, 1849, to the 1st October, 1851, stating their tonnage, and whether Foreign or British, together with the amount of imports and exports during the same period.
5. MR. COWPER to move, That the Sydney Exchange Company's Bill be referred for the consideration and report of a Select Committee, to consist of the following Members, viz.:—Mr. Allen, Mr. Broadhurst, Mr. Donaldson, Mr. Holden, Mr. Jeffreys, and Mr. Jones.
6. MR. WENTWORTH to move, That a Select Committee be appointed to prepare petitions to Her Majesty and both Houses of Parliament, setting forth all the grievances of the Colony, whether the result of Imperial Legislation or of Imperial Executive Control;—such Committee to consist of the following Members, exclusive of the mover:—Mr. James Macarthur, Mr. Darvall, Mr. Donaldson, Mr. Lamb, Mr. Holroyd, Mr. Martin, Mr. Nichols, Mr. Cowper, and Captain Dumaresq.

ORDERS OF THE DAY:—

1. Maitland Cattle Bill; second reading.
2. Distresses for Rent Bill; to be further considered in Committee.
3. Vagrant Bill; to be considered in Committee.

TUESDAY, NOVEMBER 4.

## NOTICE OF MOTION:—

1. MR. MARTIN to move for leave to bring in a Bill to establish an Assay Office, and make Gold stamped therein a legal tender.

## ORDERS OF THE DAY:—

1. Limited Partnerships' Bill; second reading.
2. Law simplifying Bill; second reading.

WEDNESDAY, NOVEMBER 5.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Public Roads Bill; second reading.
2. Hyde Park Bill; second reading.

## OTHER BUSINESS—ORDER OF THE DAY:—

1. Northumberland and Hunter Roads' Bill; second reading.

THURSDAY, NOVEMBER 6.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Gunpowder Exportation Bill; third reading.
2. Deceased Persons' Estates Bill; third reading.

FRIDAY, NOVEMBER 7.

## NOTICE OF MOTION:—

1. MR. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—
  - (1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.
  - (2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.
  - (3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.
  - (4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.
  - (5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.
  - (6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.
  - (7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.
  - (8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.
  - (9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.
  - (10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.
  - (11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851, distinguishing Sailing Vessels from Steamers.

CHARLES NICHOLSON,

*Speaker.*



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

THURSDAY, 30 OCTOBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Standing Rules and Orders :—The Colonial Secretary, on behalf of the Chairman, brought up the Report and laid upon the Table the Draft Standing Rules and Orders agreed to by the Select Committee appointed on the 17th instant to prepare such Standing Rules and Orders as shall appear best adapted for the orderly conduct of the business of this Council.  
Ordered to be printed.
2. Hyde Park Bill :—Mr. Cowper presented a Petition from certain Citizens of Sydney against this Bill.  
Petition received.
3. Orphans' Apprenticing Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.  
The Chairman having reported the Bill with amendments;—*Ordered*, That the adoption of the Report stand an Order of the Day for this day week.
4. Estimates for 1851-52 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52.  
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
5. Postponements :—  
(1.) The second reading of the Jury Bill postponed, on motion of the Colonial Secretary, until Thursday next.  
(2.) The second reading of the Soverage Bill postponed, on motion of the Colonial Secretary, until Thursday next.  
(3.) Mr. Holroyd, on behalf of Mr. Wentworth, postponed the motion standing in the name of Mr. Wentworth first on the Notice Paper of Other Business for to-day, until to-morrow.
6. Australasian Steam Navigation Company's Bill :—Mr. Cowper moved, pursuant to notice, That the Australasian Steam Navigation Company's Bill be referred for the consideration and report of a Select Committee, to consist of the following Members, viz. :—The Attorney General, Mr. Lamb, Mr. Allen, Captain Dumaresq; Mr. Bettington, and Mr. Richardson.  
Question put and passed.
7. New South Wales Marine Assurance Company's Bill :—Mr. Cowper moved, pursuant to notice, That the New South Wales Marine Assurance Company's Bill be referred, for the consideration and report of a Select Committee, to consist of the following Members, viz. :—The Attorney General, Mr. Jeffreys, Mr. Chisholm, Mr. Smart, Mr. Bettington, and Mr. Nichols.  
Question put and passed.
8. Postponements :—  
(1.) Mr. Richardson postponed the motion standing in his name fourth on the Notice Paper for to-day, until Tuesday next.  
(2.) Mr. Nichols postponed the motion standing in his name fifth on the Notice Paper for to-day, until to-morrow.  
Council adjourned at half-past Six o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, OCTOBER 31.

## NOTICES OF MOTION :—

*Contingent*—CAPTAIN KING to move, as an amendment upon Mr. Lamb's motion,—

- (1.) That this Council having had under its consideration the Despatch of Earl Grey to His Excellency Sir Charles Fitz Roy, No. 29, bearing date 10th April, 1851, and having again deliberated upon the whole question of Transportation, re-affirms the decision of the late Council, that "no more Convicts ought under any circumstances to be sent to any part of this Colony."
- (2.) That the grave objections which have hitherto been urged against the continuance of Transportation to the Australian Colonies derive increased weight from the recent discoveries of productive gold fields, which, having been found so widely distributed throughout New South Wales and Victoria, may also reasonably be expected to be developed in the neighbouring Colony of Van Diemen's Land.
- (3.) That this Council, therefore, convinced that under existing circumstances the transportation of criminals from the United Kingdom would entail upon these Colonies, and more especially upon New South Wales, the most serious moral and social evils, and be wholly inefficacious as a secondary punishment, protests against its continuance, in any form whatever, to any part of Her Majesty's Australasian Possessions.
- (4.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, and to recommend them to the early consideration of Her Majesty's Government.

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Districts which have been organized by the Inspector General of Police, in pursuance of the powers vested in him by the provisions of the Act of Council, 14th Vict., No. 38, together with the dates of the notification of the organization thereof respectively.
2. MR. LAMB to move, That this Council having had under consideration the Despatch from Earl Grey to Sir Charles Fitz Roy, No. 29, dated April 10th, 1851, Resolves :—
  - (1.) That since the passing of the Resolutions of the late Legislative Council, on the 1st of October, 1850, events have occurred which render indisputable the policy of the Resolution then affirmed, "that no more Convicts ought, under any conditions, to be sent to any part of this Colony."
  - (2.) That the opinion of the Legislative Council having been twice expressed, at the invitation of the Secretary of State, under his promise to abide by the result of its deliberations, the disposition evinced by Earl Grey to keep open the question of Transportation, and to sanction the separation of Moreton Bay, for the express purpose of evading the fulfilment of his pledge, fills this Council with alarm, and is calculated to inspire the Colonists with distrust in the faith of Her Majesty's Ministers.
  - (3.) That the objections before entertained against Penal Transportation to the Australasian Colonies have been so much strengthened by the recent discovery of large auriferous deposits within the territories, as to induce many who formerly advocated the system, to join the ranks of its opponents; and that, consequently, the feeling is now general that the continued introduction of the criminals of the Mother Country into these Colonies would be highly injurious to the religious, moral, and social condition of their inhabitants.
  - (4.) That the Imperial Government, whilst admitting the extent of evil inflicted on the People of Van Diemen's Land by the accumulation of Convicts within its limits, avows the intention of relieving that Island by dispersing them in the other Australasian Colonies, which, since the discoveries of Gold, are, for Imperial as well as Colonial considerations, wholly unfitted for their reception.
  - (5.) That, for these reasons, this Council solemnly protests against the continuance of Transportation to Van Diemen's Land, or any of the existing Australasian Colonies; and deprecates the establishment of any new Penal Settlement, either to the northward of New South Wales, or elsewhere in the Southern Hemisphere contiguous to the shores of Australia, Van Diemen's Land, or New Zealand.
  - (6.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, with a recommendation of their favorable consideration by Her Majesty's Government.
3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1852 :—
  - (1.) The sum of £10,000 towards the repair of the Great Western Road, from the Nepean to the Town of Bathurst.
  - (2.) That in the opinion of this Council the nett profit realized by the Government from the gold fields of the Colony, ought, in addition to any sums applied to such purpose from the Ordinary Revenue, to be expended in the maintenance and improvement of the Roads and Bridges.



4. MR. FLOOD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of vessels that have entered the Port of Newcastle from the 1st January, 1849, to the 1st October, 1851, stating their tonnage, and whether Foreign or British, together with the amount of imports and exports during the same period.
5. MR. COWPER to move, That the Sydney Exchange Company's Bill be referred for the consideration and report of a Select Committee, to consist of the following Members, viz.:—Mr. Allen, Mr. Broadhurst, Mr. Donaldson, Mr. Holden, Mr. Jeffreys, and Mr. Jones.
6. MR. WENTWORTH to move, That a Select Committee be appointed to prepare petitions to Her Majesty and both Houses of Parliament, setting forth all the grievances of the Colony, whether the result of Imperial Legislation or of Imperial Executive Control;—such Committee to consist of the following Members, exclusive of the mover:—Mr. James Macarthur, Mr. Darvall, Mr. Donaldson, Mr. Lamb, Mr. Holroyd, Mr. Martin, Mr. Nichols, Mr. Cowper, and Captain Dumaresq.
7. THE COLONIAL SECRETARY to move, That the consideration in a Committee of the whole Council, of the Draft Standing Rules and Orders agreed to by the Standing Orders Committee, stand an Order of the Day for Tuesday next.
8. MR. BROADHURST to move, That the Petition of William Russell, Esq., against the Penrith Nepean Bridge Bill, be referred to the Select Committee to which the said Bill stands referred.
9. MR. COWPER to move, That the Petition presented by him yesterday, from certain Citizens, against the Hyde Park Bill, be printed.
10. MR. WENTWORTH to move, in reference to the Despatch of Earl Grey, No. 32, of the 22nd April, 1851, placed on the Table of this House by His Excellency the Governor-General:—  
That this Council having had under its consideration the Despatch of the Right Honorable Earl Grey, bearing date the 22nd April, 1851, on the subject of Dr. Henry Grattan Douglass' claim to a Grant of 2,000 acres of land in this Colony, are of opinion—  
(1.) That such Despatch is not a satisfactory answer to the Address adopted by the Legislative Council on the 18th of September, 1850.  
(2.) That inasmuch as it indisputably appears that "a promise was made," on behalf of His late Majesty George the Fourth, by His Excellency Sir Thomas Brisbane, of 2,000 acres of land, in the Colony of New South Wales—which promise has not yet been performed—the 22nd section of the Land Sales Act, 5 and 6 Vict., cap. 36, clearly leaves it open to the Crown to see that promise now carried out; and that, therefore, Dr. Douglass' case is precisely such a one as was contemplated by that section.  
(3.) That in the opinion of this Council the dignity of the Crown requires that "Equitable," as well as "Strict Legal Rights," should be equally recognised; and that if the latter only, the section of the Lands Sale Act, before alluded to, would be, in most cases, if not altogether, inoperative.  
(4.) That this Council cannot see on what principle it should be recommended to compensate Dr. Douglass out of the General Revenue, for the breach of a promise, the mode of performing which is specially and otherwise provided for by an Act of Parliament; moreover, as the proceeds of the land promised to and formerly in possession of Dr. Douglass, and by mistake sold to another person, have been paid into the Territorial Revenue, this Council is still, therefore, of opinion, that Dr. Douglass should be permitted, by way of compensation, to select an equal portion of Government Land, in any part of the Colony, open to selection; or that a remission of £2,000 be granted to him, out of the Territorial Revenue, in the purchase of 2,000 acres of Crown Land.  
(5.) That these Resolutions be transmitted to His Excellency the Governor-General, with the request of this Council, that He will be pleased to consider them, and render justice, too long delayed, to this gentleman.
11. MR. NICHOLS to move, That a Select Committee be appointed to enquire into the allegations contained in the Petition of John Marsh, with reference to his claim for compensation upon the Local Government for land resumed by it at Glebe Island, under the award made by certain arbitrators appointed to value such land; and that the Committee consist of Mr. Wentworth, Mr. Jas. Macarthur, the Colonial Treasurer, Mr. Darvall, Mr. Smart, and Mr. Holden.

ORDERS OF THE DAY:—

1. Naitland Cattle Bill; second reading.
2. Distresses for Rent Bill; to be further considered in Committee.
3. Vagrant Bill; to be considered in Committee.

TUESDAY, NOVEMBER 4.

NOTICES OF MOTION:—

1. MR. MARTIN to move for leave to bring in a Bill to establish an Assay Office, and make Gold stamped therein a legal tender.
2. MR. RICHARDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852:—  
(1.) The sum of £150 for the purpose of Repairing the Reservoir for Water in the Town of North Brisbane.  
(2.)

(2.) The sum of £250 for the purpose of making a Reservoir for Water in the Town of Ipswich.

(3.) The sum of £200 for the purpose of erecting Beacons at the Bar and entrance of the Brisbane River, and also on the flats of that River, above and below Eagle Farm.

ORDERS OF THE DAY:—

1. Limited Partnerships' Bill; second reading.
2. Law simplifying Bill; second reading.

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WEDNESDAY, NOVEMBER 5.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Public Roads Bill; second reading.
2. Hyde Park Bill; second reading.
3. Estimates for 1851-52; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Northumberland and Hunter Roads' Bill; second reading.

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THURSDAY, NOVEMBER 6.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Gunpowder Exportation Bill; third reading.
2. Deceased Persons' Estates Bill; third reading.
3. Orphan's Apprenticing Bill Reported; Adoption of the Report.
4. Jury Bill; second reading.
5. Sewerage Bill; second reading.

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FRIDAY, NOVEMBER 7.

NOTICE OF MOTION:—

1. MR. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—
  - (1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.
  - (2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.
  - (3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.
  - (4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.
  - (5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.
  - (6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.
  - (7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.
  - (8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.
  - (9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.
  - (10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.
  - (11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.

CHARLES NICHOLSON,  
Speaker.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

FRIDAY, 31 OCTOBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Postponement:—Mr. Martin, on behalf of Mr. Nichols, postponed the motion standing in the name of Mr. Nichols first on the Notice Paper for to-day, until Tuesday next.
  2. Transportation:—Mr. Lamb moved, pursuant to notice, "That" this Council having had under consideration the Despatch from Earl Grey to Sir Charles Fitz Roy, No. 29, dated April 10th, 1851, Resolves:—
    - (1.) That since the passing of the Resolutions of the late Legislative Council, on the 1st of October, 1850, events have occurred which render indisputable the policy of the Resolution then affirmed, "that no more Convicts ought, under any conditions, to be sent to any part of this Colony."
    - (2.) That the opinion of the Legislative Council having been twice expressed, at the invitation of the Secretary of State, under his promise to abide by the result of its deliberations, the disposition evinced by Earl Grey to keep open the question of Transportation, and to sanction the separation of Moreton Bay, for the express purpose of evading the fulfilment of his pledge, fills this Council with alarm, and is calculated to inspire the Colonists with distrust in the faith of Her Majesty's Ministers.
    - (3.) That the objections before entertained against Penal Transportation to the Australasian Colonies have been so much strengthened by the recent discovery of large auriferous deposits within the territories, as to induce many who formerly advocated the system, to join the ranks of its opponents; and that, consequently, the feeling is now general, that the continued introduction of the criminals of the Mother Country into these Colonies would be highly injurious to the religious, moral, and social condition of their inhabitants.
    - (4.) That the Imperial Government, whilst admitting the extent of evil inflicted on the People of Van Diemen's Land by the accumulation of Convicts within its limits, avows the intention of relieving that Island by dispersing them in the other Australasian Colonies, which, since the discoveries of Gold, are, for Imperial as well as Colonial considerations, wholly unfitted for their reception.
    - (5.) That, for these reasons, this Council solemnly protests against the continuance of Transportation to Van Diemen's Land, or any of the existing Australasian Colonies; and deprecates the establishment of any new Penal Settlement, either to the northward of New South Wales, or elsewhere in the Southern Hemisphere contiguous to the shores of Australia, Van Diemen's Land, or New Zealand.
    - (6.) That an Address be presented to His Excellency the Governor-General; requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, with a recommendation of their favorable consideration by Her Majesty's Government.
- Captain King moved, pursuant to amended notice, That the Question be amended by the omission of all the words following the word "That," at the commencement thereof, and the insertion in their place of the words following:—
- "(1.) this Council having had under its consideration the Despatch of Earl Grey to His Excellency Sir Charles Fitz Roy, No. 29, bearing date 10th April, 1851, and having again deliberated upon the whole question of Transportation, re-affirms the decision of the late Council, that 'no more Convicts ought under any conditions to be sent to any part of this Colony.'"
- "(2.) That the grave objections which have hitherto been urged against the continuance of Transportation to the Australian Colonies derive increased weight from the recent discoveries of productive gold fields, which, having been found so widely distributed throughout New South Wales and Victoria, may also reasonably be expected to be developed in the neighbouring Colony of Van Diemen's Land.
- "(3.) That this Council, therefore, convinced that the transportation of criminals from the United Kingdom would entail upon these Colonies, and more especially upon New South Wales, the most serious moral and social evils, and be wholly inefficacious as a secondary punishment, protests against its continuance, in any form whatever, to any part of Her Majesty's Australasian Possessions.
- "(4.) That an Address be presented to His Excellency the Governor-General, requesting His Excellency to forward the foregoing Resolutions to the Secretary of State for the Colonies, and to recommend them to the early consideration of Her Majesty's Government."

Debate ensued,

MR.

Mr. Lamb having requested that his proposed Resolutions should be put *seriatim*,—  
Question put,—That all the words following the word "That" in the first section of  
the series of Resolutions moved by Mr. Lamb stand part of the Question.

Council divided,

Ayes, 11.

- Mr. Lamb,
- Mr. Richardson,
- Mr. Jeffreys,
- Mr. Flood,
- Mr. Smart,
- Mr. Darvall,
- Mr. Allen,
- Mr. Nichols,
- Mr. Bowman,
- Mr. Jones,
- Mr. Cowper, (Teller.)

Noes, 23.

- Mr. Wentworth,
- Mr. James Macarthur,
- The Colonial Secretary,
- The Solicitor General,
- Mr. Bligh,
- Mr. Henry Osborne,
- Mr. Holroyd,
- Captain Dumaresq,
- Captain King,
- Mr. Broadhurst,
- Mr. Dobic,
- Mr. William Macarthur,
- Mr. Alick Osborne,
- The Attorney General,
- The Inspector General of Police,
- Dr. Douglass,
- Mr. Parker,
- Mr. Martin,
- The Chief-Commissioner of Crown Lands,
- The Postmaster General,
- The Auditor General,
- Mr. Berry,
- The Colonial Treasurer, (Teller.)

Question—That in place of the words omitted there be inserted all the words of the  
proposed amendment moved by Captain King—put and carried.

Question put,—

(1.) That this Council having had under its consideration the Despatch of Earl  
Grey to His Excellency Sir Charles Fitz Roy, No. 29, bearing date 10th April,  
1851, and having again deliberated upon the whole question of Transportation, re-  
affirms the decision of the late Council, that "no more convicts ought under any  
" conditions to be sent to any part of this Colony."

(2.) That the grave objections which have hitherto been urged against the continu-  
ance of Transportation to the Australian Colonies derive increased weight from the  
recent discoveries of productive gold fields, which, having been found so widely dis-  
tributed throughout New South Wales and Victoria, may also reasonably be ex-  
pected to be developed in the neighbouring Colony of Van Diemen's Land.

(3.) That this Council, therefore, convinced that the transportation of criminals from  
the United Kingdom would entail upon these Colonies, and more especially upon  
New South Wales, the most serious moral and social evils, and be wholly inefficacious  
as a secondary punishment, protests against its continuance, in any form whatever,  
to any part of Her Majesty's Australasian Possessions.

(4.) That an Address be presented to His Excellency the Governor-General, request-  
ing His Excellency to forward the foregoing Resolutions to the Secretary of State  
for the Colonies, and to recommend them to the early consideration of Her Majesty's  
Government.

Council divided.

Ayes, 24.

- The Auditor General,
- Mr. Berry,
- Captain King,
- Captain Dumaresq,
- Mr. James Macarthur,
- Mr. Dobic,
- Mr. Allen,
- The Postmaster General,
- Mr. Parker,
- The Chief Commissioner of Crown  
Lands,
- The Inspector General of Police,
- Dr. Douglass,
- Mr. Bligh,
- Mr. Alick Osborne,
- Mr. Wentworth,
- Mr. H. Osborne,
- The Colonial Secretary,
- The Attorney General,
- The Solicitor General,
- Mr. William Macarthur,
- Mr. Martin,
- Mr. Holroyd,
- Mr. Broadhurst,
- The Colonial Treasurer, (Teller.)

Noes, 11.

- Mr. Bowman,
- Mr. Jeffreys,
- Mr. Richardson,
- Mr. Lamb,
- Mr. Nichols,
- Mr. Smart,
- Mr. Darvall,
- Mr. Oakes,
- Mr. Flood,
- Mr. Jones,
- Mr. Cowper, (Teller.)

The remaining Resolutions moved by Mr. Lamb, were then disposed of in manner  
following ;—

Question

Question put,—(2.) That the opinion of the Legislative Council having been twice expressed, at the invitation of the Secretary of State, under his promise to abide by the result of its deliberations, the disposition evinced by Earl Grey to keep open the question of Transportation, and to sanction the separation of Moreton Bay, for the express purpose of evading the fulfilment of his pledge, fills this Council with alarm, and is calculated to inspire the Colonists with distrust in the faith of Her Majesty's Ministers.  
Council divided.

## Ayes 9

Mr. Richardson,  
Mr. Oakes,  
Mr. Smart,  
Mr. Lamb,  
Mr. Flood,  
Mr. Jones,  
Mr. Nichols,  
Mr. Bowman,  
Mr. Cowper, (Teller.)

## Noes 26

The Postmaster General,  
Mr. William Macarthur,  
The Inspector-General of Police,  
Dr. Douglass,  
The Chief Commissioner of Crown Lands,  
Mr. Alick Osborne,  
The Attorney General,  
The Solicitor General,  
Mr. Parker,  
Captain King,  
Mr. Allen,  
The Auditor General,  
Mr. Berry,  
Captain Dumaresq,  
Mr. Dobie,  
Mr. Broadhurst,  
Mr. Holroyd,  
Mr. James Macarthur,  
Mr. Jeffreys,  
Mr. Henry Osborne,  
Mr. Bligh,  
The Colonial Secretary,  
Mr. Martin,  
Mr. Wentworth,  
Mr. Darvall,  
The Colonial Treasurer, (Teller.)

Question put (*as amended by consent*),—(3.) That the objections before entertained against Penal Transportation to the Australasian Colonies have been so much strengthened by the recent discovery of large auriferous deposits within these territories, as to induce many who formerly advocated the system, to join the ranks of its opponents; and that, consequently, the feeling is now general that the continued introduction of the criminals of the Mother Country into these Colonies would be highly injurious to the religious, moral, and social condition of their inhabitants.  
Council divided.

## Ayes, 12.

Mr. Oakes,  
Mr. Richardson,  
Mr. Lamb,  
Mr. Smart,  
Mr. Flood,  
Mr. Jones,  
Mr. Nichols,  
Mr. Darvall,  
Mr. Allen,  
Mr. Bowman,  
Mr. Jeffreys,  
Mr. Cowper, (Teller.)

## Noes, 23.

Mr. Darvall,  
Mr. Berry,  
Mr. Broadhurst,  
The Auditor General,  
Mr. Parker,  
Captain King,  
The Solicitor General,  
The Attorney General,  
Mr. Alick Osborne,  
The Chief Commissioner of Crown Lands,  
Dr. Douglass,  
The Inspector General of Police,  
The Postmaster General,  
Mr. W. Macarthur,  
Mr. Wentworth,  
Mr. Martin,  
The Colonial Secretary,  
Mr. Bligh,  
Mr. H. Osborne,  
Mr. J. Macarthur,  
Mr. Holroyd,  
Mr. Dobie,  
The Colonial Treasurer, (Teller.)

Question put,—(4.) That the Imperial Government, whilst admitting the extent of evil inflicted on the People of Van Diemen's Land by the accumulation of Convicts within its limits, avows the intention of relieving that Island by dispersing them in the other Australasian Colonies, which, since the discoveries of Gold, are, for Imperial as well as Colonial considerations, wholly unfitted for their reception.

Council

90.

Council divided.

Ayes, 12:

- Mr. Oakes,
- Mr. Richardson,
- Mr. Jeffreys,
- Mr. Lamb,
- Mr. Smart,
- Mr. Flood,
- Mr. Jones,
- Mr. Nichols,
- Mr. Darvall,
- Mr. Allen,
- Mr. Bowman,
- Mr. Cowper, (Teller.)

Noes, 23.

- Mr. William Macarthur,
- Mr. Wentworth,
- The Colonial Treasurer,
- The Colonial Secretary,
- Mr. Bligh,
- Mr. Henry Osborne,
- Mr. James Macarthur,
- Mr. Holroyd,
- Captain Dumaresq,
- Mr. Dobie,
- Mr. Berry,
- Mr. Broadhurst,
- The Auditor General,
- Mr. Parker,
- Captain King,
- The Solicitor General,
- The Attorney General,
- Mr. Alick Osborne,
- The Chief Commissioner of Crown Lands,
- Dr. Douglass,
- The Inspector General of Police,
- The Postmaster General,
- Mr. Martin, (Teller.)

Question put (as amended by consent.)—(5) That this Council solemnly protests against the continuance of Transportation to Van Diemen's Land, or any of the existing Australasian Colonies; and deprecates the establishment of any new Penal Settlement, either to the northward of New South Wales, or elsewhere in the Southern Hemisphere contiguous to the shores of Australia, Van Diemen's Land, or New Zealand.

Council divided.

Ayes, 12.

- Mr. Oakes,
- Mr. Richardson,
- Mr. Jeffreys,
- Mr. Lamb,
- Mr. Smart,
- Mr. Flood,
- Mr. Jones,
- Mr. Bowman,
- Mr. Allen,
- Mr. Darvall,
- Mr. Nichols,
- Mr. Cowper, (Teller.)

Noes, 23.

- Mr. William Macarthur,
- Mr. Wentworth,
- The Colonial Treasurer,
- The Colonial Secretary,
- Mr. Bligh,
- Mr. Henry Osborne,
- Mr. Jas. Macarthur,
- Mr. Holroyd,
- Captain Dumaresq,
- Mr. Dobie,
- Mr. Berry,
- Mr. Broadhurst,
- The Auditor General,
- Captain King,
- The Solicitor General,
- The Attorney General,
- Mr. Alick Osborne,
- The Chief Commissioner of Crown Lands,
- Dr. Douglass,
- The Inspector General of Police,
- The Postmaster General,
- Mr. Parker,
- Mr. Martin, (Teller.)

Address to be presented by the Speaker.

3. Postponement :—Mr. Martin postponed the motion standing in his name third on the Notice Paper for to-day, until this day week.
4. Port of Newcastle :—Mr. Flood moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of vessels that have entered the Port of Newcastle from the 1st January, 1849, to the 1st October, 1851, stating their tonnage, and whether Foreign or British, together with the amount of imports and exports during the same period.  
Question put and passed; Address to be presented by the Speaker.
5. Bathurst Roads :—Mr. Martin presented a Petition from certain Inhabitants, and others interested, in the District of Penrith, praying that the line of Road from Sydney to Bathurst may be put and kept in repair.  
Petition received.
6. Sydney Exchange Company's Bill :—Mr. Cowper moved, pursuant to notice, That the Sydney Exchange Company's Bill be referred for the consideration and report of a Select Committee, to consist of the following Members, viz. :—Mr. Allen, Mr. Broadhurst, Mr. Donaldson, Mr. Holden, Mr. Jeffreys, and Mr. Jones.  
Question put and passed.

7. Grievances :—Mr. Wentworth moved, pursuant to notice, That a Select Committee be appointed to prepare petitions to Her Majesty and both Houses of Parliament, setting forth all the grievances of the Colony, whether the result of Imperial Legislation or of Imperial Executive Control;—such Committee to consist of the following Members, exclusive of the mover :—Mr. James Macarthur, Mr. Darvall, Mr. Donaldson, Mr. Lamb, Mr. Holroyd, Mr. Martin, Mr. Nichols, Mr. Cowper, and Captain Dumaresq.

Debate ensued.

Question put and passed.

8. Oath and Qualification of Member :—Augustus Morris, Esquire, having taken the oath, and handed to the Clerk at the Table the following Declaration of his Qualification, took his seat as Member for the Electoral District of the United Pastoral Districts of Liverpool Plains and Gwydir.

"I, Augustus Morris, 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 New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, that is to say, two thousand acres of land in the County of Northumberland, near Brisbane Water, known as Holl's grant, which land I am entitled to in fee simple; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

A. MORRIS.

Sydney, 31st Oct., 1851.

9. Standing Orders :—The Colonial Secretary moved, pursuant to notice, That the consideration in Committee of the whole Council of the Draft Standing Rules and Orders agreed to by the Standing Orders Committee, stand an Order of the Day for Tuesday next.
- Question put and passed.
10. Penrith Nepean Bridge Bill :—Mr. Broadhurst moved, pursuant to notice, That the Petition of William Russell, Esq., against the Penrith Nepean Bridge Bill, be referred to the Select Committee to which the said Bill stands referred.
- Question put and passed.
11. Hyde Park Bill :—Mr. Cowper moved, pursuant to notice, That the Petition presented by him yesterday, from certain Citizens, against the Hyde Park Bill, be printed.
- Question put and passed.
- Ordered to be printed.
12. Dr. Douglass :—Mr. Wentworth moved, pursuant to amended notice, That this Council having had under its consideration the Despatch of the Right Honorable Earl Grey, bearing date the 22nd April, 1851, on the subject of Dr. Henry Grattan Douglass' claim to a Grant of 2,000 acres of land in this Colony, is of opinion—
- (1.) That such Despatch is not a satisfactory answer to the Address adopted by the Legislative Council on the 18th of September, 1850.
  - (2.) That inasmuch as it indisputably appears that "a promise was made," on behalf of His late Majesty George the Fourth, by His Excellency Sir Thomas Brisbane, of 2,000 acres of land, in the Colony of New South Wales—which promise has not yet been performed—the 20th section of the Land Sales Act, 5 and 6 Vict., cap. 36, clearly leaves it open to the Crown to see that promise now carried out; and that, therefore, Dr. Douglass' case is precisely such a one as was contemplated by that section.
  - (3.) That in the opinion of this Council the dignity of the Crown requires that "Equitable," as well as "Strict Legal Rights," should be equally recognised; and that if the latter only be recognised, the section of the Land Sales Act, before alluded to, would be, in most cases, if not altogether, inoperative.
  - (4.) That this Council cannot see on what principle it should be recommended to compensate Dr. Douglass out of the General Revenue, for the breach of a promise, the mode of performing which is specially and otherwise provided for by an Act of Parliament; moreover, as the proceeds of the land promised to and formerly in possession of Dr. Douglass, and by mistake sold to another person, have been paid into the Territorial Revenue, this Council is still, therefore, of opinion, that Dr. Douglass should be permitted, by way of compensation, to select an equal portion of Government Land, in any part of the Colony, open to selection; or that a remission of £2,000 should be granted to him, out of the Territorial Revenue, in the purchase of 2,000 acres of Crown Land.
  - (5.) That these Resolutions be transmitted to His Excellency the Governor-General, with the request of this Council, that He will be pleased to consider them, and render justice, too long delayed, to this gentleman.
- Question put and passed; Address to be presented by the Speaker.
13. Postponements :—
- (1.) Mr. Nichols postponed the motion standing in his name eleventh on the Notice Paper for to day, until Tuesday next.
  - (2.) The second reading of the Maitland Cattle Bill postponed, on motion of Mr. Nichols, until this day fortnight.

(3.)

(3.) The further consideration in Committee of the Distresses for Rent Bill postponed, on motion of Mr. Martin, until Tuesday next.

(4.) The consideration in Committee of the Vagrant Bill postponed, on motion of Mr. Nichols, until Tuesday next.

Council adjourned at half-past Seven o'clock, until Tuesday next, at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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TUESDAY, NOVEMBER 4.

NOTICES OF MOTION:—

1. MR. MARTIN to move for leave to bring in a Bill to establish an Assay Office, and make Gold stamped therein a legal tender.
2. MR. RICHARDSON to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852:—
  - (1.) The sum of £150 for the purpose of Repairing the Reservoir for Water in the Town of North Brisbane.
  - (2.) The sum of £250 for the purpose of making a Reservoir for Water in the Town of Ipswich.
  - (3.) The sum of £200 for the purpose of erecting Beacons at the Bar and entrance of the Brisbane River, and also on the flats of that River, above and below Eagle Farm.
3. MR. LAMB to move, that the Petition presented by him on the 29th ultimo, from certain inhabitants of Sydney, praying for the stoppage of a certain Road through Hyde Park, be printed.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Districts which have been organized by the Inspector General of Police, in pursuance of the powers vested in him by the provisions of the Act of Council, 14th Vict., No. 38, together with the dates of the notification of the organization thereof respectively.
5. MR. NICHOLS to move, That Mr. James Coopers' Petition against the Hyde Park Bill, be printed.
6. MR. NICHOLS to move, That a Select Committee be appointed to enquire into the allegations contained in the Petition of John Marsh, with reference to his claim for compensation upon the Local Government for land resumed by it at Glebe Island, under the award made by certain arbitrators appointed to value such land; and that the Committee consist of Mr. Wentworth, Mr. Jas. Macarthur, the Colonial Treasurer, Mr. Darvall, Mr. Smart, and Mr. Holden.

ORDERS OF THE DAY:—

1. Limited Partnerships' Bill; second reading.
2. Law simplifying Bill; second reading.
3. Draft Standing Orders; to be considered in Committee.
4. Distresses for Rent Bill; to be further considered in Committee.
5. Vagrant Bill; to be considered in Committee.

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WEDNESDAY, NOVEMBER 5.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Public Roads Bill; second reading.
2. Hyde Park Bill; second reading.
3. Estimates for 1851-52; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Northumberland and Hunter Roads' Bill; second reading.

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THURSDAY, NOVEMBER 6.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Gunpowder Exportation Bill; third reading.
2. Deceased Persons' Estates Bill; third reading.
3. Orphans' Apprenticing Bill Reported; Adoption of the Report.
4. Jury Bill; second reading.
5. Sewerage Bill; second reading.

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FRIDAY,



FRIDAY, NOVEMBER 7.

## NOTICES OF MOTION :—

1. MR. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—
  - (1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.
  - (2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.
  - (3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.
  - (4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.
  - (5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.
  - (6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.
  - (7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.
  - (8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.
  - (9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.
  - (10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.
  - (11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.
2. MR. DONALDSON to move the following Resolutions :—
  - (1.) That there is nothing in the prospective results of the discovery of Gold in Australia to justify the Government in ceasing to carry on Immigration at the public expense.
  - (2.) That, on the contrary, many reasons may be urged for assisting the Immigration of our fellow countrymen.
  - (3.) That all interests in this Colony, as well as those of the Emigrants themselves, will be promoted by the continuance of Emigration from the United Kingdom on a large scale.
  - (4.) That the Financial Condition of New South Wales at this time holds out peculiar inducements to the Government to increase rather than to diminish the amount of debentures issued upon the security of the Territorial Revenue, the proceeds of which shall be applied to Immigration purposes.
  - (5.) That an Address be presented to His Excellency the Governor-General, embodying these Resolutions, accompanied with a respectful request that His Excellency will forward the same, together with a favourable recommendation from the Executive Government, to Her Most Gracious Majesty the Queen.
3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1852 :—
  - (1.) The sum of £10,000 towards the repair of the Great Western Road, from the Nepean to the Town of Bathurst.
  - (2.) That in the opinion of this Council the nett profit realized by the Government from the gold fields of the Colony, ought, in addition to any sums applied to such purpose from the Ordinary Revenue, to be expended in the maintenance and improvement of the Roads and Bridges.

FRIDAY, NOVEMBER 14.

## ORDER OF THE DAY :—

1. Maitland Cattle Bill; second reading.

CHARLES NICHOLSON,  
Speaker.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be clearly documented and verified. The second section details the various methods used to collect and analyze data, highlighting the need for consistency and precision. The third part describes the challenges faced during the process and the strategies employed to overcome them. Finally, the document concludes with a summary of the findings and recommendations for future work.

The data collected over the past six months shows a steady increase in the number of transactions, particularly in the latter half of the period. This trend is consistent with the overall growth of the organization. The analysis also indicates that certain departments are more active than others, which may be due to their specific roles and responsibilities. The findings suggest that while there is significant progress, there are still areas where improvements can be made to optimize the process.

In conclusion, the project has been successful in achieving its primary objectives. The data has been thoroughly reviewed and the results are promising. It is recommended that the current practices be continued and refined where necessary. Further research and development should be undertaken to address the remaining challenges and ensure long-term success.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

TUESDAY, 4 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Small Debts' Bill:—The following Message from His Excellency the Governor-General received and read:—  
CH<sup>s</sup>. A. FITZ ROY, *Message No. 17.*  
*Governor-General.*  
In accordance with the provisions of the Act of the Imperial Parliament 5 and 6 Vict: cap 76, the Governor-General transmits to the Legislative Council the Draft of a Bill, intituled, "*A Bill to empower certain Courts of Petty Sessions within the County of Cumberland to hear and determine Actions for the recovery of debts not exceeding Ten pounds, and for other purposes therein mentioned.*"  
*Government House*  
*Sydney 4th November 1851.*  
Ordered to be printed, together with the accompanying Bill, and taken into consideration on Thursday next.
2. Motion withdrawn:—Mr. Martin withdrew the motion standing in his name first on the Notice Paper for to-day.
3. Proposed Money Votes for Moreton Bay:—Mr. Richardson moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852:—  
(1.) The sum of £150 for the purpose of Repairing the Reservoir for Water in the Town of North Brisbane.  
(2.) The sum of £250 for the purpose of making a Reservoir for Water in the Town of Ipswich.  
(3.) The sum of £200 for the purpose of erecting Beacons at the Bar and entrance of the Brisbane River, and also on the flats of that River, above and below Eagle Farm.  
Debate ensued.  
Motion by leave withdrawn.
4. Hyde Park Bill:—Mr. Lamb moved, pursuant to notice, That the Petition presented by him on the 29th ultimo, from certain inhabitants of Sydney, praying for the stoppage of a certain Road through Hyde Park, be printed.  
Debate ensued.  
Question put and passed.  
Ordered to be printed.
5. Organization of Police Districts:—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Districts which have been organized by the Inspector General of Police, in pursuance of the powers vested in him by the provisions of the Act of Council, 14th Vict., No. 38, together with the dates of the notification of the organization thereof respectively.  
Debate ensued.  
Question put and passed; Address to be presented by the Speaker.
6. Hyde Park Bill:—Mr. Nichols moved, pursuant to notice, That Mr. James Cooper's Petition against the Hyde Park Bill, be printed.  
Question put and passed.  
Ordered to be printed.
7. Mr. John Marsh:—Mr. Nichols moved, pursuant to notice, That a Select Committee be appointed to enquire into the allegations contained in the Petition of John Marsh, with reference to his claim for compensation upon the Local Government for land resumed by it at Glebe Island, under the award made by certain arbitrators appointed to value such land; and that the Committee consist of Mr. Wentworth, Mr. James Macarthur, the Colonial Treasurer, Mr. Darvall, Mr. Smart, and Mr. Holden.  
Question put and passed.
8. Postponements:—  
(1.) The second reading of the Limited Partnerships' Bill postponed, on motion of Dr. Douglass, until Friday next.  
(2.) The second reading of the Law Simplifying Bill postponed, on motion of Mr. Darvall, until Tuesday next.

9. Draft Standing Orders :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of the Draft Standing Orders.  
The Chairman having reported that the Committee had gone through the whole of the Draft Standing Orders, and had agreed to the same, with some amendments, the Council ordered the Adoption of the Report to stand an Order of the Day for Thursday next.
10. Distresses for Rent Bill :—On motion of Mr. Martin, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.  
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for this day week.
11. Vagrant Bill :—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.  
The Chairman reported progress, and obtained leave to sit again on Friday next.  
Council adjourned at Eight o'clock, until to-morrow at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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WEDNESDAY, NOVEMBER 5.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Public Roads Bill; second reading.
2. Hyde Park Bill; second reading.
3. Estimates for 1851-52; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Northumberland and Hunter Roads' Bill; second reading.

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THURSDAY, NOVEMBER 6.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Gunpowder Exportation Bill; third reading.
2. Deceased Persons' Estates Bill; third reading.
3. Orphans' Apprenticing Bill Reported; Adoption of the Report.
4. Jury Bill; second reading.
5. Sewerage Bill; second reading.
6. Consideration of Governor-General's Message No. 17, with Small Debts Bill.
7. Standing Orders Reported; Adoption of the Report.

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FRIDAY, NOVEMBER 7.

NOTICES OF MOTION :—

1. MR. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—
  - (1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.
  - (2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.
  - (3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.
  - (4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.
  - (5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.
  - (6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.
  - (7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.

(8.)

- (8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.
- (9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.
- (10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.
- (11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.
2. MR. DONALDSON to move the following Resolutions:—
- (1.) That there is nothing in the prospective results of the discovery of Gold in Australia to justify the Government in ceasing to carry on Immigration at the public expense.
- (2.) That, on the contrary, many reasons may be urged for assisting the Immigration of our fellow countrymen.
- (3.) That all interests in this Colony, as well as those of the Emigrants themselves, will be promoted by the continuance of Emigration from the United Kingdom on a large scale.
- (4.) That the Financial Condition of New South Wales at this time holds out peculiar inducements to the Government to increase rather than to diminish the amount of debentures issued upon the security of the Territorial Revenue, the proceeds of which shall be applied to Immigration purposes.
- (5.) That an Address be presented to His Excellency the Governor-General, embodying these Resolutions, accompanied with a respectful request that His Excellency will forward the same, together with a favourable recommendation from the Executive Government, to Her Most Gracious Majesty the Queen.
3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1852:—
- (1.) The sum of £10,000 towards the repair of the Great Western Road, from the Nepean to the Town of Bathurst.
- (2.) That in the opinion of this Council the nett profit realized by the Government from the gold fields of the Colony, ought, in addition to any sums applied to such purpose from the Ordinary Revenue, to be expended in the maintenance and improvement of the Roads and Bridges.
4. MR. MARTIN to move for leave to bring in a Bill to establish a Public Assay and Refining Office in New South Wales.
5. MR. HOLROYD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of £500 for making fresh Walks—for keeping those already made in repair—for planting and levelling—for making Drains—and for other purposes connected with the Improvement of the Enclosures in that part of the City of Sydney known as Hyde Park.
6. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Documents and Papers in reference to the claim of Mr. John Marsh for compensation for a certain piece of land on Glebe Island, under the award of certain arbitrators appointed to value such land.

ORDERS OF THE DAY:—

1. Limited Partnerships' Bill; second reading.
2. Vagrant Bill; to be further considered in Committee.

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TUESDAY, NOVEMBER 11.

ORDERS OF THE DAY:—

1. Law simplifying Bill; second reading.
2. Distresses for Rent Bill Reported; Adoption of Report.

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FRIDAY, NOVEMBER 14.

ORDER OF THE DAY:—

1. Maitland Cattle Bill; second reading.

CHARLES NICHOLSON,  
Speaker.



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

WEDNESDAY, 5 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Bathurst Roads:—Mr. Holroyd presented a Petition from certain inhabitants of the Township and District of Bathurst, praying the formation of a new line of Road from Penrith to Bathurst, and the repair of the present line in the meantime.  
Petition received.
2. Maitland Cattle Bill:—Mr. Bowman presented a Petition from certain inhabitants of East and West Maitland, praying certain modifications in the provisions of this Bill.  
Petition received.
3. Messages:—The following Messages from His Excellency the Governor-General received and read:—

(1.) Transportation.

CH<sup>s</sup>. A. FITZ ROY,  
*Governor-General.*

*Message No. 18.*

The Governor-General begs to inform the Legislative Council that, in compliance with the request contained in the Address of the 31st ultimo, His Excellency will forward by the earliest opportunity to Her Majesty's Secretary of State for the Colonies the Resolutions which are therein embodied protesting against the continuance of Transportation in any form whatever to any part of Her Majesty's Australasian Possessions.

*Government House,  
Sydney, 5th November, 1851.*

Ordered to be printed.

(2.) Land Titles Bill.

CH<sup>s</sup>. A. FITZ ROY,  
*Governor-General.*

*Message No. 19.*

In accordance with the provisions of the Act of the Imperial Parliament 5 and 6 Victoria Cap. 76 the Governor-General transmits to the Legislative Council the Draft of a Bill intituled "*A Bill for quieting and simplifying Titles to Land.*"

*Government House  
Sydney 5th November, 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration this day week.

(3.) Growing Timber Bill.

CH<sup>s</sup>. A. FITZ ROY,  
*Governor-General.*

*Message No. 20.*

In accordance with the provisions of the Act of the Imperial Parliament, 5 & 6 Vict., cap. 76, the Governor-General transmits to the Legislative Council the Draft of a Bill, intituled, "*A Bill to prevent the unlawful cutting and taking of growing timber, and also to prevent the denudation of the Sand Hills, in the neighbourhood of Sydney.*"

*Government House  
Sydney 5th November 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration this day week.

4. Expenditure upon Public Roads:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Dr. Douglass, on the 22nd ultimo.  
Ordered to be printed.
5. Courts of Requests, County of Cumberland:—The Colonial Secretary laid upon the Table the Return to the Address in reference to these Courts, adopted on motion of Mr. Nichols, on the 24th ultimo.  
Ordered to be printed.

6. *Maitland Police Office Fines and Fees* :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Nichols, on the 24th ultimo.  
Ordered to be printed.
7. *Sydney Police Office Fines and Fees* :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Cowper, on the 17th ultimo.  
Ordered to be printed.
8. *Public Roads' Bill* :—The Colonial Secretary moved, That this Bill be now read a second time.  
Debate ensued.  
Motion by leave withdrawn.  
Whereupon, the second reading of the Bill postponed, on motion of the Colonial Secretary, until this day week.
9. *Hydo Park Bill having been read a second time, on motion of the Colonial Secretary*, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.  
The Chairman reported progress, and obtained leave to sit again this day week.
10. *Estimates for 1851-52* :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52.  
The Chairman reported progress and obtained leave to sit again to-morrow.
11. *Northumberland and Hunter Roads' Bill* :—Dr. Douglass moved, That this Bill be now read a second time.  
Debate ensued.  
Motion by leave withdrawn.  
Whereupon the second reading of the Bill postponed, on motion of Dr. Douglass, until to-morrow week.  
Council adjourned at Eight o'clock until to-morrow at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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THURSDAY, NOVEMBER 6.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Gunpowder Exportation Bill ; third reading.
2. Deceased Persons' Estates Bill ; third reading.
3. Orphans' Apprenticing Bill Reported ; Adoption of the Report.
4. Jury Bill ; second reading.
5. Sewerage Bill ; second reading.
6. Consideration of Governor-General's Message No. 17, with Small Debts Bill.
7. Standing Orders Reported ; Adoption of the Report.
8. Estimates for 1851-52 ; to be further considered in Committee.

FRIDAY, NOVEMBER 7.

NOTICES OF MOTION :—

*Contingent*—MR. DARVALL to move, That the following be inserted after the fourth of Mr. Donaldson's Emigration Resolutions—

(5.) That the present system of Emigration is needlessly expensive and dilatory, and more effective in reducing the poor rates of Great Britain than in supplying this Colony with reputable and industrious Immigrants. That in the meantime, and until the Territorial Revenue of the Colony shall be appropriated by the Representatives of the people, this House submits to Her Majesty's Advisers :—

1. That it is desirable, as far as possible, to direct to this Colony the Emigration which now flows from England into the United States of America.
2. That many Emigrants who would prefer to settle in the former country are compelled by want of means to proceed to the latter.
3. That a large amount of shipping will probably be laid on to this Colony from Great Britain, and that the passage money of Emigrants may be considerably reduced by being thrown open to public competition.
4. That the power of paying half their passage money, and the willingness to contract to re-pay the balance out of their future earnings, is a sufficient test of the fitness of intending Emigrants to receive assistance provided that they are not disqualified by age or infirmity.
5. That the State contribution to the passage money of Emigrants should be made in the Colony on their landing, at a fixed rate per head on a certain fixed number, leaving all previous arrangements to be made between the Emigrants and Shipowners in England, subject to such regulations as may seem necessary to Her Majesty's Advisers,



viscys, in order to protect the passengers from ill usage, neglect, or bad accommodation. 6. That by these means much unnecessary expense and delay may be avoided, and a better class of Emigrants be obtained, whose energy and self-respect have not been destroyed by workhouse idleness and debasement.

1. MR. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—
  - (1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.
  - (2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.
  - (3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.
  - (4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.
  - (5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.
  - (6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.
  - (7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.
  - (8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.
  - (9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.
  - (10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.
  - (11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.
2. MR. DONALDSON to move the following Resolutions:—
  - (1.) That there is nothing in the prospective results of the discovery of Gold in Australia to justify the Government in ceasing to carry on Immigration at the public expense.
  - (2.) That, on the contrary, many reasons may be urged for assisting the Immigration of our fellow countrymen.
  - (3.) That all interests in this Colony, as well as those of the Emigrants themselves, will be promoted by the continuance of Emigration from the United Kingdom on a large scale.
  - (4.) That the Financial Condition of New South Wales at this time holds out peculiar inducements to the Government to increase rather than to diminish the amount of debentures issued upon the security of the Territorial Revenue, the proceeds of which shall be applied to Immigration purposes.
  - (5.) That an Address be presented to His Excellency the Governor-General, embodying these Resolutions, accompanied with a respectful request that His Excellency will forward the same, together with a favourable recommendation from the Executive Government, to Her Most Gracious Majesty the Queen.
3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1852:—
  - (1.) The sum of £10,000 towards the repair of the Great Western Road, from the Nepean to the Town of Bathurst.
  - (2.) That in the opinion of this Council the nett profit realized by the Government from the gold fields of the Colony, ought, in addition to any sums applied to such purpose from the Ordinary Revenue, to be expended in the maintenance and improvement of the Roads and Bridges.
4. MR. MARTIN to move for leave to bring in a Bill to establish a Public Assay and Refining Office in New South Wales.
5. MR. HOLROYD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of £500 for making fresh Walks—for keeping those already made in repair—for planting and levelling—for making Drains—and for other purposes connected

connected with the Improvement of the Enclosures in that part of the City of Sydney known as Hyde Park.

6. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Documents and Papers in reference to the claim of Mr. John Marah for compensation for a certain piece of land on Glebe Island, under the award of certain arbitrators appointed to value such land.

ORDERS OF THE DAY:—

1. Limited Partnerships' Bill; second reading.
2. Vagrant Bill; to be further considered in Committee.

TUESDAY, NOVEMBER 11.

NOTICE OF MOTION:—

1. MR. DONALDSON to move, That this House having again considered the subject of Steam Communication with the Mother Country, believes and affirms that the importance of its establishment has become, since the discovery of extensive Gold Fields in Australia, far greater than ever. That this House is prepared to vote for the appropriation of £3,000 per annum, for three years certain, to be paid to the promoters of the first line of steamers which shall complete a monthly communication between New South Wales and Great Britain, by any line which shall bring the course of post, out and home, within one hundred and fifty days.

ORDERS OF THE DAY:—

1. Law simplifying Bill; second reading.
2. Distresses for Rent Bill Reported; Adoption of Report.

WEDNESDAY, NOVEMBER 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor-General's Message No. 19, with Land Titles Bill.
2. Consideration of Governor-General's Message No. 20, with Growing Timber Bill.
3. Public Roads Bill; second reading.
4. Hyde Park Bill; to be further considered in Committee.

THURSDAY, NOVEMBER 13.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Northumberland and Hunter Roads' Bill; second reading.

FRIDAY, NOVEMBER 14.

NOTICE OF MOTION:—

1. MR. BOWMAN to move, That the Petition from certain Inhabitants of East and West Maitland, praying certain modifications in the provisions of the Maitland Cattle Bill, presented by him on the 5th instant, be now taken into consideration.

ORDER OF THE DAY:—

1. Maitland Cattle Bill; second reading.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

THURSDAY, 6 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Penrith Court of Requests:—Mr. Holden presented a Petition from certain Inhabitants of the District of Penrith, praying that the Court of Requests, as at present established at Penrith, may not be discontinued.  
Petition received.
2. Postponements:—  
(1.) The third reading of the Gunpowder Bill postponed, on motion of the Colonial Secretary, until this day week.  
(2.) The third reading of the Deceased Persons' Estates Bill postponed, on motion of the Colonial Secretary, until this day week.
3. Orphans' Apprenticing Bill Reported:—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of the Colonial Secretary, Bill, as so reported, ordered to be engrossed, and read a third time this day week.
4. Jury Bill having been read a second time, on motion of the Solicitor-General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.  
The Chairman reported progress, and obtained leave to sit again this day week.
5. Sewerage Bill:—The Colonial Secretary moved, That this Bill be now read a second time.  
Debate ensued.  
Question put and passed; Bill read a second time,—  
Whereupon, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.  
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
6. Small Debts' Bill:—The Governor-General's Message No. 17, received with this Bill on the 4th instant, having been read, on motion of the Colonial Secretary,—  
The Colonial Secretary moved, That the accompanying Bill be now read a first time.  
Debate ensued.  
Question put and passed; and Bill, intituled, "*A Bill to empower certain Courts of Petty Sessions within the County of Cumberland, to hear and determine actions for the recovery of debts not exceeding ten pounds, and for other purposes therein mentioned,*" read a first time; to be read a second time this day week.
7. Standing Orders Reported:—The Colonial Secretary moved, "*That*" the Report from the Committee of the whole Council on the Standing Rules and Orders, be now adopted.  
Mr. Martin moved, That the Question be amended by the omission of all the words following the word "*That,*" and the insertion in their place of the words "*the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of the XLIV and XLV sections of the Standing Rules and Orders.*"  
Question,—That the words proposed to be omitted stand part of the Question—put and negatived.  
Question,—That the words proposed to be inserted in place of the words omitted be so inserted—put and passed.  
Original Question, as so amended, put and passed,—  
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.  
The Chairman having reported that the Committee had further considered the Standing Rules and Orders, and agreed thereto with further amendments, the Council adopted the same, and ordered the Standing Rules and Orders, as so reported, to be printed on Vellum and laid before His Excellency the Governor-General for approval, pursuant to the requirement of the 27th section of the Act of Parliament 5 and 6 Victoria, chap. 76.
8. Estimates for 1851-52:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52.  
The Chairman reported progress, and obtained leave to sit again on Wednesday next.  
Council adjourned at twenty-five minutes before Eight o'clock until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, NOVEMBER 7.

## NOTICES OF MOTION :—

*Contingent*—MR. DARVALL to move, That the following be inserted after the fourth of Mr. Donaldson's Emigration Resolutions—

(5.) That the present system of Emigration is needlessly expensive and dilatory, and more effective in reducing the poor rates of Great Britain than in supplying this Colony with reputable and industrious Immigrants. That in the meantime, and until the Territorial Revenue of the Colony shall be appropriated by the Representatives of the people, this House submits to Her Majesty's Advisers :—

1. That it is desirable, as far as possible, to direct to this Colony the Emigration which now flows from England into the United States of America.

2. That many Emigrants who would prefer to settle in the former country are compelled by want of means to proceed to the latter.

3. That a large amount of shipping will probably be laid on to this Colony from Great Britain, and that the passage money of Emigrants may be considerably reduced by being thrown open to public competition.

4. That the power of paying half their passage money, and the willingness to contract to re-pay the balance out of their future earnings, is a sufficient test of the fitness of intending Emigrants to receive assistance provided that they are not disqualified by age or infirmity.

5. That the State contribution to the passage money of Emigrants should be made in the Colony on their landing, at a fixed rate per head on a certain fixed number, leaving all previous arrangements to be made between the Emigrants and Shipowners in England, subject to such regulations as may seem necessary to Her Majesty's Advisers, in order to protect the passengers from ill usage, neglect, or bad accommodation.

6. That by these means much unnecessary expense and delay may be avoided, and a better class of Emigrants be obtained, whose energy and self-respect have not been destroyed by workhouse idleness and debasement.

1. MR. JONES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—

(1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.

(2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.

(3.) A Return of the amount of the Revenue collected at the Custom House Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.

(4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.

(5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.

(6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.

(7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.

(8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.

(9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.

(10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.

(11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.

2. MR. DONALDSON to move the following Resolutions :—

(1.) That there is nothing in the prospective results of the discovery of Gold in Australia to justify the Government in ceasing to carry on Immigration at the public expense.

(2.)

(2.) That, on the contrary, many reasons may be urged for assisting the Immigration of our fellow countrymen.

(3.) That all interests in this Colony, as well as those of the Emigrants themselves, will be promoted by the continuance of Emigration from the United Kingdom on a large scale.

(4.) That the Financial Condition of New South Wales at this time holds out peculiar inducements to the Government to increase rather than to diminish the amount of debentures issued upon the security of the Territorial Revenue, the proceeds of which shall be applied to Immigration purposes.

(5.) That an Address be presented to His Excellency the Governor-General, embodying these Resolutions, accompanied with a respectful request that His Excellency will forward the same, together with a favourable recommendation from the Executive Government, to Her Most Gracious Majesty the Queen.

3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1852 :—

(1.) The sum of £10,000 towards the repair of the Great Western Road, from the Nepean to the Town of Bathurst.

(2.) That in the opinion of this Council the nett profit realized by the Government from the gold fields of the Colony, ought, in addition to any sums applied to such purpose from the Ordinary Revenue, to be expended in the maintenance and improvement of the Roads and Bridges.

4. MR. MARTIN to move for leave to bring in a Bill to establish a Public Assay and Refining Office in New South Wales.
5. MR. HOLROYD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of £500 for making fresh Walks—for keeping those already made in repair—for planting and levelling—for making Drains—and for other purposes connected with the Improvement of the Enclosures in that part of the City of Sydney known as Hyde Park.
6. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Documents and Papers in reference to the claim of Mr. John Marsh for compensation for a certain piece of land on Glebe Island, under the award of certain arbitrators appointed to value such land.

ORDERS OF THE DAY :—

1. Limited Partnerships' Bill; second reading.
2. Vagrant Bill; to be further considered in Committee.

TUESDAY, NOVEMBER 11.

NOTICES OF MOTION :—

1. MR. DONALDSON to move, That this House having again considered the subject of Steam Communication with the Mother Country, believes and affirms that the importance of its establishment has become, since the discovery of extensive Gold Fields in Australia, far greater than ever. That this House is prepared to vote for the appropriation of £3,000 per annum, for three years certain, to be paid to the promoters of the first line of steamers which shall complete a monthly communication between New South Wales and Great Britain, by any line which shall bring the course of post, out and home, within one hundred and fifty days.
2. MR. HOLDEN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of One thousand Pounds (£1,000,) for the purpose of constructing a new Bridge over the South Creek, at the entrance of the Town of Windsor, a former grant of One thousand Pounds (£1,000,) voted by the Council for such purpose having been found insufficient.
3. MR. HOLDEN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of Two hundred Pounds (£200,) for the purpose of erecting a new Toll-House and Gate leading from Windsor to Richmond.
4. MR. DARVALL to move, That an Address be presented to His Excellency the Governor-General, praying that he will be pleased to place on the Estimates for 1852, a sum of £300, for the construction of the Cook's River and Mudbank Road.

ORDERS OF THE DAY :—

1. Law simplifying Bill; second reading.
2. Distresses for Rent Bill Reported; Adoption of Report.

WEDNESDAY,

WEDNESDAY, NOVEMBER 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor-General's Message No. 19, with Land Titles Bill.
2. Consideration of Governor-General's Message No. 20, with Growing Timber Bill.
3. Public Roads Bill; second reading.
4. Hyde Park Bill; to be further considered in Committee.
5. Estimates for 1851-52; to be further considered in Committee.

THURSDAY, NOVEMBER 13.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Gunpowder Exportation Bill; third reading.
2. Deceased Persons' Estates Bill; third reading.
3. Orphans' Apprenticing Bill; third reading.
4. Jury Bill; to be further considered in Committee.
5. Sewerage Bill; third reading.
6. Small Debts' Bill; second reading.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Northumberland and Hunter Roads' Bill; second reading.

FRIDAY, NOVEMBER 14.

NOTICE OF MOTION :—

1. MR. BOWMAN to move, That the Petition from certain Inhabitants of East and West Maitland, praying certain modifications in the provisions of the Maitland Cattle Bill, presented by him on the 5th instant, be now taken into consideration.

ORDER OF THE DAY :—

1. Maitland Cattle Bill; second reading.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

FRIDAY, 7 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Moreton Bay:—Mr. Jones moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House—
  - (1.) A Return of the Revenue derived from the sale of Crown Lands in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th of June, 1850, to the 30th September, 1851.
  - (2.) A Return of the amount of Revenue derived from Assessment on Live Stock in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to the 30th September, 1851.
  - (3.) A Return of the amount of the Revenue collected at the Custom House, Brisbane, Moreton Bay, from the 30th June, 1850, to 30th September, 1851.
  - (4.) A Return of the Revenue derived from Depasturing Licenses in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 30th June, 1850, to the 30th September, 1851.
  - (5.) A Return of the Revenue received for Licenses to retail Spirituous Liquors, for Confectioners' Licenses, for Licenses to cut Timber on Crown Lands, and for Rent of Tolls and Ferries, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from the 1st January, 1850, to the 30th September, 1851.
  - (6.) A Return of the amount received at the Courts of Petty Sessions, for all Fines and Forfeitures, respectively, in the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, from the 1st January, 1850, to 30th September, 1851.
  - (7.) A Return of the Expenses paid from the Colonial Treasury, for Services on account of the Districts of Clarence River, Moreton Bay, Darling Downs, Burnett, Wide Bay, and Maranoa, respectively, from 30th June, 1850, to 30th September, 1851.
  - (8.) A Return of the number of Immigrants, at the expense of the Land Revenue, landed at Brisbane between the 30th June, 1850, and 30th September, 1851.
  - (9.) A Return of the number of Immigrants at the expense of Imperial Funds landed at Brisbane between the 1st January, 1850, and 30th September, 1851.
  - (10.) Copies of all Correspondence, and of Memorials, addressed by residents at Brisbane, to the Colonial Secretary, the Collector of Customs at Sydney, and the Sub-Collector of Customs at Brisbane, relative to the Customs Department and Trade of the Port; together with copies of the Reports made by the Sub-Collector to the Collector of Customs at Sydney, and Correspondence in reply thereto, between the 1st January, 1850, and 30th September, 1851.
  - (11.) A Return of the Number of Vessels, and their Tonnage, that have entered the Port of Moreton Bay during the years 1849, 1850, and to the 30th of September, 1851; distinguishing Sailing Vessels from Steamers.

Question put and passed; Address to be presented by the Speaker.
2. Great Southern Road:—Mr. James Macarthur presented a Petition from certain landholders, householders, and other persons interested in the Great South Road passing through the Western Division of the County of Camden, praying the establishment of a General Trust, with Sub-Trusts for the several Districts through which such road passes, to whom should be confided the management of the road and the administration of the funds applicable thereto.  
Petition received.
3. Court of Requests:—Mr. Nichols presented a Petition from certain inhabitants of the City of Sydney, praying the abolition of the Court of Requests, and the substitution of a measure in lieu thereof similar to the English County Courts Bill.  
Petition received.
4. Motion withdrawn:—Mr. Darvall withdrew the motion standing in his name on the *Contingent Notice Paper* for to-day.
5. Immigration:—Mr. Donaldson moved, pursuant to amended notice:—
  - (1.) That there is nothing in the present results of the discovery of Gold in Australia to justify the Government in ceasing to carry on Immigration at the public expense.
  - (2.) That, on the contrary, many reasons may be urged for promoting the Immigration of our fellow countrymen.

(3.) That all interests in this Colony, as well as those of the Emigrants themselves, will be promoted by a carefully adjusted Emigration from the United Kingdom.

(4.) That the Financial Condition of New South Wales at this time holds out peculiar inducements to the Government to increase rather than to diminish the amount of Debentures issued upon the security of the Territorial Revenue, the proceeds of such Debentures being applied to Immigration purposes. The peculiar inducements herein alluded to, are to be found in the fact that owing to the state of the Money Market, a large amount (even £200,000 if required), may now be raised upon Debentures bearing the present rate of interest, (£4 18s. 10d. per cent. per annum), which can be disposed of at a premium, while the money thus raised may be invested, owing to the present rate of Exchange on England, and remitted to London in Bank Bills at thirty days sight, at a discount of  $\frac{1}{4}$  per cent. By such an operation the Government would obtain the use of any amount it may be deemed expedient to raise, for at least one year, free of all charge whatever to the Revenue.

(5.) That an Address be presented to His Excellency the Governor-General, embodying these Resolutions, accompanied with a respectful request that His Excellency will forward the same, together with a favourable recommendation from the Executive Government, to Her Most Gracious Majesty the Queen.

Debate ensued.

Question put and passed; Address to be presented by the Speaker, the Colonial Secretary, and the Attorney General.

6. Postponement:—Mr. Martin postponed the motions standing in his name third and fourth on the Notice Paper for to-day, until Tuesday next.
7. Hyde Park Improvements:—Mr. Hölroyd moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of £500 for making fresh Walks—for keeping those already made in repair—for planting and levelling—for making Drains—and for other purposes connected with the Improvement of the Enclosures in that part of the City of Sydney known as Hyde Park.  
Question put and passed; Address to be presented by the Speaker.
8. Mr. John Marsh:—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Documents and Papers in reference to the claim of Mr. John Marsh for compensation for a certain piece of land on Glebe Island, under the award of certain arbitrators appointed to value such land.

Question put and passed; Address to be presented by the Speaker.

9. Limited Partnerships' Bill:—Dr. Douglass moved, That this Bill be now read a second time.  
Mr. Lamb moved the previous Question.  
Debate ensued.  
Previous Question by leave withdrawn.  
Original Question by leave withdrawn.

10. Vagrant Bill:—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill. The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next. Council adjourned at twenty minutes after Eight o'clock, until Tuesday next at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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TUESDAY, NOVEMBER 11.

NOTICES OF MOTION:—

1. MR. DONALDSON to move, That this House having again considered the subject of Steam Communication with the Mother Country, believes and affirms that the importance of its establishment has become, since the discovery of extensive Gold Fields in Australia, far greater than ever. That this House is prepared to vote for the appropriation of £3,000 per annum, for three years certain, to be paid to the promoters of the first line of steamers which shall complete a monthly communication between New South Wales and Great Britain, by any line which shall bring the course of post, out and home, within one hundred and fifty days.
2. MR. HOLDEN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of One thousand Pounds (£1,000,) for the purpose of constructing a new Bridge over the South Creek, at the entrance of the Town of Windsor, a former grant of One thousand Pounds (£1,000,) voted by the Council for such purpose having been found insufficient.



- 91.
3. MR. HOLDEN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of Two hundred Pounds (£200,) for the purpose of erecting a new Toll-House and Gate leading from Windsor to Richmond.
  4. MR. DARVALL to move, That an Address be presented to His Excellency the Governor-General, praying that he will be pleased to place on the Estimates for 1852, a sum of £300, for the construction of the Cook's River and Mudbank Road.
  5. MR. JAMES MACARTHUR to move, That the Petition presented by him on the 7th instant, praying the establishment of Trusts for the Great Southern Road, be printed.
  6. MR. NICHOLS to move, That an Address be presented to the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House:—
    - (1.) A Return of the number of Coroners' Inquests held in the Colony of New South Wales by the Coroners of Districts, exclusive of the City of Sydney, since the 1st day of January, 1850, to the 30th June, 1851, together with the amount of Expenses incurred thereby.
    - (2.) A Return of the number of Magisterial Inquiries held in lieu of Coroners' Inquests during the above period, together with an account of the expenses incurred thereby.
    - (3.) A Return of the number of Coroners' Inquests held in the City of Sydney and Police District thereof since the 1st day of July, 1850, to the 30th June, 1851, together with an account of the expenses incurred thereby.
    - (4.) A Return of Magisterial Inquiries held within the City and District of Sydney during the same period, together with the expenses incurred thereby, and the names of the Magistrates before whom such Inquiries were held.
  7. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1852:—
    - (1.) The sum of £10,000 towards the repair of the Great Western Road, from the Nepean to the Town of Bathurst.
    - (2.) That in the opinion of this Council the nett profit realized by the Government from the gold fields of the Colony, ought, in addition to any sums applied to such purpose from the Ordinary Revenue, to be expended in the maintenance and improvement of the Roads and Bridges.
  8. MR. MARTIN to move for leave to bring in a Bill to establish a Public Assay and Refining Office in New South Wales.

ORDERS OF THE DAY:—

1. Law simplifying Bill; second reading.
2. Distresses for Rent Bill Reported; Adoption of the Report.
3. Vagrant Bill Reported; Adoption of the Report.

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WEDNESDAY, NOVEMBER 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor-General's Message No. 19, with Land Titles Bill.
2. Consideration of Governor-General's Message No. 20, with Growing Timber Bill.
3. Public Roads Bill; second reading.
4. Hyde Park Bill; to be further considered in Committee.
6. Estimates for 1851-52; to be further considered in Committee.

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THURSDAY, NOVEMBER 13.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Gunpowder Exportation Bill; third reading.
2. Deceased Persons' Estates Bill; third reading.
3. Orphans' Apprenticing Bill; third reading.
4. Jury Bill; to be further considered in Committee.
5. Sewerage Bill; third reading.
6. Small Debts' Bill; second reading.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Northumberland and Hunter Roads' Bill; second reading.

FRIDAY, NOVEMBER 14.

## NOTICES OF MOTION:—

1. MR. BOWMAN to move, That the Petition from certain Inhabitants of East and West Maitland, praying certain modifications in the provisions of the Maitland Cattle Bill, presented by him on the 5th instant, be now taken into consideration.
2. MR. DARVALL to move, That the present system of Emigration is needlessly expensive and dilatory, and more effective in reducing the poor rates of Great Britain than in supplying this Colony with reputable and industrious Immigrants. That in the meantime, and until the Territorial Revenue of the Colony shall be appropriated by the Representatives of the people, this House submits to Her Majesty's Advisers:—
  - (1.) That it is desirable, as far as possible, to direct to this Colony the Emigration which now flows from England into the United States of America.
  - (2.) That many Emigrants who would prefer to settle in the former country are compelled by want of means to proceed to the latter.
  - (3.) That a large amount of shipping will probably be laid on to this Colony from Great Britain, and that the passage money of Emigrants may be considerably reduced by being thrown open to public competition.
  - (4.) That the power of paying half their passage money, and the willingness to contract to re-pay the balance out of their future earnings, is a sufficient test of the fitness of intending Emigrants to receive assistance provided that they are not disqualified by age or infirmity.
  - (5.) That the State contribution to the passage money of Emigrants should be made in the Colony on their landing, at a fixed rate per head on a certain fixed number, leaving all previous arrangements to be made between the Emigrants and Shipowners in England, subject to such regulations as may seem necessary to Her Majesty's Advisers, in order to protect the passengers from ill usage, neglect, or bad accommodation.
  - (6.) That by these means much unnecessary expense and delay may be avoided, and a better class of Emigrants be obtained, whose energy and self-respect have not been destroyed by workhouse idleness and debasement.

## ORDER OF THE DAY:—

1. Maitland Cattle Bill; second reading.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

TUESDAY, 11 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Parish Roads :—Mr. Cowper presented a Petition from certain Trustees under the Parish Roads Act, 4 Vict., No. 12, praying leave to introduce a Bill in amendment of the said Act.  
Petition received.  
Mr. Cowper then produced the *Government Gazette*, containing notice of the intention to apply for such Bill, during the four weeks, 10th, 17th, 24th, and 31st October, 1851.
2. Cataract and Nepean Rivers :—Mr. Holden presented a Petition from William H. Hovell, Esq., praying leave to introduce a Bill to enable him to erect a bridge over the Cataract River, and another over the Nepean River.  
Petition received.  
Mr. Holden then produced the *Government Gazette*, containing notice of the intention to apply for such Bill, during the four weeks, 17th, 24th, and 31st October, and 7th November, 1851.
3. South Head Road Act :—Mr. Martin presented a Petition from James Cooper, of Engelhurst, Agent for Daniel Cooper, of London, praying the repeal of certain provisions in the South Head Road Trusts Act, 11 Vict., No. 49, which injuriously affect the interests of the said Daniel Cooper.  
Petition received.
4. Organization of Police Districts :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Nichols, on the 4th instant.  
Ordered to be printed.
5. Customs and Survey Departments :—The Colonial Secretary laid upon the Table part Return to the Address in reference to these Departments, adopted on motion of Mr. Cowper, on the 17th ultimo.  
Ordered to be printed.
6. Health Officer :—The Colonial Secretary laid upon the Table the Report from the Health Officer for the year 1850.  
Ordered to be printed.
7. Convicts employed in the City of Sydney :—The Colonial Secretary laid upon the Table, the Return to the Address on this subject, adopted on motion of Mr. Flood, on the 28th ultimo.  
Ordered to be printed.
8. Lunatic Asylum, Turban Creek :—The Colonial Secretary laid upon the Table, the Return to the Address in reference to this Establishment, adopted on motion of Mr. Cowper, on the 21st ultimo.  
Ordered to be printed.
9. Steam Communication :—Mr. Donaldson moved, pursuant to amended notice, That this House having again considered the subject of Steam Communication with the Mother Country, believes and affirms that the importance of its establishment has become, since the discovery of extensive Gold Fields in Australia, far greater than ever. That this House is prepared to vote for the appropriation of £3,000 per annum, for three years certain, to be paid to the promoters of the first line of "Steamers" which shall complete a monthly communication between New South Wales and Great Britain, by any line which shall bring the course of post, out, and home, within one hundred and fifty days.

That

That an Address be presented to His Excellency the Governor-General, praying that His Excellency will place upon the Estimates for 1852, the sum of £3,000, for this purpose.

Debate ensued.

Moved by Mr. Wentworth, That the Question be amended, by the insertion after the word "Steamers," in the first paragraph, of the words "whether British or Foreign." Question put,—That the Question be amended as proposed.

Council divided.

Ayes, 19.

- Mr. Berry,
- Mr. Richardson,
- Mr. Flood,
- Mr. Oakes,
- Mr. Cowper,
- Mr. Donaldson,
- Mr. Lamb,
- Mr. Jones,
- Mr. Holden,
- Mr. Wentworth,
- Dr. Douglass,
- Mr. Bligh,
- Mr. Smart,
- Mr. Dobie,
- Mr. Morris,
- Mr. Nichols,
- Mr. Allon,
- Mr. Holroyd,
- Mr. Martin, (Teller.)

Noes, 13.

- The Chief Commissioner of Crown Lands,
- Captain King,
- Mr. Alick Osborne,
- The Inspector General of Police,
- The Auditor General,
- The Collector of Customs,
- The Colonial Secretary,
- The Attorney General,
- Mr. James Macarthur,
- The Postmaster General,
- Mr. Jeffreys,
- The Colonial Treasurer,
- Mr. Parker, (Teller.)

Original Question, as so amended, put and passed; Address to be presented by the Speaker.

10. Messages :—The following Messages from His Excellency the Governor-General received and read :—

(1.) Sydney Corporation Bill :—

CH<sup>s</sup>. A. FITZ ROY,

Message No. 21.

Governor-General.

In accordance with the provisions of the Act of the Imperial Parliament 5th and 6th Victoria Cap 76, the Governor-General transmits to the Legislative Council the Draft of a Bill, intituled, "A Bill to amend the Sydney Corporation Act, in respect of the qualification for Citizenship."

Government House

Sydney 11 November 1851.

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Thursday next.

(2.) Hard Labor Bill :—

CH<sup>s</sup>. A. FITZ ROY,

Message No. 22.

Governor-General.

In accordance with the provisions of the Act of the Imperial Parliament 5th and 6th Victoria, Cap 76, the Governor-General transmits to the Legislative Council the Draft of a Bill, intituled, "A Bill to enable the several Courts of Criminal Jurisdiction within the Colony to award sentences to hard labor on the roads or other public works when they shall think fit, in cases where by law they are empowered to award imprisonment with hard labor in any gaol or house of correction."

Government House,

Sydney, 11 November, 1851.

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Thursday next.

(3.) Official Debts of the late Sheriff :—

CH<sup>s</sup>. A. FITZ ROY,

Message No. 23.

Governor-General.

Referring to His Excellency's Message No. 10, of the 26th June, 1847, on the subject of the Official Debts of the late Mr. Sheriff Macquoid, the Governor-General now invites the Legislative Council to appropriate the sum of Seven hundred and thirty-four pounds, four shillings, and four-pence, in order to liquidate certain unsatisfied claims on that Officer, the particulars of which are stated in the enclosed Estimate.

Government House

Sydney 11th November, 1851.

Ordered to be printed; and taken into consideration with the Estimates of Expenditure for 1852.

(4.) Defences of Port Jackson :—

CH<sup>s</sup>. A. FITZ ROY,

Message No. 24.

Governor-General.

Referring to the correspondence laid before the Legislative Council on the 29th May, 1849, by Message No. 16, on the subject of the Defences of Port Jackson, His Excellency the Governor-General transmits to the Council copies of a further correspondence which has taken place on this subject, as specified in the annexed Schedule.

2. Conceiving that the urgency of this question is much enhanced by recent events in this Colony, His Excellency is most anxious to obtain from the Legislative Council an expression of their views as to the expediency of undertaking, on the terms proposed in Earl Grey's Despatch of the 21st June, 1850, the construction of such works of Defence in the Harbor of Port Jackson as prudence dictates.

*Government House,  
Sydney 11th November 1851.*

Ordered to be printed, and taken into consideration to-morrow week.

(5.) Claims on the late Registrar :—

CH<sup>s</sup> A. FITZ ROY,  
*Governor-General.*

*Message No. 25.*

Referring to the Act of the Governor and Council of the 13th Victoria, No. 44, for providing a fund for the payment of the claims on the late Registrar of the Supreme Court, in respect of Intestate Estates, the Governor-General invites the Legislative Council to appropriate the sum of One thousand three hundred and ten pounds, six shillings, and nine-pence, out of the General Revenue, as an advance in aid of that fund, to enable the Curator of Intestate Estates to pay the amount in full of all the claims preferred up to the end of last year, and ordered by the Supreme Court, in pursuance of the Act, to be liquidated.

2. Re-payment of this amount will of course be made to the General Revenue, as the fund appropriated to the payment of these claims accrues.

*Government House  
Sydney 11 November, 1851.*

Ordered to be printed, and taken into consideration with the Estimates of Expenditure for 1852.

11. New South Wales Marine Assurance Company's Bill :—Mr. Cowper, as Chairman, brought up the Report, and laid upon the Table the Evidence taken before the Select Committee for whose consideration and report this Bill was referred on the 30th ultimo

Ordered to be printed.

12. South Creek Bridge :—Mr. Holden moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of Seven hundred Pounds (£700,) for the purpose of completing the new Bridge over the South Creek, at the entrance of the Town of Windsor, a former grant of One thousand Pounds (£1,000,) voted by the Council for such purpose having been found insufficient. Debate ensued.

Question put.

Council divided.

Ayes, 18.

- Mr. Nichols,
- Mr. Jas. Macarthur,
- Mr. Cowper,
- Mr. Jeffreys,
- Mr. Flood,
- Mr. Smart,
- Mr. Lamb,
- The Postmaster General,
- Mr. Holden,
- Mr. Darvall,
- Mr. Wentworth,
- Mr. Bowman,
- Mr. Oakes,
- Mr. Dobic,
- Mr. Allen,
- Captain King,
- Mr. Holroyd,
- Mr. Martin, (Teller.)

Noes, 17.

- The Colonial Treasurer,
- The Colonial Secretary,
- Mr. Richardson,
- The Attorney General,
- Mr. Bligh,
- Mr. Berry,
- Mr. Jones,
- Mr. Donaldson,
- Mr. H. Osborne,
- Mr. Morris,
- Mr. Alick Osborne,
- Mr. Parker,
- The Chief Commissioner of Crown Lands,
- The Auditor General,
- The Inspector General of Police,
- The Solicitor General,
- Dr. Douglass, (Teller.)

Address to be presented by the Speaker.

13. Toll-House and Gate on Road from Windsor to Richmond :—Mr. Holden moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of One hundred Pounds (£100,) for the purpose of erecting a new Toll-House and Gate leading from Windsor to Richmond. Question put and negatived.

14. Cook's River and Mudbank Road :—Mr. Darvall moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that he will be pleased to place on the Estimates for 1852, a sum of £300, for the construction of the Cook's River and Mudbank Road.

Question put.

Council divided.

Ayes, 24.

- The Colonial Secretary,
- The Colonial Treasurer,
- Dr. Douglass,
- The Solicitor General,
- Mr. James Macarthur,
- Mr. Cowper,
- Mr. Jeffreys,
- Mr. Flood,
- Mr. Smart,
- Mr. Barry,
- The Postmaster General,
- Mr. Holden,
- Mr. Wentworth,
- Mr. Darvall,
- The Auditor General,
- Mr. Dobie,
- The Chief Commissioner of Crown Lands,
- Mr. Parker,
- Captain King,
- Mr. Allen,
- The Inspector General of Police,
- Mr. Nichols,
- Mr. Holroyd,
- Mr. Martin, (Teller.)

Noes, 10.

- Mr. Richardson,
- Mr. Bligh,
- Mr. Jones,
- Mr. Oakes,
- Mr. Donaldson,
- Mr. Henry Osborne,
- Mr. Alick Osborne,
- Mr. Morris,
- Mr. Bowman,
- The Attorney General, (Teller.)

Address to be presented by the Speaker.

15. Great Southern Road :—Mr. James Macarthur moved, pursuant to notice, That the Petition presented by him on the 7th instant, praying the establishment of Trusts for the Great Southern Road, be printed.  
Question put and passed.  
Ordered to be printed.
16. Coroners' Inquests and Magisterial Inquiries :—Mr. Nichols moved, pursuant to amended notice, That an Address be presented to the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—  
(1.) A Return of the number of Coroners' Inquests held in the Colony of New South Wales by the Coroners of Districts, exclusive of the City of Sydney, since the 1st day of January, 1850, to the 30th June, 1851, together with the amount of Expenses incurred thereby.  
(2.) A Return of the number of Magisterial Inquiries held in lieu of Coroners' Inquests during the above period, together with an account of the expenses incurred thereby, and the names of the Magistrates before whom such Inquiries were held.  
(3.) A Return of the number of Coroners' Inquests held in the City of Sydney and Police District thereof since the 1st day of July, 1850, to the 30th June, 1851, together with an account of the expenses incurred thereby.  
(4.) A Return of Magisterial Inquiries held within the City and District of Sydney during the same period, together with the expenses incurred thereby, and the names of the Magistrates before whom such Inquiries were held.  
(5.) A Return of the number of Inquests and Magisterial Inquiries held during the above respective periods upon which the expenses have been disallowed, with the names of the Coroners and Magistrates holding such Inquests and Inquiries.  
Question put and passed ; Address to be presented by the Speaker.
17. Sydney Bethel Union :—The Solicitor-General presented a Petition from the Trustees of the Sydney Bethel Union Chapel, praying leave to introduce a Bill to enable them to sell their Land and Buildings in Erskine-street, Sydney, and to erect a new Mariners' Church in a more convenient situation, and for other purposes therein to be mentioned.  
Petition received.  
The Solicitor-General then produced the *Government Gazette* containing notice of the intention to apply for such Bill, during the four weeks, 17th, 24th, and 31st October, and 7th November, 1851.
18. Roads and Bridges :—Mr. Martin moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed upon the Estimates for 1852, in addition to any sums for a similar purpose already on the Estimates, the sum of £15,000, towards the repair of the leading thoroughfares of the Colony.  
Debate ensued.  
Question put and passed ; Address to be presented by the Speaker.
19. Postponement :—Mr. Martin postponed the motion standing in his name eighth on the Notice Paper for to-day, until this day week.
20. Census of 1851 :—The Colonial Secretary laid upon the Table the Census of the Colony of New South Wales, taken on the 1st March, 1851, under the Act 14 Vict., No. 18.  
Ordered to be printed.

21. Postponements :—  
 (1.) The second reading of the Law Simplifying Bill postponed, on motion of Mr. Darvall, until Friday next.  
 (2.) The Adoption of the Report of the Distresses for Rent Bill from the Committee of the whole Council postponed, on motion of Mr. Martin, until Friday next.
22. Vagrant Bill Reported :—Mr. Nichols moved, "That" the Report of this Bill from the Committee of the whole Council be now adopted.  
 Mr. Holroyd moved, That the Question be amended, by the omission of all the words following the word "That", and the insertion in their place of the words "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of Clause XX of this Bill."  
 Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.  
 Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.  
 Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of Clause XX of this Bill,—put and passed,—  
 Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.  
 The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Friday week.  
 Council adjourned at a quarter after Seven o'clock, until to-morrow at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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WEDNESDAY, NOVEMBER 12.

### GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor-General's Message No. 19, with Land Titles Bill.
2. Consideration of Governor-General's Message No. 20, with Growing Timber Bill.
3. Public Roads Bill; second reading.
4. Hyde Park Bill; to be further considered in Committee.
5. Estimates for 1851-52; to be further considered in Committee, with Messages Nos. 23 and 25.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move for leave to bring in a Bill to amend the Parish Roads' Act, 4 Vict., No. 12.
2. MR. HOLDEN to move for leave to bring in a Bill to enable William Hilton Hovell, Esquire, to erect a Bridge over the Cataract River, and another over the Nepean River.

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THURSDAY, NOVEMBER 13.

### NOTICE OF MOTION :—

*Contingent*—MR. LAMB to move, on the Order of the Day being called for the third reading of the Sewerage Bill, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, a sum not exceeding £10,000, in aid of the City Fund, to be applied by the Corporation of the City of Sydney towards the formation of Sewers, and making other Public improvements in the City.

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### GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Gunpowder Exportation Bill; third reading.
2. Deceased Persons' Estates Bill; third reading.
3. Orphans' Apprenticing Bill; third reading.
4. Jury Bill; to be further considered in Committee.
5. Sewerage Bill; third reading.
6. Small Debts' Bill; second reading.
7. Consideration of Governor-General's Message No. 21, with Sydney Corporation Bill.
8. Consideration of Governor-General's Message No. 22, with Hard Labor Bill.

### OTHER BUSINESS—ORDER OF THE DAY :—

1. Northumberland and Hunter Roads' Bill; second reading.

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FRIDAY,

FRIDAY, NOVEMBER 14.

## NOTICES OF MOTION:—

1. MR. BOWMAN to move, That the Petition from certain Inhabitants of East and West Maitland, praying certain modifications in the provisions of the Maitland Cattle Bill, presented by him on the 5th instant, be now taken into consideration.
2. MR. DARVALL to move, That the present system of Emigration is needlessly expensive and dilatory, and more effective in reducing the poor rates of Great Britain than in supplying this Colony with reputable and industrious Immigrants. That in the meantime, and until the Territorial Revenue of the Colony shall be appropriated by the Representatives of the people, this House submits to Her Majesty's Advisers:—
  - (1.) That it is desirable, as far as possible, to direct to this Colony the Emigration which now flows from England into the United States of America.
  - (2.) That many Emigrants who would prefer to settle in the former country are compelled by want of means to proceed to the latter.
  - (3.) That a large amount of shipping will probably be laid on to this Colony from Great Britain, and that the passage money of Emigrants may be considerably reduced by being thrown open to public competition.
  - (4.) That the power of paying half their passage money, and the willingness to contract to re-pay the balance out of their future earnings, is a sufficient test of the fitness of intending Emigrants to receive assistance provided that they are not disqualified by age or infirmity.
  - (5.) That the State contribution to the passage money of Emigrants should be made in the Colony on their landing, at a fixed rate per head on a certain fixed number, leaving all previous arrangements to be made between the Emigrants and Shipowners in England, subject to such regulations as may seem necessary to Her Majesty's Advisers, in order to protect the passengers from ill usage, neglect, or bad accommodation.
  - (6.) That by these means much unnecessary expense and delay may be avoided, and a better class of Emigrants be obtained, whose energy and self-respect have not been destroyed by workhouse idleness and debasement.
3. MR. MARTIN to move, That the Petition of Mr. James Cooper, praying the repeal of certain of the provisions of the South Head Road Act, 11 Vict., No. 49, presented by him on the 11th instant, be printed.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate of Expenditure for the year 1851, a sum not exceeding £100, for the purpose of repairing the Long Bridge in the Town of West Maitland.
5. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of £200, for the purpose of carrying on the South Head Road to the waters of Watson's Bay.
6. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the number and distribution of the Troops in the several Australian Colonies and New Zealand, including the General, Medical, Ordnance, and Commissariat Staff, and the Clerks and other persons employed.
7. THE SOLICITOR GENERAL to move, for leave to bring in a Bill to enable the Trustees of the Sydney Bethel Union Chapel to sell their land and buildings in Erskine-street, and to erect a new Mariners' Church in a more convenient situation, and for other purposes therein to be mentioned.

## ORDERS OF THE DAY:—

1. Maitland Cattle Bill; second reading.
2. Law simplifying Bill; second reading.
3. Distresses for Rent Bill Reported; Adoption of the Report.

TUESDAY, NOVEMBER 18.

## NOTICES OF MOTION:—

1. MR. COWPER to move, That the New South Wales Marine Assurance Company's Bill, be now read a second time.
2. MR. MARTIN to move for leave to bring in a Bill to establish a Public Assay and Refining Office in New South Wales.

WEDNESDAY, NOVEMBER 19.

## GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Consideration of Governor-General's Message No. 24, respecting the Defences of Port Jackson.

FRIDAY, NOVEMBER 21.

## ORDER OF THE DAY:—

1. Vagrant Bill; third reading.

CHARLES NICHOLSON,  
Speaker.



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

WEDNESDAY, 12 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
New Member Sworn:—William Bradley, Esquire, having taken the Oath, took his Seat as a Non-Elective Member of the Legislative Council, in room of Alexander Longmore, Esquire, deceased.
2. Clerk of the Bench for Liverpool:—Mr. Holden presented a Petition from certain inhabitants of the Town and District of Liverpool, praying the restoration of the office of Clerk to the Bench of Magistrates at Liverpool.  
Petition received.
3. Gold Districts:—The Colonial Secretary laid upon the Table, the Return to the Address in reference to these Districts, adopted on motion of Mr. Martin, on the 21st ultimo.  
Ordered to be printed.
4. Australasian Steam Navigation Company's Bill:—Mr. Cowper, as Chairman, brought up the Report and laid upon the Table the Evidence taken before the Select Committee for whose consideration and report this Bill was referred on the 30th ultimo.  
Ordered to be printed.
5. Land Titles Bill:—The Governor-General's Message No. 19, received with this Bill on the 5th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled "*A Bill for quieting and simplifying Titles to Land,*" read a first time; to be read a second time to-morrow week.
6. Growing Timber Bill:—The Governor-General's Message No. 20, received with this Bill on the 5th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled "*A Bill to prevent the unlawful cutting and taking of growing timber, and also to prevent the denudation of the Sand Hills in the neighbourhood of Sydney,*" read a first time; to be read a second time to-morrow.
7. Public Roads' Bill:—The Colonial Secretary moved, That this Bill be now read a second time.  
Debate ensued.  
Question put and negatived.
8. Postponement:—The further consideration in Committee of the Hyde Park Bill postponed, on motion of the Colonial Secretary, until to-morrow.
9. Estimates 1851-52:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages Nos. 23 and 25.  
The Chairman having reported progress, and obtained leave to sit again so soon as a certain point of order which had arisen in the Committee should be determined by the Council,—explained, that after Strangers had been ordered to withdraw, and while the Committee were in Division upon a Question put, but before the Doors were locked, certain Members entered the House and claimed to have the Question put again with the Doors locked and to vote thereupon,—  
Whereupon the Council requested the opinion of the Speaker, whether it was competent to such Members to require the Question to be so put and to vote thereupon,—  
And the Speaker having given it as his opinion, That it was not competent to such Members to vote,—  
The Colonial Secretary moved, That after a Question has been put, and a Division called for, and Strangers have been ordered to withdraw, any Members who may enter the House previously to the Doors being locked, are entitled to vote; and the Speaker or Chairman of Committees shall put the Question a second time after the Doors shall be locked.  
Question put and passed.  
The Committee then resumed.  
The Chairman reported progress, and obtained leave to sit again to-morrow.
10. Parish Roads' Bill:—Mr. Cowper moved, pursuant to notice, for leave to bring in a Bill to amend the Parish Roads' Act, 4 Viet., No. 12.  
Question put and passed.

11. Cataract and Nepean Bridges Bill:—Mr. Holden moved, pursuant to notice, for leave to bring in a Bill to enable William Hilton Hovell, Esquire, to erect a Bridge over the Cataract River, and another over the Nepean River.  
Question put and passed.
12. Parish Roads' Bill:—Mr. Cowper having presented this Bill, Bill intituled, "A Bill to amend an Act, intituled 'An Act to provide for the making and repairing of Parish Roads, in the Colony of New South Wales, and to enlarge and extend the powers thereof,'" read a first time.
13. Cataract and Nepean Bridges Bill:—Mr. Holden having presented this Bill, Bill, intituled, "A Bill to enable William Hilton Hovell (of Goulburn, in the County of Argyle) to erect and maintain a Bridge over the Cataract River, at a spot known as Broughton's Pass, and a Bridge over the Nepean River, at a spot known as the Pheasant's Nest, on the line of Road leading from Sydney to Goulburn, by way of Campbell Town and Appin to Lupton's Inn, and to take toll thereat for a term of years, and for other purposes therein mentioned," read a first time.  
Council adjourned at Eight o'clock, until to-morrow at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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THURSDAY, NOVEMBER 13.

### NOTICE OF MOTION:—

*Contingent*—MR. LAMB to move, on the Order of the Day being called for the third reading of the Sewerage Bill, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, a sum not exceeding £10,000, in aid of the City Fund, to be applied by the Corporation of the City of Sydney towards the formation of Sewers, and making other Public improvements in the City.

### GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Gunpowder Exportation Bill; third reading.
2. Deceased Persons' Estates Bill; third reading.
3. Orphans' Apprenticing Bill; third reading.
4. Jury Bill; to be further considered in Committee.
5. Sewerage Bill; third reading.
6. Small Debts' Bill; second reading.
7. Consideration of Governor-General's Message No. 21, with Sydney Corporation Bill.
8. Consideration of Governor-General's Message No. 22, with Hard Labor Bill.
9. Growing Timber Bill; second reading.
10. Hyde Park Bill; to be further considered in Committee.
11. Estimates for 1851-52; to be further considered in Committee, with Messages Nos. 23 and 25.

### OTHER BUSINESS—ORDER OF THE DAY:—

1. Northumberland and Hunter Roads' Bill; second reading.

FRIDAY, NOVEMBER 14.

### NOTICES OF MOTION:—

1. MR. BOWMAN to move, That the Petition from certain Inhabitants of East and West Maitland, praying certain modifications in the provisions of the Maitland Cattle Bill, presented by him on the 5th instant, be now taken into consideration.
2. MR. DARVALL to move, That the present system of Emigration is needlessly expensive and dilatory, and more effective in reducing the poor rates of Great Britain than in supplying this Colony with reputable and industrious Immigrants. That in the meantime, and until the Territorial Revenue of the Colony shall be appropriated by the Representatives of the people, this House submits to Her Majesty's Advisers:—
  - (1.) That it is desirable, as far as possible, to direct to this Colony the Emigration which now flows from England into the United States of America.
  - (2.) That many Emigrants who would prefer to settle in the former country are compelled by want of means to proceed to the latter.
  - (3.) That a large amount of shipping will probably be laid on to this Colony from Great Britain, and that the passage money of Emigrants may be considerably reduced by being thrown open to public competition.
  - (4.) That the power of paying half their passage money, and the willingness to contract to re-pay the balance out of their future earnings, is a sufficient test of the fitness of intending Emigrants to receive assistance, provided that they are not disqualified by age or infirmity.

(5.)

(5.) That the State contribution to the passage money of Emigrants should be made in the Colony on their landing, at a fixed rate per head on a certain fixed number, leaving all previous arrangements to be made between the Emigrants and Shipowners in England, subject to such regulations as may seem necessary to Her Majesty's Advisers, in order to protect the passengers from ill usage, neglect, or bad accommodation.

(6.) That by these means much unnecessary expense and delay may be avoided, and a better class of Emigrants be obtained, whose energy and self-respect have not been destroyed by workhouse idleness and debasement.

3. MR. MARTIN to move, That the Petition of Mr. James Cooper, praying the repeal of certain of the provisions of the South Head Road Act, 11 Vict., No. 49, presented by him on the 11th instant, be printed.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate of Expenditure for the year 1851, a sum not exceeding £100, for the purpose of repairing the Long Bridge in the Town of West Maitland.
5. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of £200, for the purpose of carrying on the South Head Road to the waters of Watson's Bay.
6. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the number and distribution of the Troops in the several Australian Colonies and New Zealand, including the General, Medical, Ordnance, and Commissariat Staff, and the Clerks and other persons employed.
7. THE SOLICITOR GENERAL to move, for leave to bring in a Bill to enable the Trustees of the Sydney Bethel Union Chapel to sell their land and buildings in Erskine-street, and to erect a new Mariners' Church in a more convenient situation, and for other purposes therein to be mentioned.

ORDERS OF THE DAY :—

1. Maitland Cattle Bill ; second reading.
2. Law simplifying Bill ; second reading.
3. Distresses for Rent Bill Reported ; Adoption of the Report.

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TUESDAY, NOVEMBER 18.

NOTICES OF MOTION :—

1. MR. COWPER to move, That the New South Wales Marine Assurance Company's Bill, be now read a second time.
2. MR. MARTIN to move for leave to bring in a Bill to establish a Public Assay and Refining Office in New South Wales.
3. MR. COWPER to move, That the Australasian Steam Navigation Company's Bill be now read a second time.

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WEDNESDAY, NOVEMBER 19.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Consideration of Governor-General's Message No. 24, respecting the Defences of Port Jackson.

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THURSDAY, NOVEMBER 20.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Titles to Land Bill ; second reading.

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FRIDAY, NOVEMBER 21.

ORDER OF THE DAY :—

1. Vagrant Bill ; third reading.

CHARLES NICHOLSON,  
*Speaker.*



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

THURSDAY, 13 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.

Postponements :—

- (1.) The third reading of the Gunpowder Exportation Bill postponed, on motion of the Colonial Secretary, until this day week.
  - (2.) The third reading of the Deceased Persons' Estates Bill postponed, on motion of the Colonial Secretary, until this day week.
  - (3.) The third reading of the Orphans' Apprenticing Bill postponed, on motion of the Colonial Secretary, until this day week.
2. Jury Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
- The Chairman reported the Bill with amendments.
3. Proposed Expenditure in 1852 under Schedule A, (part 2) :—The following Message from His Excellency the Governor-General received and read :—

CH<sup>S</sup>. A. FITZ ROY,

*Governor-General.*

*Message No. 26.*

Agreeably to the provisions of the 19th Section of the Act of Parliament for the better Government of Her Majesty's Australian Colonies, the Governor-General lays before the Legislative Council a Statement of the sums intended to be appropriated in the Year 1852, for the Services and Purposes named in Schedule A (part 2) annexed to that Act.

*Government House,*

*Sydney, 13 November, 1851.*

Ordered to be printed.

4. Jury Bill Reported :—The Adoption of the Report of this Bill from the Committee of the whole Council ordered, on motion of the Solicitor General, to stand an Order of the Day for Wednesday next.
5. Sewerage Bill :—Upon the Order of the Day for the third reading of this Bill being read,—
- Mr. Lamb moved, pursuant to notice standing in his name upon the *Contingent Paper* for to-day, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, a sum not exceeding £10,000, in aid of the City Fund, to be applied by the Corporation of the City of Sydney towards the formation of Sewers, and making other Public improvements in the City.
- Debate ensued.
- Motion by leave withdrawn.
- The Colonial Secretary then moved, "That" the third reading of this Bill be postponed until this day week.
- Mr. Wentworth moved, That the Question be amended by the omission of all the words following the word "That," with a view to insert in their place the words "this Bill be read a third time this day six months."
- Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
- Question—That the words proposed to be inserted in place of the words omitted, be so inserted,—put and passed.
- Question—That this Bill be read a third time this day six months,—put and passed.
6. Small Debts' Bill :—The Colonial Secretary moved, That he have leave to withdraw this Bill.
- Question put and passed.
7. Sydney Corporation Bill :—The Governor-General's Message, No. 21, received with this Bill on the 11th instant, having been read, on motion of the Colonial Secretary the accompanying Bill, intituled, "A Bill to amend the Sydney Corporation Act, in respect of the Qualification for Citizenship,"—read a first time; to be read a second time on Wednesday next.

8. **Hard Labor Bill** :—The Governor-General's Message No. 22, received with this Bill on the 11th instant, having been read, on motion of the Colonial Secretary the accompanying Bill, intituled "*A Bill to enable the several Courts of Criminal Jurisdiction within the Colony to award sentences to hard labor on the roads or other public works when they shall think fit, in cases where by law they are empowered to award imprisonment with hard labor in any gaol or house of correction,*" read a first time; to be read a second time on Wednesday next.
9. **Growing Timber Bill** :—The Solicitor General moved, That this Bill be now read a second time.  
Debate ensued.  
*Question put and passed; Bill read a second time,*—  
Whereupon, on motion of the Solicitor General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.  
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
10. **Postponements** :—  
(1.) The further consideration in Committee of the Hyde Park Bill postponed, on motion of the Colonial Secretary, until this day week.  
(2.) The further consideration in Committee of the Supplementary Estimate and Estimates of Expenditure for 1851-52, with Messages Nos. 23 and 25 postponed, on motion of the Colonial Treasurer, until Wednesday next.  
(3.) The second reading of the Northumberland and Hunter Roads' Bill postponed, on motion of Dr. Douglass, until this day week.  
Council adjourned at Eight o'clock, until to-morrow at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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FRIDAY, NOVEMBER 14.

NOTICES OF MOTION :—

1. **MR. BOWMAN** to move, That the Petition from certain Inhabitants of East and West Maitland, praying certain modifications in the provisions of the Maitland Cattle Bill, presented by him on the 5th instant, be now taken into consideration.
2. **MR. DARVALL** to move, That the present system of Emigration is needlessly expensive and dilatory, and more effective in reducing the poor rates of Great Britain than in supplying this Colony with reputable and industrious Immigrants. That in the meantime, and until the Territorial Revenue of the Colony shall be appropriated by the Representatives of the people, this House submits to Her Majesty's Advisers :—  
(1.) That it is desirable, as far as possible, to direct to this Colony the Emigration which now flows from England into the United States of America.  
(2.) That many Emigrants who would prefer to settle in the former country are compelled by want of means to proceed to the latter.  
(3.) That a large amount of shipping will probably be laid on to this Colony from Great Britain, and that the passage money of Emigrants may be considerably reduced by being thrown open to public competition.  
(4.) That the power of paying half their passage money, and the willingness to contract to re-pay the balance out of their future earnings, is a sufficient test of the fitness of intending Emigrants to receive assistance provided that they are not disqualified by age or infirmity.  
(5.) That the State contribution to the passage money of Emigrants should be made in the Colony on their landing, at a fixed rate per head on a certain fixed number, leaving all previous arrangements to be made between the Emigrants and Shipowners in England, subject to such regulations as may seem necessary to Her Majesty's Advisers, in order to protect the passengers from ill usage, neglect, or bad accommodation.  
(6.) That by these means much unnecessary expense and delay may be avoided, and a better class of Emigrants be obtained, whose energy and self-respect have not been destroyed by workhouse idleness and debasement.
3. **MR. MARTIN** to move, That the Petition of Mr. James Cooper, praying the repeal of certain of the provisions of the South Head Road Act, 11 Vict., No. 49, presented by him on the 11th instant, be printed.
4. **MR. NICHOLS** to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate of Expenditure for the year 1851, a sum not exceeding £100, for the purpose of repairing the Long Bridge in the Town of West Maitland.
5. **MR. WENTWORTH** to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of £200, for the purpose of carrying on the South Head Road to the waters of Watson's Bay.
6. **MR. WENTWORTH** to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the number and distribution of the Troops in the several Australian Colonies and New Zealand, including the General, Medical, Ordnance, and Commissariat Staff, and the Clerks and other persons employed.

7. THE SOLICITOR GENERAL to move, for leave to bring in a Bill to enable the Trustees of the Sydney Bethel Union Chapel to sell their land and buildings in Erskine-street, and to erect a new Mariners' Church in a more convenient situation, and for other purposes therein to be mentioned.
8. MR. HOLDEN to move, That a Bill, intituled, a Bill to enable William Hilton Hovell, Esquire, to erect a bridge over the Cataract River, and another over the Nepean River, be referred for the consideration and report of a Select Committee, to consist of Mr. Alick Osborne, Mr. Allen, Mr. Lithgow, Mr. Holroyd, Mr. Bradley, Mr. Flood, and Mr. Jeffreys.

ORDERS OF THE DAY:—

1. Maitland Cattle Bill; second reading.
2. Law simplifying Bill; second reading.
3. Distresses for Rent Bill Reported; Adoption of the Report.

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TUESDAY, NOVEMBER 18.

NOTICES OF MOTION:—

1. MR. COWPER to move, That the New South Wales Marine Assurance Company's Bill, be now read a second time.
2. MR. MARTIN to move for leave to bring in a Bill to establish a Public Assay and Refining Office in New South Wales.
3. MR. COWPER to move, That the Australasian Steam Navigation Company's Bill be now read a second time.

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WEDNESDAY, NOVEMBER 19.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor-General's Message No. 24, respecting the Defences of Port Jackson.
2. Jury Bill Reported; Adoption of the Report.
3. Sydney Corporation Bill; second reading.
4. Hard Labor Bill; second reading.
5. Growing Timber Bill; to be further considered in Committee.
6. Estimates for 1851-52; to be further considered in Committee, with Messages Nos. 23 and 25.

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THURSDAY, NOVEMBER 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Titles to Land Bill; second reading.
2. Gunpowder Exportation Bill; third reading.
3. Deceased Persons' Estates Bill; third reading.
4. Orphans' Apprenticing Bill; third reading.
5. Hyde Park Bill; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Northumberland and Hunter Roads' Bill; second reading.

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FRIDAY, NOVEMBER 21.

ORDER OF THE DAY:—

1. Vagrant Bill; third reading.

CHARLES NICHOLSON,  
*Speaker.*

lab.



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

FRIDAY, 14 NOVEMBER, 1851.

There being only sixteen Members present, exclusive of the Speaker, namely, Mr. Bowman, Dr. Douglass, Mr. Martin, Mr. Richardson, Mr. H. Osborne, Mr. Jones, Mr. Lamb, Mr. Bradley, Mr. Parker, Captain King, Mr. Darvall, The Chief Commissioner of Crown Lands, Mr. Allen, The Colonial Secretary, Mr. Nichols, and The Attorney General,—the Speaker took the Chair, and adjourned the Council at half-past Three o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, NOVEMBER 18.

NOTICES OF MOTION :—

1. MR. COWPER to move, That the New South Wales Marine Assurance Company's Bill, be now read a second time.
2. MR. MARTIN to move for leave to bring in a Bill to establish a Public Assay and Refining Office in New South Wales.
3. MR. COWPER to move, That the Australasian Steam Navigation Company's Bill be now read a second time.
4. MR. BOWMAN to move, That the Petition from certain Inhabitants of East and West Maitland, praying certain modifications in the provisions of the Maitland Cattle Bill, presented by him on the 5th instant, be now taken into consideration.
5. MR. DARVALL to move, That the present system of Emigration is needlessly expensive and dilatory, and more effective in reducing the poor rates of Great Britain than in supplying this Colony with reputable and industrious Immigrants. That in the meantime, and until the Territorial Revenue of the Colony shall be appropriated by the Representatives of the people, this House submits to Her Majesty's Advisers :—
  - (1.) That it is desirable, as far as possible, to direct to this Colony the Emigration which now flows from England into the United States of America.
  - (2.) That many Emigrants who would prefer to settle in the former country are compelled by want of means to proceed to the latter.
  - (3.) That a large amount of shipping will probably be laid on to this Colony from Great Britain, and that the passage money of Emigrants may be considerably reduced by being thrown open to public competition.
  - (4.) That the power of paying half their passage money, and the willingness to contract to re-pay the balance out of their future earnings, is a sufficient test of the fitness of intending Emigrants to receive assistance provided that they are not disqualified by age or infirmity.
  - (5.) That the State contribution to the passage money of Emigrants should be made in the Colony on their landing, at a fixed rate per head on a certain fixed number, leaving all previous arrangements to be made between the Emigrants and Shipowners in England, subject to such regulations as may seem necessary to Her Majesty's Advisers, in order to protect the passengers from ill usage, neglect, or bad accommodation.
  - (6.) That by these means much unnecessary expense and delay may be avoided, and a better class of Emigrants be obtained, whose energy and self-respect have not been destroyed by workhouse idleness and debasement.
6. MR. MARTIN to move, That the Petition of Mr. James Cooper, praying the repeal of certain of the provisions of the South Head Road Act, 11 Vict., No. 49, presented by him on the 11th instant, be printed.

7. *Mr. Nichols to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate of Expenditure for the year 1851, a sum not exceeding £100, for the purpose of repairing the Long Bridge in the Town of West Maitland.*
8. *MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of £200, for the purpose of carrying on the South Head Road to the waters of Watson's Bay.*
9. *MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return showing the number and distribution of the Troops in the several Australian Colonies and New Zealand, including the General, Medical, Ordnance, and Commissariat Staff, and the Clerks and other persons employed.*
10. *THE SOLICITOR GENERAL to move, for leave to bring in a Bill to enable the Trustees of the Sydney Bethel Union Chapel to sell their land and buildings in Erskine-street, and to erect a new Mariners' Church in a more convenient situation, and for other purposes therein to be mentioned.*
11. *MR. HOLDEN to move, That a Bill, intituled, a Bill to enable William Hilton Howell, Esquire, to erect a bridge over the Cataract River, and another over the Nepean River, be referred for the consideration and report of a Select Committee, to consist of Mr. Alick Osborne, Mr. Allen, Mr. Lithgow, Mr. Holroyd, Mr. Bradley, Mr. Flood, and Mr. Jeffreys.*

ORDERS OF THE DAY:—

1. Maitland Cattle Bill; second reading.
2. Law simplifying Bill; second reading.
3. Distresses for Rent Bill Reported; Adoption of the Report.

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WEDNESDAY, NOVEMBER 19.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor-General's Message No. 24, respecting the Defences of Port Jackson.
2. Jury Bill Reported; Adoption of the Report.
3. Sydney Corporation Bill; second reading.
4. Hard Labor Bill; second reading.
5. Growing Timber Bill; to be further considered in Committee.
6. Estimates for 1851-52; to be further considered in Committee, with Messages Nos. 23 and 25.

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THURSDAY, NOVEMBER 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Titles to Land Bill; second reading.
2. Gunpowder Exportation Bill; third reading.
3. Deceased Persons' Estates Bill; third reading.
4. Orphans' Apprenticing Bill; third reading.
5. Hyde Park Bill; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Northumberland and Hunter Roads' Bill; second reading.

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FRIDAY, NOVEMBER 21.

ORDER OF THE DAY:—

1. Vagrant Bill; third reading.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

TUESDAY, 18 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Sydney Exchange Company's Bill :—Mr. Cowper, as Chairman, brought up the Report and laid upon the Table the Evidence taken before the Select Committee for whose consideration and report this Bill was referred on the 31st ultimo.  
Ordered to be printed.
2. Penrith Nepean Bridge Bill :—Mr. Darvall, as Chairman, brought up the Report and laid upon the Table the Evidence taken before the Select Committee for whose consideration and report this Bill was referred on the 23rd ultimo.  
Ordered to be printed.
3. Liverpool Road Trust :—Mr. Darvall presented a Petition from the Commissioners of the Liverpool Road Trust, praying to be enabled to drain and form those portions of the line of road which cannot be reached by the funds derivable from the only toll-gate established thereon.  
Petition received.
4. Wollonbi Road :—Dr. Douglass presented a Petition from certain landed proprietors, agriculturists, and other inhabitants of the District of Wollonbi, praying that the road from that District, by way of Maitland, may be put into repair.  
Petition received.
5. Customs' and Survey Departments :—The Colonial Secretary laid upon the Table the remaining part Return (No. 1) to the Address, in reference to these Departments, adopted on motion of Mr. Cowper, on the 17th ultimo.  
Ordered to be printed.
6. Bathurst Post Office :—The Colonial Secretary laid upon the Table the Return to the Address in reference to this Establishment, adopted on motion of Mr. Holroyd, on the 23rd ultimo.  
Ordered to be printed.
7. Dry Dock :—The Colonial Secretary laid upon the Table a Report from the Engineer superintending the construction of the Dry Dock, explanatory of the progress of the works.  
Ordered to be printed.
8. Road by the North Shore to the Northern Districts :—Mr. Darvall presented a Petition from certain inhabitants and landholders of the Parishes of Willoughby, Gordon, and South Colo, praying that the Road to the Northern Districts, by way of the North Shore of Sydney, may be properly formed.  
Petition received.
9. Members Sworn :—Henry Hughes, Esquire, having taken the Oath, and George Farquhar Leslie, Esquire, and Francis Edward Bigge, Esquire, having taken the Oath, and handed to the Clerk at the Table the following Declarations of their respective Qualifications, took their Seats—Henry Hughes, Esquire, as a non-elective Member of the Council; and George Farquhar Leslie, Esquire, as Member for the Electoral District of Clarence and Darling Downs; and Francis Edward Bigge, Esquire, as Member for the Electoral District of Moreton, Wide Bay, Burnett, and Maranoa :—

" I, George Farquhar Leslie, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate at Killarney, in the County of Merivale, consisting of three hundred and twenty acres of land, in the occupation of Hugh Evans Shanklin and John Hadler; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

GEORGE F. LESLIE.

Sydney, 18th November, 1851.

" I, Francis Edward Bigge, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate at Bell and Union-streets, Ipswich, also sixty-six acres of land situated in the County of Stanley, known as Charrapool; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

FRANCIS EDWARD BIGGE.

Sydney, 18th Nov., 1851.

10. *Marine Assurance Company's Bill*:—Mr. Cowper moved, pursuant to notice, That this Bill be now read a second time,—

Question put and passed; Bill read a second time.

Whereupon, on motion of Mr. Cowper, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration thereof.

The Chairman having reported the Bill without amendment, the Council ordered the Adoption of the Report to stand an Order of the Day for Friday next.

11. *Assay and Refining Office*:—Mr. Martin moved, pursuant to notice, "That" he have leave to bring in a Bill to establish a Public Assay and Refining Office, in New South Wales.

Debate ensued.

Mr. Darvall moved, That the Question be amended by the omission of all the words following the word "That," with a view to the insertion in their place of the words "a Committee of Inquiry, consisting of seven Members, be appointed to report upon the expediency of establishing in Sydney an Assay Office and Mint."

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

Question put,—That the words proposed to be inserted in place of the words omitted be so inserted,—

Council divided.

Ayes, 18.

Mr. Alick Osborne,  
Mr. Smart,  
Mr. Leslie,  
Mr. Morris,  
Mr. Holden,  
Mr. Hughes,  
Dr. Dobie,  
Mr. Darvall,  
Mr. Allen,  
Mr. Broadhurst,  
Mr. Bigge,  
Mr. Jones,  
Mr. Bligh,  
Mr. Flood,  
Mr. Bowman,  
Mr. Wentworth,  
Mr. Holroyd,  
Mr. Martin, (Teller.)

Noes, 18.

The Colonial Treasurer,  
The Colonial Secretary,  
Dr. Douglass,  
Mr. Donaldson,  
Mr. Richardson,  
Mr. William Macarthur,  
Mr. Lamb,  
Mr. Jeffreys,  
Mr. Oakes,  
Mr. Cowper,  
Mr. H. Osborne,  
The Attorney General,  
The Postmaster General,  
The Solicitor General,  
The Chief Commissioner of Crown Lands,  
The Auditor General,  
The Inspector General of Police,  
Mr. Parker, (Teller.)

The numbers being equal, the Speaker gave his vote with the *Ayes*, and declared the Question to have passed in the affirmative,

Whereupon,—Question—That a Committee of Inquiry, consisting of seven Members, be appointed to report upon the expediency of establishing in Sydney an Assay Office and Mint,—put and passed.

Mr. Darvall required that the Committee be appointed by Ballot,—

Whereupon the Council proceeded to the Ballot, and the following Members were declared to have the greatest number of votes, and to be the Committee duly appointed, viz:—Mr. Darvall, Mr. Wentworth, Mr. Martin, Mr. Donaldson, Mr. Lamb, the Colonial Secretary, and Mr. Cowper.

12. *Australasian Steam Navigation Company's Bill*, on motion of Mr. Cowper, pursuant to notice, read a second time; to be considered in Committee on Friday next.

13. *Motion Withdrawn*:—Mr. Bowman withdrew the Motion standing in his name fourth on the Notice Paper for to-day.

14. *Immigration*:—Mr. Darvall moved, pursuant to amended notice, That the present system of Emigration is needlessly expensive and dilatory, and more effective in reducing the poor rates of Great Britain than in supplying this Colony with reputable and industrious Immigrants. That in the meantime, and until the Territorial Revenue of the Colony shall be appropriated by the Representatives of the people, this House submits to Her Most Gracious Majesty the Queen:—

(1.) That it is desirable, as far as possible, to direct to this Colony the Emigration which now flows from England into the United States of America.

(2.) That many Emigrants who would prefer to settle in the former country are compelled by want of means to proceed to the latter.

(3.)

(3.) That a large increase of shipping will probably be laid on to this Colony from Great Britain, and that the passage money of Emigrants may be considerably reduced by being thrown open to public competition.

(4.) That the power of paying half their passage money is a sufficient test of the fitness of intending Emigrants to receive assistance, provided that they are not disqualified by age or infirmity, and have been approved of by an Agent appointed by the Colony.

(5.) That the Colonial contribution to the passage money of Emigrants should be made in the Colony on their landing, at a fixed rate per head, leaving all previous arrangements to be made between the Emigrants and Shipowners in England, subject to such regulations as may seem necessary to Her Majesty's Advisers, in order to protect the passengers from ill usage, neglect, or bad accommodation.

(6.) That by these means much unnecessary expense and delay may be avoided, and a better class of Emigrants be obtained, whose energy and self-respect have not been destroyed by workhouse idleness and debasement.

(7.) That these Resolutions be embodied in an Address to be presented by the Speaker to His Excellency the Governor-General, for transmission to Her Most Gracious Majesty the Queen.

Debate ensued.

Question put and negatived.

15. Mr. James Cooper :—Mr. Martin moved, pursuant to notice, That the Petition of Mr. James Cooper, praying the repeal of certain of the provisions of the South Head Road Act, 11 Vict., No. 49, presented by him on the 11th instant, be printed.  
Question put and passed.  
Ordered to be printed.
16. Motion withdrawn :—Mr. Nichols withdrew the Motion standing in his name seventh on the Notice Paper for to-day.
17. South Head Road :—Mr. Wentworth moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of £200, for the purpose of carrying on the South Head Road to the waters of Watson's Bay.  
Question put and passed; Address to be presented by the Speaker.
18. Military Establishment :—Mr. Wentworth moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the number and distribution of the Troops in the several Australian Colonies and New Zealand, including the General, Medical, Ordnance, and Commissariat Staff, and the Clerks and other persons employed.  
Question put and passed; Address to be presented by the Speaker.
19. Sydney Bethel Union Bill :—The Solicitor General moved, pursuant to notice, for leave to bring in a Bill to enable the Trustees of the Sydney Bethel Union Chapel to sell their land and buildings in Erskine-street, and to erect a new Mariners' Church in a more convenient situation, and for other purposes therein to be mentioned.  
Question put and passed, and Bill, intituled, "*A Bill to enable the Trustees of the Sydney Bethel Union Chapel to sell their Land and Buildings in Erskine-street, and to erect a new Mariners' Church in a more convenient situation, and for other purposes therein mentioned,*" read a first time.
20. Cataract and Nepean Bridges Bill :—Mr. Holden moved, pursuant to notice, That a Bill, intituled, "*A Bill to enable William Hilton Howell, Esquire, to erect a Bridge over the Cataract River, and a Bridge over the Nepean River,*" be referred for the consideration and report of a Select Committee, to consist of Mr. Alick Osborne, Mr. Allen, Mr. Lithgow, Mr. Holroyd, Mr. Bradley, Mr. Flood, and Mr. Jeffrey.  
Question put and passed.
21. Maitland Cattle Bill :—On the motion of Mr. Nichols, read a second time; to be considered in Committee on Friday next.
22. Postponements :—  
(1.) The second reading of the Law Simplifying Bill postponed, on motion of Mr. Darvall, until this day week.  
(2.) The Adoption of the Report from the Committee of the whole Council of the Distresses for Rent Bill postponed, on motion of Mr. Martin, until Friday next.  
Council adjourned at a quarter before Nine o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, NOVEMBER 19.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor-General's Message No. 24, respecting the Defences of Port Jackson.
2. Jury Bill Reported; Adoption of the Report.
3. Sydney Corporation Bill; second reading.
4. Hard Labor Bill; second reading.
5. Growing Timber Bill; to be further considered in Committee.
6. Estimates for 1851-52; to be further considered in Committee, with Messages Nos. 23 and 25.

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move, That the " Bill to amend the Act, intituled, '*An Act to provide, for the making and repairing of Parish Roads in the Colony of New South Wales, and to enlarge and extend the powers thereof;*' be referred for the consideration and report of a Select Committee, to consist of Mr. Smart, Mr. Bradley, Mr. Nichols, Mr. A. Osborne, Mr. Jeffreys, Mr. Flood, and Mr. Wentworth.
2. THE SOLICITOR GENERAL to move, That the Sydney Bethel Union Bill be referred for the consideration and report of a Select Committee, to consist of the following Members, viz. :—Mr. Lamb, Mr. Cowper, Dr. Douglass, Mr. Oakes, Mr. Donaldson, and Mr. Bligh.

THURSDAY, NOVEMBER 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Titles to Land Bill ; second reading.
2. Gunpowder Exportation Bill ; third reading.
3. Deceased Persons' Estates Bill ; third reading.
4. Orphans' Apprenticing Bill ; third reading.
5. Hyde Park Bill ; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Northumberland and Hunter Roads' Bill ; second reading.

FRIDAY, NOVEMBER 21.

NOTICES OF MOTION :—

1. MR. HOLDEN to move, That an Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of one hundred pounds, (£100) for the salary of a Clerk to the Police Bench at Liverpool.
2. DR. DOUGLASS to move for leave to introduce a Bill to limit Immigration from China.

ORDERS OF THE DAY :—

1. Vagrant Bill ; third reading.
2. Marine Assurance Company's Bill Reported ; Adoption of the Report.
3. Australasian Steam Navigation Company's Bill ; to be considered in Committee.
4. Maitland Cattle Bill ; to be considered in Committee.
5. Distresses for Rent Bill Reported ; Adoption of the Report.

TUESDAY, NOVEMBER 25.

NOTICE OF MOTION :—

1. MR. DARVALL to move, That the Penrith Nepean Bridge Bill be now read a second time.

ORDER OF THE DAY :—

1. Law simplifying Bill ; second reading.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

WEDNESDAY, 19 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Sydney Railway Company:—The Colonial Secretary laid upon the Table, a further correspondence with the Directors of the Sydney Railway Company, in continuation of that laid upon the Table on the 19th July, 1850.  
Ordered to be printed.
2. Port of Newcastle:—The Colonial Secretary laid upon the Table, the Return to the Address in reference to this Port, adopted on motion of Mr. Flood, on the 31st ultimo.  
Ordered to be printed.
3. Standing Rules and Orders:—The Speaker reported that His Excellency the Governor-General had been pleased to give His Approval to the Standing Rules and Orders passed by the Council on the 6th instant.
4. Messages:—The following Messages from His Excellency the Governor-General received and read:—

(1.) Postage Bill:—

CH<sup>S</sup>. A. FITZ ROY,

*Governor-General.*

*Message No. 27.*

Referring to the intention expressed in the Governor-General's Opening Address to the Legislative Council, His Excellency now transmits the Draft of a Bill to consolidate and amend the Law for the conveyance and Postage of Letters.

*Government House,*

*Sydney 19th November, 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.

(2.) Gunpowder Destruction Bill:—

CH<sup>S</sup>. A. FITZ ROY,

*Governor-General.*

*Message No. 28.*

In accordance with the provisions of the Act of the Imperial Parliament 5th and 6th Victoria cap 76, the Governor-General transmits to the Legislative Council the Draft of a Bill, intituled, "A Bill to authorise the destruction of certain Gunpowder belonging to Merchants, and now in Her Majesty's Magazine at Goat Island."

*Government House,*

*Sydney, 19th November, 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.

5. Defences of Port Jackson:—The Governor-General's Message No. 24, in reference to the Defences of Port Jackson, having been read, on motion of the Colonial Secretary,—

The Colonial Secretary moved, "That" the Governor-General's Message No. 24, of 11th November 1851, respecting the Defences of Port Jackson, be referred to a Select Committee, consisting of Mr. Wentworth, Mr. Donaldson, Lieutenant-Colonel Barney, Captain Lamb, Lieutenant-Colonel Gibbes, Mr. Holden, and Mr. Bradley, to inquire into and report upon the subject.

Debate ensued.

Mr. Donaldson moved, That the Question be amended, by the omission of all the words following the word "That," with a view to the insertion in their place of the words "this Council declines to entertain the proposal of the Government; for the construction of such works as may be necessary for the Defences of Port Jackson, until the Local Legislature shall be invested with the entire control of the Colonial Revenues—Territorial as well as General."

Debate continued.

Question put,—That the words proposed to be omitted stand part of the Question:

Council

114.

Council divided.

Ayes, 18.

The Colonial Secretary,  
 The Solicitor General,  
 Mr. Hughes,  
 Mr. Bigge,  
 Mr. Allen,  
 The Chief Commissioner of Crown  
 Lands,  
 Mr. Parker,  
 The Auditor General,  
 The Collector of Customs,  
 Mr. Bradley,  
 The Colonial Treasurer,  
 Mr. Dobie,  
 Mr. Leslie,  
 Captain King,  
 Mr. Berry,  
 Mr. Holden,  
 The Attorney General, }  
 The Postmaster General, } Tellers.

Noes, 18.

Dr. Douglass,  
 Mr. Richardson,  
 Mr. Bowman,  
 Mr. Morris,  
 Mr. Wentworth,  
 Mr. Lamb,  
 Mr. Jones,  
 Mr. Cowper,  
 Mr. Oakes,  
 Mr. Jeffreys,  
 Mr. Flood,  
 Mr. William Macarthur,  
 Mr. H. Osborne,  
 Mr. Bettington,  
 Mr. Alick Osborne,  
 Mr. Morris,  
 Mr. Donaldson, }  
 Mr. Martin, } Tellers.

The numbers being equal, the Speaker gave his Vote with the *Noes*, and declared the Question to have passed in the negative.

Whereupon Question put,—That the words proposed to be inserted in place of the words omitted be so inserted—  
Council divided.

Ayes, 18.

Mr. Bettington,  
 Mr. A. Osborne,  
 Mr. Flood,  
 Mr. Morris,  
 Mr. Oakes,  
 Mr. Bowman,  
 Mr. Jones,  
 Mr. Bligh,  
 Mr. Jeffreys,  
 Mr. Lamb,  
 Mr. Wentworth,  
 Mr. Cowper,  
 Mr. William Macarthur,  
 Mr. H. Osborne,  
 Mr. Richardson,  
 Dr. Douglass,  
 Mr. Donaldson, } (Tellers.)  
 Mr. Martin, }

Noes, 18.

The Colonial Secretary,  
 The Colonial Treasurer,  
 The Solicitor General,  
 The Collector of Customs,  
 Mr. Holden,  
 Mr. Leslie,  
 Captain King,  
 Mr. Berry,  
 Mr. Bradley,  
 Mr. Dobie,  
 Mr. Hughes,  
 Mr. Bigge,  
 Mr. Allen,  
 Mr. Parker,  
 The Chief Commissioner of Crown Lands,  
 The Auditor General,  
 The Attorney General, } (Tellers.)  
 The Postmaster General, }

The numbers being equal, the Speaker gave his Vote with the *Ayes*, and declared the Question to have passed in the Affirmative,—

Whereupon,—Question—That this Council declines to entertain the proposal of the Government, for the construction of such works as may be necessary for the Defences of Port Jackson, until the Local Legislature shall be invested with the entire control of the Colonial Revenues—Territorial as well as General,—put and passed.

6. Jury Bill Reported :—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of the Colonial Secretary, Bill, as so reported, ordered to be read a third time this day week.
7. Sydney Corporation Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration thereof.  
The Chairman reported progress, and obtained leave to sit again this day week.
8. Hard Labor Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration thereof.  
The Chairman having reported the Bill with amendments, the Council ordered the Adoption of the Report to stand an Order of the Day for to-morrow.
9. Growing Timber Bill :—On motion of the Solicitor General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.  
The Chairman reported progress, and obtained leave to sit again this day week.
10. Estimates for 1851-52 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages Nos. 23 and 25.  
The Chairman reported progress, and obtained leave to sit again to-morrow.
11. Parish Roads Bill :—Mr. Cowper moved, pursuant to notice, That the " *Bill to amend the Act, intituled, 'An Act to provide for the making and repairing of Parish Roads in the Colony of New South Wales, and to enlarge and extend the powers thereof,*"



be referred for the consideration and report of a Select Committee, to consist of Mr. Smart, Mr. Bradley, Mr. Nichols, Mr. A. Osborne, Mr. Jeffreys, Mr. Flood, and Mr. Wentworth.

Question put and passed.

- 12. Sydney Bethel Union Bill :—The Solicitor General moved, pursuant to notice, That the Sydney Bethel Union Bill be referred for the consideration and report of a Select Committee, to consist of the following Members, viz. :—Mr. Lamb, Mr. Cowpor, Dr. Douglass, Mr. Oakes, Mr. Donaldson, and Mr. Bligh.

Question put and passed.

Council adjourned at twenty minutes after Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, NOVEMBER 20.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Titles to Land Bill ; second reading.
- 2. Gunpowder Exportation Bill ; third reading.
- 3. Deceased Persons' Estates Bill ; third reading.
- 4. Orphans' Apprenticing Bill ; third reading.
- 5. Hyde Park Bill ; to be further considered in Committee.
- 6. Hard Labor Bill Reported ; Adoption of the Report.
- 7. Estimates for 1851-52 ; to be further considered in Committee, with Messages Nos. 23 and 25.

OTHER BUSINESS—ORDER OF THE DAY :—

- 1. Northumberland and Hunter Roads' Bill ; second reading.

FRIDAY, NOVEMBER 21.

NOTICES OF MOTION :—

- 1. MR. HOLDEN to move, That an Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of one hundred pounds, (£100) for the salary of a Clerk to the Police Bench at Liverpool.
- 2. DR. DOUGLASS to move for leave to introduce a Bill to limit Immigration from China.
- 3. MR. MARTIN to move, That the following Members be added to the Select Committee appointed on the 18th instant to report upon the expediency of establishing in Sydney an Assay Office and Mint :—namely, The Speaker, Mr. Lithgow, and Mr. Hughes.

ORDERS OF THE DAY :—

- 1. Vagrant Bill ; third reading.
- 2. Marine Assurance Company's Bill Reported ; Adoption of the Report.
- 3. Australasian Steam Navigation Company's Bill ; to be considered in Committee.
- 4. Maitland Cattle Bill ; to be considered in Committee.
- 5. Distresses for Rent Bill Reported ; Adoption of the Report.

TUESDAY, NOVEMBER 25.

NOTICE OF MOTION :—

- 1. MR. DARVALL to move, That the Penrith Nepean Bridge Bill be now read a second time.

ORDER OF THE DAY :—

- 1. Law simplifying Bill ; second reading.

WEDNESDAY, NOVEMBER 26.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Consideration of Governor-General's Message No. 27, with Postage Bill.
- 2. Consideration of Governor-General's Message No. 28, with Gunpowder Destruction Bill.
- 3. Jury Bill ; third reading.
- 4. Sydney Corporation Bill ; to be further considered in Committee.
- 5. Growing Timber Bill ; to be further considered in Committee.

CHARLES NICHOLSON,  
*Speaker*

Nb.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

THURSDAY, 20 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Member Sworn:—George Macleay, Esquire, having taken the Oath, and handed to the Clerk at the Table the following Declaration of his Qualification, took his Seat as Member for the Electoral District of Murrumbidgee.  
“ I, George Macleay, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, namely, a purchase from the Crown by the late Alexander Macleay, Esquire, called Brownlow Hill, and a grant from the Crown to Peter Murdoch, Esquire, called Glendaruel, which estates are situated in the County of Camden; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”  
GEO. MACLEAY.  
*Sydney, November 20th, 1851.*
2. New Member Sworn:—Robert Campbell, Esquire, having taken the Oath, and handed to the Clerk at the Table the following Declaration of his Qualification, took his Seat as Member for the Electoral District of the City of Sydney, in room of the Reverend John Dunmore Lang, resigned.  
“ I, Robert Campbell, of Fort Street, do declare and testify, That I am duly seised at Law or in Equity, of an estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, situate at the City of Sydney in the County of Cumberland, viz., one half the property in George Street known as Campbell's Wharf; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”  
Rt. CAMPBELL.  
*Sydney, 20 November, 1851.*
3. Burragorang:—Mr. James Macarthur presented a Petition from certain stockholders and other persons interested in that part of the Counties of Camden and Westmoreland commonly called Burragorang, praying relief from the consequences which may flow from inattention to certain applications Petitioners have made for the measurement of lands for purchase.  
Petition received.
4. Titles to Land Bill:—The Solicitor General moved, That this Bill be now read a second time.  
Debate ensued.  
Mr. Broadhurst moved the Previous Question.  
Debate continued.  
Previous Question by leave withdrawn.  
Original Question by leave withdrawn.  
Bill, on motion of the Solicitor General, discharged from the Paper.
5. Gunpowder Exportation Bill, on motion of the Colonial Secretary, read a third time, and passed.  
The Colonial Secretary then moved, That the following be the Title of the Bill, viz.,  
“ An Act to continue for a further limited time, an Act, intituled, ‘ An Act to regulate for a limited time, the Exportation of Gunpowder and Warlike Stores, from the Colony of New South Wales.’ ”  
Question put and passed.
6. Deceased persons' Estates Bill, on motion of the Colonial Secretary, read a third time, and passed.  
The Colonial Secretary then moved, That the following be the Title of the Bill, viz.,  
“ An Act to amend, in certain particulars, the Act passed for the better preservation of the Estates of deceased persons.”  
Question put and passed.
7. Orphans' Apprenticing Bill, on motion of the Colonial Secretary, read a third time, and passed.  
The Colonial Secretary then moved, That the following be the Title of the Bill, viz.,  
“ An Act to make further provision for the apprenticing of the children in the Male and Female Orphan Schools, and other poor children.”  
Question put and passed.

8. Hyde Park Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.  
The Chairman having reported the Bill with amendments, the Council ordered the Adoption of the Report to stand an Order of the Day for Wednesday next.
9. Hard Labor Bill Reported :—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of the Colonial Secretary, the Council ordered the Bill, as so reported, to be read a third time on Wednesday next.
10. Estimates for 1851-52 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages Nos. 23 and 25.  
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
11. Northumberland and Hunter Roads Bill discharged from the Paper, on motion of Dr. Douglass.  
Council adjourned at Seven o'clock, until to-morrow at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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FRIDAY, NOVEMBER 21.

NOTICES OF MOTION :—

1. MR. HOLDEN to move, That an Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of one hundred pounds, (£100) for the salary of a Clerk to the Police Bench at Liverpool.
2. DR. DOUGLASS to move for leave to introduce a Bill to limit Immigration from China.
3. MR. MARTIN to move, That the following Members be added to the Select Committee appointed on the 18th instant to report upon the expediency of establishing in Sydney an Assay Office and Mint :—namely, The Speaker, Mr. Lithgow, and Mr. Hughes.
4. MR. JAMES MACARTHUR to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return from the 1st January, 1846, to the 30th June, 1851, of all applications to the Surveyor General for the measurement of portions of the Crown Lands of this Colony, with a view to purchase, which have not been complied with;—shewing the date of such applications, the names of the applicants, and the local situation of the portions of land applied for, but not measured, respectively.

ORDERS OF THE DAY :—

1. Vagrant Bill ; third reading.
2. Marine Assurance Company's Bill Reported ; Adoption of the Report.
3. Australasian Steam Navigation Company's Bill ; to be considered in Committee.
4. Maitland Cattle Bill ; to be considered in Committee.
5. Distresses for Rent Bill Reported ; Adoption of the Report.

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TUESDAY, NOVEMBER 25.

NOTICES OF MOTION :—

1. MR. DARVALL to move, That the Penrith Nepean Bridge Bill be now read a second time.
2. MR. BLIGH to move, That an Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying :—
  - (1.) All Lands held by any person or persons under Lease or License from the Crown, upon which Gold has been raised under authority of the Government, with the names of the Lessees or persons holding the same respectively, and the several terms and purposes for which the same were granted.
  - (2.) The number of Licenses to search for Gold upon Lands so held by every such Lessee or occupier respectively.
  - (3.) The number of Licenses granted by or on behalf of the Crown, subsequent to such Leases, to other persons than such Lessees or holders authorising them to use or occupy portions of the same lands for other purposes than Gold digging, together with the monthly Revenue derived therefrom.
  - (4.) The names of all such Lessees or holders of Crown Lands as have claimed compensation from the Government for injuries from Gold Diggers and other persons licensed by or under the Crown, shewing to whom compensation has been granted and to whom refused.
  - (5.) A Copy of all Correspondence between the Government and such Lessees or holders of Crown Lands relative to their respective claims for compensation.

ORDER OF THE DAY :—

1. Law simplifying Bill ; second reading.

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WEDNESDAY,

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WEDNESDAY, NOVEMBER 26.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor-General's Message No. 27, with Postage Bill.
2. Consideration of Governor-General's Message No. 28, with Gunpowder Destruction Bill.
3. Jury Bill ; third reading.
4. Sydney Corporation Bill ; to be further considered in Committee.
5. Growing Timber Bill ; to be further considered in Committee.
6. Hyde Park Bill Reported ; Adoption of the Report.
7. Hard Labor Bill ; third reading.
8. Estimates for 1851-52 ; to be further considered in Committee, with Messages Nos. 23 and 25.

CHARLES NICHOLSON,  
*Speaker.*



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

FRIDAY, 21 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Punishment of Colonial Offenders:—The Colonial Secretary laid upon the Table, the Return to the Address on this subject, adopted on motion of Mr. Cowper, on the 22nd ultimo.  
Ordered to be printed.
2. Messages:—The following Messages from His Excellency the Governor-General received and read:—

(1.) Marriage Bill:—

CH<sup>s</sup>. A. FITZ ROY,

*Governor-General.*

*Message No. 29.*

In accordance with the provisions of the Act of the Imperial Parliament 5 and 6 Victoria, cap: 76, the Governor-General transmits to the Legislative Council the draft of a Bill intituled "A Bill to regulate Marriages in the Colony of New South Wales."

*Government House,*

*Sydney 20th November, 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.

(2.) Marriage Registration Bill:—

CH<sup>s</sup>. A. FITZ ROY,

*Governor-General.*

*Message No. 30.*

In accordance with the provisions of the Act of the Imperial Parliament 5 and 6 Victoria, cap: 76, the Governor-General transmits to the Legislative Council the draft of a Bill intituled "A Bill for registering Births, Deaths, and Marriages, in the Colony of New South Wales."

*Government House,*

*Sydney, 20th November, 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.

(3.) Orphan Immigration:—

CH<sup>s</sup>. A. FITZ ROY,

*Governor-General.*

*Message No. 31.*

The Governor-General transmits to the Legislative Council the copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, in reply to the Address of the late Council, dated 3rd September 1850, on the subject of Female Orphan Immigration.

*Government House,*

*Sydney, 21st November, 1851.*

Ordered to be printed, together with the accompanying Despatch.

3. Clerk to the Bench at Liverpool:—Mr. Holden moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of one hundred pounds (£100), for the salary of a Clerk to the Police Bench at Liverpool.

Debate ensued.

Dr. Douglass moved, That the Question be amended by adding at the end thereof the words "and Campbell Town."

Debate continued.

Question

Question put,—That the words proposed to be added at the end of the Question be there added.

Council divided.

Ayes, 5.  
Dr. Douglass,  
Mr. Hughes,  
Mr. Holden,  
Mr. Jas. Macarthur, } (Tellers.)  
Mr. Martin,

Noes, 22.  
The Colonial Secretary,  
The Collector of Customs,  
Mr. Richardson,  
Mr. Bradley,  
Mr. Bligh,  
Mr. Lamb,  
Mr. Donaldson,  
Mr. Jones,  
The Postmaster General,  
Mr. Macleay,  
Mr. Dobie,  
Mr. Bigge,  
Mr. Smart,  
Mr. Morris.  
Mr. Allen,  
Mr. Alick Osborne,  
The Attorney General,  
The Chief Commissioner of Crown Lands,  
Mr. Wentworth,  
The Auditor General,  
The Colonial Treasurer, } (Tellers.)  
Mr. Parker,

Original Question put and negatived.

4. Immigration from China:—Dr. Douglass moved, pursuant to amended notice, for leave to bring in a Bill to regulate Immigration from China.

Debate ensued.  
Motion by leave withdrawn.

5. Assay Office and Mint:—Mr. Martin moved, pursuant to notice, That the following Members be added to the Select Committee appointed on the 18th instant to report upon the expediency of establishing in Sydney an Assay Office and Mint—namely, The Speaker, Mr. Lithgow, and Mr. Hughes.

Debate ensued.  
Question put and negatived.

6. Applications for Survey of Lands for purchase, uncompiled with:—Mr. James Macarthur moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return from the 1st January, 1846, to the 30th June, 1851, of all applications to the Surveyor General for the measurement of portions of the Crown Lands of this Colony, with a view to purchase, which have not been compiled with;—shewing the date of such applications, the names of the applicants, the quantity and local situation of the portions of land applied for, and the causes of delay in their measurement; also, a copy of the Instructions to the Surveyor General with reference to the measurement of small farms for sale within the Settled Districts.

Question put and passed.

7. Vagrant Bill, on motion of Mr. Martin, on behalf of Mr. Nichols, read a third time, and passed.

Mr. Martin then moved, That the following be the Title of the Bill, viz., "An Act for the more effectual prevention of Vagrancy, and for the punishment of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues, in the Colony of New South Wales."

Question put and passed.

8. Postponements:—  
(1.) The Adoption of the Report from the Committee of the whole Council of the Marine Assurance Company's Bill postponed, on motion of Mr. Smart, on behalf of Mr. Cowper, until Tuesday next.  
(2.) The consideration in Committee of the Australasian Steam Navigation Company's Bill postponed, on motion of Mr. Donaldson, on behalf of Mr. Cowper, until Tuesday next.

3. Maitland Cattle Bill:—On motion of Mr. Martin, on behalf of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration of this Bill.  
The Chairman having reported the Bill with amendments, the Council ordered the Adoption of the Report to stand an Order of the Day for Tuesday next.

10. Postponement:—The Adoption of the Report from the Committee of the whole Council of the Distresses for Rent Bill postponed, on motion of Mr. Martin, until Tuesday next.

The Colonial Secretary then moved "That" the Council do now adjourn.

Mr. Wentworth moved; That the Question be amended, by the omission of all the words following the word "That", and the insertion in their place of the words "this Council do now adjourn until Wednesday next, with the understanding that the Notices of Motion and Orders of the Day now on the Paper for Tuesday, be transferred to the Paper for Wednesday next, after the Government Business."

Question,—



Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.  
 Question,—That the words proposed to be inserted in place of the words omitted, be so inserted,—put and passed.  
 Question,—That this Council do now adjourn until Wednesday next, with the understanding that the Notices of Motion and Orders of the Day now on the Paper for Tuesday, be transferred to the Paper for Wednesday next, after the Government Business,—put and passed.  
 Whereupon Council adjourned at twenty minutes after Six o'clock, until *Wednesday next at Three o'clock.*

**NOTICES OF MOTION AND ORDERS OF THE DAY.**

WEDNESDAY, NOVEMBER 26.

**GOVERNMENT BUSINESS—ORDERS OF THE DAY :—**

1. Consideration of Governor-General's Message No. 27, with Postage Bill.
2. Consideration of Governor-General's Message No. 28, with Gunpowder Destruction Bill.
3. Jury Bill; third reading.
4. Sydney Corporation Bill; to be further considered in Committee.
5. Growing Timber Bill; to be further considered in Committee.
6. Hyde Park Bill Reported; Adoption of the Report.
7. Hard Labor Bill; third reading.
8. Estimates for 1851-52; to be further considered in Committee, with Messages Nos. 23 and 25.
9. Consideration of Governor-General's Message, No. 29, with Marriage Bill.
10. Consideration of Governor-General's Message, No. 30, with Marriage Registration Bill.

**OTHER BUSINESS—NOTICES OF MOTION :—**

1. MR. DARVALL to move, That the Penrith Nepean Bridge Bill be now read a second time.
2. MR. BUGH to move, That an Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying :—
  - (1.) All Lands held by any person or persons under Lease or License from the Crown, upon which Gold has been raised under authority of the Government, with the names of the Lessees or persons holding the same respectively, and the several terms and purposes for which the same were granted.
  - (2.) The number of Licenses to search for Gold upon Lands so held by every such Lessee or occupier respectively.
  - (3.) The number of Licenses granted by or on behalf of the Crown, subsequent to such Leases, to other persons than such Lessees or holders authorising them to use or occupy portions of the same lands for other purposes than Gold digging, together with the monthly Revenue derived therefrom.
  - (4.) The names of all such Lessees or holders of Crown Lands as have claimed compensation from the Government for injuries from Gold Diggers and other persons licensed by or under the Crown, shewing to whom compensation has been granted and to whom refused.
  - (5.) A Copy of all Correspondence between the Government and such Lessees or holders of Crown Lands relative to their respective claims for compensation.
3. MR. HUGHES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the Amount of Fines collected at the Police Benches of Brisbane, Ipswich, Drayton, Warwick, Cayndah, Maryborough and Surat, from 1st January to 30th of September, 1851, inclusively; distinguishing the quarters ending 31st of March, 30th June and 30th September respectively in the case of each Bench, and specifying the offences respectively for which each fine was inflicted.
4. MR. A. OSBORNE to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of Two hundred and fifty pounds, (£250,) for providing a Punt for Shoalhaven River, and Jetty at each side.
5. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth, as nearly as can be ascertained, the value of all Buildings now employed for purposes of Education under the Denominational Board, specifying the amounts derived from Public Funds which have been expended upon such Buildings.

**ORDERS OF THE DAY :—**

1. Law simplifying Bill; second reading.
2. Marine Assurance Company's Bill Reported; Adoption of the Report.
3. Australasian Steam Navigation Company's Bill; to be considered in Committee.
4. Maitland Cattle Bill Reported; Adoption of the Report.
5. Distresses for Rent Bill Reported; Adoption of the Report.

CHARLES NICHOLSON,  
*Speaker.*

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VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

WEDNESDAY, 26 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Military Establishment:—The Colonial Secretary laid upon the Table, the Return to the Address on this subject, adopted on motion of Mr. Wentworth, on the 18th instant.  
Ordered to be printed.
2. Ad Valorem Duties:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Cowper, on the 23rd ultimo.  
Ordered to be printed.
3. Mr. John Marsh:—The Colonial Secretary laid upon the Table the Return to the Address in reference to this party, adopted on motion of Mr. Nichols, on the 7th instant.  
Ordered to be printed.
4. Public Buildings occupied by Public Officers:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Flood, on the 28th ultimo.
5. Immigration:—The Colonial Secretary laid upon the Table additional Correspondence respecting Immigration.  
Ordered to be printed.
6. Motion withdrawn:—Mr. Bligh withdrew the motion standing in his name second on the Notice Paper of Other Business for to-day.
7. Mr. Charles William Croaker:—Mr. Holroyd presented a Petition from Charles William Croaker, of Bathurst, in the Colony of New South Wales, Grazier, praying relief in the matter of over-rent paid by him for a certain Run, called Cocomingla, in the Lachlan District, as ascertained on subsequent correct measurement of such Run.  
Petition received.
8. Presbyterian Schools:—The Colonial Treasurer presented a Petition from the Very Reverend the Moderator of the Synod of Australia, praying that the allowance usually made for the support of Presbyterian Schools, may be continued for the year 1852.  
Petition received.
9. Parish Roads' Bill:—Mr. Smart presented a Petition from certain landholders, leaseholders, and occupiers of lands, situate on the Parish Road leading from Sydney to the Dam at Cook's River, against this Bill.  
Petition received.
10. Gold Regulations:—Mr. Holroyd presented a Petition from E. W. Rudder, praying the appointment of a Select Committee to enquire into the working and tendency of the present Gold Regulations.  
Petition received.
11. Proposed Additional Appropriations for 1851-52:—The following Message from His Excellency the Governor-General received and read:—

CH<sup>s</sup>. A. FITZ ROY, Message No. 32.  
*Governor-General.*

The Governor-General submits, for the consideration of the Legislative Council, the enclosed statement of proposed Additions to the Estimates, for the service of the years 1851 and 1852. viz

1851.....	£ 2,013 19 0
1852.....	£ 30,142 15 11
Total.....	£ 32,156 14 11

The particulars of these proposed additional Appropriations of the Public Money will be explained, on their being brought under consideration.

*Government House,  
Sydney, 26th November, 1851.*

Ordered to be printed, together with the accompanying Statement, and taken into consideration with the Supplementary Estimate and Estimates of Expenditure for the year 1851-52.

12. Cataract and Nepean Bridge Bill:—Mr. Holden, as Chairman, brought up the Report, and laid upon the Table the Evidence taken before the Select Committee, for whose consideration and report this Bill was referred on the 18th instant.  
Ordered to be printed.

- 13. Postage Bill:—The Governor-General's Message No. 27, received with this Bill on the 19th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, "*A Bill to consolidate and amend the Law for Conveyance and Postage of Letters,*" read a first time; to be read a second time to-morrow.
- 14. Gunpowder Destruction Bill:—The Governor-General's Message No. 28, received with this Bill on the 19th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, "*A Bill to authorise the destruction of certain Gunpowder belonging to Merchants, and now in Her Majesty's Magazine at Goat Island,*" read a first time; to be read a second time to-morrow.
- 15. Jury Bill, on motion of the Solicitor General, read a third time, and passed. The Colonial Secretary then moved, That the following be the title of the Bill, viz., "*An Act to amend in some respects the Act passed to consolidate the Laws relating to Juries.*"  
Question put and passed.
- 16. Sydney Corporation Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.  
The Chairman reported progress, and obtained leave to sit again to-morrow.
- 17. Growing Timber Bill:—On motion of the Solicitor General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.  
The Chairman having reported the Bill with sundry amendments, the Council ordered the Adoption of the Report to stand an Order of the Day for to-morrow.
- 18. Hyde Park Bill Reported:—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of the Colonial Secretary, ordered, that the Bill, as so reported, be read a third time this day week.
- 19. Hard Labor Bill, on motion of the Colonial Secretary, read a third time, and passed. The Colonial Secretary then moved, That the following be the title of the Bill, viz., "*An Act to authorise Sentences to Hard Labor on the Roads or other Public Works, in cases where Sentences of Imprisonment with Hard Labor may now be awarded.*"  
Question put and passed.
- 20. Sydney Bethel Union Bill:—The Solicitor General, as Chairman, brought up the Report and laid upon the Table the Evidence taken before the Select Committee for whose consideration and report this Bill was referred on the 19th instant.  
Ordered to be printed.
- 21. Estimates for 1851-52:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages Nos. 23, 25, and 32.  
The Chairman reported progress, and obtained leave to sit again to-morrow.
- 22. Postponements:—
  - (1.) The consideration of the Governor-General's Message, No. 29, with Marriage Bill, postponed, on motion of the Attorney General, until Wednesday next.
  - (2.) The consideration of the Governor-General's Message, No. 30, with Registration Bill, postponed, on motion of the Attorney General, until Wednesday next.
  - (3.) The motion standing in the name of Mr. Darvall first on the Notice Paper of Other Business for to-day, postponed, on motion of the Solicitor General, on behalf Mr. Darvall, until Tuesday next.
  - (4.) The motion standing in the name of Mr. Hughes third on the Notice Paper of Other Business for to-day, postponed, on motion of Mr. Hughes, until to-morrow.
  - (5.) The motion standing in the name of Mr. A. Osborne fourth on the Notice Paper of Other Business for to-day, postponed, on motion of Mr. A. Osborne, until Friday next.
- 23. Denominational School Buildings:—Mr. Martin moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth, as nearly as can be ascertained, the value of all Buildings now employed for purposes of Education under the Denominational Board, specifying the amounts derived from Public Funds which have been expended upon such Buildings.  
Question put and passed.
- 24. Postponement:—The second reading of the Law simplifying Bill postponed, on motion of the Solicitor General, on behalf of Mr. Darvall, until Tuesday next.
- 25. Marine Assurance Company's Bill Reported:—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of Mr. Cowper, the Council ordered the Bill, as so reported, to be read a third time to-morrow.
- 26. Postponements:—
  - (1.) The consideration in Committee of the Australasian Steam Navigation Company's Bill postponed, on motion of Mr. Cowper, until to-morrow.
  - (2.) The Adoption of the Report from the Committee of the whole Council of the Maitland Cattle Bill postponed, on motion of Mr. Martin, on behalf of Mr. Nichols, until to-morrow.
  - (3.) The adoption of the Report from the Committee of the whole Council of the Distresses for Rent Bill, postponed, on motion of Mr. Martin, until Friday next.  
Council adjourned at half-past Eight o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, NOVEMBER 27.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. *Postage Bill*; second reading.
2. *Gunpowder Destruction Bill*; second reading.
3. *Sydney Corporation Bill*; to be further considered in Committee.
4. *Growing Timber Bill* Reported; Adoption of the Report.
5. *Estimates for 1851-52*; to be further considered in Committee, with Messages Nos. 23, 25, and 32.

## OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. SMART to move, That the Petition presented by him yesterday, against the Parish Roads' Bill, be referred to the Select Committee on such Bill.
2. MR. HOLROYD to move, That the Petition presented by him yesterday, from Mr. Rudder, in reference to the present Gold Regulations, be printed.
3. MR. COWPER to move, That an Address be presented to His Excellency the Governor-General, requesting that an additional sum of £1,650 may be placed upon the Estimates for the year 1852, to be applied by the Denominational Board, together with the sum of £8,350, already proposed to the Council, with reference to the numerical proportion of the respective religious bodies receiving Educational Grants, as fixed by the Census Returns for the year 1851.
4. MR. HUGHES to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return showing the Amount of Fines collected at the Police Benches of Brisbane, Ipswich, Drayton, Warwick, Gayndah, Maryborough and Surat, from 1st January to 30th of September, 1851, inclusively; distinguishing the quarters ending 31st of March, 30th June and 30th September respectively in the case of each Bench, and specifying the offences respectively for which each fine was inflicted.

## ORDERS OF THE DAY:—

1. *Marine Assurance Company's Bill*; third reading.
2. *Australasian Steam Navigation Company's Bill*; to be considered in Committee.
3. *Maitland Cattle Bill* Reported; Adoption of the Report.

FRIDAY, NOVEMBER 28.

## NOTICES OF MOTION:—

1. MR. BLYTH to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying:—
  - (1.) All Lands held by any person or persons under Lease or License from the Crown, upon which Gold has been raised under authority of the Government—the names of the Lessees or persons holding the same respectively—and the several terms and purposes for which the same were granted.
  - (2.) All purchased Lands upon which Gold has been raised under License from the Crown, and the Revenue derived therefrom.
  - (3.) The number of Licenses granted by or on behalf of the Crown, authorising other persons than the Lessees of demised or licensed lands to use or occupy the same or portions thereof for other purposes than Gold digging; also the monthly Revenue derived therefrom.
  - (4.) The names of all such Lessees or holders of Crown Lands as have claimed compensation from the Government for injuries from Gold Diggers and other persons licensed by or under the Crown, shewing to whom compensation has been granted and to whom refused.
  - (5.) A Copy of all Correspondence between the Government and such Lessees or holders of Crown Lands relative to their respective claims for compensation.
2. MR. MARTIN to move for leave to bring in a Bill to amend the Laws respecting the Slaughtering of Cattle.
3. MR. HOLDEN to move, That the Cataract and Nepean Bridges Bill be now read a second time.
4. MR. A. OSBORNE to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of Two hundred and fifty pounds, (£250,) for providing a Punt for Shoalhaven River, and Jetty at each side.

## ORDER OF THE DAY:—

1. *Distresses for Rent Bill* Reported; Adoption of the Report.

TUESDAY,

TUESDAY, DECEMBER 2.

NOTICES OF MOTION :—

1. MR. COWPER to move,—
  - (1.) That the discovery of Gold in the interior of New South Wales, renders the construction of improved means of internal communication of deeper importance than ever to the prosperity of the Colony.
  - (2.) That Railroads are the best, and will eventually prove to be the cheapest, kind of Roads.
  - (3.) That as a great influx of Immigrants may be expected, as a result of the discovery of Gold, it is desirable that some large public works should be in such a state of forwardness, that in the event of a greater number arriving than the immediate necessities of the pastoral and agricultural interests require, employment may be offered to a portion of them upon their arrival in Sydney; that Railroads are the first in importance for the requirements of the Colony, and will afford a suitable mode of giving them such employment.
  - (4.) That in the opinion of this Council, the Executive Government ought to give very liberal aid and encouragement to expedite the formation of Railroads.
  - (5.) That an Address be presented to the Governor-General, transmitting the above Resolutions for the information and favorable consideration of His Excellency.
2. MR. DARVALL to move, That the Penrith Nepean Bridge Bill be now read a second time

ORDER OF THE DAY :—

1. Law simplifying Bill; second reading.

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WEDNESDAY, DECEMBER 3.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Hyde Park Bill; third reading.
2. Consideration of Governor-General's Message, No. 29, with Marriage Bill.
3. Consideration of Governor-General's Message, No. 30, with Registration Bill.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 27 NOVEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Imports and Exports of Spirits:—The Colonial Secretary laid upon the Table a Return of the quantities of Spirits Imported and Exported from 1st January, 1847, to 30th September, 1851.  
Ordered to be printed.
2. Postage Bill:—The Colonial Secretary moved, That this Bill be now read a second time.  
Debate ensued.  
Question put and passed.  
Bill read a second time; to be considered in Committee on Wednesday next.
3. Gunpowder Destruction Bill:—The Colonial Secretary moved; That this Bill be now read a second time.  
Debate ensued.  
Question put and passed.  
Bill read a second time; to be considered in Committee on Wednesday next.
4. Postponement:—The further consideration in Committee of the Sydney Corporation Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
5. Growing Timber Bill Reported:—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of the Solicitor General, the Council ordered the Bill, as so reported, to be read a third time on Wednesday next.
6. Estimates for 1851-52:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages Nos. 23, 25, and 32.  
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
7. Parish Roads' Bill:—Mr. Smart moved, pursuant to notice, That the Petition presented by him yesterday, against the Parish Roads' Bill, be referred to the Select Committee on such Bill.  
Question put and passed.
8. Gold Regulations:—Mr. Holroyd moved, pursuant to notice, That the Petition presented by him yesterday, from Mr. Rudder, in reference to the present Gold Regulations, be printed.  
Question put and passed.  
Ordered to be printed.
9. Denominational Schools:—Mr. Cowper moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, requesting that an additional sum of £1,650 may be placed upon the Estimates for the year 1852, to be applied by the Denominational Board, together with the sum of £8,350, already proposed

posed to the Council, with reference to the numerical proportion of the respective religious bodies receiving Educational Grants, as fixed by the Census Returns for the year 1851.

Debate ensued.

Question put.

Council divided.

Ayes, 18.

Mr. Donaldson,  
Mr. Macleay,  
Mr. Cowper,  
Mr. Campbell,  
Mr. Jeffreys,  
Mr. Smart,  
Mr. Darvall,  
The Colonial Treasurer,  
Mr. Bligh,  
Captain Dumaresq,  
Mr. Lamb,  
Mr. Hughes,  
Mr. Holden,  
Mr. Allen,  
Mr. Bigge,  
Captain King,  
Mr. Holroyd, } (Tellers.)  
Mr. Parker, }

Noes, 25.

The Attorney General,  
Mr. W. Macarthur,  
The Colonial Secretary,  
The Solicitor General,  
Mr. Wentworth,  
Mr. Richardson,  
Mr. Oakes,  
Mr. Dobie,  
Mr. J. Macarthur,  
The Collector of Customs,  
Mr. Bradley,  
Mr. Leslie,  
Mr. Icely,  
Mr. Bettington,  
Mr. Flood,  
Mr. Jones,  
Mr. A. Osborne,  
Mr. Morris,  
Mr. H. Osborne,  
Mr. Bowman,  
The Postmaster General,  
The Chief Commissioner of Crown Lands,  
The Inspector General of Police,  
Dr. Douglass, } (Tellers.)  
Mr. Martin, }

10. Police Fines, Moreton Bay :—Mr. Hughes moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return showing the Amount of Fines collected at the Police Benches of Brisbane, Ipswich, Drayton, Warwick, Gayndah, Maryborough and Surat, from 1st January to 30th of September, 1851, inclusively; distinguishing the quarters ending 31st of March, 30th June and 30th September respectively in the case of each Bench, and specifying the offences respectively for which each fine was inflicted, and how such fine was appropriated.

Question put and passed.

11. General Grievances :—Mr. Wentworth, as Chairman, brought up the Report and laid upon the Table Draft Petitions to Her Majesty and both Houses of Parliament, framed by the Select Committee, appointed on the 31st ultimo, to prepare such Petitions, setting forth all the Grievances of the Colony, whether the result of Imperial Legislation or of Imperial Executive Control.

Ordered to be printed.

12. Postponements;

(1.) The third reading of the Marine Assurance Company's Bill postponed, on motion of Mr. Cowper, until to-morrow.

(2.) The consideration in Committee of the Australasian Steam Navigation Company's Bill postponed, on motion of Mr. Cowper, until to-morrow.

(3.) The adoption of the Report from the Committee of the whole Council of the Maitland Cattle Bill postponed, on motion of Mr. Martin, on behalf of Mr. Nichols, until to-morrow.

Council adjourned at half-past Nine o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, NOVEMBER 28.

NOTICES OF MOTION :—

1. Mr. BLIGH to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying :—
- (1.) All Lands held by any person or persons under Lease or License from the Crown, upon which Gold has been raised under authority of the Government, the names of the Lessees or persons holding the same respectively—and the several terms and purposes for which the same were granted.
- (2.) All purchased Lands upon which Gold has been raised under License from the Crown, and the Revenue derived therefrom.
- (3.) The number of Licenses granted by or on behalf of the Crown, authorising other persons than the Lessees of demised or licensed lands to use or occupy the same or portions thereof for other purposes than Gold digging; also the monthly Revenue derived therefrom.

(4.)



(4.) The names of all such Lessees or holders of Crown Lands as have claimed compensation from the Government for injuries from Gold Diggers and other persons licensed by or under the Crown, shewing to whom compensation has been granted and to whom refused.

(5.) A Copy of all Correspondence between the Government and such Lessees or holders of Crown Lands relative to their respective claims for compensation.

2. MR. MARTIN to move for leave to bring in a Bill to amend the Laws respecting the Slaughtering of Cattle.
3. MR. HOLDEN to move, That the Cataract and Nepean Bridges Bill be now read a second time.
4. MR. A. OSBORNE to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of Two hundred and fifty pounds, (£250,) for providing a Punt for Shoalhaven River, and Jetty at each side.
5. MR. COWPER to move, That the Sydney Exchange Company's Bill be now read a second time.

ORDERS OF THE DAY:—

1. Distresses for Rent Bill Reported ; Adoption of the Report.
2. Marine Assurance Company's Bill ; third reading.
3. Australasian Steam Navigation Company's Bill ; to be considered in Committee.
4. Maitland Cattle Bill Reported ; Adoption of the Report.

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TUESDAY, DECEMBER 2.

NOTICES OF MOTION:—

1. MR. COWPER to move,—
  - (1.) That the discovery of Gold in the interior of New South Wales, renders the construction of improved means of internal communication of deeper importance than ever to the prosperity of the Colony.
  - (2.) That Railroads are the best, and will eventually prove to be the cheapest, kind of Roads.
  - (3.) That as a great influx of Immigrants may be expected, as a result of the discovery of Gold, it is desirable that some large public works should be in such a state of forwardness, that in the event of a greater number arriving than the immediate necessities of the pastoral and agricultural interests require, employment may be offered to a portion of them upon their arrival in Sydney ; that Railroads are the first in importance for the requirements of the Colony, and will afford a suitable mode of giving them such employment.
  - (4.) That in the opinion of this Council, the Executive Government ought to give very liberal aid and encouragement to expedite the formation of Railroads.
  - (5.) That an Address be presented to the Governor-General, transmitting the above Resolutions for the information and favorable consideration of His Excellency.
2. MR. DARVALL to move, That the Penrith Nepean Bridge Bill be now read a second time.

ORDER OF THE DAY:—

1. Law simplifying Bill ; second reading.

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WEDNESDAY, DECEMBER 3.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Hyde Park Bill ; third reading.
2. Consideration of Governor-General's Message, No. 29, with Marriage Bill.
3. Consideration of Governor-General's Message, No. 30, with Registration Bill.
4. Postage Bill ; to be considered in Committee.
5. Gunpowder Destruction Bill ; to be considered in Committee.
6. Sydney Corporation Bill ; to be further considered in Committee.
7. Growing Timber Bill ; third reading.
8. Estimates for 1851-52 ; to be further considered in Committee, with Messages Nos. 23, 25, and 32.

CHARLES NICHOLSON,  
*Speaker.*



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

FRIDAY, 28 NOVEMBER, 1851.

- 1. Council met pursuant to adjournment; the Speaker took the Chair.  
 Acts Shortening Bill:—Mr. Hulroyd, as one of the Committee appointed to prepare this Bill, having presented the same, Bill, intituled, "A Bill for shortening the Language used in Acts of the Legislative Council," read a first time; ordered to be printed, and read a second time this day week.
- 2. Licenses to dig Gold on Leased Crown Lands:—Mr. Bligh moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return specifying:—
  - (1.) All Lands held by any person or persons under Lease or License from the Crown, upon which Gold has been raised under authority of the Government—the names of the Lessees or persons holding the same respectively—and the several terms and purposes for which the same were granted.
  - (2.) All purchased Lands upon which Gold has been raised under License from the Crown, and the Revenue derived therefrom.
  - (3.) The number of Licenses granted by or on behalf of the Crown, authorising other persons than the Lessees of demised or licensed lauds to use or occupy the same or portions thereof for other purposes than Gold digging; also the monthly Revenue derived therefrom.
  - (4.) The names of all such Lessees or holders of Crown Lands as have claimed compensation from the Government for injuries from Gold Diggers and other persons licensed by or under the Crown, shewing to whom compensation has been granted and to whom refused.
  - (5.) A Copy of all Correspondence between the Government and such Lessees or holders of Crown Lands relative to their respective claims for compensation.
 Debate ensued.  
 Question put.  
 Council divided.

Ayes, 20.

The Solicitor General,  
 The Attorney General,  
 Mr. Richardson,  
 Mr. Jeffreys,  
 Mr. Holden,  
 Mr. H. Osborne,  
 Mr. Darvall,  
 Mr. Wentworth,  
 Mr. Hughes,  
 The Auditor General,  
 Mr. Parker,  
 The Chief Commissioner of Crown Lands,  
 Mr. Bowman,  
 Mr. Flood,  
 Mr. Martineau,  
 Dr. Douglass,  
 Mr. A. Osborne,  
 The Colonial Secretary,  
 Mr. Holroyd, } Tellers.  
 Mr. Bligh, }

Noes, 9.

Mr. J. Macarthur,  
 The Collector of Customs,  
 Mr. Smart,  
 Mr. Donaldson,  
 Captain King,  
 Mr. Campbell,  
 Mr. Jones,  
 The Colonial Treasurer, } Tellers.  
 Mr. Cowper, }

3. **Cattle Slaughtering Bill**:—Mr. Martin moved, pursuant to notice, for leave to bring in a Bill to amend the Laws respecting the Slaughtering of Cattle.  
Question put and passed.
4. **Messages**:—The following Messages from His Excellency the Governor-General received and read:—

(1.) Expense of the Administration of Justice.

CH<sup>S</sup>. A. FITZ ROY,  
Governor-General.

Message No. 33.

Referring to the intimation made in the Governor-General's opening Address to the Council at the commencement of the present Session, His Excellency now transmits to the Council Copies of the Report of the Board, of which His Honor the Chief Justice was Chairman, and Minute of the Executive Council on the subject of the Contingent and Miscellaneous expenses of the Administration of Justice. His Excellency also transmits Statements in detail of the whole expenditure in respect of Services chargeable on Schedules A and B respectively of the Act 5 and 6 Victoria cap: 76, from the 1st of January to the 30th of June 1851.

2. These Documents shew the state of the account on these two Schedules when closed on the creation of Port Phillip into a separate Colony, and on the Schedules under the new Act 13 and 14 Victoria cap: 59 being brought into operation.

3. In the Governor's Message No. 5 of the 16th September 1846 it was pointed out that the funds provided by Schedule A. of the former Act, would be insufficient to cover the expenses of the Courts of Requests and Insolvent Courts amounting then to about Five thousand pounds annually, and which, up to that time, had been directly paid out of the fees collected in those Courts. The Council accordingly voted in that year a supplement to the Schedule for the Administration of Justice of Four thousand three hundred and eighty-five pounds thirteen shillings and four pence. It was however understood that so long as there was a Surplus on Schedule B which could be transferred to make up the deficiency, the amount so voted would not be used. The entire available surplus at the credit of Schedule B has been applied to this purpose, but on closing the accounts there appears a deficiency of nine thousand four hundred and seventy-eight pounds thirteen shillings and four pence.

4. As there was a surplus on the Schedule account sufficient to make up the deficiency in 1847, the vote of four thousand three hundred and eighty-five pounds thirteen shillings and four pence has never been made use of; but, in accordance with the views expressed in the Message of 1846 above referred to, the Governor-General considers it proper to make a further application to the Council for provision for the entire deficiency which could not be met out of the surplus of Schedule B. The proportion which is considered fairly chargeable to this Colony is five thousand eight hundred and seventeen pounds, four shillings and seven pence, and for this amount therefore, a vote is requested.

5. The Governor-General also transmits to the Council Copy of the Report of a Board appointed to enquire into the causes which have rendered it necessary to make this application to the Council.

6. As already explained in His Excellency's opening Address, it is his desire that the expenditure under the Schedules should, at the convenience of the Council, be made the subject of investigation by a Select Committee, although the expenditure for the ensuing year has been brought within the amount appropriated for the purpose by Parliament.

*Government House*

*Sydney 23th November 1851.*

Ordered to be printed, together with the accompanying Documents, and taken into consideration with the Estimates of Expenditure for the year 1851-52, on Wednesday next.

(2.) **Customs' Duties Bill.**

CH<sup>S</sup>. A. FITZ ROY,  
Governor-General.

Message No. 34.

In accordance with the provisions of the Act of the Imperial Parliament 5th and 6th Victoria cap 76, the Governor General transmits to the Legislative Council, the Draft of a Bill, intituled "*A Bill for granting Duties of Customs.*"

*Government House*

*Sydney 23th November 1851.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Thursday next.

5. **Cattle Slaughtering Bill**:—*Ordered*, on motion of Mr. Martin, That the Mover and Seconder prepare and bring in this Bill.
6. **Cataract and Nepean Bridges Bill**:—Mr. Holden moved, pursuant to notice, That this Bill be now read a second time.  
Question put and passed; Bill read a second time.
7. **Cattle Slaughtering Bill**:—Mr. Martin having *presented* this Bill, Bill, intituled, "*A Bill to amend the Laws for the Slaughtering of Cattle,*" read a first time; ordered to be printed, and read a second time this day week.
- Cataract und Nepean Bridges Bill**:—On motion of Mr. Holden, ordered to be considered in Committee on Tuesday next.

- 9. Shoalhaven Punt and Jetties :—Mr. Alick Osborne moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1852, the sum of Two hundred and fifty pounds, (£250,) for providing a Punt for Shoalhaven River, and Jetty at each side.  
Debate ensued.  
Motion by leave withdrawn.
- 10. Sydney Exchange Company's Bill :—Mr. Cowper moved, pursuant to notice, That this Bill be now read a second time.  
Debate ensued.  
Question put and passed ; Bill read a second time ; to be considered in Committee on Tuesday next.
- 11. Distresses for Rent Bill Reported :—Mr. Martin moved, "That" the Report of this Bill from the Committee of the whole Council be now Adopted.  
The Solicitor General moved, That the Question be amended, by the omission of all the words following the word "That," with a view to the insertion in their place of the words " the Speaker do now leave the Chair, and the Council resolve itself into " a Committee of the whole, for the further consideration of this Bill."  
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.  
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.  
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill,—put and passed ;— Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.  
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
- 12. Marine Assurance Company's Bill, on motion of Mr. Cowper, read a third time, and passed.  
Mr. Cowper then moved that the following be the title of the Bill, viz., " An Act " to Incorporate the New South Wales Marine Assurance Company."  
Question put and passed.
- 13. Australasian Steam Navigation Company's Bill :—On motion of Mr. Cowper, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The Chairman having reported the Bill without amendment, the Council ordered the Adoption of the Report to stand an Order of the Day for Tuesday next.
- 14. Maitland Cattle Bill Reported :—Mr. Martin moved, " That" the Report of this Bill from the Committee of the whole Council, be now Adopted.  
Mr. Bowman moved, That the Question be amended by the omission of all the words following the word " That" with a view to the insertion in their place of the words " the " Speaker do now leave the Chair, and the Council resolve itself into a Committee of " the whole, for the further consideration of this Bill."  
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.  
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.  
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of this Bill,—put and passed ;— Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.  
The Chairman having reported the Bill with further amendments, the Council ordered the Adoption of the Report to stand an Order of the Day for Tuesday next.  
Council adjourned at twenty minutes after Seven o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 2.

NOTICES OF MOTION :—

- 1. MR. COWPER to move,—
  - (1.) That the discovery of Gold in the interior of New South Wales, renders the construction of improved means of internal communication of deeper importance than ever to the prosperity of the Colony.
  - (2.) That Railroads are the best, and will eventually prove to be the cheapest, kind of Roads.
  - (3.) That as a great influx of Immigrants may be expected, as a result of the discovery of Gold, it is desirable that some large public works should be in such a state of forwardness, that in the event of a greater number arriving than the immediate necessities of the pastoral and agricultural interests require, employment may be offered to a portion of them upon their arrival in Sydney ; that Railroads are the first in importance for the requirements of the Colony, and will afford a suitable mode of giving them such employment.
  - (4.) That in the opinion of this Council, the Executive Government ought to give very liberal aid and encouragement to expedite the formation of Railroads.
  - (5.) That an Address be presented to the Governor-General, transmitting the above Resolutions for the information and favorable consideration of His Excellency.

2. MR. DARVALL to move, That the Penrith Nepean Bridge Bill be now read a second time.
3. MR. MARTIN to move, That an Address be presented to His Excellency the Governor-General, requesting that an additional sum of £2000, may be placed upon the Estimates for the year 1852, to be applied by "the Board of National Education," in support of National Schools, together with the sum of £3500, already placed on the Estimates for that purpose.
4. MR. MARTIN to move for leave to bring in a Bill to amend an Act for the regulation of the Police Force in New South Wales.
5. MR. HOLROYD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all correspondence which has taken place between the Government and Mr. Charles William Croaker, in reference to the matter of over-rent paid by him for a run called Cocomingla, in the Lachlan District.
6. MR. HOLROYD to move, That a Select Committee be appointed to enquire into the working and tendency of the Gold Regulations upon the Mining and National interests of this Colony; and that such Committee consist of Mr. Bligh, Mr. Donaldson, Mr. Holden, Mr. Hughes, Mr. Martin, Mr. Nichols, the Colonial Secretary, and Mr. Wentworth.
7. MR. HOLROYD to move, That an Address be presented to His Excellency the Governor-General, praying that a sum of £500, may be placed upon the Estimates for the year 1852, to be applied in ventilating the Legislative Council Chamber, and in building or providing a Refreshment room and offices for the use of the Members.
8. THE COLONIAL SECRETARY to move, That a Select Committee be appointed, consisting of Mr. Leslie, Mr. Hughes, Captain Dumaresq, Mr. Donaldson, Mr. Holden, Mr. William Macarthur, Mr. Bradley, Mr. Icely, and Mr. Martin, to suggest an equitable distribution of the sums placed on the Estimates for 1852, amounting to £21,000, for the repair of the great leading Thoroughfares of the Colony.
9. THE SOLICITOR GENERAL to move, That the Sydney Bethel Union Bill be now read a second time.

## ORDER OF THE DAY:—

1. Law simplifying Bill; second reading.
2. Cataract and Nepean Bridges Bill; to be considered in Committee.
3. Sydney Exchange Company's Bill; to be considered in Committee.
4. Distresses for Rent Bill Reported; to be further considered in Committee.
5. Australasian Steam Navigation Company's Bill Reported; Adoption of the Report.
6. Maitland Cattle Bill Reported (2<sup>d</sup>); Adoption of the Report.

## WEDNESDAY, DECEMBER 3.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Hyde Park Bill; third reading.
2. Consideration of Governor-General's Message, No. 29, with Marriage Bill.
3. Consideration of Governor-General's Message, No. 30, with Registration Bill.
4. Postage Bill; to be considered in Committee.
5. Gunpowder Destruction Bill; to be considered in Committee.
6. Sydney Corporation Bill; to be further considered in Committee.
7. Growing Timber Bill; third reading.
8. Estimates for 1851-52; to be further considered in Committee, with Messages Nos. 23, 25, 32, and 33.

## THURSDAY, DECEMBER 4.

## GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Consideration of Governor-General's Message, No. 34, with Customs' Duties Bill.

## FRIDAY, DECEMBER 5.

## NOTICE OF MOTION:—

1. Mr. Wentworth to move:—
  - (1.) That the Petitions to Her Majesty and both Houses of Parliament, brought up by the Select Committee of this House appointed, on the 31st of October last, to prepare them, be Adopted.
  - (2.) That an Address be presented to His Excellency the Governor-General, requesting him to transmit the Petition to Her Majesty for presentation to the Right Honorable the Secretary of State for the Colonies.
  - (3.) That the Petition to the House of Commons be forwarded by the Speaker for presentation to Lord Naas, Lord Jocelyn, Mr. Adderley, and Mr. Hume.
  - (4.) That the Petition to the House of Lords be forwarded by the Speaker for presentation to Lord Monteaigle and the Duke of Argyll.
  - (5.) That the Speaker be authorised to send copies of these Petitions to any Member the Houses of Lords or Commons, or any other influential person; and to solicit the influence of gentlemen to whom either the original Petitions or copies thereof may be so forwarded, to support the prayer of these Petitions and the measures necessary to give effect to such prayer.

## ORDERS OF THE DAY:—

1. Acts Shortening Bill; second reading.
2. Cattle Slaughtering Bill; second reading.

CHARLES NICHOLSON,  
Speaker.

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

TUESDAY, 2 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
City Lighting Rate:—Mr. Campbell presented a Petition from certain residents at Pyrmont, praying to be relieved from payment of the City Lighting Rate, until the City Council shall have lighted their District.  
Petition received.
2. Assent to Bills:—The Speaker reported that His Excellency the Governor-General had been pleased to give the Royal Assent to the following Bills, viz. :—
  - (1.) Gunpowder Exportation Bill.
  - (2.) Orphans' Apprenticing Bill.
  - (3.) Jury Bill.
  - (4.) Vagrant Bill.
  - (5.) Hard Labor Bill.
  - (6.) Marine Assurance Company's Bill.
3. Presbyterian Schools:—Mr. Morris presented a Petition from the Very Revd. the Moderator of the Synod of Australia in connexion with the Established Church of Scotland, praying the Council to take measures to enable the Presbyterian Schools that will be broken up in consequence of the altered distribution of the money voted for Denominational Schools, for the year 1852, to be placed under the Board of National Education.  
Petition received.
4. Deceased Persons' Estates Bill:—The following Message from His Excellency the Governor-General received and read:—  

CH <sup>S</sup> . A. FITZ ROY,	<i>Message No. 35.</i>
<i>Governor-General.</i>	

Agreeably to the provisions of the 30th clause of the Act for the Government of New South Wales and Van Diemen's Land the Governor-General has to propose the following amendment in the Bill which has been passed by the Council and presented to His Excellency for the Royal Assent intituled "*A Bill to amend in certain particulars the act passed for the better preservation of the Estates of deceased persons.*"

2. The amendment which His Excellency proposes, is the addition of the following clause to the Bill passed by the Council, namely,—“ And be it enacted that it shall be lawful for the Curator at any time or times hereafter, with the consent in writing of one of the Judges, to depute the actual collection of any Estate or Estates and the goods debts and moneys therein, to one of the Official Assignees in Insolvency; and thereafter every Assignee so deputed in respect of every Estate committed to him under this section, shall be deemed an Agent of the Curator within the meaning of the aforesaid recited Act, and shall be bound to account from time to time to him, as and when such Curator (or as the Supreme Court, or any Judge thereof) shall from time to time require, and shall pay over all balances in his hands to the Curator monthly or oftener if so required, and shall be entitled to retain to his own use, out of the property realized and moneys collected by him, a commission of not less than three, nor more than five per cent, as one of the Judges may in each case appoint, as a remuneration for his services therein.”

*Government House,  
Sydney 2nd December; 1851.*

Ordered to be printed, and taken into consideration on Thursday next.
5. Geological Surveys:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted, on motion of Mr. Cowper, on the 28th October last.  
Ordered to be printed.
6. Exiles:—The Colonial Secretary laid upon the Table the Return to the Address in reference to these persons, adopted, on motion of Mr. Cowper, on the 23rd October last.  
Ordered to be printed.
7. Coroners' Inquests and Magisterial Inquiries:—The Colonial Secretary laid upon the Table the Return to the Address on these subjects, adopted, on motion of Mr. Nichols, on the 11th ultimo.  
Ordered to be printed.
8. Railways:—Mr. Cowper moved, pursuant to notice:—
  - (1.) That the discovery of Gold in the interior of New South Wales, renders the construction of improved means of internal communication of deeper importance than ever to the prosperity of the Colony.

(2.) That Railroads are the best, and will eventually prove to be the cheapest, kind of Roads.

(3.) That as a great influx of Immigrants may be expected, as a result of the discovery of Gold, it is desirable that some large public works should be in such a state of forwardness, that in the event of a greater number arriving than the immediate necessities of the pastoral and agricultural interests require, employment may be offered to a portion of them upon their arrival in Sydney; that Railroads are the first in importance for the requirements of the Colony, and will afford a suitable mode of giving them such employment.

(4.) That in the opinion of this Council, the Executive Government ought to give very liberal aid and encouragement to expedite the formation of Railroads.

(5.) That an Address be presented to the Governor-General, transmitting the above Resolutions for the information and favorable consideration of His Excellency.

Debate ensued.

Mr. Wentworth moved the Previous Question.

Debate continued.

Previous Question put—" Shall the Question be now put?"

Council divided.

Mr. Martin having suggested the Question whether it was competent to those Members who are Shareholders in the Sydney Railway Company to Vote upon this Question,—

The Speaker ruled, That the Question being calculated to affect the interests of the Company, those Members who are Shareholders of the Company ought to withdraw,—

And such Members having withdrawn accordingly,

The Previous Question was again put—" Shall the Question be now put?"

Council again divided.

Ayes, 12.

Mr. Lamb,  
Mr. William Macarthur,  
Mr. Macleay  
The Collector of Customs,  
The Attorney General,  
The Colonial Secretary,  
Mr. H. Osborne,  
The Solicitor General,  
The Chief Commissioner of Crown  
Lands,  
The Postmaster General,  
Mr. Morris, } Tellers.  
Mr. Donaldson, }

Noes, 14.

The Colonial Treasurer,  
Mr. Alick Osborne,  
Mr. Leslie,  
Mr. Dobie,  
Mr. Darvall,  
Captain King,  
Captain Dumaresq,  
Mr. Icely,  
Mr. Holden,  
Mr. Bligh,  
Mr. James Macarthur,  
Mr. Wentworth,  
Mr. Holroyd, } Tellers.  
Mr. Martin, }

9. Penrith Nepean Bridge Bill :—Mr. Darvall moved, pursuant to notice, That this Bill be now read a second time.

Debate ensued.

Question put and passed; Bill read a second time; to be considered in Committee on Friday next.

10. National Schools :—Mr. Martin moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, requesting that an additional sum of £2000, may be placed upon the Estimates for the year 1852, to be applied by "the Board of National Education," in support of National Schools, together with the sum of £3500, already placed on the Estimates for that purpose.

Debate ensued.

Question put.

Council divided.

Ayes, 22.

Mr. A. Osborne,  
The Inspector-General of Police,  
Mr. Allen,  
The Chief Commissioner of Crown  
Lands,  
The Postmaster General,  
Mr. H. Osborne,  
The Auditor General,  
Mr. Morris,  
Mr. W. Macarthur,  
Mr. Dobie,  
Mr. Wentworth,  
Mr. Macleay,  
Mr. Lamb,  
Mr. Oakes,  
Mr. Flood,  
Mr. Holroyd,  
Mr. J. Macarthur,  
The Solicitor General,  
The Attorney General,  
The Colonial Secretary,  
Mr. Leslie, } (Tellers.)  
Mr. Martin, }

Noes, 7.

Mr. Jeffreys,  
Mr. Parker,  
Captain Dumaresq,  
Captain King,  
Mr. Campbell,  
Mr. Holden, } (Tellers.)  
Mr. Cowper, }



- 11. Postponement:—Mr. Martin postponed the motion standing in his name fourth on the Notice Paper for to-day, until Friday next.
- 12. Mr. Charles William Croaker:—Mr. Holroyd moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of all correspondence which has taken place between the Government and Mr. Charles William Croaker, in reference to the matter of over-rent paid by him for a run called Cocomingla, in the Lachlan District.  
Question put and passed.
- 13. Gold Regulations:—Mr. Holroyd moved, pursuant to notice, That a Select Committee be appointed to enquire into the working and tendency of the Gold Regulations upon the Mining and National interests of this Colony; and that such Committee consist of Mr. Bligh, Mr. Donaldson, Mr. Holden, Mr. Hughes, Mr. Martin, Mr. Nichols, the Colonial Secretary, and Mr. Wentworth.  
Debate ensued.  
Motion by leave withdrawn.
- 14. Legislative Council Chambers:—Mr. Holroyd moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that a sum of £500, may be placed upon the Estimates for the year 1852, to be applied in ventilating the Legislative Council Chamber, and in building or providing a Refreshment room and offices for the use of the Members.  
Debate ensued.  
Mr. Cowper moved, That the Question be amended by the omission of the figures "500," with a view to the insertion in their place of the figures "250."  
Question,—That the figures proposed to be omitted stand part of the Question,—put and negatived.  
Question,—That the figures proposed to be inserted in place of the figures omitted be so inserted,—put and passed.  
Question,—That an Address be presented to His Excellency the Governor-General, praying that a sum of £250, may be placed upon the Estimates for the year 1852, to be applied in ventilating the Legislative Council Chamber, and in building or providing a Refreshment room and offices for the use of the Members,—put and passed.
- 15. Great Leading Thoroughfares:—The Colonial Secretary moved, pursuant to notice, That a Select Committee be appointed, consisting of Mr. Leslie, Mr. Hughes, Captain Dumaresq, Mr. Donaldson, Mr. Holden, Mr. William Macarthur, Mr. Bradley, Mr. Icely, and Mr. Martin, to suggest an equitable distribution of the sums placed on the Estimates for 1852, amounting to £21,000, for the repair of the great leading-Thoroughfares of the Colony.  
Question put and passed.
- 16. Sydney Bethel Union Bill:—The Solicitor General moved; pursuant to notice, That this Bill be now read a second time.  
Question put and passed; Bill read a second time; to be considered in Committee on Friday next.
- 17. Postponements:—
  - (1.) The second reading of the Law Simplifying Bill postponed, on motion of the Solicitor General, on behalf of Mr. Darvall, until Friday next.
  - (2.) The consideration in Committee of the Cataract and Nepean Bridges Bill, postponed, on motion of Mr. Holden, until Friday next.
  - (3.) The consideration in Committee of the Sydney Exchange-Company's Bill postponed, on motion of Mr. Cowper, until Tuesday next.
  - (4.) The further consideration in Committee of the Distresses for Rent Bill postponed, on motion of Mr. Martin, until Tuesday next.
- 18. Australasian Steam Navigation Company's Bill Reported:—The Report of this Bill from a Committee of the whole Council having been adopted, on motion of Mr. Cowper, Bill, as so reported, ordered to be read a third time on Tuesday next.
- 19. Maitland Cattle Bill Reported (2<sup>d</sup>):—The Report (2<sup>d</sup>) of this Bill from the Committee of the whole Council having been adopted, on motion of Mr. Martin, on behalf of Mr. Nichols, Bill, as so reported, ordered to be read a third time on Tuesday next.  
Council adjourned at Twenty Minutes after Nine o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

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WEDNESDAY, DECEMBER 3.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Hyde Park Bill ; third reading.
  2. Consideration of Governor-General's Message, No. 29, with Marriage Bill.
  3. Consideration of Governor-General's Message, No. 30, with Registration Bill.
  4. Postage Bill ; to be considered in Committee.
  5. Gunpowder Destruction Bill ; to be considered in Committee.
  6. Sydney Corporation Bill ; to be further considered in Committee.
  7. Growing Timber Bill ; third reading.
  8. Estimates for 1851-52 ; to be further considered in Committee, with Messages Nos. 23, 25, 32, and 33.
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THURSDAY, DECEMBER 4.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor-General's Message, No. 34, with Customs' Duties Bill.
  2. Consideration of Governor-General's Message No. 36, proposing an amendment in the Deceased Persons' Estates Bill.
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FRIDAY, DECEMBER 5.

## NOTICES OF MOTION :—

1. Mr. Wentworth to move :—
  - (1.) That the Petitions to Her Majesty and both Houses of Parliament, brought up by the Select Committee of this House appointed, on the 31st of October last, to prepare them, be Adopted.
  - (2.) That an Address be presented to His Excellency the Governor-General, requesting him to transmit the Petition to Her Majesty for presentation to the Right Honorable the Secretary of State for the Colonies.
  - (3.) That the Petition to the House of Commons be forwarded by the Speaker for presentation to Lord Naas, Lord Jocelyn, Mr. Adderley, and Mr. Hume.
  - (4.) That the Petition to the House of Lords be forwarded by the Speaker for presentation to Lord Monteagle and the Duke of Argyle.
  - (5.) That the Speaker be authorised to send copies of these Petitions to any Member of the Houses of Lords or Commons, or any other influential person ; and to solicit the influence of gentlemen to whom either the original Petitions or copies thereof may be so forwarded, to support the prayer of these Petitions and the measures necessary to give effect to such prayer.
2. MR. MARTIN to move for leave to bring in a Bill to amend an Act for the regulation of the Police Force in New South Wales.

## ORDERS OF THE DAY :—

1. Acts Shortening Bill ; second reading.
  2. Cattle Slaughtering Bill ; second reading.
  3. Penrith Nepean Bridge Bill ; to be considered in Committee.
  4. Sydney Bethel Union Bill ; to be considered in Committee.
  5. Law Simplifying Bill ; second reading.
  6. Cataract and Nepean Bridges Bill ; to be considered in Committee.
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TUESDAY, DECEMBER 9.

## ORDERS OF THE DAY :—

1. Sydney Exchange Company's Bill ; to be considered in Committee.
2. Distresses for Rent Bill Reported ; to be further considered in Committee.
3. Australasian Steam Navigation Company's Bill ; third reading.
4. Maitland Cattle Bill ; third reading.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

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WEDNESDAY, 3 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
New Treasury and Audit Office:—Mr. Wentworth presented a Petition from Jacob Inder and Henry Tobbutt, lately trading under the firm of Jacob Inder and Company, representing that in consequence of emigration to California, and the subsequent discovery of gold in this Colony, labor became so scarce and dear that these buildings have cost Petitioners eight hundred pounds over and above the sum received by them on the Contract, in addition to the loss of their own time and reasonable profit, and praying relief in the premises.  
Petition received.
2. Parish Roads' Bill:—Mr. Cowper, as Chairman, brought up the Report and laid upon the Table the Evidence taken before the Select Committee to whose consideration and report this Bill was referred on the 19th ultimo, and to whom was also referred the Petition against such Bill received by the Council on the 26th ultimo.  
Ordered to be printed.
3. Hyde Park Bill, on motion of the Colonial Secretary, read a third time, and *passed*.  
The Colonial Secretary then moved, That the following be the title of the Bill, viz.,  
"An Act to authorise the enclosure of the Public Road running through Hyde Park, in the City of Sydney, known as a continuation of Macquarie-street, and for other purposes relating thereto."  
Question put and passed.
4. Postponements:—The second and third Orders of the Day postponed, on motion of the Colonial Secretary, until the fourth Order of the Day shall have been disposed of.
5. Postage Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The Chairman reported progress, and obtained leave to sit again this day week.
6. Postponements:—  
(1.) The consideration of the Governor-General's Message No. 29 with Marriage Bill postponed, on motion of the Attorney General, until to-morrow.  
(2.) The consideration of the Governor-General's Message No. 30, with Registration Bill, postponed, on motion of the Attorney General, until to-morrow.
7. Gunpowder Destruction Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.  
The Chairman having reported the Bill with an amendment, the Council ordered the Adoption of the Report to stand an Order of the Day for to-morrow.
8. Postponement:—The further consideration in Committee of the Sydney Corporation Bill postponed, on motion of the Attorney General, until to-morrow.
9. Sand Hills' Bill, (heretofore Growing Timber Bill,) on motion of the Solicitor General, read a third time, and *passed*.  
The Solicitor General then moved, That the following be the title of the Bill, viz.,  
"An Act to prevent the denudation of the Sand Hills in the neighbourhood of Sydney."  
Question put and passed.
10. Postponement:—The further consideration in Committee of the Supplementary Estimate and Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages Nos. 23, 25, 32, and 33 postponed, on motion of the Colonial Treasurer, until to-morrow.  
Council adjourned at ten minutes after Nine o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

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THURSDAY, DECEMBER 4.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor-General's Message, No. 34, with Customs' Duties Bill.
2. Consideration of Governor-General's Message No. 35, proposing an amendment in the Deceased Persons' Estates Bill.
3. Consideration of Governor-General's Message, No. 29, with Marriage Bill.
4. Consideration of Governor-General's Message, No. 30, with Registration Bill.
5. Gunpowder Destruction Bill Reported; Adoption of the Report.
6. Sydney Corporation Bill; to be further considered in Committee.
7. Estimates for 1851-52; to be further considered in Committee, with Messages Nos. 23, 25, 32, and 33.

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FRIDAY, DECEMBER 5.

## NOTICES OF MOTION:—

1. Mr. Wentworth to move:—
  - (1.) That the Petitions to Her Majesty and both Houses of Parliament, brought up by the Select Committee of this House appointed, on the 31st of October last, to prepare them, be Adopted.
  - (2.) That an Address be presented to His Excellency the Governor-General, requesting him to transmit the Petition to Her Majesty for presentation to the Right Honorable the Secretary of State for the Colonies.
  - (3.) That the Petition to the House of Commons be forwarded by the Speaker for presentation to Lord Naas, Lord Jocelyn, Mr. Adderley, and Mr. Hume.
  - (4.) That the Petition to the House of Lords be forwarded by the Speaker for presentation to Lord Montague and the Duke of Argyle.
  - (5.) That the Speaker be authorised to send copies of these Petitions to any Member of the Houses of Lords or Commons, or any other influential person; and to solicit the influence of gentlemen to whom either the original Petitions or copies thereof may be so forwarded, to support the prayer of these Petitions and the measures necessary to give effect to such prayer.
2. MR. MARTIN to move for leave to bring in a Bill to amend an Act for the regulation of the Police Force in New South Wales.

## ORDERS OF THE DAY:—

1. Acts Shortening Bill; second reading.
2. Cattle Slaughtering Bill; second reading.
3. Penrith Nepean Bridge Bill; to be considered in Committee.
4. Sydney Bethel Union Bill; to be considered in Committee.
5. Law Simplifying Bill; second reading.
6. Cataract and Nepean Bridges Bill; to be considered in Committee.

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TUESDAY, DECEMBER 9.

## NOTICE OF MOTION:—

1. MR. WENTWORTH to move, That the Petition of Messrs. Inder and Tubbutt, presented by him on the 3rd instant, be printed.

## ORDERS OF THE DAY:—

1. Sydney Exchange Company's Bill; to be considered in Committee.
2. Distresses for Rent Bill Reported; to be further considered in Committee.
3. Australasian Steam Navigation Company's Bill; third reading.
4. Maitland Cattle Bill; third reading.

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WEDNESDAY, DECEMBER 10.

## GOVERNMENT BUSINESS—ORDER OF THE DAY:—

4. Postage Bill; to be further considered in Committee.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

THURSDAY, 4 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
 Railways,—Question of Order :—Mr. Cowper moved, That in the opinion of this Council the names of certain Shareholders in the Sydney Railway Company who were prevented from Voting on the Motion in reference to Railways submitted to the Council on the 2nd instant, were rejected by the Speaker upon insufficient grounds. Debate ensued.  
 Mr. Cowper moved, That he have leave to withdraw the Motion.  
 Question put,—That Mr. Cowper have leave to withdraw the Motion.  
 Council divided.

Ayes, 23.	Noes, 13.
The Collector of Customs, The Attorney General, The Postmaster General, Mr. Flood, Mr. Bowman, Mr. Campbell, Mr. Jeffreys, Mr. Macleay Mr. Jones, Mr. Smart, Mr. Darvall, Captain Dumaresq, Mr. Holden, Mr. Lamb, Mr. Donaldson, Captain King, Mr. Icely, Mr. William Macarthur, The Auditor General, Mr. Parker, The Chief Commissioner of Crown Lands, Mr. Cowper, Mr. Jas. Macarthur,	The Colonial Treasurer, Mr. Hughes, Mr. Morris, Mr. Bettington, Mr. Bligh, Mr. Alick Osborne, Mr. Dobie, Mr. Bigge, The Solicitor General, Dr. Douglass, Mr. Wentworth, Mr. Martin, Mr. Holroyd,
} Tellers.	} Tellers.

- Motion withdrawn accordingly.
2. Assent to Bills :—The Speaker reported that His Excellency the Governor-General had been pleased to give the Royal Assent to the following Bills, viz. :—  
 (1.) Hyde Park Bill.  
 (2.) Sand Hills' Bill.
  3. Customs' Duties Bill :—The Governor-General's Message No. 34, received with this Bill on the 28th ultimo, having been read on motion of the Colonial Secretary,—  
 The Colonial Secretary moved, That the accompanying Bill be now read a first time. Debate ensued.  
 Question put and passed; and Bill, intituled, "*A Bill for granting Duties of Customs,*" read a first time.
  4. Deceased Persons' Estates Bill :—The Governor-General's Message No. 35, received on the 2nd instant, proposing an amendment in this Bill, having been read, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration thereof.  
 The Chairman having reported that the Committee had agreed to the amendment proposed by His Excellency the Governor-General,—

The Colonial Secretary moved, That this Council do now adopt the amendment so agreed to.

Question put and passed.

The Colonial Secretary then moved, That the Bill with the amendment so agreed to, be again presented to His Excellency the Governor-General, for the Royal Assent, accompanied by the following Message, to be presented by the Speaker :—

*Message from the Legislative Council to His Excellency the Governor-General, in answer to an Amendment proposed by His Excellency to be made in a Bill presented to His Excellency for Her Majesty's Assent, intituled "An Act to amend "in certain particulars the Act passed for the better preservation of the Estates "of deceased persons."*

"Agreeably to the provisions of the 30th Clause of the Act for the Government of New South Wales and Van Diemen's Land, 5th and 6th Victoria, chap. 76, the Legislative Council have taken into consideration an amendment proposed to the Council to be made in the said Bill, by His Excellency the Governor-General, in his Message No. 35, of the 2nd instant, and, having agreed to the same, beg to present the said Bill to His Excellency, for Her Majesty's Assent, with the said amendment so agreed to."

Question put and passed.

5. **Marriage Bill** :—The Governor-General's Message, No. 29, received with this Bill on the 21st ultimo, having been read on motion of the Attorney General,—  
The Attorney General moved, That the accompanying Bill be now read a first time. Question put and passed; and Bill, intituled, "*A Bill to regulate Marriages in the Colony of New South Wales,*" read a first time.
6. **Registration Bill** :—The Governor-General's Message, No. 30, received with this Bill on the 21st ultimo, having been read on motion of the Attorney General,—  
The Attorney General moved, That the accompanying Bill be now read a first time. Question put and passed; and Bill, intituled, "*A Bill for registering Births, Deaths, and Marriages, in the Colony of New South Wales,*" read a first time.
7. **Gunpowder Destruction Bill Reported** :—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of the Colonial Secretary, Bill, as so reported, ordered to be read a third time on Wednesday next.
8. **Postponements** :—  
(1.) The further consideration in Committee of the Sydney Corporation Bill postponed, on motion of the Attorney General, until Wednesday next.  
(2.) The further consideration in Committee of the Supplementary Estimate and Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages Nos. 23, 25, 32, and 33 postponed, on motion of the Colonial Treasurer, until Wednesday next, with the understanding that they stand first on the Orders of the Day.  
Council adjourned at half-past Eight o'clock, until to-morrow at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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FRIDAY, DECEMBER 5.

NOTICES OF MOTION :—

1. **Mr. Wentworth to move** :—  
(1.) That the Petitions to Her Majesty and both Houses of Parliament, brought up by the Select Committee of this House appointed, on the 31st of October last, to prepare them, be Adopted.  
(2.) That an Address be presented to His Excellency the Governor-General, requesting him to transmit the Petition to Her Majesty for presentation to the Right Honorable the Secretary of State for the Colonies.  
(3.) That the Petition to the House of Commons be forwarded by the Speaker for presentation to Lord Naas, Lord Jocelyn, Mr. Adderley, and Mr. Hume.  
(4.) That the Petition to the House of Lords be forwarded by the Speaker for presentation to Lord Monteagle and the Duke of Argyle.  
(5.) That the Speaker be authorised to send copies of these Petitions to any Member of the Houses of Lords or Commons, or any other influential person; and to solicit the influence of gentlemen to whom either the original Petitions or copies thereof may be so forwarded, to support the prayer of these Petitions and the measures necessary to give effect to such prayer.
2. **MR. MARTIN to move** for leave to bring in a Bill to amend an Act for the regulation of the Police Force in New South Wales.

ORDERS OF THE DAY :—

1. **Acts Shortening Bill**; second reading.
  2. **Cattle Slaughtering Bill**; second reading.
  3. **Penrith Nepean Bridge Bill**; to be considered in Committee.
  4. **Sydney Bethel Union Bill**; to be considered in Committee.
  5. **Law Simplifying Bill**; second reading.
  6. **Cataract and Nepean Bridges Bill**; to be considered in Committee.
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TUESDAY, DECEMBER 9.

NOTICE OF MOTION :—

1. MR. WENTWORTH to move, That the Petition of Messrs. Inder and Tebbutt, presented by him on the 3rd instant, be printed.

ORDERS OF THE DAY :—

1. Sydney Exchange Company's Bill ; to be considered in Committee.
2. Distresses for Rent Bill Reported ; to be further considered in Committee.
3. Australasian Steam Navigation Company's Bill ; third reading.
4. Maitland Cattle Bill ; third reading.

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WEDNESDAY, DECEMBER 10.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Estimates for 1851-52 ; to be further considered in Committee, with Messages Nos. 23, 25, 32, and 33.
2. Postage Bill ; to be further considered in Committee.
3. Gunpowder Destruction Bill ; third reading.
4. Sydney Corporation Bill ; to be further considered in Committee.

CHARLES NICHOLSON,  
*Speaker.*

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VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

FRIDAY, 5 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
General Grievances:—Mr. Wentworth having been called on to move the Resolutions standing in his name first on the Notice Paper for to-day,—  
Mr. Wentworth moved, That the Petitions to Her Majesty and both Houses of Parliament, on the General Grievances of the Colony, brought up by the Select Committee appointed on the 31st October last to prepare the same, be first read.  
Question put and passed; and Petitions accordingly read by the Clerk as follows:—

“ TO THE QUEEN'S MOST EXCELLENT MAJESTY.

“ The Humble Petition of the Legislative Council of New South Wales, appointed  
“ by virtue of the Imperial Act, 13th and 14th Victoria, chap. 59,

“ SHEWETH,

“ That the Legislative Council established by the Imperial Act, 5th and  
“ 6th Victoria, chap. 76, did, on the eve of their supersession by the Legislative Coun-  
“ cil now existing, adopt and enter on the Minutes of their House, the following  
“ Declaration and Remonstrance:—

“ ‘ We, the Legislative Council of New South Wales, in Council assembled,  
“ ‘ feel it to be a duty which we owe to ourselves, to our constituents, and to posterity,  
“ ‘ before we give place to the New Legislature, established by the 13th and 14th  
“ ‘ Vict., cap. 59, to record our deep disappointment and dissatisfaction at the Consti-  
“ ‘ tution conferred by that Act on this Colony. After the reiterated reports, resolu-  
“ ‘ tions, addresses, and petitions which have proceeded from us during the whole  
“ ‘ course of our Legislative career, against the Schedules appended to the 5 and 6  
“ ‘ Vict., cap. 76, and the appropriations of our Ordinary Revenue, under the sole  
“ ‘ authority of Parliament—against the administration of our Waste Lands, and our  
“ ‘ Territorial Revenue thence arising—against the withholding of the Customs De-  
“ ‘ partment from our control—against the dispensation of the patronage of the Colony  
“ ‘ at the dictation of the Minister for the Colonies—and against the veto reserved  
“ ‘ and exercised by the same Minister, in the name of the Crown, in matters of Local  
“ ‘ Legislation—we feel that we had a right to expect that these undoubted grievances  
“ ‘ would have been redressed by the 13 and 14 Vict., cap. 59; or that power to  
“ ‘ redress them would have been conferred on the constituent bodies thereby created,  
“ ‘ with the avowed intention of establishing an authority more competent than Par-  
“ ‘ liament itself to frame suitable constitutions for the whole group of the Australian  
“ ‘ Colonies. These, our reasonable expectations, have been utterly frustrated. The  
“ ‘ Schedules, instead of being abolished, have been increased. The powers of altering  
“ ‘ the appropriations in these Schedules, conferred on the Colonial Legislature by  
“ ‘ this new Act, limited as these powers are, have been, in effect, nullified by the subse-  
“ ‘ quent Instructions of the Colonial Minister. The exploded fallacies of the Wakefield  
“ ‘ theory are still clung to; the pernicious Land Sales Act (5 and 6 Vict., cap. 36,)  
“ ‘ is still enforced; and thousands of our fellow subjects, (in consequence of the un-  
“ ‘ due price put by that mischievous and impolitic enactment upon our waste lands,  
“ ‘ in defiance of the precedents of the United States, of Canada, and the other North  
“ ‘ American Colonies, and even of the neighbouring Colony of the Cape of Good  
“ ‘ Hope,) are annually diverted from our shores, and thus forced, against their will,  
“ ‘ to seek a home for themselves and their children in the backwoods of America.  
“ ‘ Nor is this all—Our Territorial Revenue, diminished as it is by this most mis-  
“ ‘ taken policy, is, in a great measure, confined to the introduction among us of  
“ ‘ people unsuited to our wants, and in many instances, the outpourings of the poor-  
“ ‘ houses and unions of the United Kingdom, instead of being applied in directing  
“ ‘ to this Colony a stream of vigorous and efficient labour, calculated to elevate the  
“ ‘ character of our industrial population. The bestowal of office among us, with but  
“ ‘ partial exception, is still exercised by or at the nomination of the Colonial Minis-  
“ ‘ ter, and without any reference to the just claims of the Colonists, as if the Colony  
“ ‘ itself were but the fief of that Minister. The salaries of the Officers of the Cust-  
“ ‘ oms and all other departments of Government, included in the Schedules, are  
“ ‘ placed beyond our control; and the only result of this new enactment, introduced  
“ ‘ into Parliament by the Prime Minister himself, with the declared intention of  
“ ‘ conferring

“ conferring upon us enlarged powers of self government, and treating us, at last,  
 “ as an integral portion of the Empire—is, that all the material powers exercised  
 “ for centuries by the House of Commons, are still withheld from us; that our  
 “ loyalty and desire for the maintenance of order and good government are so far  
 “ distrusted that we are not permitted to vote our own Civil List, lest it might  
 “ prove inadequate to the requirements of the Public Service; that our Waste Lands,  
 “ and our Territorial Revenue, for which Her Majesty is but a trustee, instead of  
 “ being spontaneously surrendered, as the equivalent for such Civil List, is still  
 “ reserved, to the great detriment of all classes of Her Majesty’s subjects, in order to  
 “ swell the patronage and power of the Ministers of the Crown; that whilst, in de-  
 “ fiance of the Declaratory Act (18 Geo. III, cap. 12, sec. 1,) which has hitherto been  
 “ considered the Magna Charta of the representative rights of all the British Plan-  
 “ tations, a large amount of our Public Revenue is thus levied and appropriated by  
 “ the authority of Parliament, we have not even the consolation of seeing that por-  
 “ tion of it which is applied to the payment of the Salaries of our Public Officers  
 “ distributed, as it ought to be, among the settled inhabitants; and that, as a fit  
 “ climax to this system of misrule, we are not allowed to exercise the most ordinary  
 “ legislation which is not subject to the veto of the Colonial Minister.

“ Thus circumstanced, we feel that, on the eve of the dissolution of this  
 “ Council, and as the closing act of our Legislative existence, no other course is open  
 “ to us but to enter on our Journals our Declaration, Protest, and Remonstrance, as  
 “ well against the Act of Parliament itself (13 and 14 Vict., cap. 59), as against  
 “ the Instructions of the Minister, by which the small power of retrenchment that  
 “ Act confers on the Colonial Legislature has thus been overridden; and to bequeath  
 “ the redress of the grievances, which we have been unable to effect by constitutional  
 “ means, to the Legislative Council by which we are about to be succeeded.

“ We, the Legislative Council of New South Wales, do accordingly hereby  
 “ solemnly protest, insist, and declare as follows:—

1st.—“ That the Imperial Parliament has not, nor of right ought to have, any  
 “ power to tax the people of this Colony, or to appropriate any of the  
 “ moneys levied by authority of the Colonial Legislature;—that this  
 “ power can only be lawfully exercised by the Colonial Legislature,—and  
 “ that the Imperial Parliament has solemnly disclaimed this power by the  
 “ 18 Geo. III, cap. 12, sec 1, which Act remains unrepealed.

2nd.—“ That the Revenue arising from the Public Lands, derived as it is  
 “ mainly, from the value imparted to them by the labor and capital  
 “ of the people of this Colony, is as much their property as the Ordinary  
 “ Revenue, and ought, therefore, to be subject only to the like control  
 “ and appropriation.

3rd.—“ That the Customs and all other Departments should be subject to the  
 “ direct supervision and control of the Colonial Legislature; which should  
 “ have the appropriation of the gross Revenues of the Colony, from what-  
 “ ever source arising; and as a necessary incident to this authority, the  
 “ regulation of the salaries of all Colonial Officers.

4th.—“ That Offices of trust and emolument should be conferred only on the  
 “ settled inhabitants, the office of Governor alone excepted; that this  
 “ Officer should be appointed and paid by the Crown; and that the whole  
 “ patronage of the Colony should be vested in him and the Executive  
 “ Council, unfettered by Instructions from the Minister for the Colonies.

5th.—“ That plenary powers of Legislation should be conferred upon and  
 “ exercised by the Colonial Legislature for the time being; and that no  
 “ Bills should be reserved for the signification of Her Majesty’s Pleasure,  
 “ unless they affect the Prerogatives of the Crown, or the general interests  
 “ of the Empire.

“ Solemnly protesting against these wrongs, and insisting upon these our  
 “ undoubted rights, we leave the redress of the former, and the assertion of the latter,  
 “ to the people whom we represent, and the Legislature which shall follow us.”

“ That we the succeeding Legislative Council, do accordingly present to Your  
 “ Majesty, our affirmation of the same grievances, all of which, with a slight  
 “ modification in the patronage of the Customs Department, by no means com-  
 “ surate with the rights in the said protest and declaration insisted upon, remain  
 “ unredressed.

“ That these grievances having formed the subject of repeated representations  
 “ and complaints from the former Legislative Council, all of which have met with  
 “ neglect or disregard from Your Majesty’s Colonial Minister, we owe it to ourselves  
 “ and our constituents, to denounce to Your Majesty, as the chief grievance to which  
 “ the people of this Colony are subjected, the systematic and mischievous interference  
 “ which is exercised by that Minister even in matters of purely local concernment.

“ That whilst we are most anxious to strengthen and perpetuate the connexion  
 “ which still happily subsists with our Father land, we feel it a solemn duty to  
 “ Your Majesty and our fellow Countrymen in the United Kingdom, to declare  
 “ that it will be impossible much longer to maintain the authority of a Local  
 “ Executive which is obliged by its Instructions to refer all measures of importance,  
 “ no matter how great the urgency for their immediate adoption, for the decision of  
 “ an inexperienced, remote, and irresponsible Department.

“ That in order, however, that Your Majesty’s Confidential Advisers may have  
 “ no excuse for the continuance of these abuses, we unhesitatingly declare that we  
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“ are prepared upon the surrender to the Colonial Legislature of the entire manage-  
 “ ment of all our Revenues, Territorial as well as General, in which we include  
 “ Mines of every description, and upon the establishment of a Constitution among us  
 “ similar in its outline to that of Canada, to assume and provide for the whole cost  
 “ of our Internal Government, whether Civil or Military, the salary of the Governor-  
 “ General only excepted—and to grant to Your Majesty an adequate Civil List, on the  
 “ same terms as in Canada, instead of the sums appropriated in the Schedules to the  
 “ Imperial Act 13 and 14 Victoria, chap. 59.

“ We, the said Legislative Council, therefore humbly pray that Your Majesty  
 “ will be graciously pleased to cause such measures to be adopted as may be neces-  
 “ sary for the early redress of these grievances.

“ And your Majesty's Petitioners, as in duty bound, will ever pray, &c.”

“ TO THE RIGHT HONORABLE THE LORDS SPIRITUAL AND TEMPORAL IN PARLIAMENT  
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“ The Humble Petition of the Legislative Council of New South Wales, appointed  
 “ by virtue of the Imperial Act, 13th and 14th Victoria, chap 59,

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 “ cap 59, to record our deep disappointment and dissatisfaction at the Constitution  
 “ conferred by that Act on this Colony. After the reiterated reports, resolutions,  
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 “ our Legislative career, against the Schedules appended to the 5 and 6 Vic., cap. 76,  
 “ and the appropriations of our Ordinary Revenue under the sole authority of Parlia-  
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 “ thence arising—against the withholding of the Customs' Department from our control—  
 “ against the dispensation of the patronage of the Colony at the dictation of the  
 “ Minister for the Colonies—and against the veto reserved and exercised by the same  
 “ Minister, in the name of the Crown, in matters of Local Legislation—we feel that  
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“ TO THE HONORABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN  
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“ that, as a fit climax to this system of misrule, we are not allowed to exercise the  
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“ Thus circumstanced, we feel that, on the eve of the dissolution of this  
“ Council, and as the closing act of our Legislative existence, no other course is  
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3rd.—“ That the Customs and all other Departments should be subject to the direct supervision and control of the Colonial Legislature; which should have the appropriation of the gross Revenues of the Colony, from whatever source arising; and as a necessary incident to this authority, the regulation of the salaries of all Colonial Officers.

4th.—“ That offices of trust and emolument should be conferred only on the settled inhabitants, the office of Governor alone excepted; that this Officer should be appointed and paid by the Crown; and that the whole patronage of the Colony should be vested in him and the Executive Council, unfettered by Instructions from the Minister for the Colonies.

5th.—“ That plenary powers of Legislation should be conferred upon and exercised by the Colonial Legislature for the time being; and that no Bills should be reserved for the signification of Her Majesty's Pleasure, unless they affect the Prerogatives of the Crown, or the general interests of the Empire.

“ Solemnly protesting against these wrongs, and insisting upon these our undoubted rights, we leave the redress of the former, and the assertion of the latter, to the people whom we represent, and the Legislature which shall follow us.”

“ That we the succeeding Legislative Council, do accordingly present to your Honorable House, our affirmation of the same grievances, all of which, with a slight modification in the patronage of the Customs Department, by no means commensurate with the rights in the said protest and declaration insisted upon, remain unredressed.

“ That these grievances having formed the subject of repeated representations and complaints from the former Legislative Council, all of which have met with neglect or disregard from Her Majesty's Colonial Minister, we owe it to ourselves and our constituents, to denounce to your Honorable House, as the chief grievance to which the people of this Colony are subjected, the systematic and mischievous interference which is exercised by that Minister even in matters of purely local concernment.

“ That whilst we are most anxious to strengthen and perpetuate the connexion which still happily subsists with our Father land, we feel it a solemn duty to our Sovereign and our fellow Countrymen in the United Kingdom, to warn them that it will be impossible much longer to maintain the authority of a Local Executive which is obliged by its Instructions to refer all measures of importance, no matter how great the urgency for their immediate adoption, for the decision of an inexperienced, remote, and irresponsible Department.

“ That in order, however, that Her Majesty's Confidential Advisers may have no excuse for the continuance of these abuses, we unhesitatingly declare that we are prepared upon the surrender to the Colonial Legislature of the entire management of all our Revenues, Territorial as well as General, in which we include Mines of every description, and upon the establishment of a Constitution among us similar in its outline to that of Canada, to assume and provide for the whole cost of our Internal Government, whether Civil or Military, the salary of the Governor-General only excepted, and to grant to Her Majesty an adequate Civil List, on the same terms as in Canada, instead of the sums appropriated in the Schedules to the Imperial Act 13 and 14 Victoria, chap. 59.

“ We, the said Legislative Council, therefore humbly pray that your Honorable House will be pleased to adopt such measures as may be necessary for the early redress of these grievances.

“ And your Petitioners, as in duty bound, will ever pray, &c.”

Mr. Wentworth then moved, pursuant to notice :—

(1.) That the Petitions to Her Majesty and both Houses of Parliament, brought up by the Select Committee of this House, appointed on the 31st of October last to prepare them, be Adopted.

(2.) That an Address be presented to His Excellency the Governor-General, requesting him to transmit the Petition to Her Majesty for presentation to the Right Honorable the Secretary of State for the Colonies.

(3.) That the Petition to the House of Commons be forwarded by the Speaker for presentation to Lord Naas, Lord Jocelyn, Mr. Adderley, and Mr. Hume.

(4.) That the Petition to the House of Lords be forwarded by the Speaker for presentation to Lord Monteagle and the Duke of Argyle.

(5.)

(5.) That the Speaker be authorised to send copies of these Petitions to any Member of the Houses of Lords or Commons, or any other influential person; and to solicit the influence of gentlemen to whom either the original Petitions or copies thereof may be so forwarded, to support the prayer of these Petitions and the measures necessary to give effect to such prayer.

Question put.

Council divided.

Ayes, 21.

- Dr. Douglass,
- Captain Dumaresq,
- Mr. Morris,
- Mr. Dobie,
- Mr. Flood,
- Mr. Wentworth,
- Mr. Smart,
- Mr. Bowman,
- Mr. Darvall,
- Mr. Bigge,
- Mr. Lamb,
- Mr. Macleay,
- Mr. Leslie,
- Mr. Jeffreys,
- Mr. Bradley,
- Mr. William Macarthur,
- Captain King,
- Mr. James Macarthur,
- Mr. Holden,
- Mr. Donaldson, } Tellers.
- Mr. Martin, }

Noes, 8.

- The Colonial Secretary,
- The Attorney General,
- The Inspector General of Police,
- The Auditor General,
- The Chief Commissioner of Crown Lands,
- Mr. Parker,
- The Postmaster General, } (Tellers.)
- The Solicitor General, }

2. Police Act :—Mr. Martin moved, pursuant to notice, for leave to bring in a Bill to amend an Act for the regulation of the Police Force in New South Wales.

Debate ensued.

Question put.

Council divided.

Ayes, 6.

- Mr. Morris,
- Mr. Smart,
- Mr. Lamb,
- Mr. Jones,
- Mr. Flood, } (Tellers.)
- Mr. Martin, }

Noes, 20.

- The Colonial Secretary,
- Dr. Douglass,
- The Solicitor General,
- Mr. Bowman,
- Mr. William Macarthur,
- Mr. Darvall,
- Mr. Jeffreys,
- Mr. Bradley,
- Mr. Bettington,
- The Postmaster General,
- Mr. Holden,
- Mr. Leslie,
- Captain King,
- Mr. James Macarthur,
- The Attorney General,
- The Auditor General,
- The Chief Commissioner of Crown Lands,
- The Colonial Treasurer,
- Mr. Macleay, } (Tellers.)
- Mr. Parker, }

3. Postponement :—The second reading of the Acts shortening Bill postponed, on motion of Mr. Martin, on behalf of Mr. Nichols, until Tuesday next.

4. Cattle Slaughtering Bill, on motion of Mr. Martin, read a second time; to be considered in Committee on Tuesday next.

5. Penrith Nepean Bridge Bill :—On motion of Mr. Darvall, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.

The Chairman having reported the Bill with amendments, the Council ordered the Adoption of the Report to stand an Order of the Day for Tuesday next.

6. Sydney Bethel Union Bill :—On motion of the Solicitor General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.

The Chairman having reported the Bill without amendment, the Council adopted the Report, and ordered the Bill as so reported, to be read a third time on Tuesday next.

7. Law Simplifying Bill, on motion of Mr. Darvall, discharged from the Paper.

8. Cataract and Nepean Bridges' Bill :—On motion of Mr. Holden, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.

The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next.

Council adjourned at five minutes after Eight o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 9.

NOTICE OF MOTION :—

1. MR. WENTWORTH to move, That the Petition of Messrs. Inder and Tebbutt, presented by him on the 3rd instant, be printed.

ORDERS OF THE DAY :—

1. Sydney Exchange Company's Bill ; to be considered in Committee.
2. Distresses for Rent Bill Reported ; to be further considered in Committee.
3. Australasian Steam Navigation Company's Bill ; third reading.
4. Maitland Cattle Bill ; third reading.
5. Acts Shortening Bill ; second reading.
6. Cattle Slaughtering Bill ; to be considered in Committee.
7. Penrith Nepean Bridge Bill Reported ; Adoption of the Report.
8. Sydney Bethel Union Bill ; third reading.
9. Cataract and Nepean Bridges Bill Reported ; Adoption of the Report.

WEDNESDAY, DECEMBER 10.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Estimates for 1851-52 ; to be further considered in Committee, with Messages Nos. 23, 25, 32, and 33.
2. Postage Bill ; to be further considered in Committee.
3. Gunpowder Destruction Bill ; third reading.
4. Sydney Corporation Bill ; to be further considered in Committee.

CHARLES NICHOLSON,  
*Speaker.*



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

TUESDAY, 9 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
New Member Sworn:—Edward Cox, Esquire, having taken the Oath, took his seat as a Non-Elective Member of the Legislative Council, in room of Alfred Deuison, Esquire, resigned.

2. Messages:—The following Messages from His Excellency the Governor-General received and read.

(1.) Further proposed additional Appropriations for 1852:—

CHS. A. FITZ ROY,  
*Governor-General.*

*Message No. 36.*

In compliance with the Addresses from the Legislative Council, of the 2nd Instant, the Governor-General submits a Statement of the Sums therein recommended to be placed on the Estimates for the ensuing year, amounting to Two thousand, two hundred and fifty pounds.

*Government House,  
Sydney, 9 December 1851.*

Ordered to be printed, together with the accompanying Statement, and taken into consideration with the Estimates for 1851-52.

(2.) Postage Bill:—

CHS. A. FITZ ROY,  
*Governor-General.*

*Message No. 37.*

With reference to the "Bill to consolidate and amend the Law for conveyance and Postage of Letters" submitted to the Legislative Council by Message from the Governor-General on the 19th ultimo, His Excellency deems it to be his duty to place before the Council the copy of a Despatch from Her Majesty's Secretary of State for the Colonies, pointing out an amendment which his Lordship considers necessary in the Act No. 38 of the 13th Victoria, and intitled "*An Act to establish a uniform rate of Postage, and to consolidate and amend the Law for the conveyance and postage of letters,*" (the Act now in operation in this and the neighbouring Colony of Victoria) before his Lordship could feel it his duty to advise that the Royal Assent should be given to it.

2. This amendment has been provided for in the Bill now under the consideration of the Council.

*Government House  
Sydney 9 December 1851.*

Ordered to be printed, together with the accompanying Despatch.

3. Great Leading Thoroughfares:—The Colonial Secretary, as Chairman, brought up the Report, with an Appendix, from the Select Committee appointed on the 2nd instant, to suggest an equitable distribution of the sums placed on the Estimates for 1852, amounting to £21,000, for the repair of the Great Leading Thoroughfares of the Colony.

Ordered to be printed.

4. Cumberland Road Trusts:—The Colonial Secretary laid upon the Table the accounts of the Sydney, Parramatta, Liverpool, Campbelltown, Narellan, Penrith, and Windsor Road Trusts, rendered pursuant to the 19th section of 13 Vict., No. 41, for the half-year ended 30th June, 1851.

Ordered to be printed.

5. South Head Road Trust:—The Colonial Secretary laid upon the Table the accounts of the South Head Road Trust, rendered pursuant to the 6th section of the 11th Vict., No. 49, for the half-year ended 30th June, 1851.

Ordered to be printed.

6. Assent to Bill:—The Speaker reported that His Excellency the Governor-General had been pleased to give the Royal Assent to the following Bill, viz.:—

(1.) Deceased Persons' Estates Bill.

7. New Treasury and Audit Office:—Mr. Wentworth moved, pursuant to notice, That the Petition of Messrs. Inder and Tebbutt, presented by him on the 3rd instant, be printed.

Question put and passed.

Ordered to be printed.

8. Sydney Exchange Company's Bill:—On motion of Mr. Cowper, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.  
The Chairman having reported the Bill, with an amendment, the Council ordered the Adoption of the Report to stand an Order of the Day for to-morrow.
9. Distresses for Rent Bill Reported:—On motion of Mr. Martin, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.  
The Chairman having reported the Bill, with further amendments, the Council ordered the Adoption of the Report to stand an Order of the Day for Thursday next.
10. Australasian Steam Navigation Company's Bill, on motion of Mr. Cowper, read a third time, and *passed*.  
Mr. Cowper then moved, That the following be the title of the Bill, viz.:—" *An Act to Incorporate the Proprietors of a certain Company, called 'The Australasian Steam Navigation Company,' and for other purposes therein mentioned.*"  
Question put and passed.
11. Maitland Cattle Bill, on motion of Mr. Nichols, read a third time, and *passed*.  
Mr. Nichols then moved, That the following be the title of the Bill, viz., " *An Act to prevent Cattle being driven through the Towns of East and West Maitland, except at certain hours.*"  
Question put and passed.
12. Acts Shortening Bill, on motion of Mr. Nichols, read a second time; to be considered in Committee on Friday next.
13. Postponement:—The consideration in Committee of the Cattle Slaughtering Bill postponed, on motion of Mr. Martin, until Friday next.
14. Penrith Nepean Bridge Bill Reported:—On motion of Mr. Bligh, on behalf of Mr. Darvall, the Council adopted the Report of this Bill from the Committee of the whole Council, and ordered the Bill, as so reported, to be read a third time on Friday next.
15. Sydney Bethel Union Bill, on motion of the Solicitor General, read a third time, and *passed*.  
The Solicitor General then moved, That the following be the title of the Bill, viz., " *An Act to enable the Trustees of the 'Sydney Bethel Union' to sell their Land and Buildings in Erskine-street, Sydney, and to erect a new Mariners' Church in a more convenient situation; and for other purposes therein mentioned.*"  
Question put and passed.
16. Cataract and Nepean Bridges Bill Reported:—On motion of Mr. Holden, the Council adopted the Report of this Bill from the Committee of the whole Council, and ordered the Bill, as so reported, to be read a third time on Friday next.  
Council adjourned at half-past Six o'clock, until to-morrow at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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WEDNESDAY, DECEMBER 10.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Estimates for 1851-52; to be further considered in Committee, with Messages Nos. 23, 25, 32, 33, and 36.
2. Postage Bill; to be further considered in Committee.
3. Gunpowder Destruction Bill; third reading.
4. Sydney Corporation Bill; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Sydney Exchange Company's Bill Reported; Adoption of the Report.

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THURSDAY, DECEMBER 11.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Distresses for Rent Bill Reported (2<sup>o</sup>); Adoption of the Report.

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FRIDAY, DECEMBER 12.

ORDERS OF THE DAY:—

1. Acts Shortening Bill; to be considered in Committee.
2. Cattle Slaughtering Bill; to be considered in Committee.
3. Penrith Nepean Bridge Bill; third reading.
4. Cataract and Nepean Bridges Bill; third reading.

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WEDNESDAY, DECEMBER 17.

NOTICE OF MOTION:—

1. THE COLONIAL SECRETARY to move. That the recommendations contained in the Report from the Select Committee on the Leading Thoroughfares of the Colony, be now adopted.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

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WEDNESDAY, 10 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Estimates for 1851-52:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages Nos. 23, 25, 32, 33, and 36.

The Chairman reported progress, and obtained leave to sit again to-morrow, with the understanding that the Governor-General's Message No. 33, respecting the Expense of the Administration of Justice, be brought first under consideration.

2. Assent to Bills:—The Speaker reported that His Excellency the Governor-General had been pleased to give the Royal Assent to the following Bills, viz. :—  
(1.) Maitland Cattle Bill.  
(2.) Australasian Steam Navigation Company's Bill.  
(3.) Sydney Bethel Union Bill.

3. Messages:—The following Messages from His Excellency the Governor-General, received and read.

(1.) Transportation.

CH<sup>s</sup>. A. FITZ ROY,

*Governor-General.*

*Message No. 38.*

The Governor-General transmits to the Legislative Council the copy of a Despatch which His Excellency received yesterday from the Secretary of State for the Colonies forwarding an Order in Council revoking so far as concerns this Colony the Order in Council of 4th September 1848 appointing places to which Felons and other Offenders might be conveyed.

*Government House, Sydney,  
10th December 1851.*

Ordered to be printed, together with the accompanying Documents.

(2.) Dry Dock.

CH<sup>s</sup>. A. FITZ ROY,

*Governor-General.*

*Message No. 39.*

The Governor-General transmits to the Legislative Council the copy of a Despatch which His Excellency received yesterday from the Secretary of State for the Colonies notifying that a tender for certain machinery for the construction of the Dry Dock at Cockatoo Island had been accepted although it exceeded the amount estimated in the Colony, and explaining the reasons which induced His Lordship to take upon himself this responsibility.

*Government House,  
Sydney, 10 December 1851.*

Ordered to be printed, together with the accompanying Documents.

4. Postponements:—On motion of the Colonial Secretary, the remaining Orders of the Day on the Paper of Government Business, postponed until to-morrow.  
5. Sydney Exchange Company's Bill Reported:—On motion of Mr. Cowper, the Council adopted the Report of this Bill from the Committee of the whole Council, and ordered the Bill, as so reported, to be read a third time to-morrow.  
Council adjourned at half-past Six o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

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THURSDAY, DECEMBER 11.

## GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Estimates for 1851-52; to be further considered in Committee, with Messages Nos. 23, 25, 32, 33, and 36, with the understanding that Message No. 33, respecting the Expense of the Administration of Justice, be brought first under consideration.
2. Postage Bill; to be further considered in Committee.
3. Gunpowder Destruction Bill; third reading.
4. Sydney Corporation Bill; to be further considered in Committee.

## OTHER BUSINESS—ORDERS OF THE DAY :—

1. Distresses for Rent Bill Reported (2<sup>o</sup>); Adoption of the Report.
  2. Sydney Exchange Company's Bill; third reading.
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FRIDAY, DECEMBER 12.

## NOTICE OF MOTION :—

1. THE COLONIAL TREASURER to move for leave to introduce a Bill for applying certain sums arising from the Revenue receivable in New South Wales to the service thereof, for the Year one thousand eight hundred and fifty-two, and for further appropriating the said Revenue.

## ORDERS OF THE DAY :—

1. Acts Shortening Bill; to be considered in Committee.
  2. Cattle Slaughtering Bill; to be considered in Committee.
  3. Penrith Nepean Bridge Bill; third reading.
  4. Cataract and Nepean Bridges Bill; third reading.
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WEDNESDAY, DECEMBER 17.

## NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move, That the recommendations contained in the Report from the Select Committee on the Leading Thoroughfares of the Colony, be now adopted.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

THURSDAY, 11 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Road from Clarence Town to Williams' River:—Mr. Donaldson presented a Petition from Thomas Cook, Esquire, J. P., praying that a portion of the Vote for Public Roads may be devoted to the Road from Clarence Town to Williams' River.  
Petition received.

2. Estimates for 1851-52:—On the Order of the Day for the further consideration in Committee of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages Nos. 23, 25, 32, 33, and 36, with the understanding that Message No. 33, respecting the Expense of the Administration of Justice be brought first under consideration, being read,—

The Colonial Treasurer moved, That the Message from His Excellency the Governor-General, No. 33, respecting the Expense of the Administration of Justice, be now read.

Question put and passed, and Message accordingly read by the Clerk.

The Colonial Treasurer then moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages Nos. 23, 25, 32, 33, and 36, with the understanding that Message No. 33, respecting the Expense of the Administration of Justice, be brought first under consideration.

Moved by Mr. Donaldson,—That the Question be amended by adding at the end thereof the words "and that with reference to His Excellency the Governor-General's Message No. 33, in which a vote is requested for the sum of £5,817 4s. 7d., to cover an excess of Expenditure which has taken place upon the Schedules A and B, of the Imperial Act 5 and 6 Victoria, cap 76, it be an Instruction to the Committee not to vote any sum in aid of those Schedules."

Debate ensued.

Question put,—That the Question be amended as proposed.

Council divided.

Ayes, 20.

- Mr. Polroyd,
- Mr. Nichols,
- Mr. Wentworth,
- Mr. Smart,
- Mr. H. Osborue,
- Mr. Cowper,
- Captain King,
- Mr. James Macarthur,
- Mr. Jones,
- Mr. Leslie,
- Mr. Maelcay,
- Mr. Flood,
- Dr. Douglass.
- Mr. Bowman,
- Mr. Lamb,
- Mr. Bligh,
- Mr. Campbell,
- Mr. Morris,
- Mr. Martin,
- Mr. Donaldson, } Tellers.

Noes, 22.

- Mr. Bradley,
- The Colonial Secretary,
- The Solicitor General,
- Mr. Cox,
- The Postmaster General,
- Mr. Berry,
- Mr. Allen,
- Mr. William Macarthur,
- Mr. Hughes,
- The Collector of Customs,
- Mr. Broadhurst,
- Mr. Bigge,
- Mr. Icely,
- Mr. Holden,
- Mr. Dobic,
- Mr. A. Osborue,
- The Attorney General,
- The Chief Commissioner of Crown Lands,
- The Inspector General of Police,
- The Auditor General,
- The Colonial Treasurer, } Tellers.
- Mr. Parker,

Original Question put and passed,—

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

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

3. Postponement :—The further consideration in Committee of the Postage Bill postponed, on motion of the Colonial Secretary, until Tuesday next.
4. Gunpowder Destruction Bill, on motion of the Colonial Secretary, read a third time, and passed.  
The Colonial Secretary then moved, That the following be the title of the Bill, viz.,  
" *An Act to authorise the destruction or sale of certain Gunpowder belonging to Merchants, and now in Her Majesty's Gunpowder Magazine at Goat Island.*"  
Question put and passed.
5. Postponements :—
  - (1.) The further consideration in Committee of the Sydney Corporation Bill postponed, on motion of the Colonial Secretary, until Tuesday next.
  - (2.) The Adoption of the Report (2<sup>d</sup>) from the Committee of the whole Council of the Distresses for Rent Bill postponed, on motion of Mr. Martin, until to-morrow.
  - (3.) The third reading of the Sydney Exchange Company's Bill postponed, on motion of Mr. Cowper, until Tuesday next.
 Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

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## NOTICES OF MOTION AND ORDERS OF THE DAY.

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FRIDAY, DECEMBER 12.

NOTICES OF MOTION :—

1. THE COLONIAL TREASURER to move for leave to introduce a Bill for applying certain sums arising from the Revenue receivable in New South Wales to the service thereof, for the Year one thousand eight hundred and fifty-two, and for further appropriating the said Revenue.
2. CAPTAIN KING to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of any correspondence that has taken place between the Inspector-General of Police and his Department, and the Bench of Magistrates at Penrith, relative to the organization of the Police of the Penrith District, since the 23rd November last.
3. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—
  - (1.) A Return of the number of Distillation Licenses issued in New South Wales, during the years 1849, 1850, and 1851.
  - (2.) A Return of the total number of gallons of Spirits distilled in the Colony, during the same period.
  - (3.) A Return of the quantity of Colonial Spirits upon which duty has been paid, during the same period, and the amount received from such duties.
  - (4.) A nominal Return of the paid Officers employed in the Department of Distilleries, together with the amount of their respective Salaries and Allowances, and a statement of the duties performed by such Officers.

ORDERS OF THE DAY :—

1. Acts Shortening Bill ; to be considered in Committee.
2. Cattle Slaughtering Bill ; to be considered in Committee.
3. Penrith Nepean Bridge Bill ; third reading.
4. Cataract and Nepean Bridges Bill ; third reading.
5. Distresses for Rent Bill Reported (2<sup>d</sup>) ; Adoption of the Report.

TUESDAY, DECEMBER 16.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Estimates for 1851-52 ; to be further considered in Committee, with Messages Nos. 23, 25, 32, 33, and 36.
2. Postage Bill ; to be further considered in Committee.
3. Sydney Corporation Bill ; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Sydney Exchange Company's Bill ; third reading.

WEDNESDAY, DECEMBER 17.

NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move, That the recommendations contained in the Report from the Select Committee on the Leading Thoroughfares of the Colony, be now adopted.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

FRIDAY, 12 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Appropriation Bill :—The Colonial Secretary, on behalf of the Colonial Treasurer, moved, pursuant to notice given by the Colonial Treasurer, for leave to introduce a Bill for applying certain sums arising from the Revenue receivable in New South Wales to the service thereof, for the Year one thousand eight hundred and fifty-two, and for further appropriating the said Revenue.  
Question put and passed.
2. Organization of Penrith Police :—Captain King moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of any correspondence that has taken place between the Inspector-General of Police and his Department, and the Bench of Magistrates at Penrith, relative to the organization of the Police of the Penrith District, on and since the 23rd November last.  
Question put and passed.
3. Department of Distilleries :—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House :—  
(1.) A Return of the number of Distillation Licenses issued in New South Wales, during the years 1849, 1850, and 1851.  
(2.) A Return of the total number of gallons of Spirits distilled in the Colony, during the same period.  
(3.) A Return of the quantity of Colonial Spirits upon which duty has been paid, during the same period, and the amount received from such duties.  
(4.) A nominal Return of the paid Officers employed in the Department of Distilleries, together with the amount of their respective Salaries and Allowances, and a statement of the duties performed by such Officers.  
Question put and passed.
4. Acts Shortening Bill :—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.  
The Chairman reported progress, and obtained leave to sit again this day six months.
5. Cattle Slaughtering Bill :—On motion of Mr. Martin, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration of this Bill.  
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
6. Penrith Nepean Bridge Bill :—Moved by Mr. Darvall, That this Bill be now read a third time.  
Debate ensued.  
Question put.  
Council divided.

Ayes, 21.

Mr. Bligh,  
Mr. A. Osborne,  
Mr. Holroyd,  
Mr. W. Macarthur,  
Mr. Allen,  
The Chief Commissioner of Crown  
Lands,  
Mr. Parker,  
Mr. Smart,  
Mr. Morris,  
Mr. Bigge,  
Mr. Lamb,  
Mr. Campbell,  
Mr. Wentworth,  
Dr. Douglass,  
The Colonial Treasurer,  
The Solicitor General,  
Mr. Darvall,  
Captain King,  
The Colonial Secretary,  
Mr. Martin, } Tellers.  
Mr. Holden, }

Noes, 3.

The Inspector General of Police,  
Mr. Nichols, } Tellers.  
The Attorney General, }

Bill read a third time.

Mr.

Mr. Darvall then moved, That the Bill do now pass.

Question put and passed.

Mr. Darvall then moved, That the following be the title of the Bill, viz., " An Act " to Incorporate a Company to be called the Penrith Nepean Bridge Company, and " to enable the said Company to erect and maintain a Bridge over the River Nepean at " Penrith, in direct continuation of the present line of the Great Western Road, and " to take Toll thereat for a term of years ; and for other purposes therein mentioned."

Question put and passed.

- 7. Cataract and Nepean Bridges' Bill, on motion of Mr. Holden, read a third time, and passed.

Mr. Holden then moved, That the following be the title of the Bill, viz., " An Act " to enable William Hilton Howell, of Goulburn, in the County of Argyle, Esquire, " to erect and maintain a Bridge over the Cataract River, at a spot known as " Broughton's Pass, and a Bridge over the Nepean River, at a spot known as the " Pheasant's Nest, on the line of Road leading from Sydney to Goulburn, by way of " Campbell Town and Appin, to Lupton's Inn, and to take toll thereat for a term of " years ; and for other purposes therein mentioned."

Question put and passed.

- 8. Distresses for Rent Bill :—Mr. Martin moved " That " the Report (2<sup>o</sup>) of this Bill from the Committee of the whole Council be now adopted.

The Attorney General moved, That the Question be amended by the omission of all the words following the word " That," with a view to the insertion in their place of the words " the Speaker do now leave the Chair, and the Council resolve itself into a " Committee of the whole, for the further consideration of this Bill."

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

Question,—That the words proposed to be inserted in place of the words omitted, be so inserted,—put and passed.

Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of this Bill,—put and passed ;—

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time on Tuesday next.

Council adjourned at half-past Six o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 16.

NOTICE OF MOTION :—

- 1. MR. WENTWORTH to move for leave to bring in a Bill to repeal the 34th section of the 2 William 4, No. 12, 39 section of the 6 Victoria, No. 15, and the 4th section of the 7 Victoria, No. 19.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Estimates for 1851-52 ; to be further considered in Committee, with Messages Nos. 23, 25, 32, 33, and 36.
- 2. Postage Bill ; to be further considered in Committee.
- 3. Sydney Corporation Bill ; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY :—

- 1. Sydney Exchange Company's Bill ; third reading.
- 2. Cattle Slaughtering Bill ; to be further considered in Committee.
- 3. Distresses for Rent Bill ; third reading.

WEDNESDAY, DECEMBER 17.

NOTICE OF MOTION :—

- 1. THE COLONIAL SECRETARY to move, That the recommendations contained in the Report from the Select Committee on the Leading Thoroughfares of the Colony, be now adopted.

CHARLES NICHOLSON,  
Speaker.



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

TUESDAY, 16 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Government Indemnity Bill:—The following Message from His Excellency the Governor-General received and read:—  
CH<sup>s</sup>. A. FITZ ROY, *Message No. 40.*  
*Governor-General.*  
In reference to His Excellency's Message No. 33 of the 28th ultimo, and in accordance with the provisions of the Act of the Imperial Parliament 5th and 6th Victoria Cap 76, the Governor-General transmits to the Legislative Council, the Draft of a Bill, intituled "*A Bill to indemnify the Governor and the Officers of the Colonial Treasury in respect of certain unauthorised payments for the Expenses of the Administration of Justice.*"  
*Government House*  
*Sydney 16 December 1851.*  
Ordered to be printed, together with the accompanying Bill, and taken into consideration to-morrow.
2. Assent to Bills:—The Speaker reported that His Excellency the Governor-General had been pleased to give the Royal Assent to the following Bills, viz.:—  
(1.) Gunpowder Destruction Bill.  
(2.) Penrith Nepean Bridge Bill.  
(3.) Cataract and Nepean Bridges Bill.
3. Great South Road:—Mr. James Macarthur presented a Petition from certain landholders, householders, and others having an interest in the Great South Road passing through the Western Division of the County of Camden, praying the establishment of Trusts and Sub-Trusts for such road.  
Petition received.
4. Moreton Bay:—The Colonial Secretary laid upon the Table, Returns Nos. 1 to 6 and 8 and 9, enumerated in the Address respecting this District, adopted on motion of Mr. Jones, on the 7th ultimo.  
Ordered to be printed.
5. Customs Duties:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Lamb, on the 28th October last.  
Ordered to be printed.
6. Denominational School Buildings:—The Colonial Secretary laid upon the Table a letter addressed to him by the Secretary of the Denominational School Board, dated the 8th instant, in explanation of the further delay which must take place in complying with the Address on this subject, adopted on motion of Mr. Martin, on the 26th ultimo.
7. Dr. Leichhardt and Party:—The Colonial Secretary laid upon the Table a correspondence between him and the Resident Councillor at Singapore, in reference to Dr. Leichhardt and party.  
Ordered to be printed.
8. Pre-payment of Ship Letters:—The Colonial Secretary laid upon the Table a Despatch from the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles A. Fitz Roy, No. 99, of date the 30th July, 1851, respecting the optional pre-payment of Ship Letters.  
Ordered to be printed, together with the accompanying documents.
9. Applications for Survey of Lands for purchase, uncompleted with:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted, on motion of Mr. James Macarthur, on the 21st ultimo, together with an explanatory letter from the Surveyor General, dated the 10th instant.  
Ordered to be printed.
10. Assay and Refining Office:—Mr. Darvall, as Chairman, brought up the Report, and laid upon the Table the Evidence taken before the Select Committee appointed on the 18th ultimo to enquire into and report upon the expediency of establishing in Sydney an Assay Office and Mint.  
Ordered to be printed.
11. Ordinary Revenue Appropriation Bill:—Mr. Wentworth moved, pursuant to amended notice, for leave to bring in "*A Bill to repeal so much of the Local Ordinances 2nd William IV. No. 12, 6th Victoria No. 15, 7th Victoria No. 19, 8th Victoria No. 4, and 11th Victoria, No. 20, as assumes to vest the appropriation of the Ordinary Revenue elsewhere than in the Legislative Council.*"  
Debate ensued.  
Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.

12. Ordinary Revenue Appropriation Bill :—Mr. Wentworth having presented this Bill, Bill, intituled, "*A Bill to repeal so much of the Local Ordinances, 2nd William IV., No. 12, 6th Victoria, No. 15, 7th Victoria, No. 19, 8th Victoria, No. 4, and 11th Victoria, No. 20, as assumes to vest the appropriation of the Ordinary Revenue elsewhere than in the Legislative Council,*" read a first time; ordered to be printed, and read a second time to-morrow.
13. Estimates for 1851-52 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Supplementary Estimate and the Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages, Nos. 23, 25, 32, 33, and 36.  
The Chairman reported progress, and obtained leave to sit again to-morrow.
14. Postponements :—  
(3.) The remaining Orders of the Day on the Paper of Government Business postponed, on motion of the Colonial Secretary, until to-morrow.  
(2.) The third reading of the Sydney Exchange Company's Bill postponed, on motion of Mr. Cowper, until to-morrow.  
(3.) The further consideration in Committee of the Cattle Slaughtering Bill postponed, on motion of Mr. Martin, until to-morrow.
15. Distresses for Rent Bill, on motion of Mr. Martin, read a third time, and *passed*.  
Mr. Martin then moved, That the following be the title of the Bill, viz., "*An Act to regulate Distresses for Rent and Replevins.*"  
Question put and passed.  
Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 17.

### GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move, That the recommendations contained in the Report from the Select Committee on the Leading Thoroughfares of the Colony, be now adopted.

### ORDERS OF THE DAY :—

1. Consideration of Governor-General's Message, No. 40, with Government Indemnity Bill.  
2. Estimates for 1851-52; to be further considered in Committee, with Messages Nos. 23, 25, 32, 33, and 36.  
3. Postage Bill; to be further considered in Committee.  
4. Sydney Corporation Bill; to be further considered in Committee.

### OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. JAMES MACARTHUR to move, That this Council having had placed before it the Message from His Excellency the Governor-General, No. 39, with reference to the Bill to consolidate and amend the Law for Conveyance and Postage of Letters, together with the copy which accompanies it, of Earl Grey's Despatch No. 40, dated August 30th, 1850, on the subject of the Postage Law of this Colony, and the charge upon the Military Chest, for Official Military Correspondence, Resolves,—  
(1.) That sufficient grounds have not been assigned by Earl Grey for exempting the Military Departments from the payment of postage; no such exemption being extended to the Governor-General, nor to any of the Public Departments of this Colony; and that the exception of any Department from the system of Uniform Postage now established, would be in contravention of the principle of the Postage Act, and objectionable in other respects.  
(2.) That the Petitions to Her Majesty and Parliament, adopted on the 5th instant, by this Council, expressly declare, that "we are prepared upon the surrender to the Colonial Legislature of the entire management of all our Revenues, Territorial as well as General, in which we include Mines of every description, and upon the establishment of a Constitution among us, similar in its outline to that of Canada, to assume and provide for the whole cost of our Internal Government, whether Civil or Military, the salary of the Governor-General only excepted."  
(3.) That this Council declines, therefore, to adopt the alteration which has been suggested by Earl Grey in the Postage Law, now under consideration, either by exempting from Postage the Official Correspondence of the Military Departments, or by making *permanent* provision for the payment of such Postage out of the Colonial Revenue.  
(4.) That under the full expectation that the Home Government will no longer seek to withhold from the Colony the same measure of justice which it has conceded to our North American fellow subjects, more especially the appropriation by the Colonial Legislature of the whole Revenue of the Colony, from whatever source derived, and with an earnest desire to prevent obstruction of the public service, this Council is willing, until sufficient time shall have elapsed for the receipt of an answer to our Petitions from the Imperial Authorities, to make provision for the cost of the Military Official Postage, by annual vote from the General Revenue of the Colony.  
(5.) That the foregoing Resolutions be embodied in an Address to be presented to His Excellency the Governor-General, with a request that he will take such steps as may be advisable in reference thereto.

2. MR. WENTWORTH to move for leave to bring in a Bill to repeal so much of the 9 George IV, cap. 83, as vests a power of taxation in the Judges of the Supreme Court.

ORDERS OF THE DAY:—

1. Ordinary Revenue Appropriation Bill; second reading.
2. Sydney Exchange Company's Bill; third reading.
3. Cattle Slaughtering Bill; to be further considered in Committee.

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FRIDAY, DECEMBER 19.

NOTICE OF MOTION:—

1. MR. FLOOD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of cases adjudicated at the Court of Petty Sessions held at Raymond Terrace, during the last three years; or from 1st December, 1848, to 1st December, 1851; and how many of these cases were adjourned, and how often, from the want of a second Magistrate. Also, a Return of the annual expense of the Police Establishment at Raymond Terrace during the same period.

CHARLES NICHOLSON,  
*Speaker.*



VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

WEDNESDAY, 17 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Electoral Roll of New South Wales:—The Colonial Secretary laid upon the Table, a Return of the number of Electors on the Electoral Roll of each Electoral District of New South Wales, under the Act of Council 14 Victoria, No. 48.  
Ordered to be printed.
2. Great Leading Thoroughfares of the Colony :—The Colonial Secretary moved, pursuant to notice, "That" the recommendations contained in the Report from the Select Committee on the Leading Thoroughfares of the Colony, be now adopted.  
Mr. Martin moved, That the Question be amended by omitting all the words thereof following the word "That," with a view to the insertion in their place of the words "the recommendations contained in the Draft Report proposed by Mr. Martin in the "Select Committee on the Leading Thoroughfares of the Colony be now adopted."  
Debate ensued.  
Question put,—That the words proposed to be omitted stand part of the Question.  
Council divided.

Ayes, 29.

The Colonial Secretary,  
The Solicitor General,  
The Postmaster General,  
Mr. W. Macarthur,  
Mr. Cowper,  
Mr. Jeffreys,  
Mr. Donaldson,  
Mr. Berry,  
Mr. Flood,  
Mr. Darvall,  
The Colonial Treasurer,  
Mr. Leslie,  
Mr. Hughes,  
Mr. Bettington,  
Mr. Bigge,  
Mr. Bowman,  
Mr. Smart,  
Mr. Holden,  
The Collector of Customs,  
The Auditor General,  
Mr. Bradley,  
Mr. Icely,  
Mr. Parker,  
The Chief Commissioner of Crown Lands,  
Mr. J. Macarthur,  
Mr. Allen,  
Mr. A. Osborne,  
Mr. Macleay, } Tellers.  
The Attorney General, }

Noes, 9.

Mr. Bligh,  
Dr. Douglass,  
Captain King,  
Mr. Cox,  
Mr. Wentworth,  
Mr. Campbell,  
Mr. Morris,  
Mr. Martin, } Tellers.  
Mr. Holroyd, }

Mr. Wentworth offering to move that the Question be amended by the addition of certain words at the end thereof which would alter in some respects the recommendations contained in the Report from the Select Committee,—the Speaker ruled that, as the amendment offered would be inconsistent with the decision just come to by the Council, it could not be received,—

Whereupon, Original Question put and passed.

3. Government Indemnity Bill :—The Governor-General's Message No. 40, received with this Bill yesterday, having been read on motion of the Colonial Secretary,—  
The Colonial Secretary moved, That the accompanying Bill be now read a first time.  
Debate ensued.

Mr. Donaldson moved the Previous Question.

Debate continued.

Previous Question,—“Shall the Question be now put?”—put and passed,—

Whereupon, Question put and passed; and Bill, intituled, “A Bill to Indemnify the Governor and the Officers of the Colonial Treasury, in respect of certain unauthorised payments for the expenses of the Administration of Justice,” read a first time; to be read a second time to-morrow.

4. Estimates, 1851-52 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1851-52, and the consideration of the Governor-General's Messages, Nos. 23, 25, 32, 33, and 36.

The Chairman reported that the Committee had gone through the various items in the Supplementary Estimate for the year 1851, and in the Estimates of Expenditure for the year 1852, as well as those additional items proposed by His Excellency the Governor-General, by Messages Nos. 23, 25, 32, 33, and 36, to be appropriated for the year 1851-52, and brought up the following Resolutions;—

(1.) Estimates of Expenditure, for the year 1852 :—

- (1.) Resolved, that a sum not exceeding £1,236 4s. 6d., be appropriated to defray the salaries, allowances, and contingencies of His Excellency the Governor-General's Establishment, for the year 1852.
- (2.) Resolved, that a sum not exceeding £3,773 15s., be appropriated to defray the salaries and contingencies of the Legislative Council Establishment, for the year 1852.
- (3.) Resolved, that a sum not exceeding £25,830 11s. 9d., be appropriated to defray the salaries, allowances, and contingencies of the Postmaster General's Establishment, for the year 1852.
- (4.) Resolved, that a sum not exceeding £1,315 5s., be appropriated to defray the salaries, allowances, and contingencies of the Colonial Storekeeper's Establishment, for the year 1852.
- (5.) Resolved, that a sum not exceeding £1,561 3s. 6d., be appropriated to defray the salaries and contingencies of the Port Master's Establishment, for the year 1852.
- (6.) Resolved, that a sum not exceeding £381 14s., be appropriated to defray the salaries and contingencies of the Telegraph Stations, at Sydney, and at the South Head of Port Jackson, for the year 1852.
- (7.) Resolved, that a sum not exceeding £462 10s., be appropriated to defray the salaries and contingencies of the Light House Establishment, at the South Head of Port Jackson, for the year 1852.
- (8.) Resolved, that a sum not exceeding £449 10s., be appropriated to defray the salaries and contingencies of the Floating Light Establishment, near the entrance to Port Jackson, for the year 1852.
- (9.) Resolved, that a sum not exceeding £74 18s., be appropriated to defray the salary and contingent expenses of the Establishment of the Pilot in charge of the Basin at Wollongong, for the year 1852.
- (10.) Resolved, that a sum not exceeding £477, be appropriated to defray the salaries, allowances, and contingencies of the Harbour Master's Establishment, at Newcastle, for the year 1852.
- (11.) Resolved, that a sum not exceeding £796 7s., be appropriated to defray the salaries and contingencies of the Harbour Master's Establishment, at Moreton Bay, for the year 1852.
- (12.) Resolved, that a sum not exceeding £1,916 17s., be appropriated to defray the salaries and contingencies of the Colonial Architect's Establishment, for the year 1852.
- (13.) Resolved, that a sum not exceeding £1,097 4s., be appropriated to defray the salaries and contingencies of the Botanic Gardens Establishment, for the year 1852.
- (14.) Resolved, that a sum not exceeding £169 12s., be appropriated to defray the salaries and contingencies of the Outer Government Domain Establishment, for the year 1852.
- (15.) Resolved, that a sum not exceeding £2,250 8s., be appropriated to defray the salaries, allowances, and contingencies, of the Government Printing Establishment, for the year 1852.
- (16.) Resolved, that a sum not exceeding £764 1s., be appropriated to defray the salaries of the Establishment of Coroners, for the year 1852.
- (17.) Resolved, that a sum not exceeding £554, be appropriated to defray the salaries and contingencies of the Protestant Orphan School, at Parramatta, for the year 1852.
- (18.) Resolved, That a sum not exceeding £369, be appropriated to defray the salaries and contingencies of the Roman Catholic Orphan School, at Parramatta, for the year 1852.
- (19.) Resolved, that a sum not exceeding £425, be appropriated to defray the salaries of Health Officers, and of the Clerk to the Medical Board, for the year 1852.
- (20.) Resolved, that a sum not exceeding £1,477 15s., be appropriated to defray the salaries, allowances, and contingencies of the Lunatic Asylum, at Tarban Creek, for the year 1852.
- (21.) Resolved, that a sum not exceeding £484 2s., be appropriated to defray the salaries and contingencies of the Lunatic Asylum, at Parramatta, for the year 1852.
- (22.) Resolved, that a sum not exceeding £9,821 17s., be appropriated to defray the salaries, allowances, and contingencies of the Police Establishment in the City of Sydney, including the Establishment of the Inspector General of Police, for the year 1852.
- (23.) Resolved, That a sum not exceeding £1,319 13s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Water Police Establishment, for the year 1852.
- (24.) Resolved, that a sum not exceeding £17,518 19s., be appropriated to defray the salaries, allowances, and contingencies of the Rural Police Establishments, within the Settled Districts of the Colony, for the year 1852.

- (25.) Resolved, that a sum not exceeding £9,151 19s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Police Establishments, beyond the Settled Districts of the Colony, for the year 1852.
- (26.) Resolved, that a sum not exceeding £3,682 18s., be appropriated to defray the salaries, allowances, and contingencies of the Native Police Establishment, for the year 1852.
- (27.) Resolved, that a sum not exceeding £1,680 9s., be appropriated to defray the salaries and contingencies of the Sydney Gaol Establishment; for the year 1852.
- (28.) Resolved, that a sum not exceeding £777 14s. 6d., be appropriated to defray the salaries and contingencies of the Parramatta Gaol Establishment, for the year 1852.
- (29.) Resolved, that a sum not exceeding £549 14s. 6d., be appropriated to defray the salaries and contingencies of the Bathurst Gaol Establishment, for the year 1852.
- (30.) Resolved, that a sum not exceeding £682 8s., be appropriated to defray the salaries and contingencies of the Maitland Gaol Establishment, for the year 1852.
- (31.) Resolved, that a sum not exceeding £599 14s. 6d., be appropriated to defray the salaries and contingencies of the Goulburn Gaol Establishment, for the year 1852.
- (32.) Resolved, that a sum not exceeding £718 13s. 6d., be appropriated to defray the salaries and contingencies of the Brisbane Gaol Establishment, for the year 1852.
- (33.) Resolved, that a sum not exceeding £1,554 9s. 6d., be appropriated to defray the salaries and contingencies of the Penal Establishment, at Cockatoo Island, for the year 1852.
- (34.) Resolved, that a sum not exceeding £280, be appropriated to defray the salary and allowance of the Superintendent of the Penal Establishment at Newcastle, for the year 1852.
- (35.) Resolved, that a sum not exceeding £160, be appropriated to defray the salary and contingent expenses of the Colonial Agent General, for the year 1852.
- (36.) Resolved, that a sum not exceeding £500, be appropriated to defray Pensions and Retired allowance, for the year 1852,—being £200 each, to the Widows of Sir Francis Forbes and Sir James Dowling, late Chief Justices of New South Wales, and £100 to Mr. John Eyre, retired Teacher of the Church of England School, at Parramatta.
- (37.) Resolved, that a sum not exceeding £1,400, be appropriated to defray the expense of Coroners, exclusive of Establishments, for the year 1852.
- (38.) Resolved, that a sum not exceeding £900, be appropriated for the support of free Paupers in the Colonial Hospitals, for the year 1852.
- (39.) Resolved, that a sum not exceeding £700, be appropriated in aid of the Sydney Infirmary and Dispensary, on condition of an equal amount being raised by private subscriptions, for the year 1852.
- (40.) Resolved, that a sum not exceeding £3,225, be appropriated in aid of the Benevolent Society, Sydney, on condition of £1,000 being raised by voluntary contributions, for the year 1852.
- (41.) Resolved, that a sum not exceeding £1,800, be appropriated in aid of Hospitals at Parramatta, Windsor, Bathurst, Newcastle, Maitland, Port Macquarie, Goulburn, Yass, and Brisbane, being £200 each, on condition of sums to an equal amount being raised by private subscriptions, for the year 1852.
- (42.) Resolved, that a sum not exceeding £95 1s. 5d., be appropriated to meet the expense of the Outfit of the Hospital, at Yass, for the year 1852.
- (43.) Resolved, that a sum not exceeding £110 8s. 5d., be appropriated in aid of the Benevolent Society, at Parramatta, an equal amount having been raised by private subscriptions, for the year 1852.
- (44.) Resolved, that a sum not exceeding £160, be appropriated for the completion of the building of the Public Hospital, at Goulburn, for the year 1852.
- (45.) Resolved, that a sum not exceeding £2,255, be appropriated to defray the expense of the Protestant Orphan School, at Parramatta, exclusive of the Establishment, for the year 1852.
- (46.) Resolved, that a sum not exceeding £1,715, be appropriated to defray the expense of the Roman Catholic Orphan School, at Parramatta, exclusive of the Establishment, for the year 1852.
- (47.) Resolved, that a sum not exceeding £8,350, be appropriated in support of Denominational Schools, to be expended under the direction of the Denominational School Board, for the year 1852, and that it be an Instruction to such Board to distribute this sum among the several undermentioned Denominations according to their respective population as given by the last Census, viz., Church of England, Presbyterian, Wesleyan, and Roman Catholic.
- (48.) Resolved, that a sum not exceeding £255, be appropriated to defray the expenses of the Denominational School Board, for the year 1852.
- (49.) Resolved, that a sum not exceeding £5,500, be appropriated towards the support of National Schools, for the year 1852,—being £4,000 for National Schools within the Settled Districts, and £1,500 for National Schools beyond the Settled Districts.
- (50.) Resolved, that a sum not exceeding £100, be appropriated for maintaining the Vaccine Establishment, in the City of Sydney, for the year 1852.
- (51.) Resolved, that a sum not exceeding £2,439 12s., be appropriated to defray the expense of the Lunatic Asylum, at Tarban Creek, exclusive of the Establishment, for the year 1852.
- (52.) Resolved, that a sum not exceeding £1,973, be appropriated to defray the expense of the Lunatic Asylum, at Parramatta, exclusive of the Establishment, for the year 1852.

- (53.) Resolved, that a sum not exceeding £1,028, be appropriated to defray the expense of Police, exclusive of the Establishments, in the City of Sydney, for the year 1852.
- (54.) Resolved, that a sum not exceeding £75, be appropriated to defray the expense of the Water Police, exclusive of the Establishment, for the year 1852.
- (55.) Resolved, that a sum not exceeding £4,605, be appropriated to defray the expense of the Rural Police within the Settled Districts, exclusive of the Establishments, for the year 1852.
- (56.) Resolved, that a sum not exceeding £3,000, be appropriated to defray the expense of a supply of clothing from England, for the Police within the Settled Districts, for the year 1852.
- (57.) Resolved, that a sum not exceeding £500, be appropriated to meet demands on the Police Reward and Superannuation Funds, for the year 1852.
- (58.) Resolved, that a sum not exceeding £1,814, be appropriated to defray the expense of Police beyond the Settled Districts, exclusive of the Establishments, for the year 1852.
- (59.) Resolved, that a sum not exceeding £2,150, be appropriated to defray the expense of the Native Police, exclusive of the Establishment, for the year 1852, being inclusive of £400 to meet the expense of a supply of Clothing from England for the Native Police.
- (60.) Resolved, that a sum not exceeding £1,825, be appropriated to defray the expense of the Sydney Gaol, exclusive of the Establishment, for the year 1852.
- (61.) Resolved, that a sum not exceeding £745, be appropriated to defray the expense of the Parramatta Gaol, exclusive of the Establishment, for the year 1852.
- (62.) Resolved, that a sum not exceeding £776, be appropriated to defray the expense of the Bathurst Gaol, exclusive of the Establishment, for the year 1852.
- (63.) Resolved, that a sum not exceeding £735, be appropriated to defray the expense of the Maitland Gaol, exclusive of the Establishment, for the year 1852.
- (64.) Resolved, that a sum not exceeding £520, be appropriated to defray the expense of the Goulburn Gaol, exclusive of the Establishment, for the year 1852.
- (65.) Resolved, that a sum not exceeding £525, be appropriated to defray the expense of the Brisbane Gaol, exclusive of the Establishment, for the year 1852.
- (66.) Resolved, that a sum not exceeding £2,455, be appropriated to defray the expense of the Penal Establishment, at Cockatoo Island, exclusive of the Establishment, for the year 1852.
- (67.) Resolved, that a sum not exceeding £1,600, be appropriated to provide a supply of Clothing for Prisoners in the Gaols and at the Penal Establishments, for the year 1852.
- (68.) Resolved, that a sum not exceeding £8,906 12s., be appropriated to defray the expense of Public Works, for the year 1852,—being £2,570 towards the construction of the Dry Dock at Cockatoo Island, £1,000 to defray the expense of the employment of the Dredging Machine, £1,000 for upholding and keeping in repair the Breakwater at Newcastle, £200 for levelling metalling and other improvements at the Circular Quay, £600 to defray the expense of an Inquiry into and Report on the best means of obtaining an adequate supply of pure water to the City of Sydney, £36 12s. for attending to the sluices at the Cook's River Dam, £100 for fixing a fence at the Light House at the South Head of Port Jackson, £300 towards erecting a Light House on Cape Moreton, £500 to meet the expense of providing a second Punt for the Emu Ferry, £200 for constructing a Jetty at Kiama, £200 for constructing a Dam or Reservoir at Drayton, £150 for laying down Buoys at the entrance of the Clarence River, £150 for deepening and fencing round the Water Reservoir at North Brisbane, £250 for constructing a Dam across the Bremer River at Ipswich, £150 for enclosing the ground reserved as a Garden and Cricket Ground for the use of the Military, £500 for making fresh walks in Hyde Park and keeping those already made in repair and for planting levelling draining and other improvements in Hyde Park, and the further sum of £1000 towards constructing the works required for supplying water to the Inhabitants of Parramatta.
- (69.) Resolved, that a sum not exceeding £3,500, be appropriated to defray the expense of Public Buildings, for the year 1852,—being £1,500 towards various alterations at the Lunatic Asylum, Tarban Creek, £600 for repairs and alterations at the Court House, Darlinghurst, £250 for ventilating the Legislative Council Chamber and building or providing a Refreshment Room and Offices for the use of Members, the further sum of £100 towards completing the Outbuildings of the Treasury and Audit Office, £800 to meet the expense of erecting a Colonial Magazine for Gunpowder on Goat Island, and £250 for erecting a Watch House at Clarence Town.
- (70.) Resolved, that a sum not exceeding £1218, be appropriated to defray the expense of Military Buildings, for the year 1852,—being £679 for incidental repairs to the Victoria Barracks and Guard Room, £409 for Barrack Expenses in Sydney, £30 for repairs to the Batteries at Dawes' Point, Fort Phillip, Fort Macquarie, and Bradley's Head, and £100 for repairs to the late Engineer's Quarters at Dawes' Battery.
- (71.) Resolved, that a sum not exceeding £3,250, be appropriated to defray the expense of Police Buildings, for the year 1852,—being £2,000 towards erecting Barracks and Stabling for the Mounted Patrol in Sydney, £1,000 towards the erection of a New Water Police Office in Sydney, and £250 for repairs to the Police Buildings at Yass.
- (72.) Resolved, that a sum not exceeding £1,400, be appropriated to defray the expense of Gaol Buildings for the year 1852,—being £500 for the employment of Prisoners



Prisoners sentenced to hard labor at Darlinghurst Gaol, £250 for constructing Drains and Cess Pools at Bathurst Gaol, £400 for repairs at Goulburn Gaol, and £250 for repairs at Brisbane Gaol.

(73.) Resolved, that a sum not exceeding £200, be appropriated to defray the expense of the Outer Government Domain, Sydney, for the year 1852,—being £100 for keeping in repair the Gates and Fences, and £100 for making fresh Plantations and other Improvements.

(74.) Resolved, that a sum not exceeding £110, be appropriated to defray the expense of the Botanic Gardens, for the year 1852,—being £50 for keeping in repair the Gates and Fences, £30 for fitting up a Room for an Office and Public Library, and £30 for repairs to Sheds, Stables, Plant House, and Frames.

(75.) Resolved, that a sum not exceeding £2,500 be appropriated to defray the expense of Casual Repairs to Colonial Public Buildings, for the year 1852.

(76.) Resolved, that a sum not exceeding £800; be appropriated for providing Furniture for Colonial Public Offices, for the year 1852:

(77.) Resolved, that a sum not exceeding £24,250, be appropriated to defray the expense of Public Roads, Streets, and Bridges, for the year 1852,—being £1,500, for constructing upholding and repairing the Public Roads Bridges and Ferries on which Tolls have been established, £4,000, for making and repairing Public Roads and Bridges on which Tolls are not collected within the Settled Districts, £2,000, for the formation of Roads and Bridges beyond the Settled Districts, £15,000 towards the repair of the leading thoroughfares of the Colony, £250 for Lighting the Government Lamps in the Streets of Sydney, £220 for forming and gravelling the proposed new road from College-street near St. Mary's Chapel to William-street at its intersection with Yurong-street, £80 towards making a new road from the Outer Domain to Woolloomooloo, £300 for the construction of the Cook's River and Muddbank Road, £200 to complete the South Head Road to Watson's Bay, and the further sum of £700 to complete the new Bridge over the South Creek at the entrance to the Town of Windsor.

(78.) Resolved, that a sum not exceeding £12,710 be appropriated to defray the charge for Miscellaneous Services for the year 1852,—being £3,000 for Stationery Bookbinding and Paper for Printing for the Public Service generally, £150 for Newspapers for Record and for the Secretary of State, £30 for preparing an Index to the New South Wales Government Gazette, £50 for Public General Acts Parliamentary Papers Annual Army List and Royal Calendar payable by the Colonial Agent General, £250 for preparing the Electoral Lists, £100 for the compilation of Meteorological Tables, £50 for erecting Pounds and Allowances to Poundkeepers within the Settled Districts, £50 for the erection of Pounds and Allowances to Poundkeepers beyond the Settled Districts, £1,000 to replace Arms furnished by the Colonial Storekeeper for the service of the Police, £600 for Fuel for the Public Departments, £2,800 for Remuneration to Pilots, £30 for Provisions to be left at Booby Island for the relief of Shipwrecked Persons, £100 to provide a Queen's Plate to be run for at Homebush or such other Race Course in the County of Cumberland and under such rules and regulations, as the Australian Jockey Club with the sanction of His Excellency the Governor-General, shall appoint, £3,000 to be paid to the promoters of the first line of Steamers, whether British or foreign, which shall complete a monthly communication between New South Wales and Great Britain, by any line which shall bring the course of post out and home within one hundred and fifty days, and £1,500 to meet unforeseen Expenses in cases of emergency and to be hereafter accounted for.

(79.) Resolved, that a sum not exceeding £2,350 be appropriated to meet Drawbacks and Refund Duties for the year 1852,—being £1,800 for Drawbacks, and £550 for Refund Duties.

(80.) Resolved, that a sum not exceeding £600 be appropriated in aid of Public Institutions for the year 1852—being £400 in aid of the Colonial Museum, and £200 in aid of the Sydney Mechanics' School of Arts.

(2.) Supplementary Estimate for the year 1851.

(1.) Resolved, that a sum not exceeding £36, be appropriated as an additional remuneration to the Housekeeper of the Legislative Council, at the rate of £4 per annum for the years from 1848 to 1851, both inclusive.

(2.) Resolved, that a sum not exceeding £872 14s., be appropriated to defray the Supplementary charge of the Postmaster General's Establishment, for the year 1851.

(3.) Resolved, that a sum not exceeding £950, be appropriated to defray the Supplementary charge of the Government Printing Establishment, for the year 1851.

(4.) Resolved, that a sum not exceeding £169 7s. 1d., be appropriated to defray the Supplementary charge of the Medical Establishment, for the year 1851.

(5.) Resolved, that a sum not exceeding £192 13s., be appropriated to defray the Supplementary charge of the Police Establishment in the City of Sydney, for the year 1851.

(6.) Resolved, that a sum not exceeding £58 16s. 6d., be appropriated to defray the Supplementary charge of the Rural Police Establishments within the Settled Districts, for the year 1851.

(7.) Resolved, that a sum not exceeding £64 10s. 2d., be appropriated to defray the Supplementary charge of the Native Police Establishment, for the year 1851.

(8.) Resolved, that a sum not exceeding £63 17s. 6d., be appropriated to defray the Supplementary charge of the (G)ol Establishment, at Brisbane, for the year 1851.

(9.) Resolved, that a sum not exceeding £194 2s., be appropriated to defray the Supplementary charge of the Penal Establishment at Cockatoo Island, for the year 1851.

- (10.) Resolved, that a sum not exceeding £900, be appropriated to meet the amount voted as Retired Allowance to the late Mr. F. Garling, Clerk of the Peace, for the years 1840 to 1842, which was withheld in consequence of his having failed to arrange the Records of his Office, to be paid to the Administrator, and distributed by him accordingly.
- (11.) Resolved, that a sum not exceeding £221 3s. 9d., be appropriated to Mrs. W. A. Miles, as compensation to the late Mr. W. A. Miles for the loss of his Office as Police Magistrate, making, with £278 16s. 3d. already paid, the sum of £500, being the Annual Salary attached to the Appointment which he first held as Chief Commissioner of Police.
- (12.) Resolved, that a sum not exceeding £112 3s. 2d., be appropriated to meet the deficiency in the amount voted for the Fees of Coroners and Surgeons, for the year 1850.
- (13.) Resolved, that a sum not exceeding £166 16s. 4d., be appropriated in aid of the Singleton Benevolent Society, on condition of an equal amount being raised by private subscriptions in the years 1850, and 1851.
- (14.) Resolved, that a sum not exceeding £525, be appropriated to fit up and furnish the Hospital at Liverpool as a Branch of the Benevolent Asylum, and for the conveyance of Paupers thereto, for the year 1851.
- (15.) Resolved, that a sum not exceeding £890 6s., be appropriated to defray the Supplementary Charge of Police in the City of Sydney, exclusive of the Establishment, for the year 1851.
- (16.) Resolved, that a sum not exceeding £18, be appropriated to purchase a Police Boat for the Sydney Harbour at night.
- (17.) Resolved, that a sum not exceeding £50, be appropriated as Police Rewards for Information against Offenders, for the year 1851.
- (18.) Resolved, that a sum not exceeding £5, be appropriated to compensate the District Constable at Orange for the use of his Horse, for the year 1851.
- (19.) Resolved, that a sum not exceeding £21 12s., be appropriated to defray the cost of a Boat for the Police at Newcastle.
- (20.) Resolved, that a sum not exceeding £10, be appropriated to reimburse the Chief Constable at Windsor for the expense of keeping a horse on the Public Service, for the year 1851.
- (21.) Resolved, that a sum not exceeding £130, be appropriated to meet the deficiency in the amount voted for Clothing for the Native Police, for the year 1851.
- (22.) Resolved, that a sum not exceeding £69 16s. 4d., be appropriated to defray the Supplementary Charge of the Penal Establishment at Cockatoo Island, exclusive of the Establishment, for the year 1851.
- (23.) Resolved, that a sum not exceeding £170, be appropriated to meet the Supplementary Charge for Rent of Premises and Offices, hired, respectively, by the Colonial Storekeeper and Inspector General of Police, for the year 1851.
- (24.) Resolved, that a sum not exceeding £250 16s., be appropriated to defray the Supplementary Charge for the Conveyance of Mails, for the year 1851.
- (25.) Resolved, that a sum not exceeding £1756, be appropriated to meet the additional expense of procuring from England the Machinery for the Dry Dock.
- (26.) Resolved, that a sum not exceeding £60, be appropriated to meet the expense of Levelling and Metalling a portion of the Circular Quay.
- (27.) Resolved, that a sum not exceeding £30, be appropriated to meet the expense of a Chain to replace the Mooring at Wollongong.
- (28.) Resolved, that a sum not exceeding £19 16s., be appropriated as an Allowance to the person in charge of the Sluices at the Cook's River Dam, at 2s. per diem, from 17th June to 31st December, 1851.
- (29.) Resolved, that a sum not exceeding £198 15s. 6d., be appropriated to meet the expense of Repairs and Alterations to the Cook's River Flood Gates and Sluices, for the year 1851.
- (30.) Resolved, that a sum not exceeding £500, be appropriated for the completion of the Outbuildings at the new Treasury and Audit Office.
- (31.) Resolved, that a sum not exceeding £100, be appropriated to meet the expense of repairs at the Court House, Darlinghurst, for the year 1851.
- (32.) Resolved, that a sum not exceeding £380, be appropriated to defray the expense of additions to the Watch House, at Goulburn.
- (33.) Resolved, that a sum not exceeding £100, be appropriated to defray the expense of enclosing the Airing Yards of the Darlinghurst Gaol with Dwarf Walls and Iron Railings, and of forming additional Yards and Privies.
- (34.) Resolved, that a sum not exceeding £51, be appropriated to defray the expense of emptying and cleansing a Cess Pool at Darlinghurst Gaol.
- (35.) Resolved, that a sum not exceeding £80, be appropriated to defray the expense of repairs to the Police Buildings at Penrith.
- (36.) Resolved, that a sum not exceeding £20, be appropriated for the erection of Temporary Stabling at Carters' Barracks.
- (37.) Resolved, that a sum not exceeding £36, be appropriated to defray the expense of repairs to the Building on the Circular Quay, to be appropriated as an Office for the Civil Engineer in charge of the Dry Dock.
- (38.) Resolved, that a sum not exceeding £115, be appropriated to defray the expense of repairs and alterations to the Protestant Orphan School.
- (39.) Resolved, that a sum not exceeding the further sum of £645 3s. 6d., be appropriated to defray the expense of casual repairs, additions, and alterations to Public Buildings.

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- (40.) Resolved, that a sum not exceeding £150, be appropriated to be expended in Improving Hyde Park, under the Superintendence of the Committee of Management, for the year 1851.
- (41.) Resolved, that a sum not exceeding the further sum of £400, be appropriated to defray the cost of Furniture for Public Offices.
- (42.) Resolved, that a sum not exceeding £250, be appropriated to defray the expense of repairs to the approaches to the Ferries at Brisbane.
- (43.) Resolved, that a sum not exceeding £145, be appropriated to defray the expense of repairs to the Public Road leading from the principal entrance of the Inner Domain to Government House, and for filling up quarries, and for other improvements.
- (44.) Resolved, that a sum not exceeding £30, be appropriated to defray the expense of preparing an Index to the New South Wales Government Gazette.
- (45.) Resolved, that a sum not exceeding £50, be appropriated to defray the expense of Public General Acts, Parliamentary Papers, Annual Army Lists, and Royal Calendar, payable by the Colonial Agent General.
- (46.) Resolved, that a sum not exceeding £180, be appropriated as remuneration to the Town Clerk of Sydney, for his services in preparing the Electoral Lists from 1844 to 1850.
- (47.) Resolved, that a sum not exceeding £440 6s. 3d., be appropriated to defray the costs in the case of *Martin v. Nicholson and Christie*.
- (48.) Resolved, that a sum not exceeding £391 16s. 3d., be appropriated as remuneration to Pilots, to meet the deficiency in the vote for 1850.
- (49.) Resolved, that a sum not exceeding £2,400, be appropriated to meet the deficiency in the amount voted for taking the Census.
- (50.) Resolved, that a sum not exceeding £1000, be appropriated to meet the expense of preparing the Electoral Lists, and of the Election of Members to serve in the Legislative Council.
- (51.) Resolved, that a sum not exceeding £50, be appropriated to meet the claim of Mr. James Busby, formerly Her Majesty's Resident at New Zealand, to the amount collected by him in the Intestate Estate of the late Benjamin Sullivan, for the use of Sullivan's Son now in New Zealand, being a defalcation of the late Registrar of the Supreme Court, for which this Government is responsible.
- (52.) Resolved, that a sum not exceeding £366 1s. 4d., be appropriated in re-payment to John Thacker, Esquire, of the amount deposited in the Colonial Treasury, by the Trustees of the Savings' Bank, on the behalf of the Intestate Estate of the late Patrick McLaughlin, being part of the amount paid over under the Act of Council 13 Victoria, No. 44, to meet the defalcation of the late Registrar of the Supreme Court.
- (53.) Resolved, that a sum not exceeding £2,000, be appropriated for outfitting an Expedition to proceed in search of Dr. Ludwig Leichhardt, and Exploring Party under his command, who left the Settled Districts of New South Wales, in 1848, for the purpose of finding and pursuing an overland route to Western Australia.
- (54.) Resolved, that a sum not exceeding £70, be appropriated to defray the expense of Binding and Lettering one set of the General Revenue Accounts of the Colony.
- (55.) Resolved, that a sum not exceeding £30, be appropriated as remuneration to the Non-Official Members of the Steam Navigation and Pilot Boards.
- (56.) Resolved, that a sum not exceeding £496 3s. 7d., be appropriated to meet deficiency in the amount voted for Drawbacks and Refund Duties, for 1850.

Moved by the Colonial Treasurer, That this Council do now adopt the foregoing Resolutions.

Question put and passed.

5. Appropriation Bill :—The Colonial Treasurer having presented this Bill, Bill, intituled, "*A Bill for applying certain sums arising from the Revenue receivable in New South Wales, to the service thereof, for the year One thousand eight hundred and fifty-two; and for further appropriating the said Revenue,*" read a first time; ordered to be printed, and read a second time to-morrow.
6. Postponements :—
- (1.) The further consideration in Committee of the Postage Bill postponed, on motion of the Colonial Secretary, until to-morrow.
  - (2.) The further consideration in Committee of the Sydney Corporation Bill postponed, on motion of the Colonial Secretary, until to-morrow.
  - (3.) Mr. James Macarthur postponed the motion standing in his name first on the Notice Paper of Other Business for to-day, until to-morrow.
7. Judges' Taxation Powers Repeal Bill :—Mr. Wentworth moved, pursuant to notice, for leave to bring in a Bill to repeal so much of the 9 George IV, cap. 83, as vests a power of taxation in the Judges of the Supreme Court.
- Debate ensued.
- Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
- Mr. Wentworth having presented this Bill, Bill, intituled, "*A Bill to repeal so much of the 9th Geo. IV. Cap. 83, as vests a power of taxation in the Judges of the Supreme Court,*" read a first time; ordered to be printed, and read a second time to-morrow.
8. Ordinary Revenue Appropriation Bill, having been read a second time, on motion of Mr. Wentworth, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration thereof.

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- The Chairman having reported the Bill with amendments, the Council ordered the Adoption of the Report to stand an Order of the Day for to-morrow.
- 9: Sydney Exchange Company's Bill :—Mr. Cowper moved, "That" this Bill be now read a third time.
- Mr. Donaldson moved, That the Question be amended by the omission of all the words thereof following the word "That," with a view to the insertion in their place of the words "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of Clauses IV and XXII, and "for adding a Schedule at the end of the Bill."
- Question,—That the words proposed to be omitted stand part of the Question;—put and negatived.
- Question,—That the words proposed to be inserted in place of the words omitted be so inserted;—put and passed.
- Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of Clauses IV and XXII, and for adding a Schedule at the end of the Bill;—put and passed;—
- Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
- The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.
- 10: Postponement :—The further consideration in Committee of the Cattle Slaughtering Bill postponed, on motion of Mr. Martin, until to-morrow.
- Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Government Indemnity Bill; second reading.
2. Appropriation Bill; second reading.
3. Postage Bill; to be further considered in Committee.
4. Sydney Corporation Bill; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. DONALDSON to move, That the Standing Orders in reference to Private Bills be suspended, in order to his moving for leave to bring in a Bill to amend an Act, intituled, "An Act to authorise the continuation of a Tram Road from Burwood to the Wharf at Newcastle."
2. Mr. DONALDSON to move, for leave to bring a Bill to amend an Act, intituled, "An Act to authorise the continuation of a Tram Road from Burwood to the Wharf at Newcastle."
- 3: Mr. JAMES MACARTHUR to move That this Council, having had placed before it the Message from His Excellency the Governor-General, No. 39, with reference to the Bill to consolidate and amend the Law for Conveyance and Postage of Letters, together with the copy which accompanies it, of Earl Grey's Despatch No. 40, dated August 30th, 1850, on the subject of the Postage Law of this Colony, and the charge upon the Military Chest, for Official Military Correspondence, Resolves,—
  - (1.) That sufficient grounds have not been assigned by Earl Grey for exempting the Military Departments from the payment of postage; no such exemption being extended to the Governor-General, nor to any of the Public Departments of this Colony; and that the exception of any Department from the system of Uniform Postage now established, would be in contravention of the principle of the Postage Act, and objectionable in other respects.
  - (2.) That the Petitions to Her Majesty and Parliament, adopted on the 5th instant, by this Council, expressly declare, that "we are prepared upon the surrender of the Colonial Legislature of the entire management of all our Revenues, Territorial as well as General, in which we include Mines of every description, and upon the establishment of a Constitution among us, similar in its outline to that of Canada, to assume and provide for the whole cost of our Internal Government, whether Civil or Military, the salary of the Governor-General only excepted."
  - (3.) That this Council declines, therefore, to adopt the alteration which has been suggested by Earl Grey in the Postage Law, now under consideration, either by exempting from Postage the Official Correspondence of the Military Departments, or by making permanent provision for the payment of such Postage out of the Colonial Revenue.
  - (4.) That under the full expectation that the Home Government will no longer seek to withhold from the Colony the same measure of justice which it has conceded to our North American fellow subjects, more especially the appropriation by the Colonial Legislature of the whole Revenue of the Colony, from whatever source derived, and with an earnest desire to prevent obstruction of the public service; this Council is willing, until sufficient time shall have elapsed for the receipt of an answer to our Petitions from the Imperial Authorities, to make provision for the cost of the Military Official Postage, by annual vote from the General Revenue of the Colony.
  - (5.) That the foregoing Resolutions be embodied in an Address to be presented to His Excellency the Governor-General, with a request that he will take such steps as may be advisable in reference thereto.

## ORDERS OF THE DAY:—

1. Judges Taxation Powers Repeal Bill; second reading.
2. Ordinary Revenue Appropriation Bill Reported; Adoption of the Report.
3. Sydney Exchange Company's Bill; third reading.
4. Cattle Slaughtering Bill; to be further considered in Committee.

FRIDAY, DECEMBER 19.

## NOTICES OF MOTION:—

1. MR. FLOOD to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of cases adjudicated at the Court of Petty Sessions held at Raymond Terrace, during the last three years; or from 1st December, 1848, to 1st December, 1851; and how many of these cases were adjourned, and how often, from the want of a second Magistrate. Also, a Return of the annual expense of the Police Establishment at Raymond Terrace during the same period.
2. MR. DARVALL to move, That the following Petition to Her Most Gracious Majesty the Queen, be adopted by this House:—

“ TO HER MOST GRACIOUS MAJESTY THE QUEEN.

“ *The Humble Petition of the Legislative Council of New South Wales,*

“ SHEWETH,

“ That large quantities of gold have recently been discovered in your Majesty's Colonies of New South Wales and Victoria, by which the wealth of your Majesty's subjects will be increased by many millions of pounds sterling annually. That the attraction of labor to this new employment, and the rate of exchange consequent upon the wonderful disproportion between the Colonial exports and imports, have seriously discouraged the former staple productions of these Colonies and menace them with destruction, which Your Majesty's Petitioners humbly represent would be no less ruinous to individual flockmasters than injurious to Your Majesty's Imperial interests. That this evil might be averted by the exercise of Your Most Gracious Majesty's Prerogative, in the establishment of a branch of Your Majesty's Royal Mint at Sydney. That the facility thus afforded to Your Majesty's subjects of converting their gold into current coin of the Realm would give additional value to the result of their labour in its discovery, and prevent the existing unnecessary depreciation of the other produce of the Colony, without any undue interference with trade, or the rights of any portion of Your Majesty's subjects. That your Petitioners humbly conceive that the accident of their remoteness from the seat of Your Majesty's Government, which has not diminished their attachment to Your Majesty's Person, or their obedience to Your Majesty's laws, ought not to deprive them of similar advantages to those which flow from the exercise of Your Majesty's authority in favor of Your Majesty's subjects residing in Great Britain. That an increased facility of coining Australian gold into current coin of the Realm, by giving encouragement and stability to the trade and commerce of Your Majesty's Australian Colonies, and additional value to Your Majesty's Possessions in that portion of the globe, would serve to perpetuate those feelings of gratitude for Your Majesty's consideration, and reliance on Your Majesty's justice, which are the truest bonds of connection between these Colonies and the British Empire.”

(2.) That an Address be presented to His Excellency the Governor-General, requesting him to transmit the foregoing Petition to the Right Honorable the Secretary of State for the Colonies, for presentation to Her Most Gracious Majesty the Queen.

3. MR. DONALDSON to move, That the Report from the Select Committee on the proposed Assay and Refining Office, be now adopted by this Council.

CHARLES NICHOLSON,  
*Speaker.*

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VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

THURSDAY, 18 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Proposed New General Post Office:—The following Message from His Excellency the Governor-General received and read.

CAPT. A. FITZ ROY,  
Governor-General.

Message No. 41.

In accordance with a suggestion of the Board of enquiry into the management of the General Post Office a portion of Land in the old Barrack Square has been reserved as the site for a new Post Office, but as the proceeds of the sale of the Lands in that situation are pledged for the repayment of the sums granted by the Legislative Council for the building of the Victoria Barracks, the Governor General considers that an appropriation of so large a portion of them to this object should not be made without the consent of the Council, and His Excellency therefore submits the proposal for its consideration and sanction.

2. His Excellency transmits to the Council a letter from the Colonial Architect, with a plan of the old Barrack square, shewing the site originally proposed for a new Post Office, and the one suggested by that Officer after communication with the Post Master General in consequence of the former appearing to them small for the site of an establishment of such importance, and which the increase of business consequent on the growth of the Colony will render it necessary hereafter to extend. Two of the allotments comprised in this site have however been disposed of, and it will therefore be necessary, if this selection should be approved, to obtain them again in exchange for others, which can be effected by awarding the purchaser compensation, with the sanction of the Council, to the extent of £100, or £150, as explained in the accompanying letter from the Colonial Architect.

3. It has been suggested that Plans of some of the best Post Offices in England should be procured before a Plan for a new General Post Office for Sydney is decided upon, and as these would no doubt furnish many details not at present known here, this course is proposed to be adopted.

Government House

Sydney 18 December 1851.

Ordered to be printed, together with the accompanying Documents, and taken into consideration to-morrow.

2. Mitchell's Tram Road Act:—The Colonial Secretary laid upon the Table a Despatch from the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Chas. A. Fitz Roy, No. 93, of date 24th July, 1851, in reference to this Act.  
Ordered to be printed, together with the accompanying Document.
3. Licenses to dig Gold on Leased Crown Lands:—The Colonial Secretary laid upon the Table part Return to the Address on this subject, adopted on motion of Mr. Bligh, on the 28th ultimo.  
Ordered to be printed.
4. Benevolent Societies:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Cowper, on the 21st October last.  
Ordered to be printed.
5. Government Indemnity Bill having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration thereof.  
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.
6. Postponement:—The second reading of the Appropriation Bill postponed, on motion of the Colonial Treasurer, until the Order of the Day for the further consideration in Committee of the Sydney Corporation Bill shall have been disposed of.
7. Mr. John Marsh:—Mr. Nichols, as Chairman, brought up the Report, and laid upon the Table the Evidence taken before the Select Committee, appointed on the 4th ultimo, to enquire into the allegations contained in the Petition of Mr. John Marsh, with reference to his claim for compensation upon the Local Government, for land resumed by it at Glebe Island, under the award made by certain arbitrators appointed to value such land.  
Ordered to be printed.

8. Postage Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.

The Chairman having reported the Bill with amendments, the Postmaster-General moved "That" the Report be now adopted.

The Colonial Secretary moved, That the Question be amended, by the omission of all the words thereof following the word "That," with a view to the insertion in their place of the words "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of Clauses " XV and XXXII of this Bill."

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

Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.

Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of Clauses XV and XXXII of this Bill,—put and passed;—

Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.

The Chairman having reported the Bill, with further amendments, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.

9. Sydney Corporation Bill :—On motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again this day six months.

10. Appropriation Bill having been read a second time, on motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration thereof.

The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.

11. Mitchell's Tram Road Bill :—Mr. Donaldson moved, pursuant to notice,—

(1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving for leave to bring in a Bill to amend an Act, intituled, *An Act to authorise the continuation of a Tram Road from Burwood to the Wharf at Newcastle.*

Question put and passed.

(2.) That he have leave to bring in a Bill to amend an Act, intituled, " *An Act to authorise the continuation of a Tram Road from Burwood to the Wharf at Newcastle.*"

Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.

Mr. Donaldson having presented this Bill, intituled, " *A Bill to amend an Act, intituled, ' An Act to authorise the continuation of a Tram Road from Burwood to the Wharf at Newcastle,*" read a first time; ordered to be printed; and read a second time to-morrow.

12. Military Postage :—Mr. James Macarthur moved, pursuant to amended notice, That this Council having had placed before it the Message from His Excellency the Governor-General, No. 39, with reference to the Bill to consolidate and amend the Law for Conveyance and Postage of Letters, together with the copy which accompanies it, of Earl Grey's Despatch No. 40, dated August 30th, 1850, on the subject of the Postage Law of this Colony, and the charge upon the Military Chest, for Official Military Correspondence, Resolves,—

(1.) That sufficient grounds have not been assigned by Earl Grey for exempting the Military Departments from the payment of postage; no such exemption being extended to the Governor-General, nor to any of the Public Departments of this Colony; and that the exception of any Department from the system of Uniform Postage now established, would be in contravention of the principle of the Postage Act, and objectionable in other respects.

(2.) That the Petitions to Her Majesty and Parliament, adopted on the 5th instant, by this Council, expressly declare, that "we are prepared upon the surrender to the Colonial Legislature of the entire management of all our Revenues, Territorial as well as General, in which we include Mines of every description, and upon the establishment of a Constitution among us, similar in its outline to that of Canada, to assume and provide for the whole cost of our Internal Government, whether Civil or Military, the salary of the Governor-General only excepted."

(3.) That this Council declines, therefore, to adopt the alteration which has been suggested by Earl Grey in the Postage Law, now under consideration, either by exempting from Postage the Official Correspondence of the Military Departments, or by making permanent provision for the payment of such Postage out of the Colonial Revenue.

(4.) That under the full expectation that the Home Government will no longer seek to withhold from the Colony the same measure of justice which it has conceded to our North American fellow subjects, more especially the appropriation by the Colonial Legislature of the whole Revenue of the Colony, from whatever source derived, and with an earnest desire to prevent obstruction of the public service, this Council is willing, until sufficient time shall have elapsed for the receipt of an answer to our Petitions from the Imperial Authorities, to make provision for the cost of the Military Official Postage, by vote from the General Revenue of the Colony.



(5.) That the foregoing Resolutions be embodied in an Address to be presented to His Excellency the Governor-General, with a request that he will take such steps as may be advisable in reference thereto.

Captain King moved, That the Question be amended by the introduction between the fourth and fifth Resolutions of the Resolution following,—

“(5.) That in the opinion of this Council a similar provision should also be made to defray the cost of the Postage of the Naval Official Correspondence.”

Question,—That the Resolution proposed to be introduced between the fourth and fifth Resolutions be so introduced—put and passed.

Question.—That this Council having had placed before it the Message from His Excellency the Governor-General, No. 39, with reference to the Bill to consolidate and amend the Law for Conveyance and Postage of Letters, together with the copy which accompanies it, of Earl Grey's Despatch No. 40, dated August 30th, 1850, on the subject of the Postage Law of this Colony, and the charge upon the Military Chest, for Official Military Correspondence, Resolves,—

(1.) That sufficient grounds have not been assigned by Earl Grey for exempting the Military Departments from the payment of postage; no such exemption being extended to the Governor-General, nor to any of the Public Departments of this Colony; and that the exception of any Department from the system of Uniform Postage now established, would be in contravention of the principle of the Postage Act, and objectionable in other respects.

(2.) That the Petitions to Her Majesty and Parliament, adopted on the 5th instant, by this Council, expressly declare, that “we are prepared upon the surrender to the Colonial Legislature of the entire management of all our Revenues, Territorial as well as General, in which we include Mines of every description, and upon the establishment of a Constitution among us, similar in its outline to that of Canada, to assume and provide for the whole cost of our Internal Government, whether Civil or Military, the salary of the Governor General only excepted.”

(3.) That this Council declines, therefore, to adopt the alteration which has been suggested by Earl Grey in the Postage Law, now under consideration, either by exempting from Postage the Official Correspondence of the Military Departments, or by making permanent provision for the payment of such Postage out of the Colonial Revenue.

(4.) That under the full expectation that the Home Government will no longer seek to withhold from the Colony the same measure of justice which it has conceded to our North American fellow subjects; more especially the appropriation by the Colonial Legislature of the whole Revenue of the Colony; from whatever source derived; and with an earnest desire to prevent obstruction of the public service; this Council is willing, until sufficient time shall have elapsed for the receipt of an answer to our Petitions from the Imperial Authorities, to make provision for the cost of the Military Official Postage, by vote from the General Revenue of the Colony.

(5.) That in the opinion of this Council a similar provision should also be made to defray the cost of the Postage of the Naval Official Correspondence.

(6.) That the foregoing Resolutions be embodied in an Address to be presented to His Excellency the Governor-General, with a request that he will take such steps as may be advisable in reference thereto—put and passed.

13. Judges' Taxation Powers Repeal Bill having been read a second time, on motion of Mr. Wentworth, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the consideration thereof.

The Chairman having reported the Bill, with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.

14. Ordinary Revenue Appropriation Bill Reported:—Mr. Wentworth moved, That the Report of this Bill from the Committee of the whole Council be now adopted. Question put and passed; and Bill, as so reported, ordered to be read a third time to-morrow.

15. Sydney Exchange Company's Bill, on motion of Mr. Cowper, read a third time, and passed.

Mr. Cowper then moved, That the following be the title of the Bill, viz., “An Act for the Incorporation of a Company called ‘The Sydney Exchange Company.’”

Question put and passed.

16. Cattle Slaughtering Bill:—On motion of Mr. Martin, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.

The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow. Council adjourned at ten o'clock, until to-morrow at Three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, DECEMBER 19.

### NOTICES OF MOTION:—

1. Mr. Flood to move, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of cases adjudicated at the Court of Petty Sessions held at Raymond Terrace, during the last three years; or from 1st December, 1848, to 1st December, 1851; and how many of these cases were adjourned, and how often, from the want of a second Magistrate. Also, a Return of the annual expense of the Police Establishment at Raymond Terrace during the same period.

2. MR. DARVALL to move, That the following Petition to Her Most Gracious Majesty the Queen, be adopted by this House :—

“ TO HER MOST GRACIOUS MAJESTY THE QUEEN.

“ *The Humble Petition of the Legislative Council of New South Wales,*

“ SHEWETH,

“ That large quantities of gold have recently been discovered in your Majesty's Colonies of New South Wales and Victoria, by which the wealth of your Majesty's subjects will be increased by many millions of pounds sterling annually. That the attraction of labor to this new employment, and the rate of exchange consequent upon the wonderful disproportion between the Colonial exports and imports, have seriously discouraged the former staple productions of these Colonies and menace them with destruction, which Your Majesty's Petitioners humbly represent would be no less ruinous to individual flockmasters than injurious to Your Majesty's Imperial interests. That this evil might be averted by the exercise of Your Most Gracious Majesty's Prerogative, in the establishment of a branch of Your Majesty's Royal Mint at Sydney. That the facility thus afforded to Your Majesty's subjects of converting their gold into current coin of the Realm would give additional value to the result of their labour in its discovery, and prevent the existing unnecessary depreciation of the other produce of the Colony, without any undue interference with trade, or the rights of any portion of Your Majesty's subjects. That your Petitioners humbly conceive that the accident of their remoteness from the seat of Your Majesty's Government, which has not diminished their attachment to Your Majesty's Person, or their obedience to Your Majesty's laws, ought not to deprive them of similar advantages to those which flow from the exercise of Your Majesty's authority in favor of Your Majesty's subjects residing in Great Britain. That an increased facility of coining Australian gold into current coin of the Realm, by giving encouragement and stability to the trade and commerce of Your Majesty's Australian Colonies, and additional value to Your Majesty's Possessions in that portion of the globe, would serve to perpetuate those feelings of gratitude for Your Majesty's consideration, and reliance on Your Majesty's justice, which are the truest bonds of connection between these Colonies and the British Empire.”

(2.) That an Address be presented to His Excellency the Governor-General, requesting him to transmit the foregoing Petition to the Right Honorable the Secretary of State for the Colonies, for presentation to Her Most Gracious Majesty the Queen.

3. MR. DONALDSON to move, That the Report from the Select Committee on the proposed Assay and Refining Office, be now adopted by this Council.
4. THE COLONIAL SECRETARY to move, That the Council on rising adjourn over until Saturday.

ORDERS OF THE DAY :—

1. Consideration of the Governor-General's Message, No. 41, respecting proposed New General Post Office.
2. Government Indemnity Bill; third reading.
3. Postage Bill; third reading.
4. Appropriation Bill; third reading.
5. Mitchell's Tram Road Bill; second reading.
6. Judges Taxation Powers Repeal Bill; third reading.
7. Ordinary Revenue Appropriation Bill; third reading.
8. Cattle Slaughtering Bill; third reading.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

FRIDAY, 19 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Supply of Water to Sydney:—Mr. Lamb presented a Petition from certain merchants, manufacturers, and other employers of labour in the City of Sydney, praying that immediate steps be taken to secure to the City of Sydney an abundant supply of fresh water.  
Petition received.
2. Organization of the Penrith Police:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Captain King, on the 12th instant.  
Ordered to be printed.
3. Moreton Bay:—The Colonial Secretary laid upon the Table Nos. 3 and 10, of the Returns enumerated in the Address, in reference to this District, adopted on motion of Mr. Jones, on the 7th ultimo.  
Ordered to be printed.
4. Mr. Charles William Croaker:—The Colonial Secretary laid upon the Table the Return to the Address in reference to this Gentleman, adopted on motion of Mr. Holroyd, on the 2nd instant.  
Ordered to be printed.
5. Raymond Terrace Petty Sessions:—Mr. Flood moved, pursuant to notice, That an Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of cases adjudicated at the Court of Petty Sessions held at Raymond Terrace, during the last three years; or from 1st December, 1848, to 1st December, 1851; and how many of these cases were adjourned, and how often, from the want of a second Magistrate. Also, a Return of the annual expence of the Police Establishment at Raymond Terrace during the same period.  
Question put and passed.
6. Proposed Branch of the Royal Mint at Sydney:—Mr. Darvall moved, pursuant to amended notice, That the following Petition to Her Most Gracious Majesty the Queen, be adopted by this House:—  
" TO HER MOST GRACIOUS MAJESTY THE QUEEN.  
" *The Humble Petition of the Legislative Council of New South Wales,*  
" SHEWETH,  
" That large quantities of gold have recently been discovered in your Majesty's Colonies of New South Wales and Victoria, by which the wealth of your Majesty's subjects will be increased by many millions of pounds sterling annually. That the attraction of labor to this new employment, and the rate of exchange consequent upon the wonderful disproportion between the Colonial exports and imports, have seriously discouraged the former staple productions of these Colonies and menace them with destruction, which, Your Majesty's Petitioners humbly represent, would be no less ruinous to individual flockmasters than injurious to Your Majesty's Imperial interests. That this evil might be diminished by the exercise of Your Most Gracious Majesty's Prerogative, in the establishment of a branch of Your Majesty's Royal Mint at Sydney. That the facility thus afforded to Your Majesty's subjects of converting their gold into current coin of the Realm would give additional value to the result of their labour in its discovery, and prevent the existing unnecessary depreciation of the other produce of the Colony, without any undue interference with trade, or the rights of any portion of Your Majesty's subjects. That your Petitioners humbly conceive that the accident of their remoteness from the seat of Your Majesty's Government, which has not diminished their attachment to Your Majesty's Person, or their obedience to Your Majesty's laws, ought not to deprive them of similar advantages to those which flow from the exercise of Your Majesty's authority in favor of Your Majesty's subjects residing in Great Britain. That an increased facility of coining Australian gold into current coin of the Realm, by giving encouragement and stability to the trade and commerce of Your Majesty's Australian Colonies, and additional value to Your Majesty's Possessions in that portion of the globe, would serve to perpetuate those feelings of gratitude for Your Majesty's consideration, and reliance on Your Majesty's justice, which are the surest bonds of connection between these Colonies and the British Empire."  
(2.) That an Address be presented to His Excellency the Governor-General, requesting him to transmit the foregoing Petition to the Right Honorable the Secretary of State for the Colonies, for presentation to Her Most Gracious Majesty the Queen.

7. Remission Money to Retired Officers :—The following Message from His Excellency the Governor-General, received and read.

CH<sup>s</sup>. A. FITZ-ROY,  
Governor-General.

Message No. 42.

With reference to the Governor-General's Message No. 16, dated 29 October last, His Excellency lays before the Legislative Council the copy of a Despatch which he has received from Her Majesty's Secretary of State for the Colonies in reply to the Despatch in which His Excellency forwarded to His Lordship the Resolution of the Council which was embodied in the Address adopted on 13th September 1850 on the subject of the Remission money to be granted to retired Officers.

Government House  
Sydney 19 December 1851.

Ordered to be printed, together with the accompanying Documents.

8. Proposed Branch of the Royal Mint at Sydney :—Mr. Darvall's motion on this subject, interrupted by the foregoing Message, being seconded,—  
Debate ensued.

Mr. Lamb moved the Previous Question.

Previous Question put—" Shall the Question be now put ? "  
Council divided.

Ayes, 16.

The Attorney General,  
Mr. Broadhurst,  
Mr. Cox,  
Mr. Wentworth,  
Mr. Martin,  
Mr. Jeffreys,  
Mr. Bradley,  
Mr. Berry,  
Mr. Leslie,  
Mr. Bligh,  
Mr. Darvall,  
The Auditor General,  
Mr. Bowman,  
Mr. Morris,  
The Solicitor General, } Tellers.  
Mr. Holroyd,

Noes, 11.

The Postmaster General,  
The Chief Commissioner of Crown Lands,  
Mr. Smart,  
Captain King,  
The Colonial Treasurer,  
The Colonial Secretary,  
Mr. Donaldson,  
Mr. Lamb,  
Mr. James Macarthur,  
Mr. W. Macarthur, } Tellers  
Mr. Parker,

Whereupon, Question put and passed.

9. Assent to Bills :—The Speaker reported that His Excellency the Governor-General had been pleased to give the Royal Assent to the following Bills, viz. :—  
(1.) Distresses for Rent Bill.  
(2.) Sydney Exchange Company's Bill.
10. Motion withdrawn :—Mr. Donaldson withdrew the motion standing in his name third on the Notice Paper for to-day.
11. Adjournment of the Council :—The Colonial Secretary moved, pursuant to amended notice, that the Council, on rising, adjourn over until to-morrow, Saturday, at Twelve o'clock.  
Question put and passed.
12. Postponement :—The consideration of the Governor-General's Message No. 41, respecting the proposed New General Post Office postponed, on motion of the Colonial Secretary, until to-morrow.
13. Government Indemnity Bill, on motion of the Colonial Secretary, read a third time, and passed.  
The Colonial Secretary then moved, That the following be the title of the Bill, viz.,  
" An Act to indemnify the Governor and the Officers of the Colonial Treasury, in respect of certain unauthorised payments for the Expenses of the Administration of Justice."  
Question put and passed.
14. Postponement :—The third reading of the Postage Bill postponed, on motion of the Colonial Secretary, until to-morrow.
15. Appropriation Bill, on motion of the Colonial Treasurer, read a third time, and passed.  
The Colonial Treasurer then moved, That the following be the title of the Bill, viz.,  
" An Act for applying certain sums arising from the Revenue receivable in New South Wales, to the service thereof, for the year one thousand eight hundred and fifty-two ;  
" and for further appropriating the said Revenue."  
Question put and passed.
16. Mitchell's Tram Road Bill, having been read a second time, on motion of Mr. Donaldson, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration thereof.  
The Chairman having reported the Bill with an amendment, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.
17. Judges Taxation Powers Repeal Bill, on motion of Mr. Wentworth, read a third time, and passed.  
Mr. Wentworth then moved, That the following be the title of the Bill, viz., " An Act to repeal so much of the Imperial Act, 9th George IV, cap. 83, and the Colonial Act, 4th Vict., No. 22, as vests a power of taxation in the Judges of the Supreme Court."  
Question put and passed.

- 18. Ordinary Revenue Appropriation Bill, on motion of Mr. Wentworth, read a third time, and passed.  
Mr. Wentworth then moved, That the following be the title of the Bill, viz., "An Act to repeal so much of the Local Ordinances, 2nd Wm., IV, No. 12, 6th Vict., No. 15, 7th Vict., No. 19, 8th Vict., No. 4, and 11th Vict., No. 20, as assumes to vest the appropriation of the Ordinary Revenue elsewhere than in the Legislative Council."  
Question put and passed.
- 19. Postponement :—The third reading of the Cattle Slaughtering Bill postponed, on motion of Mr. Martin, until to-morrow.  
Council adjourned at a quarter before Eight o'clock, until to-morrow at Twelve o'clock.

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**NOTICE OF MOTION AND ORDERS OF THE DAY.**

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SATURDAY, DECEMBER 20.

**MEMO :—***The Council meet to-day—Saturday—at Twelve o'clock.*

**NOTICE OF MOTION :—**

- 1. Mr. LAMB to move, That the Petition presented by him from certain Citizens of Sydney, on the subject of a supply of water for the City, be printed.

**ORDERS OF THE DAY :—**

- 1. Consideration of the Governor-General's Message, No. 41, respecting proposed New General Post Office.
- 2. Postage Bill; third reading.
- 3. Mitchell's Tram Road Bill; third reading.
- 4. Cattle Slaughtering Bill; third reading.

**CHARLES NICHOLSON,**  
*Speaker.*

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VOTES AND PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL.

SATURDAY, 20 DECEMBER, 1851.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Supply of Water to Sydney :—Mr. Lamb moved, pursuant to notice, That the Petition presented by him from certain Citizens of Sydney, on the subject of a supply of Water for the City, be printed.  
Debate ensued.  
Question put and passed.  
Ordered to be printed.
2. Proposed New General Post Office :—The Governor-General's Message No. 41, in reference to this proposed Building, having been read on motion of the Colonial Secretary,—The Colonial Secretary moved, That this Council having taken into consideration the Message of His Excellency the Governor-General, No. 41, of the 18th December, 1851, resolves,—  
That there is not any objection to the appropriation, as a site for a General Post Office, in the manner proposed by His Excellency, of so much of the Land in the Old Barrack Square as is indicated on the sketch accompanying His Excellency's Message, that is to say, allotments Nos. 1 to 41, inclusively of section 2, and allotments Nos. 48, 49, and 50, of the same section.  
Question put and passed.
3. Postage Bill, on motion of the Postmaster General, read a third time, and *passed*.  
The Postmaster General then moved, That the following be the title of the Bill, viz.,  
" *An Act to consolidate and amend the Law for Conveyance and Postage of Letters.*"  
Question put and passed.
4. Mitchell's Tram Road Bill :—Mr. Donaldson moved, That this Bill be now read a third time.  
Debate ensued.  
Question put and passed.  
Bill read a third time.  
The Colonial Secretary then moved, That the Bill be amended by the introduction, after the word "making" at the end of line 7 of Clause III, of the words "or in any way using."  
Question put and passed; and Bill so amended.  
Mr. Donaldson then moved, That the Bill do now *pass*.  
Question put and passed.  
Mr. Donaldson then moved, That the following be the title of the Bill, viz., " *An Act to amend an Act, intituled, 'An Act to authorise the continuation of a Tram Road from Burwood to the Wharf at Newcastle.'*"  
Question put and passed.
5. Cattle Slaughtering Bill, on motion of Mr. Martin, read a third time, and *passed*.  
Mr. Martin then moved, That the following be the title of the Bill, viz., " *An Act to amend the Laws for the Slaughtering of Cattle, and to secure the immediate destruction of animals dying of disease.*"  
Question put and passed.  
Council adjourned at One o'clock, until Monday next at Twelve o'clock.

CHARLES NICHOLSON,  
*Speaker.*

