

Votes

New South Wales.

No. 1.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 24 JANUARY, 1865.

1. Opening of Parliament:—The House met at Twelve o'clock, at noon, pursuant to Proclamation of His Excellency the Governor, bearing date the 9th day of January instant, of which a copy was read by the Clerk, as follows:—

“ PROCLAMATION.

“ *By His Excellency the Right Honorable SIR JOHN YOUNG, Baronet, Knight
“ Commander of the Most Honorable Order of the Bath, Knight Grand Cross
“ of the Most Distinguished Order of St. Michael and St. George, Captain
“ General and Governor-in-Chief of the Colony of New South Wales, and Vice-
“ Admiral of the same.*

“ In pursuance of the power and authority vested in me as such Governor
“ as aforesaid, by virtue of the Act intituled ‘ *An Act to confer a Constitution on
“ ‘ New South Wales and to grant a Civil List to Her Majesty,*’ as assented to by
“ Her Majesty, under the authority of the Act of the Imperial Parliament, passed
“ in the Session of the 18th and 19th years of the reign of Her said Majesty,
“ intituled, ‘ *An Act to enable Her Majesty to assent to a Bill as amended of the
“ ‘ Legislature of New South Wales to confer a Constitution on New South Wales
“ ‘ and to grant a Civil List to Her Majesty,*’ I do hereby proclaim that a Session
“ of the Legislative Council and Legislative Assembly for the Colony of New
“ South Wales, for the despatch of business, shall commence and be holden on
“ Tuesday, the twenty-fourth day of January instant, at Twelve o'clock at noon, in
“ the buildings known as the Legislative Council Chambers, in Macquarie-street, in
“ the City of Sydney; and the Members of the said Legislative Council and Legis-
“ lative Assembly, respectively, are hereby required to give their attendance at the
“ said time and place accordingly.

“ Given under my Hand and Seal, at Government House, Sydney, this ninth
“ day of January, in the year of Our Lord one thousand eight hundred
“ and sixty-five, and in the twenty-eighth year of Her Majesty's Reign.

“ (L.S.) JOHN YOUNG.

“ *By His Excellency's Command,*

“ WILLIAM FORSTER.

“ GOD SAVE THE QUEEN !”

The Clerk then announced that he had received, through the Honorable the Colonial Secretary, Certificates, under the hand of His Excellency the Governor, of the return of certain Gentlemen to serve as Members in this Parliament, together with the respective Writs upon which they were so returned.

The Usher of the Black Rod, being admitted, delivered a Message, that “ The Commissioners request the immediate attendance of this Honorable House in the Legislative Council Chamber, to hear the Commission read.”

The House went, and the President said:—“ Honorable Gentlemen of the Legislative Council, and Gentlemen of the Legislative Assembly,—His Excellency the Governor-in-Chief not thinking fit to be personally present here this day,
“ has

" has been pleased to cause a Commission to be issued under the Great Seal of
 " the Colony, constituting us Commissioners, to do all things necessary to be
 " performed by the Governor-in-Chief, in the name or on the part of Her Majesty
 " the Queen, or in the name or on the part of His Excellency as Governor of the
 " Colony, in order to the opening and holding of this Parliament, as will more
 " fully appear by the Commission itself, which must now be read";—

Whereupon the Clerk of the Parliaments read the said Commission, as follows :—

" *Victoria, by the Grace of God, of the United Kingdom of Great Britain and*
Ireland, Queen, Defender of the Faith, &c., &c., &c.

" To all to whom these Presents shall come,

" *Greeting :*

" Whereas, by Proclamation made on the ninth day of January instant, by His
 " Excellency The Right Honorable Sir John Young, Our Captain General and
 " Governor-in-Chief of Our Colony of New South Wales, the said Sir John Young
 " did, in pursuance of the power and authority vested in him as Governor of
 " New South Wales, by virtue of the Act of the late Legislature thereof, intituled,
 " *An Act to confer a Constitution on the said Colony and to grant a Civil List*
 " *to Her Majesty,* as assented to by Us, proclaim that a Session of the Legislative
 " Council and Legislative Assembly, constituted under the said Act, and composing
 " the Parliament of the said Colony of New South Wales, should commence and be
 " holden on Tuesday, the twenty-fourth day of January, 1865: And whereas, for
 " certain causes, Our said Governor cannot conveniently be present in person at the
 " opening of the said Session: Now know ye, that we, trusting in the discretion,
 " fidelity, and care of Our trusty and well-beloved The Honorable Terence Aubrey
 " Murray, Esquire, President of the said Legislative Council, The Honorable John
 " Hubert Plunkett, Esquire, and the Honorable George Allen, Esquire, Do with
 " the advice of Our Executive Council of Our said Colony, give and grant by the
 " tenor of these Presents, unto the said Terence Aubrey Murray, John Hubert
 " Plunkett, and George Allen, so being such President and Members of the said
 " Legislative Council, or any two of them, full power in Our name to open and
 " hold the said Session of the said Legislative Council and Legislative Assembly,
 " on the said twenty-fourth day of January, on Our behalf, and to do all
 " things necessary to be done, in Our name, or in the name of Our Governor of
 " Our said Colony, in and about the opening and holding of the said Parliament;
 " commanding also, by the tenor of these Presents, all whom it concerns to meet
 " in the said Parliament, that to the said Terence Aubrey Murray, John Hubert
 " Plunkett, and George Allen, or any two of them, they diligently attend in the
 " premises in the form aforesaid.

" In testimony whereof we have caused these Our Letters to be made Patent.

" Witness, Our right Trusty and Well-beloved Councillor, SIR JOHN
 " YOUNG, Baronet, Knight Commander of the Most Honorable Order
 " of the Bath, Knight Grand Cross of Our Most Distinguished Order of
 " St. Michael and St. George, Our Captain General and Governor-in-
 " Chief of Our Colony of New South Wales, and Vice-Admiral of
 " the same, at Government House, Sydney, in New South Wales
 " aforesaid, this twenty-first day of January, in the year of Our Lord
 " one thousand eight hundred and sixty-five, and in the twenty-
 " eighth year of Our Reign."

" (L.S.) JOHN YOUNG.

" *By His Excellency's Command,*

" WILLIAM FORSTER."

The Members of both Houses being then seated, at the request of the President,
 the President said—

" Honorable Gentlemen of the Legislative Council, and Gentlemen of the
 " Legislative Assembly,—

" We have it in Command from the Governor-in-Chief to let you know, That as
 " soon as the Members of both Houses shall have been sworn, His Excellency will
 " declare the causes of this Parliament being called together; and it being necessary
 " that a Speaker of the Legislative Assembly be first chosen, it is His Excellency's
 " pleasure that you, Gentlemen of the Legislative Assembly, repair to your
 " own Chamber, and there proceed to the election of one of your number to
 " be your Speaker."

2. Members Sworn :—The House being returned, the Honorable James Martin, Esquire,
 informed the Assembly that His Excellency the Governor-in-Chief had been
 pleased to issue a Commission, under the Seal of the Territory, empowering him
 and two other Members of the House therein named, to administer to each other,
 and to all or any other Member or Members of the House, the Oath or Affirma-
 tion of Allegiance required by Law to be taken or made and subscribed before
 any Member can sit or vote therein, which Commission was read by the Clerk, as
 follows :—

" *By*

“ *By His Excellency The Right Honorable Sir John Young, Baronet, Knight Com-
 mander of the Most Honorable Order of the Bath, Knight Grand Cross of the
 Most Distinguished Order of St. Michael and St. George, Captain General
 and Governor-in-Chief of the Colony of New South Wales, and Vice-Admiral
 of the same.* ”

“ To all to whom these presents shall come,

“ *Greeting :*

“ In pursuance of the authority in me vested in that behalf, I, Sir John Young,
 “ as Governor of the Colony of New South Wales, do, with the advice of the
 “ Executive Council thereof, hereby authorize the Honorable James Martin,
 “ Esquire, Attorney General, the Honorable William Forster, Esquire, Colonial
 “ Secretary, and the Honorable John Bowie Wilson, Esquire, Secretary for
 “ Lands, or any one or more of them, to administer to all or any Members or
 “ Member of the Legislative Assembly of the said Colony, the Oath or Affirmation
 “ of Allegiance to the Queen, required by law to be taken or made and subscribed
 “ by every such Member before he shall be permitted to sit or vote in the said
 “ Legislative Assembly.

“ Given under my Hand and the Seal of the Colony, at Government House,
 “ Sydney, this twenty-first day of January, in the year of Our Lord
 “ one thousand eight hundred and sixty-five, and in the twenty-eighth
 “ year of the Reign of Her Majesty Queen Victoria.

“ JOHN YOUNG.

“ *By His Excellency's Command,*

“ WILLIAM FORSTER.”

Whereupon, Mr. Martin took and subscribed the Oath himself, and administered the same to the two other Commissioners, the Honorable William Forster, Esquire, and the Honorable John Bowie Wilson, Esquire, and then the Commissioners respectively signed the Roll of the House, and administered the Oath to all the other Members present,—the Clerk producing the several Writs returning them, and the Members subscribing the Roll as they were severally called to the Table, viz. :—

Names.	Returned for.
Alexander, Maurice	Goulburn.
Arnold, William Munnings	The Paterson.
Brown, Stephen Campbell	Newtown.
Buchanan, David	East Macquarie.
Burdekin, Marshal	The Williams.
Burns, John Fitzgerald	The Hunter.
Byrnes, James	Parramatta.
Caldwell, John	East Sydney.
Campbell, James	Morpeth.
Cooper, Theophilus	New England.
Cowper, Charles	East Sydney.
Cowper, Charles, junior	The Tumut.
Cummings, William	East Macquarie.
Cunneen, James Augustine	The Hawkesbury.
Darvall, John Bailey	West Sydney.
De Salis, Leopold Fane	Queanbeyan.
Dignam, Philip	Argyle.
Dodds, Alexander	East Maitland.
Donnelly, Stephen Augustin	Gold Fields West.
Driver, Richard, junior	West Macquarie.
Eckford, Joseph	Wollombi.
Egan, Daniel	Eden.
Farnell, James Squire	Parramatta.
Faucett, The Hon. Peter	Yass Plains.
Forlonge, William	Orange.
Forster, The Hon. William	The Hastings.
Garrett, Thomas	Shoalhaven.
Gordon, Hugh	Tenterfield.
Hart, James	East Sydney
Hay, John	Central Cumberland.
Hurley, John	Narellan.
Joseph, Samuel A.	West Sydney.
Josephson, Joshua Frey	Braidwood.
Kemp, James Ruthven	Bathurst.
Lang, The Rev. John Dunmore, D.D.	West Sydney.
Lee, Benjamin	West Maitland.
Lloyd, John Charles	Liverpool Plains.
Lord, George William	The Bogan.
Lucas, John	{ Canterbury } * <i>Signed the Roll for</i>
Macleay, William	{ Hartley } <i>both Electorates.</i>
Macpherson, Allan	The Murrumbidgee.
	Central Cumberland.

Martin

Names.	Returned for.
Martin, The Hon. James	{ The Lachlan } * <i>Signed the Roll for the</i> { Monaro } <i>Electorate of the Lachlan.</i>
Mate, Thomas Hodges	The Hume.
Morrice, John	Camden.
Neale, James Henry	East Sydney.
Oatley, James	Canterbury.
Osborne, Patrick Hill	Illawarra.
Parkes, Henry	Kiama.
Pickering, George Ferrers	Gold Fields North.
Piddington, William Richman	The Hawkesbury.
Roberts, Richard Hutchinson	Camden.
Robertson, John	West Sydney.
Ryan, James Tobias	The Nepean.
Samuel, Saul	Wellington.
Smart, Thomas Ware	The Glebe.
Sutherland, John	Paddington.
Terry, Samuel Henry	Mudgee.
Tighe, Atkinson Alfred Patrick	Northumberland.
Tunks, William	St. Leonard's.
Walker, William	Windsor.
White, James	The Upper Hunter.
Wilson, The Hon. John Bowie	Patrick's Plains.
Wisdom, Robert	The Lower Hunter.

3. Election of Speaker:—Mr. Piddington, addressing himself to the Clerk (who, standing up, pointed to him, and then sat down), proposed to the House for their Speaker, John Hay, Esquire, and moved,—“That John Hay, Esquire, do take the Chair of this House, as Speaker,”—which motion was seconded by Dr. Lang. The House then calling Mr. Hay to the Chair, he stood up in his place, and expressed the sense he entertained of the honor proposed to be conferred upon him, and submitted himself to the House. The House then again unanimously calling Mr. Hay to the Chair, he was taken out of his place by Mr. Piddington and Dr. Lang, and conducted to the Chair, where, standing on the upper step, he returned his acknowledgments to the House for the great honor they had been pleased to confer upon him by unanimously choosing him to be again their Speaker. And thereupon he sat down in the Chair. Then Mr. Martin and Mr. Cowper having respectively congratulated the Speaker, Mr. Martin acquainted the House that he had previously ascertained from the Governor-in-Chief that His Excellency would receive their Speaker at Government House To-morrow, at Twelve o'clock. Whereupon the House adjourned, on motion of Mr. Martin, at twenty-three minutes after One o'clock, until To-morrow, at half-past Eleven o'clock.

WEDNESDAY, JANUARY, 25.

MEMO.—*The House to meet at half-past Eleven o'clock a.m. this day, to proceed to Government House, and there, at Twelve o'clock, to present their Speaker to His Excellency the Governor-in-Chief.*

JOHN HAY,
Speaker.

New South Wales.

No. 2.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 25 JANUARY, 1865.

1. The House met pursuant to adjournment ; The Speaker took the Chair.
Member Sworn :—James Hannell, Esquire, having taken the Oath before one of the Commissioners, and subscribed the Roll, took his Seat as Member for the Electoral District of Newcastle,—the Clerk producing the Writ.
2. Presentation of Speaker :—On motion of Mr. Martin, the House proceeded to Government House, to present their Speaker to His Excellency the Governor-in-Chief ;—
And the House being returned, the Speaker reported that the Assembly had been to Government House, where he informed the Governor-in-Chief that, immediately after the Opening of Parliament yesterday, the Legislative Assembly, in the exercise of their undoubted right, had proceeded to the Election of their Speaker,—that their choice had fallen upon him—and that he had now to present himself to His Excellency as the Speaker of the House ;—whereupon His Excellency was pleased to offer him his congratulations on the high honor and distinction conferred upon him.—That he had then, on behalf of the House, laid claim to all their rights and privileges, and requested that the most favourable construction should, on all occasions, be put upon their language and proceedings ;—to all which His Excellency had readily assented.
3. Adjournment for Governor's Opening Speech :—Mr. Martin, announcing that His Excellency the Governor would, at Twelve o'clock, on Friday next, in the Legislative Council Chamber, declare the causes of this Parliament being called together,—
Moved, That this House do now adjourn until half-past Eleven o'clock on Friday next.
Question put and passed.
Whereupon, the Speaker left the Chair, and the House stood adjourned accordingly, at half-past Twelve o'clock.

JOHN HAY,
Speaker.

FRIDAY, JANUARY 27.

MEMO :—*The House to meet at half-past Eleven, this day, preparatory to the Opening of Parliament by the Governor, at Twelve o'clock.*



New South Wales.

No. 3.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 27 JANUARY, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Speaker's Commission to Administer the Oath :—The Speaker reported that His Excellency the Governor had been pleased to issue a Commission, under the Seal of the Territory, empowering him to Administer the Oath or Affirmation of Allegiance to such Members as may hereafter present themselves to be sworn,—which Commission was read at length by the Clerk, as follows :—

“ *By His Excellency The Right Honorable SIR JOHN YOUNG, Baronet, Knight Commander of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Captain General and Governor-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.* ”

“ To all to whom these Presents shall come,

“ *Greeting :*

“ In pursuance of the authority in me vested in that behalf, I, SIR JOHN YOUNG, as Governor of the Colony of New South Wales, do hereby authorize the Honorable John Hay, Esquire, Speaker of the Legislative Assembly of the said Colony, to administer from time to time, as occasion may require, to any Member or Members of the said Assembly, the Oath or Affirmation of Allegiance to Her Majesty the Queen, required by Law to be taken or made and subscribed by every such Member before he shall be permitted to sit or vote in the said Legislative Assembly.

“ Given under my Hand and the Seal of the Colony, at Government House, Sydney, this twenty-fifth day of January, in the year of Our Lord one thousand eight hundred and sixty-five, and in the twenty-eighth year of the Reign of Her Majesty Queen Victoria.

“ JOHN YOUNG.

“ *By His Excellency's Command,*

“ WILLIAM FORSTER.”

2. Message from His Excellency the Governor :—The Usher of the Black Rod being admitted, delivered a Message,—“ That it is the pleasure of the Governor that this Honorable House do attend His Excellency forthwith in the Legislative Council Chamber.”

The House went, and, being returned, adjourned, on motion of Mr. Martin, at twenty minutes before One o'clock, until Three o'clock This Day.

The House resumed pursuant to adjournment:

3. Return of Writ :—The Speaker reported that he had received through the Honorable the Colonial Secretary, a Certificate, under the Hand of His Excellency the Governor, of the return of James Rodd, Esquire, to serve in this Parliament, as Member for the Electoral District of the Gold Fields South, together with the Writ upon which that Gentleman was so returned. Also, a copy of a Proclamation by His Excellency, declaring valid the Election of the said James Rodd, Esquire, notwithstanding the delay in the return of the said Writ.
4. Consolidated Revenue Fund Bill :—The following Message from His Excellency the Governor was delivered by Mr. Martin, and read by the Speaker :—

JOHN YOUNG,
Governor.

Message No. 1.

In accordance with the provisions contained in the 54th Clause of the Constitution Act, the Governor recommends, for the consideration of the Legislative Assembly, that provision be made for defraying out of the Consolidated Revenue Fund of New South Wales, the expenses of the various Departments and Services of the Colony, from the first of January to the thirty-first of March, in the year 1865, at the rates which have been sanctioned for the year 1864.

*Government House,
Sydney, 27th January, 1865.*

Ordered, on motion of Mr. Martin, to be printed.

5. Business Days—(*Sessional Order*) :—Mr. Martin (*with the concurrence of the House*) moved, without notice, That, unless otherwise ordered, this House will meet for dispatch of Business at Three o'clock p.m. on Tuesday, Wednesday, Thursday, and Friday in each week.
Question put and passed.
6. Days for precedence of Government Business—(*Sessional Order*) :—Mr. Martin (*with the concurrence of the House*) moved, without notice, That on Wednesday and Thursday in each week, unless otherwise ordered, Government Business take precedence of all other Business.
Question put and passed.
7. Days for precedence of Private Business, and relative precedence of Private Orders (*Sessional Order*) :—Mr. Martin (*with the concurrence of the House*) moved, without notice, That on Tuesday and Friday in each week, unless otherwise ordered, Private Business shall take precedence of Government Business; and that on Fridays, Private Orders of the Day shall take precedence of Motions.
Question put and passed.
8. Formal Motions and Orders of the Day—(*Sessional Order*) :—Mr. Martin (*with the concurrence of the House*) moved, without notice, That it be a *Sessional Order* of this House for the present Session,—
 - (1.) That every Motion, or Order of the Day for the third reading of a Bill, to which, on the Question being put from the Chair—“Whether there is any objection to its being a ‘formal’ Motion or Order of the Day?”—no objection shall be taken, shall be deemed to be a “formal” Motion or Order of the Day.
 - (2.) That, before the Ordinary Business of each day shall be entered upon, the Speaker shall call over the various Notices of Motions, and Orders of the Day for third reading of Bills; and on any such Motion or Order being called, it shall be competent for the Member, otherwise entitled to move it, to have the above question put with reference thereto; and such “formal” Motions or Orders of the Day shall be disposed of in the relative order in which they stand on the Business Paper, taking precedence of all the other Motions and Orders of the Day.
 - (3.) That no debate shall be allowed upon any of such “formal” Motions or Orders of the Day, or upon the further proceedings consequent on the reading of such Orders, but the House may proceed to division thereupon, without amendment or debate, as in the case of the motion for the first reading of a Bill.
 - (4.) That, in consequence of any such “formal” Orders of the Day having been disposed of as aforesaid, it shall not be held that the House has proceeded to the Orders of the Day upon the Business Paper, so as to exclude thereafter the presentation of Petitions, or the reception of Notices of Motion.
 Question put and passed.
9. Resumption of Committee of Supply—(*Sessional Order*) :—Mr. Martin (*with the concurrence of the House*) moved, without notice, That, unless otherwise ordered, the Resumption of the Committee of Supply stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.
Question put and passed.
10. Resumption of Committee of Ways and Means—(*Sessional Order*) :—Mr. Martin (*with the concurrence of the House*) moved, without notice, That, unless otherwise ordered, the Resumption of the Committee of Ways and Means stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.
Question put and passed.

11. Transmission of Messages between the two Houses—(*Sessional Order*):—Mr. Martin (*with the concurrence of the House*) moved, without notice, That the Order respecting the transmission of Messages, agreed to by the two Houses during the Session of 1856-7, stand as a Sessional Order of this House for the present Session.
Question put and passed.
12. Balloting for Select Committees—(*Sessional Order*):—Mr. Martin (*with the concurrence of the House*) moved, without notice, That the following Rules be observed as a Sessional Order of this House for the present Session:—
(1.) Members balloting for a Select Committee shall place the Balloting Papers after completion, in the hands of the Clerk of the House (or in his absence the Officer acting in his stead) giving time for him to note one paper (as hereinafter mentioned) before another is presented.
(2.) The Clerk shall have before him a complete printed list of the Members of the House, and on the presentation of any Balloting Paper, shall place his initials against the entry in such list of the name of the Member presenting such Balloting Paper, and the Clerk shall place such list so initialed on record, with the other proceedings of the Ballot.
Question put and passed.
13. Entry of Questions and Answers on Votes—(*Sessional Order*):—Mr. Martin (*with the concurrence of the House*) moved, without notice, That the Clerk of the House shall enter upon the Minutes of the Votes and Proceedings the Questions, of which formal notice shall have been given, put to the Members representing the Government in this House, and the Answers returned to the same.
Question put and passed.
14. Vote of Chairman of Select Committee on Private Bill—(*Sessional Order*):—Mr. Martin (*with the concurrence of the House*) moved, without notice, That the Chairman of a Select Committee on a Private Bill be entitled to vote on all questions in the same way as other Members of such Committee; and, in case of an equality of votes, exercise a second or casting vote.
Question put and passed.
15. Consolidated Revenue Fund Bill:—Mr. Martin having presented this Bill, Bill, intituled, "*A Bill to apply certain Sums out of the Consolidated Revenue Fund of New South Wales towards the Service of the year 1865,*" read a first time.
Ordered to be printed, and read a second time on Tuesday next.
16. The Governor's Opening Speech:—The Speaker reported that the House had this day attended His Excellency the Governor in the Legislative Council Chamber, where His Excellency delivered an Opening Speech to both Houses of Parliament, of which, for greater accuracy, he had obtained a copy, which he then read to the House at length, as follows:—

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,

AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

1. I have called you together at the earliest possible period after the General Election, in order that no time may be lost in dealing with questions, the settlement of which cannot be delayed without great danger to the public credit.

2. Having become satisfied that the state of parties in the late Assembly, rendered it impossible for that body satisfactorily to perform its functions, I felt myself compelled to dissolve Parliament, although no provision had been made for granting any portion of the Supplies necessary for the present year. In the absence of those Supplies, it will be impossible for me, without violating the Constitution, to sanction any payments out of the Consolidated Revenue Fund, beyond the amounts for which Parliamentary sanction has been already obtained. A responsibility of that kind I shall not feel myself called upon to assume, except in such cases of unavoidable necessity as must, in the estimation of all reasonable men, be a sufficient justification for such a course. No such necessity can exist while Parliament is sitting; and as no payments for the service of this year need be made until the beginning of the ensuing month, there is ample time for the passing of a Bill to authorize such payments, in anticipation of the annual Appropriation Act. For that purpose a Bill will be submitted to the Legislative Assembly, to grant to Her Majesty the sum required to defray the expenses of the various Departments and Services of the Colony, from the first day of this month to the thirty-first of March next, at the rates which were sanctioned for the year just ended. The obvious and pressing necessity for this measure, justifies me in requesting you to give it your immediate attention.

3. The first duty of every well regulated Government, is to maintain its finances in a sound and solvent condition. The power to preserve the peace, protect life and property, carry on public works, administer justice, educate the people, provide for the public defence, and accomplish reforms of all kinds, depends mainly on the manner in which this duty is discharged. We cannot enjoy the advantages of civilization, or keep pace with the progress of events, unless the necessary funds are placed at the disposal of the Government. For some time past our finances have been in a state such as to demand the most serious consideration. It has now been ascertained, that in respect of the year 1863 and previous years, there has arisen a deficit of £390,000. To meet this deficit, the Government has been authorized to borrow the sum of £400,000 on Treasury Bills, none of which can be made payable later than the first of January, 1868. The holders of any of these Bills are moreover authorized to pay them, at any time after

after the expiration of two years from their date, in discharge of duties, rents, or assessments, or of the purchase money of Crown Lands. The utmost limit, therefore, for the maturing of this debt is not quite three years from this time, and payment of the Bills already issued may in effect be demanded at a much earlier period. Under these circumstances, the deficit of 1863 and previous years, must be regarded as a charge upon the income of this and the two following years—the burthen being £133,000 on each year.

4. During the year 1864, an additional deficit of £413,000 accrued, notwithstanding the many retrenchments made in that year: The loss of crops from rust and inundations to the extent of at least half a million, and the loss of stock from disease and floods, by diminishing the purchasing power of our agriculturalists, and other producers, very seriously cut down that portion of our revenue which is derived from Customs' Duties, while a great falling off in the sale of the Waste Lands of the Crown, deprived the Treasury of a large portion of the Revenue ordinarily derivable from that source. Over the calamitous visitations of Providence no control could be exercised, nor could any foresight have warned the Government against them. The damage done by those visitations cannot, however, be regarded as likely to occur annually or even frequently hereafter, and we should be entitled to consider the loss of income caused thereby as exceptional, were it not that an increased expenditure is required fully equal to the loss in question. Some of the items of expenditure withdrawn last year were so withdrawn, not because the expenditure would have been improper, but with a view simply to postpone them to a period when the money could be more conveniently spared. Of this, the Votes for Immigration and the Volunteers are examples. Besides these items thus temporarily withdrawn, there are numerous public works (some of which I shall mention presently), the construction of which cannot with safety be much longer delayed, independently of the large loans which must, at no distant date, be raised for the extension of our Railways, and the interest on which must become a regular charge upon the Consolidated Revenue Fund. It is my duty, under these circumstances, earnestly to invite you to look these financial difficulties in the face, and to aid the Government in providing the additional income which is so urgently required to enable us to construct our public works, pay our debts, and maintain the credit of the country. New imposts are never looked upon with indifference by any people, however lightly they may be taxed; but, at whatever inconvenience, they must be borne whenever the public honor or interest demands the sacrifice. I submit therefore to you, as your first and most important duty, the settlement of this question of new taxes, which I am sure will be distributed by you as equitably, and raised as inexpensively, as circumstances will allow.

5. Much discredit has been brought upon the country, and many losses and much inconvenience have been sustained by the public, through the depredations of a few bushrangers, who have for a long period eluded the vigilance of the very large Police Force which this Colony maintains. Whether the non-apprehension of these bushrangers is to be attributed to some extent to the inefficiency of the Police Force, or the want of judgment with which they are directed, or not, it is quite certain that these bushrangers are constantly aided, by numbers of the inhabitants in the districts in which these crimes are committed. They are regularly provided with food, shelter, and horses, and have the means at all times of acquiring accurate information of the movements of the Police. In a wooded and thinly-peopled country, every path and secluded spot in which are known to the bushrangers, and not always known to their pursuers, the information and assistance which they receive from their numerous friends and sympathizers, may enable them to remain at large indefinitely, unless some means are adopted to deprive them of the aid on which they can now so surely rely. Perhaps the best mode of depriving them of that aid, would be to empower the Government to proclaim those localities where they are harboured or assisted, in such a way as to include only the persons who, on good grounds, are suspected to be the guilty abettors, and to levy upon the residents in such districts, in a summary way, the entire cost of maintaining such bodies of police as it may be thought desirable to place in the midst of them. By this means, and the imposition of heavier punishments, than the law now prescribes, upon those who harbour or otherwise aid bushrangers, it is thought the chief cause of their long impunity would be removed. Bills to accomplish these objects, and to enable the police to act with greater promptitude and vigour in the apprehension of bushrangers, will be submitted to you, without delay.

6. The long period which has elapsed since Great Britain has been at war with any great maritime power, has led to a perhaps imprudent delay in the construction of the defences necessary to secure Sydney from a hostile attack by sea. More than once during the last four years, apprehensions have been entertained of such a struggle as would render the British Colonies liable to attacks which they could not resist, and from which England could not very readily defend them. The prudence and forbearance of British Statesmen have hitherto warded off any such calamity; but the causes of apprehension still exist, and any mail may bring intelligence of the commencement of a great war to which England may be a party. It is our duty to provide in time for such a contingency. The wealth accumulated in this City in houses, goods, and money, as well as in the various means for the carrying on a vast maritime commerce is so great, in comparison

comparison with the general wealth of the community, that its destruction would, to a large extent, be the destruction of the remote interior as well. Where interests so momentous are involved, even in the most peaceful times every precaution ought to be taken which prudence and foresight can suggest. In recent times it has not been customary for belligerents to visit with all the horrors of war, the merely trading depots of their adversaries, but a return may at any moment take place, to the severer practice of former days when every destruction of an enemy's property was regarded as a justifiable advantage. We are not called upon to incur the expense of constructing a great fortress, which nothing less than a large fleet and army could attack with any hope of success, but we ought to erect such fortifications as would enable us to secure the City from such force, public or private, as any nation, European or American, would be likely to send into these seas. The harbour of Port Jackson is admirably adapted for the construction of such works, and the Government has recently been favoured with some valuable suggestions, as to the best and most economical means of planning and defending them. Proposals will be submitted to you in connexion with this most important subject, to which I invite your attention.

7. The great increase of crime which has taken place of late years, has rendered the safe custody and management of our criminals a matter of extreme difficulty. Our gaol accommodation has become wholly insufficient for coercion or classification, and must soon afford too little space for the mere lodging of the increasing numbers sent to them for punishment. Several of them besides are placed in improper situations, and constructed on plans to which none of the many improvements which modern experience has suggested can by any possibility be adapted. Some large gaol or penal establishment, the site for which shall be judiciously selected, and in the construction of which all proper means for security, health, punishment, and classification shall be adopted, is one of our most urgent wants. The building of such an establishment will require a very large expenditure, but the time has arrived when a commencement should be made, and a sum of money for that purpose will be placed upon the Estimates of Expenditure for the present year.

8. The number of Lunatics in this Country requiring confinement is very great in proportion to the population. The two Asylums of Parramatta and Tarban Creek, have for some time past been considered insufficient to meet our requirements. In neither of those establishments do we find either the extent of accommodation, or the varied means for improving and ameliorating the condition of the patients, which are now commonly met with in such establishments in England. Humanity requires that, in these respects, we should not be behind the age, and that, at any cost, we should do all that wisdom and experience can suggest to alleviate, as far as possible, the sufferings of those who labour under the greatest of all calamities. Large buildings, well situated, well watered, well drained, and well ventilated, with ample grounds well laid out, for exercise and recreation, are in these days found indispensable for the proper management of those who are deprived of their reason. Such advantages however, cannot be obtained without considerable outlay, and the consequent imposition of new burthens upon the public. For this work of necessity, provision will also be made in the Estimates of Expenditure for the present year.

9. Some years since the numerous sad examples of infantile and juvenile destitution which everywhere met the eye, made a deep impression upon the thoughtful and benevolent; and by the well-directed charity of a gentleman, who bequeathed his whole fortune, amounting to upwards of £10,000, to that object, an asylum for such destitution was founded, and has since been added to and maintained by private and by public funds. This noble institution, however, is altogether insufficient to relieve the whole even of that portion of the destitution, with which it undertakes to deal. It treats only the cases of the very young. The children of more advanced years—those to whom the term "Street Arabs" has been not inaptly applied—are not included among the objects of its benevolence. For the care, maintenance, and management of these children, a public institution on a large and comprehensive scale, and armed with stringent powers of coercion and restraint, is absolutely necessary. When it is considered that from this source the criminal classes are largely recruited, it will not, apart from all considerations of humanity, be thought an unwise application of the public funds to devote a portion of those funds to their education and maintenance, and so render them valuable additions to those classes who produce the public wealth, rather than to those who systematically prey upon it. There are lands and buildings, the property of the public, which might easily be made available for the purpose of carrying out a project which ought to enlist in its favor persons of every party and persuasion in the Country. The measures requisite for this purpose will be laid before you, and you will be asked to give your sanction to the needful expenditure.

10. It has long been thought to be a serious error in prison discipline, to allow juvenile criminals to be confined in the same gaols with criminals of mature age. This improper and dangerous intermingling of these two classes of criminals has, however, in this Colony, been unavoidable by reason of the want of an establishment to which the younger criminals could be sent. Some such establishment is urgently required, where juvenile offenders might be trained to better habits, and taught useful trades or occupations by which, on their discharge, they could

could maintain themselves. An institution of this description, might well be managed in connection with an establishment for the relief of juvenile destitution. For that purpose the necessary expenditure will be recommended.

11. In the absence of poor laws in this Colony, those who are unable to maintain themselves in consequence of age or infirmity, or the impossibility of obtaining employment, have hitherto been dependent upon three asylums, supported partly by voluntary contributions and partly by the State. Although these asylums are the means of ministering to a large amount of distress, they are not equal to all the calls that are made upon them. There are great numbers of persons of both sexes, and for the most part advanced in years, who having no means of livelihood and no opportunity of obtaining employment, will not or cannot avail themselves of the relief afforded by the Benevolent Asylums. The Police Offices are constantly occupied with the hearing of charges of petty thefts and drunken and disorderly conduct against those persons, who are no sooner released from one term of imprisonment than they are committed for another, and thus become a constant charge upon the public, with no ultimate hope or chance of reformation or amendment. It would be better and in every way more economical, to confine such offenders in an establishment, partaking more of the character of a poor house than a gaol, but for a purpose such as this some new legislation will be required. It has been the custom for some years past to send infants who have been deserted, or who are otherwise without means of nurture, to the Asylum in Sydney, where from the want of ventilation, the bad situation of the building, and the extent to which it is crowded, great numbers die shortly after their admission. This state of things is a deep reproach to our civilization. In other countries, there exist establishments where infants so destitute or deserted may at least have a reasonable chance of life afforded to them. But in this Colony, no steps whatever have yet been taken in that direction. It is intended to submit measures for your consideration by which our Poor Houses may be put upon a more efficient footing, our Gaols may be relieved from the task of restraining those who are more objects of benevolence than punishment, and the frightful and discreditable mortality among deserted or destitute infants may be diminished, so far as proper care and nurture will allow.

12. Although many improvements have of late years been made in the means adopted for securing the public health, much still remains to be accomplished. The laws for the proper management and inspection of slaughter houses, have been found to require amendment, and more stringent penalties ought to be imposed upon those who wilfully or recklessly endanger the public health by the sale of unwholesome food. Much larger powers than they now possess ought to be vested in the Corporation, for the purpose of enforcing cleanliness in the more confined places in the City; and steps should be taken to prevent the formation of any more of those narrow lanes, alleys, and court-yards, which may justly be regarded as the hotbeds where are generated diseases which periodically spread throughout the Country. Measures to accomplish these sanitary reforms are in preparation and it is intended to lay them before you without delay.

13. A large public debt has been incurred in the construction of Railways towards the Northern, Southern, and Western interior. This expenditure has not sufficed to carry the lines to any considerable distance from the coast, although the more serious difficulties of the various routes have to a great extent been overcome. The completion by the Victoria Government of the line from Melbourne to Echuca, on the Murray, has rendered it a matter of paramount importance to us to push on with all possible despatch our lines towards the Murrumbidgee and the Darling. The absence of Railway communication with those rivers must, before long, deprive Sydney of all intercourse with the western interior, and make Melbourne, instead of Sydney, the real capital of that part of the Colony. The almost unequalled facilities which this city possesses for commerce, both natural and acquired, must give it a great advantage over any other city in these Colonies, if proper steps are taken for opening up railway communication between it and the great producing districts of the West. Entertaining these views, it is the intention of the Government to submit for your consideration proposals for enabling it to proceed with much greater rapidity than heretofore with the Western and Southern lines. The money necessary for this purpose can, I feel assured, be readily obtained so soon as our financial affairs are properly adjusted.

14. The great benefit which this Colony has derived from the establishment in Sydney of a branch of the Royal Mint, may be augmented by the passing of an Act for the permanent appropriation of the sum required for its maintenance. On the passing of such an Act, the gold coin in Sydney will be proclaimed a legal tender throughout the British Empire. The advantages of such a proclamation cannot be denied, and I trust that you will lose no time in placing the Colony in a position to enjoy them.

15. Nothing is more important than the rapid and efficient administration of justice. In consequence of the great extent of this Colony those residing in the distant interior, and more especially the residents in the South-western districts watered by the Darling and Murrumbidgee, have sustained much loss and inconvenience, by reason of their great distance from the places where Justice, Civil, and Criminal, is administered by the Superior Courts. Measures will be submitted to you for the purpose of removing this inconvenience.

16. The imposition upon the Attorney General of the duty of conducting criminal prosecutions has been found to be attended with some inconvenience, and it is thought that a Public Prosecutor holding office at the pleasure of the Crown, and subject, like the present Crown Prosecutors in the Courts of Quarter Sessions, to the control of the Attorney General, might be appointed with advantage. A Bill for that purpose will be submitted to you.

17. The laws which regulate what has been termed "free selection," require considerable alteration. The rights of such persons in reference to the licensed occupants, or the lessees of Crown Lands, require to be more accurately defined, and it is thought that means can be found to enable each class to fairly enjoy its legitimate advantages under the law, without invading or interfering with the just claims of the other. The greatest difficulty has been found in connection with the right possessed by either party, of impounding stock. One of the first measures to be submitted to you, will be a Bill to place this matter of impounding upon a proper footing.

18. Large sums have for some years past been expended in constructing and maintaining the public roads and bridges, and great benefits have been conferred upon the public by that expenditure. Whatever our financial exigencies may be, it is earnestly recommended to you not to diminish the supplies necessary for those most important public works.

19. The various matters to which I have deemed it my duty to invite your attention will, I trust, be duly considered by you as opportunity may permit. The first question, however, to which your attention will in all probability be directed, is the adjustment of the public finances. Until that adjustment is made, no one of the projects to which I have referred, which requires any large expenditure, can be carried out. A permanent addition to our income of at least half a million must be made, and the raising of that sum will impose much labour and thought, and, I doubt not, much anxiety upon those who have so grave and difficult a task to perform.

I sincerely trust that, under Divine Providence, you will take such measures as will promote the public interests, and above all, establish our public credit on a solid and satisfactory foundation.

Mr. Walker then moved, and Mr. Gordon seconded the motion,—

(1.) That a Select Committee be appointed to prepare an Address in reply to the Speech delivered by His Excellency the Governor on opening this Session of the Parliament of New South Wales.

(2.) That such Committee consist of the following Members, viz. :—Mr. Walker, Mr. Gordon, Mr. Burns, Mr. Piddington, Mr. Mate, Mr. Roberts, and Mr. Campbell.

Question put and passed.

And the Committee retired to prepare the Address.

And Mr. Walker having brought up the Address prepared by the Committee, the same was read by the Clerk, by direction of the Speaker, as follows :—

"To His Excellency the Right Honorable SIR JOHN YOUNG, Baronet, Knight
 "Commander of the most Honorable Order of the Bath, Knight Grand
 "Cross of the Most Distinguished Order of St. Michael and St. George,
 "Captain General and Governor-in-Chief of the Colony of New South Wales,
 "and Vice-Admiral of the same."

"MAY IT PLEASE YOUR EXCELLENCY,—

"We, Her Majesty's loyal and dutiful subjects, the Members of the
 "Legislative Assembly of New South Wales, in Parliament 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*."

"1. We agree with Your Excellency in considering the adjustment of the
 "Public Finances as our first and most important duty, and we shall apply
 "ourselves to its performance without delay."

"2. The various other matters to which Your Excellency has referred, will
 "receive our attentive consideration."

Mr. Walker then moved, and Mr. Gordon seconded the motion, That the Address in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House.

Mr. Macpherson moved, That the Question be amended by inserting the following words immediately after the word *Speech*, at the end of the first sentence of the Address :—

"We beg to express our regret that your Excellency has not been advised
 "to intimate an intention to lay before Parliament during the present Session, a
 "measure so far to modify the "*Grants for Public Worship Prohibition Act of 1862*,"
 "as

" as to authorize grants in aid being made in districts which, from the scattered character of the population or other local causes, are not provided with adequate religious instruction. We also beg respectfully to intimate to your Excellency that we are not prepared to give our confidence to any Ministry which will not pledge itself to the immediate introduction of such a measure."

Debate ensued.

Question put,—That the words proposed to be inserted be there inserted.
The House divided.

Ayes, 6.

Mr. Dignam,
Mr. Tunks,
Mr. Walker,
Mr. Gordon,

Tellers.

Mr. Roberts,
Mr. Macpherson.

Noes, 50.

Mr. Cowper,	Mr. Hurley,
Mr. Parkes,	Mr. Cowper, junior,
Mr. Driver,	Mr. Campbell,
Mr. De Salis,	Mr. Lloyd,
Mr. Cummings,	Mr. Osborne,
Mr. Smart,	Mr. Wilson,
Mr. Egan,	Mr. Hannell,
Mr. Cunneen,	Mr. Sutherland,
Mr. Burdekin,	Dr. Lang,
Mr. Ryan,	Mr. Dodds,
Mr. Forlonge,	Mr. Pickering,
Mr. Arnold,	Mr. Terry,
Mr. Brown,	Mr. Kemp,
Mr. Neale,	Mr. Oatley,
Mr. Farnell,	Mr. Buchanan,
Mr. Cooper,	Mr. Morrice,
Mr. Darvall,	Mr. Tighe,
Mr. White,	Mr. Eckford,
Mr. Mate,	Mr. Burns,
Mr. Martin,	Mr. Caldwell,
Mr. Wisdom,	Mr. Byrnes,
Mr. Donnelly,	Mr. Josephson.
Mr. Piddington,	Tellers.
Mr. Lord,	Mr. Lucas,
Mr. Forster,	Mr. Garrett.
Mr. Lee,	

Original Question stated.

Mr. Cowper moved, That the Question be amended by omitting the paragraphs numbered 1 and 2, with a view to inserting in their place the following words :—

" We beg respectfully to submit to Your Excellency that it is essential for securing satisfactory results to our deliberations, and for the proper transaction of the Public Business, that the Government should possess the confidence of this House and the Country, and we deem it our duty respectfully to represent to Your Excellency that such confidence is not reposed in the present Advisers of Your Excellency."

Debate ensued.

Question put,—That the words proposed to be omitted stand part of the Question.
The House divided.

Ayes, 14.

Mr. Martin,
Mr. Wilson,
Mr. Faucett,
Mr. Forster,
Mr. Piddington,
Mr. Roberts,
Mr. Mate,
Mr. Dignam,
Mr. Wisdom,
Mr. Lord,
Mr. Gordon,
Mr. Walker.

Tellers.

Mr. Burns,
Mr. Macpherson.

Noes, 42.

Mr. Lucas,	Mr. Tunks,
Mr. Cowper,	Mr. Lec,
Mr. Smart,	Mr. Cowper, junr.,
Mr. De Salis,	Mr. Campbell,
Mr. Burdekin,	Mr. Donnelly,
Mr. Byrnes,	Mr. Darvall,
Mr. Arnold,	Mr. Oatley,
Mr. Cunneen,	Dr. Lang,
Mr. Sutherland,	Mr. Dodds,
Mr. Cummings,	Mr. Pickering,
Mr. Ryan,	Mr. Terry,
Mr. Neale,	Mr. Kemp,
Mr. Farnell,	Mr. Buchanan,
Mr. Hannell,	Mr. Morrice,
Mr. Hurley,	Mr. Tighe,
Mr. Driver,	Mr. Eckford,
Mr. Forlonge,	Mr. Caldwell,
Mr. Brown,	Mr. Josephson.
Mr. Lloyd,	Tellers.
Mr. Osborne,	Mr. Parkes,
Mr. White,	Mr. Garrett.
Mr. Cooper,	

Question,—That the words proposed to be inserted in the place of the words omitted be there inserted,—put and passed.

Whereupon Question,—That the Address in reply to the Governor's Opening Speech, as amended, be now adopted by this House, viz. :—

" To His Excellency the Right Honorable SIR JOHN YOUNG, Baronet, Knight Commander of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Captain General and Governor-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.

" MAY IT PLEASE YOUR EXCELLENCY,—

" We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament 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.

" We

“ We beg respectfully to submit to Your Excellency that it is essential for securing satisfactory results to our deliberations, and for the proper transaction of the Public Business, that the Government should possess the confidence of this House and the Country, and we deem it our duty respectfully to represent to Your Excellency that such confidence is not reposed in the present Advisers of Your Excellency,”—

—put and passed.

The House adjourned, on motion of Mr. Martin, at twenty minutes after Nine o'clock, until Tuesday next, at half past Two o'clock, with a view to proceed to Government House, there to present to the Governor the Address in reply to His Excellency's Opening Speech.

JOHN HAY,
Speaker.

TUESDAY, JANUARY 31.

MEMO :—*The House to meet at half-past Two o'clock with a view to proceed to Government House, there to present to the Governor the Address in reply to His Excellency's Opening Speech.*

NOTICE OF MOTION AND ORDER OF THE DAY.

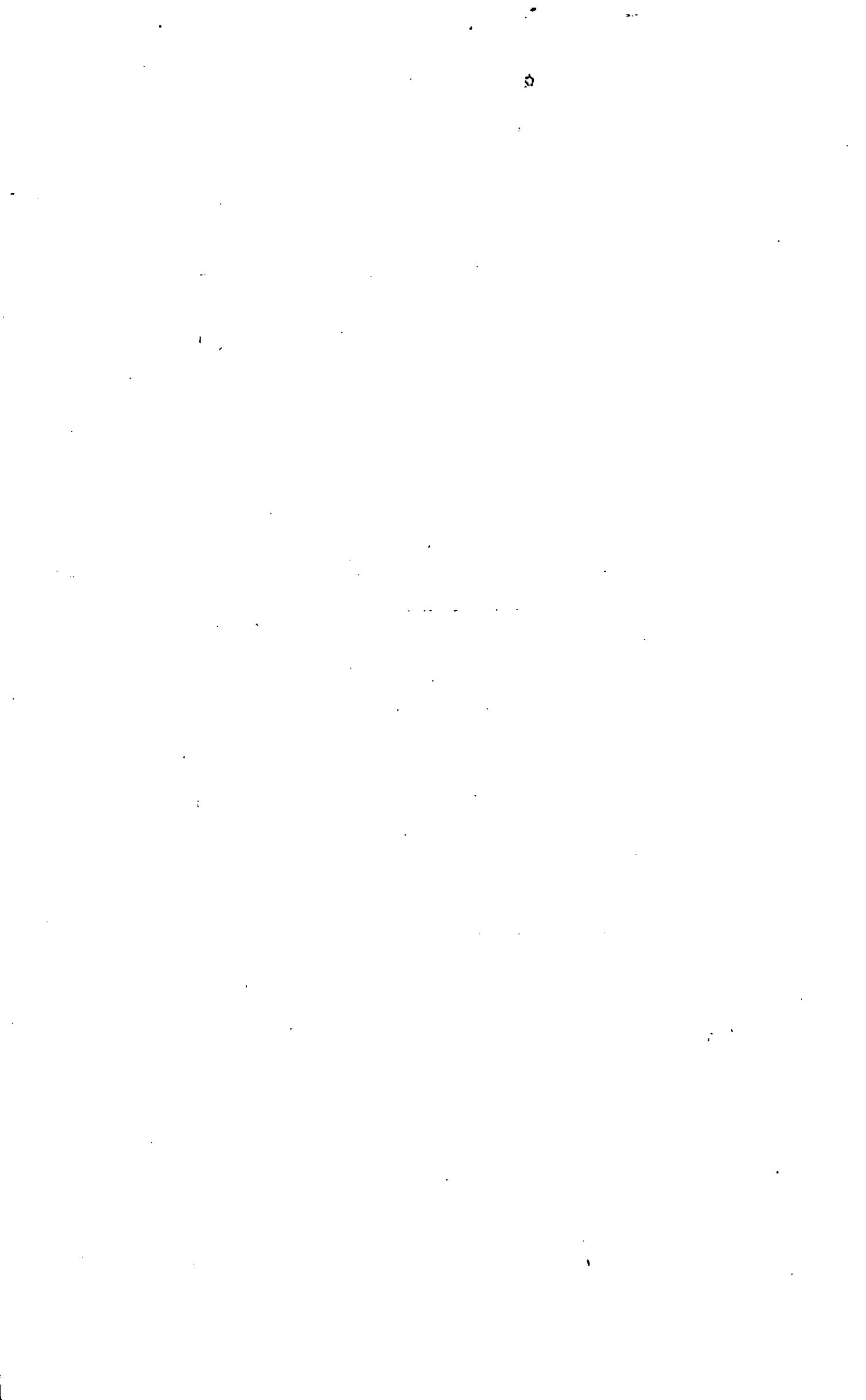
TUESDAY, JANUARY 31.

GOVERNMENT BUSINESS.

1. MR. MARTIN to move, That until Standing Rules and Orders be formally adopted, this House will observe the Standing Rules and Orders in force during the last Session of the late Parliament, except in cases otherwise specially provided for by Sessional Order of the present Session.

ORDER OF THE DAY :—

1. Consolidated Revenue Fund Bill; second reading.



New South Wales.

No. 4.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 31 JANUARY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.
Member sworn:—James Rodd, Esquire, having taken the Oath, before the Speaker, and subscribed the Roll, took his Seat as Member for the Electoral District of Gold Fields South.
2. Address in Reply to the Governor's Opening Speech:—On motion of Mr. Martin the Assembly proceeded to Government House, there to present to the Governor their Address in reply to His Excellency's Opening Speech:—
And, being returned, the Speaker reported that the Assembly had been to Government House, and there presented to the Governor their Address in reply to His Excellency's Opening Speech, and that His Excellency had been pleased to make the following Answer:—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

I receive with much satisfaction the assurance of your loyalty and affection to the person and Government of our Most Gracious Sovereign.

In accordance with the views which you have announced as Representatives of the people, I have taken measures for the formation of a new Administration.

JOHN YOUNG.

*Government House,
Sydney, 31st January, 1865.*

3. Committee of Elections and Qualifications:—The Speaker, pursuant to the requirement of the Electoral Act of 1858, laid upon the Table his Warrant appointing the Committee of Elections and Qualifications for the present Session, of which the following is a copy:—

“ LEGISLATIVE ASSEMBLY.

“ *By the Honorable the Speaker of the Legislative Assembly
“ of New South Wales.*

“ Pursuant to the power in that behalf vested in me, as Speaker of the Legislative
“ Assembly of New South Wales, by the Electoral Act of 1858, I do hereby
“ appoint

“ William Macleay, Esquire,
“ Thomas Garrett, Esquire,
“ Marshall Burdekin, Esquire,
“ James Hart, Esquire,
“ William Richman Piddington, Esquire,
“ John Caldwell, Esquire,
“ Hugh Gordon, Esquire,

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

“ Given under my Hand, at the Legislative Assembly Chamber,
“ Macquarie-street, Sydney, this thirty-first day of
“ January, in the year of our Lord one thousand eight
“ hundred and sixty-five.

“ JOHN HAY,
“ *Speaker.*”

4. The Clerk summoned :—The Speaker having informed the House that the Clerk had been just now summoned, on the part of the Plaintiff, to attend at the Supreme Court, in King-street, Sydney, at ten o'clock to-morrow, then and there to produce “all Papers and Documents laid before the Select Committee of the Legislative Assembly upon the Disorganized State of the Public Works Department, together with the Report of such Committee,”—the said documents being required in a certain Cause now depending in the Supreme Court, between John Doherty, Plaintiff, and the Commissioner for Railways, Defendant;—and having reminded the House that the Clerk could not comply with such summons without leave of the House,—
Put a Question,—That the Clerk have leave to comply with the said Summons, personally, or by one of the Officers of his Department, as may be most convenient to the business of this House,—which Question passed in the affirmative.
5. Ministerial Announcement—Adjournment :—Mr. Martin announced that, in consequence of the Vote arrived at by this House on Friday last, he had tendered to His Excellency the Governor the Resignation of Office of himself and his Colleagues, as Ministers of the Crown, and that they now held Office only until their Successors should be appointed.
Mr. Martin then moved, That this House, at its rising, do adjourn until Three o'clock on Tuesday next.
Question put and passed.
6. Papers :—
(1.) Mr. Wilson laid upon the Table the undermentioned Papers :—
(1.) Report from Chief Commissioner of Crown Lands,—Correspondence, &c., respecting the Re-valuation of Runs.
(2.) Reports, &c., respecting the Windsor and Richmond Railway Line.
Ordered to be printed.
(3.) Return to Order, in reference to “Reserved Land at Kiama,” made by the Legislative Assembly, on motion of Mr. Holroyd, on 4 August, 1863.
(2.) Mr. Forster laid upon the Table the undermentioned Papers :—
(1.) Despatch, dated 26 November, 1864, respecting Transportation.
(2.) St. John's College, By-law, dated December 12, 1864.
(3.) Destitute Children's Society (List of Office-bearers and Directors for 1865.)
(4.) Denominational School Board (Report for 1863.)
(5.) Return, from Inspector General of Police, of Prisoners apprehended for Serious Offences, during the year 1864.
Ordered to be printed.
7. Election Petition :—Mr. Martin, *by Command*, laid upon the Table an Election Petition, which had been addressed to His Excellency the Governor, from Michael O'Haire, complaining of the return of Joshua Frey Josephson, Esquire, as the Member for the Electoral District of Braidwood,—alleging that the said return is invalid,—claiming to have been himself duly elected for Braidwood on the grounds set forth in the said Petition,—and praying the reference of the said Petition to the Committee of Elections and Qualifications as soon as such Committee shall have been appointed and confirmed.
Ordered to lie on the Table.
8. Motion Dropped :—Mr. Martin not making the motion standing in his name, No. 1 on the Notice Paper of Government Business for to-day, it dropped.
9. Consolidated Revenue Fund Bill :—
(1.) The Order of the Day for the second reading of the Consolidated Revenue Fund Bill discharged, and Bill withdrawn, on motion of Mr. Martin, *in consequence of an irregularity in the introduction of the said Bill*.
(2.) Mr. Martin, thereupon, *with the concurrence of the House*, moved, That this House do now resolve itself into a Committee of Supply,—that the Message of His Excellency the Governor, No. 1 of the present Session (*See Votes No. 3, Entry 4*), be referred thereto,—and that *Mr. Burdekin* do take the Chair of the said Committee for this day only.
Question put and passed.
Whereupon the Speaker left the Chair, and the House resolved itself into the said Committee.
Mr. Burdekin having reported that the Committee had come to a Resolution,—*Mr. Martin, with the concurrence of the House*, moved, That the said Resolution be now taken into consideration.
Question put and passed.
Mr. Burdekin then reported the following Resolution, which was read a first time.
(1.) Resolved, That there be granted to Her Majesty, a sum not exceeding £342,618 17s. 10d., to defray the expenses of the various Departments and Services of the Colony, from the 1st January to 31st March, 1865, at the rates which have been sanctioned for the year 1864.
Resolution, then, on motion of Mr. Martin, read a second time and agreed to.

10. Member sworn:—John Connell Laycock, Esquire, having taken the Oath before the Speaker, and subscribed the Roll, took his Seat as Member for the Electoral District of The Clarence—the Clerk producing the Writ.

11. Consolidated Revenue Fund Bill:—

(3.) Mr. Martin, *with the concurrence of the House*, moved, That this House do now resolve itself into a Committee of Ways and Means, and that *Mr. Burdekin* do take the Chair of the said Committee for this day only.

Question put and passed;—

Whereupon the Speaker left the Chair, and the House resolved itself into the said Committee.

Mr. Burdekin having reported that the Committee had come to a Resolution,—

Mr. Martin, *with the concurrence of the House*, moved, That the said Resolution be now taken into consideration.

Question put and passed.

Mr. Burdekin then reported the following Resolution, which was read a first time:—

(1.) Resolved, That towards making good the supply granted to Her Majesty for the service of the year 1865, the sum of £342,618 17s. 10d. be granted out of the Consolidated Revenue Fund of New South Wales, to defray the expenses of the various Departments and Services of the Colony, from the 1st January to 31st March, 1865, at the rates which have been sanctioned for the year 1864.

Resolution, then, on motion of Mr. Martin, read a second time, and agreed to.

(4.) Mr. Martin, then, *with the concurrence of the House*, moved, That leave be granted to bring in a Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the service of the year 1865.

Question put and passed.

(5.) Mr. Martin having brought up this Bill, Bill, intituled “*A Bill to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the service of the year 1865,*” read a first time.

Ordered, on motion of Mr. Martin, *with the concurrence of the House*, to be printed, and read a second time at a later hour this day.

(6.) Bill, on motion of Mr. Martin, read a second time.

(7.) Mr. Martin, then, *with the concurrence of the House*, moved, That this House do now resolve itself into a Committee of the Whole for the consideration of this Bill, and that *Mr. Burdekin* do take the Chair of the said Committee for this day only.

Question put and passed.

Whereupon the Speaker left the Chair, and the House resolved itself into the said Committee.

Mr. Burdekin having reported the Bill without Amendment, the House adopted the report, and on motion of Mr. Martin, *with concurrence*, ordered that the third reading of the Bill stand an Order of the Day for a later hour this day.

12. Paper:—Mr. Wilson laid upon the Table, Abstract of Return of all Infected Sheep in the various Scab Districts in the Colony, with their state at 31st August and 30th November, 1864, as detailed in annexed Statement.

Ordered to be printed.

13. Consolidated Revenue Fund Bill:—

(8.) On motion of Mr. Martin, read a third time, and *passed*.

Mr. Martin then moved, That the Title of this Bill be “*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the service of the year 1865.*”

Question put and passed.

Whereupon, Mr. Martin moved, That this Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, “*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the service of the year 1865,*” presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 31st January, 1865.

Speaker.

Question put and passed.

(9.) The Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill intituled “*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the service of the year 1865,*” returns the same to the Legislative Assembly without Amendment.

Legislative Council Chamber,
Sydney, 31st January, 1865.

T. A. MURRAY,
President.

14. Paper:—Mr. Martin laid upon the Table, Despatch, dated 14 October, 1864, in reference to Light-houses.
 Ordered to be printed.
 The House adjourned at a quarter before Five o'clock—standing adjourned until *Tuesday next*, at Three o'clock.

JOHN HAY,
Speaker.

TUESDAY, FEBRUARY 7.

MEMO.:—*The House meet at Three o'clock this day.*

ORDERS OF THE DAY.

WEDNESDAY, FEBRUARY 8.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Supply ; Resumption of the Committee.
 2. Ways and Means ; Resumption of the Committee.
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New South Wales.

No. 5.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 7 FEBRUARY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Acceptance of Office:—Mr. Burdekin, on behalf of the New Administration, informed the House, that Charles Cowper, Esquire; Thomas Ware Smart, Esquire; John Robertson, Esquire; William Munnings Arnold, Esquire; and, John Bayley Darvall, Esquire, had accepted Office under the Crown, and had thereby vacated their Seats in this House.

2. Vacant Seats:—Mr. Burdekin moved,—

(1.) That the Seat of Charles Cowper, Esquire, hath become and is now vacant, by reason of his acceptance of the Office of Colonial Secretary since his Election and Return to serve in this House as a Member for the Electoral District of East Sydney.

Question put and passed.

(2.) That the Seat of John Robertson, Esquire, hath become and is now vacant, by reason of his acceptance of the Office of Secretary for Lands, since his Election and Return to serve in this House as a Member for the Electoral District of West Sydney.

Question put and passed.

(3.) That the Seat of William Munnings Arnold, Esquire, hath become and is now vacant, by reason of his acceptance of the Office of Secretary for Public Works, since his Election and Return to serve in this House as Member for the Electoral District of The Paterson.

Mr. Martin took exception to this motion, on the ground that, as the Writ in this case was returned on 17 December last, the period of eight weeks, provided in the Electoral Act for the presentation of Election Petitions, within which period it was not competent for any Seat to be declared vacant, would not expire for four days longer.

The Speaker explained, that in the Imperial Parliament the acknowledged rule was to abstain from issuing a Writ as for a vacant Seat, until the time had expired within which the Seat might be claimed by another candidate; and that, properly, the vacancy could not be declared until then.

Whereupon Mr. Burdekin asked leave to withdraw the motion.

But there being a voice dissentient from such withdrawal,—

Question proposed.

Upon which Mr. Martin moved the Previous Question.

Debate ensued.

The Speaker having further explained the Law affecting the case,—and the dissent being thereupon withdrawn,—

Previous Question by leave withdrawn.

Original Question then by leave withdrawn.

(4.) That the Seat of Thomas Ware Smart, Esquire, hath become and is now vacant, by reason of his acceptance of the Office of Colonial Treasurer, since his Election and Return to serve in this House as Member for the Electoral District of The Glebe.

Question put and passed.

(5.)

- (5.) That the Seat of John Bayley Darvall, Esquire, hath become and is now vacant, by reason of his acceptance of the Office of Attorney General, since his Election and Return to serve in this House as a Member for the Electoral District of West Sydney.
Question put and passed.
3. Adjournment:—Mr. Burdekin moved, That this House do now adjourn until this day week.
Debate ensued.
Question put and passed,
Whereupon the Speaker left the Chair, and the House stood adjourned, at five minutes after Four o'clock, until *Tuesday next*, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, FEBRUARY 14.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. RYAN to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of the following Resolutions:—
 - (1.) That in the opinion of this House it is expedient and necessary that additional facilities, besides those now employed in the Police force, to put down Bushranging in the interior of this country, should be at once resorted to.
 - (2.) That six volunteer mounted detachments be at once invited to enrol themselves, consisting of eight men each,—viz., one captain, one lieutenant, and six troopers; to be armed with Tranter's revolving rifles and pistols; the captain to have the selection of men and horses.
 - (3.) That this Force should be distributed through the several districts now infested, or that may hereafter be infested, by these marauders, under the control of the Colonial Secretary.
 - (4.) That so soon as this Force is in a complete state, one-fifth of the Mounted Police, those who have least distinguished themselves, be at once disbanded.
 - (5.) That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates a sum not exceeding £3,000 for the above Force.
2. MR. FORSTER to move for leave to introduce a Bill for the better suppression of Robberies with arms and violence.
3. MR. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.
4. MR. FORSTER to move for leave to introduce a Bill to provide for the care and reformation of neglected and criminal Children.
5. MR. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund, and to amend the Superannuation Act of 1864.
6. MR. FORSTER to move for leave to introduce a Bill to establish District Councils and to amend the Municipalities Act of 1858.
7. MR. FORSTER to move for leave to introduce a Bill to regulate the Volunteer Forces.

WEDNESDAY, FEBRUARY 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Supply; Resumption of the Committee.
 2. Ways and Means; Resumption of the Committee.
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New South Wales.

No. 6.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 14 FEBRUARY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

St. Patrick's Church Land Trust Bill:—Mr. Hart presented a Petition from the Most Reverend John Bede Polding, The Venerable John M'Encroe, and Owen Joseph Caraher, as Trustees of an Allotment of Land in the City of Sydney, granted as a site for a Roman Catholic Clergyman's Residence, praying for leave to introduce a Bill to enable the said Trustees to sell the said Land, and to provide for the appropriation of the proceeds thereof.

And Mr. Hart having produced the *Government Gazette*, and the *Sydney Morning Herald* Newspaper, containing notices for four consecutive weeks in the months of January and February, 1865, of the intention to apply for such Bill,—
Petition received.

2. Vacant Seats:—

(1.) The Speaker acquainted the House that he had received a letter from John Lucas, Esquire, returned as a Member for Canterbury, and also as Member for Hartley, making his election to serve for the Electorate of Hartley, and resigning his Seat for the Electorate of Canterbury; and the said letter was read by the Clerk, as follows:—

Sydney, 14th February, 1865.

"SIR,

"I have the honor to inform you, that having been returned to serve in this Parliament for the Electoral District of Canterbury, and also for the Electoral District of Hartley, I elect to sit for the Electorate of Hartley, and hereby resign my seat for the Electorate of Canterbury.

"I have the honor to be,

"The Honorable

"John Hay, Esquire,

"Speaker of the Legislative Assembly."

"Sir,

"Your obedient Servant,

"JOHN LUCAS."

Whereupon Mr. Burdekin moved, That the Seat of John Lucas, Esquire, as a Member for the Electoral District of Canterbury, hath become and is now vacant—he having been returned to serve in this Parliament for the Electoral District of Canterbury, and also for the Electoral District of Hartley, and having elected to serve for the Electorate of Hartley, and resigned his Seat for the said Electorate of Canterbury.

Question put and passed.

(2.) Mr. Burdekin moved, That the Seat of William Munnings Arnold, Esquire, hath become and is now vacant, by reason of his acceptance of the Office of Secretary for Public Works, since his election and return to serve in this House as Member for the Electoral District of The Paterson.

Question put and passed.

3. Motions Withdrawn:—

(1.) Mr. Garrett, on behalf of Mr. Ryan, withdrew the Motion standing in the name of Mr. Ryan, No. 1 on the Notice Paper for to-day.

(2.) Mr. Forster withdrew the Motions standing in his name, Nos. 2 to 7 inclusive on the Notice Paper for to-day.

The House adjourned, on motion of Mr. Burdekin, at eleven minutes before Four o'clock, until Tuesday, the 7th March next, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MARCH 7.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of the English tribunals to accept the unsupported testimony of an approver.
2. MR. BUCHANAN to move, That a Select Committee be appointed to inquire into the conduct of Mr. Hawkins, Returning Officer for Bathurst, at the late Election for that place; that the said Committee consist of Dr. Lang, Mr. Sutherland, Mr. Garrett, Mr. Neale, Mr. Cunneen, Mr. Driver, Mr. Caldwell, Mr. Josephson, Mr. Burdekin, and the Mover.
3. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a copy of the last Despatch of the late Duke of Newcastle, in answer to a Resolution of this House maintaining the principle of religious equality.
4. MR. BUCHANAN to move, That, in the opinion of this House, the Despatch of the late Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this country.
5. MR. BUCHANAN to move for leave to introduce a Bill to empower two-thirds of Juries of Twelve to bring in verdicts in Civil and Criminal Trials.
6. MR. BUCHANAN to move for leave to introduce a Bill to limit the granting of New Trials in Civil Cases.
7. MR. BUCHANAN to move, That, in the opinion of this House, that clause of the Constitution Act which grants Pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
8. MR. BUCHANAN to move, That, in the opinion of this House, the dilatory conduct evinced by different Governments, with regard to the Railway Works to Bathurst, is most prejudicial to the interests of the Inhabitants of the Western Districts; and that justice, as well as the best interests of the Colony, demands that those Works shall in future be prosecuted with reasonable expedition.
9. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
10. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
11. MR. HART to move for leave to introduce a Bill to enable The Most Reverend John Bede Polding, The Venerable John M'Encroe, and Owen Joseph Caraher, as Trustees of certain land situated in the City of Sydney, to sell the said land, and to provide for the appropriation of the proceeds thereof.
12. MR. HART to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to prevent the fraudulent marking of Merchandise, and to provide for the Regulation of Trade Marks.

13. MR. RYAN to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of the following Resolutions :—
- (1.) That, in the opinion of this House it is expedient and necessary that additional facilities, besides those now employed in the Police Force to put down Bushranging in the interior of this country, should be at once resorted to.
 - (2.) That six Volunteer Mounted Detachments be at once invited to enrol themselves, consisting of eight men each,—viz., one Captain, one Lieutenant, and six Troopers; to be armed with Tranter's revolving rifles and pistols; the Captain to have the selection of men and horses.
 - (3.) That this Force should be distributed through the several districts now infested, or that may hereafter be infested, by these marauders, under the control of the Colonial Secretary.
 - (4.) That so soon as this Force is in a complete state, one-fifth of the Mounted Police, those who have least distinguished themselves, be at once disbanded.
 - (5.) That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates a sum not exceeding £3,000 for the above Force.
14. MR. FORSTER to move for leave to introduce a Bill for the better suppression of Robberies with arms and violence.
15. MR. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.
16. MR. FORSTER to move for leave to introduce a Bill to provide for the care and reformation of neglected and criminal Children.
17. MR. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund, and to amend the Superannuation Act of 1864.
18. MR. FORSTER to move for leave to introduce a Bill to establish District Councils, and to amend the Municipalities Act of 1858.
19. MR. FORSTER to move for leave to introduce a Bill to regulate the Volunteer Forces.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Supply; Resumption of the Committee.
2. Ways and Means; Resumption of the Committee.

TUESDAY, MARCH 14.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments to three years.
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New South Wales.

No. 7.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 7 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Irregularity in return of Writ cured by Proclamation:—The Speaker reported that the Writ issued by him for the Election of a Member for the Electoral District of The Glebe, to fill the vacancy occasioned by the acceptance of the Office of Colonial Treasurer by Thomas Ware Smart, Esquire, had been made returnable on the 21st February last—that such Writ, certifying to the election of Thomas Ware Smart, Esquire, had been returned, but had not reached him until the 22nd February—that he had acquainted the Government with the circumstance, with reference to the 58th Section of the Electoral Act of 1858, and had then before him a Proclamation by His Excellency the Governor, bearing date the 2nd March, 1865, declaring the Election of Thomas Ware Smart, Esquire, to be valid, notwithstanding the delay in the return of the Writ.

2. Members Sworn:—The undermentioned Members having respectively taken the Oath and subscribed the Roll, took their Seats for the Electorates respectively mentioned:—

<i>Names.</i>	<i>Electorates.</i>
(1.) Charles Cowper, Esquire.....	East Sydney.
(2.) John Robertson, Esquire.....	} West Sydney.
(3.) John Bayley Darvall, Esquire.....	
(4.) Thomas Ware Smart, Esquire.....	The Glebe.
(5.) William Munnings Arnold, Esquire ...	The Paterson.
(6.) James Pemell, Esquire.....	Canterbury.
(7.) Robert Landale, Esquire.....	The Murray.
(8.) Barnard Stimson, Esquire.....	Carcoar.

The Writs in the cases (1) to (6) inclusive, being produced by the Speaker, and those in the cases (7) and (8) by the Clerk.

3. Discrepancy between Name endorsed on Writ and signature of Member:—The Speaker reported to the House that, whereas the name of the Member returned for Carcoar is endorsed on the Writ as Barnard Stimson, the Gentleman who had just subscribed the Oath and the Roll as the Member for Carcoar had signed his name in both documents as Barnard *Stimpson*.

4. Vacant Seat:—

(1.) The Speaker acquainted the House that he had received a letter from James Martin, Esquire, returned as Member for The Lachlan, and also as Member for Monaro, making his election to serve for the Electorate of The Lachlan, and resigning his Seat for the Electorate of Monaro; and the said letter was read by the Clerk, as follows:—

“Sydney, 7th March, 1865.

“Sir,

“I have the honor to inform you, that having been returned to serve in this Parliament for the Electoral District of Monaro, and also for the Electoral District of The Lachlan, I elect to sit for the Electorate of The Lachlan, and hereby resign my seat for the Electorate of Monaro.

“I have the honor to be,

“The Honorable

“John Hay, Esquire,

“Speaker of the Legislative Assembly.”

“Sir,

“Your obedient Servant,

“JAMES MARTIN.”

Whereupon Mr. Cowper moved, That the Seat of James Martin, Esquire, as Member for the Electoral District of Monaro, hath become and is now vacant—

he

he having been returned to serve in this Parliament for the Electoral District of The Lachlan, and also for the Electoral District of Monaro, and having elected to serve for the Electorate of The Lachlan, and resigned his Seat for the said Electorate of Monaro.

Question put and passed.

5. The Clerk summoned—(*Dalgleish v. Holt*) :—

The Speaker informed the House as follows :—

(1.) That during the late adjournment the Clerk had been summoned to attend at the Central Police Office, Sydney, to give evidence in a case, *Dalgleish v. Holt*, then and still pending, and to produce the Electoral Roll, Writ of Election, Ballot Papers, and all other documents taken and used at the Glebe Election, on the seventeenth day of February, 1865.

(2.) That the Clerk had reported to him that he attended at the time (Friday, 24th February,) and place mentioned in the said summons, but that the hearing of the case was then postponed until Wednesday, the 1st March instant, when he again attended, and, the case being then under consideration, was called to the witness box and sworn. That he then respectfully declined to produce the said Papers without the leave of the House, (not at the time attainable, in consequence of the said adjournment,)—being of opinion that by so producing them he would be infringing the 15th Standing Order of the Assembly, which states,—“The Custody of the Journals and Records, and of all Papers and Accounts whatsoever presented to this House, shall be in the Clerk, who shall neither take, nor permit to be taken, any of such Journals, Records, Papers, or Accounts, from the Chamber or Offices, without the express leave or order of this House.” Whereupon the Police Magistrate (D. C. F. Scott, Esq.,) then sitting, adjourned the case until Wednesday next, the 8th instant, at Twelve o'clock, with a view to the leave of the House being applied for in the matter.

(3.) That the Clerk now applied for such leave.

The Speaker then put a Question,—That the Clerk have leave to comply with the said summons, with the condition that the said Papers be carefully and faithfully returned to him with the least possible delay—which passed in the affirmative.

6. Mrs. Pegus :—Dr. Lang presented a Petition from Ellen Rosa Pegus, of Forbes-street, Sydney, Widow of Campbell John Pegus, late of Her Majesty's Customs, representing that her late husband's death was accelerated by many privations suffered by him on Gabo Island, and that she is left totally destitute; and praying relief.

Petition received.

7. Ewebank Lough :—Mr. Byrnes presented a Petition from Ewebank Lough, of Parramatta, representing that his salary as Teacher of a Presbyterian School has been stopped under the circumstances therein set forth; and praying for enquiry and relief.

Petition received.

8. Papers :—

Mr. Cowper laid upon the Table the undermentioned Papers :—

(1.) Annual Ordnance Returns.

(2.) Return, dated 27 February, 1865, relative to Real Property Act.

(3.) Return shewing the number of Electors on the Roll of each Electoral District of New South Wales for 1864-5.

(4.) Return shewing the estimated number of Electors entitled to Vote in the several Gold Fields Electoral Districts of New South Wales for 1864-5.

(5.) Sewerage and Water Supply (Eighth Yearly Report—1864).

And moved that the papers be printed—(*taking the opportunity of making a Ministerial Statement*),—

Debate ensued.

Question put and passed.

Ordered to be printed.

9. Consolidated Revenue Fund Bill :—The following Message from His Excellency the Governor was delivered by Mr. Smart, and read by the Speaker :—

JOHN YOUNG,

Message No. 2.

Governor.

A Bill intituled, “*An Act to apply certain sums out of the Consolidated Revenue Fund of New South Wales towards the service of the year 1865,*” as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 7th February, 1865.

10. Papers :—

(1.) Mr. Smart laid upon the Table the undermentioned Papers :—

(1.) Colonial Treasury Accounts. (Report of Board of Audit.)

(2.) Despatch, dated 10 December, 1864, respecting Sydney Branch Royal Mint (with Enclosures).

(3.) Abstract of Returns of Bank Liabilities and Assets for Quarter ended 31st December, 1864.

Ordered to be printed.

(2.)

- (2.) Mr. Darvall laid upon the Table, Return to Order, in reference to "Mr. James Partridge—Fire Extinguishing Apparatus," made by the Legislative Assembly, on motion of Mr. Garrett, on 2nd February, 1864.
11. St. Patrick's Church Land Trust Bill ("Formal" Motion):—
 (1.) Mr. Hart moved, pursuant to notice, for leave to introduce a Bill to enable The Most Reverend John Bede Polding, The Venerable John M'Encroc, and Owen Joseph Caraher, as Trustees of certain land situated in the City of Sydney, to sell the said land, and to provide for the appropriation of the proceeds thereof. Question put and passed.
 (2.) Mr. Hart having presented this Bill, and produced a Certificate of the payment of twenty-five pounds to the credit of the Consolidated Revenue of the Colony, Bill, intituled, "*A Bill to enable the Most Reverend John Bede Polding The Venerable John M'Encroc and Owen Joseph Caraher as Trustees of certain land situated in the City of Sydney to sell the said land and to provide for the appropriation of the proceeds thereof;*"—read a first time.
12. Convicts Bow and Fordyce:—Mr. Buchanan, with the concurrence of the House, moved, pursuant to amended notice, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of the English tribunals to accept the unsupported testimony of an approver,—and stating that the release of those prisoners is also desired in consideration of the irregular and improper, if not illegal, nature of their trial and conviction. Question put and negatived.
13. Motions Withdrawn:—Mr. Buchanan withdrew the Motions standing in his name, Nos. 2, 3, and 4 on the Notice Paper for to-day.
14. Verdicts Amendment Bill:—
 (1.) Mr. Buchanan moved, pursuant to notice, amended with the concurrence of the House, for leave to introduce a Bill to empower three-fourths of Juries of Twelve to bring in verdicts in Civil and Criminal Trials. Question put and passed.
 (2.) Mr. Buchanan having presented this Bill, Bill, intituled, "*A Bill to empower three-fourths of Juries of Twelve to bring in Verdicts in Civil and Criminal Trials;*"—read a first time. Ordered to be printed, and read a second time on Friday week.
15. New Trials Limitation Bill:—
 (1.) Mr. Buchanan moved, pursuant to notice, for leave to introduce a Bill to limit the granting of New Trials in Civil Cases. Question put and passed.
 (2.) Mr. Buchanan having presented this Bill, Bill, intituled, "*A Bill to limit the granting of New Trials in Civil Cases;*"—read a first time. Ordered to be printed, and read a second time on Friday week.
16. Motions Withdrawn:—
 (1.) Mr. Buchanan withdrew the Motions standing in his name Nos. 7, 8, and 9, on the Notice Paper for to-day.
 (2.) Mr. Driver withdrew the Motion standing in his name No. 10 on the Notice Paper for to-day.
17. Trade Marks Bill:—Mr. Hart moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to prevent the fraudulent marking of Merchandise, and to provide for the Regulation of Trade Marks. Question put and passed.
18. Motion Dropped:—Mr. Ryan not making the Motion standing in his name No. 13 on the Notice Paper for to-day, it dropped.
19. Robberies Suppression Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill for the better suppression of Robberies with arms and violence. Debate ensued. Question put and passed.
20. Prison Discipline Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to regulate Prison Discipline. Debate ensued. Question put and passed.
21. Motions Withdrawn:—Mr. Forster withdrew the Motions standing in his name Nos. 16, 17, 18, and 19, on the Notice Paper for to-day.
 The House adjourned, on motion of Mr. Cowper, at ten minutes after Seven o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

WEDNESDAY, MARCH 8.

Question :—

1. MR. DRIVER *to ask* THE COLONIAL SECRETARY,—Do the Government intend to introduce, during the present Session of Parliament, any measure for the amendment of the Law relating to the Confinement of Lunatics and the Management of Lunatic Asylums?

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move, That Thomas Garrett, Esq., be Chairman of Committees of the Whole House during the remainder of the present Session.
2. MR. COWPER to move, That the Standing Orders Committee for the present Session consist of the following Members, viz. :—The Speaker, Mr. Cowper, Mr. Arnold, Mr. Hart, Mr. Macpherson, Mr. Burdekin, Mr. Piddington, Mr. Samuel, Mr. Smart, and Mr. Wisdom,—with leave to sit during any adjournment, and authority and power to send for persons, papers, and records, and to examine witnesses in any matter or thing referred to or pending before the said Committee, and to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
3. MR. COWPER to move, That the Library Committee for the present Session consist of the following Members, viz. :—The Speaker, Mr. Cowper, Mr. Arnold, Mr. Cunneen, Mr. Osborne, Dr. Lang, Mr. Faucett, Mr. Wilson, Mr. Wisdom, and Mr. Hart,—with leave to sit during any adjournment.

ORDERS OF THE DAY :—

1. Supply ; Resumption of the Committee.
2. Ways and Means ; Resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HART to move,—
(1.) That the Bill to enable the Most Reverend John Bede Polding, the Venerable John M'Encroe, and Owen Joseph Caraher, as Trustees of certain land situated in the City of Sydney, to sell the said land, and to provide for the appropriation of the proceeds thereof, be referred to a Select Committee for their consideration and report.
(2.) That such Committee consist of Mr. Burdekin, Mr. Dignam, Mr. Donnelly, Mr. Egan, Mr. Faucett, Mr. Lucas, Mr. Macpherson, Mr. Martin, Mr. Robertson, and the mover.
2. MR. FORSTER to move for leave to introduce a Bill to provide for the care and reformation of neglected and criminal Children.
3. MR. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund, and to amend the Superannuation Act of 1864.
4. MR. FORSTER to move for leave to introduce a Bill to establish District Councils, and to amend the Municipalities Act of 1858.
5. MR. FORSTER to move for leave to introduce a Bill to regulate the Volunteer Forces.

THURSDAY, MARCH 9.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. DARVALL to move for leave to introduce a Bill to authorize the appointment of an additional Judge of the Supreme Court, and to extend the jurisdiction of the Judges of the Supreme Court on Circuit, and to amend the District Courts Act of 1852.
2. MR. DARVALL to move for leave to introduce a Bill to facilitate the taking or apprehending of persons charged with certain felonies, and the punishment of those by whom they are harboured.

FRIDAY, MARCH 10.

Questions :—

1. MR. SAMUEL *to ask* THE COLONIAL TREASURER,—Is it the intention of the Government to introduce, during the present Session, a Bill for the more effectual Audit of the Public Accounts and the appointment of a Paymaster General?
2. MR. SAMUEL *to ask* THE COLONIAL TREASURER,—What has been the ascertained loss of weight by wear of the Gold Coin issued from the Sydney Mint?

OTHER BUSINESS—ORDER OF THE DAY :—

1. Trade Marks Bill ; consideration in Committee of the propriety of introducing this Bill.

NOTICES

NOTICES OF MOTION :—

1. DR. LANG to move, That the Petition presented by him on the 7th March, from Ellen Rosa Pegus, be printed.
2. MR. CUNNEEN to move, That an Address be presented to the Governor, 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 Highway Robberies and other Robberies under Arms reported to the Police of the Colony (under the old system), from the 20th January, 1861, to the 20th January, 1862.
 - (2.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the said period.
 - (3.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony (under the new system), from the 18th October, 1863, to the 18th October, 1864.
 - (4.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the same period.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move for leave to introduce a Bill to promote the better Drainage of Lands.
2. MR. ROBERTSON to move for leave to introduce a Bill to regulate the Impounding of Cattle.

TUESDAY, MARCH 14.

Questions :—

1. MR. PICKERING to ask THE ATTORNEY GENERAL,—If it is the intention of the Government to place the bushranger, Francis Gardiner, upon his trial for the Mail and Gold Escort Robbery committed on the 15th June, 1862, near Eugowra Creek, on the Lachlan Road; for which offence three of the said Francis Gardiner's accomplices have been tried, capitally convicted, and one of them executed?
2. MR. FORSTER to ask THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce, during the present Session, any measure for the alteration or amendment of the Electoral Law?
3. MR. FORSTER to ask THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce, during the present Session, any measure for the alteration or amendment of the Laws relating to the Alienation and Occupation of Crown Lands?

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments to three years.
2. MR. DRIVER to move for leave to introduce a Bill to Protect the Fisheries of New South Wales.
3. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.
4. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.
5. MR. BYRNES to move for leave to introduce a Bill to amend the Municipalities Act of 1858.
6. MR. BYRNES to move for leave to introduce a Bill to transfer Parramatta Market to the Municipal Council of Parramatta.
7. MR. MACPHERSON to move, That there be laid upon the Table of this House, a Return of the present Pastoral Rental of the Colony in the First and Second Class Settled and Unsettled Districts, the Return to specify the names of the Lessees or Licensees—the amount of Rent and Assessment under separate heads—the approximate extent in acres of each holding—the date of the commencement of each Lease or License, and the date of its expiry;—the Return also to shew the totals in each District under the heads designated with a general summary at the end of the Return.
8. MR. SAMUEL to move, That there be laid upon the Table of this House, copies of all correspondence between the Deputy Master of the Mint, the Imperial Government, and any other persons, having reference to the issue of a Copper Coinage from the Sydney Mint.
9. MR. SAMUEL to move, That there be laid upon the Table of this House, copies of all correspondence between the Deputy Master of the Sydney Branch of the Royal Mint, Mr. Charles Watt, and any other persons, having reference to the extraction of Silver from the Gold coined in this Colony.
10. MR. SAMUEL to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all correspondence between the Government, the Manager of the Oriental Bank, the Manager of the Bank of New South Wales, and any other persons, relative to the change of the Financial Agents of the Colony in England.

11. MR. BYRNES to move, That the Petition of Ewebank Lough, presented by him on 7th March, be printed.
12. MR. BUCHANAN to move, That a Select Committee be appointed to inquire into the conduct of Mr. Hawkins, Returning Officer for Bathurst, at the late Election for that place; that the said Committee consist of Dr. Lang, Mr. Sutherland, Mr. Garrett, Mr. Neale, Mr. Cunneen, Mr. Driver, Mr. Caldwell, Mr. Josephson, Mr. Burdekin, and the Mover.
13. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of the last Despatch of the late Duke of Newcastle, in answer to a Resolution of this House maintaining the principle of religious equality.
14. MR. BUCHANAN to move, That, in the opinion of this House, the Despatch of the late Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this country.
15. MR. BUCHANAN to move, That, in the opinion of this House, that clause of the Constitution Act which grants Pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
16. MR. BUCHANAN to move, That, in the opinion of this House, the dilatory conduct evinced by different Governments, with regard to the Railway Works to Bathurst, is most prejudicial to the interests of the Inhabitants of the Western Districts; and that justice, as well as the best interests of the Colony, demands that those Works shall in future be prosecuted with reasonable expedition.
17. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

FRIDAY, MARCH 17.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Verdicts Amendment Bill; second reading.
 2. New Trials Limitation Bill; second reading.
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TUESDAY, MARCH 21.

Question:—

1. MR. PICKERING to ask THE SECRETARY FOR LANDS,—
 - (1.) If the Government are aware that a monopoly of the only water available for the working of claims at the Hanging Rock, Nundle and Peel River Diggings, on the Northern Gold Fields, is enjoyed by certain persons claiming title to the same as successors of a company styled "The American Water Company," to whom a license for vending the said water was granted by Mr. Commissioner King, in the years 1853-54?
 - (2.) If the Government has received any report upon this matter from the Assistant Commissioner at Nundle, or other person, representing, and complaining of the exorbitant weekly rental demanded and exacted for this water from the miners, under the afore-mentioned alleged derivable right?
 - (3.) Whether the right to such monopoly has any legitimate existence, and if not, whether steps will be taken by the Government to relieve the miners from such unwarranted levy?

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. SAMUEL to move,—
 - (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 - (2.) That the above resolution be communicated by Address to His Excellency the Governor.
 2. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
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New South Wales.

No. 8.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 8 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.
Question on Notice Paper for to-day:—
(*Mr. Driver withdrew the Question standing in his name.*)
2. The Clerk summoned (*The Queen v. Gannon*):—The Speaker having informed the House that the Clerk had been summoned to attend at the Central Police Office, Sydney, on Thursday, the ninth day of March instant, at Ten o'clock A.M., on behalf of the Crown, to give evidence in a case then and there to be heard on an Information alleging "that James Gannon, senior, of the District of Sydney, did, on the twenty-fourth day of February last past, vote more than once at the Election for the Electorate of Canterbury," and to produce a certain document, to wit, "the Writ issued to Alexander Learmonth, Esquire, authorising the holding of the said Election held on the twenty-fourth February, 1865, and all other books, papers, writings, and other documents relating to the said Election"—and having reminded the House that the Clerk could not comply with this Summons without leave of the House,—
Put a Question—that the Clerk have leave to comply with the said Summons, personally, or by one of the Officers of his Department, as may be most convenient to the business of the House—with the condition that the said Papers be carefully and faithfully returned to him with the least possible delay,—which passed in the affirmative.
3. Committee of Elections and Qualifications:—
(1.) *Maturity of Warrant reported*:—The Speaker reported that his Warrant appointing the Committee of Elections and Qualifications for the present Session, laid upon the Table on Tuesday, 31st January, 1865, not having been disapproved by the Assembly in the course of the three next sitting days on which the Assembly met for dispatch of business, had now taken effect as an appointment of such Committee, and intimated that it was therefore open to Members of the Committee to be sworn at the Table by the Clerk, in accordance with the 70th Section of the Electoral Act of 1858.
(2.) *Members of Committee Sworn*:—Whereupon Thomas Garrett, William Richman Piddington, Hugh Gordon, and James Hart, Esquires, came to the Table, and were severally sworn by the Clerk as Members of the said Committee.
4. Liverpool and London and Globe Insurance Company's Bill:—Mr. Cowper presented a Petition from certain Directors of the Liverpool and London and Globe Insurance Company, praying for leave to introduce a Bill to give effect in this Colony to the alteration of the name of the "Liverpool and London Fire and Life Insurance Company," and to consolidate and amend the laws relating to the said Company, and for other purposes in relation thereto,—
And Mr. Cowper having produced the *Government Gazette*, and the *Sydney Morning Herald*, and *Empire*, Newspapers, containing notices for four consecutive weeks in the months of December and January last, of the intention to apply for this Bill,—
Petition received.
5. Presbyterian Church Bill:—Mr. Cowper presented a Petition from certain Ministers of Presbyterian Churches in New South Wales, praying for leave to introduce a Bill to regulate the temporal affairs of the Presbyterian Church in the Colony of New South Wales,—
And Mr. Cowper having produced the *Government Gazette*, and the *Sydney Morning Herald* and *Empire*, Newspapers, containing notices for four consecutive weeks, in the months of January and February last, of the intention to apply for this Bill,—
Petition received.

6. Election Petition :—Mr. Martin moved, That the Election Petition complaining of the return of Joshua Frey Josephson, Esquire, as the Member for the Electoral District of Braidwood, which was laid upon the Table of this House, *by Command*, on the 31st January last, (*See Votes and Proceedings, No. 4, Entry 7,*) be referred to the Committee of Elections and Qualifications.
Question put and passed.
7. Robberies Suppression Bill :—Mr. Forster having presented this Bill, Bill, intituled, "*A Bill for the better suppression of Robberies with Arms and Violence,*" read a first time.
Ordered to be printed, and read a second time on Friday week.
8. Prison Discipline Bill :—Mr. Forster having *presented* this Bill, Bill, intituled, "*A Bill to regulate Prison Discipline,*" read a first time.
Ordered to be printed, and read a second time on Friday fortnight.
9. Discrepancy between Name endorsed on Writ and signature of Member :—The Speaker called attention to his report (*recorded as Entry 3 in the Votes and Proceedings of yesterday*), that Barnard Stimpson, Esquire, returned to serve in the Legislative Assembly as Member for the Electorate of Carcoar, was, by an error in the Return, called Barnard *Stimpon* ;—and a Member (Mr. Cummings) stating upon his own knowledge that the name of the Member for Carcoar is Barnard Stimpson ;—
Ordered, on motion of Mr. Cowper, That the Clerk of the House do amend the last Return for the Electorate of Carcoar by rasing out the word "*Stimpon,*" and inserting the word "*Stimpson*" instead thereof.
And the Clerk amended the said Return accordingly.
10. St. Patrick's Church Land Trust Bill ("*Formal*" *Motion*) :—Mr. Hart moved, pursuant to notice,—
(1.) That the Bill to enable the Most Reverend John Bede Polding, the Venerable John M'Encroe, and Owen Joseph Caraher, as Trustees of certain land situated in the City of Sydney, to sell the said land, and to provide for the appropriation of the proceeds thereof, be referred to a Select Committee for their consideration and report.
(2.) That such Committee consist of Mr. Burdekin, Mr. Dignam, Mr. Donnelly, Mr. Egan, Mr. Faucett, Mr. Lucas, Mr. Macpherson, Mr. Martin, Mr. Robertson, and the mover.
Question put and passed.
11. Chairman of Committees of the Whole House :—Mr. Cowper moved, pursuant to notice, That "*Thomas Garrett,*" Esq., be Chairman of Committees of the Whole House during the remainder of the present Session.
Mr. Martin moved, That the Question be amended by omitting the words "*Thomas Garrett,*" with a view to inserting in their place the words "*Robert Wisdom.*"
Debate ensued.
Question put, That the words proposed to be omitted stand part of the Question.
The House divided.

Ayes, 28.

Mr. Cowper,	Mr. Cunneen,
Mr. Smart,	Mr. Stimpson,
Mr. Robertson,	Mr. Ryan,
Mr. Arnold,	Mr. Caldwell,
Mr. Darvall,	Mr. Pemell,
Mr. Morrice,	Mr. Pickering,
Mr. Egan,	Mr. Kemp,
Mr. Rodd,	Mr. Oatley,
Mr. Lee,	Mr. Buchanan,
Mr. Neale,	Dr. Lang,
Mr. Donnelly,	Mr. Josephson.
Mr. Cummings,	<i>Tellers.</i>
Mr. Terry,	
Mr. Brown,	Mr. Burdekin,
Mr. Sutherland,	Mr. Driver.

Original Question put.
The House divided.

Ayes, 30.

Mr. Cowper,	Mr. Cunneen,
Mr. Smart,	Mr. Stimpson,
Mr. Robertson,	Mr. Ryan,
Mr. Arnold,	Mr. Caldwell,
Mr. Darvall,	Mr. Pemell,
Mr. Alexander,	Mr. Pickering,
Mr. Morrice,	Mr. Kemp,
Mr. Egan,	Mr. Oatley,
Mr. Rodd,	Mr. Buchanan,
Mr. Lee,	Dr. Lang,
Mr. Neale,	Mr. Josephson,
Mr. Donnelly,	Mr. Joseph.
Mr. Cummings,	<i>Tellers.</i>
Mr. Brown,	
Mr. Terry,	Mr. Burdekin,
Mr. Sutherland,	Mr. Driver.

Nocs, 22.

Mr. Martin,	Mr. Walker,
Mr. Forster,	Mr. Tunks,
Mr. Macpherson,	Mr. Mate,
Mr. Piddington,	Mr. Gordon,
Mr. Lord,	Mr. Macleay.
Mr. Landale,	<i>Tellers.</i>
Mr. White,	
Mr. Osborne,	Mr. Faucett,
Mr. Parkes,	Mr. Wilson.
Mr. Lucas,	
Mr. Roberts,	
Mr. Tighe,	
Mr. Dodds,	
Mr. Campbell,	
Mr. Joseph,	

Nocs, 21.

Mr. Martin,	Mr. Mate,
Mr. Forster,	Mr. Gordon,
Mr. Macpherson,	Mr. Macleay.
Mr. Piddington,	<i>Tellers.</i>
Mr. Lord,	
Mr. Landale,	Mr. Wilson,
Mr. White,	Mr. Faucett.
Mr. Osborne,	
Mr. Parkes,	
Mr. Lucas,	
Mr. Roberts,	
Mr. Tighe,	
Mr. Dodds,	
Mr. Campbell,	
Mr. Walker,	
Mr. Tunks,	

Whereupon Mr. Garrett made his acknowledgments to the House.

12. Standing Orders Committee (*Sessional Order*):—Mr. Cowper moved, pursuant to notice, That the Standing Orders Committee for the present Session consist of the following Members, viz.:—The Speaker, Mr. Cowper, Mr. Arnold, Mr. Hart, Mr. Macpherson, Mr. Burdekin, Mr. Piddington, Mr. Samuel, Mr. Smart, and Mr. Wisdom,—with leave to sit during any adjournment, and authority and power to send for persons, papers, and records, and to examine witnesses in any matter or thing referred to or pending before the said Committee, and to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
Question put and passed.
13. Library Committee (*Sessional Order*):—Mr. Cowper moved, pursuant to notice, That the Library Committee for the present Session consist of the following Members, viz.:—The Speaker, Mr. Cowper, Mr. Arnold, Mr. Cunneen, Mr. Osborne, Dr. Lang, Mr. Faucett, Mr. Wilson, Mr. Wisdom, and Mr. Hart,—with leave to sit during any adjournment.
Question put and passed.
14. Committee of Elections and Qualifications:—
(1.) *Members Sworn*:—John Caldwell, Marshall Burdekin, and William Macleay, Esquires, were respectively sworn at the Table by the Clerk, as Members of the Committee of Elections and Qualifications.
(2.) *Time and Place of First Meeting of Committee*:—Pursuant to the requirement of the 70th Section of the Electoral Act of 1858, the Speaker appointed the first meeting of the Committee of Elections and Qualifications to take place at noon, on *Tuesday* next, the 14th of March instant, in Committee Room No. 2.
15. Postponements:—The Orders of the Day for the resumption of the Committee of Supply, and the resumption of the Committee of Ways and Means, postponed, respectively, on motion of Mr. Smart, until this day week.
16. Destitute Children's Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to provide for the care and reformation of neglected and criminal Children.
Question put and passed.
17. Superannuation Act Amendment Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to provide for a Superannuation Fund, and to amend the Superannuation Act of 1864.
Question put and passed.
18. District Councils Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to establish District Councils, and to amend the Municipalities Act of 1858.
Question put and passed.
19. Volunteer Forces Regulation Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill to regulate the Volunteer Forces
Question put and passed.

The House adjourned at ten minutes before Seven o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, MARCH 9.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. DARVALL to move for leave to introduce a Bill to authorize the appointment of an additional Judge of the Supreme Court, and to extend the jurisdiction of the Judges of the Supreme Court on Circuit, and to amend the District Courts Act of 1852.
2. MR. DARVALL to move for leave to introduce a Bill to facilitate the taking or apprehending of persons charged with certain felonies, and the punishment of those by whom they are harboured.
3. MR. SMART to move, That this House will to-morrow resolve itself into a Committee of the Whole to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
4. MR. SMART to move for leave to introduce a Bill to amend the Seamen's Laws Amendment and Consolidation Act.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move for leave to introduce a Bill to give effect in this Colony to the alteration of the name of "The Liverpool and London Fire and Life Insurance Company," and to consolidate and amend the laws relating to the said Company, and for other purposes in relation thereto.
2. MR. COWPER to move for leave to introduce a Bill to regulate the temporal affairs of the Presbyterian Church in the Colony of New South Wales.

FRIDAY, MARCH 10.

Questions :—

1. MR. SAMUEL to ask THE COLONIAL TREASURER,—Is it the intention of the Government to introduce, during the present Session, a Bill for the more effectual Audit of the Public Accounts and the appointment of a Paymaster General?
2. MR. SAMUEL to ask THE COLONIAL TREASURER,—What has been the ascertained loss of weight by wear of the Gold Coin issued from the Sydney Mint?

OTHER BUSINESS—ORDER OF THE DAY :—

1. Trade Marks Bill; consideration in Committee of the propriety of introducing this Bill.

NOTICES OF MOTION :—

1. DR. LANG to move, That the Petition presented by him on the 7th March, from Ellen Rosa Pegus, be printed.
2. MR. CUNNEEN to move, That an Address be presented to the Governor, 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 Highway Robberies and other Robberies under Arms reported to the Police of the Colony (under the old system), from the 20th January, 1861, to the 20th January, 1862.
 - (2.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the said period.
 - (3.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony (under the new system), from the 18th October, 1863, to the 18th October, 1864.
 - (4.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the same period.
3. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Return shewing the outstanding liabilities in the Books of the Treasury on the 10th of March, 1865, for the services of the year 1864, distinguishing in columns—
 - (1.) The Particular Services.
 - (2.) The Amount.
 - (3.) The Totals.
4. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Return shewing the various payments on account of services of 1863, and previous years, from the 1st January, 1864, to the 10th March, 1865, in columns, distinguishing the particulars of service—the amount—the totals. Also, an account current, shewing the receipts and payments under the Treasury Bills Act, 27 Vic., No. 8, and the outstanding liabilities on the 10th March, 1865, in respect of services of 1863, and previous years.
5. MR. CUNNEEN to move, That there be laid upon the Table of this House,—
 - (1.) A Return shewing the Number of Passengers conveyed by the Windsor and Richmond Railway, and the Amount of Passenger Fares received during the months of December and January (before the publication of the Engineer-in-Chief's Report on the Line).
 - (2.) The Number of Passengers conveyed, and the Amount of Fares received during the month of February (since the publication of the Engineer-in-Chief's Report).

GOVERNMENT

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. ROBERTSON to move for leave to introduce a Bill to promote the better Drainage of Lands.
2. MR. ROBERTSON to move for leave to introduce a Bill to regulate the Impounding of Cattle.

TUESDAY, MARCH 14.

Questions:—

1. MR. PICKERING to ask THE ATTORNEY GENERAL,—If it is the intention of the Government to place the bushranger, Francis Gardiner, upon his trial for the Mail and Gold Escort Robbery committed on the 15th June, 1862, near Eugowra Creek, on the Lachlan Road; for which offence three of the said Francis Gardiner's accomplices have been tried, capitally convicted, and one of them executed?
2. MR. FORSTER to ask THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce, during the present Session, any measure for the alteration or amendment of the Electoral Law?
3. MR. FORSTER to ask THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce, during the present Session, any measure for the alteration or amendment of the Laws relating to the Alienation and Occupation of Crown Lands?
4. MR. DONNELLY to ask THE SECRETARY FOR LANDS,—If it is the intention of the Government to introduce, during the present Session of Parliament, any measure to amend the laws relating to the Gold Fields?
5. MR. DRIVER to ask THE COLONIAL SECRETARY,—Do the Government intend to introduce, during the present Session of Parliament, any measure for the amendment of the Law relating to the Confinement of Lunatics and the Management of Lunatic Asylums?

OTHER BUSINESS—NOTICES OF MOTION:—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments to three years.
2. MR. DRIVER to move for leave to introduce a Bill to Protect the Fisheries of New South Wales.
3. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.
4. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.
5. MR. BYRNES to move for leave to introduce a Bill to amend the Municipalities Act of 1858.
6. MR. BYRNES to move for leave to introduce a Bill to transfer Parramatta Market to the Municipal Council of Parramatta.
7. MR. MACPIERSON to move, That there be laid upon the Table of this House, a Return of the present Pastoral Rental of the Colony in the First and Second Class Settled and Unsettled Districts, the Return to specify the names of the Lessees or Licensees—the amount of Rent and Assessment under separate heads—the approximate extent in acres of each holding—the date of the commencement of each Lease or License, and the date of its expiry;—the Return also to shew the totals in each District under the heads designated with a general summary at the end of the Return.
8. MR. SAMUEL to move, That there be laid upon the Table of this House, copies of all correspondence between the Deputy Master of the Mint, the Imperial Government, and any other persons, having reference to the issue of a Copper Coinage from the Sydney Mint.
9. MR. SAMUEL to move, That there be laid upon the Table of this House, copies of all correspondence between the Deputy Master of the Sydney Branch of the Royal Mint, Mr. Charles Watt, and any other persons, having reference to the extraction of Silver from the Gold coined in this Colony.
10. MR. SAMUEL to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all correspondence between the Government, the Manager of the Oriental Bank, the Manager of the Bank of New South Wales, and any other persons, relative to the change of the Financial Agents of the Colony in England.
11. MR. BYRNES to move, That the Petition of Ewebank Lough, presented by him on 7th March, be printed.
12. MR. BUCHANAN to move, That a Select Committee be appointed to inquire into the conduct of Mr. Hawkins, Returning Officer for Bathurst, at the late Election for that place; that the said Committee consist of Dr. Lang, Mr. Sutherland, Mr. Garrett, Mr. Neale, Mr. Cunneen, Mr. Driver, Mr. Caldwell, Mr. Josephson, Mr. Burdekin, and the Mover.
13. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of the last Despatch of the late Duke of Newcastle, in answer to a Resolution of this House maintaining the principle of religious equality.

14. Mr. BUCHANAN to move, That, in the opinion of this House, the Despatch of the late Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this country.
15. Mr. BUCHANAN to move, That, in the opinion of this House, that clause of the Constitution Act which grants Pensions to Messrs. Deas Thomson, Manning, Plunkett, and McCrewehther, should be repealed forthwith.
16. Mr. BUCHANAN to move, That, in the opinion of this House, the dilatory conduct evinced by different Governments, with regard to the Railway Works to Bathurst, is most prejudicial to the interests of the Inhabitants of the Western Districts; and that justice, as well as the best interests of the Colony, demands that those Works shall in future be prosecuted with reasonable expedition.
17. Mr. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
18. Mr. CUNNEEN to move, That there be laid upon the Table of this House, a Return, shewing, in alphabetical order, the names of all the runs leased at sale by auction during the year 1863, under the Crown Lands Occupation Act of 1861—the District in which each Run is situated—the estimated number of acres in each Run—the names of the persons who purchased the leases; and the amount of rent to be annually paid for each lease.
19. Mr. WILSON to move for leave to introduce a Bill to provide for the Registration of Brands.

WEDNESDAY, MARCH 15.

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Supply; Resumption of the Committee.
2. Ways and Means; Resumption of the Committee.

OTHER BUSINESS—NOTICE OF MOTION:—

1. Mr. LUCAS to move, That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Disorganized State and Management of the Public Works Department; and that such Committee consist of the following Members:—Mr. Arnold, Mr. Sutherland, Mr. Hart, Mr. Cunneen, Mr. Byrnes, Mr. Piddington, Mr. Donnelly, Mr. Tunks, Mr. Wisdom, and the Mover.

FRIDAY, MARCH 17.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Verdicts Amendment Bill; second reading.
2. New Trials Limitation Bill; second reading.
3. Robberies Suppression Bill; second reading.

TUESDAY, MARCH 21.

Question:—

1. Mr. PICKERING to ask THE SECRETARY FOR LANDS,—
 - (1.) If the Government are aware that a monopoly of the only water available for the working of claims at the Hanging Rock, Nundle and Peel River Diggings, on the Northern Gold Fields, is enjoyed by certain persons claiming title to the same as successors of a company styled "The American Water Company," to whom a license for vending the said water was granted by Mr. Commissioner King, in the years 1853-54?
 - (2.) If the Government has received any report upon this matter from the Assistant Commissioner at Nundle, or other person, representing, and complaining of the exorbitant weekly rental demanded and exacted for this water from the miners, under the afore-mentioned alleged derivable right?
 - (3.) Whether the right to such monopoly has any legitimate existence, and if not, whether steps will be taken by the Government to relieve the miners from such unwarranted levy?

OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. SAMUEL to move,—
 - (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 - (2.) That the above resolution be communicated by Address to His Excellency the Governor.
2. Mr. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.

3. **MR. BUCHANAN** to move,—
- (1.) That a Select Committee be appointed to inquire whether the prisoners Bow and Fordyce, convicted of the robbery of the Forbes Escort, were properly or regularly tried, and whether their trials were in accordance with the practice of English Tribunals.
 - (2.) That the said Committee consist of Mr. Driver, Mr. Wisdom, Mr. Kemp, Mr. Burdekin, Mr. Martin, Mr. Garrett, Dr. Lang, Mr. Cunneen, Mr. Darvall, and the Mover.
4. **MR. BUCHANAN** to move for leave to introduce a Bill to make it necessary, in all cases where the Evidence of Accomplices is brought forward, that such Evidence shall be corroborated by at least one independent Witness in no way concerned in the crime or offence.
5. **MR. RYAN** to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of the following Resolutions:—
- (1.) That, in the opinion of this House it is expedient and necessary that additional facilities, besides those now employed in the Police Force to put down Bushranging in the interior of this country, should be at once resorted to.
 - (2.) That six Volunteer Mounted Detachments be at once invited to enrol themselves, consisting of eight men each,—viz., one Captain, one Lieutenant, and six Troopers; to be armed with Tranter's revolving rifles and pistols; the Captain to have the selection of men and horses.
 - (3.) That this Force, under the control of the Colonial Secretary, should be distributed through the several districts now infested, or that may hereafter be infested, by these marauders.
 - (4.) That so soon as this Force is in a complete state, one-fifth of the Mounted Police, those who have least distinguished themselves, be at once disbanded.
 - (5.) That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates a sum not exceeding £3,000 for the above Force.

FRIDAY, MARCH 24.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Prison Discipline Bill; second reading.
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New South Wales.

No. 9.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 9 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.
Motion for Adjournment:—Mr. Buchanan moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
 2. Newspaper Postage Act:—Mr. Faucett presented a Petition from J. Hanly, and others, praying for the repeal of the Newspaper Postage Act.
Petition received.
 3. Motions Withdrawn:—
(1.) Mr. Smart withdrew the Motion standing in his name, No. 3 on the Notice Paper of Government Business for to-day.
(2.) Mr. Darvall withdrew the Motion standing in his name, No. 1 on the Notice Paper of Government Business for to-day.
 4. Felons Apprehension Bill:—
(1.) Mr. Darvall moved, pursuant to notice, for leave to introduce a Bill to facilitate the taking or apprehending of persons charged with certain felonies, and the punishment of those by whom they are harboured.
Question put and passed.
(2.) Mr. Darvall having presented this Bill, Bill, intituled, "*A Bill to facilitate the taking or apprehending of persons charged with certain felonies and the punishment of those by whom they are harboured,*" read a first time.
Ordered to be printed, and read a second time this day week.
 5. Seamen's Laws Amendment Bill:—
(1.) Mr. Smart moved, pursuant to notice, for leave to introduce a Bill to amend the Seamen's Laws Amendment and Consolidation Act.
Question put and passed.
(2.) Mr. Smart having presented this Bill, Bill, intituled, "*A Bill to amend the Seamen's Laws Consolidation Act of 1864,*" read a first time.
Ordered to be printed, and read a second time on Wednesday next.
 6. Liverpool and London and Globe Insurance Company's Bill:—Mr. Cowper moved, pursuant to notice, for leave to introduce a Bill to give effect in this Colony to the alteration of the name of "The Liverpool and London Fire and Life Insurance Company," and to consolidate and amend the laws relating to the said Company, and for other purposes in relation thereto.
Question put and passed.
 7. Presbyterian Church Bill:—Mr. Cowper moved, pursuant to notice, for leave to introduce a Bill to regulate the temporal affairs of the Presbyterian Church in the Colony of New South Wales.
Question put and passed.
- The House adjourned, at seven minutes after Four o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

FRIDAY, MARCH 10.

Questions :—

1. MR. SAMUEL *to ask* THE COLONIAL TREASURER,—Is it the intention of the Government to introduce, during the present Session, a Bill for the more effectual Audit of the Public Accounts and the appointment of a Paymaster General?
2. MR. SAMUEL *to ask* THE COLONIAL TREASURER,—What has been the ascertained loss of weight by wear of the Gold Coin issued from the Sydney Mint?

OTHER BUSINESS—ORDER OF THE DAY :—

1. Trade Marks Bill; consideration in Committee of the propriety of introducing this Bill.

NOTICES OF MOTION :—

1. DR. LANG to move, That the Petition presented by him on the 7th March, from Ellen Rosa Pegus, be printed.
2. MR. CUNNEEN to move, That an Address be presented to the Governor, 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 Highway Robberies and other Robberies under Arms reported to the Police of the Colony (under the old system), from the 20th January, 1861, to the 20th January, 1862.
 - (2.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the said period.
 - (3.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony (under the new system), from the 18th October, 1863, to the 18th October, 1864.
 - (4.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the same period.
3. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Return shewing the outstanding liabilities in the Books of the Treasury on the 10th of March, 1865, for the services of the year 1864, distinguishing in columns—
 - (1.) The Particular Services.
 - (2.) The Amount.
 - (3.) The Totals.
4. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Return shewing the various payments on account of services of 1863, and previous years, from the 1st January, 1864, to the 10th March, 1865, in columns, distinguishing the particulars of service—the amount—the totals. Also, an account current, shewing the receipts and payments under the Treasury Bills Act, 27 Vic., No. 8, and the outstanding liabilities on the 10th March, 1865, in respect of services of 1863, and previous years.
5. MR. CUNNEEN to move, That there be laid upon the Table of this House,—
 - (1.) A Return shewing the Number of Passengers conveyed by the Windsor and Richmond Railway, and the Amount of Passenger Fares received during the months of December and January (before the publication of the Engineer-in-Chief's Report on the Line).
 - (2.) The Number of Passengers conveyed, and the Amount of Fares received during the month of February (since the publication of the Engineer-in-Chief's Report).

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. ROBERTSON to move for leave to introduce a Bill to promote the better Drainage of Lands.
 2. MR. ROBERTSON to move for leave to introduce a Bill to regulate the Impounding of Cattle.
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TUESDAY, MARCH 14.

Questions :—

1. MR. PICKERING *to ask* THE ATTORNEY GENERAL,—If it is the intention of the Government to place the bushranger, Francis Gardiner, upon his trial for the Mail and Gold Escort Robbery committed on the 15th June, 1862, near Eugowra Creek, on the Lachlan Road; for which offence three of the said Francis Gardiner's accomplices have been tried, capitally convicted, and one of them executed?
2. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce, during the present Session, any measure for the alteration or amendment of the Electoral Law?
3. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce, during the present Session, any measure for the alteration or amendment of the Laws relating to the Alienation and Occupation of Crown Lands?

4. MR. DONNELLY to ask THE SECRETARY FOR LANDS,—If it is the intention of the Government to introduce, during the present Session of Parliament, any measure to amend the laws relating to the Gold Fields?
5. MR. DRIVER to ask THE COLONIAL SECRETARY,—Do the Government intend to introduce, during the present Session of Parliament, any measure for the amendment of the Law relating to the Confinement of Lunatics and the Management of Lunatic Asylums?
6. MR. LEE to ask THE ATTORNEY GENERAL,—Whether it is the intention of the Government to introduce, this Session, a Bill to extend the jurisdiction of Magistrates presiding in Petty Sessions, in Civil Suits, or Small Debts Courts, from £10 to £30.
7. MR. FORSTER to ask THE COLONIAL SECRETARY,—What steps have been, or are intended to be, taken by the Government, with reference to any proposed re-adjustment or amendment of the representation in this House of the Electoral District of Hastings, and of other Electoral Districts which appear to be unequally represented in this House, as compared with other Electoral Districts?

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments to three years.
2. MR. DRIVER to move for leave to introduce a Bill to Protect the Fisheries of New South Wales.
3. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.
4. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.
5. MR. BYRNES to move for leave to introduce a Bill to amend the Municipalities Act of 1858.
6. MR. BYRNES to move for leave to introduce a Bill to transfer Parramatta Market to the Municipal Council of Parramatta.
7. MR. MACHERRSON to move, That there be laid upon the Table of this House, a Return of the present Pastoral Rental of the Colony in the First and Second Class Settled and Unsettled Districts, the Return to specify the names of the Lessees or Licensees—the amount of Rent and Assessment under separate heads—the approximate extent in acres of each holding—the date of the commencement of each Lease or License, and the date of its expiry;—the Return also to shew the totals in each District under the heads designated with a general summary at the end of the Return.
8. MR. SAMUEL to move, That there be laid upon the Table of this House, copies of all correspondence between the Deputy Master of the Mint, the Imperial Government, and any other persons, having reference to the issue of a Copper Coinage from the Sydney Mint.
9. MR. SAMUEL to move, That there be laid upon the Table of this House, copies of all correspondence between the Deputy Master of the Sydney Branch of the Royal Mint, Mr. Charles Watt, and any other persons, having reference to the extraction of Silver from the Gold coined in this Colony.
10. MR. SAMUEL to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all correspondence between the Government, the Manager of the Oriental Bank, the Manager of the Bank of New South Wales, and any other persons, relative to the change of the Financial Agents of the Colony in England.
11. MR. BYRNES to move, That the Petition of Ewebank Lough, presented by him on 7th March, be printed.
12. MR. BUCHANAN to move, That a Select Committee be appointed to inquire into the conduct of Mr. Hawkins, Returning Officer for Bathurst, at the late Election for that place; that the said Committee consist of Dr. Lang, Mr. Sutherland, Mr. Garrett, Mr. Neale, Mr. Cunneen, Mr. Driver, Mr. Caldwell, Mr. Josephson, Mr. Burdekin, and the Mover.
13. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of the last Despatch of the late Duke of Newcastle, in answer to a Resolution of this House maintaining the principle of religious equality.
14. MR. BUCHANAN to move, That, in the opinion of this House, the Despatch of the late Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this country.
15. MR. BUCHANAN to move, That, in the opinion of this House, that clause of the Constitution Act which grants Pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
16. MR. BUCHANAN to move, That, in the opinion of this House, the dilatory conduct evinced by different Governments, with regard to the Railway Works to Bathurst, is most prejudicial to the interests of the Inhabitants of the Western Districts; and that justice, as well as the best interests of the Colony, demands that those Works shall in future be prosecuted with reasonable expedition.
17. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

18. MR. CUNNEEN to move, That there be laid upon the Table of this House, a Return, shewing, in alphabetical order, the names of all the runs leased at sale by auction during the year 1863, under the Crown Lands Occupation Act of 1861—the District in which each Run is situated—the estimated number of acres in each Run—the names of the persons who purchased the leases; and the amount of rent to be annually paid for each lease.
19. MR. WILSON to move for leave to introduce a Bill to provide for the Registration of Brands.

WEDNESDAY, MARCH 15.

Questions :—

1. MR. FORSTER to ask THE COLONIAL TREASURER,—What steps have been, or are intended to be taken, by the Government, with reference to an application from certain residents of West Kempsey, Macleay River, dated on or about September 12, 1864, for an alteration of the site and improvement of the condition of a Public Ferry over the Macleay River?
2. MR. FORSTER to ask THE SECRETARY FOR PUBLIC WORKS,—What steps have been, or are intended to be, taken by the Government with reference to the establishment of Telegraphic Communication between Sydney and the Electoral District of the Hastings?
3. MR. FORSTER to ask THE SECRETARY FOR PUBLIC WORKS,—What steps have been, or are intended to be, taken by the Government, with reference to opening a new line of road between New England and the Manning River?

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. SMART to move, That this House will to-morrow resolve itself into a Committee of the Whole to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.

ORDERS OF THE DAY :—

1. Supply; Resumption of the Committee.
2. Ways and Means; Resumption of the Committee.
3. Seamen's Laws Amendment Bill; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. LUCAS to move, That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Disorganized State and Management of the Public Works Department; and that such Committee consist of the following Members :—Mr. Arnold, Mr. Sutherland, Mr. Hart, Mr. Cunneen, Mr. Byrnes, Mr. Piddington, Mr. Donnelly, Mr. Tunks, Mr. Wisdom, and the Mover.

THURSDAY, MARCH 16.

GOVERNMENT BUSINESS—ORDER OF THE DAY.

1. Felons Apprehension Bill; second reading.

FRIDAY, MARCH 17.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Verdicts Amendment Bill; second reading.
2. New Trials Limitation Bill; second reading.
3. Robberies Suppression Bill; second reading.

TUESDAY, MARCH 21.

Question :—

1. MR. PICKERING to ask THE SECRETARY FOR LANDS,—
(1.) If the Government are aware that a monopoly of the only water available for the working of claims at the Hanging Rock, Nundle and Peel River Diggings, on the Northern Gold Fields, is enjoyed by certain persons claiming title to the same as successors of a company styled "The American Water Company," to whom a license for vending the said water was granted by Mr. Commissioner King, in the years 1853-54?

(2.) If the Government has received any report upon this matter from the Assistant Commissioner at Nundle, or other person, representing, and complaining of the exorbitant weekly rental demanded and exacted for this water from the miners, under the afore-mentioned alleged derivable right?

(3.) Whether the right to such monopoly has any legitimate existence, and if not, whether steps will be taken by the Government to relieve the miners from such unwarranted levy?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SAMUEL to move,—
 - (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 - (2.) That the above resolution be communicated by Address to His Excellency the Governor.
2. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
3. MR. BUCHANAN to move,—
 - (1.) That a Select Committee be appointed to inquire whether the prisoners Bow and Fordyce, convicted of the robbery of the Forbes Escort, were properly or regularly tried, and whether their trials were in accordance with the practice of English Tribunals.
 - (2.) That the said Committee consist of Mr. Driver, Mr. Wisdom, Mr. Kemp, Mr. Burdekin, Mr. Martin, Mr. Garrett, Dr. Lang, Mr. Cunneen, Mr. Darvall, and the Mover.
4. MR. BUCHANAN to move for leave to introduce a Bill to make it necessary, in all cases where the Evidence of Accomplices is brought forward, that such Evidence shall be corroborated by at least one independent Witness in no way concerned in the crime or offence.
5. MR. RYAN to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of the following Resolutions :—
 - (1.) That, in the opinion of this House it is expedient and necessary that additional facilities, besides those now employed in the Police Force to put down Bushranging in the interior of this country, should be at once resorted to.
 - (2.) That six Volunteer Mounted Detachments be at once invited to enrol themselves, consisting of eight men each,—viz., one Captain, one Lieutenant, and six Troopers; to be armed with Tranter's revolving rifles and pistols; the Captain to have the selection of men and horses.
 - (3.) That this Force, under the control of the Colonial Secretary, should be distributed through the several districts now infested, or that may hereafter be infested, by these marauders.
 - (4.) That so soon as this Force is in a complete state, one-fifth of the Mounted Police, those who have least distinguished themselves, be at once disbanded.
 - (5.) That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates a sum not exceeding £3,000 for the above Force.

FRIDAY, MARCH 24.

OTHER BUSINESS—ORDER OF THE DAY.

1. Prison Discipline Bill; second reading.
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[*Proc, 6d.*]

New South Wales.

No. 10.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 10 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Audit Bill—Paymaster General :—Mr. Samuel asked the Colonial Treasurer, pursuant to Notice No. 1,—Is it the intention of the Government to introduce, during the present Session, a Bill for the more effectual Audit of the Public Accounts and the appointment of a Paymaster General?
Mr. Smart answered :—The Government do not intend to introduce such measures during the present Session.
- (2.) Gold Coin of Sydney Mint :—Mr. Samuel asked the Colonial Treasurer, pursuant to Notice No. 2,—What has been the ascertained loss of weight by wear of the Gold Coin issued from the Sydney Mint?
Mr. Smart answered :—The loss of weight by wear of Gold Coin has not been ascertained, and therefore the information asked for cannot be given.
2. Motion for Adjournment :—Mr. Macpherson moved, That this House do now adjourn.
Question put and negatived.
3. Timothy Dundas Rusk :—Mr. Donnelly presented a Petition from Timothy Dundas Rusk, a Gold Digger, praying that a Select Committee may be appointed for the purpose of inquiring into any claim he may have, arising out of certain suggestions made by him to the Government in regard to Gold and the Gold Fields.
Petition received.
4. Paper :—Mr. Smart laid upon the Table, Return of Bank Liabilities and Assets, for Quarter ended 30th September, 1864.
Ordered to be printed.
5. Superannuation Act Amendment Bill :—Mr. Forster having *presented* this Bill, Bill, intituled, "*A Bill to provide for a Superannuation Fund,*" read a first time.
Ordered to be printed, and read a second time this day fortnight.
6. Volunteer Forces Regulation Bill :—Mr. Forster having *presented* this Bill, Bill, intituled, "*A Bill to regulate the Volunteer Forces,*" read a first time.
Ordered to be printed, and read a second time this day fortnight.
7. Liverpool and London and Globe Insurance Company's Bill :—Mr. Cowper having *presented* this Bill, and produced a Certificate of the payment of Twenty-five Pounds to the credit of the Consolidated Revenue of the Colony, Bill, intituled, "*A Bill to give effect in this Colony to the alteration of the name of 'The Liverpool and London Fire and Life Insurance Company' and to consolidate and amend the Laws relating to the said Company and for other purposes in relation thereto,*" read a first time.
8. Presbyterian Church Bill :—Mr. Cowper having *presented* this Bill, and produced a Certificate of the payment of Twenty-five Pounds to the credit of the Consolidated Revenue of the Colony, Bill, intituled, "*A Bill to regulate the Temporal Affairs of the Presbyterian Church in the Colony of New South Wales,*" read a first time.
9. Trade Marks Bill :—On the Order of the Day for the consideration in Committee of the propriety of introducing this Bill being read,—
Mr. Cowper, *stating that the Chairman of Committees (Mr. Garrett) was unable to attend in consequence of severe illness,* moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole for such consideration, and that *Mr. Burdekin* do take the Chair for this day only.
Question put and passed.
Whereupon the Speaker left the Chair, and the House resolved itself into the said Committee.

Mr.

Mr. Burdakin reported the following Resolution :—

Resolved,—That it is desirable to introduce a Bill to prevent the fraudulent marking of merchandize, and to provide for the regulation of Trade Marks.

Mr. Hart then moved, That this House do now adopt this Resolution.

Question put and passed.

10. *Mrs. Pegus* :—*Dr. Lang* moved, pursuant to notice, That the Petition presented by him on the 7th March, from Ellen Rosa Pegus, be printed.
Question put and passed.
Ordered to be printed.
11. Police Statistics :—*Mr. Cunneen* moved, pursuant to notice, That an Address be presented to the Governor, 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 Highway Robberies and other Robberies under Arms reported to the Police of the Colony (under the old system), from the 20th January, 1861, to the 20th January, 1862.
 - (2.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the said period.
 - (3.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony (under the new system), from the 18th October, 1863, to the 18th October, 1864.
 - (4.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the same period.
 Question put and passed.
12. Paper :—*Mr. Cowper* laid upon the Table, Return to Address in reference to "Police Statistics," adopted by this House, on motion of *Mr. Cunneen*, this day. (*See foregoing Entry No. 11.*)
Ordered to be printed.
13. Trade Marks Bill :—*Mr. Hart* having presented this Bill, Bill, intituled, "*A Bill to prevent the fraudulent marking of Merchandize and to provide for the Registration of Trade Marks*," read a first time.
Ordered to be printed, and read a second time on Friday, 31st March.
14. Treasury Liabilities :—*Mr. Piddington* moved, pursuant to notice, (*as amended with the concurrence of the House*.) That there be laid upon the Table of this House, a Return shewing the outstanding liabilities in the Books of the Treasury on the 28th February, 1865, for the services of the year 1864, distinguishing in columns—
 - (1.) The Particular Services.
 - (2.) The Amount.
 - (3.) The Totals.
 Question put and passed.
15. Payments for Services—Receipts, Payments, and Liabilities under Treasury Bills Act :—*Mr. Piddington* moved, pursuant to notice, (*as amended with the concurrence of the House*.) That there be laid upon the Table of this House, a Return shewing the various payments on account of services of 1863, and previous years, from the 1st January, 1864, to the 28th February, 1865, in columns, distinguishing the particulars of service—the amount—the totals. Also, an account current, shewing the receipts and payments under the Treasury Bills Act, 27 Vic., No. 8, and the outstanding liabilities on the 28th February, 1865, in respect of services of 1863, and previous years.
Question put and passed.
16. Passengers by Windsor and Richmond Railway :—*Mr. Cunneen* moved, pursuant to notice, That there be laid upon the Table of this House,—
 - (1.) A Return shewing the Number of Passengers conveyed by the Windsor and Richmond Railway, and the Amount of Passenger Fares received during the months of December and January (before the publication of the Engineer-in-Chief's Report on the Line).
 - (2.) The Number of Passengers conveyed, and the Amount of Fares received during the month of February (since the publication of the Engineer-in-Chief's Report).
 Debate ensued.
Question put and passed.
17. Motions Withdrawn :—*Mr. Robertson* withdrew the Motions standing in his name, Nos. 1 and 2 on the Notice Paper of Government Business for to-day.
The House adjourned, at five minutes before Five o'clock, until Tuesday next, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

TUESDAY, MARCH 14.

Questions :—

1. MR. PICKERING *to ask* THE ATTORNEY GENERAL,—If it is the intention of the Government to place the bushranger, Francis Gardiner, upon his trial for the Mail and Gold Escort Robbery committed on the 15th June, 1862, near Eugowra Creek, on the Lachlan Road; for which offence three of the said Francis Gardiner's accomplices have been tried, capitally convicted, and one of them executed?
2. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce, during the present Session, any measure for the alteration or amendment of the Electoral Law?
3. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce, during the present Session, any measure for the alteration or amendment of the Laws relating to the Alienation and Occupation of Crown Lands?
4. MR. DONNELLY *to ask* THE SECRETARY FOR LANDS,—If it is the intention of the Government to introduce, during the present Session of Parliament, any measure to amend the laws relating to the Gold Fields?
5. MR. DRIVER *to ask* THE COLONIAL SECRETARY,—Do the Government intend to introduce, during the present Session of Parliament, any measure for the amendment of the Law relating to the Confinement of Lunatics and the Management of Lunatic Asylums?
6. MR. LEE *to ask* THE ATTORNEY GENERAL,—Whether it is the intention of the Government to introduce, this Session, a Bill to extend the jurisdiction of Magistrates presiding in Petty Sessions, in Civil Suits, or Small Debts Courts, from £10 to £30?
7. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—What steps have been, or are intended to be, taken by the Government, with reference to any proposed re-adjustment or amendment of the representation in this House of the Electoral District of Hastings, and of other Electoral Districts which appear to be unequally represented in this House, as compared with other Electoral Districts?
8. MR. TERRY *to ask* THE SECRETARY FOR PUBLIC WORKS,—If it is the intention of the Government to Survey a Line of Railway to Mudgee from Piper's Flat on the Bathurst Road?
9. MR. MACPHERSON *to ask* THE COLONIAL SECRETARY,—Whether it is the intention of the Government, during the present Session, to introduce a Bill for regulating the Sale of the Church and School Estates, and the distribution of the proceeds in accordance with the terms of a Resolution of the Assembly of 28th July, 1863?
10. MR. BUCHANAN *to ask* THE ATTORNEY GENERAL,—If he is aware that Henry Corbett was sent to a Lunatic Asylum on the authority of the medical officer of Darlinghurst Gaol alone?
11. MR. LORD *to ask* THE COLONIAL SECRETARY,—If he has any objection to lay on the Table of this House, the papers or documents relative to the dismissal of Sir Frederick Pottinger?

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments to three years.
2. MR. DRIVER to move for leave to introduce a Bill to Protect the Fisheries of New South Wales.
3. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.
4. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.
5. MR. BYRNES to move for leave to introduce a Bill to amend the Municipalities Act of 1858.
6. MR. BYRNES to move for leave to introduce a Bill to transfer Parramatta Market to the Municipal Council of Parramatta.
7. MR. MACPHERSON to move, That there be laid upon the Table of this House, a Return of the present Pastoral Rental of the Colony in the First and Second Class Settled and Unsettled Districts, the Return to specify the names of the Lessees or Licensees—the amount of Rent and Assessment under separate heads—the approximate extent in acres of each holding—the date of the commencement of each Lease or License, and the date of its expiry;—the Return also to shew the totals in each District under the heads designated with a general summary at the end of the Return.
8. MR. SAMUEL to move, That there be laid upon the Table of this House, copies of all correspondence between the Deputy Master of the Mint, the Imperial Government, and any other persons, having reference to the issue of a Copper Coinage from the Sydney Mint.

9. MR. SAMUEL to move, That there be laid upon the Table of this House, copies of all correspondence between the Deputy Master of the Sydney Branch of the Royal Mint, Mr. Charles Watt, and any other persons, having reference to the extraction of Silver from the Gold coined in this Colony.
10. MR. SAMUEL to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all correspondence between the Government, the Manager of the Oriental Bank, the Manager of the Bank of New South Wales, and any other persons, relative to the change of the Financial Agents of the Colony in England.
11. MR. BYRNES to move, That the Petition of Ewebank Lough, presented by him on 7th March, be printed.
12. MR. BUCHANAN to move, That a Select Committee be appointed to inquire into the conduct of Mr. Hawkins, Returning Officer for Bathurst, at the late Election for that place; that the said Committee consist of Dr. Lang, Mr. Sutherland, Mr. Garrett, Mr. Neale, Mr. Cunneen, Mr. Driver, Mr. Caldwell, Mr. Josephson, Mr. Burdekin, and the Mover.
13. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a copy of the last Despatch of the late Duke of Newcastle, in answer to a Resolution of this House maintaining the principle of religious equality.
14. MR. BUCHANAN to move, That, in the opinion of this House, the Despatch of the late Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this country.
15. MR. BUCHANAN to move, That, in the opinion of this House, that clause of the Constitution Act which grants Pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
16. MR. BUCHANAN to move, That, in the opinion of this House, the dilatory conduct evinced by different Governments, with regard to the Railway Works to Bathurst, is most prejudicial to the interests of the Inhabitants of the Western Districts; and that justice, as well as the best interests of the Colony, demands that those Works shall in future be prosecuted with reasonable expedition.
17. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
18. MR. CUNNEEN to move, That there be laid upon the Table of this House, a Return, shewing, in alphabetical order, the names of all the runs leased at sale by auction during the year 1863, under the Crown Lands Occupation Act of 1861—the District in which each Run is situated—the estimated number of acres in each Run—the names of the persons who purchased the leases; and the amount of rent to be annually paid for each lease.
19. MR. WILSON to move for leave to introduce a Bill to provide for the Registration of Brands.
20. MR. COWPER to move, That the Bill to give effect in this Colony to the alteration of the name of "The Liverpool and London Fire and Life Insurance Company," and to consolidate and amend the laws relating to the said Company, and for other purposes in relation thereto, be referred to a Select Committee. That such Committee consist of the following Members, viz.:—Mr. Alexander, Mr. Brown, Mr. Burdekin, Mr. Cunneen, Mr. Hart, Mr. Osborne, Mr. Samuel, Mr. Tighe, Mr. White, and the mover.
21. MR. CUNNEEN to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report upon, the claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done to their properties since the discovery of Gold on their rented Crown Lands.
 - (2.) That such Committee consist of Mr. Piddington, Mr. Robertson, Mr. Wilson, Mr. Burdekin, Mr. Lucas, Mr. Egan, Mr. Forlonge, Mr. Sutherland, and the mover.
22. MR. COWPER to move,—
 - (1.) That the Bill to regulate the temporal affairs of the Presbyterian Church in the Colony of New South Wales be referred to a Select Committee.
 - (2.) That such Committee consist of the following Members, viz.:—Mr. Burdekin, Mr. Caldwell, Mr. Campbell, Dr. Lang, Mr. Lec, Mr. Parkes, Mr. Sutherland, Mr. Tighe, and the mover.

WEDNESDAY, MARCH 15.

Questions :—

1. MR. FORSTER to ask THE COLONIAL TREASURER,—What steps have been, or are intended to be taken, by the Government, with reference to an application from certain residents of West Kempsey, Macleay River, dated on or about September 12, 1864, for an alteration of the site and improvement of the condition of a Public Ferry over the Macleay River?
2. MR. FORSTER to ask THE SECRETARY FOR PUBLIC WORKS,—What steps have been, or are intended to be, taken by the Government with reference to the establishment of Telegraphic Communication between Sydney and the Electoral District of the Hastings?
3. MR. FORSTER to ask THE SECRETARY FOR PUBLIC WORKS,—What steps have been, or are intended to be, taken by the Government, with reference to opening a new line of road between New England and the Manning River?

GOVERNMENT

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. SMART to move, That this House will to-morrow resolve itself into a Committee of the Whole to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
2. MR. DARVALL to move, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider of the propriety of introducing a Bill to facilitate the taking or apprehending of persons charged with certain felonies, and the punishment of those by whom they are harboured.

ORDERS OF THE DAY :—

1. Supply ; Resumption of the Committee.
2. Ways and Means ; Resumption of the Committee.
3. Seamen's Laws Amendment Bill ; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. LUCAS to move, That a Select Committee, with power to send for persons and papers, be appointed to inquire into and report upon the Disorganized State and Management of the Public Works Department ; and that such Committee consist of the following Members :—Mr. Arnold, Mr. Sutherland, Mr. Hart, Mr. Cunneen, Mr. Byrnes, Mr. Piddington, Mr. Donnelly, Mr. Tunks, Mr. Wisdom, and the Mover.

 THURSDAY, MARCH 16.

GOVERNMENT BUSINESS—ORDER OF THE DAY.

1. Felons Apprehension Bill ; second reading.

 FRIDAY, MARCH 17.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Verdicts Amendment Bill ; second reading.
2. New Trials Limitation Bill ; second reading.
3. Robberies Suppression Bill ; second reading.

 TUESDAY, MARCH 21.
Question :—

1. MR. PICKERING to ask THE SECRETARY FOR LANDS,—
 - (1.) If the Government are aware that a monopoly of the only water available for the working of claims at the Hanging Rock, Nundle and Peel River Diggings, on the Northern Gold Fields, is enjoyed by certain persons claiming title to the same as successors of a company styled "The American Water Company," to whom a license for vending the said water was granted by Mr. Commissioner King, in the years 1853-54 ?
 - (2.) If the Government has received any report upon this matter from the Assistant Commissioner at Nundle, or other person, representing, and complaining of the exorbitant weekly rental demanded and exacted for this water from the miners, under the afore-mentioned alleged derivable right ?
 - (3.) Whether the right to such monopoly has any legitimate existence, and if not, whether steps will be taken by the Government to relieve the miners from such unwarranted levy ?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SAMUEL to move,—
 - (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 - (2.) That the above resolution be communicated by Address to His Excellency the Governor.
2. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
3. MR. BUCHANAN to move,—
 - (1.) That a Select Committee be appointed to inquire whether the prisoners Bow and Fordyce, convicted of the robbery of the Forbes Escort, were properly or regularly tried, and whether their trials were in accordance with the practice of English Tribunals.
 - (2.) That the said Committee consist of Mr. Driver, Mr. Wisdom, Mr. Kemp, Mr. Burdekin, Mr. Martin, Mr. Garrett, Dr. Lang, Mr. Cunneen, Mr. Darvall, and the Mover.

4. MR. BUCHANAN to move for leave to introduce a Bill to make it necessary, in all cases where the Evidence of Accomplices is brought forward, that such Evidence shall be corroborated by at least one independent Witness in no way concerned in the crime or offence.
5. MR. RYAN to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of the following Resolutions :—
 - (1.) That, in the opinion of this House it is expedient and necessary that additional facilities, besides those now employed in the Police Force to put down Bushranging in the interior of this country, should be at once resorted to.
 - (2.) That six Volunteer Mounted Detachments be at once invited to enrol themselves, consisting of eight men each,—viz., one Captain, one Lieutenant, and six Troopers; to be armed with Tranter's revolving rifles and pistols; the Captain to have the selection of men and horses.
 - (3.) That this Force, under the control of the Colonial Secretary, should be distributed through the several districts now infested, or that may hereafter be infested, by these marauders.
 - (4.) That so soon as this Force is in a complete state, one-fifth of the Mounted Police, those who have least distinguished themselves, be at once disbanded.
 - (5.) That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates a sum not exceeding £3,000 for the above Force.

FRIDAY, MARCH 24.

OTHER BUSINESS—ORDERS OF THE DAY.

1. Prison Discipline Bill; second reading.
2. Superannuation Act Amendment Bill; second reading.
3. Volunteer Forces Regulation Bill; second reading.

NOTICE OF MOTION :—

1. MR. TIGHE to move, That the Report from "The Select Committee on the claim of Robert Stewart to land at Illawarra," dated 10th March, 1864, and ordered by the Legislative Assembly to be printed, 11th March, 1864, be now adopted.

FRIDAY, MARCH 31.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Trade Marks Bill; second reading.
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New South Wales.

No. 11.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 14 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Affirmation of Allegiance made by Member:—Joseph James Phelps, Esquire, having, in the form prescribed by the Act of the Imperial Parliament, 3 and 4 Wm. IV., cap. 49, made and subscribed the following Affirmation of Allegiance, and signed the Roll, took his seat as Member for the Electoral District of Balranald (the Clerk producing the Writ), viz. :—

“ I, Joseph James Phelps, being one of the people called Quakers, do solemnly, sincerely, and truly declare and affirm, that I will be faithful and bear true Allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Colony of New South Wales, dependent on and belonging to the said United Kingdom.”

2. Questions on Notice Paper for to-day :—

(1.) Convict Bushranger, Francis Gardiner :—Mr. Pickering asked the Attorney General, pursuant to Notice No. 1,—If it is the intention of the Government to place the bushranger, Francis Gardiner, upon his trial for the Mail and Gold Escort Robbery committed on the 15th June, 1862, near Eugowra Creek, on the Lachlan Road; for which offence three of the said Francis Gardiner's accomplices have been tried, capitally convicted, and one of them executed?

Mr. Darvall answered :—It is not the intention of the Government to place the bushranger, Francis Gardiner, upon his trial for the Mail and Gold Escort Robbery committed on the 15th June, 1862, near Eugowra Creek, on the Lachlan Road. I wish to state, in explanation, that the matter was disposed of by my predecessor in office, and I have no doubt wisely disposed of. It in no way rested with me when I took office, the matter having been settled. I may also state that the sentences already passed upon Francis Gardiner, amount I think to some thirty or thirty-two years.

(2.) Amendment of Electoral Law :—Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 2,—Is it the intention of the Government to introduce, during the present Session, any measure for the alteration or amendment of the Electoral Law?

Mr. Cowper answered :—The Government has no intention of proposing any measure for amending the Electoral Act in any important particulars; but it is under consideration whether the Electoral Roll may not be prepared in a more satisfactory and less expensive mode than at present. As, however, the Electoral Rolls for this year are being, or have been, prepared, the subject does not seem to press for decision during this Session.

(3.) Amendment of Land Laws :—Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 3,—Is it the intention of the Government to introduce, during the present Session, any measure for the alteration or amendment of the Laws relating to the Alienation and Occupation of Crown Lands?

Mr. Robertson answered :—It is not the intention of the Government to alter the principles of either of the Laws referred to. There are, however, certain provisions desirable, to allow the alienation of lands to persons who have *bonâ fide*, yet not strictly legally, gone into occupation thereof; and also to alter the mode of appraisement of runs, new and old; and the conversion and renewal of leases under the Crown Lands Occupation Act. In other minor regards it is also desirable

desirable to make provision. These objects, it is believed, can be legally and properly carried out under the powers conferred on the Governor and Executive Council by the 30th clause of the Alienation Act, and by the 36th clause of the Occupation Act. Should unexpected difficulties arise, however, of sufficient urgency to demand it, the Government will be prepared to propose the necessary Legislation.

- (4.) Laws relating to Gold Fields:—Mr. Donnelly asked the Secretary for Lands, pursuant to Notice No. 4,—If it is the intention of the Government to introduce, during the present Session of Parliament, any measure to amend the laws relating to the Gold Fields?

Mr. Robertson answered;—I fear the Government will not have time—indeed I hope the Session will not be long enough to enable the Government—to deal with this question. I regret that at the time of passing the present Gold Fields Act I happened to be in the other Chamber, as there are certain provisions in the Act with which I should not have concurred. I hope in the next Session, with the assistance of my honorable friend the Member for the Gold Fields, and with the assistance of honorable gentlemen from other electorates who have been Gold Fields Members, to make proper provisions.

- (5.) Laws relating to Lunatics and Lunatic Asylums:—Mr. Driver asked the Colonial Secretary, pursuant to Notice No. 5,—Do the Government intend to introduce, during the present Session of Parliament, any measure for the amendment of the Law relating to the Confinement of Lunatics and the Management of Lunatic Asylums?

Mr. Cowper answered,—The subject shall receive immediate consideration, and if a short Act can be prepared for dealing with any points requiring to be legislated upon without delay, I shall be willing to propose such a measure.

- (6.) Extension of Jurisdiction of Courts of Petty Sessions:—Mr. Lee asked the Attorney General, pursuant to Notice No. 6,—Whether it is the intention of the Government to introduce, this Session, a Bill to extend the jurisdiction of Magistrates presiding in Petty Sessions, in Civil Suits, or Small Debts Courts, from £10 to £30?

Mr. Darvall answered,—It is not the intention of the Government to introduce this Session, a Bill to extend the jurisdiction of Magistrates presiding in Petty Sessions, in Civil Suits or Small Debts Courts, from £10 to £30; but during the next Session, many matters of legal reform connected with the Small Debts and District Courts, will probably come under consideration, when the proposed alterations may be considered.

- (7.) Re-adjustment of certain Electoral Districts:—Mr. Forster asked the Colonial Secretary, pursuant to amended Notice No. 7,—What steps have been, or are intended to be, taken by the Government, with reference to any proposed re-adjustment or amendment of the representation in this House of the Electoral District of Hastings, and of other Electoral Districts which appear to be unequally represented in this House?

Mr. Cowper answered,—I find that a Petition has been presented from the residents in the Macleay and Port Macquarie portion of the Electoral District of the Hastings, praying to be separated from the Manning, but this case could not be submitted to the Legislature alone, and my answer to the question in reference to an amendment of the Electoral Act is already given in reply to a preceding Question.

(*Mr. Terry not asking the Question standing in his name, No. 8, it dropped.*)

- (8.) Church and School Estates.—Mr. Macpherson asked the Colonial Secretary, pursuant to notice No. 9,—Whether it is the intention of the Government, during the present Session, to introduce a Bill for regulating the Sale of the Church and School Estates, and the distribution of the proceeds in accordance with the terms of a Resolution of the Assembly of 28th July, 1863?

Mr. Cowper answered,—I am afraid it will hardly be possible to carry such a measure during the present Session, and as the Fund is distributed, as it has always been distributed, and no serious inconvenience seems likely to arise by postponing it, it would seem to be unnecessary to force it at an inconvenient time. The decision of the Supreme Court in favour of the Trust has finally determined that point.

- (9.) Henry Corbett:—Mr. Buchanan asked the Attorney General, pursuant to Notice No. 10,—If he is aware that Henry Corbett was sent to a Lunatic Asylum on the authority of the medical officer of Darlinghurst Gaol alone?

Mr. Darvall answered:—I have ascertained that Henry Corbett was not sent to a Lunatic Asylum on the authority of the medical officer of Darlinghurst Gaol alone, but on the joint authority or joint certificate of George West, Visiting Surgeon, and H. G. Alleyne, M.D. I have here a copy of that certificate, from which it appears that those two gentlemen gave a joint opinion, and that Corbett was not sent to the Asylum on the authority of one alone.

- (10.) Sir Frederick Pottinger:—Mr. Lord asked the Colonial Secretary, pursuant to Notice No. 11,—If he has any objection to lay on the Table of this House, the papers or documents relative to the dismissal of Sir Frederick Pottinger?

Mr. Cowper answered:—A petition numerously signed has been received, praying for the reversal of the decision given in this case. When an answer has been given to their appeal, there will be no objection to place the papers before the House, in reply to an Address in the usual form.

3. Election Petition:—Mr. Cowper, *by Command*, laid upon the Table an Election Petition, which had been addressed to His Excellency the Governor, from Morris Asher, Sydney, in the Colony of New South Wales, Gentleman, praying that, for the reasons therein set forth, the Return of Thomas Hodges Mate, Esq., as Member of the Legislative Assembly for the Electoral District of The Hume, may be declared null and void, and that it may be declared that the Petitioner was fairly elected, and ought to have been returned instead of the said Thomas Hodges Mate; or that the Election be declared null and void; or such steps taken as the case demands.

Ordered, on motion of Mr. Cowper, That the said Petition be referred to the Committee of Elections and Qualifications.

4. David Blair:—Mr. Hart presented a Petition from David Blair (formerly a Messenger in the Department of the Legislative Assembly), complaining of his dismissal from Office; and praying for either restoration to his said Office, or appointment to some such Government situation.

Petition received.

5. St. Patrick's Church Land Trust Bill:—Mr. Hart, as Chairman, brought up the Report from, and laid upon the Table, the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and Report this Bill was referred on 8th March, 1865, together with Appendix.

Ordered to be printed.

Whereupon, Mr. Hart moved, That the second reading of this Bill stand an Order of the Day for Friday week.

Question put and passed.

6. Return of Member—Irregularities in Election:—The Speaker reported that he had received, through the Honorable the Colonial Secretary, a Certificate, under the hand of His Excellency the Governor, of the return of Thomas Gordon Gibbons Dangar, Esquire, to serve in this Parliament as Member for the Electoral District of The Gwydir, together with the Writ, referred to in the said Certificate, upon which that gentleman was so returned. Also, a copy of a Proclamation, by His Excellency, declaring valid the Election of the said Thomas Gordon Gibbons Dangar, Esquire, "notwithstanding the delay in the return of the said Writ of Election," which was by the Governor made returnable on the 24th January last, but is marked by His Excellency as not received by him till the 9th March instant. The Speaker further reported that, accompanying the said documents, he had received a letter from the Colonial Secretary's Office, dated 10th March instant, and signed on behalf of the Colonial Secretary, in which the following paragraph occurs:—"The Colonial Secretary thinks it right to draw your attention to the fact, that some person has passed his pen through the name of Mr. Dangar—to whom the Writ was originally addressed, but who became disqualified by reason of his becoming a Candidate—and has written the name of Mr. Mosely, who was subsequently duly appointed the Returning Officer, and generally to the condition of the Writ." The Speaker also pointed out that, though in this case there appeared to have been delay in the holding of the Election at the time appointed and in the taking of the poll, as well as in the return of the Writ, the Proclamation appeared in terms to deal only with the delay in the return of the Writ. The Speaker added, that the alterations alluded to in the Writ are now apparent on the face of it, and that the appointment of Mr. Mosely as Returning Officer was inserted in the *Government Gazette* of the 13th December last, of which the following is a copy:—

" Colonial Secretary's Office,

" Sydney, 13th December, 1864.

" RETURNING OFFICER.

" His Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint James Mosely, Esquire, to be the Returning Officer of the Electoral District of The Gwydir.

" WILLIAM FORSTER."

7. Motion Withdrawn:—Mr. Buchanan, on behalf of Dr. Lang, withdrew the Motion standing in the name of Dr. Lang, No. 1 on the Notice Paper for to-day.

8. Liverpool and London and Globe Insurance Company's Bill ("*Formal*" Motion):—Mr. Cowper moved, pursuant to notice, That the Bill to give effect in this Colony to the alteration of the name of "The Liverpool and London Fire and Life Insurance Company," and to consolidate and amend the laws relating to the said Company, and for other purposes in relation thereto, be referred to a Select Committee. That such Committee consist of the following Members, viz.:—Mr. Alexander, Mr. Brown, Mr. Burdekin, Mr. Cunneen, Mr. Hart, Mr. Osborne, Mr. Samuel, Mr. Tighe, Mr. White, and the Mover.

Question put and passed.

9. Presbyterian Church Bill ("*Formal*" Motion):—Mr. Cowper moved, pursuant to notice,—

(1.) That the Bill to regulate the temporal affairs of the Presbyterian Church in the Colony of New South Wales be referred to a Select Committee.

(2.) That such Committee consist of the following Members, viz.:—Mr. Burdekin, Mr. Caldwell, Mr. Campbell, Dr. Lang, Mr. Lee, Mr. Parkes, Mr. Sutherland, Mr. Tighe, and the mover.

Question put and passed.

10. Fisheries Bill :—
 (1.) Mr. Driver moved, pursuant to notice, for leave to introduce a Bill to Protect the Fisheries of New South Wales.
 Question put and passed.
 (2.) Mr. Driver having *presented* this Bill, Bill, intituled, "*A Bill to protect the Fisheries of New South Wales*,"—read a first time.
 Ordered to be printed, and read a second time on Friday week.
11. Criminal Evidence Amendment Bill :—
 (1.) Mr. Driver moved, pursuant to notice, for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.
 Question put and passed.
 (2.) Mr. Driver having *presented* this Bill, Bill, intituled, "*A Bill to amend the law of Evidence in Criminal Cases*,"—read a first time.
 Ordered to be printed, and read a second time on Friday week.
12. Motion Withdrawn :—Mr. Driver withdrew the Motion standing in his name, No. 4 on the Notice Paper for to-day.
13. Motions Dropped :—Mr. Byrnes not making the Motions standing in his name, Nos. 5 and 6 on the Notice Paper for to-day, they dropped.
14. Lands held under Pastoral Occupation :—Mr. Macpherson moved, pursuant to notice, That there be laid upon the Table of this House, a Return of the present Pastoral Rental of the Colony in the First and Second Class Settled and Unsettled Districts, the Return to specify the names of the Lessees or Licensees—the amount of Rent and Assessment under separate heads—the approximate extent in acres of each holding—the date of the commencement of each Lease or License, and the date of its expiry ;—the Return also to shew the totals in each District under the heads designated, with a general summary at the end of the Return.
 Question put and passed.
15. Issue of Copper Coinage from Sydney Mint :—Mr. Samuel moved, pursuant to notice, That there be laid upon the Table of this House, copies of all correspondence between the Deputy Master of the Mint, the Imperial Government, and any other persons, having reference to the issue of a Copper Coinage from the Sydney Mint.
 Question put and passed.
16. Motion Withdrawn :—Mr. Samuel withdrew the Motion standing in his name, No. 9 on the Notice Paper for to-day.
17. Change of Financial Agents of the Colony in England :—Mr. Samuel moved, pursuant to notice, *as amended with the concurrence of the House*, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all correspondence not previously produced, between the Government, the Manager of the Oriental Bank, the Manager of the Bank of New South Wales, and any other persons, relative to the change of the Financial Agents of the Colony in England.
 Question put and passed.
18. Ewebank Lough :—Mr. Byrnes moved, pursuant to notice, That the Petition of Ewebank Lough, presented by him on 7th March, be printed.
 Question put and passed.
 Ordered to be printed.
19. Mr. Hawkins, Returning Officer for Bathurst :—Mr. Buchanan moved, pursuant to notice, That a Select Committee be appointed to inquire into the conduct of Mr. Hawkins, Returning Officer for Bathurst, at the late Election for that place; that the said Committee consist of Dr. Lang, Mr. Sutherland, Mr. Garrett, Mr. Neale, Mr. Cunneen, Mr. Driver, Mr. Caldwell, Mr. Josephson, Mr. Burdekin, and the Mover.
 Debate ensued.
 Question put and negatived.
20. Motion Withdrawn :—Mr. Buchanan withdrew the Motion standing in his name, No. 13 on the Notice Paper for to-day.
21. Precedence of Heads of Religious Denominations :—Mr. Buchanan moved, pursuant to notice, That, in the opinion of this House, the Despatch of the late Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this country.
 Debate ensued.
 Mr. Robertson moved the Previous Question.
 Debate ensued.
 Previous Question put,—That that Question be now put.
 The House divided.

Ayes, 17.

Mr. Rodd,	Mr. Kemp.
Mr. Dignam,	<i>Tellers.</i>
Mr. Donnelly,	
Mr. Egan.	Mr. Tighe,
Mr. Cummings,	Mr. Driver.
Mr. Wilson,	
Mr. Forster,	
Mr. Brown,	
Mr. Sutherland,	
Mr. Stimpson,	
Mr. Samuel,	
Mr. Oatley,	
Mr. Pickering,	
Mr. Buchanan,	

Noes, 26.

Mr. Cowper,	Mr. White,
Mr. Robertson,	Mr. Lord,
Mr. Smart,	Mr. Neale,
Mr. Arnold,	Mr. De Salis,
Mr. Macpherson,	Mr. Tunks,
Mr. Landale,	Mr. Campbell,
Mr. Joseph,	Mr. Fernell,
Mr. Caldwell,	Mr. Gordon,
Mr. Forlonge,	Mr. Darvall,
Mr. Phelps,	Mr. Josephson.
Mr. Lee,	<i>Tellers.</i>
Mr. Parkes,	
Mr. Morrice,	Mr. Byrnes,
Mr. Femell,	Mr. Piddington.

22. Motions Withdrawn :—Mr. Buchanan withdrew the Motions standing in his name, Nos. 15, 16, and 17, on the Notice Paper for to-day.
23. Newspaper Postage Act :—Mr. Dignam presented the undermentioned Petitions, praying respectively for the repeal of the Newspaper Postage Act. :—
 (1.) From certain Inhabitants of Collector.
 (2.) From certain Inhabitants of Taralga.
 Petitions received.
24. Motion Withdrawn :—Mr. Cunneen withdrew the Motion standing in his name, No. 18, on the Notice Paper for to-day.
25. Brands Registration Bill :—
 (1.) Mr. Wilson moved, pursuant to notice, for leave to introduce a Bill to provide for the Registration of Brands.
 Question put and passed.
 (2.) Mr. Wilson having presented this Bill, Bill, intituled, "*A Bill for the Registration of Brands*,"—read a first time.
 Ordered to be printed, and read a second time on Friday week.
26. Municipalities Act Amendment Bill :—
 (1.) Mr. Byrnes, *with the concurrence of the House*, moved, without notice, for leave to introduce a Bill to Amend the Municipalities Act of 1858.
 Question put and passed.
 (2.) Mr. Byrnes having presented this Bill, Bill, intituled, "*A Bill to Amend the Municipalities Act of 1858*,"—read a first time.
 Ordered to be printed, and read a second time this day week.
27. Claims of Tenants of the Crown :—Mr. Cunneen moved, pursuant to notice,—
 (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report upon, the claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done to their properties since the discovery of Gold on their rented Crown Lands.
 (2.) That such Committee consist of Mr. Piddington, Mr. Robertson, Mr. Wilson, Mr. Burdekin, Mr. Lucas, Mr. Egan, Mr. Forlonge, Mr. Sutherland, and the mover.
 Question put and passed.
 The House adjourned, at twenty-eight minutes after Six o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

WEDNESDAY, MARCH 15.

Questions :—

1. MR. FORSTER *to ask* THE COLONIAL TREASURER,—What steps have been, or are intended to be taken, by the Government, with reference to an application from certain residents of West Kempsey, Macleay River, dated on or about September 12, 1864, for an alteration of the site and improvement of the condition of a Public Ferry over the Macleay River ?
2. MR. FORSTER *to ask* THE SECRETARY FOR PUBLIC WORKS,—What steps have been, or are intended to be, taken by the Government with reference to the establishment of Telegraphic Communication between Sydney and the Electoral District of the Hastings ?
3. MR. FORSTER *to ask* THE SECRETARY FOR PUBLIC WORKS,—What steps have been, or are intended to be, taken by the Government, with reference to opening a new line of road between New England and the Manning River ?
4. MR. DRIVER *to ask* THE COLONIAL TREASURER,—
 (1.) Has it been reported to the Collector of Customs, that the ship "Spunkie," from China, principally freighted with dutiable articles, anchored in Port Jackson on Saturday, the 14th January, at 8 o'clock, P.M., and was not boarded by the Tide Surveyor on duty, nor a Customs' Officer placed on board until Monday, January 16th, at 10 o'clock, A.M. ?
 (2.) If so, has an investigation been made respecting the conduct of the Officer, whose duty it was to have boarded the vessel immediately upon her arrival ?
5. MR. BUCHANAN *to ask* THE ATTORNEY GENERAL,—If he is of opinion that the putting of Francis Gardiner on his trial for the Escort Robbery, relying on the uncorroborated evidence of Daniel Charters, an accomplice, would be contrary to the practice of English Tribunals ?

GOVERNMENT

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. SMART to move, That this House will to-morrow resolve itself into a Committee of the Whole to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
2. MR. DARVALL to move, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider of the propriety of introducing a Bill to facilitate the taking or apprehending of persons charged with certain felonies, and the punishment of those by whom they are harboured.
3. MR. DARVALL to move, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to authorize the appointment of an additional Judge of the Supreme Court.

ORDERS OF THE DAY :—

1. Supply ; Resumption of the Committee.
2. Ways and Means ; Resumption of the Committee.
3. Seamen's Laws Amendment Bill ; second reading.

THURSDAY, MARCH 16.

Questions :—

1. MR. PARKES to ask THE COLONIAL SECRETARY,—Whether any proposal has been submitted to this Government by the Government of New Zealand, for the establishment of a Steam Postal and Passenger Service between England and this Colony, *via* the Isthmus of Panama, and whether the Government will state to the House the particulars of any communications that may have been made, and of any decision that may have been arrived at on the subject ?
2. MR. PARKES to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government, during the present Session, to abolish the Postal Charge imposed last year on Colonial Newspapers ?

GOVERNMENT BUSINESS—ORDER OF THE DAY.

1. Felons Apprehension Bill ; second reading.

FRIDAY, MARCH 17.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Verdicts Amendment Bill ; second reading.
2. New Trials Limitation Bill ; second reading.
3. Robberies Suppression Bill ; second reading.

NOTICE OF MOTION :—

1. MR. CUNNEEN to move, That there be laid upon the Table of this House a Return, shewing, in alphabetical order,—The names of all the Runs, the leases of which were submitted to sale by public auction, during the year 1863, under the Crown Lands Occupation Act of 1861 ; the district in which each run is situated ; the estimated number of acres in each run ; the names of the lessees in all cases where such leases were sold ; the amount of annual rent to be paid for each run leased, distinguishing those runs forfeited (if any) after the deposit was paid.

TUESDAY, MARCH 21.

Questions :—

1. MR. PICKERING to ask THE SECRETARY FOR LANDS,—
 - (1.) If the Government are aware that a monopoly of the only water available for the working of claims at the Hanging Rock, Nundle and Peel River Diggings, on the Northern Gold Fields, is enjoyed by certain persons claiming title to the same as successors of a company styled "The American Water Company," to whom a license for vending the said water was granted by Mr. Commissioner King, in the years 1853-54 ?
 - (2.) If the Government has received any report upon this matter from the Assistant Commissioner at Nundle, or other person, representing, and complaining of the exorbitant weekly rental demanded and exacted for this water from the miners, under the afore-mentioned alleged derivable right ?
 - (3.) Whether the right to such monopoly has any legitimate existence, and if not, whether steps will be taken by the Government to relieve the miners from such unwarranted levy ?
2. MR. DONNELLY to ask THE COLONIAL SECRETARY,—Is it the intention of this Government to make any overtures to the Government of Victoria for the purpose of opening up the Question involved in the "Border Duties Difficulty" for the purpose of obtaining a satisfactory solution thereof ?
3. MR. BURDEKIN to ask THE SECRETARY FOR LANDS,—If there is any objection on the part of the Government to the despatch of an Officer of the Department to make a survey and estimate of the probable cost of a Bridge over the Williams at Dungog ?

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SAMUEL to move,—
 - (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 - (2.) That the above resolution be communicated by Address to His Excellency the Governor.
2. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
3. MR. BUCHANAN to move,—
 - (1.) That a Select Committee be appointed to inquire whether the prisoners Bow and Fordyce, convicted of the robbery of the Forbes Escort, were properly or regularly tried, and whether their trials were in accordance with the practice of English Tribunals.
 - (2.) That the said Committee consist of Mr. Driver, Mr. Wisdom, Mr. Kemp, Mr. Burdekin, Mr. Martin, Mr. Garrett, Dr. Lang, Mr. Cunneen, Mr. Darvall, and the Mover.
4. MR. BUCHANAN to move for leave to introduce a Bill to make it necessary, in all cases where the Evidence of Accomplices is brought forward, that such Evidence shall be corroborated by at least one independent Witness in no way concerned in the crime or offence.
5. MR. RYAN to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of the following Resolutions :—
 - (1.) That, in the opinion of this House it is expedient and necessary that additional facilities, besides those now employed in the Police Force to put down Bushranging in the interior of this country, should be at once resorted to.
 - (2.) That six Volunteer Mounted Detachments be at once invited to enrol themselves, consisting of eight men each,—viz., one Captain, one Lieutenant, and six Troopers ; to be armed with Tranter's revolving rifles and pistols ; the Captain to have the selection of men and horses.
 - (3.) That this Force, under the control of the Colonial Secretary, should be distributed through the several districts now infested, or that may hereafter be infested, by these marauders.
 - (4.) That so soon as this Force is in a complete state, one-fifth of the Mounted Police, those who have least distinguished themselves, be at once disbanded.
 - (5.) That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates a sum not exceeding £3,000 for the above Force.
6. MR. FORLONGE to move, That there be laid on the Table of this House, a Return shewing,—
 - (1.) A Return of all Church and School Lands now unsold.
 - (2.) How such lands are farmed ; if leased, the date and term of lease, rent, and name of tenant.
 - (3.) The locality, area, and boundaries.
 - (4.) The number of acres of such lands which have been sold, the amount realized, and how the proceeds have been disposed of.
 - (5.) The number of acres now under preparation or order for sale.
7. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, copies of all petitions, documents, letters, and correspondence, relating to the claim of Sergeant Graves for an increase of pension.
8. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, a Return of all Appeals to the Supreme Court in its Insolvency Jurisdiction, during the tenure of office of the present Chief Commissioner ; shewing the result in each case.
9. MR. FORLONGE to move, That there be laid on the Table of this House, a Return shewing :—
 - (1.) The amount expended, (since the introduction of Responsible Government), on making and keeping in repair the Road from Parramatta to Goulburn.
 - (2.) A similar return as to the Road from Parramatta to Bathurst.
 - (3.) The amount expended on the Southern line of Railway to this date from the Parramatta Junction.
 - (4.) A similar return for the Western Line.
 - (5.) The number of miles now open for traffic on the Southern Line.
 - (6.) A similar return for the Western Line.
 - (7.) The total receipts for the last six months from the Southern Line.
 - (8.) A similar return from the Western Line.
 - (9.) The amount voted for further extension of the Southern Line.
 - (10.) A similar return for the Western Line.
10. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments to three years.
11. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.

12. MR. BUCHANAN to move, That, in the opinion of this House, that clause of the Constitution Act which grants Pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
13. MR. BUCHANAN to move, That, in the opinion of this House, the dilatory conduct evinced by different Governments, with regard to the Railway Works to Bathurst, is most prejudicial to the interests of the Inhabitants of the Western Districts; and that justice, as well as the best interests of the Colony, demands that those Works shall in future be prosecuted with reasonable expedition.
14. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

ORDER OF THE DAY:—

1. Municipalities Act Amendment Bill; second reading.

FRIDAY, MARCH 24.

OTHER BUSINESS—ORDERS OF THE DAY.

1. Prison Discipline Bill; second reading.
2. Superannuation Act Amendment Bill; second reading.
3. Volunteer Forces Regulation Bill; second reading.
4. St. Patrick's Church Land Trust Bill; second reading.
5. Fisheries Bill; second reading.
6. Criminal Evidence Amendment Bill; second reading.
7. Brands Registration Bill; second reading.

NOTICE OF MOTION:—

1. MR. TIGHE to move, That the Report from "The Select Committee on the claim of Robert Stewart to land at Illawarra," dated 10th March, 1864, and ordered by the Legislative Assembly to be printed, 11th March, 1864, be now adopted.

TUESDAY, MARCH 28.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. LUCAS to move, That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the Management of the Public Works Department, and the alleged Frauds committed in the importation of Rails and other Railway Materials; and that such Committee consist of the following Members—Mr. Arnold, Mr. Sutherland, Mr. Hart, Mr. Cunneen, Mr. Byrnes, Mr. Piddington, Mr. Donnelly, Mr. Tunks, Mr. Wisdom, and the mover; and that the evidence taken before the Committee appointed last Session to inquire into the disorganized state of the Public Works Department, be referred to the said Committee.

FRIDAY, MARCH 31.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Trade Marks Bill; second reading.

New South Wales.

No. 12.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 15 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Public Ferry, Macleay River :—Mr. Forster asked the Colonial Treasurer, pursuant to Notice No. 1,—What steps have been, or are intended to be taken, by the Government, with reference to an application from certain residents of West Kempsey, Macleay River, dated on or about September 12, 1864, for an alteration of the site and improvement of the condition of a Public Ferry over the Macleay River?

Mr. Robertson answered :—The Government were necessarily compelled to refer this matter to the District Surveyor, and that officer has reported to the following effect :—“ that the Ferry should be between Kemp-street and Queen-street, as “ petitioned for, and that a Wharf be constructed on the left bank of the river at “ Kemp-street.” On the right bank, at Queen-street, there is a rock which the District Surveyor states forms a natural wharf, which will be sufficient for the present.

- (2.) Telegraphic Communication with The Hastings :—Mr. Forster asked the Secretary for Public Works, pursuant to Notice No. 2,—What steps have been, or are intended to be, taken by the Government with reference to the establishment of Telegraphic Communication between Sydney and the Electoral District of The Hastings?

Mr. Arnold answered :—I am not able to discover that any application has been at present made upon this subject.

- (3.) Road between New England and the Manning :—Mr. Forster asked the Secretary for Public Works, pursuant to Notice No. 3,—What steps have been, or are intended to be, taken by the Government, with reference to opening a new line of road between New England and the Manning River?

Mr. Arnold answered :—The matter to which the Honorable Member alludes is not one connected with my Department, it is connected with the Department of Lands; but, in the absence of my Honorable Colleague, I may inform the Honorable Member that the reason for not proclaiming this road appears to have been the enormous expense which would have been necessary to make the road available after it was proclaimed. It was surveyed and reported upon in 1861.

- (4.) Ship “ Spunkie ” :—Mr. Driver asked the Colonial Treasurer, pursuant to Notice No. 4,—

(1.) Has it been reported to the Collector of Customs, that the ship “ Spunkie,” from China, principally freighted with dutiable articles, anchored in Port Jackson on Saturday, the 14th January, at 8 o'clock, P.M., and was not boarded by the Tide Surveyor on duty, nor a Customs' Officer placed on board until Monday, January 16th, at 10 o'clock, A.M.?

(2.) If so, has an investigation been made respecting the conduct of the Officer, whose duty it was to have boarded the vessel immediately upon her arrival?

Mr. Smart answered :—

(1.) It was reported to the Collector of Customs that the circumstance had occurred as the Honorable Member has mentioned, but not until a fortnight after the occurrence.

(2.) The information was too late for the inquiry. The accused officer, in the meantime, had himself reported the matter to the Collector of Customs, and expressed his regret that it should have occurred; and this being the first instance of neglect of duty the Collector did not consider it necessary to institute any inquiry.

(5.)

(5.) Convict Francis Gardiner:—Mr. Buchanan asked the Attorney General, pursuant to Notice No. 5.—If he is of opinion that the putting of Francis Gardiner on his trial for the Escort Robbery, relying on the uncorroborated evidence of Daniel Charters, an accomplice, would be contrary to the practice of English Tribunals?

Mr. Darvall answered,—There is no invariable practice of tribunals in England which would govern this case; but if the question is intended to elicit an answer as to whether the unsupported evidence of an accomplice is receivable either for committal by Justice, or indictment by Grand Jury, or conviction, sentence, and execution, I have no hesitation in saying that it is testimony which is to be received; and it is for each tribunal to attach to it such weight as it may think fit. A Judge would be no more justified in withdrawing evidence of that kind, even if uncorroborated, from the consideration of a jury, or in directing them that they must necessarily decline to act upon it, than he would be in not cautioning them to be very careful how they acted upon evidence of that kind, or in failing to point out to them that such evidence is not, without corroboration, a safe foundation to rely on, and that it would be safer to acquit than rely on it. A Judge has no power to take the case out of the hands of a jury, but it is the invariable usage to caution a jury that such evidence is very little trustworthy, and ought not to be relied upon, unless peculiar circumstances give it unusual value. It is evidence, but to be acted upon with the greatest possible caution.

2. Papers:—Mr. Robertson laid upon the Table the undermentioned Papers:—
 (1.) Amended Regulations (dated 27 January, 1865) under the Scab in Sheep Act of 1863.
 (2.) Abstract of Crown Lands authorized to be Dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act, 25 Vict., No. 1.
 Ordered to be printed.
3. Additional Judge's Bill:—The following Message from His Excellency the Governor was delivered by Mr. Darvall, and read by the Speaker:—

JOHN YOUNG,
Governor.

Message No. 3.

In accordance with the provision contained in the 54th Clause of the Constitution Act, the Governor recommends to the Legislative Assembly, to make provision for the salary of an additional Judge of the Supreme Court.

13th March, 1865.

Ordered, on motion of Mr. Darvall, to be printed, and taken into consideration in Committee of the Whole, in connexion with the Additional Judge's Bill.

4. Estimates of Expenditure for 1865, and Supplementary Estimate for 1864:—The following Message from His Excellency the Governor was delivered by Mr. Smart, and read by the Speaker:—

JOHN YOUNG,
Governor.

Message No. 4.

In accordance with the provisions contained in the 54th Clause of the Constitution Act, the Governor herewith submits, for the consideration of the Legislative Assembly, Estimates of the probable Expenditure of this Government for the year 1865.

The Governor also submits, for consideration, a Supplementary Estimate of Expenditure for 1864.

13th March, 1865.

Ordered, on motion of Mr. Smart, to be printed, together with the accompanying Estimates, and taken into consideration in Committee of Supply.

5. Sydney Mint Bill:—
 (1.) The following Message from His Excellency the Governor was delivered by Mr. Smart, and read by the Speaker:—

JOHN YOUNG,
Governor.

Message No. 5.

In accordance with the provision contained in the 54th Clause of the Constitution Act, the Governor recommends to the Legislative Assembly to provide funds for making permanent provision for the Establishment of the Sydney Branch of the Royal Mint.

13th March, 1865.

Ordered, on motion of Mr. Smart, to be printed, and taken into consideration, in Committee of the Whole, in connexion with the Sydney Mint Bill.

- (2.) ("Formal" Motion)—Mr. Smart moved, pursuant to notice, That this House will to-morrow resolve itself into a Committee of the Whole to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.

Question put and passed.

6. Motion Withdrawn:—Mr. Darvall withdrew the Motion standing in his name, No. 2 on the Notice Paper for to-day.

7. Additional Judge's Bill:—Mr. Darvall moved, pursuant to notice, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to authorize the appointment of an additional Judge of the Supreme Court.
Debate ensued.
Question put and passed.
8. Postponements:—The Orders of the Day for the resumption of the Committee of Supply, and the resumption of the Committee of Ways and Means, postponed, respectively, on motion of Mr. Smart—the former until Wednesday next, and the latter until to-morrow week.
9. Seamen's Laws Amendment Bill, on motion of Mr. Smart, read a second time.
Ordered, on motion of Mr. Smart, that the consideration in Committee of this Bill stand an Order of the Day for Wednesday next.
- The House adjourned, at eight minutes after Four o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, MARCH 16.

Questions:—

1. MR. PARKES *to ask* THE COLONIAL SECRETARY,—Whether any proposal has been submitted to this Government by the Government of New Zealand, for the establishment of a Steam Postal and Passenger Service between England and this Colony, *via* the Isthmus of Panama, and whether the Government will state to the House the particulars of any communications that may have been made, and of any decision that may have been arrived at on the subject?
2. MR. PARKES *to ask* THE COLONIAL SECRETARY,—Whether it is the intention of the Government, during the present Session, to abolish the Postal Charge imposed last year on Colonial Newspapers?
3. MR. BUCHANAN *to ask* THE SECRETARY FOR LANDS,—When the Government intend to proclaim the Road from Kelso, *via* Dirty Swamp, to the head of the Fish River?

GOVERNMENT BUSINESS—ORDERS OF THE DAY.

1. Felons Apprehension Bill; second reading.
2. Sydney Mint Bill; consideration in Committee of the propriety of introducing this Bill.
3. Additional Judge's Bill; consideration in Committee of the propriety of introducing this Bill.

FRIDAY, MARCH 17.

Question:—

1. MR. RODD *to ask* THE COLONIAL SECRETARY,—Whether the Government intend, during the present Session, to abolish the Escort Fee, imposed by the late Ministry, on the conveyance of Gold to Sydney—and, if it be intended to maintain the Escort Charge,—whether the Government will become responsible for safe delivery?

Contingent Notice:—

1. MR. FORSTER *to move (on the Order of the Day being read for the Second Reading of the Robberies Suppression Bill)*—That before proceeding to the Order of the Day, the House resolve itself into a Committee of the Whole to consider of the propriety of introducing the 5th and 9th clauses of the said Bill.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Verdicts Amendment Bill; second reading.
2. New Trials Limitation Bill; second reading.
3. Robberies Suppression Bill; second reading.

NOTICES OF MOTION :—

1. MR. CUNNEEN to move, That there be laid upon the Table of this House a Return, shewing, in alphabetical order,—The names of all the Runs, the leases of which were submitted to sale by public auction, during the year 1863, under the Crown Lands Occupation Act of 1861; the district in which each run is situated; the estimated number of acres in each run; the names of the lessees in all cases where such leases were sold; the amount of annual rent to be paid for each run leased, distinguishing those runs forfeited (if any) after the deposit was paid.
2. MR. STIMPSON to move, That in the opinion of this House, the amount voted by a previous Parliament, for the erection of a Bridge across the Lachlan River, at Cowra, should be expended for that purpose with as little delay as possible.

TUESDAY, MARCH 21.

Questions :—

1. MR. PICKERING to ask THE SECRETARY FOR LANDS,—
 - (1.) If the Government are aware that a monopoly of the only water available for the working of claims at the Hanging Rock, Nundle and Peel River Diggings, on the Northern Gold Fields, is enjoyed by certain persons claiming title to the same as successors of a company styled "The American Water Company," to whom a license for vending the said water was granted by Mr. Commissioner King, in the years 1853-54?
 - (2.) If the Government has received any report upon this matter from the Assistant Commissioner at Nundle, or other person, representing, and complaining of the exorbitant weekly rental demanded and exacted for this water from the miners, under the afore-mentioned alleged derivable right?
 - (3.) Whether the right to such monopoly has any legitimate existence, and if not, whether steps will be taken by the Government to relieve the miners from such unwarranted levy?
2. MR. DONNELLY to ask THE COLONIAL SECRETARY,—Is it the intention of this Government to make any overtures to the Government of Victoria for the purpose of opening up the Question involved in the "Border Duties Difficulty" for the purpose of obtaining a satisfactory solution thereof?
3. MR. BURDEKIN to ask THE SECRETARY FOR LANDS,—If there is any objection on the part of the Government to the despatch of an Officer of the Department to make a survey and estimate of the probable cost of a Bridge over the Williams at Dungog?
4. MR. TERRY to ask THE SECRETARY FOR PUBLIC WORKS,—If it is the intention of the Government to Survey a line of Railway to Mudgee from Piper's Flat, on the Bathurst Road?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SAMUEL to move,—
 - (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 - (2.) That the above resolution be communicated by Address to His Excellency the Governor.
2. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
3. MR. BUCHANAN to move,—
 - (1.) That a Select Committee be appointed to inquire whether the prisoners Bow and Fordyce, convicted of the robbery of the Forbes Escort, were properly or regularly tried, and whether their trials were in accordance with the practice of English Tribunals.
 - (2.) That the said Committee consist of Mr. Driver, Mr. Wisdom, Mr. Kemp, Mr. Burdekin, Mr. Martin, Mr. Garrett, Dr. Lang, Mr. Cunneen, Mr. Darvall, and the Mover.
4. MR. BUCHANAN to move for leave to introduce a Bill to make it necessary, in all cases where the Evidence of Accomplices is brought forward, that such Evidence shall be corroborated by at least one independent Witness in no way concerned in the crime or offence.
5. MR. RYAN to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of the following Resolutions :—
 - (1.) That, in the opinion of this House it is expedient and necessary that additional facilities, besides those now employed in the Police Force to put down Bushranging in the interior of this country, should be at once resorted to.
 - (2.) That six Volunteer Mounted Detachments be at once invited to enrol themselves, consisting of eight men each,—viz., one Captain, one Lieutenant, and six Troopers; to be armed with Tranter's revolving rifles and pistols; the Captain to have the selection of men and horses.
 - (3.) That this Force, under the control of the Colonial Secretary, should be distributed through the several districts now infested, or that may hereafter be infested, by these marauders.
 - (4.) That so soon as this Force is in a complete state, one-fifth of the Mounted Police, those who have least distinguished themselves, be at once disbanded.
 - (5.) That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates a sum not exceeding £3,000 for the above Force.

6. MR. FORLONGE to move, That there be laid on the Table of this House, a Return shewing,—
- (1.) A Return of all Church and School Lands now unsold.
 - (2.) How such lands are farmed; if leased, the date and term of lease, rent, and name of tenant.
 - (3.) The locality, area, and boundaries.
 - (4.) The number of acres of such lands which have been sold, the amount realized, and how the proceeds have been disposed of.
 - (5.) The number of acres now under preparation or order for sale.
7. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, copies of all petitions, documents, letters, and correspondence, relating to the claim of Sergeant Graves for an increase of pension.
8. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, a Return of all Appeals to the Supreme Court in its Insolvency Jurisdiction, during the tenure of office of the present Chief Commissioner; shewing the result in each case.
9. MR. FORLONGE to move, That there be laid on the Table of this House, a Return shewing:—
- (1.) The amount expended, (since the introduction of Responsible Government), on making and keeping in repair the Road from Parramatta to Goulburn.
 - (2.) A similar return as to the Road from Parramatta to Bathurst.
 - (3.) The amount expended on the Southern line of Railway to this date from the Parramatta Junction.
 - (4.) A similar return for the Western Line.
 - (5.) The number of miles now open for traffic on the Southern Line.
 - (6.) A similar return for the Western Line.
 - (7.) The total receipts for the last six months from the Southern Line.
 - (8.) A similar return from the Western Line.
 - (9.) The amount voted for further extension of the Southern Line.
 - (10.) A similar return for the Western Line.
10. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments to three years.
11. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.
12. MR. BUCHANAN to move, That, in the opinion of this House, that clause of the Constitution Act which grants Pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
13. MR. BUCHANAN to move, That, in the opinion of this House, the dilatory conduct evinced by different Governments, with regard to the Railway Works to Bathurst, is most prejudicial to the interests of the Inhabitants of the Western Districts; and that justice, as well as the best interests of the Colony, demands that those Works shall in future be prosecuted with reasonable expedition.
14. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

ORDER OF THE DAY:—

1. Municipalities Act Amendment Bill; second reading.

WEDNESDAY, MARCH 22.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Supply; Resumption of the Committee.
2. Seamen's Laws Amendment Bill; to be considered in Committee.

THURSDAY, MARCH 23.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Ways and Means; Resumption of the Committee.

FRIDAY, MARCH 24.

OTHER BUSINESS—ORDERS OF THE DAY.

1. Prison Discipline Bill; second reading.
2. Superannuation Act Amendment Bill; second reading.
3. Volunteer Forces Regulation Bill; second reading.
4. St. Patrick's Church Land Trust Bill; second reading.
5. Fisheries Bill; second reading.
6. Criminal Evidence Amendment Bill; second reading.
7. Brands Registration Bill; second reading.

NOTICE

NOTICE OF MOTION:—

1. Mr. TIGHE to move, That the Report from "The Select Committee on the claim of Robert Stewart to land at Illawarra," dated 10th March, 1864, and ordered by the Legislative Assembly to be printed, 11th March, 1864, be now adopted.

TUESDAY, MARCH 28.

OTHER BUSINESS—NOTICE OF MOTION:—

1. Mr. LUCAS to move, That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the Management of the Public Works Department, and the alleged Frauds committed in the importation of Rails and other Railway Materials; and that such Committee consist of the following Members—Mr. Arnold, Mr. Sutherland, Mr. Hart, Mr. Cunneen, Mr. Byrnes, Mr. Piddington, Mr. Donnelly, Mr. Tunks, Mr. Wisdom, and the mover; and that the evidence taken before the Committee appointed last Session to inquire into the disorganized state of the Public Works Department, be referred to the said Committee.

FRIDAY, MARCH 31.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Trade Marks Bill; second reading.
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New South Wales.

No. 13.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 16 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Steam Communication with England *via* Panama:—Mr. Parkes asked the Colonial Secretary, pursuant to Notice No. 1,—Whether any proposal has been submitted to this Government by the Government of New Zealand, for the establishment of a Steam Postal and Passenger Service between England and this Colony, *via* the Isthmus of Panama, and whether the Government will state to the House the particulars of any communications that may have been made, and of any decision that may have been arrived at on the subject?

Mr. Cowper answered:—Dr. Featherstone, the Superintendent of the Province of Wellington, has arrived in this Colony, duly authorized to negotiate with the Governments of the Australian Colonies, in order, should such be their desire, to admit them to a participation in the service in consideration of their contributing towards the subsidy agreed to be given by the Government of New Zealand to the Panama and New Zealand Company for the establishment of a Postal Service with Great Britain by way of Panama. Several interviews have been held with Dr. Featherstone since his arrival, and a Minute has been drawn up by that gentleman, embodying a proposal which is now under the consideration of the Government. Upon a review of the proceedings of the Government and Legislature of New South Wales, which are placed on record and published, it will be seen that something like a pledge exists to co-operate in the matter; and, favorably disposed as the present Government is still to the carrying out of a Postal Service by way of Panama, it is intended at an early opportunity to propose to Parliament such a contribution as will enable us to secure a share in the advantages of the contract.

- (2.) Newspaper Postage Act:—Mr. Parkes asked the Colonial Secretary, pursuant to Notice No. 2,—Whether it is the intention of the Government, during the present Session, to abolish the Postal Charge imposed last year on Colonial Newspapers?

Mr. Cowper answered:—Before the Government can promise to make any proposal to Parliament which will have the effect of diminishing the revenue, even to afford relief from burdens which they may admit to be inexpedient, it will be necessary that means be furnished for making up the present deficiency between the expenditure and revenue. When that has been done, the Government will be prepared to consider the propriety of repealing any charges which may be found oppressive or vexatious.

- (3.) Road from Kelso to Fish River:—Mr. Buchanan asked the Secretary for Lands, pursuant to notice No. 3,—When the Government intend to proclaim the Road from Kelso, *via* Dirty Swamp, to the head of the Fish River?

Mr. Robertson answered,—There will be no longer delay than is absolutely necessary in carrying out this proclamation. I cannot say precisely when, but it will be as speedily as possible.

2. Licenses to Sawyers, Splitters and Quarrymen:—Mr. White presented a Petition from certain Sawyers, Splitters, Quarrymen, &c., of Muswellbrook, praying that the law may be altered so as to admit of their taking out Licenses for one, two, or three months, as they may require, instead of for the entire period of a year.
Petition received.

3. Papers :—

(1.) Mr. Cowper laid upon the Table, Memorandum on Financial Control, by Auditor General (Mr. C. Rolleston), dated 27 January, 1865, with Appendix by Mr. Edward Rennie.

Ordered to be printed.

(2.) Mr. Arnold laid upon the Table, Return to Order, in reference to "Passengers by Windsor and Richmond Railway," made by this House, on motion of Mr. Cunneen, on 10th March instant.

Ordered to be printed.

4. Felons Apprehension Bill :—Mr. Darvall moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 37.

Mr. Cowper,	Mr. White,
Mr. Smart,	Mr. Cunneen,
Mr. Robertson,	Mr. Faucett,
Mr. Arnold,	Mr. Macpherson,
Mr. Darvall,	Mr. Piddington,
Mr. Campbell,	Mr. Gordon,
Mr. Landale,	Mr. Pemell,
Mr. Forlonge,	Mr. Terry,
Mr. Burdekin,	Mr. Samuel,
Mr. Cummings,	Mr. De Salis,
Mr. Caldwell,	Mr. Phelps,
Mr. Morrice,	Mr. Kemp,
Mr. Donnelly,	Mr. Tighe,
Mr. Stimpson,	Mr. Neale,
Mr. Dignam,	Mr. Driver.
Mr. Joseph,	<i>Tellers.</i>
Mr. Parkes,	Mr. Lucas,
Mr. Pickering,	Mr. Josephson.
Mr. Fernell,	
Mr. Egan,	

Noes, 4.

Mr. Martin,
Mr. Buchanan.

Tellers.

Mr. Wilson,
Mr. Forster.

And Bill read a second time.

Mr. Darvall then moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole for the consideration of this Bill, and that, *in consequence of the necessary absence of the Chairman of Committees, Mr. Garrett, through continued indisposition, Mr. Burdekin, do take the Chair for this day only.*

(And the Speaker stating that he had received a note from Mr. Garrett, expressive of his inability to attend to-day, on account of continued illness, and of his intention to attend at the earliest possible period his health would permit.)

Question put and passed.

Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the Whole accordingly.

Mr. Burdekin obtained leave to sit again at a later hour this day, and reported the following Point of Order :—

The 2nd clause of the Bill under consideration contains a provision in connection with the Apprehension of Outlaws in these words, "And for such taking or apprehension a reward of *one hundred pounds* shall be paid."

Exception had been taken to the reception of this provision, without its previous recommendation by a Message from the Crown, as prescribed by the 54th Clause of the Constitution Act.

The Speaker said, that the Question submitted was one of Law—the Parliamentary rule being that if the words of appropriation used admitted of a payment out of the Consolidated Revenue Fund without the further intervention of Parliament, a Message would be necessary; but, if further Parliamentary action were required before payment, no Message would be necessary.

On motion of Mr. Darvall, the Speaker then left the Chair, and the Committee resumed.

Mr. Burdekin reported progress, and obtained leave to sit again on Wednesday next.

5. Sydney Mint Bill :—

(1.) On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider of the propriety of introducing this Bill.

Mr. Burdekin (acting as Chairman) reported the following Resolution :—

Resolved,—That it is expedient to introduce a Bill to make permanent provision for the Sydney Mint.

Mr. Smart then moved, That this House do now adopt this Resolution.

Question put and passed.

(2.) Mr. Smart having presented this Bill, Bill, intituled, "*A Bill to make permanent provision for the Sydney Mint*,"—read a first time.

Ordered to be printed, and read a second time on Wednesday next.

6. Additional Judge's Bill :—

(1.) On motion of Mr. Darvall, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider of the propriety of introducing this Bill.

Mr.

Mr. Burdekin, (acting as Chairman), reported the following Resolution:—
Resolved,—That it is desirable to introduce a Bill to authorize the appointment of an additional Judge of the Supreme Court.

Mr. Darvall then moved, That this House do now adopt this Resolution.

Question put and passed.

(2.) *Mr. Darvall* having presented this Bill, Bill, intituled, "*A Bill to authorize the appointment of an additional Judge of the Supreme Court*,"—read a first time.

Ordered to be printed, and read a second time on Wednesday next.

The House adjourned, on motion of *Mr. Cowper*, at ten minutes after Ten o'clock, until *Tuesday* next, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

TUESDAY, MARCH 21.

Questions:—

1. *MR. PICKERING to ask THE SECRETARY FOR LANDS,—*
(1.) If the Government are aware that a monopoly of the only water available for the working of claims at the Hanging Rock, Nundle and Peel River Diggings, on the Northern Gold Fields, is enjoyed by certain persons claiming title to the same as successors of a company styled "The American Water Company," to whom a license for vending the said water was granted by *Mr. Commissioner King*, in the years 1853-54?
(2.) If the Government has received any report upon this matter from the Assistant Commissioner at Nundle, or other person, representing, and complaining of the exorbitant weekly rental demanded and exacted for this water from the miners, under the afore-mentioned alleged derivable right?
(3.) Whether the right to such monopoly has any legitimate existence, and if not, whether steps will be taken by the Government to relieve the miners from such unwarranted levy?
2. *MR. DONNELLY to ask THE COLONIAL SECRETARY,—*Is it the intention of this Government to make any overtures to the Government of Victoria for the purpose of opening up the Question involved in the "Border Duties Difficulty" for the purpose of obtaining a satisfactory solution thereof?
3. *MR. BURDEKIN to ask THE SECRETARY FOR LANDS,—*If there is any objection on the part of the Government to the despatch of an Officer of the Department to make a survey and estimate of the probable cost of a Bridge over the Williams at Dungog?
4. *MR. TERRY to ask THE SECRETARY FOR PUBLIC WORKS,—*If it is the intention of the Government to Survey a line of Railway to Mudgee from Piper's Flat, on the Bathurst Road?
5. *MR. RODD to ask THE COLONIAL SECRETARY,—*Whether the Government intend, during the present Session, to abolish the Escort Fee, imposed by the late Ministry, on the conveyance of Gold to Sydney—and, if it be intended to maintain the Escort Charge,—whether the Government will become responsible for safe delivery?
6. *MR. WILSON to ask THE SECRETARY FOR PUBLIC WORKS,—*Is it the intention of the Government to pay the wages due to the Workmen lately employed on the Singleton Bridge under *Mr. Hughes'* contract, out of the retention money, as was done to the Workmen employed by Messrs. Randle and Gibbons on the Southern Line of Railway?

Contingent Notice:—

1. *MR. FORSTER to move (on the Order of the Day being read for the Second Reading of the Robberies Suppression Bill)—*That before proceeding to the Order of the Day, the House resolve itself into a Committee of the Whole to consider of the propriety of introducing the 5th and 9th clauses of the said Bill.

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SAMUEL to move,—
 - (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 - (2.) That the above resolution be communicated by Address to His Excellency the Governor.
2. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
3. MR. BUCHANAN to move,—
 - (1.) That a Select Committee be appointed to inquire whether the prisoners Bow and Fordyce, convicted of the robbery of the Forbes Escort, were properly or regularly tried, and whether their trials were in accordance with the practice of English Tribunals.
 - (2.) That the said Committee consist of Mr. Driver, Mr. Wisdom, Mr. Kemp, Mr. Burdekin, Mr. Martin, Mr. Garrett, Dr. Lang, Mr. Cunneen, Mr. Darvall, and the Mover.
4. MR. BUCHANAN to move for leave to introduce a Bill to make it necessary, in all cases where the Evidence of Accomplices is brought forward, that such Evidence shall be corroborated by at least one independent Witness in no way concerned in the crime or offence.
5. MR. RYAN to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of the following Resolutions :—
 - (1.) That, in the opinion of this House it is expedient and necessary that additional facilities, besides those now employed in the Police Force to put down Bushranging in the interior of this country, should be at once resorted to.
 - (2.) That six Volunteer Mounted Detachments be at once invited to enrol themselves, consisting of eight men each,—viz., one Captain, one Lieutenant, and six Troopers ; to be armed with Tranter's revolving rifles and pistols ; the Captain to have the selection of men and horses.
 - (3.) That this Force, under the control of the Colonial Secretary, should be distributed through the several districts now infested, or that may hereafter be infested, by these marauders.
 - (4.) That so soon as this Force is in a complete state, one-fifth of the Mounted Police, those who have least distinguished themselves, be at once disbanded.
 - (5.) That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates a sum not exceeding £3,000 for the above Force.
6. MR. FORLONGE to move, That there be laid on the Table of this House, a Return shewing,—
 - (1.) A Return of all Church and School Lands now unsold.
 - (2.) How such lands are farmed ; if leased, the date and term of lease, rent, and name of tenant.
 - (3.) The locality, area, and boundaries.
 - (4.) The number of acres of such lands which have been sold, the amount realized, and how the proceeds have been disposed of.
 - (5.) The number of acres now under preparation or order for sale.
7. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, copies of all petitions, documents, letters, and correspondence, relating to the claim of Sergeant Graves for an increase of pension.
8. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, a Return of all Appeals to the Supreme Court in its Insolvency Jurisdiction, during the tenure of office of the present Chief Commissioner ; shewing the result in each case.
9. MR. FORLONGE to move, That there be laid on the Table of this House, a Return shewing :—
 - (1.) The amount expended, (since the introduction of Responsible Government), on making and keeping in repair the Road from Parramatta to Goulburn.
 - (2.) A similar return as to the Road from Parramatta to Bathurst.
 - (3.) The amount expended on the Southern line of Railway to this date from the Parramatta Junction.
 - (4.) A similar return for the Western Line.
 - (5.) The number of miles now open for traffic on the Southern Line.
 - (6.) A similar return for the Western Line.
 - (7.) The total receipts for the last six months from the Southern Line.
 - (8.) A similar return from the Western Line.
 - (9.) The amount voted for further extension of the Southern Line.
 - (10.) A similar return for the Western Line.
10. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments to three years.
11. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.

12. MR. BUCHANAN to move, That, in the opinion of this House, that clause of the Constitution Act which grants Pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
13. MR. BUCHANAN to move, That, in the opinion of this House, the dilatory conduct evinced by different Governments, with regard to the Railway Works to Bathurst, is most prejudicial to the interests of the Inhabitants of the Western Districts; and that justice, as well as the best interests of the Colony, demands that those Works shall in future be prosecuted with reasonable expedition.
14. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
15. MR. FORSTER to move, That there be laid upon the Table of this House copies of all correspondence between the Government of this Colony and that of Queensland, or any person or persons, and of all minutes and other documents, having reference to the proposed establishment of Steam Postal Communication between Great Britain and all or any of the Australian Colonies, by way of Torres Straits.
16. MR. CUNNEEN to move, That the Evidence taken, during last Session of Parliament, by the Committee appointed "to inquire into, and report upon, the claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done to their properties since the discovery of Gold upon their rented Crown Lands," be referred to the Committee appointed for the same purpose this Session.
17. MR. BUCHANAN to move for leave to introduce a Bill to authorize the admission of candidates to the Bar of New South Wales upon examination on Law alone.
18. MR. CUNNEEN to move, That there be laid upon the Table of this House a Return, shewing, in alphabetical order,—The names of all the Runs, the leases of which were submitted to sale by public auction, during the year 1863, under the Crown Lands Occupation Act of 1861; the district in which each run is situated; the estimated number of acres in each run; the names of the lessees in all cases where such leases were sold; the amount of annual rent to be paid for each run leased, distinguishing those runs forfeited (if any) after the deposit was paid.
19. MR. STIMPSON to move, That in the opinion of this House, the amount voted by a previous Parliament, for the erection of a Bridge across the Lachlan River, at Cowra, should be expended for that purpose with as little delay as possible.

ORDERS OF THE DAY :—

1. Municipalities Act Amendment Bill; second reading.
2. Verdicts Amendment Bill; second reading.
3. New Trials Limitation Bill; second reading.
4. Robberies Suppression Bill; second reading.

WEDNESDAY, MARCH 22.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Supply; Resumption of the Committee.
2. Seamen's Laws Amendment Bill; to be considered in Committee.
3. Felons Apprehension Bill; to be further considered in Committee.
4. Sydney Mint Bill; second reading.
5. Additional Judge's Bill; second reading.

THURSDAY, MARCH 23.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means; Resumption of the Committee.

FRIDAY, MARCH 24.

OTHER BUSINESS—ORDERS OF THE DAY.

1. Prison Discipline Bill; second reading.
2. Superannuation Act Amendment Bill; second reading.
3. Volunteer Forces Regulation Bill; second reading.
4. St. Patrick's Church Land Trust Bill; second reading.
5. Fisheries Bill; second reading.
6. Criminal Evidence Amendment Bill; second reading.
7. Brands Registration Bill; second reading.

NOTICE OF MOTION :—

1. MR. TIGHE to move, That the Report from "The Select Committee on the claim of Robert Stewart to land at Illawarra," dated 10th March, 1864, and ordered by the Legislative Assembly to be printed, 11th March, 1864, be now adopted.

TUESDAY, MARCH 28.

OTHER BUSINESS—NOTICE OF MOTION:—

1. Mr. LUCAS to move, That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the Management of the Public Works Department, and the alleged Frauds committed in the importation of Rails and other Railway Materials; and that such Committee consist of the following Members—Mr. Arnold, Mr. Sutherland, Mr. Hart, Mr. Cunneen, Mr. Byrnes, Mr. Piddington, Mr. Donnelly, Mr. Tunks, Mr. Wisdom, and the mover; and that the evidence taken before the Committee appointed last Session to inquire into the disorganized state of the Public Works Department, be referred to the said Committee.
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FRIDAY, MARCH 31.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Trade Marks Bill; second reading.
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New South Wales.

No. 14.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 21 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Monopoly of Water on certain Gold Diggings:—Mr. Pickering asked the Secretary for Lands, pursuant to Notice No. 1,—

(1.) If the Government are aware that a monopoly of the only water available for the working of claims at the Hanging Rock, Nundle and Peel River Diggings, on the Northern Gold Fields, is enjoyed by certain persons claiming title to the same as successors of a company styled "The American Water Company," to whom a license for vending the said water was granted by Mr. Commissioner King, in the years 1853-54?

(2.) If the Government has received any report upon this matter from the Assistant Commissioner at Nundle, or other person, representing and complaining of the exorbitant weekly rental demanded and exacted for this water from the miners, under the afore-mentioned alleged derivable right?

(3.) Whether the right to such monopoly has any legitimate existence, and if not, whether steps will be taken by the Government to relieve the miners from such unwarranted levy?

Mr. Robertson answered:—The Government is not aware of any monopoly of the only available water, because there are various sources of supply; but the Government is aware that several years ago, the Company alluded to, at great cost and labor, cut races some thirty miles in length, which have mainly contributed to the successful working of these diggings, and that this Company, or their successors, have an interest in the supply of water, which is controlled by the Government regulations. I would add that others may have the same advantage if they will make a supply equally available by the same enterprise and the same expenditure of money.

(2.) No complaint of the kind has been received;—on the contrary, the Commissioner reports that the rent demanded is very reasonable, and meets with his approval.

(3.) The right to the so-called monopoly has a legitimate existence, and the levy is warranted by the Gold Fields Regulations.

- (2.) Border Customs:—Mr. Donnelly asked the Colonial Secretary, pursuant to Notice No. 2,—Is it the intention of this Government to make any overtures to the Government of Victoria for the purpose of opening up the Question involved in the "Border Duties Difficulty" for the purpose of obtaining a satisfactory solution thereof?

Mr. Cowper answered:—Unofficial correspondence has been going on recently with the Victorian Government, of a friendly character, which I hope will soon bring about a satisfactory settlement of this vexed question. The Government will make every effort to obtain this desirable end as speedily as possible.

- (3.) Bridge, Dungog:—Mr. Burdekin asked the Secretary for Lands, pursuant to notice No. 3,—If there is any objection on the part of the Government to the despatch of an Officer of the Department to make a survey and estimate of the probable cost of a Bridge over the Williams at Dungog?

Mr. Robertson answered:—Such a Report has already been made out, and is now under the consideration of the Government.

(4.)

- (4.) Railway Survey from Piper's Flat to Mudgee :—Mr. Terry asked the Secretary for Public Works, pursuant to Notice No. 4,—If it is the intention of the Government to Survey a line of Railway to Mudgee from Piper's Flat, on the Bathurst Road ?

Mr. Arnold answered :—Upon inquiry I find that there is no Vote available for the expense of this survey at present. Until that is the case it is not the intention of the Government to make such survey.

- (5.) Gold Escort Fee :—Mr. Rodd asked the Colonial Secretary, pursuant to Notice No. 5,—Whether the Government intend, during the present Session, to abolish the Escort Fee, imposed by the late Ministry, on the conveyance of Gold to Sydney—and, if it be intended to maintain the Escort Charge,—whether the Government will become responsible for safe delivery ?

Mr. Smart answered :—The Government cannot make a pledge to abolish any source of revenue at present, nor is it proposed to undertake to be responsible for the safe delivery of Gold forwarded by Escort.

- (6.) Wages due to Workmen at Singleton Bridge :—Mr. Wilson asked the Secretary for Public Works, pursuant to Notice No. 6,—Is it the intention of the Government to pay the wages due to the Workmen lately employed on the Singleton Bridge under Mr. Hughes' contract, out of the retention money, as was done to the Workmen employed by Messrs. Randle and Gibbons on the Southern Line of Railway ?

Mr. Arnold answered :—Either the Honorable Member must be misinformed or have forgotten the course that was taken with regard to the claims of the workmen of Messrs. Randle and Gibbons with reference to the contract alluded to, or I misunderstand the tenor of his question to me. The fact is this—that the workmen of Messrs. Randle and Gibbons were not paid out of the retention money, but they were paid out of the vote that was specially proposed to this House; that vote, however, being identical in amount with the amount of the retention money in Randle and Gibbons' contract, was doubtless proposed on the ground of such retention money *being in hand*. The money was not paid to the workmen until after the assent of Parliament was given to that vote. The Honorable Member will therefore see that it is not in the power of the Government to pursue the course suggested at present, even taking that case as a precedent.

2. Liverpool and London and Globe Insurance Company's Bill :—Mr. Cowper, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee to whom this Bill was referred on 14th March instant.

Ordered to be printed.

Whereupon, Mr. Cowper moved, that the second reading of this Bill stand an Order of the Day for Friday next.

Question put and passed.

3. Claims of Tenants of the Crown (*"Formal" Motion*) :—Mr. Cunneen moved, pursuant to notice, That the Evidence taken, during last Session of Parliament, by the Committee appointed "to inquire into, and report upon, the claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done "to their properties since the discovery of Gold upon their rented Crown Lands," be referred to the Committee appointed for the same purpose this Session.

Question put and passed.

4. Motion Dropped :—Mr. Samuel not making the Motion standing in his name, No. 1 on the Notice Paper for to-day, it dropped.
5. Motions Withdrawn :—Mr. Driver withdrew the Motions standing in his name, Nos. 2 and 8 on the Notice Paper for to-day.

6. Convicts Bow and Fordyce :—Mr. Buchanan moved, pursuant to notice,—

(1.) That a Select Committee be appointed to inquire whether the prisoners Bow and Fordyce, convicted of the robbery of the Forbes Escort, were properly or regularly tried, and whether their trials were in accordance with the practice of English Tribunals.

(2.) That the said Committee consist of Mr. Driver, Mr. Wisdom, Mr. Kemp, Mr. Burdekin, Mr. Martin, Mr. Garrett, Dr. Lang, Mr. Cunneen, Mr. Darvall, and the Mover.

Debate ensued.

Question put.

The House divided.

Ayes, 4.
Mr. Donnelly,
Mr. Driver.

Tellers.

Mr. Rodd,
Mr. Buchanan.

Noes, 31.

Mr. Darvall,	Mr. Dignam,
Mr. Wilson,	Mr. Tighe,
Mr. Faucett,	Mr. Lucas,
Mr. Forster,	Mr. Piddington,
Mr. Egan,	Mr. Oatley,
Mr. De Salis,	Mr. Farnell,
Mr. Phelps,	Mr. Tunks,
Mr. Landale,	Mr. Mate,
Mr. Forlonge,	Mr. Gordon,
Mr. Campbell,	Mr. Macleay,
Mr. Samuel,	Mr. Garrett,
Mr. Cunneen,	Mr. Cowper,
Mr. Terry,	Tellers.
Mr. Byrnes,	Mr. Josephson,
Mr. Pickering,	Mr. Martin.
Mr. Ryan,	
Mr. Stimpson,	

7. Evidence of Accomplices :—Mr. Buchanan moved, pursuant to notice, for leave to introduce a Bill to make it necessary, in all cases where the Evidence of Accomplices is brought forward, that such Evidence shall be corroborated by at least one independent Witness in no way concerned in the crime or offence.

Debate ensued.

Question put.

The House divided.

Ayes, 13.

Mr. Donnelly,
Mr. Rodd,
Mr. Pickering,
Mr. Egan,
Mr. Ryan,
Mr. Dignam,
Mr. Burdekin,
Mr. Forster,
Mr. Cunneen,
Dr. Lang,
Mr. Buchanan,

Tellers.

Mr. Garrett,
Mr. Driver.

Noes, 25.

Mr. Darvall,
Mr. Wilson,
Mr. Faucett,
Mr. De Salis,
Mr. Phelps,
Mr. Landale,
Mr. Forlonge,
Mr. Campbell,
Mr. Samuel,
Mr. Sutherland,
Mr. Terry,
Mr. Cummings,
Mr. Byrnes,
Mr. Stimpson,
Mr. Tigue,
Mr. Piddington,
Mr. Oatley,
Mr. Farnell,
Mr. Tunks,
Mr. Mate,
Mr. Gordon,
Mr. Macleay,
Mr. Cowper,
Tellers.
Mr. Josephson,
Mr. Martin.

8. Proposed Volunteer Aids to Police :—Mr. Ryan moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of the following Resolutions :—

(1.) That, in the opinion of this House it is expedient and necessary that additional facilities, besides those now employed in the Police Force to put down Bushranging in the interior of this country, should be at once resorted to.

(2.) That six Volunteer Mounted Detachments be at once invited to enrol themselves, consisting of eight men each,—viz., one Captain, one Lieutenant, and six Troopers; to be armed with Tranter's revolving rifles and pistols; the Captain to have the selection of men and horses.

(3.) That this Force, under the control of the Colonial Secretary, should be distributed through the several districts now infested, or that may hereafter be infested, by these marauders.

(4.) That so soon as this Force is in a complete state, one-fifth of the Mounted Police, those who have least distinguished themselves, be at once disbanded.

(5.) That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates a sum not exceeding £3,000 for the above Force.

Debate ensued.

Motion by leave withdrawn.

9. Church and School Lands Return :—Mr. Forlonge moved, pursuant to notice, That there be laid on the Table of this House, a Return shewing:—

(1.) A Return of all Church and School Lands now unsold.

(2.) How such lands are farmed; if leased, the date and term of lease, rent, and name of tenant.

(3.) The locality, area, and boundaries.

(4.) The number of acres of such lands which have been sold, the amount realized, and how the proceeds have been disposed of.

(5.) The number of acres now under preparation or order for sale.

Debate ensued.

Question put and passed.

10. Sergeant Graves :—Mr. Driver moved, pursuant to notice, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, copies of all petitions, documents, letters, and correspondence, relating to the claim of Sergeant Graves for an increase of pension.

Question put and passed.

11. Road and Railway Returns :—Mr. Forlonge moved, pursuant to notice, *as amended with the concurrence of the House*, That there be laid on the Table of this House, a Return shewing:—

(1.) The amount expended in each year, (since the introduction of Responsible Government), on making and keeping in repair the Great South Road to Goulburn.

(2.) A similar return as to the Road from Parramatta to Bathurst.

(3.) The amount expended on the Southern line of Railway to this date from the Parramatta Junction.

(4.) A similar return for the Western Line.

(5.) The number of miles now open for traffic on the Southern Line.

(6.) A similar return for the Western Line.

(7.) The total receipts for the last twelve months from the Southern Line.

(8.) A similar return from the Western Line.

(9.) The amount voted for further extension of the Southern Line.

(10.) A similar return for the Western Line.

Debate ensued.

Question put and passed.

12. Triennial Parliaments Bill :—
 (1.) Dr. Lang moved, pursuant to notice, for leave to bring in a Bill to limit the duration of Parliaments to three years.
 Question put and passed.
 (2.) Dr. Lang having *presented* this Bill, Bill, intituled, "*A Bill to limit the duration of Parliaments to three years,*"—read a first time.
 Ordered to be printed, and read a second time this day fortnight.
13. Motion Withdrawn :—Mr. Driver withdrew the Motion standing in his name, No. 11 on the Notice Paper for to-day.
14. Proposed Repeal of Pension Clause in Constitution Act :—Mr. Buchanan moved, pursuant to notice, That, in the opinion of this House, that clause of the Constitution Act which grants Pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
 Debate ensued.
 Question put,—and Division called for ;—but, there being no Tellers for the Ayes, no Division could be had,—and the Speaker declared the Question to be negatived.
15. Railway Works to Bathurst :—Mr. Buchanan moved, pursuant to notice, That, in the opinion of this House, the dilatory conduct evinced by different Governments, with regard to the Railway Works to Bathurst, is most prejudicial to the interests of the Inhabitants of the Western Districts ; and that justice, as well as the best interests of the Colony, demands that those Works shall in future be prosecuted with reasonable expedition.
 Mr. Arnold moved the Previous Question.
 Debate ensued.
 Previous Question by leave withdrawn.
 Original Motion by leave withdrawn.
16. Motion Withdrawn :—Mr. Buchanan withdrew the Motion standing in his name, No. 14 on the Notice Paper for to-day.
17. Steam Postal Communication with Great Britain by Torres Straits :—Mr. Forster moved, pursuant to notice, That there be laid upon the Table of this House copies of all correspondence between the Government of this Colony and that of Queensland, or any person or persons, and of all minutes and other documents, having reference to the proposed establishment of Steam Postal Communication between Great Britain and all or any of the Australian Colonies, by way of Torres' Straits.
 Question put and passed.
18. Barristers Examination Bill :—
 (1.) Mr. Buchanan moved, pursuant to notice, *as amended with the concurrence of the House*, for leave to introduce a Bill to regulate the admission of candidates to the Bar of New South Wales.
 Debate ensued.
 Question put and passed.
 (2.) Mr. Buchanan having *presented* this Bill, Bill, intituled, "*A Bill to regulate the admission of Candidates to the Bar of New South Wales,*"—read a first time.
 Ordered to be printed, and read a second time on Friday week.
19. Returns respecting Runs :—Mr. Cunneen moved, pursuant to notice, That there be laid upon the Table of this House a Return, shewing, in alphabetical order,—The names of all the Runs, the leases of which were submitted to sale by public auction, during the year 1863, under the Crown Lands Occupation Act of 1861 ; the district in which each run is situated ; the estimated number of acres in each run ; the names of the lessees in all cases where such leases were sold ; the amount of annual rent to be paid for each run leased, distinguishing those runs forfeited (if any) after the deposit was paid.
 Debate ensued.
 Question put and passed.
20. Motion Withdrawn :—Mr. Stimpson withdrew the Motion standing in his name, No. 19 on the Notice Paper for to-day.
21. Municipalities Act Amendment Bill :—On the Order of the Day for the second reading of this Bill being read, Mr. Byrnes called the Speaker's attention to the Point of Order raised by Mr. Forster on the introduction of the Bill, viz.—whether two Bills substantially the same in object could be pending at the same time : the Bills referred to in this case being that for which leave had been obtained by Mr. Forster "To establish District Councils and to amend the Municipalities Act of 1858," and the present "To amend the Municipalities Act of 1858." The Speaker ruled, in accordance with a decision of the Standing Orders Committee, to which the same point was referred on the 30th November, 1859, that it was consistent with the practice of Parliament to entertain at one and the same time two or more Bills, introduced by different Members, to effect the same object by dissimilar means, and that it was for the House to decide whether the Bills were so nearly identical as to prevent it. But although there was no rule to forbid the House from going on with these Bills, if not considered identical, he pointed out the necessity for care in dealing with them, so as to avoid inconvenience and inconsistency in legislation.
 Whereupon Mr. Byrnes moved, That the Order of the Day for the second reading of this Bill stand an Order of the Day for Tuesday next.
 Question put and passed.

22. The remaining Orders of the Day postponed as follows :—
 (1.) Nos. 2 and 3, on motion of Mr. Buchanan, until Friday fortnight.
 (2.) No. 4, on motion of Mr. Wilson, until Friday week.

The House adjourned, at five minutes after Eleven o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

WEDNESDAY, MARCH 22.

Questions :—

1. MR. WILSON *to ask* THE SECRETARY FOR PUBLIC WORKS,—What is the amount of retention money under Mr. Hughes' contract for building the Bridge at Singleton?
2. MR. BUCHANAN *to ask* THE COLONIAL TREASURER,—
 (1.) If he is aware that on the occasion of the delivery of the English Mail, the Post Office authorities fail to deliver country letters and newspapers for, sometimes, two and three days after their arrival here, to the great inconvenience and injury of many of the people?
 (2.) Whether it is the intention of the Government to see that this branch of the Public Service is immediately placed in a state of greater efficiency?
3. DR. LANG *to ask* THE COLONIAL SECRETARY,—Whether it is intended to introduce any measure to effect an amalgamation of the two Educational Boards of the Colony, during the present Session of Parliament?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Supply ; Resumption of the Committee.
2. Seamen's Laws Amendment Bill ; to be considered in Committee.
3. Felons Apprehension Bill ; to be further considered in Committee.
4. Sydney Mint Bill ; second reading.
5. Additional Judge's Bill ; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. DONNELLY *to move*, That the Petition presented by him on the 10th March, from Timothy Dundas Busk, be printed.

THURSDAY, MARCH 23.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means ; Resumption of the Committee.

FRIDAY, MARCH 24.

OTHER BUSINESS—ORDERS OF THE DAY.

1. Prison Discipline Bill ; second reading.
2. Superannuation Act Amendment Bill ; second reading.
3. Volunteer Forces Regulation Bill ; second reading.
4. St. Patrick's Church Land Trust Bill ; second reading.
5. Fisheries Bill ; second reading.
6. Criminal Evidence Amendment Bill ; second reading.
7. Brands Registration Bill ; second reading.
8. Liverpool, London and Globe Insurance Company's Bill ; second reading.

NOTICES OF MOTION :—

1. MR. TIGHE *to move*, That the Report from "The Select Committee on the claim of Robert Stewart to land at Illawarra," dated 10th March, 1864, and ordered by the Legislative Assembly to be printed, 11th March, 1864, be now adopted.
2. MR. CUMMINGS *to move*, That in the opinion of this House, so soon as the Government takes possession for public roads of any lands previously alienated, such lands ought to be appraised in the usual way, and compensation awarded to the owner or owners of such land ; when such roads pass through enclosed land, the Government shall enclose such road or roads before they are proclaimed open to the public.

TUESDAY,

TUESDAY, MARCH 28.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LUCAS to move, That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the Management of the Public Works Department, and the alleged Frauds committed in the importation of Rails and other Railway Materials; and that such Committee consist of the following Members—Mr. Arnold, Mr. Sutherland, Mr. Hart, Mr. Cunneen, Mr. Byrnes, Mr. Piddington, Mr. Donnelly, Mr. Tunks, Mr. Wisdom, and the mover; and that the evidence taken before the Committee appointed last Session to inquire into the disorganized state of the Public Works Department, be referred to the said Committee.
2. MR. TIGHE to move for leave to introduce a Bill for the better recovery of Coal Miner's Wages, and to amend the Coal Fields Regulation Act of 1862.
3. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
4. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, a Return of all Appeals to the Supreme Court in its Insolvency Jurisdiction, during the tenure of office of the present Chief Commissioner; shewing the result in each case.
5. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.

ORDER OF THE DAY :—

1. Municipalities Act Amendment Bill; second reading.

FRIDAY, MARCH 31.

Contingent Notice :—

1. MR. FORSTER to move (*on the Order of the Day being read for the Second Reading of the Robberies Suppression Bill*)—That before proceeding to the Order of the Day, the House resolve itself into a Committee of the Whole to consider of the propriety of introducing the 5th and 9th clauses of the said Bill.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Trade Marks Bill; second reading.
2. Barristers Examination Bill; second reading.
3. Robberies Suppression Bill; second reading.

TUESDAY, APRIL 4.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Triennial Parliaments Bill; second reading.

FRIDAY, APRIL 7.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Verdicts Amendment Bill; second reading.
2. New Trials Limitation Bill; second reading.

TUESDAY, APRIL 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

New South Wales.

No. 15.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 22 MARCH, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Retention Money, Singleton Bridge Contract :—Mr. Wilson asked the Secretary for Public Works, pursuant to Notice No. 1,—What is the amount of retention money under Mr. Hughes' contract for building the Bridge at Singleton ?

Mr. Arnold answered :—The amount of percentage retained by the Government upon the works executed under the contract for building the Bridge at Singleton, is £1,225 9s. 1d.

- (2.) Country Postal Delivery :—Mr. Buchanan asked the Colonial Treasurer, pursuant to Notice No. 2 :—

(1.) If he is aware that on the occasion of the delivery of the English Mail, the Post Office authorities fail to deliver country letters and newspapers for, sometimes, two and three days after their arrival here, to the great inconvenience and injury of many of the people ?

(2.) Whether it is the intention of the Government to see that this branch of the Public Service is immediately placed in a state of greater efficiency ?

Mr. Smart answered :—In reply to the questions of the Honorable Member, I would beg to read to him for his information, a letter I have received from the Postmaster General—"The letters received from the country on the occasion of the delivery of the English Mail, are invariably delivered at the same time as the English letters. The country newspapers on such occasions are not taken out at the same time as the latter, as it would be impossible to do so without detaining the English letters, which are considered of the most importance ; but such newspapers are taken out by the first delivery on the following day. It would be impossible to send out country newspapers on English Mail days with the same punctuality as on other days without a large increase of staff."

- (3.) Amalgamation of Educational Boards :—Dr. Lang asked the Colonial Secretary, pursuant to Notice No. 3,—Whether it is intended to introduce any measure to effect an amalgamation of the two Educational Boards of the Colony, during the present Session of Parliament ?

Mr. Cowper answered :—The amalgamation of the Boards of Education could not be proposed without defining in some degree the principles upon which public education should be conducted under the new arrangement, and that question is one of such magnitude and importance that I cannot promise to bring forward such a measure in the present state of public business, and in what I hope will be a short Session.

2. Municipality of Kiama :—Mr. Parkes presented a Petition from the Municipality of Kiama, under the signature of the Mayor and the Seal of the Corporation, representing that they individually and collectively labor under great inconvenience, as therein set forth, in consequence of the imperfect state of the law ; and praying that the Municipalities Act may be amended, so as to afford them relief.
Petition received.

3. Mr. Austin Forrest Wilshire (Tanneries, &c.) :—Mr. Parkes presented a Petition from Austin Forrest Wilshire, of Paddington, near Sydney, Esquire, representing that he has suffered great hardship, as therein set forth, from the operation of a certain Act of the Legislature of the Colony, requiring the removal of Tanneries and other such establishments out of the limits of the City of Sydney ; and praying favorable consideration.
Petition received.
4. Bridge over the River Hawkesbury, at Windsor :—Mr. Walker presented a Petition from certain Inhabitants of Windsor, Wilberforce, Portland Head, and the surrounding neighbourhood, representing that they suffer great inconvenience in consequence of the insufficient accommodation afforded by the long established Punt over the River Hawkesbury at Windsor, and that the time has arrived when a Bridge should be erected over the River at that place ; and praying relief.
Petition received.
5. Timothy Dundas Rusk (" *Formal*" *Motion*) :—Mr. Donnelly moved, pursuant to notice, That the Petition presented by him on the 10th March, from Timothy Dundas Rusk, be printed.
Question put and passed.
Ordered to be printed.
6. Supply :—The Order of the Day for the resumption of the Committee of Supply having been read ; on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into the said Committee.
The Chairman reported that the Committee had come to a Resolution.
Ordered, on motion of Mr. Smart, *with the concurrence of the House*, that this Resolution be *now* received.
The Chairman then reported the following Resolution :—
(2.) *Resolved*, That there be granted to Her Majesty a sum not exceeding £1,458, to defray the salaries and contingencies of the establishment of His Excellency the Governor, for the year 1865.
Mr. Smart then moved, That the adoption of this Resolution stand an Order of the Day for to-morrow.
Question put and passed.
7. Seamen's Laws Amendment Bill :—On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.
The Chairman having reported the Bill without amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.
8. Felons Apprehension Bill :—On the Order of the Day for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such further consideration.

And the Committee having continued to sit until after Midnight,—

THURSDAY, 23 MARCH, 1865, A.M.

The Chairman reported the Bill with amendments.

Bill re-committed, on motion of Mr. Cowper, for re-consideration of the fourth and eighth Clauses.

The Chairman having reported the Bill with further amendments, the House adopted the Report, and ordered that the third reading of the Bill, as so reported 2^d, stand an Order of the Day for a later hour this day.

The House adjourned, on motion of Mr. Cowper, at twelve minutes before One o'clock A.M., until Three o'clock P.M. This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, MARCH 23.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means ; resumption of the Committee.
2. Supply ; adoption of Resolution (2) of Committee.
3. Supply ; resumption of the Committee.
4. Seamen's Laws Amendment Bill ; third reading.
5. Felons Apprehension Bill ; third reading.
6. Sydney Mint Bill ; second reading.
7. Additional Judge's Bill ; second reading.

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WALKER to move, That the Petition presented by him on 22nd March, from certain Inhabitants of Windsor, Wilberforce, and surrounding neighbourhood, praying for the erection of a Bridge across the Hawkesbury, at Windsor, be printed.
2. MR. WHITE to move, That the Petition presented by him on 16th March, from certain Sawyers, Fencers, and others, at Muswellbrook, be printed.

FRIDAY, MARCH 24.

Questions :—

1. MR. LEE to ask THE COLONIAL TREASURER,—
 - (1.) Whether the Postmaster General has been directed to institute an inquiry into the frequent loss of money letters, supposed to take place after reaching the General Post Office ?
 - (2.) If such inquiry has been made, whether the Colonial Treasurer has any objection to lay the result thereof on the Table of this House ?
 - (3.) If no such investigation has taken place, is it the intention of the Government to order such ?
2. MR. LEE to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government, this Session, to introduce a Bill to amend the *Licensed Publicans' Act*, so far as remedying an omission therein—want of power to inflict a pecuniary fine upon persons convicted of drunkenness ?

OTHER BUSINESS—ORDERS OF THE DAY.

1. Prison Discipline Bill ; second reading.
2. Superannuation Act Amendment Bill ; second reading.
3. Volunteer Forces Regulation Bill ; second reading.
4. St. Patrick's Church Land Trust Bill ; second reading.
5. Fisheries Bill ; second reading.
6. Criminal Evidence Amendment Bill ; second reading.
7. Brands Registration Bill ; second reading.
8. Liverpool London and Globe Insurance Company's Bill ; second reading.

NOTICES OF MOTION :—

1. MR. TIGHE to move, That the Report from "The Select Committee on the claim of Robert Stewart to land at Illawarra," dated 10th March, 1864, and ordered by the Legislative Assembly to be printed, 11th March, 1864, be now adopted.
2. MR. CUMMINGS to move, That in the opinion of this House, so soon as the Government takes possession for public roads of any lands previously alienated, such lands ought to be appraised in the usual way, and compensation awarded to the owner or owners of such land ; when such roads pass through enclosed land, the Government shall enclose such road or roads before they are proclaimed open to the public.
3. MR. WHITE to move, That there be laid upon the Table of this House,—
 - (1.) A Return of the total amount expended in the construction of the Northern Line of Railway, so far as it is now open for traffic.
 - (2.) The number of miles now open for traffic, and the length of the extension now contracted for, together with the estimated cost of such extension.
 - (3.) The total receipts from the Northern Line for the last twelve months.

TUESDAY, MARCH 28.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LUCAS to move, That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the Management of the Public Works Department, and the alleged Frauds committed in the importation of Rails and other Railway Materials ; and that such Committee consist of the following Members—Mr. Arnold, Mr. Sutherland, Mr. Hart, Mr. Cunneen, Mr. Byrnes, Mr. Piddington, Mr. Donnelly, Mr. Tuks, Mr. Wisdom, and the mover ; and that the evidence taken before the Committee appointed last Session to inquire into the disorganized state of the Public Works Department, be referred to the said Committee.
2. MR. TIGHE to move for leave to introduce a Bill for the better recovery of Coal Miner's Wages, and to amend the Coal Fields Regulation Act of 1862.
3. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
4. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, a Return of all Appeals to the Supreme Court in its Insolvency Jurisdiction, during the tenure of office of the present Chief Commissioner ; shewing the result in each case.
5. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.

6. MR. BUCHANAN to move,—
 (1.) That in the opinion of this House, the Post Office in Sydney is so mismanaged that, from the irregularity and frequent non-delivery of Newspapers especially, a serious inconvenience is occasioned to the public and great loss to the Proprietors of such Newspapers.
 (2.) That the matter is of such importance as to demand the immediate attention of the Government.
7. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House,—
 (1.) The depositions taken before the Water Police Magistrate in the case of Henry Corbett.
 (2.) The Minutes of the Proceedings of the Medical Officer of the Gaol when he pronounced the said Henry Corbett insane.
 (3.) Copy of the Certificate granted by the said Medical Officer for his removal to Tarban Creek Asylum.
 (4.) Copy of the Report of the first Medical Board which sat on his case in the Asylum and pronounced him sane.
 (5.) Copy of the Report of the Second Board which sat on his case in the Lunatic Asylum.
 (6.) Copy of all Correspondence ordering his release.
8. MR. PARKES to move, That the Petition from the Municipality of Kiama, presented by him on the 22nd March, be printed.
9. MR. PARKES to move, That the Petition from Mr. Austin Forrest Wilshire, presented by him on the 22nd March, be printed.
10. MR. SAMUEL to move,—
 (1.) That in the opinion of this House, Church and School Lands containing minerals other than Gold ought to be alienated or leased under the same conditions as those contained in the Crown Lands Alienation, and Crown Lands Occupation Acts of 1861.
 (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
11. MR. SAMUEL to move,—
 (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 (2.) That the above Resolution be communicated by Address to His Excellency the Governor.
12. MR. FORSTER to move for leave to introduce a Bill to promote Public Education.

ORDER OF THE DAY :—

1. Municipalities Act Amendment Bill ; second reading.

FRIDAY, MARCH 31.

Contingent Notice :—

1. MR. FORSTER to move (*on the Order of the Day being read for the Second Reading of the Robberies Suppression Bill*)—That before proceeding to the Order of the Day, the House resolve itself into a Committee of the Whole to consider of the propriety of introducing the 5th and 9th clauses of the said Bill.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Trade Marks Bill ; second reading.
2. Barristers Examination Bill ; second reading.
3. Robberies Suppression Bill ; second reading.

TUESDAY, APRIL 4.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Triennial Parliaments Bill ; second reading.

FRIDAY, APRIL 7.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Verdicts Amendment Bill ; second reading.
2. New Trials Limitation Bill ; second reading.

TUESDAY, APRIL 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

New South Wales.

No. 16.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 23 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.
 Railway through Ultimo Estate:—Mr. Cunneen presented a Petition from John Harris, of Shane's Park; George Harris, John Harris, Matthew Harris, Margaret Harris, Nancy Ann Harris, of Ultimo House; James Fullerton, of Sydney; and George Henry Hamilton, of Kiama,—the two last-mentioned Petitioners being Trustees of the will of John Harris, late of Ultimo Cottage, deceased, and interested on behalf of his infant child;—representing that they suffer serious loss and hardship, as therein set forth, arising out of the appropriation, by the late Sydney Railway Company, of a portion of the Estate of Ultimo, in which they are interested, to Railway purposes, and the non-completion of the projected Railway Works;—and praying inquiry and relief.
 Petition received.
2. Paper:—Mr. Cowper laid upon the Table "Memorandum on Financial Control and Audit," by Auditor General (Mr. C. Rolleston), dated 27 January, 1865, with Appendix by Mr. Edward Rennie;—and moved, That the Order made by this House on 16th instant, [*See Votes and Proceedings, No. 13, Entry 3⁽¹⁾*] for printing a certain paper then laid upon the Table by him, entitled "Memorandum of Financial Control" be discharged, and that the paper now laid upon the Table by him, as above described, be printed in lieu thereof.
 Question put and passed.
 Ordered to be printed.
3. Destitute Children's Bill:—Mr. Forster having presented this Bill, Bill, intituled, "*A Bill to provide for the care and reformation of neglected and criminal Children,*"—read a first time.
 Ordered to be printed, and read a second time to-morrow fortnight.
4. Seamen's Laws Amendment Bill ("*Formal*" Order of the Day, being Order No. 4), on motion of Mr. Smart, read a third time, and passed.
 Mr. Smart then moved, That the Title of this Bill be, "*An Act to amend the Seamen's Laws Consolidation Act of 1864.*"
 Question put and passed.
 Whereupon, Mr. Smart moved, That this Bill be carried to the Legislative Council with the following Message;—
 MR. PRESIDENT,
 The Legislative Assembly having this day passed a Bill, intituled, "*An Act to amend the Seamen's Laws Consolidation Act of 1864,*" presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 23rd March, 1865. Speaker.
- Question put and passed.
5. Bridge over the River Hawkesbury, at Windsor ("*Formal*" Motion):—Mr. Walker moved, pursuant to notice, That the Petition presented by him on 22nd March, from certain Inhabitants of Windsor, Wilberforce, and surrounding neighbourhood, praying for the erection of a Bridge across the Hawkesbury, at Windsor, be printed.
 Question put and passed.
 Ordered to be printed.

6. Licenses to Sawyers, Splitters, and Quarrymen ("Formal" Motion):—Mr. White moved, pursuant to notice, That the Petition presented by him on 16th March, from certain Sawyers, Fencers, and others, at Muswellbrook, be printed.
Question put and passed.
Ordered to be printed.
7. Postponement:—The Order of the Day, No. 1, postponed, on motion of Mr. Smart, until the Order of the Day, No. 2, shall have been disposed of.
8. Supply:—On the Order of the Day, No. 2, for the adoption of Resolution (2) of the Committee of Supply being read, that Resolution (*as recorded in the Votes and Proceedings of yesterday, Entry 6.*) read a first time.
The said Resolution was then, on motion of Mr. Smart, read a second time, and agreed to.
9. Postponements:—
(1.) The Order of the Day, No. 1, further postponed, on motion of Mr. Smart (after debate) until the Order of the Day, No. 5, shall have been disposed of.
(2.) The Order of the Day, No. 3, for the resumption of the Committee of Supply, postponed on motion of Mr. Smart, until Wednesday next.
10. Felons Apprehension Bill—(Order No. 5):—Mr. Darvall moved, That this Bill be now read a third time.
Debate ensued.
Question put.
The House divided.

Ayes, 44.

Mr. Cowper,	Mr. White,
Mr. Robertson,	Mr. Roberts,
Mr. Arnold,	Mr. Piddington,
Mr. Darvall,	Mr. Lucas,
Mr. Smart,	Mr. Sutherland,
Mr. Joseph,	Mr. Kemp,
Mr. Forlonge,	Mr. Byrnes,
Mr. De Salis,	Mr. Macpherson,
Mr. Oampbell,	Mr. Lloyd,
Mr. Samuel,	Mr. Osborne,
Mr. Lee,	Mr. Farnell,
Mr. Burdakin,	Mr. Dodds,
Mr. Caldwell,	Mr. Egan,
Mr. Hannell,	Mr. Hart,
Mr. Laycock,	Mr. Landale,
Mr. Donnelly,	Mr. Tunks,
Mr. Oatley,	Mr. Tighe,
Mr. Pickering,	Mr. Neale,
Mr. Cummings,	Mr. Pemell,
Mr. Walker,	
Mr. Brown,	<i>Tellers.</i>
Mr. Gordon,	Mr. Garrett,
Mr. Phelps,	Mr. Josephson.

Noes, 13.

Mr. Martin,
Mr. Forster,
Mr. Rodd,
Mr. Cunneen,
Mr. Stimpson,
Mr. Dignam,
Mr. Parkes,
Mr. Terry,
Mr. Matc,
Mr. Buchanan,
Mr. Macleay,
<i>Tellers.</i>
Mr. Driver,
Mr. Wilson.

Bill thereupon read a third time and *passed*.

Mr. Darvall then moved, That the Title of this Bill be "*An Act to facilitate the taking or apprehending of persons charged with certain felonies, and the punishment of those by whom they are harboured.*"

Question put and passed.

Whereupon, Mr. Darvall moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,—

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to facilitate the taking or apprehending of persons charged with certain felonies and the punishment of those by whom they are harboured,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 23rd March, 1865.

Speaker.

Question put and passed.

11. Postponements:—The remaining Orders of the Day postponed, respectively, until Wednesday next, as follows:—
(1.) Order No. 1, *further*, on motion of Mr. Smart.
(2.) Order No. 6, on motion of Mr. Smart (after debate).
(3.) Order No. 7, on motion of Mr. Darvall.

The House adjourned at thirteen minutes after Nine o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

FRIDAY, MARCH 24.

Questions :—

1. MR. LEE to ask THE COLONIAL TREASURER,—
 - (1.) Whether the Postmaster General has been directed to institute an inquiry into the frequent loss of money letters, supposed to take place after reaching the General Post Office?
 - (2.) If such inquiry has been made, whether the Colonial Treasurer has any objection to lay the result thereof on the Table of this House?
 - (3.) If no such investigation has taken place, is it the intention of the Government to order such?
2. MR. LEE to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government, this Session, to introduce a Bill to amend the *Licensed Publicans' Act*, so far as remedying an omission therein—want of power to inflict a pecuniary fine upon persons convicted of drunkenness?

OTHER BUSINESS—ORDERS OF THE DAY.

1. Prison Discipline Bill ; second reading.
2. Superannuation Act Amendment Bill ; second reading.
3. Volunteer Forces Regulation Bill ; second reading.
4. St. Patrick's Church Land Trust Bill ; second reading.
5. Fisheries Bill ; second reading.
6. Criminal Evidence Amendment Bill ; second reading.
7. Brands Registration Bill ; second reading.
8. Liverpool and London and Globe Insurance Company's Bill ; second reading.

NOTICES OF MOTION :—

1. MR. TIGHE to move, That the Report from "The Select Committee on the claim of Robert Stewart to land at Illawarra," dated 10th March, 1864, and ordered by the Legislative Assembly to be printed, 11th March, 1864, be now adopted.
2. MR. CUMMINGS to move, That in the opinion of this House, so soon as the Government takes possession for public roads of any lands previously alienated, such lands ought to be appraised in the usual way, and compensation awarded to the owner or owners of such land ; when such roads pass through enclosed land, the Government shall enclose such road or roads before they are proclaimed open to the public.
3. MR. WHITE to move, That there be laid upon the Table of this House,—
 - (1.) A Return of the total amount expended in the construction of the Northern Line of Railway, so far as it is now open for traffic.
 - (2.) The number of miles now open for traffic, and the length of the extension now contracted for, together with the estimated cost of such extension.
 - (3.) The total receipts from the Northern Line for the last twelve months.

TUESDAY, MARCH 28.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LUCAS to move, That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the Management of the Public Works Department, and the alleged Frauds committed in the importation of Rails and other Railway Materials ; and that such Committee consist of the following Members—Mr. Arnold, Mr. Sutherland, Mr. Hart, Mr. Cunneen, Mr. Byrnes, Mr. Piddington, Mr. Donnelly, Mr. Tunks, Mr. Wisdom, and the mover ; and that the evidence taken before the Committee appointed last Session to inquire into the disorganized state of the Public Works Department, be referred to the said Committee.
2. MR. TIGHE to move for leave to introduce a Bill for the better recovery of Coal Miner's Wages, and to amend the Coal Fields Regulation Act of 1862.
3. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
4. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, a Return of all Appeals to the Supreme Court in its Insolvency Jurisdiction, during the tenure of office of the present Chief Commissioner ; shewing the result in each case.
5. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.
6. MR. BUCHANAN to move,—
 - (1.) That in the opinion of this House, the Post Office in Sydney is so mismanaged that, from the irregularity and frequent non-delivery of Newspapers especially, a serious inconvenience is occasioned to the public and great loss to the Proprietors of such Newspapers.
 - (2.) That the matter is of such importance as to demand the immediate attention of the Government.

7. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House,—
- (1.) The depositions taken before the Water Police Magistrate in the case of Henry Corbett.
 - (2.) The Minutes of the Proceedings of the Medical Officer of the Gaol when he pronounced the said Henry Corbett insane.
 - (3.) Copy of the Certificate granted by the said Medical Officer for his removal to Tarban Creek Asylum.
 - (4.) Copy of the Report of the first Medical Board which sat on his case in the Asylum and pronounced him sane.
 - (5.) Copy of the Report of the second Board which sat on his case in the Lunatic Asylum.
 - (6.) Copy of all Correspondence ordering his release.
8. MR. PARKES to move, That the Petition from the Municipality of Kiama, presented by him on the 22nd March, be printed.
9. MR. PARKES to move, That the Petition from Mr. Austin Forrest Wilshire, presented by him on the 22nd March, be printed.
10. MR. SAMUEL to move,—
- (1.) That in the opinion of this House, Church and School Lands containing minerals other than Gold ought to be alienated or leased under the same conditions as those contained in the Crown Lands Alienation, and Crown Lands Occupation Acts of 1861.
 - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
11. MR. SAMUEL to move,—
- (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 - (2.) That the above Resolution be communicated by Address to His Excellency the Governor.
12. MR. FORSTER to move for leave to introduce a Bill to promote Public Education.

ORDER OF THE DAY:—

1. Municipalities Act Amendment Bill; second reading.

 WEDNESDAY, MARCH 29.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Supply; resumption of the Committee.
2. Ways and Means; resumption of the Committee.
3. Sydney Mint Bill; second reading.
4. Additional Judge's Bill; second reading.

 FRIDAY, MARCH 31.
Contingent Notice:—

1. MR. FORSTER to move (*on the Order of the Day being read for the Second Reading of the Robberies Suppression Bill*)—That before proceeding to the Order of the Day, the House resolve itself into a Committee of the Whole to consider of the propriety of introducing the 5th and 9th clauses of the said Bill.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Trade Marks Bill; second reading.
2. Barristers Examination Bill; second reading.
3. Robberies Suppression Bill; second reading.

 TUESDAY, APRIL 4.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Triennial Parliaments Bill; second reading.

 FRIDAY, APRIL 7.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Verdicts Amendment Bill; second reading.
2. New Trials Limitation Bill; second reading.
3. Destitute Childrens Bill; second reading.

 TUESDAY, APRIL 11.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

New South Wales.

No. 17.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 24 MARCH, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Loss of Money Letters :—Mr. Lee asked the Colonial Treasurer, pursuant to notice No. 1,—

(1.) Whether the Postmaster General has been directed to institute an inquiry into the frequent loss of money letters, supposed to take place after reaching the General Post Office ?

(2.) If such inquiry has been made, whether the Colonial Treasurer has any objection to lay the result thereof on the Table of this House ?

(3.) If no such investigation has taken place, is it the intention of the Government to order such ?

Mr. Smart answered,—

(1.) The Postmaster General, without special directions, instituted an inquiry in each case of loss of money letters, supposed to have reached the General Post Office. When the loss of money letters became frequent, unusual steps were taken in conjunction with the Police Department, which steps led to the detection and apprehension of a Letter Carrier previously suspected, and previously recommended to the late Treasurer for dismissal.

(2.) The course of action taken by the Post Office Department was duly communicated to the late Treasurer ; and the losses ceased to occur with the death of the Letter Carrier referred to.

(3.) Since the death of Letter Carrier Williams, no special investigation has been considered necessary, as his detection and the circumstances connected therewith established the fact as to how those losses took place.

- (2.) Licensed Publicans Act :—Mr. Lee asked the Colonial Secretary, pursuant to Notice No. 2,—Whether it is the intention of the Government, this Session, to introduce a Bill to amend the *Licensed Publicans' Act*, so far as remedying an omission therein—want of power to inflict a pecuniary fine upon persons convicted of drunkenness ?

Mr. Cowper answered,—It is the intention of the Government to consolidate the Criminal Law or to introduce some similar Act to provide for punishing persons convicted of drunkenness ; but it is not an omission in the *Licensed Publicans' Act*. I think no such provision ought ever to have been introduced into that Bill.

2. Branch Line of Railway from Muswellbrook to Mudgee :—Mr. White presented a Petition from certain Inhabitants of the Town and District of Muswellbrook and of persons interested in the same, in favor of the construction of the said line of Railway.

Petition received.

3. Presbyterian Church Bill :—Mr. Cowper, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee to whom this Bill was referred on 14th March instant. Ordered to be printed.

Whereupon, Mr. Cowper moved, That the second reading of this Bill stand an Order of the Day for this day week.

Question put and passed.

4. Motion for Adjournment :—Mr. Lucas moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
5. Great Northern Railway (“*Formal*” *Motion*):—Mr. White moved, pursuant to notice, That there be laid upon the Table of this House,—
(1.) A Return of the total amount expended in the construction of the Northern Line of Railway, so far as it is now open for traffic.
(2.) The number of miles now open for traffic, and the length of the extension now contracted for, together with the estimated cost of such extension.
(3.) The total receipts from the Northern Line for the last twelve months.
Question put and passed.
6. Prison Discipline Bill, on motion of Mr. Forster, read a second time.
Whereupon, on motion of Mr. Forster, the Speaker left the Chair, and the House 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 fortnight.
7. Postponement :—The Order of the Day for the second reading of the Superannuation Act Amendment Bill postponed, on motion of Mr. Forster, until this day fortnight.
8. Volunteer Forces Regulation Bill :—Mr. Forster moved, That this Bill be now read a second time.
Motion made by Mr. Cowper, and Question,—That the debate on this Question be adjourned until this day fortnight,—put and passed.
Question put and passed.
9. St. Patrick’s Church Land Trust Bill, on motion of Mr. Hart, read a second time.
Whereupon, on motion of Mr. Hart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.
The Chairman having reported the Bill without amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.
10. Fisheries Bill, on motion of Mr. Driver, read a second time (after Debate).
Whereupon, Mr. Driver moved, “That” the Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole for the consideration of this Bill in detail.
Mr. Cowper moved, That the Question be amended by omitting all the words thereof after the word “That,” with a view to inserting in their place the words,—
“this Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
“(2.) That such Committee consist of the following Members, viz :—Mr. Buchanan, Mr. Darvall, Mr. Driver, Mr. Egan, Mr. Josephson, Mr. Lord, Mr. Martin, Mr. Oatley, Mr. Robertson, and the Mover.”
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 the place of the words omitted be there inserted,—put and passed.
Whereupon, Question,—
(1.) That this Bill be referred to a Select Committee for consideration and report, with power to send for persons and papers.
(2.) That such Committee consist of the following Members, viz :—Mr. Buchanan, Mr. Darvall, Mr. Driver, Mr. Egan, Mr. Josephson, Mr. Lord, Mr. Martin, Mr. Oatley, Mr. Robertson, and the Mover,—put and passed.
11. Postponements :—
(1.) The Order of the Day for the second reading of the Criminal Evidence Amendment Bill, postponed, on motion of Mr. Driver, until this day fortnight.
(2.) The Order of the Day for the second reading of the Brands Registration Bill postponed, on motion of Mr. Wilson, until this day week.
12. Liverpool and London and Globe Insurance Company’s Bill, on motion of Mr. Cowper, read a second time.
Whereupon, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.
The Chairman having reported the Bill without amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.
13. Motions Withdrawn :—
(1.) Mr. Tighe withdrew the Motion standing in his name, No. 1, on the Notice Paper for to-day.
(2.) Mr. Cummings withdrew the Motion standing in his name, No. 2, on the Notice Paper for to-day.
- The House adjourned at ten minutes before Seven o’clock, until Tuesday next at Three o’clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

TUESDAY, MARCH 28.

Questions :—

1. MR. PIDDINGTON to ask THE COLONIAL TREASURER,—
(1.) What is the total amount of Debentures falling due in 1866?
(2.) What is the date or dates when such Debentures will be due?
2. MR. PIDDINGTON to ask THE COLONIAL TREASURER,—
(1.) What is the maximum rate of interest per cent. per annum paid to the Oriental Bank, London, on the overdrawn account during the year 1864?
(2.) What is the total amount of interest paid to the Oriental Bank during 1864?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LUCAS to move, That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the Management of the Public Works Department, and the alleged Frauds committed in the importation of Rails and other Railway Materials; and that such Committee consist of the following Members—Mr. Arnold, Mr. Sutherland, Mr. Hart, Mr. Cunneen, Mr. Byrnes, Mr. Piddington, Mr. Donnelly, Mr. Tunks, Mr. Wisdom, and the mover; and that the evidence taken before the Committee appointed last Session to inquire into the disorganized state of the Public Works Department, be referred to the said Committee.
2. MR. TIGHE to move for leave to introduce a Bill for the better recovery of Coal Miner's Wages, and to amend the Coal Fields Regulation Act of 1862.
3. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
4. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, a Return of all Appeals to the Supreme Court in its Insolvency Jurisdiction, during the tenure of office of the present Chief Commissioner; shewing the result in each case.
5. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.
6. MR. BUCHANAN to move,—
(1.) That in the opinion of this House, the Post Office in Sydney is so mismanaged that, from the irregularity and frequent non-delivery of Newspapers especially, a serious inconvenience is occasioned to the public and great loss to the Proprietors of such Newspapers.
(2.) That the matter is of such importance as to demand the immediate attention of the Government.
7. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House,—
(1.) The Depositions taken before the Water Police Magistrate in the case of Henry Corbett.
(2.) The Minutes of the Proceedings of the Medical Officer of the Gaol when he pronounced the said Henry Corbett insane.
(3.) Copy of the Certificate granted by the said Medical Officer for his removal to Tarban Creek Asylum.
(4.) Copy of the Report of the first Medical Board which sat on his case in the Asylum and pronounced him sane.
(5.) Copy of the Report of the second Board which sat on his case in the Lunatic Asylum.
(6.) Copy of all Correspondence ordering his release.
8. MR. PARKES to move, That the Petition from the Municipality of Kiama, presented by him on the 22nd March, be printed.
9. MR. PARKES to move, That the Petition from Mr. Austin Forrest Wilshire, presented by him on the 22nd March, be printed.
10. MR. SAMUEL to move,—
(1.) That in the opinion of this House, Church and School Lands containing minerals other than Gold ought to be alienated or leased under the same conditions as those contained in the Crown Lands Alienation, and Crown Lands Occupation Acts of 1861.
(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
11. MR. SAMUEL to move,—
(1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
(2.) That the above Resolution be communicated by Address to His Excellency the Governor.
12. MR. FORSTER to move for leave to introduce a Bill to promote Public Education.

13. MR. CUNNEEN to move,—

(1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report upon, the petition of J. Harris and others, presented to the Legislative Assembly on the 15th October, 1862.

(2.) That such Committee consist of Mr. Arnold, Mr. Morrice, Mr. Hart, Mr. Pemell, Mr. Lucas, Mr. Sutherland, Rev. Dr. Lang, Mr. Caldwell, Mr. Terry, and the Mover.

ORDERS OF THE DAY:—

1. Municipalities Act Amendment Bill ; second reading.
2. St. Patrick's Church Land Trust Bill ; third reading.
3. Liverpool and London and Globe Insurance Company's Bill ; third reading.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. SMART to move, For leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

WEDNESDAY, MARCH 29.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. ROBERTSON to move, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider of the propriety of introducing a Bill to regulate the Impounding of Cattle.
2. MR. ROBERTSON to move, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider of the propriety of introducing a Bill to promote the better Drainage of Lands.

ORDERS OF THE DAY:—

1. Supply ; resumption of the Committee.
2. Ways and Means ; resumption of the Committee.
3. Sydney Mint Bill ; second reading.
4. Additional Judge's Bill ; second reading.

FRIDAY, MARCH 31.

Contingent Notice:—

1. MR. FORSTER to move (*on the Order of the Day being read for the second reading of the Robberies Suppression Bill*)—That before proceeding to the Order of the Day, the House resolve itself into a Committee of the Whole to consider of the propriety of introducing the 5th and 9th clauses of the said Bill.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Trade Marks Bill ; second reading.
2. Barristers Examination Bill ; second reading.
3. Robberies Suppression Bill ; second reading.
4. Presbyterian Church Bill ; second reading.
5. Brands Registration Bill ; second reading.

TUESDAY, APRIL 4.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Triennial Parliaments Bill ; second reading.

FRIDAY, APRIL 7.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Verdicts Amendment Bill ; second reading.
2. New Trials Limitation Bill ; second reading.
3. Destitute Childrens Bill ; second reading.
4. Prison Discipline Bill ; to be further considered in Committee.
5. Superannuation Act Amendment Bill ; second reading.
6. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
7. Criminal Evidence Amendment Bill ; second reading.

TUESDAY, APRIL 11.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

New South Wales.

No. 18.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 28 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Debentures falling due in 1866 :—Mr. Piddington asked the Colonial Treasurer, pursuant to Notice No. 1,—

- (1.) What is the total amount of Debentures falling due in 1866?
 (2.) What is the date or dates when such Debentures will be due?

Mr. Smart answered :—

- (1.) £300,000.
 (2.) 1st January, 1866.

- (2.) Interest on Overdrawn Accounts, Oriental Bank :—Mr. Piddington asked the Colonial Treasurer, pursuant to Notice No. 2,—

- (1.) What is the maximum rate of interest per cent. per annum paid to the Oriental Bank, London, on the overdrawn account during the year 1864?
 (2.) What is the total amount of interest paid to the Oriental Bank during 1864?

Mr. Smart answered :—

- (1.) Ten per cent. was the maximum rate of interest on the overdrawn account during the year 1864, and this was charged in October, when the Bank of England rate was nine per cent.
 (2.) £11,737 11s. 10d.

2. St. Patrick's Church Land Trust Bill ("Formal" Order of the Day), on motion of Mr. Hart, read a third time and passed.

Mr. Hart then moved, That the Title of this Bill be "*An Act to enable the Most Reverend John Bede Polding the Venerable John M'Encroe and Owen Joseph Caraher as Trustees of certain land situated in the City of Sydney to sell the said land and to provide for the appropriation of the proceeds thereof.*"

Question put and passed.

Whereupon, Mr. Hart moved, That this Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,—

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to enable the Most Reverend John Bede Polding The Venerable John M'Encroe and Owen Joseph Caraher as Trustees of certain land situated in the City of Sydney to sell the said land and to provide for the appropriation of the proceeds thereof,*" presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.

Legislative Assembly Chamber,
 Sydney, 28th March, 1865.

Speaker.

Question put and passed.

3. Liverpool and London and Globe Insurance Company's Bill ("Formal" Order of the Day), on motion of Mr. Cowper, read a third time and passed.

Mr. Cowper then moved, That the Title of this Bill be "*An Act to give effect in this Colony to the alteration of the Name of 'The Liverpool and London Fire and Life Insurance Company' and to consolidate and amend the laws relating to the said Company.*"

Question put and passed.

Whereupon

Whereupon, Mr. Cowper moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,—

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to give effect in this Colony to the alteration of the Name of 'The Liverpool and London Fire and Life Insurance Company' and to consolidate and amend the laws relating to the said Company,*" presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.

*Legislative Assembly Chamber,
Sydney, 28th March, 1865.*

Speaker.

Question put and passed.

4. Gunpowder Export Restriction Bill ("*Formal*" Motion):—
 - (1.) Mr. Smart moved, pursuant to notice, for leave to bring in a Bill to regulate for a limited time the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.
Question put and passed.
 - (2.) Mr. Smart having presented this Bill, intituled, "*A Bill to regulate the Export of Gunpowder and Warlike Stores,*"—read a first time.
Ordered to be printed, and read a second time to-morrow.
5. Newspaper Postage Act:—The undermentioned Petitions, praying for the repeal of the Newspaper Postage Act, were presented by the Members respectively named:—
 - (1.) From F. W. Chapman, J.P., Chas. Spencer, J.P., and others. By Mr. Forster.
 - (2.) From certain Inhabitants of Gundaroo. By Mr. De Salis.
Petitions received.
6. Management of Public Works Department, and alleged Frauds in importation of certain Railway Materials:—Mr. Lucas moved, pursuant to notice,—That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the Management of the Public Works Department, and the alleged Frauds committed in the importation of Rails and other Railway Materials; and that such Committee consist of the following Members—Mr. Arnold, Mr. Sutherland, Mr. Hart, Mr. Cunneen, Mr. Byrnes, Mr. Piddington, Mr. Donnelly, Mr. Tunks, Mr. Wisdom, and the mover; and that the Evidence taken before the Committee appointed last Session to inquire into the disorganized state of the Public Works Department, be referred to the said Committee.
Debate ensued.
Motion made by Mr. Macpherson, and Question,—That this Debate be now adjourned until to-morrow,—put and negatived.
Debate on Original Question continued.

And the House continuing to sit until after Midnight;—

WEDNESDAY, 29 MARCH, 1865, A.M.

Question put and negatived.

The House adjourned, on motion of Mr. Cowper, at twenty minutes after Twelve o'clock A.M., until Three o'clock P.M. This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

WEDNESDAY, MARCH 29.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. Mr. ROBERTSON to move, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider of the propriety of introducing a Bill to regulate the Impounding of Cattle.
2. Mr. ROBERTSON to move, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider of the propriety of introducing a Bill to promote the better Drainage of Lands.

ORDERS

ORDERS OF THE DAY :—

1. Supply ; resumption of the Committee.
2. Ways and Means ; resumption of the Committee.
3. Sydney Mint Bill ; second reading.
4. Additional Judge's Bill ; second reading.
5. Gunpowder Export Restriction Bill ; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FORSTER to move, That the Petition presented by him on Tuesday, March 28, from F. W. Chapman, J.P., Chas. Spencer, J.P., and others, praying the abolition of the rate on the carriage of Newspapers by Post, be printed.
2. MR. DE SALIS to move, That the Petition from the Inhabitants of Gundaroo, praying for the repeal of the Newspaper Postage Act, presented by him on the 28th March, be printed.
3. MR. TIGHE to move for leave to introduce a Bill for the better recovery of Coal Miner's Wages, and to amend the Coal Fields Regulation Act of 1862.
4. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
5. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, a Return of all Appeals to the Supreme Court in its Insolvency Jurisdiction, during the tenure of office of the present Chief Commissioner ; shewing the result in each case.
6. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.
7. MR. BUCHANAN to move,—
 - (1.) That in the opinion of this House, the Post Office in Sydney is so mismanaged that, from the irregularity and frequent non-delivery of Newspapers especially, a serious inconvenience is occasioned to the public and great loss to the Proprietors of such Newspapers.
 - (2.) That the matter is of such importance as to demand the immediate attention of the Government.
8. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House,—
 - (1.) The Depositions taken before the Water Police Magistrate in the case of Henry Corbett.
 - (2.) The Minutes of the Proceedings of the Medical Officer of the Gaol when he pronounced the said Henry Corbett insane.
 - (3.) Copy of the Certificate granted by the said Medical Officer for his removal to Tarban Creek Asylum.
 - (4.) Copy of the Report of the first Medical Board which sat on his case in the Asylum and pronounced him sane.
 - (5.) Copy of the Report of the second Board which sat on his case in the Lunatic Asylum.
 - (6.) Copy of all Correspondence ordering his release.
9. MR. PARKES to move, That the Petition from the Municipality of Kiama, presented by him on the 22nd March, be printed.
10. MR. PARKES to move, That the Petition from Mr. Austin Forrest Wilshire, presented by him on the 22nd March, be printed.
11. MR. SAMUEL to move,—
 - (1.) That in the opinion of this House, Church and School Lands containing minerals other than Gold ought to be alienated or leased under the same conditions as those contained in the Crown Lands Alienation, and Crown Lands Occupation Acts of 1861.
 - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
12. MR. SAMUEL to move,—
 - (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 - (2.) That the above Resolution be communicated by Address to His Excellency the Governor.
13. MR. FORSTER to move for leave to introduce a Bill to promote Public Education.
14. MR. CUNNEEN to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report upon, the petition of J. Harris and others, presented to the Legislative Assembly on the 15th October, 1862.
 - (2.) That such Committee consist of Mr. Arnold, Mr. Morrice, Mr. Hart, Mr. Pemell, Mr. Lucas, Mr. Sutherland, Rev. Dr. Lang, Mr. Caldwell, Mr. Terry, and the Mover.

ORDER OF THE DAY :—

1. Municipalities Act Amendment Bill ; second reading.

THURSDAY,

THURSDAY, MARCH 30.

Question :—

1. MR. CUMMINGS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) When will the survey of the Great Western Line of Railroad be completed to Bathurst?
 - (2.) When will the Government be prepared to call for tenders for the Permanent Way of the Great Western Line of Railway from Penrith to Blackheath?
 - (3.) Will the Government have any objection, so soon as tenders for the construction of the line to Bathurst are accepted, to make it one of the conditions of contract, to commence operations at Bathurst, with the view of getting the work completed as soon as possible?

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. BURDEKIN to move, That the Petition of David Blair, presented by Mr. Hart, on the 14th March, be printed.

FRIDAY, MARCH 31.

Contingent Notice :—

1. MR. FORSTER to move (*on the Order of the Day being read for the second reading of the Robberies Suppression Bill*)—That before proceeding to the Order of the Day, the House resolve itself into a Committee of the Whole to consider of the propriety of introducing the 5th and 9th clauses of the said Bill.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Trade Marks Bill ; second reading.
2. Barristers Examination Bill ; second reading.
3. Robberies Suppression Bill ; second reading.
4. Presbyterian Church Bill ; second reading.
5. Brands Registration Bill ; second reading.

NOTICE OF MOTION :—

1. MR. CUMMINGS to move, That there be laid on the Table of this House, a Return setting forth all Bridges erected in the Southern District ; the cost of each in detail, and sum total since the inauguration of Responsible Government ; and where erected. A similar Return of like improvements in the Western District ; a like Return of said improvements in the Northern District.

TUESDAY, APRIL 4.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Triennial Parliaments Bill ; second reading.

FRIDAY, APRIL 7.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Verdicts Amendment Bill ; second reading.
2. New Trials Limitation Bill ; second reading.
3. Destitute Childrens Bill ; second reading.
4. Prison Discipline Bill ; to be further considered in Committee.
5. Superannuation Act Amendment Bill ; second reading.
6. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
7. Criminal Evidence Amendment Bill ; second reading.

TUESDAY, APRIL 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

New South Wales.

No. 19.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 29 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.
The Clerk summoned (*The Queen v. White*):—The Speaker having informed the House that the Clerk had been summoned to attend at the Court House at Darlinghurst, Sydney, on Thursday, the thirtieth day of March instant, at Nine o'clock A.M., on behalf of the Crown, to give evidence in a case then and there to be heard on an Information to be preferred against Edward J. White, in a case of Misdemeanour, and then and there to produce the Writ of Election for the last General Election for the Nepean District—and having reminded the House that the Clerk could not comply with this Summons without leave of the House,—
Put a question,—That the Clerk have leave to comply with the said Summons, personally, or by one of the Officers of his Department, as may be most convenient to the business of the House—with the condition that the said Writ be carefully and faithfully returned to him with the least possible delay,—which passed in the affirmative.
2. Impounding Bill (*"Formal" Motion*):—Mr. Robertson moved, pursuant to notice, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider of the propriety of introducing a Bill to regulate the Impounding of Cattle.
Question put and passed.
3. Drainage Promotion Bill (*"Formal" Motion*):—Mr. Robertson moved, pursuant to notice, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider of the propriety of introducing a Bill to promote the better Drainage of Lands.
Question put and passed.
4. Newspaper Postage Act (*"Formal" Motions*):—
(1.) Mr. Forster moved, pursuant to notice, That the Petition presented by him on Tuesday, March 28, from F. W. Chapman, J.P., Chas. Spencer, J.P., and others, praying the abolition of the rate on the carriage of Newspapers by Post, be printed.
Question put and passed.
Ordered to be printed.
(2.) Mr. De Salis moved, pursuant to notice, That the Petition from the Inhabitants of Gundaroo, praying for the repeal of the Newspaper Postage Act, presented by him on the 28th March, be printed.
Question put and passed.
Ordered to be printed.
5. Paper:—Mr. Cowper laid upon the Table, Report from Denominational School Board, for the year 1864.
Ordered to be printed.
6. Postponement:—The Order of the Day, No. 1 of Government Business, postponed, on motion of Mr. Smart, until the Order of the Day, No. 5 of Government Business shall have been disposed of.
7. Ways and Means:—The Order of the Day for the resumption of the Committee having been read,—On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of Ways and Means.
The Chairman reported progress, and asked leave to sit again,—
Question,—That the Committee have leave to sit again,—put and passed (after Debate)

8. Papers :—Mr. Smart laid upon the Table the undermentioned Papers :—
- (1.) Estimates of Ways and Means for 1865, viz. :—
 - No. 1, Account of the Issue of Treasury Bills in payment of Authorized Services for 1863, and previous years, (under authority of 27 Vic., No. 8.)
 - No. 2, Account of the Consolidated Revenue Fund of New South Wales for 1864, shewing the Deficit thereon, at 28th February, 1865.
 - No. 3, Account of the Consolidated Revenue Fund of New South Wales, shewing the proposed Expenditure in relation to the Estimated Income for the year 1865.
 - (2.) Comparison between the Treasury Balances on the 15th October, 1863, the date on which the Honorable Thomas Ware Smart, Esq., retired from the Office of Treasurer and Secretary for Finance and Trade; and those on the 3rd February, 1865, the date on which the Honorable Geoffrey Eagar, Esq., retired from same Office.
- Ordered to be printed, and referred to the Committee of Ways and Means.
The House adjourned, on motion of Mr. Cowper, at seventeen minutes before Eleven o'clock, until To-morrow at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, MARCH 30.

Question :—

1. MR. CUMMINGS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) When will the survey of the Great Western Line of Railroad be completed to Bathurst?
 - (2.) When will the Government be prepared to call for tenders for the Permanent Way of the Great Western Line of Railway from Penrith to Blackheath?
 - (3.) Will the Government have any objection, so soon as tenders for the construction of the line to Bathurst are accepted, to make it one of the conditions of contract, to commence operations at Bathurst, with the view of getting the work completed as soon as possible?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Impounding Bill; consideration in Committee of the propriety of introducing this Bill.
2. Drainage Promotion Bill; consideration in Committee of the propriety of introducing this Bill.
3. Ways and Means; resumption of the Committee.
4. Sydney Mint Bill; second reading.
5. Additional Judge's Bill; second reading.
6. Gunpowder Export Restriction Bill; second reading.
7. Supply; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. BURDEKIN to move, That the Petition of David Blair, presented by Mr. Hart, on the 14th March, be printed.
2. MR. WHITE to move, That the Petition presented by him on the 24th March, from certain Inhabitants of Muswellbrook, praying for a line of Railway from Muswellbrook to Mudgee, be printed.
3. MR. TIGHE to move for leave to introduce a Bill for the better recovery of Coal Miners' Wages, and to amend the Coal Fields Regulation Act of 1862.
4. MR. DRIVER to move, That, in the opinion of this House, it is necessary that a new Department of the Government shall be created, to which shall be confided the entire charge of the Police Force of the Colony.
5. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, a Return of all Appeals to the Supreme Court in its Insolvency Jurisdiction, during the tenure of office of the present Chief Commissioner; shewing the result in each case.
6. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a bridge across Pepper's Creek, at Rockley.

7. MR. BUCHANAN to move,—
 (1.) That in the opinion of this House, the Post Office in Sydney is so mismanaged that, from the irregularity and frequent non-delivery of Newspapers especially, a serious inconvenience is occasioned to the public and great loss to the Proprietors of such Newspapers.
 (2.) That the matter is of such importance as to demand the immediate attention of the Government.
8. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House,—
 (1.) The Depositions taken before the Water Police Magistrate in the case of Henry Corbett.
 (2.) The Minutes of the Proceedings of the Medical Officer of the Gaol when he pronounced the said Henry Corbett insane.
 (3.) Copy of the Certificate granted by the said Medical Officer for his removal to Tarban Creek Asylum.
 (4.) Copy of the Report of the first Medical Board which sat on his case in the Asylum and pronounced him sane.
 (5.) Copy of the Report of the second Board which sat on his case in the Lunatic Asylum.
 (6.) Copy of all Correspondence ordering his release.
9. MR. PARKES to move, That the Petition from the Municipality of Kiama, presented by him on the 22nd March, be printed.
10. MR. PARKES to move, That the Petition from Mr. Austin Forrest Wilshire, presented by him on the 22nd March, be printed.
11. MR. SAMUEL to move,—
 (1.) That in the opinion of this House, Church and School Lands containing minerals other than Gold ought to be alienated or leased under the same conditions as those contained in the Crown Lands Alienation, and Crown Lands Occupation Acts of 1861.
 (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
12. MR. SAMUEL to move,—
 (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 (2.) That the above Resolution be communicated by Address to His Excellency the Governor.
13. MR. FORSTER to move for leave to introduce a Bill to promote Public Education.
14. MR. CUNNEEN to move,—
 (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report upon, the petition of J. Harris and others, presented to the Legislative Assembly on the 15th October, 1862.
 (2.) That such Committee consist of Mr. Arnold, Mr. Morrice, Mr. Hart, Mr. Pemell, Mr. Lucas, Mr. Sutherland, Rev. Dr. Lang, Mr. Caldwell, Mr. Terry, and the Mover.

ORDER OF THE DAY:—

1. Municipalities Act Amendment Bill ; second reading.

FRIDAY, MARCH 31.

Contingent Notice :—

1. MR. FORSTER to move (*on the Order of the Day being read for the second reading of the Robberies Suppression Bill*)—That before proceeding to the Order of the Day, the House resolve itself into a Committee of the Whole to consider of the propriety of introducing the 5th and 9th clauses of the said Bill.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Trade Marks Bill ; second reading.
2. Barristers Examination Bill ; second reading.
3. Robberies Suppression Bill ; second reading.
4. Presbyterian Church Bill ; second reading.
5. Brands Registration Bill ; second reading.

NOTICE OF MOTION:—

1. MR. CUMMINGS to move, That there be laid on the Table of this House, a Return setting forth all Bridges erected in the Southern District ; the cost of each in detail, and sum total since the inauguration of Responsible Government ; and where erected. A similar Return of like improvements in the Western District ; a like Return of said improvements in the Northern District.

TUESDAY, APRIL 4.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Triennial Parliaments Bill ; second reading.

FRIDAY,

FRIDAY, APRIL 7.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Verdicts Amendment Bill ; second reading.
 2. New Trials Limitation Bill ; second reading.
 3. Destitute Children's Bill ; second reading.
 4. Prison Discipline Bill ; to be further considered in Committee.
 5. Superannuation Act Amendment Bill ; second reading.
 6. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
 7. Criminal Evidence Amendment Bill ; second reading.
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TUESDAY, APRIL 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
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New South Wales.

No. 20.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 30 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.
 Question on Notice Paper for to-day :—
 Great Western Line of Railway :—Mr. Cummings asked the Secretary for Public Works, pursuant to Notice No. 1,—
 (1.) When will the survey of the Great Western Line of Railroad be completed to Bathurst?
 (2.) When will the Government be prepared to call for tenders for the Permanent Way of the Great Western Line of Railway from Penrith to Blackheath?
 (3.) Will the Government have any objection, so soon as tenders for the construction of the line to Bathurst are accepted, to make it one of the conditions of contract, to commence operations at Bathurst, with the view of getting the work completed as soon as possible?
 Mr. Arnold answered :—
 (1.) The general survey of the line to Bathurst is complete, and the line is now being staked out. The plans, sections, and books of reference will be prepared with as little delay as possible, in order that they may be laid before Parliament next Session.
 (2.) The Government will be prepared to call for tenders for the Permanent Way of the Great Western Line of Railway from Penrith to Blackheath in about a month from this time.
 (3.) With regard to arrangements for taking contracts for the construction of the line from Blackheath to Bathurst, the Government are hardly in a position to inform the Honorable Member what the detailed arrangements will be until the divisions of the line are determined upon; but I may say generally that it has not been the custom of Government to impose the restrictions suggested by this question upon the contractor, nor is it thought that such restrictions, if imposed, would have the effect of expediting the completion of the contracts.
2. David Blair (*"Formal" Motion*) :—Mr. Burdekin moved, pursuant to notice, That the Petition of David Blair, presented by Mr. Hart, on the 14th March, be printed.
 Question put and passed.
 Ordered to be printed.
3. Branch Line of Railway from Muswellbrook to Mudgee (*"Formal" Motion*) :—
 Mr. White moved, pursuant to notice, That the Petition presented by him, on the 24th March, from certain Inhabitants of Muswellbrook, praying for a line of Railway from Muswellbrook to Mudgee, be printed.
 Question put and passed.
 Ordered to be printed.
4. Impounding Bill :—On motion of Mr. Robertson, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider of the propriety of introducing this Bill.
 The Chairman reported the following Resolution :—
Resolved,—That it is desirable to introduce a Bill to regulate the Impounding of Cattle.
 Mr. Robertson then moved, That this House do now adopt this Resolution.
 Question put and passed.

5. Drainage Promotion Bill:—On motion of Mr. Robertson, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider of the propriety of introducing this Bill.

The Chairman reported the following Resolution:—

Resolved,—That it is desirable to introduce a Bill, to promote the better Drainage of Lands.

Mr. Robertson then moved, That this House do now adopt this Resolution.

Question put and passed.

6. Ways and Means:—The Order of the Day for the resumption of the Committee having been read, the Speaker (after Debate) left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of Ways and Means.

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

Question proposed—That the Committee have leave to sit again on “Tuesday” next. Debate ensued.

Mr. Lee moved,—That the question be amended by omitting the word “Tuesday” with the view of inserting in its place the word “Wednesday.”

Debate continued.

Question put,—That the word proposed to be omitted stand part of the Question. The House divided.

Ayes, 9.

Mr. Parkes,
Mr. Pickering,
Mr. Hannell,
Mr. Neale,
Mr. Piddington,
Mr. Burdekin,
Mr. Buchanan.

Tellers.

Mr. Stimpson,
Mr. Wisdom.

Noes, 38.

Mr. Cowper,	Mr. Joseph,
Mr. Darvall,	Mr. Rodd,
Mr. Arnold,	Mr. Donnelly,
Mr. Forster,	Mr. De Salis,
Mr. Faucett,	Mr. Samuel,
Mr. Wilson,	Dr. Lang,
Mr. Macpherson,	Mr. Pemell,
Mr. Lucas,	Mr. Mate,
Mr. Dignam,	Mr. Phelps,
Mr. Forlonge,	Mr. Gordon,
Mr. Landale,	Mr. Garrett,
Mr. White,	Mr. Macleay,
Mr. Cooper,	Mr. Tighe,
Mr. Brown,	Mr. Egan,
Mr. Osborne,	Mr. Smart,
Mr. Lee,	Mr. Martin.
Mr. Torry,	
Mr. Dodds,	Tellers.
Mr. Cummings,	Mr. Josephson,
Mr. Cunneen,	Mr. Robertson.

Question then,—That the word proposed to be inserted in the place of the word omitted be so inserted,—put and passed.

Whereupon Question,—That the Committee have leave to sit again on Wednesday next,—put and passed.

7. Sydney Mint Bill:—Mr. Smart moved, That this Bill be now read a second time. Debate ensued.

Question put and passed, and Bill read a second time.

Whereupon, on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of this Bill in detail.

The Chairman having reported the Bill with Amendments, the House adopted the report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.

8. Postponement:—The Order of the Day for the second reading of the Additional Judge's Bill, postponed, on motion of Mr. Darvall, until Tuesday next.

9. Gunpowder Export Restriction Bill, on motion of Mr. Smart, read a second time.

Whereupon, on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill in detail.

The Chairman having reported the Bill without Amendment, the House adopted the report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.

10. Postponement:—The Order of the Day for the resumption of the Committee of Supply, postponed, on motion of Mr. Smart, until Wednesday next.

11. Felons Apprehension Bill:—The Speaker reported the following Message from the Legislative Council.

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled, “*An Act to facilitate the taking or apprehending of persons charged with certain felonies and the punishment of those by whom they are harboured*,” with the Amendments indicated by the accompanying Schedule, in which amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 30th March, 1865.

T. A. MURRAY,
President.

On motion of Mr. Darvall the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the Amendments made by the Legislative Council in this Bill.

The Chairman reported that the Committee had agreed to the Amendments made by the Legislative Council in this Bill.

Mr. Darvall then moved, That this House do now adopt the Amendments so agreed to.

Question put and passed.

Whereupon

Whereupon Mr. Darvall moved, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Amendments made by the Legislative Council in the Bill, intituled, "*An Act to facilitate the taking or apprehending of persons charged with certain felonies and the punishment of those by whom they are harboured.*"

*Legislative Assembly Chamber,
Sydney, 30th March, 1865.*

Speaker.

Question put and passed.

12. Coal Fields Regulation Act Amendment Bill :—Mr. Tighe moved, pursuant to notice, for leave to introduce a Bill for the better recovery of Coal Miners' Wages, and to amend the Coal Fields Regulation Act of 1862.

Question put and passed.

Mr. Tighe having presented this Bill, intituled, "*A Bill for the better recovery of Coal Miners' Wages and to amend the Coal Fields Regulation Act of 1862,*"—read a first time.

Ordered to be printed, and read a second time on Friday, 14th April.

13. Motion Withdrawn :—Mr. Driver withdrew the Motion standing in his name, No. 4 on the Notice Paper for to-day.

14. Appeals to the Supreme Court in its Insolvency Jurisdiction :—Mr. Driver moved, pursuant to amended notice, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House, a Return of all Appeals to the Supreme Court in its Insolvency Jurisdiction, during the tenure of office of the present Chief Commissioner ; shewing the result in each case, and whether the same were heard before one or more of the Judges of that Court, and whether or not upon new evidence.

Question put and passed.

The House adjourned, on motion of Mr. Cowper, at twenty minutes after Ten o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

FRIDAY, MARCH 31.

Contingent Notice :—

1. MR. FORSTER to move (*on the Order of the Day being read for the second reading of the Robberies Suppression Bill*)—That before proceeding to the Order of the Day, the House resolve itself into a Committee of the Whole to consider of the propriety of introducing the 5th and 9th clauses of the said Bill.

OTHER BUSINESS—ORDERS ON THE DAY :—

1. Trade Marks Bill ; second reading.
2. Barristers Examination Bill ; second reading.
3. Robberies Suppression Bill ; second reading.
4. Presbyterian Church Bill ; second reading.
5. Brands Registration Bill ; second reading.
6. Municipalities Act Amendment Bill ; second reading.

NOTICES OF MOTION :—

1. MR. CUMMINGS to move, That there be laid upon the Table of this House, a Return setting forth all Bridges erected in the Southern District ; the cost of each in detail, and sum total since the inauguration of Responsible Government ; and where erected. A similar Return of like improvements in the Western District ; a like Return of said-improvements in the Northern District.
2. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates a sum of money not exceeding one hundred and fifty pounds, for the erection of a Bridge across Pepper's Creek, at Rockley.

3. MR. BUCHANAN to move,—
 - (1.) That in the opinion of this House, the Post Office in Sydney is so mismanaged that, from the irregularity and frequent non-delivery of Newspapers especially, a serious inconvenience is occasioned to the public and great loss to the Proprietors of such Newspapers.
 - (2.) That the matter is of such importance as to demand the immediate attention of the Government.
4. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House,—
 - (1.) The Depositions taken before the Water Police Magistrate in the case of Henry Corbett.
 - (2.) The Minutes of the Proceedings of the Medical Officer of the Gaol when he pronounced the said Henry Corbett insane.
 - (3.) Copy of the Certificate granted by the said Medical Officer for his removal to Tarban Creek Asylum.
 - (4.) Copy of the Report of the first Medical Board which sat on his case in the Asylum and pronounced him sane.
 - (5.) Copy of the Report of the second Board which sat on his case in the Lunatic Asylum.
 - (6.) Copy of all Correspondence ordering his release.
5. MR. PARKES to move, That the Petition from the Municipality of Kiama, presented by him on the 22nd March, be printed.
6. MR. PARKES to move, That the Petition from Mr. Austen Forrest Wilshire, presented by him on the 22nd March, be printed.
7. MR. SAMUEL to move,—
 - (1.) That in the opinion of this House, Church and School Lands containing minerals other than Gold ought to be alienated or leased under the same conditions as those contained in the Crown Lands Alienation, and Crown Lands Occupation Acts of 1861.
 - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
8. MR. SAMUEL to move,—
 - (1.) That in the opinion of this House, there ought to be a Silver and Copper Coinage issued from the Sydney Branch of the Royal Mint.
 - (2.) That the above Resolution be communicated by Address to His Excellency the Governor.
9. MR. FORSTER to move for leave to introduce a Bill to promote Public Education.
10. MR. CUNNEEN to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report upon, the petition of J. Harris and others, presented to the Legislative Assembly on the 15th October, 1862.
 - (2.) That such Committee consist of Mr. Arnold, Mr. Morrice, Mr. Hart, Mr. Pemell, Mr. Lucas, Mr. Sutherland, Rev. Dr. Lang, Mr. Caldwell, Mr. Terry, and the Mover.

TUESDAY, APRIL 4.

Question :—

1. MR. MACPHERSON to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Have the Government any intention to make a Tramway from the Pennant Hills Quarry to the Parramatta River?
 - (2.) Has any report been made on the same by the Rev. W. B. Clarke, or any other competent person; and if so, will the Government have any objection to lay this report or reports on the Table of the House?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MACPHERSON to move, That there be laid upon the Table of this House, Copies of all Correspondence or Documents, shewing the nature of the arrangement (if any) between the Government and the Corporation of Sydney, with reference to the use of the Pennant Hills Stone Quarry and other Crown Land adjacent.
2. MR. DONNELLY to move, That so much of the Report (presented to the Assembly and ordered to be printed 9th March, 1864) of the Select Committee appointed (September 29th, 1863), to inquire into, and report upon, the working of the Gold Fields Act 1861, as relates to the cases of Messrs. Thompson and Farrell, of Merrindce,—be adopted.

ORDER OF THE DAY :—

1. Triennial Parliaments Bill; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Sydney Mint Bill; third reading.
2. Additional Judge's Bill; second reading.
3. Gunpowder Export Restriction Bill; third reading.

WEDNESDAY,

WEDNESDAY, APRIL 5.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Ways and Means ; resumption of the Committee.
 2. Supply ; resumption of the Committee.
-

FRIDAY, APRIL 7.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Verdicts Amendment Bill ; second reading.
 2. New Trials Limitation Bill ; second reading.
 3. Destitute Childrens' Bill ; second reading.
 4. Prison Discipline Bill ; to be further considered in Committee.
 5. Superannuation Act Amendment Bill ; second reading.
 6. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
 7. Criminal Evidence Amendment Bill ; second reading.
-

TUESDAY, APRIL 11.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
-

FRIDAY, APRIL 14.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Coal Fields Regulation Act Amendment Bill ; second reading.
-



New South Wales.

No. 21.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 31 MARCH, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Committee of Elections and Qualifications—*O'Haire v. Josephson* :—Mr. Piddington, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before the Committee of Elections and Qualifications, relative to the Petition of Michael O'Haire, Esq., complaining of the Return of Joshua Frey Josephson, Esq., as Member for the Electoral District of Braidwood, which was referred to the said Committee on 8th March instant.—And the said Report having been read at length by the Clerk, by direction of the Speaker, as follows :—

“ The Committee of Elections and Qualifications, duly appointed on the 31st January last, under the provisions of the Electoral Act of 1858, to whom was referred on the 8th March, a Petition from Michael O'Haire, Esquire, of Araluen, against the Election and Return of Joshua Frey Josephson, Esquire, as Member for the Electoral District of 'Braidwood,' have determined and do hereby accordingly declare :—

“ 1. That Joshua Frey Josephson, Esquire, the sitting Member, has been duly elected as Member for the Electoral District of 'Braidwood.'

“ 2. That the Petition of Michael O'Haire is not frivolous or vexatious.

“ W. R. PIDDINGTON,
“ Chairman.”

“ Committee Room, No. 2,
“ Legislative Assembly,
“ Sydney, 31st March, 1865.”

Ordered, on motion of Mr. Piddington, That the said Report, and Minutes of Proceedings and Evidence, be printed.

2. Motion Withdrawn :—Mr. Samuel withdrew the Motion standing in his name, No. 7 on the Notice Paper for to-day.
3. Australian Paper Company's Bill :—Mr. Cowper presented a Petition from the Directors and Manager and Secretary of the Australian Paper Company, praying for leave to introduce a Bill to incorporate the said Company, and for other purposes therein mentioned,—
And Mr. Cowper having produced the *Government Gazette*, and the *Sydney Morning Herald* and *Empire* Newspapers, containing notices for four consecutive weeks in the months of January and February last, of the intention to apply for such Bill,—
Petition received.
4. Trade Marks Bill :—Mr. Hart moved, That this Bill be “ now ” read a second time. Mr. Dignam moved, That the Question be amended by omitting the word “ now,” with a view to adding at the end the words “ this day six months.”
Debate ensued.

Question

Question put, That the word proposed to be omitted stand part of the Question.
The House divided.

Ayes, 38.

Mr. Cowper,	Mr. Landale,
Mr. Smart,	Mr. Gordon,
Mr. Robertson,	Mr. Phelps,
Mr. Arnold,	Mr. Piddington,
Mr. Byrnes,	Mr. Driver,
Mr. Hart,	Mr. Mate,
Mr. Donnelly,	Mr. Wilson,
Mr. Farnell,	Mr. Brown,
Mr. Garrett,	Mr. Osborne,
Mr. Terry,	Mr. Egan,
Mr. Campbell,	Mr. Tunks,
Mr. Dodds,	Mr. Neale,
Dr. Lang,	Mr. Rodd,
Mr. Lucas,	Mr. Tighe,
Mr. Stimpson,	Mr. Cummings,
Mr. Wisdom,	Mr. Cooper,
Mr. Lloyd,	<i>Tellers.</i>
Mr. De Salis,	
Mr. Forster,	Mr. Buchanan,
Mr. White,	Mr. Burdekin.

Noes, 2.

Mr. Dignam, } *Tellers.*
Mr. Kemp. }

Bill then read a second time.

Whereupon, on motion of Mr. Hart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill. The Chairman having reported the Bill with amendments, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Friday next.

5. Barristers Examination Bill :—Mr. Buchanan moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 3.

Mr. Driver.
Tellers.
Mr. Forster,
Mr. Buchanan.

Noes, 37.

Mr. Cowper,	Mr. Garrett,
Mr. Robertson,	Mr. Caldwell,
Mr. Smart,	Mr. Parkes,
Mr. Egan,	Mr. Brown,
Mr. De Salis,	Mr. Dodds,
Mr. Martin,	Mr. Cunneen,
Mr. Lloyd,	Mr. Hart,
Mr. Burdekin,	Mr. Mate,
Mr. Wilson,	Mr. Piddington,
Mr. Tunks,	Mr. Cooper,
Mr. Dignam,	Mr. Gordon,
Mr. Campbell,	Mr. Wisdom,
Mr. Farnell,	Mr. Phelps,
Mr. Kemp,	Mr. Darvall,
Mr. Tighe,	Dr. Lang,
Mr. Landale,	<i>Tellers.</i>
Mr. White,	
Mr. Forlonge,	Mr. Byrnes,
Mr. Donnelly,	Mr. Josephson.
Mr. Stimpson,	

6. Robberies Suppression Bill :—

(1.) Order of the Day for the second reading of this Bill read.

(2.) Mr. Forster not making the *Contingent* Motion standing in his name on the Notice Paper for to-day, it dropped.

(3.) Order of the Day discharged, on motion of Mr. Forster.

(4.) Bill then withdrawn, on motion of Mr. Forster.

7. Presbyterian Church Bill :—Mr. Cowper moved, That this Bill, *as amended in Select Committee*, be now read a second time.

Debate ensued.

Question put and passed.

And Bill read a second time.

Whereupon, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.

The Chairman having reported the Bill with an Amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for this day week.

8. Brands Registration Bill :—Mr. Wilson moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

And Bill read a second time.

Whereupon, on motion of Mr. Wilson, the Speaker left the Chair, and the House 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 fortnight.

9. Postponement :—The Order of the Day for the second reading of the Municipalities Act Amendment Bill postponed, on motion of Mr. Byrnes, until this day week.

10. **Motions Withdrawn :—**
- (1.) Mr. Cummings withdrew the Motion standing in his name, No. 1 on the Notice Paper for to-day.
 - (2.) Mr. Driver withdrew the Motion standing in his name, No. 2 on the Notice Paper for to-day.
 - (3.) Mr. Buchanan withdrew the Motion standing in his name, No. 3 on the Notice Paper for to-day.
11. **Henry Corbett—(Administration of Justice) :—**Mr. Buchanan moved, pursuant to notice, That an Address be presented to the Governor, praying that His Excellency will cause to be laid on the Table of this House,—
- (1.) The Depositions taken before the Water Police Magistrate in the case of Henry Corbett.
 - (2.) The Minutes of the Proceedings of the Medical Officer of the Gaol when he pronounced the said Henry Corbett insane.
 - (3.) Copy of the Certificate granted by the said Medical Officer for his removal to Tarban Creek Asylum.
 - (4.) Copy of the Report of the first Medical Board which sat on his case in the Asylum and pronounced him sane.
 - (5.) Copy of the Report of the second Board which sat on his case in the Lunatic Asylum.
 - (6.) Copy of all Correspondence ordering his release.
- Debate ensued.
Question put and passed.
12. **Municipality of Kiama :—**Mr. Parkes moved, pursuant to notice, That the Petition from the Municipality of Kiama, presented by him on the 22nd March, be printed.
Question put and passed.
Ordered to be printed.
13. **Mr. Austin Forrest Wilshire (Tanneries, &c.) :—**Mr. Parkes moved, pursuant to notice, That the Petition from Mr. Austin Forrest Wilshire, presented by him on the 22nd March, be printed.
Question put and passed.
Ordered to be printed.
14. **Motions Dropped :—**
- (1.) Mr. Samuel not making the Motion standing in his name, No. 8 on the Notice Paper for to-day, it dropped.
 - (2.) Mr. Forster not making the Motion standing in his name, No. 9 on the Notice Paper for to-day, it dropped.
15. **Railway through Ultimo Estate :—**Mr. Cunneen moved, pursuant to notice,
- (1.) That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report upon, the petition of J. Harris and others, presented to the Legislative Assembly on the 15th October, 1862.
 - (2.) That such Committee consist of Mr. Arnold, Mr. Morrice, Mr. Hart, Mr. Pemell, Mr. Lucas, Mr. Sutherland, Rev. Dr. Lang, Mr. Caldwell, Mr. Terry, and the Mover.
- Question put and passed.
The House adjourned, at eighteen minutes after Eleven o'clock, until Tuesday next, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

TUESDAY, APRIL 4.

Questions :—

1. **MR. MACPHERSON to ask THE SECRETARY FOR PUBLIC WORKS,—**
 - (1.) Have the Government any intention to make a Tramway from the Pennant Hills Quarry to the Parramatta River?
 - (2.) Has any report been made on the same by the Rev. W. B. Clarke, or any other competent person; and if so, will the Government have any objection to lay this report or reports on the Table of the House?
2. **MR. COOPER to ask THE SECRETARY FOR PUBLIC WORKS,—**If the Government have taken any steps for the construction of the approaches to the Bendemeer Bridge; and if so, when the work is likely to proceed?

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MACPHERSON to move, That there be laid upon the Table of this House, Copies of all Correspondence or Documents, shewing the nature of the arrangements (if any) between the Government and the Corporation of Sydney, with reference to the use of the Pennant Hills Stone Quarry and other Crown land adjacent.
2. MR. DONNELLY to move, That so much of the Report (presented to the Assembly and ordered to be printed 9th March, 1864) of the Select Committee appointed (September 29th, 1863) to inquire into, and report upon, the working of the Gold Fields Act 1861, as relates to the cases of Messrs. Thompson and O'Farrell, of Merrindee, be adopted.
3. MR. SAMUEL to move,—
 - (1.) That in the opinion of this House, Church and School Lands containing minerals other than Gold ought to be alienated or leased under the same conditions as those contained in the Crown Lands Alienation, and Crown Lands Occupation Acts of 1861.
 - (2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.
4. MR. COWPER to move for leave to introduce a Bill to incorporate the Proprietors of a certain Company, called "The Australian Paper Company," and for other purposes therein mentioned.

ORDER OF THE DAY :—

1. Triennial Parliaments Bill ; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Sydney Mint Bill ; third reading.
2. Additional Judge's Bill ; second reading.
3. Gunpowder Export Restriction Bill ; third reading.

WEDNESDAY, APRIL 5.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means ; resumption of the Committee.
2. Supply ; resumption of the Committee.

FRIDAY, APRIL 7.

Question :—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether he has any objection to lay on the Table of this House, the invoices of the low-priced rails, which he mentioned in his speech on Tuesday last, as having been imported for experiment ;
 - (2.) All correspondence with reference to the said rails ;
 - (3.) A statement of the results of such experiments ;
 - (4.) The portion of the works on which the experiments were made ?

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Verdicts Amendment Bill ; second reading.
2. New Trials Limitation Bill ; second reading.
3. Destitute Children's Bill ; second reading.
4. Prison Discipline Bill ; to be further considered in Committee.
5. Superannuation Act Amendment Bill ; second reading.
6. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
7. Criminal Evidence Amendment Bill ; second reading.
8. Trade Marks Bill ; third reading.
9. Presbyterian Church Bill ; third reading.
10. Municipalities Act Amendment Bill ; second reading.

TUESDAY, APRIL 11.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
2. MR. TIGHE to move, That the Report from “ the Select Committee on the claim of Robert Stewart to land at Illawarra,” dated 10th March, 1864, and ordered by the Legislative Assembly to be printed, on the 11th March, 1864, be now adopted.
3. MR. FORSTER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions,—
 - (1.) That this House is of opinion,—
 - (1.) That the Laws relating to the election of Members of the Legislative Assembly, require further consideration and amendment.
 - (2.) That the existing system under which the Electoral Rolls are prepared and compiled, through the agency of special collectors appointed by Benches of Magistrates, is extravagant and ineffective.

(3.)

(3.) That the great increase of fictitious or fraudulent qualifications, and of the practice of personation, as well as of other corrupt practices at elections, are not only demoralizing to the community, and injurious to the public interest, but an infringement upon the rights and privileges guaranteed to the people of this Colony by the Constitution Act, and by the Electoral Act of 1858, and imperatively call for the improvement of the machinery for the collection and enrolment of votes, and for the adoption of preventive measures.

(4.) That the practice of nominating Candidates at elections, without support or probability of support from such a number of Electors as to justify any reasonable expectation of such Candidates being returned, is the cause of unnecessary public expenditure, and tends to bring discredit upon representative institutions.

(2.) That accordingly, with a view to the correction of the evils and anomalies hereinbefore enumerated, this House resolves,—

(1.) That the employment of special Collectors of Electoral Rolls be discontinued, and provision made to enable every Elector to register his own Name and Qualification.

(2.) That every Elector be required so to register himself in the first instance.

(3.) That in place of Courts of Revision, there be constituted Courts of Registration, with greater facilities for enquiry and examination of claims for enrolment, and with extended powers of repression, and punishment of fictitious or fraudulent claims and corrupt practices.

(4.) That in case of objection to any claim, the Court of Registration be empowered to throw the burden of proof upon the claimant.

(5.) That every Elector, on registration, be furnished by the Clerk or other proper Officer with a certificate.

(6.) That for every such certificate a fee be charged.

(7.) That no person be permitted to vote at any election without such certificate.

(8.) That provision be made for preventing the use of any such certificate more than once at the same election.

(9.) That before nomination at any election, every Candidate be required to deposit with the Returning Officer, or other proper officer, the sum of *fifty* pounds, to be forfeited in the event of such candidate not having recorded in his favour one *tenth* at least of the smallest number of votes, recorded in favour of any Candidate returned at such election for the same Electoral District.

(3.) That an Address be presented to the Governor, praying that His Excellency will cause to be introduced, with as little delay as possible, a Bill embodying the substance of the foregoing Resolutions.

4. MR. LUCAS to move, That there be laid on the Table of this House, all Correspondence, Petitions, Minutes, and other Documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.

FRIDAY, APRIL 14.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Coal Fields Regulation Act Amendment Bill; second reading.
2. Brands Registration Bill; to be further considered in Committee.

TUESDAY, APRIL 18.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. MACPHERSON to move, That in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the first and second class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
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New South Wales.

No. 22.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 4 APRIL, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

(1.) Tramway, Pennant Hills Quarry :—Mr. Macpherson asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) Have the Government any intention to make a Tramway from the Pennant Hills Quarry to the Parramatta River ?

(2.) Has any report been made on the same by the Rev. W. B. Clarke, or any other competent person ; and if so, will the Government have any objection to lay this report or reports on the Table of the House ?

Mr. Arnold answered,—

(1.) The Government have no means placed at their disposal for the construction of a Tramway from the Pennant Hills Quarry to the Parramatta River ; nor am I aware that there is any intention on the part of the Government to invite the House to make a provision of this kind at present.

(2.) I am not able to discover that any report has been received from the Rev. W. B. Clarke upon this question, but a report has been received from Mr. Keene, the principal Inspector of Coal Fields, on this subject. This is the only report I find with regard to this matter, and there is no objection to lay it upon the Table of the House if thought desirable. As I have the report with me, I will not formally lay it upon the Table, but the Honorable Member is quite welcome to use it, and if he desires it, can move for its production.

(2.) Bendemeer Bridge :—Mr. Cooper asked the Secretary for Public Works, pursuant to Notice No. 2,—If the Government have taken any steps for the construction of the approaches to the Bendemeer Bridge ; and if so, when the work is likely to proceed ?

Mr. Arnold answered,—Tenders have been accepted for the approaches to the Bendemeer Bridge. The Commissioner for Roads leaves Sydney to-night for the North, with the view to settle, among other matters, the dispute as to the direction of the north approach. The work has now been proceeded with to such an extent as to admit of either approach being adopted.

2. Australian Paper Company's Bill (" Formal " Motion) :—

(1.) Mr. Cowper moved, pursuant to notice, for leave to introduce a Bill to incorporate the Proprietors of a certain Company, called the " Australian Paper Company," and for other purposes therein mentioned.

Question put and passed.

(2.) Mr. Cowper having presented this Bill, and produced a Certificate of the payment of twenty-five pounds to the credit of the Consolidated Revenue of the Colony, Bill, intituled, " A Bill to Incorporate the Proprietors of a certain Company called ' The Australian Paper Company ' and for other purposes therein mentioned,"—read a first time.

3. Sydney Mint Bill (" Formal " Order of the Day), on motion of Mr. Smart, read a third time and passed.

Mr. Smart then moved, That the Title of this Bill be,—“ An Act to make permanent provision for the Sydney Mint.”

Question put and passed.

Whereupon,

Whereupon, Mr. Smart moved, That this Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to make permanent provision for the Sydney Mint,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 4th April, 1865.

Speaker.

Question put and passed.

4. Gunpowder Export Restriction Bill ("*Formal*" *Order of the Day*), on motion of Mr. Smart, read a third time and *passed*.

Mr. Smart then moved, That the Title of this Bill be, "*An Act to regulate the Export of Gunpowder and Warlike Stores.*"

Question put and passed.

Whereupon, Mr. Smart moved, That this Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to regulate the Export of Gunpowder and Warlike Stores,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 4th April, 1865.

Speaker.

Question put and passed.

5. Impounding Bill :—Mr. Robertson having *presented* this Bill, intituled, "*A Bill to regulate the Impounding of Live Stock,*"—read a first time.

Ordered to be printed, and read a second time on Thursday next.

6. Presbyterian Church Bill :—Mr. Garrett presented a Petition from the Members of Committee of the Presbyterian Church, Wollongong, against the passing of the said Bill.

Petition received.

7. Pennant Hills Stone Quarry :—Mr. Macpherson moved, pursuant to notice, That there be laid upon the Table of this House, Copies of all Correspondence, or Documents, shewing the nature of the arrangements (if any) between the Government and the Corporation of Sydney, with reference to the use of the Pennant Hills Stone Quarry and other Crown Land adjacent.

Debate ensued.

Motion by leave withdrawn.

8. Working of the Gold Fields Act :—Mr. Donnelly moved, pursuant to notice, *as amended with the concurrence of the House*,—That so much of the Report (presented to the Assembly and ordered to be printed, 9th March, 1864) of the Select Committee appointed (September 29th, 1863) to inquire into, and report upon, the working of the Gold Fields Act, 1861, as relates to the case of Mr. Thompson, of Merrindee,—be adopted.

Question put and passed.

9. Church and School Lands containing Minerals other than Gold :—Mr. Samuel moved, pursuant to notice,—

(1.) That in the opinion of this House, Church and School Lands containing minerals other than Gold ought to be "alienated or" leased under the same conditions as those contained in the "Crown Lands Alienation and" Crown Lands Occupation "Acts" of 1861.

(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.

Mr. Robertson moved, That the Question be amended in Section (1) by omitting the words "alienated or," with a view to adding at the end of that Section the words, "but that, in cases where such lands are already under lease, the consent of the lessee should be first obtained."

Debate ensued.

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

Question then put,—That the words proposed to be added be there added.

The House divided.

Ayes, 15.

Mr. Darvall,
Mr. Cowper,
Mr. Robertson,
Mr. Arnold,
Mr. Joseph,
Dr. Lang,
Mr. Garrett,
Mr. Piddington,
Mr. Samuel,
Mr. Wilson,
Mr. Lucas,
Mr. Pemell,
Mr. Buchanan,

Tellers.

Mr. Driver,
Mr. Josephson.

Noes, 31.

Mr. Macpherson,
Mr. Forster,
Mr. Dignam,
Mr. Pickering,
Mr. Rodd,
Mr. White,
Mr. De Salis,
Mr. Cummings,
Mr. Brown,
Mr. Forlonge,
Mr. Phelps,
Mr. Donnelly,
Mr. Landale,
Mr. Hurley,
Mr. Parkes,
Mr. Burns,
Mr. Stimpson,

Mr. Tighe,
Mr. Wisdom,
Mr. Walker,
Mr. Macleay,
Mr. Lloyd,
Mr. Cooper,
Mr. Terry,
Mr. Hart,
Mr. Kemp,
Mr. Campbell,
Mr. Tunks,
Mr. Matc,

Tellers..

Mr. Egan,
Mr. Gordon.

And

And the following *Consequential Amendments* having been, *with the concurrence of the House*, made in Section (1), viz.—the words “Crown Lands Alienation, and” struck out, and the word “Acts” converted into *Act*.

Question, *as so amended*, viz. :—

(1.) That in the opinion of this House, Church and School Lands containing minerals other than Gold ought to be leased under the same conditions as those contained in the Crown Lands Occupation Act of 1861.

(2.) That the foregoing Resolution be communicated by Address to His Excellency the Governor.—

Put and negatived.

10. Manning River District :—Mr. Forster presented a Petition from certain Land-owners, Leaseholders, and Residents of the Manning River District, praying that, for reasons therein set forth, the Manning River District may be constituted a separate Electoral District.
Petition received.
11. William Moore :—Mr. Burns presented a Petition from William Moore, of Morpeth, setting forth a claim to certain Land in Sydney, now the corner of William-street East, which he alleges to have been granted by the Crown, in his absence from the Colony, to the late Commissary Laidley ; and praying relief.
Petition received.
12. John Pearce :—Mr. Driver presented a Petition from John Pearce, of Hoskin's-place (No. 8), in the City of Sydney, storeman and warper, detailing certain grievances which he alleges he has suffered at the hands of the authorities, including dismissal from office as Inspector of Police in 1851, and confinement in the Lunatic Asylum at Tarban Creek ;—and praying redress.
Petition received.
13. Postponement :—The Order of the Day for the second reading of the Triennial Parliaments Bill postponed, on motion of Mr. Driver, until Friday next.
14. Additional Judge's Bill :—Mr. Darvall moved, That this Bill be now read a second time.
Debate ensued.
Motion made by Mr. Piddington, and Question,—That this Debate be now adjourned until this day month,—put and negatived (after Debate).
Original Question stated.
Debate continued.
Original Question put.
The House divided.

Ayes, 38.

Mr. Cowper,	Mr. White,
Mr. Robertson,	Mr. Lucas,
Mr. Lloyd,	Mr. Tunks,
Mr. Darvall,	Mr. Wisdom,
Mr. Hart,	Mr. Sutherland,
Mr. Buchanan,	Mr. Cunneen,
Mr. Forlonge,	Mr. Samuel,
Mr. Joseph,	Mr. Kemp,
Mr. Garrett,	Mr. Tighe,
Mr. Caldwell,	Mr. Burns,
Dr. Laug,	Mr. Pemell,
Mr. Hurley,	Mr. Oatley,
Mr. Cummings,	Mr. Pickering,
Mr. Donnelly,	Mr. Rodd,
Mr. Stimpson,	Mr. Walker,
Mr. Brown,	Mr. Dignam,
Mr. Josephson,	<i>Tellers.</i>
Mr. Campbell,	Mr. Burdekin,
Mr. Landale,	Mr. Driver.
Mr. Osborne,	

Noes, 5.

Mr. Egan,
Mr. De Salis,
Mr. Parkes,
<i>Tellers.</i>
Mr. Macpherson,
Mr. Forster.

Bill then read a second time.

Ordered, on motion of Mr. Darvall, that the consideration in Committee of this Bill stand an Order of the Day for Thursday next.

The House adjourned, at a quarter before Ten o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

WEDNESDAY, APRIL 5.

Contingent Notice :—

1. MR. CUNNEEN to move (*on the Motion for going into Committee of Supply*)—That this House, having in view the present depressed state of the trade and finances of the Colony, and the necessity for retrenchment in the Public Expenditure, resolves—
 - (1.) That all salaries from £350 to £600 per annum, be reduced ten per cent. ; and all salaries above £600 per annum, fifteen per cent.
 - (2.) That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.

Questions :—

1. MR. BUCHANAN to ask THE ATTORNEY GENERAL,—In the case of Richard Hynde Fox Kemp, storekeeper, Shoalhaven, lately charged with sly grog selling,—
 - (1.) Was the original Information against him prepared at the Crown Solicitor's Office, and was it approved of by that Officer?
 - (2.) Is the Attorney General aware that the Information charging Richard Hynde Fox Kemp with the crime of sly grog selling, was dismissed by the Bench of Magistrates at Shoalhaven, on the 14th March last, on the ground that it had been preferred under the wrong Act?
 - (3.) If the second Information against Richard Hynde Fox Kemp, charging him with the same offence, was prepared at the Crown Law Office in Sydney?
 - (4.) If he is aware that the Shoalhaven Bench of Magistrates found Richard Hynde Fox Kemp guilty of sly grog selling, and fined him in the penalty of £5, the lowest penalty allowed by the Act being £30?
 - (5.) Was Inspector Black, who conducted a charge of sly grog selling against Richard Hynde Fox Kemp, before the Shoalhaven Bench of Magistrates last month, authorised to consent to the imposition of a nominal fine of £5, and to abandon several other charges of a like nature against the said Richard Hynde Fox Kemp, on condition of his pleading guilty to the said first charge?
2. DR. LANG to ask THE COLONIAL TREASURER,—Whether the Government intend making provision for the periodical inspection of all Steam Engines at work in Sydney and the other chief towns of the Colony, and in their respective vicinities, as is usual in the case of Marine Engines ; with a view to ascertain from time to time, the state and sufficiency of these Engines for the duties assigned them, as also the ability of the persons employed to take charge of them?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means ; resumption of the Committee.
2. Supply ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FORSTER to move, That the Petition presented by him on Tuesday, April 4, from certain residents on the Manning River, praying that their portion of the District be constituted a separate Electoral District from that of the Hastings, be printed.
2. MR. GARRETT to move, That the Petition presented by him on the 4th April, from the Committee of the Presbyterian Church at Wollongong, be printed.
3. MR. DRIVER to move, That the Petition presented by him on the 4th April, from John Pearce, be printed.

THURSDAY, APRIL 6.

Question :—

1. MR. TERRY to ask THE SECRETARY FOR LANDS,—
 - (1.) What is the distance of the nearest proclaimed Gold Field from Pipeclay Creek, Mudgee ; and what is the name of such proclaimed Gold Field?
 - (2.) Upon what grounds was the application of Mr. Henry Hill refused for a reward for the discovery of Gold at Pipeclay, by the Gold Discovery Reward Committee at Bathurst?
 - (3.) Is it the intention of the Government to cause Mr. Hill's claim to be re-considered, if the allegation be true that there is not a proclaimed Gold Field within six miles of the Pipeclay Diggings?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Impounding Bill ; second reading.
2. Additional Judge's Bill ; to be considered in Committee.

FRIDAY,

FRIDAY, APRIL 7.

Questions:—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether he has any objection to lay on the Table of this House, the invoices of the low-priced rails, which he mentioned in his speech on Tuesday last, as having been imported for experiment;
 - (2.) All correspondence with reference to the said rails;
 - (3.) A statement of the results of such experiments;
 - (4.) The portion of the works on which the experiments were made?
2. MR. DONNELLY to ask THE SECRETARY FOR LANDS,—What amount of the sum of £1,000, voted for prospecting new Gold Fields during the year 1864, has been expended for that purpose, and if the balance (if any) is still available for a similar purpose?
3. MR. HART to ask THE COLONIAL TREASURER,—Whether, with reference to the recent accidents which have taken place on shore by the explosion of Steam Boilers, and the consequent loss of life, the Government intend to take any action to prevent such accidents in future?

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Verdicts Amendment Bill; second reading.
2. New Trials Limitation Bill; second reading.
3. Destitute Children's Bill; second reading.
4. Prison Discipline Bill; to be further considered in Committee.
5. Superannuation Act Amendment Bill; second reading.
6. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
7. Criminal Evidence Amendment Bill; second reading.
8. Trade Marks Bill; third reading.
9. Presbyterian Church Bill; third reading.
10. Municipalities Act Amendment Bill; second reading.
11. Triennial Parliaments Bill; second reading.

NOTICES OF MOTION:—

1. MR. COWPER to move,—
 - (1.) That the Bill to incorporate the Proprietors of a certain Company called “The Australian Paper Company,” and for other purposes therein mentioned, be referred to a Select Committee for consideration and report.
 - (2.) That such Committee consist of the following Members, viz.:—Mr. Brown, Mr. Caldwell, Mr. Egan, Mr. Josephson, Mr. Kemp, Mr. Lucas, Mr. Parkes, Mr. Samuel, Mr. Sutherland, and the Mover.
2. MR. CUNNEEN to move, That the Evidence taken during last Session of Parliament, by the Committee appointed “to inquire into, and report upon, the Petition of J. Harris and others,” be referred to the Committee appointed for the same purpose this Session.

TUESDAY, APRIL 11.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
2. MR. TIGHE to move, That the Report from “the Select Committee on the claim of Robert Stewart to land at Illawarra,” dated 10th March, 1864, and ordered by the Legislative Assembly to be printed on the 11th March, 1864, be now adopted.
3. MR. FORSTER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That this House is of opinion,—
 - (1.) That the Laws relating to the election of Members of the Legislative Assembly, require further consideration and amendment.
 - (2.) That the existing system under which the Electoral Rolls are prepared and compiled, through the agency of special collectors appointed by Benches of Magistrates, is extravagant and ineffective.
 - (3.) That the great increase of fictitious or fraudulent qualifications, and of the practice of personation, as well as of other corrupt practices at elections, are not only demoralizing to the community, and injurious to the public interest, but an infringement upon the rights and privileges guaranteed to the people of this Colony by the Constitution Act, and by the Electoral Act of 1858, and imperatively call for the improvement of the machinery for the collection and enrolment of votes, and for the adoption of preventive measures.
 - (4.) That the practice of nominating candidates at elections, without support or probability of support from such a number of Electors as to justify any reasonable expectation of such candidates being returned, is the cause of unnecessary public expenditure, and tends to bring discredit upon representative institutions.

(2.)

(2.) That accordingly, with a view to the correction of the evils and anomalies hereinbefore enumerated, this House resolves,—

(1.) That the employment of special Collectors of Electoral Rolls be discontinued, and provision made to enable every Elector to register his own Name and Qualification.

(2.) That every Elector be required so to register himself in the first instance.

(3.) That in place of Courts of Revision, there be constituted Courts of Registration, with greater facilities for enquiry and examination of claims for enrolment, and with extended powers of repression, and punishment of fictitious or fraudulent claims and corrupt practices.

(4.) That in case of objection to any claim, the Court of Registration be empowered to throw the burden of proof upon the claimant.

(5.) That every Elector, on registration, be furnished by the Clerk or other proper Officer with a certificate.

(6.) That for every such certificate a fee be charged.

(7.) That no person be permitted to vote at any election without such certificate.

(8.) That provision be made for preventing the use of any such certificate more than once at the same election.

(9.) That before nomination at any election, every Candidate be required to deposit with the Returning Officer, or other proper officer, the sum of *fifty* pounds, to be forfeited in the event of such candidate not having recorded in his favour one-tenth at least of the smallest number of votes, recorded in favour of any Candidate returned at such election for the same Electoral District.

(3.) That an Address be presented to the Governor, praying that His Excellency will cause to be introduced, with as little delay as possible, a Bill embodying the substance of the foregoing resolutions.

4. MR. LUCAS to move, That there be laid on the Table of this House, all correspondence, petitions, minutes, and other documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.

FRIDAY, APRIL 14.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Coal Fields Regulation Act Amendment Bill; second reading.
2. Brands Registration Bill; to be further considered in Committee.

TUESDAY, APRIL 18.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MACPIERSON to move, That in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing land laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five as under the existing law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
2. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O'Connell's Plains.

New South Wales.

No. 23.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 5 APRIL, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

(1.) Richard Hynde Fox Kemp:—Mr. Buchanan asked the Attorney General, pursuant to Notice No. 1,—In the case of Richard Hynde Fox Kemp, storekeeper, Shoalhaven, lately charged with sly grog selling,—

(1.) Was the original Information against him prepared at the Crown Solicitor's Office, and was it approved of by that Officer?

(2.) Is the Attorney General aware that the Information charging Richard Hynde Fox Kemp with the crime of sly grog selling, was dismissed by the Bench of Magistrates at Shoalhaven, on the 14th March last, on the ground that it had been preferred under the wrong Act?

(3.) If the second Information against Richard Hynde Fox Kemp, charging him with the same offence, was prepared at the Crown Law Office in Sydney?

(4.) If he is aware that the Shoalhaven Bench of Magistrates found Richard Hynde Fox Kemp guilty of sly grog selling, and fined him in the penalty of £5, the lowest penalty allowed by the Act being £30?

(5.) Was Inspector Black, who conducted a charge of sly grog selling against Richard Hynde Fox Kemp, before the Shoalhaven Bench of Magistrates, last month, authorized to consent to the imposition of a nominal fine of £5, and to abandon several other charges of a like nature against the said Richard Hynde Fox Kemp, on condition of his pleading guilty to the said first charge?

Mr. Darvall answered,—

(1.) No information charging Mr. Kemp with sly grog selling was prepared by the Crown Solicitor. A form of information against Mr. Kemp for not registering his place of business, as a Spirit Merchant, as required by the 14th section of 13 Victoria, No. 26, was prepared by the Crown Solicitor, and this was forwarded by the Chief Inspector of Distilleries to Mr. Black for his guidance.

(2.) The first information was dismissed, on the ground that it had been exhibited by the prosecutor before one instead of two Justices.

(3.) The second information was not prepared at the Crown Law Office. It is believed that it was similar to the first, but for a second offence. And to that information Mr. Kemp pleaded guilty.

(4.) Under the 17th section of 13 Victoria, No. 26, £30 is not fixed as the lowest penalty, but the penalty fixed is a sum not exceeding £30, or £5 a day during the currency of the offence.

(5.) Mr. Black reports to the Chief Inspector of Distilleries, that an assurance was given by the Attorney who conducted the prosecution, without any instruction to that effect, that no further proceedings would be taken against Kemp; but to this Mr. Black neither assented nor objected. An information for sly grog selling would have been under 25 Victoria, No. 14.

(2.) Steam Engines:—Dr. Lang asked the Colonial Treasurer, pursuant to Notice No. 2,—Whether the Government intend making provision for the periodical inspection of all Steam Engines at work in Sydney, and the other chief towns of the Colony, and in their respective vicinities, as is usual in the case of Marine Engines; with a view to ascertain from time to time, the state and sufficiency of these engines for the duties assigned them, as also the ability of the persons employed to take charge of them?

Mr.

Mr. Smart answered :—In reply to the Honorable and Reverend Member's question I beg to give him the following information, which I obtained from the Chairman of the Steam Navigation Board. He says, "I do not think there is the same necessity for Government supervision of Steam Engines on land as there is in regard to Marine Engines, nor do I think it would be advisable for Government to assume any responsibility either as to the efficiency of the engines or the ability of the persons in charge of them. I consider it is far preferable to have the owners wholly responsible for their safety. The only risk to which land engines are exposed, is, that the boiler attached to them may blow up, as occurred the other day at Waterview Bay; but accidents from this cause result solely from carelessness or neglect on the part of the persons in charge in allowing the water to get too low in the boiler, whereby the furnaces become red hot, and explosion is almost certain to follow. Accidents of this class are as likely to occur to perfectly new as to old boilers, and would not be prevented occurring by any amount of Government supervision. But in marine engines it is different; in them it is not explosion of the boiler that is dreaded (although it sometimes does occur) so much as that, by reason of the inefficiency of the machinery or boiler in time of difficulty or storms, the vessel with her passengers and crew may be lost."

2. Paper :—Mr. Cowper laid upon the Table, Further Correspondence (being letter dated 11 February, 1865, from Colonial Secretary, Wellington, New Zealand, to Colonial Secretary of New South Wales, with enclosure from Dr. Featherston,) relative to Steam Postal Service *via* Panama.
Ordered to be printed.
3. Motion for Adjournment :—Mr. Buchanan moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
4. Dr. Caspersonn :—Mr. Martin presented a Petition from Edward Caspersonn, M.D., a resident at Tumut, practising his profession at that place, representing that he has suffered and suffers great hardship from the existence of the By-Law which requires the personal presence in Sydney of a medical man desirous of enrolling himself as a duly qualified medical practitioner; and praying the adoption of such means as will afford him relief.
Petition received.
5. Newspaper Postage Act :—Mr. Alexander presented a Petition from certain Inhabitants of Goulburn, praying for the repeal of the said Act.
Petition received.
6. Public Service Superannuation Act :—Dr. Lang presented a Petition from certain Boatmen in the employ of the Government, praying that they may be placed under the operation of the said Act.
Petition received.
7. Manning River District ("*Formal*" *Motion*) :—Mr. Forster moved, pursuant to notice, That the Petition presented by him on Tuesday, April 4, from certain residents on the Manning River, praying that their portion of the District be constituted a separate Electoral District from that of The Hastings, be printed.
Question put and passed.
Ordered to be printed.
8. Presbyterian Church Bill ("*Formal*" *Motion*) :—Mr. Garrett moved, pursuant to notice, That the Petition presented by him on the 4th April, from the Committee of the Presbyterian Church at Wollongong, be printed.
Question put and passed.
Ordered to be printed.
9. John Pearce ("*Formal*" *Motion*) :—Mr. Driver moved, pursuant to notice, That the Petition presented by him on the 4th April, from John Pearce, be printed.
Question put and passed.
Ordered to be printed.
10. Ways and Means :—On the Order of the Day for the resumption of the Committee of Ways and Means being read, Mr. Smart moved, "That" the Speaker do now leave the Chair.

Mr. Martin moved, That the Question be amended by omitting all the words after the word "That," with a view to inserting in their place the words—"this House is of opinion :—

- (1.) That additional taxation by means of Stamp Duties only, will be insufficient to meet the public requirements.
 - (2.) That provision ought to be at once made for the full payment, within three years, of the deficit of 1864, and 1863 and previous years.
 - (3.) That a considerable portion of the new taxation to be imposed for the purpose of meeting those deficits, and making the public income equal to the necessary public expenditure, ought to be raised by the imposition of Customs Duties upon imports.
- (2.) That the foregoing resolutions be embodied in an Address, and presented to His Excellency the Governor."

Debate ensued.

Motion

Motion made by Mr. Macpherson, and Question put (after Debate).—That this Debate be now adjourned until to-morrow.
The House divided.

Ayes, 19.		Noes, 27.	
Mr. Donnelly,	Mr. Piddington,	Mr. Cowper,	Mr. Cummings,
Mr. Macpherson,	Mr. Phelps,	Mr. Robertson,	Mr. Hannell,
Mr. Lord,	<i>Tellers.</i>	Mr. Smart,	Mr. Terry,
Mr. Forlonge,		Mr. Darvall,	Mr. Hart,
Mr. Hurley,	Mr. Walker,	Mr. Arnold,	Mr. Cunneen,
Mr. Cooper,	Mr. Burns.	Mr. Driver,	Mr. Pemell,
Mr. Wilson,		Mr. Rodd,	Mr. Neale,
Mr. Martin,		Mr. Joseph,	Mr. Oatley,
Mr. White,		Mr. Garrett,	Mr. Buchanan,
Mr. Osborne,		Mr. Stimpson,	Dr. Lang,
Mr. Mac,		Mr. Parkes,	<i>Tellers.</i>
Mr. Gordon,		Mr. Lec,	
Mr. Landale,		Mr. Sutherland,	Mr. Lucas,
Mr. Macleay,		Mr. Lloyd,	Mr. Burdekin.
Mr. Wisdom,		Mr. Farnell,	

Main Question stated.

Motion made by Mr. Piddington, and Question,—That this House do now adjourn.—put and negatived.

Main Question stated.

Motion made by Mr. Walker, and Question put (after Debate).—That this Debate be now adjourned until to-morrow.
The House divided.

Ayes, 19.		Noes, 27.	
Mr. Burns,	Mr. Piddington,	Mr. Cowper,	Mr. Oatley,
Mr. Macpherson,	Mr. Dignam,	Mr. Robertson,	Mr. Hannell,
Mr. Hurley,	<i>Tellers.</i>	Mr. Arnold,	Mr. Pemell,
Mr. Martin,		Mr. Smart,	Mr. Neale,
Mr. Lord,	Mr. Donnelly,	Mr. Burdekin,	Mr. Terry,
Mr. Wilson,	Mr. Walker,	Mr. Driver,	Mr. Joseph,
Mr. Cooper,		Mr. Rodd,	Mr. Garrett,
Mr. Gordon,		Mr. Hart,	Mr. Buchanan,
Mr. Forlonge,		Mr. Egan,	Mr. Darvall,
Mr. Phelps,		Mr. Parkes,	Dr. Lang,
Mr. White,		Mr. Stimpson,	<i>Tellers.</i>
Mr. Landale,		Mr. Sutherland,	
Mr. Farnell,		Mr. Cummings,	Mr. Cunneen,
Mr. Macleay,		Mr. De Salis,	Mr. Lucas.
Mr. Wisdom,		Mr. Lloyd,	

Main Question stated.

Motion made by Mr. Wisdom, and Question,—That this House do now adjourn,—put (after Debate) and negatived.

Main Question stated.

Mr. Dignam moved, That this Debate be now adjourned until to-morrow.
Debate ensued.

And the House continuing to sit until after Midnight;—

THURSDAY, 6 APRIL, 1865, A.M.

Question put, That this Debate be now adjourned until to-morrow.
The House divided.

Ayes, 19.		Noes, 25.	
Mr. Martin,	Mr. Wisdom,	Mr. Cowper,	Mr. Lloyd,
Mr. Burns,	Mr. Piddington,	Mr. Smart,	Mr. Oatley,
Mr. Donnelly,	Mr. De Salis,	Mr. Arnold,	Mr. Hannell,
Mr. Walker,	<i>Tellers.</i>	Mr. Robertson,	Mr. Pemell,
Mr. Dignam,		Mr. Egan,	Mr. Cunneen,
Mr. Lord,	Mr. Forlonge,	Mr. Joseph,	Mr. Neale,
Mr. Wilson,	Mr. Phelps.	Mr. Rodd,	Mr. Garrett,
Mr. Macpherson,		Mr. Driver,	Mr. Buchanan,
Mr. Gordon,		Mr. Cummings,	Mr. Darvall,
Mr. White,		Mr. Stimpson,	<i>Tellers.</i>
Mr. Cooper,		Mr. Sutherland,	
Mr. Landale,		Dr. Lang,	Mr. Hart,
Mr. Farnell,		Mr. Terry,	Mr. Burdekin.
Mr. Macleay,		Mr. Parkes,	

Main Question stated.

Motion made by Mr. Burns, and Question,—That this House do now adjourn,—put (after Debate) and negatived.

Main Question stated.

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

The House divided.

Ayes, 23.

Mr. Cowper,	Mr. Oatley,
Mr. Robertson,	Mr. Joseph,
Mr. Smart,	Mr. Pemell,
Mr. Arnold,	Mr. Neale,
Mr. Darvall,	Mr. Egan,
Mr. Hannell,	Mr. Burdekin,
Mr. Stimpson,	Mr. Lloyd,
Mr. Sutherland,	Mr. Buchanan,
Mr. Parkes,	<i>Tellers.</i>
Mr. Rodd,	
Mr. Cummings,	Mr. Hart,
Mr. Garrett,	Mr. Driver.
Mr. Cunneen,	

Noes, 16.

Mr. Martin,	Mr. Gordon,
Mr. Phelps,	<i>Tellers.</i>
Mr. Macpherson,	
Mr. Walker,	Mr. Forlonge,
Mr. Wilson,	Mr. Wisdom.
Mr. Piddington,	
Mr. Burns,	
Mr. Cooper,	
Mr. Landale,	
Mr. White,	
Mr. Dignam,	
Mr. Macleay,	
Mr. Lord,	

Original Question then put and passed.

Whereupon, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole further to consider of Ways and Means.

The Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, That the said Resolution be received at a later hour this day.

The House adjourned, at twenty minutes after One o'clock A.M., until Three o'clock P.M. This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, APRIL 6.

Contingent Notice:—

1. MR. CUNNEEN to move (*on the Motion for going into Committee of Supply*)—That this House, having in view the present depressed state of the trade and finances of the Colony, and the necessity for retrenchment in the Public Expenditure, resolves—
 - (1.) That all salaries from £350 to £600 per annum, be reduced ten per cent. ; and all salaries above £600 per annum, fifteen per cent.
 - (2.) That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.

Questions:—

1. MR. TERRY to ask THE SECRETARY FOR LANDS,—
 - (1.) What is the distance of the nearest proclaimed Gold Field from Pipeclay Creek, Mudgee ; and what is the name of such proclaimed Gold Field ?
 - (2.) Upon what grounds was the application of Mr. Henry Hill refused for a reward for the discovery of Gold at Pipeclay, by the Gold Discovery Reward Committee at Bathurst ?
 - (3.) Is it the intention of the Government to cause Mr. Hill's claim to be re-considered, if the allegation be true that there is not a proclaimed Gold Field within six miles of the Pipeclay Diggings ?
2. MR. PICKERING to ask THE SECRETARY FOR LANDS,—If he has any objection to lay upon the Table of this House, a copy of the Report received from the Acting Commissioner of the Gold Fields North, upon the question asked by him on the 21st March, relative to the supply of water in certain localities upon those Gold Fields ?
3. MR. FORSTER to ask THE SECRETARY FOR LANDS,—
 - (1.) Have the Government any information of the existence or enforcement of a regulation in Queensland, purporting to prohibit or prevent the importation or transmission of sheep to that Colony from the Colony of New South Wales, by any other mode of conveyance than by sailing vessels ?
 - (2.) If so, have the Government taken, or do they intend taking, any steps to obtain from the Government of Queensland, the withdrawal or modification of the regulation in question ?
4. MR. FORLONGE to ask THE COLONIAL TREASURER,—Whether Mr. T. G. Dangar, elected for the Gwydir Electorate, held, at the time of such Election, a contract for the conveyance of any of Her Majesty's Mails ?

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Impounding Bill ; second reading.
2. Additional Judge's Bill ; to be considered in Committee.
3. Ways and Means,—reception of Resolution of Committee.
4. Ways and Means ; resumption of the Committee.
5. Supply ; resumption of the Committee.

OTHER

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BURNS to move, That the Petition presented by him on the 4th April, from Mr. William Moore, be printed.
2. DR. LANG to move, That the Petition presented by him on Wednesday, the 5th April, from the Boatmen in the employ of Government, be printed.

FRIDAY, APRIL 7.

Questions:—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether he has any objection to lay on the Table of this House, the invoices of the low-priced rails, which he mentioned in his speech on Tuesday last, as having been imported for experiment;
 - (2.) All correspondence with reference to the said rails;
 - (3.) A statement of the results of such experiments;
 - (4.) The portion of the works on which the experiments were made?
2. MR. DONNELLY to ask THE SECRETARY FOR LANDS,—What amount of the sum of £1,000 voted for prospecting new Gold Fields during the year 1864 has been expended for that purpose, and if the balance (if any) is still available for a similar purpose?
3. MR. HART to ask THE COLONIAL TREASURER,—Whether, with reference to the recent accidents which have taken place on shore by the explosion of steam boilers, and the consequent loss of life, the Government intend to take any action to prevent such accidents in future?

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Verdicts Amendment Bill; second reading.
2. New Trials Limitation Bill; second reading.
3. Destitute Children's Bill; second reading.
4. Prison Discipline Bill; to be further considered in Committee.
5. Superannuation Act Amendment Bill; second reading.
6. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
7. Criminal Evidence Amendment Bill; second reading.
8. Trade Marks Bill; third reading.
9. Presbyterian Church Bill; third reading.
10. Municipalities Act Amendment Bill; second reading.
11. Triennial Parliaments Bill; second reading.

NOTICES OF MOTION:—

1. MR. COWPER to move,—
 - (1.) That the Bill to incorporate the Proprietors of a certain Company called “The Australian Paper Company,” and for other purposes therein mentioned, be referred to a Select Committee for consideration and report.
 - (2.) That such Committee consist of the following Members, viz.:—Mr. Brown, Mr. Caldwell, Mr. Egan, Mr. Josephson, Mr. Kemp, Mr. Lucas, Mr. Parkes, Mr. Samuel, Mr. Sutherland, and the Mover.
2. MR. CUNNEEN to move, That the Evidence taken during last Session of Parliament, by the Committee appointed “to inquire into, and report upon, the Petition of J. Harris and others,” be referred to the Committee appointed for the same purpose this Session.
3. MR. CUMMINGS to move, That there be laid on the Table of this House,—
 - (1.) A Return, setting forth all Bridges erected in the Southern District since the inauguration of Responsible Government, when erected, cost of each in detail, and sum total; also a Return of all Bridges in course of erection, and cost in terms of contract, in said District.
 - (2.) Similar returns for like improvements in the Western District.
 - (3.) Similar returns for like improvements in the Northern District.

TUESDAY, APRIL 11.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
2. MR. TIGHE to move, That the Report from “the Select Committee on the claim of Robert Stewart to land at Illawarra,” dated 10th March, 1864, and ordered by the Legislative Assembly to be printed, on the 11th March, 1864, be now adopted.
3. MR. FORSTER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions:—
 - (1.) That this House is of opinion,—
 - (1.) That the Laws relating to the election of Members of the Legislative Assembly, require further consideration and amendment.
 - (2.) That the existing system under which the Electoral Rolls are prepared and compiled, through the agency of special collectors appointed by Benches of Magistrates, is extravagant and ineffective.

(3.)

- (3.) That the great increase of fictitious or fraudulent qualifications, and of the practice of personation, as well as of other corrupt practices at elections, are not only demoralizing to the community, and injurious to the public interest, but an infringement upon the rights and privileges guaranteed to the people of this Colony by the Constitution Act, and by the Electoral Act of 1858, and imperatively call for the improvement of the machinery for the collection and enrolment of votes, and for the adoption of preventive measures.
- (4.) That the practice of nominating Candidates at elections, without support or probability of support from such a number of Electors as to justify any reasonable expectation of such Candidates being returned, is the cause of unnecessary public expenditure, and tends to bring discredit upon representative institutions.
- (2.) That accordingly, with a view to the correction of the evils and anomalies hereinbefore enumerated, this House resolves,—
- (1.) That the employment of special Collectors of Electoral Rolls be discontinued, and provision made to enable every Elector to register his own Name and Qualification.
- (2.) That every Elector be required so to register himself in the first instance.
- (3.) That in place of Courts of Revision, there be constituted Courts of Registration, with greater facilities for enquiry and examination of claims for enrolment, and with extended powers of repression and punishment of fictitious or fraudulent claims and corrupt practices.
- (4.) That in case of objection to any claim, the Court of Registration be empowered to throw the burden of proof upon the claimant.
- (5.) That every Elector, on registration, be furnished by the Clerk or other proper Officer with a certificate.
- (6.) That for every such certificate a fee be charged.
- (7.) That no person be permitted to vote at any election without such certificate.
- (8.) That provision be made for preventing the use of any such certificate more than once at the same election.
- (9.) That before nomination at any election, every Candidate be required to deposit with the Returning Officer, or other proper officer, the sum of *fifty* pounds, to be forfeited in the event of such Candidate not having recorded in his favour *one-tenth*, at least, of the smallest number of votes recorded in favour of any Candidate returned at such election for the same Electoral District.
- (3.) That an Address be presented to the Governor, praying that His Excellency will cause to be introduced, with as little delay as possible, a Bill embodying the substance of the foregoing Resolutions.
4. MR. LUCAS to move, That there be laid on the Table of this House, all Correspondence, Petitions, Minutes, and other Documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.
5. MR. MACPHERSON to move, That in the opinion of this House it is not desirable that any further sales of Church and School Lands, or leases for a longer period than one year, should be authorized by the Government until after Legislation on the subject.
6. MR. ALEXANDER to move, That the Petition from certain Inhabitants of Goulburn, presented by him on Wednesday, 5 April, be printed.

FRIDAY, APRIL 14.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Coal Fields Regulation Act Amendment Bill; second reading.
2. Brands Registration Bill; to be further considered in Committee.

TUESDAY, APRIL 18.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
2. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O'Connell's Plains.

New South Wales.

No. 24.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 6 APRIL, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Pipeclay Diggings, Mudgee—Mr. Henry Hill :—Mr. Terry asked the Secretary for Lands, pursuant to Notice No. 1,—

(1.) What is the distance of the nearest proclaimed Gold Field from Pipeclay Creek, Mudgee; and what is the name of such proclaimed Gold Field?

(2.) Upon what grounds was the application of Mr. Henry Hill refused for a reward for the discovery of Gold at Pipeclay, by the Gold Discovery Reward Committee at Bathurst?

(3.) Is it the intention of the Government to cause Mr. Hill's claim to be re-considered, if the allegation be true that there is not a proclaimed Gold Field within six miles of the Pipeclay Diggings?

Mr. Robertson answered,—

(1.) Pipeclay Creek is itself within the Gold Field proclaimed on 2nd February, 1853, viz., the "Crown Lands at and in the vicinity of the Macquarie River, with all its tributaries from its source to Wellington," including (among other rivers specified) the Cudgegong River, of which Pipeclay Creek is a tributary.

(2.) The Board do not state the grounds of refusal. They merely state that, after due consideration of Hill's application, and the evidence adduced in support thereof, they are of opinion that he has failed to substantiate his claim.

(3.) No; besides the distance specified in the Regulations, to entitle any claimant to a reward, is *ten* miles from any existing Gold Field, not six.

- (2.) Water Supply, Gold Fields North :—Mr. Pickering asked the Secretary for Lands, pursuant to Notice No. 2,—If he has any objection to lay upon the Table of this House, a copy of the Report received from the Acting Commissioner of the Gold Fields North, upon the question asked by him on the 21st March, relative to the supply of water in certain localities upon those Gold Fields?

Mr. Robertson answered :—I have no objection to lay the papers on the Table of the House—indeed I think it is rather desirable that the state of this matter should be known; but the more convenient mode is to move for them, because the House might not desire to incur the expense of printing. However, I will lay them on the Table, and leave it to the House to say whether they shall be printed or not.

- (3.) Queensland Regulations respecting transit of Sheep from New South Wales :—Mr. Wilson, on behalf of Mr. Forster, asked the Secretary for Lands, pursuant to Notice No. 3,—

(1.) Have the Government any information of the existence or enforcement of a regulation in Queensland, purporting to prohibit or prevent the importation or transmission of sheep to that Colony from the Colony of New South Wales, by any other mode of conveyance than by sailing vessels?

(2.) If so, have the Government taken, or do they intend taking, any steps to obtain from the Government of Queensland, the withdrawal or modification of the regulation in question?

Mr. Robertson answered :—Not only have the Government of Queensland prohibited the introduction of sheep from New South Wales by land, but they have also

also by water. A remarkable instance of this has occurred lately. A ship arrived here with some rams. The owner of those rams desired to send them on to Queensland. He communicated with the Queensland Government, and that Government refused to permit even these imported sheep to go into Queensland if they landed in New South Wales. They also prohibited their introduction by steamer from New South Wales—they could go only by sailing vessel. Whether the Government of this Colony has any means of interfering with the Legislation of Queensland is another matter. I fear we have no power.

- (4.) Mr. T. G. Dangar :—Mr. Forlonge asked the Colonial Treasurer, pursuant to Notice No. 4,—Whether Mr. T. G. Dangar, elected for the Gwydir Electorate, held, at the time of such Election, a contract for the conveyance of any of Her Majesty's Mails?

Mr. Smart answered :—Mr. T. G. Dangar held a contract for the conveyance of Her Majesty's Mails for 1865, between Walgett and Brenda, Culgoa River, up to 21st March, 1865, at which date, in pursuance of his application dated 16th January, 1865, Mr. E. G. Sparke was accepted as a contractor in his place.

2. William Moore (*"Formal" Motion*) :—Mr. Burns moved, pursuant to notice, That the Petition presented by him on the 4th April, from Mr. William Moore, be printed.

Question put and passed.

Ordered to be printed.

3. Public Service Superannuation Act (*"Formal" Motion*) :—Dr. Lang moved, pursuant to notice, That the Petition presented by him on Wednesday, the 5th April, from the Boatmen in the employ of Government, be printed.

Question put and passed.

Ordered to be printed.

4. Mr. Thomas Cook :—Mr. Caldwell presented a Petition from Thomas Cook, formerly Police Magistrate of Port Stephens and Dungog, now residing near Sydney, representing that he has been a Public Servant for twenty-five years, and resigned office in 1859, under the hope, which has not been realized, of re-appointment to another district; and praying for justice in the premises.

Petition received.

5. Postponements :—

(1.) The Order of the Day, No. 1, postponed, on motion of Mr. Robertson; until to-morrow.

(2.) The Order of the Day, No. 2, postponed, on motion of Mr. Cowper, until the Order of the Day, No. 4, shall have been disposed of.

6. Ways and Means :—On the Order of the Day (No. 3) for the reception of the Report of the Committee of Ways and Means being read, the Chairman of Committees reported from that Committee a Resolution, which was read a first time, as follows :—

(2.) *Resolved*, That towards making good the Supply granted to Her Majesty for the Service of the year 1865, the sum of £1,093 10s. be granted out of the Consolidated Revenue Fund of New South Wales.

Resolution then, on motion of Mr. Smart, read a second time, and agreed to.

7. Ways and Means :—On the Order of the Day (No. 4) for the resumption of the Committee of Ways and Means being read, Mr. Smart moved, "That" the Speaker do now leave the Chair.

Mr. Macpherson moved, That the Question be amended by omitting all the words after the word "That," with a view to inserting in their place the words,— "this House is of opinion, That Additional Taxation, by means of Stamp Duties "only, will be insufficient to meet the public requirements."

Debate ensued.

Motion made by Mr. Cummings, and Question,—That this Debate be now adjourned until to-morrow—put (after Debate) and passed.

The House adjourned, on motion of Mr. Cowper, at eight minutes before Twelve o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

FRIDAY, APRIL 7.

Contingent Notice :—

1. MR. CUNNEEN to move (*on the Motion for going into Committee of Supply*)—That this House, having in view the present depressed state of the trade and finances of the Colony, and the necessity for retrenchment in the Public Expenditure, resolves—
 - (1.) That all salaries from £350 to £600 per annum, be reduced ten per cent. ; and all salaries above £600 per annum, fifteen per cent.
 - (2.) That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.

Questions :—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether he has any objection to lay on the Table of this House, the invoices of the low-priced rails, which he mentioned in his speech on Tuesday last, as having been imported for experiment ;
 - (2.) All correspondence with reference to the said rails ;
 - (3.) A statement of the results of such experiments ;
 - (4.) The portion of the works on which the experiments were made ?
2. MR. DONNELLY to ask THE SECRETARY FOR LANDS,—What amount of the sum of £1,000, voted for prospecting new Gold Fields during the year 1864, has been expended for that purpose, and if the balance (if any) is still available for a similar purpose ?
3. MR. HART to ask THE COLONIAL TREASURER,—Whether, with reference to the recent accidents which have taken place on shore by the explosion of Steam Boilers, and the consequent loss of life, the Government intend to take any action to prevent such accidents in future ?

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Verdicts Amendment Bill ; second reading.
2. New Trials Limitation Bill ; second reading.
3. Destitute Children's Bill ; second reading.
4. Prison Discipline Bill ; to be further considered in Committee.
5. Superannuation Act Amendment Bill ; second reading.
6. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
7. Criminal Evidence Amendment Bill ; second reading.
8. Trade Marks Bill ; third reading.
9. Presbyterian Church Bill ; third reading.
10. Municipalities Act Amendment Bill ; second reading.
11. Triennial Parliaments Bill ; second reading.

NOTICES OF MOTION :—

1. MR. COWPER to move,—
 - (1.) That the Bill to incorporate the Proprietors of a certain Company called “ The Australian Paper Company,” and for other purposes therein mentioned, be referred to a Select Committee for consideration and report.
 - (2.) That such Committee consist of the following Members, viz. :—Mr. Brown, Mr. Caldwell, Mr. Egan, Mr. Josephson, Mr. Kemp, Mr. Lucas, Mr. Parkes, Mr. Samuel, Mr. Sutherland, and the Mover.
2. MR. CUNNEEN to move, That the Evidence taken during last Session of Parliament, by the Committee appointed “ to inquire into, and report upon, the Petition of J. Harris and others,” be referred to the Committee appointed for the same purpose this Session.
3. MR. CUMMINGS to move, That there be laid on the Table of this House,—
 - (1.) A Return, setting forth all Bridges erected in the Southern District since the inauguration of Responsible Government, when erected, cost of each in detail, and sum total ; also, a Return of all Bridges in course of erection, and cost in terms of contract, in said district.
 - (2.) Similar returns for like improvements in the Western District.
 - (3.) Similar returns for like improvements in the Northern District.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Impounding Bill ; second reading.
2. Ways and Means ; resumption of the Committee :—Resumption of the adjourned Debate on motion of Mr. Smart, “ That ” the Speaker do now leave the Chair, upon which Mr. Macpherson had moved by way of Amendment, to omit all the words after the word “ That,” with the view to insert the following words, viz. :—“ This House is of opinion, That Additional Taxation by means of Stamp Duties only, will be “ insufficient to meet the public requirements.”
3. Additional Judge's Bill ; to be considered in Committee.
4. Supply ; resumption of the Committee.

TUESDAY,

TUESDAY, APRIL 11.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
2. MR. TIGHE to move, That the Report from "the Select Committee on the claim of Robert Stewart to land at Illawarra," dated 10th March, 1864, and ordered by the Legislative Assembly to be printed on the 11th March, 1864, be now adopted.
3. MR. FORSTER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That this House is of opinion,—
 - (1.) That the Laws relating to the election of Members of the Legislative Assembly, require further consideration and amendment.
 - (2.) That the existing system under which the Electoral Rolls are prepared and compiled, through the agency of special collectors appointed by Benches of Magistrates, is extravagant and ineffective.
 - (3.) That the great increase of fictitious or fraudulent qualifications, and of the practice of personation, as well as of other corrupt practices at elections, are not only demoralizing to the community, and injurious to the public interest, but an infringement upon the rights and privileges guaranteed to the people of this Colony by the Constitution Act, and by the Electoral Act of 1858, and imperatively call for the improvement of the machinery for the collection and enrolment of votes, and for the adoption of preventive measures.
 - (4.) That the practice of nominating candidates at elections, without support or probability of support from such a number of Electors as to justify any reasonable expectation of such candidates being returned, is the cause of unnecessary public expenditure, and tends to bring discredit upon representative institutions.
 - (2.) That accordingly, with a view to the correction of the evils and anomalies hereinbefore enumerated, this House resolves,—
 - (1.) That the employment of special Collectors of Electoral Rolls be discontinued, and provision made to enable every Elector to register his own Name and Qualification.
 - (2.) That every Elector be required so to register himself in the first instance.
 - (3.) That in place of Courts of Revision, there be constituted Courts of Registration, with greater facilities for enquiry and examination of claims for enrolment, and with extended powers of repression and punishment of fictitious or fraudulent claims and corrupt practices.
 - (4.) That in case of objection to any claim, the Court of Registration be empowered to throw the burden of proof upon the claimant.
 - (5.) That every Elector, on registration, be furnished by the Clerk or other proper Officer with a certificate.
 - (6.) That for every such certificate a fee be charged.
 - (7.) That no person be permitted to vote at any election without such certificate.
 - (8.) That provision be made for preventing the use of any such certificate more than once at the same election.
 - (9.) That before nomination at any election, every Candidate be required to deposit with the Returning Officer, or other proper officer, the sum of *fifty* pounds, to be forfeited in the event of such Candidate not having recorded in his favour *one-tenth*, at least, of the smallest number of votes recorded in favour of any Candidate returned at such election for the same Electoral District.
 - (3.) That an Address be presented to the Governor, praying that His Excellency will cause to be introduced, with as little delay as possible, a Bill embodying the substance of the foregoing resolutions.
4. MR. LUCAS to move, That there be laid on the Table of this House, all correspondence, petitions, minutes, and other documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.
5. MR. MACPHERSON to move, That, in the opinion of this House, it is not desirable that any further sales of Church and School Lands, or leases for a longer period than one year, should be authorized by the Government until after legislation on the subject.
6. MR. ALEXANDER to move, That the Petition from certain Inhabitants of Goulburn, presented by him on Wednesday, 5 April, be printed.
7. MR. CALDWELL to move, That the Petition presented by him on the 6th April, from Mr. Thomas Cook, be printed.

FRIDAY, APRIL 14.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Coal Fields Regulation Act Amendment Bill; second reading.
2. Brands Registration Bill; to be further considered in Committee.

TUESDAY,

TUESDAY, APRIL 18.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MACPHERSON to move, That in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing land laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five as under the existing law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
 2. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O'Connell's Plains.
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New South Wales.

No. 25.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 7 APRIL, 1865.

1. There being only Nineteen Members present, exclusive of the Speaker, namely—Mr. Arnold, Mr. Burns, Mr. Cooper, Mr. Cowper, Mr. Cunneen, Mr. De Salis, Mr. Forster, Mr. Garrett, Mr. Kemp, Mr. Landale, Mr. Lucas, Mr. Macleay, Mr. Mate, Mr. Phelps, Mr. Pickering, Mr. Robertson, Mr. Smart, Mr. White, and Mr. Wilson,—the Speaker adjourned the House, at half-past three o'clock, until Tuesday next, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

TUESDAY, APRIL 11.

Contingent Notice:—

1. MR. CUNNEEN to move (*on the Motion for going into Committee of Supply*)—That this House, having in view the present depressed state of the trade and finances of the Colony, and the necessity for retrenchment in the Public Expenditure, resolves—
 - (1.) That all salaries from £350 to £600 per annum, be reduced ten per cent. ; and all salaries above £600 per annum, fifteen per cent.
 - (2.) That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.

Questions:—

1. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether he has any objection to lay on the Table of this House, the invoices of the low-priced rails, which he mentioned in his speech on Tuesday last, as having been imported for experiment ;
 - (2.) All correspondence with reference to the said rails ;
 - (3.) A statement of the results of such experiments ;
 - (4.) The portion of the works on which the experiments were made ?
2. MR. DONNELLY to ask THE SECRETARY FOR LANDS,—What amount of the sum of £1,000 voted for prospecting new Gold Fields during the year 1864 has been expended for that purpose, and if the balance (if any) is still available for a similar purpose ?
3. MR. HART to ask THE COLONIAL TREASURER,—Whether, with reference to the recent accidents which have taken place on shore by the explosion of steam boilers, and the consequent loss of life, the Government intend to take any action to prevent such accidents in future ?

OTHER

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
2. MR. TIGHE to move, That the Report from "the Select Committee on the claim of Robert Stewart to land at Illawarra," dated 10th March, 1864, and ordered by the Legislative Assembly to be printed, on the 11th March, 1864, be now adopted.
3. MR. FORSTER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions:—
 - (1.) That this House is of opinion,—
 - (1.) That the Laws relating to the election of Members of the Legislative Assembly, require further consideration and amendment.
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 - (4.) That the practice of nominating Candidates at elections, without support or probability of support from such a number of Electors as to justify any reasonable expectation of such Candidates being returned, is the cause of unnecessary public expenditure, and tends to bring discredit upon representative institutions.
 - (2.) That accordingly, with a view to the correction of the evils and anomalies hereinbefore enumerated, this House resolves,—
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 - (2.) That every Elector be required so to register himself in the first instance.
 - (3.) That in place of Courts of Revision, there be constituted Courts of Registration, with greater facilities for enquiry and examination of claims for enrolment, and with extended powers of repression and punishment of fictitious or fraudulent claims and corrupt practices.
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 - (6.) That for every such certificate a fee be charged.
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 - (9.) That before nomination at any election, every Candidate be required to deposit with the Returning Officer, or other proper officer, the sum of *fifty* pounds, to be forfeited in the event of such Candidate not having recorded in his favour *one-tenth*, at least, of the smallest number of votes recorded in favour of any Candidate returned at such election for the same Electoral District.
 - (3.) That an Address be presented to the Governor, praying that His Excellency will cause to be introduced, with as little delay as possible, a Bill embodying the substance of the foregoing Resolutions.
4. MR. LUCAS to move, That there be laid on the Table of this House, all Correspondence, Petitions, Minutes, and other Documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.
5. MR. MACPHERSON to move, That, in the opinion of this House, it is not desirable that any further sales of Church and School Lands, or leases for a longer period than one year, should be authorized by the Government until after Legislation on the subject.
6. MR. ALEXANDER to move, That the Petition from certain Inhabitants of Goulburn, presented by him on Wednesday, 5 April, be printed.
7. MR. CALDWELL to move, That the Petition presented by him on the 6th April, from Mr. Thomas Cook, be printed.
8. MR. COWPER to move,—
 - (1.) That the Bill to incorporate the Proprietors of a certain Company called "The Australian Paper Company," and for other purposes therein mentioned, be referred to a Select Committee for consideration and report.
 - (2.) That such Committee consist of the following Members, viz.:—Mr. Brown, Mr. Caldwell, Mr. Egan, Mr. Josephson, Mr. Kemp, Mr. Lucas, Mr. Parkes, Mr. Samuel, Mr. Sutherland, and the Mover.
9. MR. CUNNEEN to move, That the Evidence taken during last Session of Parliament, by the Committee appointed "to inquire into, and report upon, the Petition of J. Harris and others," be referred to the Committee appointed for the same purpose this Session.

10. MR. CUMMINGS to move, That there be laid on the Table of this House,—
- (1.) A Return, setting forth all Bridges erected in the Southern District since the inauguration of Responsible Government, when erected, cost of each in detail, and sum total; also a Return of all Bridges in course of erection, and cost in terms of contract, in said District.
 - (2.) Similar returns for like improvements in the Western District.
 - (3.) Similar returns for like improvements in the Northern District.

ORDERS OF THE DAY:—

1. Verdicts Amendment Bill; second reading.
2. New Trials Limitation Bill; second reading.
3. Destitute Children's Bill; second reading.
4. Prison Discipline Bill; to be further considered in Committee.
5. Superannuation Act Amendment Bill; second reading.
6. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
7. Criminal Evidence Amendment Bill; second reading.
8. Trade Marks Bill; third reading.
9. Presbyterian Church Bill; third reading.
10. Municipalities Act Amendment Bill; second reading.
11. Triennial Parliaments Bill; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Impounding Bill; second reading.
2. Ways and Means,—Resumption of the Committee:—Resumption of the adjourned Debate on motion of Mr. Smart, “That” the Speaker do now leave the Chair, upon which Mr. Macpherson had moved, by way of Amendment, to omit all the words after the word “That,” with the view to insert the following words, viz.:—“This House is of opinion, That additional taxation by means of Stamp Duties only, will be insufficient to meet the public requirements.”
3. Additional Judge's Bill; to be considered in Committee.
4. Supply; resumption of the Committee.

FRIDAY, APRIL 14.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Coal Fields Regulation Act Amendment Bill; second reading.
 2. Brands Registration Bill; to be further considered in Committee.
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TUESDAY, APRIL 18.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
 2. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O'Connell's Plains.
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THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

New South Wales.

No. 26.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 11 APRIL, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Invoices of Low-priced Rails:—Mr. Lucas asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) Whether he has any objection to lay on the Table of this House, the invoices of the low-priced rails, which he mentioned in his speech on Tuesday last, as having been imported for experiment;

(2.) All correspondence with reference to the said rails;

(3.) A statement of the results of such experiments;

(4.) The portion of the works on which the experiments were made?

Mr. Arnold answered:—

(1.) I beg to inform the Honorable Member, that there is not the slightest objection to afford to the House any information whatever, with regard to these rails, which they may desire; and I have brought with me a copy of the invoices alluded to in this question. I may also remind the Honorable Member that in the speech to which he refers, I informed the House, of my intention to lay before it, in the most convenient form, all the information that can be collected with regard to the contracts made and the prices paid for railway material. That information is now in the course of collection and will be laid before the House. I have no knowledge of these matters beyond the information which I am enabled to glean from the official documents, because at the time referred to I was not Minister for Works, neither was the present Commissioner for Railways in that position, nor does any official connected with the importation of railway material now occupy a position which would throw upon his shoulders the responsibility for this transaction. Supposing that it had been misconducted, I was not Minister for Works, and Mr. Rae was not Commissioner for Railways; the Commercial Agency has been changed, the General Agency has been changed, and the Inspecting Engineer has been changed, (Mr. Fowler was not Inspecting Engineer in England at that time)—so that all the persons connected with that transaction have completely passed away from their official positions. I make this remark, because it seems to be supposed that this transaction was connected with me as Minister for Works, and with Mr. Fowler as Inspecting Engineer—such is not the case.

(2.) With regard to the second question relating to “all correspondence with reference to the said rails,” I have examined as carefully as I can the mass of official documents in reference to this importation, and will read to the Honorable Member and to the House, such extracts from the correspondence as seem to me to bear upon this matter, and which I relied upon in the statement I made to the House upon the occasion referred to by the Honorable Member. The correspondence in reference to this matter, which I have alighted upon, is comprised in paragraphs of letters alluding to the importations and agency generally. The first reference to these low priced rails I find in a letter of 13th June, 1859, addressed by Captain Martindale, who was at that time Commissioner of Railways, to Captain Galton. The paragraph is this—“I learn by letter from Messrs. Lloyd and Co., of the 18th April last, that at that date 750 tons of rails yet remained unsorted; and should you upon full consideration concur in the advisability of so doing, I should be glad to have out of this quantity, say, one mile of common rails not steeled, and one mile of such rails steeled, as an experiment.” In allusion to that letter, I find a letter dated “Whitehall, 14 October, 1859,” from
Captain

Captain Douglas Galton to G. A. Lloyd, which was forwarded on to the Railway Department, in which there is this passage,—“ Sir, I have the honor to inform you that, in order to carry into effect Captain Martindale's wish to be furnished with a sample of steeled rails for an experiment, I have instructed Mr. Bertram to order as experimental rails, to be marked in a special manner, for the New South Wales Railways, from the Ebbw Vale Company, 300 tons at £6 15s., and 150 tons steeled at £9 2s. 6d.; and from Messrs. Beale, 300 tons at £7 15s., of which 150 tons are to be steeled by Dodd, for 26s. per ton.” Then there is a further reference to it in a letter of 18th October, 1859, in which Captain Galton, writing to Captain Martindale, says,—“ I have ordered from Messrs. Beale and Co., 300 tons of rails upon their own specification, of which 150 tons are to be steeled by Messrs. Dodd, and I have ordered 150 tons of steeled rails from the Ebbw Vale Company. This leaves 300 tons under your order of the 9th October, 1858, as yet unallotted. These rails I propose for purposes of comparison, to obtain from the Ebbw Vale Company upon their own specification, and of the same quality and form as the 500 tons recently ordered by Messrs. Lloyd and Co., viz., at £6 15s. per ton.” These are the special references I find to these rails. They were apparently ordered and contracted for at £6 15s. per ton at the works, but in the invoices these rails will be found to be charged £7 2s. 6d., delivered in London, there being a further charge of 2s. 6d. per ton for extra carriage, making in all, £7 5s. free on board. The invoices have not always precisely agreed with the contracts as reported, for this reason, that the price under the contracts has been for the delivery of the rails at a certain place, or at differing prices at certain places—often at three or four different places—and the shipping agent has had the opportunity of shipping rails at other places than those agreed upon. In such cases a proportionate alteration in the price has been arranged between the contractors and the Government Agents. It is sometimes difficult, after a lapse of so many years, to trace the application of the particular invoices to the particular contracts—for instance, there were two shipments, each of about 300 tons of these experimental samples, and it was only after a good deal of examination of the various documents, and comparing them with the correspondence in reference to them, that it was ascertained which shipment agreed with the particular contract under investigation; and it is principally in consequence of the difficulty of ascertaining these matters with precision that the delay occurs in laying the information in a tabulated form on the Table of the House. I think the Honorable Member will therefore be satisfied with that portion of the correspondence—which is all, so far as I know, that relates to the matter—that I have already read to him.

(3.) With regard to the experimental use of these rails, I will remind the Honorable Member that they were ordered by Captain Martindale as an experiment. Captain Martindale, before the experiment could be tried, had left his position; and although the matter was not completely lost sight of, as will be seen from some memoranda which I find in the Office, yet, as the matter was confided to other hands, it may be that the experiment was not looked upon as a matter of so much importance as Captain Martindale himself thought it to be. But there is a memorandum of the 15th May, 1861, from Mr. Whitton to the Storekeeper, in the following terms:—“ No rails of the common kind, or lowest price, to be issued without a written order from me, nor any of the steeled rails.” But the Storekeeper states that, in consequence of the deficiency of rails to complete the Western Line to Penrith, and the Southern Line to Picton, some of these rails were issued for that purpose. With regard to the result of these experiments, a sufficient time has not yet elapsed to test the quality of these rails, but as they require to be replaced upon the line, there will be no difficulty whatever in identifying the rails and obtaining a report on their quality as determined by use.

(4.) The portion of the works upon which these rails were used, I have already informed the Honorable Member, was a portion of the Western Line, at the Penrith end, and of the Southern Line, at the Picton end. A copy of the invoices will be found in the paper which I now lay upon the Table for the information of the Honorable Member.

(2.) Expenditure of Money voted for Prospecting New Gold Fields:—Mr. Donnelly asked the Secretary for Lands, pursuant to Notice No. 2,—What amount of the sum of £1,000 voted for prospecting new Gold Fields during the year 1864 has been expended for that purpose, and if the balance (if any) is still available for a similar purpose?

Mr. Robertson answered,—From this fund, upon the recommendation of the usual Board, about £200, has been recently authorised to be issued. The balance, after deducting that amount, therefore remains available.

(3.) Accidents on Shore by Steam Boiler Explosions:—Mr. Hart asked the Colonial Treasurer, pursuant to Notice No. 3,—Whether, with reference to the recent accidents which have taken place on shore by the explosion of steam boilers, and the consequent loss of life, the Government intend to take any action to prevent such accidents in future?

Mr. Smart answered,—In my reply to the question put by the Honorable and Reverend Member for West Sydney, on the 5th instant, I stated that doubts existed whether the Government should take action in the matter to which the question referred. These doubts are still entertained, but the subject shall receive my early attention.

2. Paper :—Mr. Smart laid upon the Table, Return to Order, in reference to “ Issue of Copper Coinage from Sydney Mint,” made by this House, on motion of Mr. Samuel, on 14th March last.
Ordered to be printed.
3. Superannuation Act Amendment Bill:—Mr. Cowper presented a Petition from certain persons employed in the Civil Service of the Colony, praying that, for the reasons therein set forth, this Bill may not pass ; but that the existing law (the Public Service Superannuation Act) may receive such other consideration in the premises as to this House may seem meet.
Petition received.
4. Consolidated Revenue Fund Bill, No. 2:—The following Message from His Excellency the Governor was delivered by Mr. Smart, and read by the Speaker :—

JOHN YOUNG, *Message No. 6.*
Governor.

In accordance with the provisions contained in the 54th Clause of the Constitution Act, the Governor recommends, for the consideration of the Legislative Assembly, that provision be made for defraying out of the Consolidated Revenue Fund of New South Wales the expenses of the various Departments and Services of the Colony, from the 1st of April to the 30th June, in the year 1865, at the rates which have been sanctioned for the year 1864.

Government House,
Sydney, 11th April, 1865.

Ordered, on motion of Mr. Smart, to be printed, and referred for consideration to the Committee of Supply.
5. Mr. Nicholas Trengrouse :—Dr. Lang presented a Petition from Nicholas Trengrouse, late Draftsman in the Railway Branch of the Public Works Department, complaining of his removal from office, under the circumstances therein set forth, and praying favourable consideration of his case, and such re-consideration in the premises as to this House may seem fit.
Petition received.
6. William Dunn :—Mr. Parkes presented a Petition from William Dunn, now residing at Paddington, near Sydney, “ a British subject, although a coloured man,” setting forth on behalf of his wife, formerly Elizabeth Blaxcell, a claim for a Grant of Land, under an alleged promise from Governor Macquarie, which he states was located to her near the Flagstaff, in Sydney, but of which the boundaries are now obliterated ; and praying consideration of the circumstances, and redress.
Petition received.
7. Railway through Ultimo Estate :—Mr. Cunneen presented a Petition from John Harris, of Shane’s Park, and others, praying that they may be heard by themselves, their Counsel, or Agents, before the Select Committee to whom their former Petition on this subject (*see Votes and Proceedings, No. 16, Entry 1,*) was referred on 31st March last.
Petition received.
8. Disorganized State of the Public Works Department :—The Speaker reported to the House, that the Clerk had received a letter from the Under Secretary for Public Works, requesting that all Plans, Papers, and other Documents, handed in or produced by Officers of that Department before the Select Committee on the “ Disorganized State of the Public Works Department ” during the Session of 1863-4, may be returned to the Office of Public Works ;—and put a Question,—That the Clerk have leave to return the said Plans, Papers, and other Documents so applied for,—which passed in the Affirmative.
9. Newspaper Postage Act (“ *Formal* ” *Motion*) :—Mr. Garrett, on behalf of Mr. Alexander, moved, pursuant to Notice, That the Petition from certain Inhabitants of Goulburn, presented by Mr. Alexander, on Wednesday, 5 April, be printed.
Question put and passed.
Ordered to be printed.
10. Australian Paper Company (“ *Formal* ” *Motion*) :—Mr. Cowper moved, pursuant to Notice :—
(1.) That the Bill to incorporate the Proprietors of a certain Company called “ The Australian Paper Company,” and for other purposes therein mentioned, be referred to a Select Committee for consideration and report.
(2.) That such Committee consist of the following Members, viz. :—Mr. Brown, Mr. Caldwell, Mr. Egan, Mr. Josephson, Mr. Kemp, Mr. Lucas, Mr. Parkes, Mr. Samuel, Mr. Sutherland, and the Mover.
Question put and passed.
11. Railway through Ultimo Estate (“ *Formal* ” *Motion*) :—Mr. Cunneen moved, pursuant to Notice,—That the Evidence taken during last Session of Parliament, by the Committee appointed “ to inquire into, and report upon, the Petition of J. Harris and others,” be referred to the Committee appointed for the same purpose this Session.
Question put and passed.

12. Trade Marks Bill (*"Formal" Order of the Day*), on motion of Mr. Hart, read a third time and passed.

Mr. Hart then moved, That the Title of this Bill be, "*An Act to prevent the fraudulent Marking of Merchandise and to provide for the Registration of Trade Marks.*"

Question put and passed.

Whereupon, Mr. Hart moved, that this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to prevent the fraudulent Marking of Merchandise and to provide for the Registration of Trade Marks,*" presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 11th April, 1865.*

Speaker.

Question put and passed.

13. Presbyterian Church Bill (*"Formal" Order of the Day*), on motion of Mr. Cowper, read a third time and passed.

Mr. Cowper then moved, That the Title of this Bill be, "*An Act to regulate the temporal affairs of the Presbyterian Church in the Colony of New South Wales.*"

Question put and passed.

Whereupon, Mr. Cowper moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to regulate the temporal affairs of the Presbyterian Church in the Colony of New South Wales,*" presents the same to the Legislative Council for its concurrence accompanied by a Copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.

*Legislative Assembly Chamber,
Sydney, 11th April, 1865.*

Speaker.

Question put and passed.

14. Church of England Synod Bill:—Mr. Cowper presented a Petition from the Right Reverend the Bishop of Sydney, and certain other Members of the United Church of England and Ireland, residing within the Diocese of Sydney, praying for leave to introduce a Bill to enable the Members of the said Church within the said Diocese assembled in Synod to Regulate the Affairs thereof.

And Mr. Cowper having produced the *Government Gazette*, and the *Sydney Morning Herald*, and *Empire*, newspapers, containing notices, for four consecutive weeks in the month of March last, of the intention to apply for this Bill,—

Petition received.

15. Paper:—Mr. Cowper laid upon the Table, Report from Medical Adviser to the Government on Vaccination for the year 1864.

Ordered to be printed.

16. Motion Withdrawn:—Mr. Buchanan withdrew the Motion standing in his name, No. 1 on the Notice Paper for to-day.

17. Claim of Robert Stewart to Land in Illawarra:—Mr. Tighe moved, pursuant to notice,—That the Report from "the Select Committee on the claim of Robert Stewart to land at Illawarra," dated 10th March, 1864, and ordered by the Legislative Assembly to be printed, on the 11th March, 1864, be now adopted.

Debate ensued.

Question put and passed.

18. Proposed Alterations of Electoral Law:—Mr. Forster moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions:—

(1.) That this House is of opinion,—

(1.) That the Laws relating to the election of Members of the Legislative Assembly, require further consideration and amendment.

(2.) That the existing system under which the Electoral Rolls are prepared and compiled, through the agency of special collectors appointed by Benches of Magistrates, is extravagant and ineffective.

(3.) That the great increase of fictitious or fraudulent qualifications, and of the practice of personation, as well as of other corrupt practices at elections, are not only demoralizing to the community, and injurious to the public interest, but an infringement upon the rights and privileges guaranteed to the people of this Colony by the Constitution Act, and by the Electoral Act of 1858, and imperatively call for the improvement of the machinery for the collection and enrolment of votes, and for the adoption of preventive measures.

(4.) That the practice of nominating Candidates at elections, without support or probability of support from such a number of Electors as to justify any reasonable expectation of such Candidates being returned, is the cause of unnecessary public expenditure, and tends to bring discredit upon representative institutions.

(2.)

(2.) That accordingly, with a view to the correction of the evils and anomalies hereinbefore enumerated, this House resolves,—

(1.) That the employment of special Collectors of Electoral Rolls be discontinued, and provision made to enable every Elector to register his own Name and Qualification.

(2.) That every Elector be required so to register himself in the first instance.

(3.) That in place of Courts of Revision, there be constituted Courts of Registration, with greater facilities for enquiry and examination of claims for enrolment, and with extended powers of repression and punishment of fictitious or fraudulent claims and corrupt practices.

(4.) That in case of objection to any claim, the Court of Registration be empowered to throw the burden of proof upon the claimant.

(5.) That every Elector, on registration, be furnished by the Clerk or other proper Officer with a certificate.

(6.) That for every such certificate a fee be charged.

(7.) That no person be permitted to vote at any election without such certificate.

(8.) That provision be made for preventing the use of any such certificate more than once at the same election.

(9.) That before nomination at any election, every Candidate be required to deposit with the Returning Officer, or other proper officer, the sum of *fifty* pounds, to be forfeited in the event of such Candidate not having recorded in his favour *one-tenth*, at least, of the smallest number of votes recorded in favour of any Candidate returned at such election for the same Electoral District.

(3.) That an Address be presented to the Governor, praying that His Excellency will cause to be introduced, with as little delay as possible, a Bill embodying the substance of the foregoing Resolutions.

Mr. Cowper moved the Previous Question.

Debate ensued.

And the House continuing to sit until after Midnight;—

WEDNESDAY, 12 APRIL, 1865, A.M.

Previous Question put,—That that Question be now put.

The House divided.

Ayes, 22.

Mr. Rodd.	Mr. Gordon,
Mr. Piddington,	Mr. Macleay,
Mr. Lord,	Mr. Martin,
Mr. Wilson,	Mr. Landale,
Mr. Phelps,	Mr. Tunks,
Mr. Macpherson,	Mr. Osborn,
Mr. Forster,	<i>Tellers.</i>
Mr. Parkes,	Mr. Hannell,
Mr. De Salis,	Mr. Wisdom.
Mr. White,	
Mr. Dignam,	
Mr. Forlonge,	
Mr. Cooper,	
Mr. Mate,	

Noes, 26.

Mr. Cowper,	Mr. Terry,
Mr. Robertson,	Mr. Pennell,
Mr. Arnold,	Mr. Morrice,
Mr. Smart,	Mr. Driver,
Mr. Burdekin,	Mr. Oatley,
Mr. Lucas,	Mr. Gunneen,
Mr. Donnelly,	Dr. Lang,
Mr. Buchanan,	Mr. Neale,
Mr. Cummings,	Mr. Darvall,
Mr. Egan,	Mr. Pickering,
Mr. Stimpson,	<i>Tellers.</i>
Mr. Hurley,	
Mr. Dodds,	Mr. Kemp,
Mr. Garrett,	Mr. Josophson.

The House adjourned, on motion of Mr. Cowper, at twenty-six minutes after Twelve o'clock A.M., until Three o'clock P.M. This Day.

JOHN HAY,

Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

WEDNESDAY, APRIL 12.

Contingent Notice:—

1. MR. CUNNEEN to move (*on the Motion for going into Committee of Supply*)—That this House, having in view the present depressed state of the trade and finances of the Colony, and the necessity for retrenchment in the Public Expenditure, resolves—
 - (1.) That all salaries from £350 to £600 per annum, be reduced ten per cent. ; and all salaries above £600 per annum, fifteen per cent.
 - (2.) That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.

Questions :—

1. MR. FORSTER to ask THE COLONIAL SECRETARY,—Has the erection of public or private buildings, by the Police Magistrate at Bourke, on a Water Reserve in that locality, been reported to, or sanctioned by the Government?
2. MR. FORSTER to ask THE SECRETARY FOR LANDS,—
 - (1.) Has any petition or memorial been recently received by the Government from certain residents at or near Rodbank, Manning River, praying that measures may be taken for opening a road through Oxley Island?
 - (2.) If so, what steps have the Government taken, or do they intend taking, in the matter?
3. MR. FORSTER to ask THE SECRETARY FOR LANDS,—With reference to the subject of the questions asked on his behalf, by the Honorable Member for Patrick's Plains (Dr. Wilson), on Thursday, April 6th,—
 - (1.) Has any correspondence taken place between the Governments of the two Colonies on the subject?
 - (2.) Have the Government remonstrated in any way with the Government of Queensland on the subject, or have they taken, or do they intend taking, any steps to obtain from the Government of Queensland the withdrawal or modification of the regulation in question?
4. MR. PIDDINGTON to ask THE COLONIAL TREASURER,—
 - (1.) What is the total amount of the balances of purchase money for Land, conditionally purchased under the Land Alienation Act of 1861, payable during the months of January, February, and March, 1865, inclusive?
 - (2.) What is the actual amount, received by the Treasurer, of the balances of purchase moneys for conditional sales of land, liable to be paid during the months of January, February, and March, 1865, inclusive?
 - (3.) What is the total amount of interest due upon balances of purchases of land, conditionally purchased, and remaining still unpaid, but liable to be paid during the months of January, February, and March, 1865?
 - (4.) What is the amount of interest received in respect of balances of purchases of land conditionally purchased, and remaining unpaid, but liable to be paid during the months of January, February, and March, 1865?

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. SMART to move, That so much of the Standing Orders be suspended as will admit of the passing through all its stages in one day of a Bill to apply certain further sums out of the Consolidated Revenue Fund of New South Wales, towards the service of the year 1865.
2. MR. SMART to move for leave to bring in a Bill to apply certain further sums out of the Consolidated Revenue Fund of New South Wales towards the service of the year 1865.
3. MR. COWPER to move, That this House, at its rising, do adjourn until Three o'clock on Tuesday next.
4. MR. SMART to move, That so much of the Standing Orders be suspended during this day as will admit of the Report from the Committee of Supply, and the Report from the Committee of Ways and Means, being received and agreed to.

ORDERS OF THE DAY:—

1. Impounding Bill; second reading.
2. Ways and Means,—Resumption of the Committee :—Resumption of the adjourned Debate on motion of Mr. Smart, "That" the Speaker do now leave the Chair, upon which Mr. Macpherson had moved, by way of Amendment, to omit all the words after the word "That," with the view to insert the following words, viz. :—"This House is of opinion, That additional taxation by means of Stamp Duties only, will "be insufficient to meet the public requirements."
3. Additional Judge's Bill; to be considered in Committee.
4. Supply; resumption of the Committee.

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PARKES to move, That the Petition of William Dunn, presented by him on the 11th April, be printed.
2. MR. CONNEEN to move, That the prayer of the Petition presented to this House on the 11th April, from John Harris and others, praying to "be heard by themselves, their Counsel, or Agents," before the Select Committee now sitting on the Railway through Ultimo Estate, be granted.
3. MR. LUCAS to move, That there be laid on the Table of this House, all Correspondence, Petitions, Minutes, and other Documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.
4. MR. MACPHERSON to move, That, in the opinion of this House, it is not desirable that any further sales of Church and School Lands, or leases for a longer period than one year, should be authorized by the Government until after Legislation on the subject.
5. MR. CALDWELL to move, That the Petition presented by him on the 6th April, from Mr. Thomas Cook, be printed.
6. MR. CUMMINGS to move, That there be laid on the Table of this House,—
 - (1.) A Return, setting forth all Bridges erected in the Southern District since the inauguration of Responsible Government, when erected, cost of each in detail, and sum total; also a Return of all Bridges in course of erection, and cost in terms of contract, in said District.
 - (2.) Similar returns for like improvements in the Western District.
 - (3.) Similar returns for like improvements in the Northern District.

ORDERS OF THE DAY :—

1. Verdicts Amendment Bill ; second reading.
2. New Trials Limitation Bill ; second reading.
3. Destitute Children's Bill ; second reading.
4. Prison Discipline Bill ; to be further considered in Committee.
5. Superannuation Act Amendment Bill ; second reading.
6. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
7. Criminal Evidence Amendment Bill ; second reading.
8. Municipalities Act Amendment Bill ; second reading.
9. Triennial Parliaments Bill ; second reading.

 THURSDAY, APRIL 13.

Questions :—

1. MR. MARTIN to ask THE COLONIAL SECRETARY,—Whether or not the appeal to the Privy Council in reference to the Church and School Lands has been abandoned ; and if so, for what reason ?
2. MR. MARTIN to ask THE COLONIAL TREASURER,—
 - (1.) Whether any money has been borrowed from the Oriental Bank, to meet the ordinary current engagements of the Government ; and if so, to what extent, at what interest, and by what authority ?
 - (2.) Whether the Government have been endeavouring, during the last month, to borrow money at ten per cent. interest ; and if so, to what extent, and by what authority ?

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move, That the Petition presented by him on April 11, from certain persons employed in the Civil Service of the Colony, be printed.

 FRIDAY, APRIL 14.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Coal Fields Regulation Act Amendment Bill ; second reading.
2. Brands Registration Bill ; to be further considered in Committee.

NOTICE OF MOTION :—

1. MR. KEMP to move for leave to introduce a Bill to repeal the Act 18 Victoria, No. 14, and to vest in the Councils of the Municipalities of Randwick and Waverley the old Botany, Randwick, and Coogee Roads, and the Frenchman's Road.

 TUESDAY,

TUESDAY, APRIL 18.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
2. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O'Connell's Plains.
3. MR. BUCHANAN to move, That in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in Gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
4. DR. LANG to move, That the Petition presented by him on Tuesday, the 11th April, from Nicholas Trengrouse, be printed.
5. MR. COWPER to move for leave to introduce a Bill to enable the Members of the United Church of England and Ireland within the Diocese of Sydney, assembled in Synod, to regulate the affairs thereof.
6. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

New South Wales.

No. 27.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 12 APRIL, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Encroachment on Water Reserve at Bourke :—Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 1,—Has the erection of public or private buildings, by the Police Magistrate at Bourke, on a Water Reserve in that locality, been reported to, or sanctioned by, the Government?

Mr. Cowper answered :—I find, upon inquiry, that there is no information either in my Office or in the Office of the Inspector General of Police, upon the subject.

- (2.) Road through Oxley Island, Manning River :—Mr. Forster asked the Secretary for Lands, pursuant to Notice No. 2,—

(1.) Has any petition or memorial been recently received by the Government from certain residents at or near Redbank, Manning River, praying that measures may be taken for opening a road through Oxley Island?

(2.) If so, what steps have the Government taken, or do they intend taking, in the matter?

Mr. Robertson answered :—Two petitions have recently been received from the Inhabitants of Oxley Island, asking funds for the repair of roads. Both petitions have been forwarded to the Local Surveyor for a report as to the number of settlers dependent upon these roads as outlets for their produce. The greater part of the farms on this Island have water frontage to navigable water. The Inhabitants only use the roads as means of communication with each other.

- (3.) Queensland Regulations respecting Transit of Sheep from New South Wales :—Mr. Forster asked the Secretary for Lands, pursuant to Notice No. 3,—With reference to the subject of the questions asked on his behalf, by the Honorable Member for Patrick's Plains (Dr. Wilson), on Thursday, April 6th,—

(1.) Has any correspondence taken place between the Governments of the two Colonies on the subject?

(2.) Have the Government remonstrated in any way with the Government of Queensland on the subject, or have they taken, or do they intend taking, any steps to obtain from the Government of Queensland the withdrawal or modification of the regulation in question?

Mr. Robertson answered,—I was perfectly aware when I gave my answer the other day, to what the Honorable Member alluded, indeed I think my answer was more complete than his question would have fairly warranted—I told my honorable friend, that the Government of Queensland had refused to permit the introduction of any sheep, whether by sailing vessels or otherwise, that had ever landed in New South Wales. Now my honorable friend asked whether the Queensland Government had refused to admit sheep other than by sailing vessels. I told my honorable friend that they had refused the introduction of any sheep whatever from New South Wales by sailing vessels or otherwise; but in order to compromise the matter, a suggestion had been made, and accepted by the Queensland Government, that sheep passing from say an English vessel into a sailing vessel

vessel, and not landing in New South Wales, might be landed in Queensland, but no such sheep could be landed in Queensland from New South Wales if by a steamboat. That was the answer I gave substantially, and it seemed to me I went further than the question asked for, for I might have said,—No, the Government of Queensland had not permitted in any case the landing of sheep from New South Wales. My honorable friend wants to know whether there has been any correspondence upon the matter, and I wish to say a few words, and may be permitted to go a little beyond the question of my honorable friend. The Government of Queensland have, as it seems to me, made an unnecessarily rigorous provision preventing the introduction of sheep by land as well as by water, but it would be less objectionable if carried out fairly and honestly, but they have given a certain friend of mine the right of taking his sheep across, while they have withheld it from another friend of mine in the same position, whose sheep were equally unobjectionable. Now, I do not understand why these things have been done. Then my honorable friend asks if the Government have remonstrated in any way with the Queensland Government on the subject. Well, I do not know whether it was the late Government or the former Government, of which I was a member, but one or other did, on Pleuro-pneumonia breaking out, communicate with the Queensland Government, and they got what I thought was very like a snubbing answer—to mind their own business,—and therefore the present Government, who have been only a short time in office, have not entered into any correspondence with the Queensland Government on the subject. However, I am inclined to the opinion, that the Government of New South Wales should communicate with the Queensland Government, that there should be some arrangement of this kind—that after proper inspection, after any amount of quarantine that may be determined, there ought to be some means of taking sheep over the border by land into Queensland; and I think also there might be less rigour and more security by altering their regulations with regard to sheep going in by water. I shall suggest to my colleagues the propriety of communicating with the Queensland Government upon this matter, but it is a difficult subject to deal with. No doubt they have cause of alarm, but at the same time, seeing we have not got a sheep scabby within three hundred miles of their border, and seeing we have not a beast suffering from pleuro-pneumonia within the same distance, it seems to me, with regard to sheep it is unnecessary, and with regard to cattle—seeing they have pleuro-pneumonia throughout their whole territory—it is simply ridiculous.

(4.) Conditional Purchases of Crown Land:—Mr. Piddington asked the Colonial Treasurer, pursuant to Notice No. 4,—

(1.) What is the total amount of the balances of purchase money for Land, conditionally purchased under the Land Alienation Act of 1861, payable during the months of January, February, and March, 1865, inclusive?

(2.) What is the actual amount, received by the Treasurer, of the balances of purchase moneys for conditional sales of land, liable to be paid during the months of January, February, and March, 1865, inclusive?

(3.) What is the total amount of interest due upon balances of purchases of land, conditionally purchased, and remaining still unpaid, but liable to be paid during the months of January, February, and March, 1865?

(4.) What is the amount of interest received in respect of balances of purchases of land conditionally purchased, and remaining unpaid, but liable to be paid during the months of January, February, and March, 1865?

Mr. Smart answered:—

(1.) There are no balances of conditional purchases absolutely due in January, February, and March, 1865.

(2.) There are no balances of conditional purchases absolutely payable in January, February, and March, 1865.

(3.) There is no interest on conditional purchases absolutely due in January, February, and March, 1865.

(4.) There is no interest on conditional purchases liable to be paid in January, February, and March, 1865.

I may state that I have been informed that the balance upon the first sale was not due until the 7th April.

The amount, however, received from 1st January to 31st March, 1865, for balances on conditional purchases is, say	£11,392	
of which sum there has been credited to Consolidated Revenue	5,168	
leaving still in Suspense Fund		£6,224
The interest on conditional purchases received from 1st January to 31st March, 1865, and which is in the Suspense Fund, is, say		1,975
		<hr/> £8,199

2. Motion for Adjournment:—Mr. Piddington moved, That this House do now adjourn. Debate ensued.

Question put and negatived.

3. Paper:—Mr. Smart laid upon the Table, Trust Moneys Deposit Account, from 1 April, 1864, to 31 March, 1865.

Ordered to be printed.

4. Road from Port Macquarie to New England:—Mr. Forster presented a Petition from certain Landholders, Leaseholders, and others, Inhabitants of the District of Port Macquarie, representing that they are under great disadvantages in consequence of the want of a good road from that place to New England, and other improvements; and praying that a certain line of road suitable to their requirements, therein specified, may be opened up without delay, and classed as one of the Main Roads of the Colony.
Petition received.
5. Border Customs, River Murray:—Mr. Mate presented a Petition from certain Residents of the Town and District of Albury, complaining of the levy of the Border Duties; and praying that negotiations may be speedily opened with Victoria to insure Free Trade across the River Murray.
Petition received.
6. Felons Apprehension Bill:—The following Message from His Excellency the Governor was delivered by Mr. Darvall, and read by the Speaker:—
JOHN YOUNG, Message No. 7.
Governor.
- A Bill intituled "*An Act to facilitate the taking or apprehending of persons charged with certain felonies and the punishment of those by whom they are harboured,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper officer for enrolment, in the manner required by law.
- Government House,
Sydney, 12th April, 1865.*
7. Railway through Ultimo Estate ("*Formal*" Motion):—Mr. Cunneen moved, pursuant to notice, That the prayer of the Petition presented to this House on the 11th April, from John Harris and others, praying to "be heard by themselves, their Counsel, or Agents," before the Select Committee now sitting on the Railway through Ultimo Estate, be granted.
Question put and passed.
8. Mr. Thomas Cook ("*Formal*" Motion):—Mr. Caldwell moved, pursuant to notice, That the Petition presented by him on the 6th April, from Mr. Thomas Cook, be printed.
Question put and passed.
Ordered to be printed.
9. Consolidated Revenue Fund Bill, No. 2—Suspension of Standing Orders:—Mr. Smart moved, pursuant to Notice, That so much of the Standing Orders be suspended as will admit of the passing through all its stages in one day of a Bill to apply certain further sums out of the Consolidated Revenue Fund of New South Wales, towards the service of the year 1865.
Question put and passed.
10. Motion Withdrawn:—Mr. Smart withdrew the Motion standing in his name, No. 2 on the Notice Paper of Government Business for to-day.
11. Special Adjournment:—Mr. Cowper moved, pursuant to notice, That this House, at its rising, do adjourn until Three o'clock on "Tuesday" next.
Mr. Lucas moved, That the Question be amended by omitting the word "Tuesday," with a view to inserting in its place, the word "Wednesday."
Debate ensued.
Question,—That the word proposed to be omitted stand part of the Question,—put and negatived.
Question,—That that the word proposed to be inserted in the place of the word omitted, be there inserted,—put and passed.
Whereupon, Question put,—That this House, at its rising, do adjourn until Three o'clock on Wednesday next.
The House divided.

Ayes, 31.

Mr. Cowper,	Mr. Piddington,
Mr. Darvall,	Mr. Roberts,
Mr. Robertson,	Mr. Gordon,
Mr. Smart,	Mr. Driver,
Mr. Arnold,	Mr. Terry,
Mr. Lucas,	Mr. Cooper,
Mr. Burdekin,	Mr. Egan,
Mr. Lloyd,	Mr. Cunneen,
Mr. Joseph,	Mr. Dodds,
Mr. Rodd,	Mr. Oatley,
Mr. Macpherson,	Mr. Pickering,
Mr. Morrice,	Mr. Neale,
Mr. Caldwell,	<i>Tellers.</i>
Mr. Sutherland,	Mr. Forlonge,
Mr. Hurley,	Mr. Josephson,
Mr. Dignam,	
Mr. Farnell,	

Noes, 16.

Mr. Hannell,	<i>Tellers.</i>
Mr. Wisdom,	Mr. Buchanan,
Mr. Forster,	Mr. Macleay.
Mr. Landale,	
Mr. De Salis,	
Mr. Tighe,	
Mr. Wilson,	
Mr. Cummings,	
Mr. Stimpson,	
Mr. Parkes,	
Mr. Garrett,	
Mr. Donnelly,	
Mr. Phelps,	
Mr. Mate,	

12. Supply and Ways and Means—Suspension of Standing Orders:—Mr. Smart moved, pursuant to notice, That so much of the Standing Orders be suspended during this day as will admit of the Report from the Committee of Supply, and the Report from the Committee of Ways and Means, being received and agreed to.
Question put and passed.

13. Postponements :—

- (1.) The Order of the Day No. 1 of Government Business, postponed, on motion of Mr. Robertson, until the other Orders of the Day of Government Business shall have been disposed of.
- (2.) The Order of the Day No. 2 of Government Business, postponed, on motion of Mr. Smart, to follow immediately after the Order No. 4 of Government Business.
- (3.) The Order of the Day No. 3 of Government Business, postponed, on motion of Mr. Darvall, until Wednesday next.

14. Supply (Order No. 4 of Government Business) :—

- (1.) The Order of the Day for the resumption of the Committee read.
- (2.) Mr. Cunneen not making the Contingent Motion standing in his name on the Notice Paper for to-day, it dropped.
- (3.) On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole further to consider of the Supply to be granted to Her Majesty.
- (4.) The Chairman reported, That the Committee had come to a Resolution.

Ordered, on motion of the Chairman, That the said Resolution be now received. The Chairman then reported a Resolution, which was read a first time, as follows :—
 (3.) Resolved, that there be granted to Her Majesty a sum not exceeding £114,206 5s. 11d., to defray the expenses of the various Departments and Services of the Colony from the 1st April to 30th April, 1865, at the rates which have been sanctioned for the year 1864.

Resolution then, on motion of Mr. Smart, read a second time, and agreed to.

15. Ways and Means (Order No. 2 of Government Business) :—The Adjourned Debate on motion of Mr. Smart, "That" the Speaker do now leave the Chair, upon which Mr. Macpherson had moved by way of Amendment, to omit all the words after the word "That," with the view to insert the following words, viz.:—"This House is of opinion, That Additional Taxation by means of Stamp Duties only " will be insufficient to meet the public requirements,"—

Resumed and continued.

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

Original Question then put and passed.

Whereupon, the Speaker left the Chair, and the House resolved itself into a Committee of Ways and Means.

The Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the said Resolution be now received.

The Chairman then reported a Resolution, which was read a first time, as follows :—

(3.) Resolved, that towards making good the supply granted to Her Majesty, for the service of the year 1865, the sum of £114,206 5s. 11d. be granted out of the Consolidated Revenue Fund of New South Wales, to defray the expenses of the various Departments and Services of the Colony, from the 1st April to 30th April, 1865, at the rates which have been sanctioned for the year 1864.

Resolution then, on motion of Mr. Smart, read a second time and agreed to.

16. Consolidated Revenue Fund Bill, No. 2 :—

- (1.) Mr. Smart having presented this Bill, intitled, "*A Bill to apply certain further sums out of the Consolidated Revenue Fund of New South Wales towards the Service of the year 1865,*" read a first time.

Ordered to be printed.

- (2.) Bill, on motion of Mr. Smart, read a second time.

Whereupon, on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.

The Chairman having reported the Bill without amendment, the House adopted the Report, and ordered that the Bill, as so reported, be read a third time at a later hour this day.

17. Messages :—The Speaker reported the following Messages from the Legislative Council :—

- (1.) Liverpool and London and Globe Insurance Company's Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intitled, "*An Act to give effect in this Colony to the alteration of the name of 'The Liverpool and London Fire and Life Insurance Company' and to consolidate and amend the Laws relating to the said Company,*" returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
 Sydney, 12th April, 1865.

T. A. MURRAY,
 President.

- (2.) St. Patrick's Church Land Trust Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intitled, "*An Act to enable the Most Reverend John Bede Polding the Venerable John M'Encroe and Owen Joseph Caraher as trustees of certain land situated in the City of Sydney to sell the said land and to provide for the appropriation of the proceeds thereof,*" returns the same to the Legislative Assembly, without amendment.

Legislative Council Chamber,
 Sydney, 12th April, 1865.

T. A. MURRAY,
 President.

18. Consolidated Revenue Fund Bill, No. 2, on motion of Mr. Smart, read a third time and passed.

Mr. Smart then moved, That the Title of this Bill be, "*An Act to apply certain further sums out of the Consolidated Revenue Fund of New South Wales towards the service of the year 1865.*"

Question put and passed.

Whereupon, Mr. Smart moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,—

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to apply certain further sums out of the Consolidated Revenue Fund of New South Wales towards the Service of the year 1865,*" presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 12th April, 1865.*

Speaker.

Question put and passed.

- The House adjourned, on motion of Mr. Cowper, at twenty minutes before Twelve o'clock, standing adjourned until *Wednesday next*, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

WEDNESDAY, APRIL 19.

Questions:—

1. MR. LANDALE to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to place a sum on the Estimates equal to that voted by the Legislative Assembly of Victoria, for a Bridge over the Murray, at or near Moama, to be constructed at the joint expense of the two Governments?
2. MR. HART to ask THE COLONIAL SECRETARY,—
 - (1.) When will the Returns relative to Patents and Inventions, ordered by the House in May, 1861, be laid upon the Table?
 - (2.) What progress has been made in complying with the order?
3. MR. MARTIN to ask THE COLONIAL SECRETARY,—Whether or not the appeal to the Privy Council in reference to the Church and School Lands has been abandoned; and if so, for what reason?
4. MR. MARTIN to ask THE COLONIAL TREASURER,—
 - (1.) Whether any money has been borrowed from the Oriental Bank, to meet the ordinary current engagements of the Government; and if so, to what extent, at what interest, and by what authority?
 - (2.) Whether the Government have been endeavouring, during the last month, to borrow money at ten per cent. interest; and if so, to what extent, and by what authority?

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. COWPER to move, That this House will, on Thursday next, resolve itself into a Committee of the Whole to consider the following Resolution:—
That in the opinion of this House it is expedient to agree to the proposal made by the Government of New Zealand for establishing Steam Postal Communication with England, by way of Panama.

ORDERS OF THE DAY:—

1. Additional Judge's Bill; to be considered in Committee.
2. Supply; resumption of the Committee.
3. Ways and Means; resumption of the Committee.
4. Impounding Bill; second reading.

OTHER

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PARKES to move, That the Petition of William Dunn, presented by him on the 11th April, be printed.
2. MR. LUCAS to move, That there be laid on the Table of this House, all Correspondence, Petitions, Minutes, and other Documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.
3. MR. MACPHERSON to move, That, in the opinion of this House, it is not desirable that any further sales of Church and School Lands, or leases for a longer period than one year, should be authorized by the Government until after legislation on the subject.
4. MR. CUMMINGS to move, That there be laid on the Table of this House,—
 - (1.) A Return, setting forth all Bridges erected in the Southern District since the inauguration of Responsible Government, when erected, cost of each in detail, and sum total; also, a Return of all Bridges in course of erection, and cost in terms of contract, in said district.
 - (2.) Similar returns for like improvements in the Western District.
 - (3.) Similar returns for like improvements in the Northern District.
5. MR. COWPER to move, That the Petition presented by him on April 11, from certain persons employed in the Civil Service of the Colony, be printed.
6. MR. MATE to move, That the Petition from certain residents of Albury, relative to Border Customs, River Murray, presented by him on the 12th April, be printed.
7. MR. FORSTER to move, That the Petition presented by him on 12th April, from certain residents on the Macleay River, praying that a line of road opened between their District and New England may be completed, be printed.
8. MR. KEMP to move for leave to introduce a Bill to repeal the Act 18 Victoria, No. 14, and to vest in the Councils of the Municipalities of Randwick and Waverley the old Botany, Randwick, and Coogee Roads, and the Frenchman's Road.
9. MR. MACPHERSON to move, That in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
10. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O'Connell's Plains.
11. MR. BUCHANAN to move, That in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in Gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
12. DR. LANG to move, That the Petition presented by him on Tuesday, the 11th April, from Nicholas Trengrouse, be printed.
13. MR. COWPER to move for leave to introduce a Bill to enable the Members of the United Church of England and Ireland within the Diocese of Sydney, assembled in Synod, to regulate the affairs thereof.
14. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

ORDERS OF THE DAY:—

1. Verdicts Amendment Bill; second reading.
2. New Trials Limitation Bill; second reading.
3. Destitute Children's Bill; second reading.
4. Prison Discipline Bill; to be further considered in Committee.
5. Superannuation Act Amendment Bill; second reading.
6. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
7. Criminal Evidence Amendment Bill; second reading.
8. Municipalities Act Amendment Bill; second reading.
9. Triennial Parliaments Bill; second reading.
10. Coal Fields Regulation Act Amendment Bill; second reading.
11. Brands Registration Bill; to be further considered in Committee.

TUESDAY, APRIL 25.

OTHER BUSINESS—NOTICE OF MOTION :—

1. Mr. WHITE to move, That in the opinion of this House it is of great National importance to encourage the development of the Pastoral resources of this country by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure tenure should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.
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WEDNESDAY, APRIL 26.

Question :—

1. Mr. RODD to ask THE COLONIAL TREASURER,—What amount has been received from the Escort Charge on Gold, from the date of its first imposition to the 31st March last ?
-

FRIDAY, APRIL 28.

OTHER BUSINESS—NOTICE OF MOTION :—

1. Mr. RODD to move,—
 - (1.) That in the opinion of this House, the Government while charging eight pence per oz. for the conveyance of gold from the different Gold Fields to Sydney, ought to be responsible for its safe delivery.
 - (2.) That the foregoing Resolution be transmitted by Address to His Excellency the Governor.
-

New South Wales.

No. 28.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 19 APRIL, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.
Member Sworn :—William Graham, Esquire, having taken the Oath and subscribed the Roll, took his seat as Member for the Electoral District of Monaro.
2. Questions on Notice Paper for to-day :—
 - (1.) Bridge over the River Murray at or near Moama :—Mr. Landale asked the Colonial Secretary, pursuant to Notice No. 1,—Whether it is the intention of the Government to place a sum on the Estimates equal to that voted by the Legislative Assembly of Victoria, for a Bridge over the Murray, at or near Moama, to be constructed at the joint expense of the two Governments?
Mr. Arnold answered :—A sum of £10,000 was voted by the Legislature of the Colony in 1862, under the Loans' Act for a Bridge over the River Murray at Moama. That vote is still available, and its appropriation is at the present time a matter of negotiation between this Colony and Victoria.
 - (2.) Patents and Inventions :—Mr. Hart asked the Colonial Secretary, pursuant to Notice No. 2,—
 - (1.) When will the Returns relative to Patents and Inventions, ordered by the House in May, 1861, be laid upon the Table?
 - (2.) What progress has been made in complying with the order?
 Mr. Cowper answered,—I find the Honorable Gentleman put a similar question, or one in substance the same, to me, on the 17th July, 1863, and my answer will be found on the Votes and Proceedings of that date. I beg now to state, that the lithograph printing of the first batch of Patent Plans (Patents Nos. 1 to 76 inclusive), was finished on the 1st October, 1864. The printing of the last batch (Patents Nos. 77 to 97), is in progress, and seven are already printed. The printing was commenced on the 27th February, 1865, and will, it is expected, be finished in four or five months. I am informed that the letterpress printing is in about a similar state of progress.
 - (3.) Appeal to Privy Council respecting Church and School Lands :—Mr. Martin asked the Colonial Secretary, pursuant to Notice No. 3,—Whether or not the appeal to the Privy Council in reference to the Church and School Lands has been abandoned ; and if so, for what reason?
Mr. Cowper answered,—The appeal has been abandoned, the Government being satisfied with the decision of the Supreme Court of this Colony ; and considering any further expenditure of money for law costs unnecessary and inexpedient.
 - (4.) Bank Advances to Government :—Mr. Martin asked the Colonial Treasurer, pursuant to Notice No. 4,—
 - (1.) Whether any money has been borrowed from the Oriental Bank, to meet the ordinary current engagements of the Government ; and if so, to what extent, at what interest, and by what authority?
 - (2.) Whether the Government have been endeavouring, during the last month, to borrow money at ten per cent. interest ; and if so, to what extent, and by what authority?
 Mr. Smart answered,—
 - (1.) No transaction of the character alluded to by the Honorable Member has taken place, but the Government have received from the Oriental Bank an advance on account of Debentures for the payment of services provided for by Loans.
 - (2.) The Government have made no such attempt.

3. Superannuation Act Amendment Bill (*"Formal" Motion*):—Mr. Cowper moved, pursuant to notice, That the Petition presented by him on April 11, from certain persons employed in the Civil Service of the Colony, be printed.
Question put and passed.
Ordered to be printed.
4. Border Customs, River Murray (*"Formal" Motion*):—Mr. Mate moved, pursuant to notice, That the Petition from certain residents of Albury, relative to Border Customs, River Murray, presented by him on the 12th April, be printed.
Question put and passed.
Ordered to be printed.
5. Randwick, Coogee, and other Roads Investment Bill (*"Formal" Motion*):—Mr. Kemp moved, pursuant to notice, for leave to introduce a Bill to repeal the Act 18 Victoria No. 14, and to vest in the Councils of the Municipalities of Randwick and Waverley the old Botany, Randwick, and Coogee Roads, and the Frenchman's Road.
Question put and passed.
6. Mr. Nicholas Trengrouse (*"Formal" Motion*):—Dr. Lang moved, pursuant to notice, That the Petition presented by him on Tuesday, the 11th April, from Nicholas Trengrouse, be printed.
Question put and passed.
Ordered to be printed.
7. Sydney Sewerage:—Dr. Lang presented a Petition from the Municipal Council of the City of Sydney, under the signature of the Mayor and the Seal of the Corporation, representing that they are laboring under considerable embarrassment and disadvantage, as therein set forth, from their present position with regard to the Sewerage affairs of the City, and praying relief.
Petition received.
8. Randwick, Coogee, and other Roads Investment Bill:—Mr. Kemp having presented this Bill, Bill, intituled, "*A Bill to repeal the Act 18 Victoria No. 14 and to vest in the Councils of the Municipalities of Randwick and Waverley the old Botany Randwick and Coogee Roads and the Frenchman's Road,*"—read a first time.
Ordered to be printed, and read a second time on Friday week.
9. Papers:—
 - (1.) Mr. Smart laid upon the Table, Return to Address, in reference to English Banking Agency, and "Change of Financial Agents of the Colony in England," adopted by this House, on motion of Mr. Samuel, on 14th March last.
Ordered to be printed.
 - (2.) Mr. Cowper laid upon the Table, Further Correspondence and Proceedings of Conference with Victorian Government relative to Border Customs Duties.
Ordered to be printed.
10. Steam Postal Communication *via* Panama:—Mr. Cowper moved, pursuant to notice, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider the following Resolution:—
That, in the opinion of this House, it is expedient to agree to the proposal made by the Government of New Zealand for establishing Steam Postal Communication with England by way of Panama.
Debate ensued.
Question put and passed.
11. Additional Judge's Bill:—On motion of Mr. Darvall, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of this Bill.
The Chairman having reported the Bill with amendments, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.
12. Postponement:—The Order of the Day for the resumption of the Committee of Supply postponed, on motion of Mr. Smart, until the Order of Day for the resumption of the Committee of Ways and Means shall have been disposed of.
13. Ways and Means:—On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of Ways and Means.

And the Committee having continued to sit till after Midnight;—

THURSDAY, 20 APRIL, 1865, A.M.

The Chairman reported progress.

14. Seamen's Laws Amendment Bill:—The Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to amend the Seamen's Laws Consolidation Act of 1864*," returns the same to the Legislative Assembly without Amendment.

Legislative Council Chamber,
Sydney, 19th April, 1865.

T. A. MURRAY,
President.

The House adjourned, on motion of Mr. Cowper, at ten minutes before One o'clock, A.M., until Three o'clock, P.M., This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, APRIL 20.

Questions:—

1. MR. MARTIN to ask THE COLONIAL TREASURER,—
 - (1.) What is the amount received from the Oriental Bank in the manner stated yesterday by the Colonial Treasurer?
 - (2.) Whether the amount so obtained has been applied directly or indirectly to meet the current engagements of the Government, or to reduce the overdraft on the Consolidated Revenue Fund, incurred on account of such current engagements?
 - (3.) Whether any, and what, new financial arrangement has been made with the Oriental Bank?
2. MR. BUCHANAN to ask THE COLONIAL SECRETARY,—
 - (1.) Is he aware that large quantities of Gunpowder are stored at West Maitland, within a few yards of the main street?
 - (2.) Is the Colonial Secretary aware that the police sergeant of West Maitland called the attention of the Maitland Bench to the fact, above a month ago, but that notwithstanding, the same dangerous practice still continues?
 - (3.) Is the Colonial Secretary aware that the principal holders of Gunpowder in West Maitland are Magistrates?
3. MR. BUCHANAN to ask THE ATTORNEY GENERAL,—
 - (1.) Has the fine of £50 inflicted upon James Gannon, found guilty of double voting lately, been paid?
 - (2.) Have the Government adopted any measures to enforce payment of said fine, supposing it has not been paid?
 - (3.) Is the said James Gannon at present at large?

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Steam Postal Communication with England *via* Panama; consideration in Committee of the propriety of agreeing to the proposal of the New Zealand Government in reference thereto.
2. Additional Judge's Bill; third reading.
3. Ways and Means; resumption of the Committee.
4. Supply; resumption of the Committee.
5. Impounding Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION:—

1. DR. LANG to move, That the Petition presented by him on Wednesday, the 19th April, from the Mayor and Corporation of the City of Sydney, be printed.
2. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, copies of the Depositions in the case of Lotze, on the occasion of that person's committal by the Chief Commissioner of Insolvency.
3. MR. PARKES to move, That the Petition of William Dunn, presented by him on the 11th April, be printed.
4. MR. LUCAS to move, That there be laid on the Table of this House, all Correspondence, Petitions, Minutes, and other Documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.
5. MR. MACPHERSON to move, That, in the opinion of this House, it is not desirable that any further sales of Church and School Lands, or leases for a longer period than one year, should be authorized by the Government until after legislation on the subject.

6. MR. CUMMINGS to move, That there be laid on the Table of this House,—
- (1.) A Return, setting forth all Bridges erected in the Southern District since the inauguration of Responsible Government, when erected, cost of each in detail, and sum total; also, a Return of all Bridges in course of erection, and cost in terms of contract, in said District.
 - (2.) Similar returns for like improvements in the Western District.
 - (3.) Similar returns for like improvements in the Northern District.
7. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
- (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
8. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O'Connell's Plains.
9. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
10. MR. COWPER to move for leave to introduce a Bill to enable the Members of the United Church of England and Ireland within the Diocese of Sydney, assembled in Synod, to regulate the affairs thereof.
11. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

ORDERS OF THE DAY :—

1. Verdicts Amendment Bill ; second reading.
2. New Trials Limitation Bill ; second reading.
3. Destitute Children's Bill ; second reading.
4. Prison Discipline Bill ; to be further considered in Committee.
5. Superannuation Act Amendment Bill ; second reading.
6. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
7. Criminal Evidence Amendment Bill ; second reading.
8. Municipalities Act Amendment Bill ; second reading.
9. Triennial Parliaments Bill ; second reading.
10. Coal Fields Regulation Act Amendment Bill ; second reading.
11. Brands Registration Bill ; to be further considered in Committee.

TUESDAY, APRIL 25.

Question :—

1. MR. BYRNES to ask THE COLONIAL SECRETARY,—
 - (1.) Whether he can conveniently lay upon the Table of the House, before the Estimates for Education are considered, a Tabular Return of all the Denominational Schools in the Colony, under the different heads of Church of England, Roman Catholic, Presbyterian, and Wesleyan, shewing the Number of Children on the Books, and average daily attendance in each School, distinguishing the Sexes ; Number of Male and Female Teachers receiving Salary in each School, and the amount paid to each ?
 - (2.) Also, a like Return of the National Schools, under the different heads of Vested, and Non-Vested Schools ?

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WHITE to move, That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure tenure should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.

WEDNESDAY,

WEDNESDAY, APRIL 26.

Question :—

1. MR. RODD *to ask* THE COLONIAL TREASURER,—What amount has been received from the Escort Charge on Gold, from the date of its first imposition to the 31st March last?

FRIDAY, APRIL 28.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Randwick Coogee and other Roads Investment Bill ; second reading.

NOTICE OF MOTION :—

1. MR. RODD to move,—
 - (1.) That, in the opinion of this House, the Government, while charging eight-pence per ounce for the conveyance of gold from the different Gold Fields to Sydney, ought to be responsible for its safe delivery.
 - (2.) That the foregoing Resolution be transmitted by Address to His Excellency the Governor.

[Price, 6d.]

New South Wales.

No. 29.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 20 APRIL, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

(*Mr. Martin not asking the Question standing in his name, No. 1, it dropped.*)

- (1.) Gunpowder stored at West Maitland:—Mr. Buchanan asked the Colonial Secretary, pursuant to Notice No. 2,—

(1.) Is he aware that large quantities of Gunpowder are stored at West Maitland, within a few yards of the main street?

(2.) Is the Colonial Secretary aware that the Police Sergeant of West Maitland, called the attention of the Maitland Bench to the fact, above a month ago, but that notwithstanding, the same dangerous practice still continues?

(3.) Is the Colonial Secretary aware that the principal holders of gunpowder in West Maitland are Magistrates?

Mr. Cowper answered,—I have applied to the Inspector General of Police for information to enable me to answer the Honorable Member's question, and he says that he has none upon the subject, nor has Superintendent Morrissett, to whom he has applied to inquire into the matter. I shall be happy to communicate to the Honorable Member any intelligence I may receive, if he will postpone his question. I am informed by Mr. Arnold, that the subject is one that has occasioned him some trouble. I will make inquiry into it with the view of laying the result before the Honorable Member and the House.

- (2.) James Gannon:—Mr. Buchanan asked the Attorney General, pursuant to Notice No. 3,—

(1.) Has the fine of £50 inflicted upon James Gannon, found guilty of double voting lately, been paid?

(2.) Have the Government adopted any measures to enforce payment of said fine, supposing it has not been paid?

(3.) Is the said James Gannon at present at large?

Mr. Darvall answered,—

(1.) The fine of £50 has not been paid.

(2.) The Government has adopted measures to enforce payment of the fine.

(3.) The said James Gannon is, I believe, at large.

2. Additional Judge's Bill (Order of the Day No. 2 of Government Business) ("*Formal*" Order of the Day), on motion of Mr. Cowper, read a third time and passed.

Mr. Cowper then moved, That the Title of this Bill be "*An Act to authorize the Appointment of an Additional Judge of the Supreme Court.*"

Question put and passed.

Whereupon, Mr. Cowper moved, That this Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled "*An Act to authorize the Appointment of an Additional Judge of the Supreme Court.*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 20th April, 1865.

Speaker.

Question put and passed.

3. Sydney Sewerage ("Formal" Motion):—Dr. Lang moved, pursuant to notice, That the Petition presented by him on Wednesday, the 19th April, from the Mayor and Corporation of the City of Sydney, be printed.
Question put and passed.
Ordered to be printed.
4. Church of England Synod Bill ("Formal" Motion):—Mr. Cowper moved, pursuant to notice, for leave to introduce a Bill to enable the Members of the United Church of England and Ireland within the Diocese of Sydney, assembled in Synod, to regulate the affairs thereof.
Question put and passed.
5. Paper:—Mr. Darvall laid upon the Table, Return to Address, in reference to "Appeals to the Supreme Court in its Insolvency Jurisdiction," adopted by this House, on motion of Mr. Driver, on 30th March, 1865.
Ordered to be printed.
6. Postponements:—
(1.) The Order of the Day, No. 1 of Government Business postponed, on motion of Mr. Cowper, to follow immediately the Order of the Day of Government Business No. 5.
(2.) The Orders of the Day, Nos. 3 and 4 of Government Business postponed, on motion of Mr. Cowper, to follow consecutively the Order of the Day No. 1 of Government Business, as postponed.
7. Impounding Bill (Order No. 5 of Government Business):—Mr. Robertson moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
And Bill read a second time.
Whereupon, on motion of Mr. Robertson, the Speaker left the Chair, and the House 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 Wednesday next.
8. Steam Postal Communication with England *viâ* Panama (Order No. 1 of Government Business):—On motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the propriety of agreeing to the proposal of the New Zealand Government, in reference to Steam Postal Communication with England *viâ* Panama.
The Chairman reported the following Resolution:—
Resolved:—That it is expedient to agree to the proposal made by the Government of New Zealand, for establishing Steam Postal Communication with England, by way of Panama.
Mr. Cowper then moved, That this Resolution be now agreed to.
Question put.
The House divided.

Ayes, 34.

Mr. Cowper,	Mr. Farnell,
Mr. Smart,	Mr. Morrice,
Mr. Arnold,	Mr. Terry,
Mr. Robertson,	Mr. Caldwell,
Mr. Darvall,	Mr. Hart,
Mr. Alexander,	Mr. Joseph,
Mr. Parkes,	Mr. Kemp,
Mr. Stimpson,	Mr. Neale,
Mr. Egan,	Mr. Buchanan,
Mr. Graham,	Dr. Lang,
Mr. Hurley,	Mr. Samuel,
Mr. Sutherland,	Mr. Byrnes,
Mr. Farnell,	Mr. Forlonge,
Mr. Garrett,	Mr. Josephson,
Mr. Brown,	<i>Tellers.</i>
Mr. Cummings,	
Mr. Donnelly,	Mr. Burdekin,
Mr. Oatley,	Mr. Tighe.

Noes, 21.

Mr. Forster,	Mr. Lloyd,
Mr. Macpherson,	<i>Tellers.</i>
Mr. Piddington,	
Mr. Phelps,	Mr. Lucas,
Mr. Wilson,	Mr. Martin.
Mr. White,	
Mr. Lee,	
Mr. Landale,	
Mr. Macleay,	
Mr. Dignam,	
Mr. Cunneen,	
Mr. Cooper,	
Mr. Osborne,	
Mr. Driver,	
Mr. De Salis,	
Mr. Pickering,	
Mr. Mate,	
Mr. Gordon,	

9. Messages:—The Speaker reported the following Messages from the Legislative Council:—

(1.) Sydney Mint Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to make permanent provision for the Sydney Mint*," returns the same to the Legislative Assembly without Amendment.

Legislative Council Chamber,
Sydney, 20 April, 1865.

T. A. MURRAY,
President.

(2.) Gunpowder Export Restriction Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to regulate the Export of Gunpowder and Warlike Stores*," returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,
Sydney, 20 April, 1865.

T. A. MURRAY,
President.

10. Ways and Means (Order No. 3 of Government Business):—On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of Ways and Means.
The Chairman reported that the Committee had come to certain Resolutions.
Ordered, on motion of the Chairman, that the said Resolutions be received on Wednesday next.
11. Postponement:—The Order of the Day No. 4 of Government Business postponed, on motion of Mr. Cowper, until to-morrow.
12. Church of England Synod Bill:—Mr. Cowper having *presented* this Bill, and produced a Certificate of the payment of Twenty-five Pounds to the credit of the Consolidated Revenue of the Colony, Bill, intituled, "*A Bill to enable the Members of the United Church of England and Ireland within the Diocese of Sydney assembled in Synod to regulate the Affairs thereof*,"—read a first time.
The House adjourned, on motion of Mr. Cowper, at eight minutes before Twelve o'clock, until To-morrow at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

FRIDAY, APRIL 21.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Verdicts Amendment Bill; second reading.
2. New Trials Limitation Bill; second reading.
3. Destitute Children's Bill; second reading.
4. Prison Discipline Bill; to be further considered in Committee.
5. Superannuation Act Amendment Bill; second reading.
6. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
7. Criminal Evidence Amendment Bill; second reading.
8. Municipalities Act Amendment Bill; second reading.
9. Triennial Parliaments Bill; second reading.
10. Coal Fields Regulation Act Amendment Bill; second reading.
11. Brands Registration Bill; to be further considered in Committee.

NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, copies of the Depositions in the case of Lotze, on the occasion of that person's committal by the Chief Commissioner of Insolvency.
2. MR. PARKES to move, That the Petition of William Dunn, presented by him on the 11th April, be printed.
3. MR. LUCAS to move, That there be laid on the Table of this House, all Correspondence, Petitions, Minutes, and other Documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.
4. MR. MACPHERSON to move, That, in the opinion of this House, it is not desirable that any further sales of Church and School Lands, or leases for a longer period than one year, should be authorized by the Government until after legislation on the subject.
5. MR. CUMMINGS to move, That there be laid on the Table of this House,—
 - (1.) A Return, setting forth all Bridges erected in the Southern District since the inauguration of Responsible Government, where erected, cost of each, and sum total; also, a Return of all Bridges in course of erection, and cost in terms of contract, in said district.
 - (2.) Similar returns for like improvements in the Western District.
 - (3.) Similar returns for like improvements in the Northern District.

6. MR. MACPHERSON to move, That in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
- (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five as under the existing Law.
- (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
- (3.) That compensation should be granted to the lessees of such lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
7. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O'Connell's Plains.
8. MR. BUCHANAN to move, That in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in Gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
9. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply ; resumption of the Committee.

TUESDAY, APRIL 25.

Question :—

1. MR. BYRNES to ask THE COLONIAL SECRETARY,—
- (1.) Whether he can conveniently lay upon the Table of the House, before the Estimates for Education are considered, a Tabular Return of all the Denominational Schools in the Colony, under the different heads of Church of England, Roman Catholic, Presbyterian, and Wesleyan, shewing the number of Children on the Books, and average daily attendance in each School ; distinguishing the Sexes, number of Male and Female Teachers receiving Salary in each School, and the amount paid to each ?
- (2.) Also, a like Return of the National Schools, under the different heads of Vested and Non-Vested Schools ?

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. WHITE to move, That in the opinion of this House it is of great National importance to encourage the development of the Pastoral resources of this country by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure tenure should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.

WEDNESDAY, APRIL 26.

Question :—

1. MR. RODD to ask THE COLONIAL TREASURER,—What amount has been received from the Escort Charge on Gold, from the date of its first imposition to the 31st March last ?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Impounding Bill ; to be further considered in Committee.
2. Ways and Means ; reception of Report of Committee.
3. Ways and Means ; resumption of the Committee.

FRIDAY, APRIL 28.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Randwick Coogee and other Roads Investment Bill; second reading.

NOTICE OF MOTION:—

1. MR. RODD to move,—
 - (1.) That in the opinion of this House, the Government while charging eight pence per ounce for the conveyance of gold from the different Gold Fields to Sydney, ought to be responsible for its safe delivery.
 - (2.) That the foregoing Resolution be transmitted by Address to His Excellency the Governor.

TUESDAY, MAY 2.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. MACLEAY to move, That the Report of the Select Committee on the Harbour Defences, ordered to be printed on the 9th September, 1863, be now adopted.

[Price, 6d.]

THE HOUSE OF REPRESENTATIVES

1907

REPORTS AND PROCEEDINGS

LEGISLATIVE ASSEMBLY

REPORTS AND PROCEEDINGS

OF THE HOUSE OF REPRESENTATIVES

[The following text is extremely faint and illegible due to low contrast and scan quality. It appears to be a list of reports or proceedings.]

New South Wales.

No. 30.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 21 APRIL, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Committee of Elections and Qualifications—*Asher v. Mate*:—Mr. Piddington, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Committee of Elections and Qualifications, relative to the Petition of Morris Asher, of Sydney, against the Return of Thomas Hodges Mate, Esquire, as Member for the Electoral District of The Hume, which was referred to the said Committee on the 14th March last,—

And the said Report having been read at length by the Clerk, by direction of the Speaker, as follows:—

“The Committee of Elections and Qualifications duly appointed on 31st January, 1865, under the provisions of the Electoral Act of 1858, to whom was referred, on the 14th March, a Petition from Morris Asher, of Sydney, against the Election and Return of Thomas Hodges Mate, Esquire, as Member for the Electoral District of ‘The Hume,’ have determined and do hereby accordingly declare:—

“(1.) That Thomas Hodges Mate, Esquire, the sitting Member, has been duly elected as Member for the Electoral District of ‘The Hume.’

“(2.) That the Petition of Morris Asher, Esquire, is not frivolous or vexatious.

W. R. PIDDINGTON,
“Chairman.”

“Committee Room, No. 2,
“Legislative Assembly,
“Sydney, 21st April, 1865.”

Ordered, on motion of Mr. Piddington, That the said Report, and Minutes of Proceedings and Evidence, be printed.

2. Motions Withdrawn:—Mr. Macpherson withdrew the Motions standing in his name, Nos. 4 and 6 on the Notice Paper for to-day.
3. Municipalities Act of 1858:—Mr. Osborne presented a Petition from the Chairman and Councillors of the Municipality of Central Illawarra, under the Seal of the Corporation, praying for the speedy amendment of the said Act. Petition received.
4. Bridges (“*Formal*” Motion):—Mr. Cummings moved, pursuant to notice, That there be laid on the Table of this House,—
- (1.) A Return, setting forth all Bridges erected in the Southern District since the inauguration of Responsible Government, where erected, cost of each, and sum total; also, a Return of all Bridges in course of erection, and cost in terms of contract, in said District.
- (2.) Similar returns for like improvements in the Western District.
- (3.) Similar returns for like improvements in the Northern District.
- Question put and passed.

5. Verdicts Amendment Bill (Order No. 1 of Other Business) :—Mr. Buchanan moved, That this Bill be now read a second time.
Debate ensued.
Mr. Burdekin moved the Previous Question.
Debate ensued.
Previous Question,—That this Question be now put,—put and passed.
Original Question then put.
The House divided.

Ayes, 13.

Mr. Garrett,
Dr. Lang,
Mr. Donnelly,
Mr. Parkes,
Mr. Campbell,
Mr. Stimpson,
Mr. Sutherland,
Mr. Tighe,
Mr. Kemp,
Mr. Buchanan,
Mr. Darvall,

Tellers.

Mr. De Salis,
Mr. Forlonge.

Noes, 28.

Mr. Robertson,	Mr. Roberts,
Mr. Arnold,	Mr. Cummings,
Mr. Wilson,	Mr. Lloyd,
Mr. Gordon,	Mr. White,
Mr. Tunks,	Mr. Landale,
Mr. Phelps,	Mr. Mate,
Mr. Forster,	Mr. Dignam,
Mr. Lee,	Mr. Caldwell,
Mr. Burdekin,	Mr. Driver,
Mr. Graham,	Mr. Hart,
Mr. Cooper,	Mr. Martin,
Mr. Osborne,	Tellers.
Mr. Cunneen,	
Mr. Hurley,	Mr. Macleay,
Mr. Farnell,	Mr. Piddington.

6. New Trials Limitation Bill (Order No. 2 of Other Business) :—Mr. Buchanan moved, That this Bill be now read a second time.
Debate ensued.
Question put and negatived.
7. Postponements :—The undermentioned Orders of the Day of Other Business postponed, respectively, on motion of the Members named, as follows :—
(1.) Orders Nos. 3 and 4, Mr. Forster, until this day week.
(2.) Order No. 5, Mr. Forster, until Tuesday next.
(3.) Order No. 6, Mr. Forster, until this day week.
(4.) Order No. 7, Mr. Driver, until this day fortnight.
(5.) Order No. 8, Mr. Forster, until this day week.
8. Triennial Parliaments Bill :—The Order of the Day (No. 9 of Other Business), for the second reading of this Bill discharged, and Bill withdrawn, on motion of Dr. Lang.
9. Postponements :—The undermentioned Orders of the Day of Other Business postponed, respectively, on motion of Mr. Wilson, as follows :—
(1.) Order No. 10, until this day week.
(2.) Order No. 11, until this day fortnight.
- The House adjourned, on motion of Mr. Cowper, at three minutes after Eleven o'clock, until Tuesday next, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

TUESDAY, APRIL 25.

Questions :—

1. MR. BYRNES to ask THE COLONIAL SECRETARY,—
(1.) Whether he can conveniently lay upon the Table of the House, before the Estimates for Education are considered, a Tabular Return of all the Denominational Schools in the Colony, under the different heads of Church of England, Roman Catholic, Presbyterian, and Wesleyan, shewing the Number of Children on the Books, and average daily attendance in each School; distinguishing the Sexes, Number of Male and Female Teachers receiving Salary in each School, and the amount paid to each?
(2.) Also, a like Return of the National Schools, under the different heads of Vested, and Non-Vested Schools?

2. MR. FORSTER *to ask* THE SECRETARY FOR LANDS,—With reference to an item in page 8 of the Supplementary Estimates for 1864, under the head of “Roads other than Main Roads,” specified as “Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 per annum,” and amounting to £320 19s. 4d.,—
- (1.) Has the sum in question been actually paid to Mr. Fitzpatrick?
 - (2.) If so, by what authority?
 - (3.) Has the claim on Mr. Fitzpatrick’s part arisen out of any promise made or contract entered into by the present Honorable Secretary for Lands?
 - (4.) Are there any records of a decision having been arrived at by the late Government on the subject; and if so, to what effect?
3. MR. HURLEY *to ask* THE COLONIAL SECRETARY,—If it is true that the Government has recently reinstated Mr. Rose, Police Magistrate of Gundagai, after his being suspended on a charge connected with his conduct on the occasion of an attack by Ben Hall and others on the Gundagai Mail, by which he was a passenger, when Trooper Parry lost his life?
4. MR. HURLEY *to ask* THE COLONIAL SECRETARY,—
- (1.) Does the Government know how many Volunteers for the suppression of Bush-ranging there are in the Southern District?
 - (2.) Are they all, or any, and if any, how many are receiving pay from the Government?
 - (3.) What mode is adopted by the Government of ascertaining the characters of these Volunteers?
 - (4.) Are they subject to any special control, and if so, will the Honorable the Colonial Secretary state what it is?
 - (5.) Are they local residents, and if not, what means have they of acquiring knowledge of the intricacies of the country in which they are employed?
 - (6.) What is the allowance made to them, if any?
5. MR. MACPHERSON *to ask* THE SECRETARY FOR PUBLIC WORKS,—
- (1.) Is it true that a Special Train from Sydney to Liverpool was ordered by one of the present Ministry on the day of the Nomination for Central Cumberland, on or about 3rd June, 1863?
 - (2.) If so, by whom was this Special Train ordered?
 - (3.) Was an account rendered to any one for this Train; and, if so, to whom?
 - (4.) Has that account been paid; and, if so, when and by whom?
6. MR. MARTIN *to ask* THE COLONIAL TREASURER,—
- (1.) What is the amount received from the Oriental Bank in the manner stated on Wednesday last by the Colonial Treasurer?
 - (2.) Whether the amount so obtained has been applied directly or indirectly to meet the current engagements of the Government, or to reduce the overdraft on the Consolidated Revenue Fund, incurred on account of such current engagements?
 - (3.) Whether any, and what, new financial arrangement has been made with the Oriental Bank?

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. COWPER *to move*, That the Bill “to enable the Members of the United Church of England and Ireland within the Diocese of Sydney, assembled in Synod, to regulate the affairs thereof,” be referred to a Select Committee. That such Committee consist of the following Members, viz.:—Mr. Burdekin, Mr. Forster, Mr. Gordon, Mr. Josephson, Mr. Macpherson, Mr. Morrice, Mr. Parkes, Mr. Tighe, Mr. White, and the Mover.
2. MR. MACPHERSON *to move*, That, in the opinion of this House, it is not desirable that any further sales of Church and School Lands, or leases for a longer period than one year, should be authorized by the Government until after legislation on the subject.
3. MR. OSBORNE, *to move*, That the Petition presented by him on Friday, the 21st April, from the Chairman and Councillors of the Municipality of Central Illawarra, be printed.
4. MR. BUCHANAN *to move*, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, copies of the Depositions in the case of Lotze, on the occasion of that person’s committal by the Chief Commissioner of Insolvency.
5. MR. PARKES *to move*, That the Petition of William Dunn, presented by him on the 11th April, be printed.
6. MR. LUCAS *to move*, That there be laid on the Table of this House, all Correspondence, Petitions, Minutes, and other Documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.
7. MR. CUMMINGS *to move*, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O’Connell’s Plains.

8. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
9. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

ORDER OF THE DAY :—

1. Superannuation Act Amendment Bill ; second reading.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply ; resumption of the Committee.

WEDNESDAY, APRIL 26.

Contingent Notice :—

1. MR. MARTIN to move (*on the Motion being made for the resumption of the Committee of Ways and Means*)—That this House disapproves of the agreement entered into between the Governments of New South Wales and Victoria, on the 15th and 17th of April instant, as set forth in the Minutes laid on the Table of this House by the Colonial Secretary on the 19th instant.

Question :—

1. MR. RODD to ask THE COLONIAL TREASURER,—What amount has been received from the Escort Charge on Gold, from the date of its first imposition to the 31st March last ?

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move for leave to introduce a Bill to authorize contribution towards the support of the Imperial Forces in New South Wales.
2. MR. COWPER to move, That so much of the Sessional Order, made on 27th January last, fixing "Days of precedence of Private Business and relative precedence of Private Orders," as gives precedence to Private Business on Tuesdays, be rescinded, and that during the remainder of the present Session, unless otherwise ordered, Government Business shall take precedence of Private Business on Tuesdays.

ORDERS OF THE DAY :—

1. Impounding Bill ; to be further considered in Committee.
2. Ways and Means ; reception of Report of Committee.
3. Ways and Means ; resumption of the Committee.

FRIDAY, APRIL 28.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Randwick Coogee and other Roads Investment Bill ; second reading.
2. Destitute Children's Bill ; second reading.
3. Prison Discipline Bill ; to be further considered in Committee.
4. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
5. Municipalities Act Amendment Bill ; second reading.
6. Coal Fields Regulation Act Amendment Bill ; second reading.

NOTICE OF MOTION :—

1. MR. RODD to move,—
 - (1.) That, in the opinion of this House, the Government, while charging eight-pence per ounce for the conveyance of gold from the different Gold Fields to Sydney, ought to be responsible for its safe delivery.
 - (2.) That the foregoing Resolution be transmitted by Address to His Excellency the Governor.

TUESDAY,

TUESDAY, MAY 2.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. MACLEAY to move, That the Report of the Select Committee on the Harbour Defences, ordered to be printed on the 9th September, 1863, be now adopted.
2. MR. WHITE to move, That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure tenure should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.

FRIDAY, MAY 4.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Criminal Evidence Amendment Bill; second reading.
2. Brands Registration Bill; to be further considered in Committee.

TUESDAY, MAY 9.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.

[Price, 6d.]

1904

1905

1906

1907

1908

1909

1910

1911

1912

New South Wales.

No. 31.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 25 APRIL, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Denominational and National Schools:—Mr. Byrnes asked the Colonial Secretary, pursuant to Notice No. 1,—

(1.) Whether he can conveniently lay upon the Table of the House, before the Estimates for Education are considered, a Tabular Return of all the Denominational Schools in the Colony, under the different heads of Church of England, Roman Catholic, Presbyterian, and Wesleyan, shewing the number of Children on the Books, and average daily attendance in each School; distinguishing the Sexes, number of Male and Female Teachers receiving Salary in each School, and the amount paid to each?

(2.) Also, a like Return of the National Schools, under the different heads of Vested and Non-Vested Schools?

Mr. Cowper answered,—I have applied to the respective Educational Boards of the National and Denominational Systems, and I have received from the Denominational Board a Return comprising, in nearly every respect, the information the honorable gentleman desires to obtain. I believe in one point the Board has not been able to get the information, but as far as possible it is given, and I purpose to lay it upon the Table. I dare say the National Board will furnish the information in a day or two, and I shall then be happy to lay it upon the Table.

- (2.) M. Fitzpatrick, Esq., Under Secretary for Lands:—Mr. Forster asked the Secretary for Lands, pursuant to Notice No. 2,—With reference to an item in page 8 of the Supplementary Estimates for 1864, under the head of "Roads other than Main Roads," specified as "Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 per annum," and amounting to £320 19s. 4d,—

(1.) Has the sum in question been actually paid to Mr. Fitzpatrick?

(2.) If so, by what authority?

(3.) Has the claim on Mr. Fitzpatrick's part, arisen out of any promise made or contract entered into by the present Honorable Secretary for Lands?

(4.) Are there any records of a decision having been arrived at by the late Government on the subject; and if so, to what effect?

Mr. Robertson answered,—

(1.) It has.

(2.) By the authority of the Governor and Executive Council, in anticipation of a vote of Parliament, in accordance with the usual practice with regard to matters of this kind.

(3.) The claim has arisen in consequence of services made by that gentleman to the Government.

(4.) There is a record of the opinion of the late Secretary for Lands, by a formal minute signed by that Honorable Gentleman, recommending that this money should be paid.

- (3.) Mr. Rose, Police Magistrate of Gundagai:—Mr. Hurley asked the Colonial Secretary, pursuant to Notice No. 3,—If it is true that the Government has recently

recently reinstated Mr. Rose, Police Magistrate of Gundagai, after his being suspended on a charge connected with his conduct on the occasion of an attack by Ben Hall and others on the Gundagai Mail, by which he was a passenger, when Trooper Parry lost his life?

Mr. Cowper answered,—The case of Mr. Rose was disposed of by the late Government.

(4.) Volunteers for Suppression of Bushranging in Southern District:—Mr. Hurley asked the Colonial Secretary, pursuant to Notice No. 4,—

(1.) Does the Government know how many Volunteers for the suppression of Bushranging there are in the Southern District?

(2.) Are they all, or any, and if any, how many are receiving pay from the Government?

(3.) What mode is adopted by the Government of ascertaining the characters of these Volunteers?

(4.) Are they subject to any special control, and if so, will the Honorable the Colonial Secretary state what it is?

(5.) Are they local residents, and if not, what means have they of acquiring knowledge of the intricacies of the country in which they are employed?

(6.) What is the allowance made to them, if any?

Mr. Cowper answered,—

(1.) The Government is not in a position to give any detailed information respecting the Volunteers, even if it were considered expedient to do so, a discretion being vested in more than one of the Superintendents of Police, as well as other Magistrates, to accept their services.

(2.) There is no fixed rate of pay, and in some cases the Volunteers are serving without remuneration.

(3.) Either personal knowledge or strong recommendations from reliable and responsible persons guides the choice of those who accept them.

(4.) In some instances they are, and in some they are not.

(5.) The selection has been made, so far as I know, from those whose local knowledge or other qualifications were believed specially to fit them for the duty.

(6.) Already answered in a former reply.

(Mr. Macpherson withdrew the Question standing in his name, No. 5.)

(Mr. Martin not asking the Question standing in his name, No. 6, it dropped.)

2. Papers:—Mr. Cowper laid upon the Table the undermentioned Papers:—

(1.) Return of Children attending Denominational Schools, and other particulars in reply to the Colonial Secretary's letter of April 21st, 1865, (*In reference to Question No. 1 on the Notice Paper for to-day, and Mr. Cowper's answer thereto.*)

(2.) Return to Address, in reference to "Henry Corbett," adopted by this House, on motion of Mr. Buchanan, on 31 March, 1865.

(3.) Further Despatches respecting Contribution of Colonies to Expense of Military Defence.

(4.) Return shewing the Distribution of Police Force on 31st March, 1865.

Ordered to be printed.

3. Election Petition:—Mr. Cowper, *by Command*, laid upon the Table an Election Petition which had been addressed to His Excellency the Governor, from John Single, of West Maitland, in the Colony of New South Wales, Esquire, praying that, for the reasons therein set forth, the Return of Thomas Gordon Gibbons Dangar, Esquire, as Member of the Legislative Assembly for the Electoral District of the Gwydir, may be declared to be null and void, and that it may be declared and determined that the said Thomas Gordon Gibbons Dangar was not competent to be, and was not lawfully elected to serve as or to be, and is not such Member, and that it may be declared and determined that the Petitioner was duly elected as such Member instead of the said Thomas Gordon Gibbons Dangar, and is entitled to take his seat accordingly, or that such other order and determination may be made in the premises as shall be just.

Ordered, on motion of Mr. Cowper, that the said Petition be referred to the Committee of Elections and Qualifications.

4. Keiran Rigney:—Mr. Dodds presented a Petition from Keiran Rigney, of Maitland, late Principal Turnkey at the Gaol at Maitland, representing that after fourteen years service he resigned office, in consequence of failing health, just three months too early to admit of his being entitled to a pension; and praying relief.
Petition received.

5. Messages from the Governor:—The following Messages from His Excellency the Governor were delivered by the Ministers respectively named, and read by the Speaker:—

(1.) (By Mr. Smart.) Proposed issue of Debentures for £850,000:—

JOHN YOUNG,

Message No. 8.

Governor.

It being found expedient to raise an amount of money not exceeding eight hundred and fifty thousand pounds, for carrying on services already sanctioned, or to be sanctioned, by the Legislature, and it being considered advisable to provide such amount by the issue of New South Wales Government Debentures, the Governor submits the subject to the consideration of the Legislative Assembly, and recommends that provision be made accordingly.

Government House,

Sydney, 25 April, 1865.

Ordered, on motion of Mr. Smart, to be printed, and taken into consideration in Committee of Ways and Means.

(2.)

- (2.) (By Mr. Cowper.) Cost of Imperial Troops on Service within the Colony :—
JOHN YOUNG, *Message No. 9.*
Governor.

In accordance with the 54th clause of the Constitution Act, the Governor recommends to the Legislative Assembly, to make provision for contributing towards the cost of Imperial Troops on service within the Colony of New South Wales.

Government House,
Sydney, 25th April, 1865.

Ordered, on motion of Mr. Cowper, to be printed, and taken into consideration in Committee of the Whole House,

6. *Re Lotze, in Insolvency (Administration of Justice) ("Formal" Motion):—*
 Mr. Buchanan moved, pursuant to notice, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, copies of the Depositions in the case of Lotze, on the occasion of that person's committal by the Chief Commissioner of Insolvency.
 Question put and passed.
7. William Dunn ("*Formal" Motion*) :—Mr. Parkes moved, pursuant to notice, That the Petition of William Dunn, presented by him on the 11th April, be printed.
 Question put and passed.
 Ordered to be printed.
8. Church of England Synod Bill :—Mr. Cowper moved, pursuant to notice, *as amended with the concurrence of the House,—*
 (1.) That the Bill, to enable the Members of the United Church of England and Ireland within the Diocese of Sydney, assembled in Synod, to regulate the affairs thereof, be referred to a Select Committee.
 (2.) That such Committee consist of the following Members, viz. :—Mr. Burdekin, Mr. Byrnes, Mr. Gordon, Mr. Macpherson, Mr. Morrice, Mr. Parkes, Mr. Tighe, Mr. White, and the Mover.
 Debate ensued.

And Mr. Hart requiring that the said Committee be appointed by Ballot,—

Question put,—That the Bill to enable the Members of the United Church of England and Ireland within the Diocese of Sydney, assembled in Synod, to regulate the affairs thereof, be referred to a Select Committee.

The House divided.

Ayes, 28.		Noes, 18.	
Mr. Cowper,	Mr. Cunneen,	Mr. Egan,	Mr. Kemp,
Mr. Arnold,	Mr. Forster,	Mr. Wilson,	<i>Tellers.</i>
Mr. Robertson,	Mr. Gordon,	Mr. Hurley,	Mr. Hart,
Mr. Darvall,	Mr. Mate,	Mr. Dodds,	Mr. Piddington.
Mr. Smart,	Mr. Cooper,	Mr. Graham,	
Mr. Lloyd,	Mr. Hannell,	Mr. Landale,	
Mr. Lee,	Mr. Tighe,	Mr. Cummings,	
Mr. Caldwell,	Mr. Driver,	Dr. Lang,	
Mr. Stimpson,	Mr. Alexander,	Mr. Pickering,	
Mr. Farnell,	Mr. Joseph,	Mr. Garrett,	
Mr. Morrice,	Mr. Osborne,	Mr. Parkes,	
Mr. Byrnes,	<i>Tellers.</i>	Mr. Donnelly,	
Mr. Macpherson,		Mr. Pemell,	
Mr. White,	Mr. Josephson,	Mr. Oatley,	
Mr. Tunks,	Mr. Burdekin.	Mr. Buchanan,	

Whereupon the House proceeded to the Ballot, and the Speaker declared the following to be the Committee duly appointed :—Mr. Cowper, Mr. Burdekin, Mr. Macpherson, Mr. Parkes, Mr. Tighe, Mr. White, Mr. Byrnes, Mr. Morrice, and Mr. Osborne.

9. Church and School Lands :—Mr. Macpherson moved, pursuant to notice, That, in the opinion of this House, it is not desirable that any further sales of Church and School Lands, or leases for a longer period than one year, should be authorized by the Government until after legislation on the subject.
 Debate ensued.

And the House continuing to sit until after midnight ;—

WEDNESDAY, 26 APRIL, 1865, A.M.

Question put.

The House divided.

Ayes, 10,		Noes, 21.	
Mr. De Salis,		Mr. Cowper,	Mr. Stimpson,
Mr. Egan,		Mr. Arnold,	Mr. Hannell,
Mr. Phelps,		Mr. Robertson,	Mr. Cummings,
Mr. Dignam,		Mr. Smart,	Mr. Buchanan,
Mr. Cooper,		Mr. Darvall,	Mr. Morrice,
Mr. White,		Mr. Wilson,	Mr. Hart,
Mr. Mate,		Mr. Samuel,	Mr. Driver,
Mr. Macleay,		Mr. Forster,	<i>Tellers.</i>
<i>Tellers.</i>		Mr. Lee,	Mr. Kemp,
Mr. Forlonge,		Mr. Dodds,	Mr. Lucas.
Mr. Macpherson,		Mr. Alexander,	
		Mr. Garrett,	

- The House adjourned, on motion of Mr. Cowper, at twenty-five minutes after Twelve o'clock A.M., until Three o'clock P.M. This Day.

JOHN HAY,
Speaker.

NOTICES

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

WEDNESDAY, APRIL 26.

Contingent Notice :—

1. MR. MARTIN to move (*on the Motion being made for the resumption of the Committee of Ways and Means*)—That this House disapproves of the agreement entered into between the Governments of New South Wales and Victoria, on the 15th and 17th of April instant, as set forth in the Minutes laid on the Table of this House by the Colonial Secretary on the 19th instant.

Questions :—

1. MR. RODD to ask THE COLONIAL TREASURER,—What amount has been received from the Escort Charge on Gold, from the date of its first imposition to the 31st March last ?
2. MR. MACPIERSON to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Is it true that a Special Train from Sydney to Liverpool was ordered by one of the present Ministry, on the day of the Nomination for Central Cumberland, on or about 3rd June, 1863 ?
 - (2.) If so, by whom was this Special Train ordered ?
 - (3.) Was an account rendered to any one for this Train ; and, if so, to whom ?
 - (4.) Has that account been paid ; and if so, when, and by whom ?
3. MR. LANDALE to ask THE COLONIAL SECRETARY,—
 - (1.) According to the result of the Conference on Border Customs,—Is it the case that goods imported from South Australia, *via* the Murray, into New South Wales, shall be subjected to the Victorian Tariff, and to be collected by Victoria, and that Victoria is to retain her excess of Tariff over that of New South Wales ?
 - (2.) If the foregoing be the case, where are duties on goods from South Australia to be collected ?
 - (3.) Is it contemplated that an equalization of the Tariffs of Victoria and New South Wales shall take place, and when ?
4. MR. PHELPS to ask THE COLONIAL TREASURER,—That whereas, under contemplated arrangements of the Border Customs, it appears probable that the western portion of New South Wales, known as Riverina, is likely to be subjected to a duty of 6d. per lb. on tea, while the eastern portion of New South Wales pays 3d. only,—What steps are contemplated by the Government to remove this injustice and infliction from said District of New South Wales ?
5. MR. FORSTER to ask THE COLONIAL SECRETARY,—
 - (1.) Is it true that Mr. John Evelyn Liardet has been recently appointed by the present Government to command a party of Volunteers in the Southern Districts, in pursuit of Bushrangers, and that the appointment has been since cancelled, and the party disbanded, in consequence of Mr. J. E. Liardet's incapacity or misconduct ?
 - (2.) If so, what were the circumstances which led to the appointment being cancelled ?
 - (3.) Was Mr. Liardet promised any, and if any, how much remuneration, or entrusted with the expenditure of any, and if any, how much public money, for the purpose ?
 - (4.) Has all the money paid, or entrusted, to Mr. Liardet in the matter, been returned, or accounted for ?
6. MR. FORSTER to ask THE COLONIAL SECRETARY,—
 - (1.) Is it true that Mr. John Oakes was recently appointed by the present Government to command a party of Volunteers in the Southern Districts, in pursuit of Bushrangers, and that the appointment has been since cancelled and the party disbanded, in consequence of Mr. John Oakes' incapacity or misconduct ?
 - (2.) If so, what were the circumstances which led to the appointment being cancelled ?
 - (3.) Was Mr. Oakes promised any, and if any, how much remuneration, or entrusted with the expenditure of any, and if any, how much, public money for the purpose ?
 - (4.) Has all, or any of the money paid, or entrusted, to Mr. Oakes in the matter, been returned, or accounted for ?

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move for leave to introduce a Bill to authorize contribution towards the support of the Imperial Forces in New South Wales.
2. MR. COWPER to move, That so much of the Sessional Order, made on 27th January last, fixing "Days of precedence of Private Business and relative precedence of Private Orders," as gives precedence to Private Business on Tuesdays, be rescinded, and that during the remainder of the present Session, unless otherwise ordered, Government Business shall take precedence of Private Business on Tuesdays.
3. MR. SMART to move for leave to bring in a Bill for imposing Stamp Duties, founded upon Resolutions, Nos. 4 to 23 inclusive, of Ways and Means.

ORDERS

ORDERS OF THE DAY:—

1. Impounding Bill; to be further considered in Committee.
2. Ways and Means; reception of Report of Committee.
3. Ways and Means; resumption of the Committee.
4. Supply; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DODDS to move, That the Petition of Keiran Rigney, presented by him on the 25th April, be printed.
2. MR. FORSTER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid upon the Table of this House, all correspondence, minutes, and other documents having reference to the appropriation by the Executive Government of the sum of £320 19s. 4d., specified in page 8 of the Supplementary Estimates for 1864, under the head of "Roads other than Main Roads," as "Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 per annum."
3. MR. OSBORNE to move, That the Petition presented by him, on Friday, the 21st April, from the Chairman and Councillors of the Municipality of Central Hawarra, be printed.
4. MR. LUCAS to move, That there be laid on the Table of this House, all Correspondence, Petitions, Minutes, and other Documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.
5. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O'Connell's Plains.
6. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
7. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

ORDER OF THE DAY:—

1. Superannuation Act Amendment Bill; second reading.

THURSDAY, APRIL 27.

Question:—

1. MR. HART to ask THE SECRETARY FOR PUBLIC WORKS,—Whether any and what steps have been taken to abate the nuisance arising from the overflowing of Cess-pools at the Lunatic Asylum, Parramatta, and respecting which proceedings were lately instituted against the Medical Officer of that Institution?

FRIDAY, APRIL 28.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Randwick Coogee and other Roads Investment Bill; second reading.
2. Destitute Children's Bill; second reading.
3. Prison Discipline Bill; to be further considered in Committee.
4. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
5. Municipalities Act Amendment Bill; second reading.
6. Coal Fields Regulation Act Amendment Bill; second reading.

NOTICES OF MOTION:—

1. MR. RODD to move,—
 - (1.) That in the opinion of this House, the Government, while charging eight-pence per ounce for the conveyance of gold from the different Gold Fields to Sydney, ought to be responsible for its safe delivery.
 - (2.) That the foregoing Resolution be transmitted by Address to His Excellency the Governor.
2. MR. PHELPS to move, That there be laid upon the Table of this House, Returns shewing the annual revenues derived from the western portion of New South Wales west of the 147th meridian, and known as Riverina, commencing the 1st January, 1858. Also, the amount of money expended annually in said district, from same date, and for what purposes.
3. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to take into consideration the Report of a Select Committee of the Assembly during the last Parliament, in the case of Miss Isabella Mary Kelly, and to take such steps in the case as may be deemed expedient and necessary.

TUESDAY,

TUESDAY, MAY 2.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MACLEAY to move, That the Report of the Select Committee on the Harbour Defences, ordered to be printed on the 9th September, 1863, be now adopted.
2. MR. WHITE to move, That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure tenure should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.
3. DR. LANG to move,—
 - (1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
 - (2.) That the said Committee shall consist of the following Members, viz. :— Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pemell, Mr. Sutherland, and the Mover.

FRIDAY, MAY 4.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Criminal Evidence Amendment Bill; second reading.
2. Brands Registration Bill; to be further considered in Committee.

TUESDAY, MAY 9.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.

New South Wales.

No. 32.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 26 APRIL, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Escort Charge on Gold :—Mr. Rodd asked the Colonial Treasurer, pursuant to Notice No. 1,—What amount has been received from the Escort Charge on Gold, from the date of its first imposition to the 31st March last ?

Mr. Smart answered,—From the 15th August, 1864, the date on which the uniform charge of 8d. per ounce came into operation, the amount received has been £6,546 1s. 9d.

- (2.) Special Train from Sydney to Liverpool :—Mr. Macpherson asked the Secretary for Public Works, pursuant to Notice No. 2,—

(1.) Is it true that a Special Train from Sydney to Liverpool was ordered by one of the present Ministry, on the day of the Nomination for Central Cumberland, on or about 3rd June, 1863 ?

(2.) If so, by whom was this Special Train ordered ?

(3.) Was an account rendered to any one for this Train ; and if so, to whom ?

(4.) Has that account been paid ; and if so, when, and by whom ?

Mr. Arnold answered,—Upon the occasion alluded to in the first question a Train was applied for by the Committee of one of the candidates at this Election, and some difficulty occurring, an application was made to one of the Ministers to issue the necessary order, and that order was supplied in the absence of the Minister for Works by Mr. Cowper. The account has been rendered and paid. It was rendered in the first instance to Mr. Cowper, the Manager not knowing to what Member of the Committee the account should be sent, and during the time that the late Ministry held Office, there seems to have been some difficulty in determining who was liable. At all events, when I came into office I found the account unpaid ; but as soon as the matter was brought under my notice, I had no difficulty in obtaining payment.

- (3.) Border Customs' Duties :—

(1.) Mr. Landale asked the Colonial Secretary pursuant to Notice No. 3,—

(1.) According to the result of the Conference on Border Customs,—Is it the case that goods imported from South Australia, *via* the Murray, into New South Wales shall be subjected to the Victorian Tariff, and to be collected by Victoria, and that Victoria is to retain her excess of Tariff over that of New South Wales ?

(2.) If the foregoing be the case, where are duties on goods from South Australia to be collected ?

(3.) Is it contemplated that an equalization of the Tariffs of Victoria and New South Wales shall take place, and when ?

Mr. Smart answered,—

(1.) By the arrangement made with the Victorian Government, the duties upon goods imported from South Australia by way of the Murray, into New South Wales, are to be collected by Victoria, the Victorian Government paying over to the Government of New South Wales the amount of duties according to the Tariff of the latter Colony.

(2.) It has not been finally decided where the duties on goods from South Australia are to be collected.

(3.) This Government is most anxious for the establishment of a uniform Tariff among all the Australian Colonies, and is prepared to co-operate with the neighbouring Colonies to bring about such a desirable result. It is hoped the day is not far distant when it will be accomplished.

(2.)

(2.) Mr. Phelps asked the Colonial Treasurer, pursuant to Notice No. 4,—That whereas, under contemplated arrangements of the Border Customs, it appears probable that the western portion of New South Wales, known as Riverina, is likely to be subjected to a duty of 6d. per lb. on tea, while the eastern portion of New South Wales pays 3d. only,—What steps are contemplated by the Government to remove this injustice and infliction from said District of New South Wales?

Mr. Smart answered,—This Government does not recognize any portion of the Colony as Riverina, nor does it admit that any injustice has been done to any District of New South Wales by the recent arrangement respecting the Border Customs.

(4.) Volunteers for Suppression of Bushranging in Southern District :—

(1.) Mr. J. E. Liardet :—Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 5,—

(1.) Is it true that Mr. John Evelyn Liardet has been recently appointed by the present Government to command a party of Volunteers in the Southern Districts, in pursuit of Bushrangers, and that the appointment has been since cancelled, and the party disbanded, in consequence of Mr. J. E. Liardet's incapacity or misconduct?

(2.) If so, what were the circumstances which led to the appointment being cancelled?

(3.) Was Mr. Liardet promised any, and if any, how much remuneration, or entrusted with the expenditure of any, and if any, how much public money, for the purpose?

(4.) Has all the money paid, or entrusted to Mr. Liardet in the matter, been returned or accounted for?

Mr. Cowper answered,—

(1.) The services of Mr. Liardet, together with some others, were accepted to go in pursuit of Bushrangers in the Southern Districts, and their services have been dispensed with.

(2.) The arrangement was only of a temporary character, and when it was considered desirable to terminate it, their employment ceased.

(3.) The party were paid during their employment. The expenditure for pay and contingencies amounted to £160 9s. 2d.

(4.) An advance was made, and the amount has been satisfactorily adjusted.

(2.) Mr. John Oakes :—Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 6,—

(1.) Is it true that Mr. John Oakes was recently appointed by the present Government to command a party of Volunteers in the Southern Districts, in pursuit of Bushrangers, and that the appointment has been since cancelled and the party disbanded, in consequence of Mr. John Oakes' incapacity or misconduct?

(2.) If so, what were the circumstances which led to the appointment being cancelled?

(3.) Was Mr. Oakes promised any, and if any, how much remuneration, or entrusted with the expenditure of any, and if any, how much public money for the purpose?

(4.) Has all, or any of the money paid, or entrusted, to Mr. Oakes in the matter, been returned, or accounted for?

Mr. Cowper answered,—The replies given to former questions substantially answer the first and second question now put. An advance of £150 was made to cover expenses of equipment and remuneration of this party, and the accounts are now in course of adjustment by the Superintendent of Police of the South-eastern District.

2. Papers :—Mr. Robertson laid upon the Table the undermentioned Papers :—

(1.) Return to Order, in reference to "Minor Roads Statistics," made by the Legislative Assembly, on motion of Mr. Dangar, on 8th September, 1863.

(2.) Return to Order, in reference to "Conditional Purchases under Crown Lands Alienation Act of 1861," made by the Legislative Assembly, on motion of Mr. Piddington, on 1st November, 1864.

Ordered to be printed.

3. Military Contribution Bill ("Formal Motion") :—

(1.) Mr. Cowper moved, pursuant to notice, for leave to introduce a Bill to authorize contribution towards the support of the Imperial Forces in New South Wales. Question put and passed.

(2.) Mr. Cowper having presented this Bill, Bill, intituled, "*A Bill to authorize contribution towards the support of the Imperial Forces in New South Wales*," read a first time.

Ordered to be printed, and read a second time this day week.

4. Keiran Rigney ("Formal" Motion) :—Mr. Dodds moved, pursuant to notice, That the Petition of Keiran Rigney, presented by him on the 25th April, be printed. Question put and passed.

Ordered to be printed.

5. M. Fitzpatrick, Esq., Under Secretary for Lands ("Formal" Motion) :—Mr. Forster moved, pursuant to notice, That an Address be presented to the Governor, praying that His Excellency will cause to be laid upon the Table of this House, all correspondence, minutes, and other documents having reference to the appropriation by the Executive Government of the sum of £320 19s. 4d., specified in

page 8 of the Supplementary Estimates for 1864, under the head of "Roads other than Main Roads," as "Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with Minor Roads, from "14th August, 1862, to 21st March, 1864, at the rate of £200 per annum."

Question put and passed.

6. Municipalities Act of 1858 (*"Formal" Motion*):—Mr. Garrett, on behalf of Mr. Osborne, moved, pursuant to notice, That the Petition presented by Mr. Osborne on Friday, the 21st April, from the Chairman and Councillors of the Municipality of Central Illawarra, be printed.
Question put and passed.
Ordered to be printed.
7. Bridge over River Cox, at Glen Roy (*"Formal" Motion*):—Mr. Lucas moved, pursuant to Notice, That there be laid on the Table of this House, all Correspondence, Petitions, Minutes, and other Documents in the possession of the Government, with reference to the erection of a Bridge over the River Cox, at Glen Roy.
Question put and passed.
8. Rescission, in part, of Sessional Order—Additional Day for precedence of Government Business:—(*Sessional Order*):—Mr. Cowper moved, pursuant to Notice, as amended with the concurrence of the House,—That so much of the Sessional Order, made on 27th January last, fixing "Days of precedence of Private Business and relative precedence of Private Orders," as gives precedence to Private Business on Tuesdays, be rescinded, from and after Tuesday next, and that during the remainder of the present Session, unless otherwise ordered, Government Business shall take precedence of Private Business on Tuesdays.
Debate ensued.
Question put and passed.
9. Motion Withdrawn:—Mr. Smart withdrew the motion standing in his name, No. 3 on the Notice Paper of Government Business for to-day.
10. Mr. Ex-Commissioner Cooper:—Mr. Rodd presented a Petition of Sam. Hawkins and T. H. Wingrave, as shareholders of the "Homeward Bound Company," Kiandra, representing that they have sustained great damage and pecuniary loss, arising from the alleged wrongful deprivation of their rights in regard to certain Water Privileges and Water Races at the Gold Fields at Kiandra, by Mr. Ex-Commissioner Cooper; and praying favourable consideration, and redress.
Petition received.
11. Impounding Bill:—On the Order of the Day for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such further consideration.

And the Committee having continued to sit till after Midnight;—

THURSDAY, 27 APRIL, 1865, A.M.

The Chairman reported the Bill with Amendments.

Ordered, on motion of Mr. Robertson, That the adoption of this Report stand an Order of the Day for Friday next.

12. Ways and Means:—The Chairman of Committees reported from the Committee of Ways and Means several Resolutions, which were read a first time, as follow:—

(4.) Resolved, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duty, namely:—

On AGREEMENT or any minute or memorandum of an agreement where the matter thereof shall be of the value of Five Pounds or upwards whether the same shall only be evidence of a contract or obligatory on the parties from its being a written instrument together with every schedule receipt or other matter put or indorsed thereon or annexed thereto	0	1	0
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Provided always that where divers letters shall be offered in evidence to prove any agreement between the parties who shall have written such letters it shall be sufficient if any of such letters shall be stamped with a duty of two shillings and six-pence.

(5.) Resolved, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duties, namely:—

On BILLS OF EXCHANGE—

Inland Bill of Exchange or Promissory Note for the payment to the bearer or to order or on demand of any sum of money not exceeding £50	0	1	0
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Do. not exceeding £100.....	0	2	0
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And where the same shall exceed £100 then for every £50 and also for any fractional part of £50	0	1	0
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Foreign Bill of Exchange or Promissory Note drawn in but payable out of the Colony of New South Wales—			
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If drawn singly or otherwise than in a set of two or more	{	The same duty as on an Inland Bill of the same amount and tenor.

If

If drawn in sets of two or more for every Bill of each set where the sum payable thereby shall not exceed £50	0 0 4
And where it shall exceed £50 and not exceed £100	0 0 8
And where the same shall exceed £100 then for every £50 and also any fractional part of £50	0 0 4
Exemption from the foregoing duties on Bills of Exchange and Promissory Notes but not from any other duty to which the same be liable—All Promissory Notes for the payment of money on demand issued by any Bank or Banking Company of New South Wales.	

Bill of Exchange Draft or Order drawn or indorsed out of the Colony for payment of money on demand } The same duty as on an Inland Bill of the same amount and tenor.

All Bills Drafts or Orders for the payment by any Bank or Banking Company of any sum of money though not made payable to the bearer or to order and whether delivered to the payee or not and all writings or demands entitling any person to the payment by any Bank or Banking Company of any sum of money whether the person to whom payment is to be made shall be named or designated therein or not or whether the same shall be delivered to him or not shall respectively be deemed to be Bills Drafts or Orders for the payment of money chargeable with Stamp Duty as if the same had been made payable to bearer or to order.

(6.) Resolved, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duty, namely:—

On BILL OF LADING or receipt from the Master Mate or Agent of any vessel for any goods merchandise or effects to be carried to any place beyond the boundaries of the Colony—	
For every such Bill of Lading or copy thereof	0 1 0
For every such receipt or copy thereof	0 0 6

(7.) Resolved, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duties, namely:—

On CONVEYANCE—

Of any kind or description whatsoever upon the sale of any property in respect of the principal or only writing whereby the property sold shall be conveyed to or vested in the purchaser or any other person or persons by his direction (except transfers expressly provided for by this Act)—

Where the purchase or consideration money therein or thereupon expressed shall not exceed £50	0 5 0
And where the same shall exceed £50 and not exceed £100	0 10 0
Then for every £100 and any fractional part of £100	0 10 0

Consideration to be expressed.

The purchase money or consideration shall be truly expressed and set forth in words at length in or upon every such principal or only deed or instrument of conveyance and where such consideration shall consist either wholly or in part of any stock or security the value thereof respectively to be ascertained as hereinafter mentioned shall also be truly expressed and set forth in manner aforesaid in or upon every such deed or instrument and such value shall be deemed and taken to be the purchase or consideration money or part of the purchase or consideration money as the case may be in respect whereof the *ad valorem* duty shall be charged as aforesaid.

If in stock how duty to be calculated.

And where the consideration or any part of the consideration shall be any stock in any of the public funds or Government Debentures or stock or any debenture or stock of any person payable only at the will of the debtor the said duty shall be calculated (taking the same respectively whether constituting the whole or a part only of such consideration) according to the average selling price thereof respectively on the day or on either of the ten days preceding the day of the date of the deed or instrument of conveyance or if no sale shall have taken place within such ten days then according to the average selling price thereof on the day of the last preceding sale and if such consideration or part of such consideration shall be a mortgage judgment or bond or a debenture the amount whereof shall be recoverable by the holder or any other security whatsoever whether payable in money or otherwise then such calculation shall be made according to the sum due thereon for both principal and interest.

Property sold at one price conveyed by several deeds.

And where any lands or other property of different tenures or holdings or held under different titles contracted to be sold at one entire price for the whole shall be conveyed to the purchaser in separate parts or parcels by different deeds or instruments the purchase or consideration money shall be divided and apportioned in such manner as the parties shall think fit so that a distinct price or consideration

consideration for each separate part or parcel may be set forth in or upon the principal or only deed or instrument of conveyance relating thereto which shall be charged with the said *ad valorem* duty in respect of the price or consideration money therein set forth.

And where any property contracted to be purchased by two or more persons jointly or by any person for himself and others or wholly for others at one entire price for the whole shall be conveyed in parts or parcels by separate deeds or instruments to the person for whom the same shall be purchased for distinct parts or shares of the purchase money the principal or only deed or instrument of conveyance of each separate part or parcel shall be charged with the said *ad valorem* duty in respect of the sum of money therein specified as the consideration for the same.

Where sold to several at one price and conveyed in parts by separate deeds.

But if separate parts or parcels of such property shall be conveyed to or to the use of or in trust for different persons in and by one and the same deed or instrument then such deed or instrument shall be charged with the said *ad valorem* duty in respect of the aggregate amount of the purchase or consideration moneys therein mentioned to be paid or agreed to be paid for the property thereby conveyed.

Where separate parts conveyed to different persons in same deed.

And where any person having contracted for the purchase of any property but not having obtained a conveyance thereof shall contract to sell to any other person and the same shall in consequence be conveyed immediately to the sub-purchaser the principal or only deed or instrument of conveyance shall be charged with the said *ad valorem* duty in respect of the purchase or consideration money therein mentioned to be paid or agreed to be paid by the sub-purchaser.

Sub-sales conveyance by original seller to sub-purchaser.

And when any person having contracted for the purchase of any property but not having obtained a conveyance thereof shall contract to sell the whole or any part or parts thereof to any other person or persons and the same shall in consequence be conveyed by the original seller to different persons in parts or parcels, the principal or only deed or instrument of conveyance of each part or parcel thereof shall be charged with the said *ad valorem* duty in respect only of the purchase or consideration money which shall be therein mentioned to be paid or agreed to be paid for the same by the person to whom or to whose use or in trust for whom the conveyance shall be made without regard to the amount of the original purchase money.

To several sub-purchasers in parts.

And in all cases of such sub-sales as aforesaid the sub-purchaser and the person immediately selling to him shall be deemed and taken to be the purchaser and seller within the intent and meaning of this Act.

Who to be deemed purchasers and sellers in sub-sales.

But where any sub-purchaser shall take an actual conveyance of the interest of the person immediately selling to him which shall be chargeable with the said *ad valorem* duty in respect of the purchase or consideration money paid or agreed to be paid by him and shall be duly stamped accordingly any deed or instrument of conveyance to be afterwards made to him of the property in question by the original seller shall be exempt from the said *ad valorem* duty and be charged only with the ordinary duty on deeds or instruments of the same kind not upon a sale.

Conveyance by original seller to sub-purchaser where not to be charged.

And where any property separately contracted to be purchased of different persons at separate and distinct prices shall be conveyed to the purchaser or as he shall direct in and by one and the same deed or instrument such deed or instrument shall be charged with the said *ad valorem* duty in respect of the aggregate amount of the purchase or consideration moneys therein mentioned to be paid or agreed to be paid for the same.

Conveyance by different sellers in same deed.

And where any property shall be sold and conveyed in consideration wholly or in part of any sum of money charged thereon by way of mortgage or otherwise and then due and owing to the purchaser or shall be sold and conveyed subject to any mortgage or other debt or to any gross or entire sum of money to be afterwards paid by the purchaser such sum of money or debt shall be deemed the purchase or consideration money or part of the purchase or consideration money as the case may be in respect whereof the said *ad valorem* duty is to be paid.

Where lands &c. sold subject to mortgage duty to be charged on mortgage money.

Exemptions from the preceding Duties on Conveyances—

Any grant from the Crown under the hand of the Governor for the time being of the Colony of New South Wales to any purchaser of Crown Lands in New South Wales

Any certificate of title granted under the hand of the Registrar General pursuant to the Act 26 Vict. No. 9 called the "Real Property Act."

(8.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duties, namely :—

On DEED or instrument of any kind whatever not otherwise charged in this Schedule 1 0 0

Exemptions from the preceding duties on deeds or instruments not otherwise charged in this Schedule—

Apprenticeship and Clerkship—All instruments relating to the services of apprentices clerks or servants.

Mortgage—All mortgages given by way of Bill of Sale or otherwise of live stock goods chattels and effects and personal estate generally and all transfers assignments releases re-conveyances and discharges thereof.

All preferable liens under the Act 11 Victoria No. 4.

All liens on crops under the Act 26 Victoria No. 10.

All Customs bonds.

All administration bonds.

(9.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duty, namely :—

On DRAFT or order for the payment of any sum of money to the bearer or to order on demand 0 0 1

(10.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duties, namely :—

On LEASE or agreement for a lease or any written document for the tenancy or occupancy of any lands tenements or hereditaments the following duties in respect of the yearly rent—

Where the yearly rent shall not exceed £50 0 5 0

Where the same shall exceed £50 and not exceed £100 0 10 0

Above £100 for every fractional part of £100 0 10 0

(11.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duty, namely :—

On LEASE of any lands tenements or hereditaments granted in consideration of a sum of money by way of premium and also of a yearly rent amounting to £20 and upwards Both the *ad valorem* duties payable upon a conveyance according to the consideration therein expressed and for a lease in consideration of a rent of the same amount.

(12.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duty, namely :—

On MEMORANDUM of transfer under the Act 26 Vict. No. 9..... The same duty as for a conveyance for the sale of lands for a like sum the consideration of such transfer.

(13.) *Resolved*, That towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duty, namely :—

On POLICY of Insurance against risk of loss or damage by fire or other casualty to any property on land—

For every £100 insured for any period above six months 0 1 0

For „ £100 „ under six months 0 0 6

(14.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duty, namely :—

On POLICY of Insurance or other instrument whereby any insurance shall be made upon any ship or vessel or upon any goods merchandise or other property on board of any ship or vessel or upon the freight thereof—covered by a time policy for any period exceeding three months 0 2 6

And for all other policies for every sum of £100 and for every fractional part of £100 0 1 0

(15.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duty, namely :—

On PROGRESSIVE DUTY that is to say—

Where any deed or instrument chargeable with any stamp duty under this Act together with any schedule receipt or other matter put or indorsed thereon or annexed thereto shall contain two thousand one hundred and sixty words or upwards then for every one thousand and eighty words over and above the first one thousand and eighty words there shall be charged the further progressive duty following that is to say—

Where such deed or instrument shall be chargeable with any *ad valorem* stamp duty or duties not exceeding in the whole the sum of five shillings a further progressive duty equal to the amount of such *ad valorem* duty or duties and in every other case a further progressive duty of..... 0 5 0

PROMISSORY NOTES. (See BILLS OF EXCHANGE.)

(16.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duty, namely:—

On PROMISSORY NOTES payable to the bearer on demand issued by any Bank or Banking Company at the rate of for every one hundred pounds of the average annual amount in circulation as certified under 4 Vict. No. 13 2 0 0

(17.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duty, namely:—

On RECEIPT or discharge given for or upon the payment of money... 0 0 1
Exemptions from the preceding duties on receipts—

Receipts given for or upon the payment of money to or for the use of Her Majesty.

Receipts indorsed upon any instrument duly stamped under this Act acknowledging the receipt of the consideration money therein expressed.

(18.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duties, namely:—

On TRANSFER of any run or station held under lease or promise of lease from the Crown or of any interest therein where the declared value of the said run or station or interest or the value thereof assessed as in this Act provided shall not exceed £100 0 10 0

And where such value shall exceed £100 then for every £100 and any fractional part of £100 0 10 0

(19.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duties, namely:—

ON TRANSFER of any share or shares in the stock and funds of any corporation company or society whatever in New South Wales upon sale thereof—

Where the purchase or consideration money therein expressed shall not exceed £50..... 0 2 6

Exceeding £50 not exceeding £100 0 5 0

For every additional £50 or fractional part of £50 0 2 6

(20.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duties, namely:—

ON PROBATE of a Will and Letters of Administration with a Will annexed where the effects as sworn to by the Executor or Administrator shall be—

Under the value of £100 £ s. d.
1 0 0

Above the value of £100 and under £200 2 0 0

Do. £200 do. £300 3 0 0

Do. £300 do. £400 4 0 0

Do. £400 do. £500 5 0 0

And above £500 two per cent.

(21.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duties, namely:—

ON LETTERS OF ADMINISTRATION without a Will annexed where the effects as sworn to by the Administrator shall be—

Under the value of £100 1 10 0

Above the value of £100 and under £200 3 0 0

Do. £200 do. £300 4 10 0

Do. £300 do. £400 6 0 0

Do. £400 do. £500 7 10 0

And above £500 two per cent.

(22.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duties, namely:—

ON LEGACIES AND SUCCESSIONS TO PERSONAL ESTATE UNDER ANY TESTAMENTARY DISPOSITION OR UPON INTESTACY.

For every legacy specific or pecuniary or of any other description of the amount or value of £20 or upwards given by any will or testamentary instrument of any person either out of his or her personal estate or out of or charged upon his or her real estate or out of any moneys to arise by sale mortgage or other disposition of his or her real estate or any part thereof and which shall be paid delivered retained satisfied or discharged after the passing of this Act

Also for the clear residuc (when devolving to two or more persons) of the personal estate of any person who shall have died after the passing of this Act (after deducting debts funeral expenses legacies and other charges first payable thereout) whether the title to such residuc or any share thereof shall accrue by virtue of any testamentary disposition or upon a partial or total intestacy where such residuc or share of residuc shall be of the amount or value of £20 or upwards and where the same shall be paid delivered retained satisfied or discharged after the passing of this Act

And

- And also for the clear residue (when given to one person) and for every share of the clear residue (when given to two or more persons) of the monies to arise from the sale mortgage or other disposition of any real estate directed to be sold mortgaged or otherwise disposed of by any testamentary instrument of any person (after deducting debts funeral expenses legacies and other charges first made payable thereout if any) where such residue or share of residue shall amount to £20 or upwards and where the same shall be paid retained or discharged after the passing of this Act
- Where any such legacy or residue or any share of such residue shall have been given or have devolved to or for the benefit of a child of the deceased or any descendant of a child of the deceased or to or for the benefit of the father and mother or any lineal ancestor of the deceased a duty at and after the rate of one pound per centum on the amount or value thereof £1 3⁴ centum
- Where any such legacy or residue or any share of such residue shall have been given or have devolved to or for the benefit of a brother or sister of the deceased or any descendant of a brother or sister of the deceased a duty at and after the rate of three pounds per centum on the amount thereof..... £3 3⁴ centum
- Where any such legacy or residue or any share of such residue shall have been given or have devolved to or for the benefit of a brother or sister of the father or mother of the deceased a duty at and after the rate of five pounds per centum on the amount or value thereof £5 3⁴ centum
- Where any such legacy or residue or any share of such residue shall have been given or have devolved to or for the benefit of a brother or sister of a grandfather or grandmother of the deceased or any descendant of a brother or sister of a grandfather or grandmother of the deceased a duty at and after the rate of six pounds per centum on the amount or value thereof £6 3⁴ centum
- And where any such legacy or residue or any share of such residue shall have been given or have devolved to or for the benefit of any person in any other degree of collateral consanguinity to the deceased than is above described or to or for the benefit of any stranger in blood to the deceased a duty at and after the rate of ten pounds per centum on the amount or value thereof£10 3⁴ centum
- And all gifts of annuities or by way of annuity or of any other partial benefit or interest out of any such estate or effects as aforesaid shall be deemed legacies within the intent and meaning of this Schedule.
- And where any legatee shall take two or more distinct legacies or benefits under any will or testamentary instrument which shall together be of the amount or value of £20 each shall be charged with duty though each or either may be separately under that amount or value

Excepting always devises and bequests to charitable or religious purposes which shall not be charged with any duty.

(23.) *Resolved*, that towards raising the Supply granted to Her Majesty, there shall be charged the following Stamp Duties, namely :—

- On SUCCESSIONS TO REAL AND PERSONAL ESTATE—
- Where the successor shall be the lineal issue or lineal ancestor of the predecessor a duty upon the value of the succession at the rate of... £1 3⁴ centum
- Where the successor shall be a brother or sister or a descendant of a brother or sister of the predecessor a duty upon the value of the succession of £3 3⁴ centum
- Where the successor shall be a brother or sister of the father or mother or the descendant of the brother or sister of the father or mother of the predecessor a duty upon the value of the succession of £5 3⁴ centum
- Where the successor shall be a brother or sister of the grandfather or grandmother of the predecessor a duty upon the value of the succession of £6 3⁴ centum
- Where the successor shall be in any other degree of collateral consanguinity to the predecessor than is hereinbefore described or shall be a stranger in blood to him a duty upon the value of the succession of£10 3⁴ centum

The said Resolutions were then, on motion of Mr. Smart, read a second time, and agreed to.

The House adjourned, on motion of Mr. Cowper, at eight minutes after One o'clock A.M., until Three o'clock P.M. This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

THURSDAY, APRIL 27.

Contingent Notice :—

1. MR. MARTIN to move (*on the Motion being made for the resumption of the Committee of Ways and Means*)—That this House disapproves of the agreement entered into between the Governments of New South Wales and Victoria, on the 15th and 17th of April instant, as set forth in the Minutes laid on the Table of this House by the Colonial Secretary on the 19th instant.

Questions :—

1. MR. HART to ask THE SECRETARY FOR PUBLIC WORKS,—Whether any and what steps have been taken to abate the nuisance arising from the overflowing of Cess-pools at the Lunatic Asylum, Parramatta, and respecting which proceedings were lately instituted against the Medical Officer of that Institution?
2. MR. MORRICE to ask THE SECRETARY FOR LANDS,—
 - (1.) Why the recently surveyed Road through Throsby's Grant, from the old Southern Road, Bong Bong, to Joe Wild's Meadow, was measured in some places only one-half chain wide, while the continuation of one road to Joe Wild's Meadow is one chain wide?
 - (2.) Is the Minister for Lands aware that this half-chain road will be rendered impassable when it is fenced in?
3. MR. BUCHANAN to ask THE COLONIAL SECRETARY,—At what hour are the Clerks of Petty Sessions in the Interior supposed to be at their offices, and how long are they supposed to remain there?
4. MR. BUCHANAN to ask THE ATTORNEY GENERAL,—
 - (1.) Is it the intention of the Government to prosecute Mr. Kemp, of Shoalhaven, on any of the six charges of sly grog selling, or, as it has been more politely termed, non-registration, which Inspector Black publicly stated he had against him?
 - (2.) Will the Attorney General state the difference, in cases such as Mr. Kemp's, between non-registration and the sale of spirits clandestinely?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means ; resumption of the Committee.
2. Supply ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O'Connell's Plains.
2. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
3. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

ORDER OF THE DAY :—

1. Superannuation Act Amendment Bill ; second reading.

FRIDAY, APRIL 28.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Randwick Coogee and other Roads Investment Bill ; second reading.
2. Destitute Children's Bill ; second reading.
3. Prison Discipline Bill ; to be further considered in Committee.
4. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
5. Municipalities Act Amendment Bill ; second reading.
6. Coal Fields Regulation Act Amendment Bill ; second reading.

NOTICES

NOTICES OF MOTION :—

1. MR. RODD to move,—
 - (1.) That, in the opinion of this House, the Government, while charging eight-pence per ounce for the conveyance of gold from the different Gold Fields to Sydney, ought to be responsible for its safe delivery.
 - (2.) That the foregoing Resolution be transmitted by Address to His Excellency the Governor.
2. MR. PHELPS to move, That there be laid upon the Table of this House, Returns shewing the annual revenues derived from the western portion of New South Wales west of the 147th meridian, commencing the 1st January, 1858 ; also, the amount of money expended annually in said district, from same date, and for what purposes.
3. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to take into consideration the Report of a Select Committee of the Assembly during the last Parliament, in the case of Miss Isabella Mary Kelly, and to take such steps in the case as may be deemed expedient and necessary.
4. MR. LEE to move, That there be laid upon the Table of this House, Copies of any Correspondence, Minutes, Petitions, or Papers that may be in possession of the Government in reference to the Wallalla Run, Liverpool Plains, since those already ordered to be printed by the Assembly, 17th March, 1857.
5. MR. DONNELLY to move, That there be laid upon the Table of this House, a Return setting forth—
 - (1.) The localities in which the various Gold Commissioners have jurisdiction.
 - (2.) The number of Gold Commissioners in each locality—their respective grades and salaries.
 - (3.) How many and which of the Gold Commissioners perform the duties of Police Magistrates and Clerks of Petty Sessions respectively.
 - (4.) The number of Gold Commissioner's Clerks, where they are located, and their respective salaries.
 - (5.) The number of miners' rights, business licenses, and leases of auriferous lands issued by each Commissioner respectively, during the current year.
6. MR. RODD to move, That the Petition presented by him on the 26th April, from Sam Hawkins and T. H. Wingrave, be printed.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Impounding Bill Reported ; adoption of the Report.

TUESDAY, MAY 2.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MACLEAY to move, That the Report of the Select Committee on the Harbour Defences, ordered to be printed on the 9th September, 1863, be now adopted.
2. MR. WHITE to move, That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure tenure should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.
3. DR. LANG to move,—
 - (1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
 - (2.) That the said Committee shall consist of the following Members, viz :— Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pemell, Mr. Sutherland, and the Mover.

WEDNESDAY, MAY 3.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Military Contribution Bill ; second reading.

FRIDAY, MAY 5.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Criminal Evidence Amendment Bill ; second reading.
2. Brands Registration Bill ; to be further considered in Committee.

TUESDAY,

TUESDAY, MAY 9.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
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New South Wales.

No. 33.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 27 APRIL, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Cesspools at Lunatic Asylum, Parramatta:—Mr. Hart asked the Colonial Secretary, pursuant to Notice No. 1,—Whether any and what steps have been taken to abate the nuisance arising from the overflowing of Cesspools at the Lunatic Asylum, Parramatta, and respecting which proceedings were lately instituted against the Medical Officer of that Institution?

Mr. *Arnold* answered:—I am informed by the Colonial Architect that the Cesspools at the Lunatic Asylum, Parramatta, do not overflow; but there is some drainage from the house and surface water which runs into the river, of which complaint has been made, but this cannot at present be remedied. In order to provide a remedy, a very considerable outlay would have to be incurred, and as no provision has been made for that outlay, it is one in which the Government cannot at present embark.

- (2.) Road near Bong Bong:—Mr. Morrice asked the Secretary for Lands, pursuant to Notice No. 2,—

(1.) Why the recently surveyed Road through Throsby's Grant, from the old Southern Road, Bong Bong, to Joe Wild's Meadow, was measured in some places only one-half chain wide, while the continuation of one road to Joe Wild's Meadow is one chain wide?

(2.) Is the Minister for Lands aware that this half-chain road will be rendered impassable when it is fenced in?

Mr. Robertson answered,—

(1.) Where the Road passes through private property, and no special reservation of the same existed already, a width of fifty links has been adopted as sufficient for all present necessities; in all other cases the usual width of one chain has been adhered to.

(2.) It is not considered that the Road will be impassable; there are other roads of ingress and egress.

- (3.) Clerks of Petty Sessions:—Mr. Buchanan asked the Colonial Secretary, pursuant to Notice No. 3,—At what hour are the Clerks of Petty Sessions in the Interior supposed to be at their offices, and how long are they supposed to remain there?

Mr. Cowper answered,—I am not aware of any regulation fixing any particular hour for the attendance of Clerks of Petty Sessions in the Interior at their offices. The Clerks of Petty Sessions are generally under the immediate control of the Benches of their districts, but they are supposed to be in attendance a sufficient number of hours to perform the duties appertaining to their offices.

- (4.) Mr. Kemp, Shoalhaven:—Mr. Buchanan asked the Attorney General, pursuant to Notice No. 4,—

(1.) Is it the intention of the Government to prosecute Mr. Kemp, of Shoalhaven, on any of the six charges of sly grog selling, or, as it has been more politely termed, non-registration, which Inspector Black publicly stated he had against him?

(2.) Will the Attorney General state the difference, in cases such as Mr. Kemp's, between non-registration and the sale of spirits clandestinely?

Mr.

Mr. Darvall answered,—

- (1.) It is not the intention of the Government, as at present informed, to prosecute Mr. Kemp, of Shoalhaven. These matters, in the first instance, belong more properly to the Inspectors of Distilleries, and Government is not aware of any necessity for prosecuting Mr. Kemp
- (2.) I am unable to answer the question put by the Honorable Gentleman, as I do not know the occasion upon which the terms which he has introduced were applied.
2. Impounding Bill :—Mr. Wilson presented a Petition from the President, Vice-President, Officers, and Committee of Management of the Singleton and Patrick's Plains Benevolent Society, complaining that no provision is made in the said Bill for the payment of the proceeds of unclaimed Pound Cattle to the Charitable Institutions of the Colony, and praying for the introduction of such a provision. Petition received.
3. Stamp Duties Bill :—
- (1.) Mr. Smart moved (without notice) for leave to introduce a Bill, founded on Resolutions of Ways and Means, Nos. 4 to 23, inclusive, to impose Stamp Duties. Question put and passed.
- (2.) Mr. Smart having presented this Bill, Bill, intituled, "*A Bill to impose Stamp Duties*," read a first time.
Ordered to be printed, and read a second time on Wednesday next.
4. Frederick Beer :—Mr. Josephson presented a Petition from Frederick Beer, M. D., a naturalized subject of Her Majesty, praying for the adoption by this House of the Report of a Select Committee on his case in 1862, and that the injury done to him may be repaired, or that, if any objection in regard to his prayer should be raised, he may have an opportunity to set such aside by being called to the Bar of the House.
Petition received.
5. Parramatta Market Bill :—Mr. Farnell presented a Petition from the Council of the Municipality of Parramatta, under the signature of the Mayor and the Seal of the Corporation, praying for leave to introduce a Bill to transfer the Parramatta Market to the Council of the Municipality of Parramatta.
And Mr. Farnell having produced the *Government Gazette*, and the *Empire*, Newspaper, containing notices for four consecutive weeks, in the months of March and April, 1865, of the intention to apply for such Bill,—
Petition received.
6. Postponement :—The Order of the Day for the resumption of the Committee of Ways and Means postponed, on motion of Mr. Smart, until the Order of the Day for the resumption of the Committee of Supply shall have been disposed of.
7. Supply :—On the Order of the Day for the resumption of the Committee being read, Mr. Smart moved, "That" the Speaker do now leave the Chair.
Mr. Martin moved, That the Question be amended by omitting all the words thereof after the word "That," with a view to inserting in their place the words "this House disapproves of the agreement entered into between the Governments of New South Wales and Victoria, on the 15th and 17th of April instant, as set forth in the Minutes laid on the Table of this House, by the Colonial Secretary, on the 19th instant."
Debate ensued.
Question put,—That the words proposed to be omitted stand part of the Question.
The House divided.

Ayes, 38.

Mr. Cowper,	Mr. Alexander,
Mr. Robertson,	Mr. Tighe,
Mr. Arnold,	Mr. Oatley,
Mr. Smart,	Mr. Garrett,
Mr. Forlonge,	Mr. Graham,
Mr. Darvall,	Mr. Neale,
Mr. Hart,	Mr. Lloyd,
Mr. Lee,	Mr. Kemp,
Mr. Pickering,	Mr. Driver,
Dr. Lang,	Mr. Morrice,
Mr. Donnelly,	Mr. Ryan,
Mr. Dodds,	Mr. Hurley,
Mr. Cummings,	Mr. Samuel,
Mr. Rodd,	Mr. Buchanan,
Mr. Parkes,	Mr. Burdekin,
Mr. Farnell,	Mr. Joseph,
Mr. Cunneen,	<i>Tellers.</i>
Mr. Stimpson,	Mr. Egan,
Mr. Dignam,	Mr. De Salis.
Mr. Sutherland,	

Noes, 10.

Mr. Wilson,
Mr. Macpherson,
Mr. Lucas,
Mr. Cooper,
Mr. Mate,
Mr. Phelps,
Mr. Gordon,
Mr. Macleay,
<i>Tellers.</i>
Mr. Forster,
Mr. Martin.

And the House continuing to sit until after Midnight;—

FRIDAY, 28 APRIL, 1865, A.M.

Original Question put and passed.

Whereupon

Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of the Supply to be granted to Her Majesty.

The Chairman reported progress, and obtained leave to sit again at a later hour this day.

8. Messages :—The Speaker reported the following Messages from the Legislative Council :—

(1.) Presbyterian Church Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to regulate the Temporal Affairs of the Presbyterian Church in the Colony of New South Wales,*" returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,
Sydney, 27 April, 1865.

T. A. MURRAY,
President.

(2.) Consolidated Revenue Fund Bill, No. 2 :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to apply certain further sums out of the Consolidated Revenue Fund of New South Wales towards the Service of the year 1865,*" returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,
Sydney, 27 April, 1865.

T. A. MURRAY,
President.

(3.) Rogers' Settlement Bill :—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to enable the Trustees of a Settlement made by George John Rogers of a Messuage and Lands known as Craigend situate in the City of Sydney to sell the said Messuage and Lands and to make provision for the investment of the proceeds of the sale thereof;*" presents the same to the Legislative Assembly for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.

Legislative Council Chamber,
Sydney, 27 April, 1865.

T. A. MURRAY,
President.

The House adjourned, on motion of Mr. Cowper, at five minutes after Twelve o'clock A.M., until Three o'clock P.M. This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

FRIDAY, APRIL 28.

Questions :—

1. MR. FORSTER *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Has any Petition or Memorial reached the Government from certain residents in or near Kempsey, Macleay River, calling the attention of the Government to the damage done by Floods, in August, to the Public Wharf in that locality, and praying that steps may be taken to repair the same?
 - (2.) If so, what steps have the Government taken, or do they intend taking, in the matter?
2. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—What were the circumstances which led to the disbandment of the Volunteer Police recently organized by the Government for the pursuit of Bushrangers in the Southern Districts, under the commands, respectively, of Mr. J. E. Liardet and Mr. John Oakes?
3. MR. EGAN *to ask* THE SECRETARY FOR PUBLIC WORKS,—Whether the Government intend to carry the Line of Telegraph from Araluen to Moruya, as originally intended?

OTHER

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Randwick Coogee and other Roads Investment Bill ; second reading.
2. Destitute Children's Bill ; second reading.
3. Prison Discipline Bill ; to be further considered in Committee.
4. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
5. Municipalities Act Amendment Bill ; second reading.
6. Coal Fields Regulation Act Amendment Bill ; second reading.
7. Superannuation Act Amendment Bill ; second reading.

NOTICES OF MOTION :—

1. MR. RODD to move,—
 - (1.) That, in the opinion of this House, the Government, while charging eight-pence per ounce for the conveyance of gold from the different Gold Fields to Sydney, ought to be responsible for its safe delivery.
 - (2.) That the foregoing Resolution be transmitted by Address to His Excellency the Governor.
2. MR. PHELPS to move, That there be laid upon the Table of this House, Returns shewing the annual revenues derived from the western portion of New South Wales west of the 147th meridian, commencing the 1st January, 1858 ; also, the amount of money expended annually in said district, from same date, and for what purposes.
3. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to take into consideration the Report of a Select Committee of the Assembly during the last Parliament, in the case of Miss Isabella Mary Kelly, and to take such steps in the case as may be deemed expedient and necessary.
4. MR. LEE to move, That there be laid upon the Table of this House, Copies of any Correspondence, Minutes, Petitions, or Papers that may be in possession of the Government in reference to the Wallalla Run, Liverpool Plains, since those already ordered to be printed by the Assembly, 17th March, 1857.
5. MR. DONNELLY to move, That there be laid upon the Table of this House, a Return setting forth—
 - (1.) The localities in which the various Gold Commissioners have jurisdiction.
 - (2.) The number of Gold Commissioners in each locality—their respective grades and salaries.
 - (3.) How many and which of the Gold Commissioners perform the duties of Police Magistrates and Clerks of Petty Sessions respectively.
 - (4.) The number of Gold Commissioner's Clerks, where they are located, and their respective salaries.
 - (5.) The number of miners' rights, business licenses, and leases of auriferous lands issued by each Commissioner respectively, during the current year.
6. MR. RODD to move, That the Petition presented by him, on the 26th April, from Sam. Hawkins and T. H. Wingrave, be printed.
7. MR. WILSON to move, That the Petition presented by him on the 27th April, from the President, Officers, and Committee of Management of the Singleton and Patrick's Plains Benevolent Society, be printed.
8. MR. JOSEPHSON to move, That the Petition presented by him on the 27th April, from Frederick Beer, M.D., be printed.
9. MR. FARNELL to move for leave to introduce a Bill to transfer the Parramatta Market to the Council of the Municipality of Parramatta.
10. MR. CUMMINGS to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Estimates for 1866, the sum of £3,000 for the construction of a Bridge across the Fish River, at or near the crossing-place at O'Connell's Plains.
11. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
12. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Impounding Bill Reported ; adoption of the Report.
2. Supply ; resumption of the Committee.
3. Ways and Means ; resumption of the Committee.

TUESDAY, MAY 2.

Questions :—

1. DR. LANG *to ask* THE COLONIAL SECRETARY,—Whether it is the intention of the Government to form a distinct Police District, with the Town of Forbes on the Lachlan River for its head quarters?
2. DR. LANG *to ask* THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to afford any additional facilities, as compared with those afforded at present, for carrying out Free Selection in the tract of country around the Town of Forbes, on the Lachlan River?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MACLEAY *to move*, That the Report of the Select Committee on the Harbour Defences, ordered to be printed on the 9th September, 1863, be now adopted.
2. MR. WHITE *to move*, That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure tenure should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.
3. DR. LANG *to move*,—
 - (1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
 - (2.) That the said Committee shall consist of the following Members, viz. :— Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pemell, Mr. Sutherland, and the Mover.
4. MR. PARKES *to move*,—
 - (1.) That a Select Committee be appointed to consider and report upon the Petition of Austin Forrest Wilshire, presented to this House on the 22nd March.
 - (2.) That such Committee consist of Mr. Sutherland, Mr. Tunks, Mr. Forlonge, Mr. Josephson, Mr. Forster, Mr. Neale, Mr. Tighe, Mr. Hart, and the Mover.
5. MR. HART *to move*, That, in order to preserve the health and lives of Her Majesty's subjects, this House is of opinion, that immediate steps should be taken to remedy the nuisance arising from the imperfect drainage of the Lunatic Asylum, Parramatta, and the flow of soil and other matter from that institution to the Parramatta River.

WEDNESDAY, MAY 3.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Military Contribution Bill ; second reading.
2. Stamp Duties Bill ; second reading.

FRIDAY, MAY 5.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Criminal Evidence Amendment Bill ; second reading.
2. Brands Registration Bill ; to be further considered in Committee.

TUESDAY, MAY 9.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MACPHERSON *to move*, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
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New South Wales.

No. 34.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 28 APRIL, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

(*Mr. Wilson, on behalf of Mr. Forster, withdrew the Questions standing in the name of Mr. Forster, Nos. 1 and 2.*)

- (1.) Electric Telegraph from Araluen to Moruya:—Mr. Egan asked the Secretary for Public Works, pursuant to Notice No. 3,—Whether the Government intend to carry the Line of Telegraph from Araluen to Moruya, as originally intended? Mr. Arnold answered,—There is no vote at the disposal of the Government for this purpose, and I am not aware of any intention upon the part of the Government to have constructed this line as, I think, the Honorable Member hints.
2. Papers:—Mr. Robertson laid upon the Table the undermentioned Papers:—
- (1.) Abstract of Crown Lands reserved from Sale until surveyed, for the preservation of Water Supply or other Public Purposes, in accordance with the 4th Section of the Act, 25 Victoria, No. 1.
- (2.) Abstract of all Sites for Cities, Towns, and Villages, declared under the 4th Section of the Act 25 Victoria, No. 1.
- (3.) Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th Section of the Act, 25 Victoria, No. 1.
Ordered to be printed.
3. Mr. Hugh Dixon:—Mr. Robertson presented a Petition from Hugh Dixon, of York-street, in the City of Sydney, Tobacco Manufacturer, representing that he became a Bondsman in a pecuniary penalty, for the fidelity of one Frederick William Perry, an Official Assignee of the Supreme Court, and that, notwithstanding that the Petitioner subsequently made an assignment of his Estate, for the benefit of his Creditors, the Government now exact the full penalty of his bond; and praying relief under the circumstances.
Petition received.
4. Motions Withdrawn:—Mr. Buchanan withdrew the Motions standing in his name, Nos. 11 and 12 on the Notice Paper for to-day.
5. Rogers' Settlement Bill:—Mr. Cowper moved, That this Bill (*received with Message from the Legislative Council yesterday—See Votes and Proceedings of that Day, Entry No. 8^(v)*), be now read a first time.
Question put and passed.
And Bill read a first time.
Ordered to be printed, and read a second time on Tuesday next.
6. Claims of Tenants of the Crown:—Mr. Cunneen, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee, for whose inquiry and report this subject was referred on 14th March, 1865,—together with Appendix.
Ordered to be printed.

7. Randwick Coogee and other Roads Investment Bill:—Mr. Caldwell presented a Petition from J. W. Heir, as Attorney for Francis Todhunter of Narramine, near Dubbo, Grazier, against the second reading of the said Bill, under circumstances set forth in the said Petition.
Petition received.
8. Newspaper Postage Rate:—Mr. Morrice presented a Petition from certain Inhabitants of Sutton Forest, praying for the Repeal of the Newspaper Postage Rate.
Petition received.
9. Statistics of Western Portion of New South Wales (*Formal Motion*):—Mr. Phelps moved, pursuant to notice, That there be laid upon the Table of this House, Returns shewing the annual revenues derived from the western portion of New South Wales west of the 147th meridian, commencing the 1st January, 1858; also, the amount of money expended annually in said district, from same date, and for what purposes.
Question put and passed.
10. Wallalla Run, Liverpool Plains (*Formal Motion*):—Mr. Lee moved, pursuant to notice, That there be laid upon the Table of this House, Copies of any Correspondence, Minutes, Petitions, or Papers that may be in possession of the Government in reference to the Wallalla Run, Liverpool Plains, since those already ordered to be printed by the Assembly, 17th March, 1857.
Question put and passed.
11. Gold Fields Statistics (*Formal Motion*):—Mr. Donnelly moved, pursuant to notice, That there be laid upon the Table of this House, a Return setting forth—
(1.) The localities in which the various Gold Commissioners have jurisdiction.
(2.) The number of Gold Commissioners in each locality—their respective grades and salaries.
(3.) How many and which of the Gold Commissioners perform the duties of Police Magistrates and Clerks of Petty Sessions respectively.
(4.) The number of Gold Commissioner's Clerks, where they are located, and their respective salaries.
(5.) The number of miners' rights, business licenses, and leases of auriferous lands issued by each Commissioner respectively, during the current year.
Question put and passed.
12. Mr. Ex-Commissioner Cooper (*Formal Motion*):—Mr. Rodd moved, pursuant to notice, That the Petition presented by him on the 26th April, from Sam. Hawkins and T. H. Wingrave, be printed.
Question put and passed.
Ordered to be printed.
13. Impounding Bill (*Formal Motion*):—Mr. Wilson moved, pursuant to notice, That the Petition presented by him on the 27th April, from the President, Officers, and Committee of Management of the Singleton and Patrick's Plains Benevolent Society, be printed.
Question put and passed.
Ordered to be printed.
14. Frederick Beer (*Formal Motion*):—Mr. Buchanan, on behalf of Mr. Josephson, moved, pursuant to notice, That the Petition presented by Mr. Josephson on the 27th April, from Frederick Beer, M.D., be printed.
Question put and passed.
Ordered to be printed.
15. Parramatta Market Bill (*Formal Motion*):—
(1.) Mr. Farnell moved, pursuant to notice, for leave to introduce a Bill to transfer the Parramatta Market to the Council of the Municipality of Parramatta.
Question put and passed.
(2.) Mr. Farnell having presented this Bill, and produced a Certificate of the payment of Twenty-five Pounds to the credit of the Consolidated Revenue of the Colony, Bill, intituled, "*A Bill to transfer the Parramatta Market to the Council of the Municipality of Parramatta,*"—read a first time.
16. Motion Withdrawn:—Mr. Cummings withdrew the Motion standing in his name, No. 10 on the Notice Paper for to-day.
17. Postponements:—The undermentioned Orders of the Day of Other Business postponed, respectively, on motion of the Members named, as follows:—
(1.) Order No. 1, Mr. Kemp, until this day fortnight.
(2.) Orders Nos. 2, 3, and 4, Mr. Wilson, until this day week.
(3.) Order No. 5, Mr. Byrnes, until this day week.
18. Coal Fields Regulation Act Amendment Bill, (Order No. 6 of Other Business):—
Mr. Tighe moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
And Bill read a second time.
Mr. Tighe then moved, That this Bill be committed forthwith.
Question put and passed.
Mr. Tighe then moved, That the Speaker do now leave the Chair.
Question put and passed.
Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.
The Chairman having reported the Bill with amendments, the House adopted the Report, and ordered, that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.

19. Messages:—The Speaker reported the following Messages from the Legislative Council:—

(1.) Additional Judge's Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to authorize the Appointment of an Additional Judge of the Supreme Court,*" returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,
Sydney, 28 April, 1865.

T. A. MURRAY,
President.

(2.) Petroleum Bill:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act for the safe keeping of Petroleum,*" presents the same to the Legislative Assembly, for its concurrence.

Legislative Council Chamber,
Sydney, 28 April, 1865.

T. A. MURRAY,
President.

Bill, on motion of Mr. Arnold, read a first time.

Ordered to be printed and read a second time on Tuesday next.

20. Assent to Bills:—The following Messages from His Excellency the Governor, were delivered by Mr. Cowper, and read by the Speaker:—

(1.) Message, No. 10:—

JOHN YOUNG,
Governor.

Message No. 10.

The undermentioned Bills intituled,—

1st. "*An Act to make permanent provision for the Sydney Mint,*"—

2nd. "*An Act to amend the Seamen's Laws Consolidation Act of 1864,*"—

3rd. "*An Act to regulate the Export of Gunpowder and Warlike Stores,*"—

4th. "*An Act to apply certain further sums out of the Consolidated Revenue Fund of New South Wales towards the service of the year 1865,*"—

as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bills, and has this day transmitted them to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,
Sydney, 28th April, 1865.

(2.) Message, No. 11:—

JOHN YOUNG,
Governor.

Message No. 11.

The undermentioned Bills, intituled,—

1st. "*An Act to give effect in this Colony to the alteration of the name of 'The Liverpool and London Fire and Life Insurance Company' and to consolidate and amend the laws relating to the said Company.*"

2nd. "*An Act to enable the Most Reverend John Bede Polding the Venerable John M'Enroe and Owen Joseph Caraher as Trustees of certain land situated in the City of Sydney to sell the said land and to provide for the appropriation of the proceeds thereof.*"—

as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bills, and has this day transmitted them to the Legislative Council, to be forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,
Sydney, 28th April, 1865.

21. Postponement:—The Order of the Day, No. 7 of Other Business, postponed, on motion of Mr. Garrett, until this day week.

22. Conveyance of Gold:—Mr. Rodd moved, pursuant to notice,—

(1.) That, in the opinion of this House, the Government, while charging eight-pence per ounce for the conveyance of gold from the different Gold Fields to Sydney, ought to be responsible for its safe delivery.

(2.) That the foregoing Resolution be transmitted by Address to His Excellency the Governor.

Debate ensued.

Mr. Robertson moved the Previous Question.

Debate ensued.

Previous Question put,—That that Question be now put.

The

The House divided.

Ayes, 17.

Mr. Lloyd,	Mr. Tighe,
Mr. Pickering,	<i>Tellers.</i>
Mr. Kemp,	
Mr. Rodd,	Mr. Josephson,
Mr. Stimpson,	Mr. Driver.
Mr. Graham,	
Mr. Donnelly,	
Mr. Terry,	
Mr. Parkes,	
Mr. Buchanan,	
Mr. Ryan,	
Mr. Mate,	
Mr. Cooper,	
Mr. Cummings,	

Noes, 25.

Mr. Cowper,	Mr. Piddington,
Mr. Smart,	Mr. Neale,
Mr. Robertson,	Mr. Morrice,
Mr. Forlonge,	Mr. Oatley,
Mr. Arnold,	Mr. Darvall,
Mr. Phelps,	Mr. Egan,
Mr. Landale,	Mr. Macleay,
Mr. White,	Mr. Lucas,
Mr. Hart,	Dr. Lang,
Mr. Farnell,	<i>Tellers.</i>
Mr. Caldwell,	
Mr. Dodds,	Mr. Burdekin,
Mr. Sutherland,	Mr. De Salis.
Mr. Garrett,	

23. Miss Isabella Mary Kelly :—Dr. Lang moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole, to take into consideration the Report of a Select Committee of the Assembly during the last Parliament, in the case of Miss Isabella Mary Kelly, and to take such steps in the case as may be deemed expedient and necessary.

Question put and passed.

24. Impounding Bill Reported :—On the Order of the Day for the adoption of the Report being read,—Bill recommitted, on motion of Mr. Arnold, for the reconsideration of Clauses 8, 12, 15, 16, 18, 22, and 33, and the second Schedule, and the introduction of certain new Clauses.

And the Committee having continued to sit till after Midnight ;—

SATURDAY, 29 APRIL, 1865, A.M.

The Chairman reported the Bill with further Amendments.

The House, on motion of Mr. Robertson, adopted the Report, and ordered, that the third reading of the Bill, as so reported 2°, stand an Order of the Day for Tuesday next.

The House adjourned, on motion of Mr. Cowper, at six minutes after Twelve o'clock A.M., until Tuesday next, at Three o'clock P.M.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

TUESDAY, MAY 2.

Contingent Notice :—

1. DR. LANG to move (*on going into Committee of Ways and Means*),—
(1.) Resolved.—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
(2.) That an Address be presented to His Excellency the Governor embodying the foregoing Resolution.

Questions :—

1. DR. LANG to ask THE COLONIAL SECRETARY,—Whether it is the intention of the Government to form a distinct Police District, with the Town of Forbes on the Lachlan River for its head quarters ?
2. DR. LANG to ask THE SECRETARY FOR LANDS,—Whether it is the intention of the Government to afford any additional facilities, as compared with those afforded at present, for carrying out Free Selection in the tract of country around the Town of Forbes, on the Lachlan River ?
3. MR. FORSTER to ask THE SECRETARY FOR PUBLIC WORKS,—
(1.) Has any Petition or Memorial reached the Government from certain residents in or near Kempsey, Macleay River, calling the attention of the Government to the damage done by Floods, in August, to the Public Wharf in that locality, and praying that steps may be taken to repair the same ?
(2.) If so, what steps have the Government taken, or do they intend taking, in the matter ?

4. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—What were the circumstances which led to the disbandment of the Volunteer Police recently organized by the Government for the pursuit of Bushrangers in the Southern Districts, under the commands, respectively, of Mr. J. E. Liardet and Mr. John Oakes?

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MACLEAY to move, That the Report of the Select Committee on the Harbour Defences, ordered to be printed on the 9th September, 1863, be now adopted.
2. MR. WHITE to move, That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure tenure should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.
3. DR. LANG to move,—
 - (1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
 - (2.) That the said Committee shall consist of the following Members, viz.:—Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pemell, Mr. Sutherland, and the Mover.
4. MR. PARKES to move,—
 - (1.) That a Select Committee be appointed to consider and report upon the Petition of Austin Forrest Wilshire, presented to this House on the 22nd March.
 - (2.) That such Committee consist of Mr. Sutherland, Mr. Tunks, Mr. Forlonge, Mr. Josephson, Mr. Forster, Mr. Neale, Mr. Tighe, Mr. Hart, and the Mover.
5. MR. HART to move, That, in order to preserve the health and lives of Her Majesty's subjects, this House is of opinion that immediate steps should be taken to remedy the nuisance arising from the imperfect drainage of the Lunatic Asylum, Parramatta, and the flow of soil and other matter from that institution to the Parramatta River.
6. MR. COWPER to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the circumstances connected with the Mortgage on the property of the Scots Church, Sydney, in favour of the Collector of Internal Revenue, and also to consider whether any equitable claims exist for cancelling the said Mortgage.
 - (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Cunneen, Mr. Faucett, Mr. Macpherson, Mr. Piddington, Mr. Parkes, Mr. Tighe, Mr. Sutherland, and the Mover.
7. MR. MACLEAY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the present state of the Defences of Port Jackson, and other Harbours in the Colony, and the best means of effectually guarding them against foreign attack.
 - (2.) That the Report of the Select Committee on Harbour Defences, appointed on 1st July, 1863, with the evidence taken by the said Committee, and all documents referred to it, be referred to such Committee.
 - (3.) That such Committee consist of Mr. Cowper, Mr. Arnold, Mr. Martin, Mr. Forster, Mr. Piddington, Mr. Egan, Mr. Hart, Mr. Parkes, Mr. Brown, and the Mover.
8. MR. CUNNEEN to move, That the Report from the Select Committee, appointed "to inquire into, and report upon, the Claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done to their properties since the "discovery of Gold on their rented Crown Lands," ordered by this House to be printed on the 28th April, 1865, be now adopted.
9. MR. PICKERING to move, That there be laid upon the Table of this House, Copies of all Correspondence that may have taken place between the Government and the Commissioners on the Gold Fields North, or other persons, having reference to the questions asked by him in this House on the 21st March, and replied to by the Minister for Lands.
10. MR. CALDWELL to move, That the Petition presented by him on the 28th April, from J. W. Heir, as Attorney for Francis Todhunter, in reference to the Randwick Coogee and other Roads Investment Bill, be printed.
11. MR. MORRICE to move, That the Petition from certain Inhabitants of Sutton Forest, in reference to the Newspaper Postage Act, presented by him on 28th April, be printed.
12. MR. FARNELL to move,—
 - (1.) That the Bill to transfer the Parramatta Market to the Council of the Municipality of Parramatta, be referred to a Select Committee for consideration and report.
 - (2.) That such Committee consist of the following Members, viz.,—Mr. Driver, Mr. Neale, Mr. Tighe, Mr. Lee, Mr. Rodd, Mr. Sutherland, Mr. Tunks, Mr. Pemell, and the Mover.

ORDERS OF THE DAY:—

1. Rogers' Settlement Bill; second reading.
2. Coal Fields Regulation Act Amendment Bill; third reading.
3. Petroleum Bill; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Impounding Bill ; third reading.
2. Supply ; resumption of the Committee.
3. Ways and Means ; resumption of the Committee.

WEDNESDAY, MAY 3.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Military Contribution Bill ; second reading.
2. Stamp Duties Bill ; second reading.

FRIDAY, MAY 5.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Criminal Evidence Amendment Bill ; second reading. **21707**
2. Brands Registration Bill ; to be further considered in Committee.
3. Destitute Children's Bill ; second reading.
4. Prison Discipline Bill ; to be further considered in Committee.
5. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
6. Municipalities Act Amendment Bill ; second reading.
7. Superannuation Act Amendment Bill ; second reading.
8. Miss Isabella Mary Kelly ; consideration in Committee of the Report of Select Committee of Session 1863-4, upon the case of.

TUESDAY, MAY 9.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.

FRIDAY, MAY 12.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Randwick Coogee and other Roads Investment Bill ; second reading.

NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
2. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

New South Wales.

No. 35.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 2 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Town and District of Forbes:—

(1.) Police District of Forbes:—Dr. Lang asked the Colonial Secretary, pursuant to Notice No. 1,—Whether it is the intention of the Government to form a distinct Police District, with the Town of Forbes on the Lachlan River for its head quarters?

Mr. Cowper answered:—This subject has not at all been taken into consideration by the Government. If I understand the Honorable and Reverend Gentleman's question aright, it has reference rather to the sale of lands than to Police. That has been a difficulty in more cases than that of the Lachlan. The Crown Lands Alienation Act, or regulations under it, require that applications for land shall be made only at some particular Bench in the District. This, no doubt, is inconvenient, and probably is specially inconvenient in this district. I can only promise that the subject shall be inquired into, and shall receive my earliest attention.

(2.) Free Selection at Forbes:—Dr. Lang asked the Secretary for Lands, pursuant to Notice No. 2,—Whether it is the intention of the Government to afford any additional facilities, as compared with those afforded at present, for carrying out Free Selection in the tract of country around the Town of Forbes, on the Lachlan River?

Mr. Robertson answered:—By operation of law, at the end of this year, a large quantity of land around Forbes will become open to Free Selection. Free Selection there is impeded—irrespective of that arising from the restriction to be found in the old leases—by gold fields reservations which were made some time ago, when it was believed that the gold fields would be more extensively occupied. It seems to me desirable, and I shall recommend to the Government, to withdraw a very large portion of the gold fields reserve at or near Forbes from gold reservation. These two changes will, I think, make free selection sufficiently open on the Lachlan.

(Mr. Forster withdrew the Question standing in his name, No. 3.)

- (2.) Volunteers for suppression of Bushranging in Southern District:—Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 4,—What were the circumstances which led to the disbandment of the Volunteer Police recently organized by the Government for the pursuit of Bushrangers in the Southern Districts, under the commands, respectively, of Mr. J. E. Liardet and Mr. John Oakes?

Mr. Cowper answered,—I hope neither the Honorable Member nor the House, will consider me disrespectful, when I state in reply to this question that I have no further information to give than was stated by me to the House on a former occasion, when, substantially, the same question was put to me.

2. Harbour Defences ("Formal" Motion):—Mr. Macleay moved, pursuant to notice,—
- (1.) That a Select Committee be appointed to inquire into, and report upon, the present state of the Defences of Port Jackson, and other Harbours in the Colony, and the best means of effectually guarding them against foreign attack.
- (2.) That the Report of the Select Committee on Harbour Defences, appointed on 1st July, 1863, with the evidence taken by the said Committee, and all documents referred to it, be referred to such Committee.
- (3.) That such Committee consist of Mr. Cowper, Mr. Arnold, Mr. Martin, Mr. Forster, Mr. Piddington, Mr. Egan, Mr. Hart, Mr. Parkes, Mr. Brown, and the Mover.
- Question put and passed.
3. Monopoly of Water on certain Gold Diggings ("Formal" Motion):—Mr. Pickering moved, pursuant to notice, That there be laid upon the Table of this House, Copies of all Correspondence that may have taken place between the Government and the Commissioners on the Gold Fields North, or other persons, having reference to the questions asked by him in this House on the 21st March, and replied to by the Minister for Lands.
- Question put and passed.
4. Randwick Coogee and other Roads Investment Bill ("Formal" Motion):—Mr. Caldwell moved, pursuant to notice, That the Petition presented by him on the 28th April, from J. W. Heir, as Attorney for Francis Todhunter, in reference to the Randwick Coogee and other Roads Investment Bill, be printed.
- Question put and passed.
- Ordered to be printed.
5. Newspaper Postage Rate ("Formal" Motion):—Mr. Morrice moved, pursuant to notice, That the Petition from certain Inhabitants of Sutton Forest, in reference to the Newspaper Postage Act, presented by him on 28th April, be printed.
- Question put and passed.
- Ordered to be printed.
6. Parramatta Market Bill ("Formal" Motion):—Mr. Farnell moved, pursuant to notice,—
- (1.) That the Bill to transfer the Parramatta Market to the Council of the Municipality of Parramatta, be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of the following Members, viz.:—Mr. Driver, Mr. Neale, Mr. Tighe, Mr. Lee, Mr. Rodd, Mr. Sutherland, Mr. Tunks, Mr. Pemell, and the Mover.
- Question put and passed.
7. Church of England Synod:—Mr. Tighe presented a Petition from Richard Sadleir, R.N., Liverpool, praying that, for the reasons therein set forth, Legislation on the subject of the establishment of a Church of England Synod may be confined to the Temporalities of the Church alone, and not to creating a Church Constitution by Law affecting Doctrine and Ritual.
- Petition received.
8. Motion Withdrawn.—Mr. Macleay withdrew the motion standing in his name, No. 1 on the Notice Paper for to-day.
9. Development of Pastoral Resources of the Colony.—Pastoral Tenants of the Crown:—Mr. White moved, pursuant to notice, That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure "tenure" should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.
- Debate ensued.
- Mr. Buchanan moved, That the Question be amended by inserting, after the word "tenure," the words "consistent with the integrity and security of the principle of "Free Selection or Conditional Purchase existing throughout the entire country."
- Debate continued.
- Motion made by Mr. Terry, and Question put.—That this Debate be now adjourned until Friday next.
- The House divided.

Ayes, 22.

Mr. Gordon,	Mr. Forster,
Mr. Wilson,	Mr. Sutherland,
Mr. Joseph,	Mr. Cooper,
Mr. Darvall,	Mr. Lord,
Mr. Hart,	Mr. Mate,
Mr. Alexander,	Mr. Hurley,
Mr. Pickering,	Tellers.
Mr. Oatley,	Mr. Eckford,
Mr. Donnelly,	Mr. Kemp.
Mr. Dignam,	
Mr. Terry,	
Mr. Hannell,	
Mr. Stimpson,	
Mr. White,	

Noes, 25.

Mr. Cowper,	Mr. Lloyd,
Mr. Robertson,	Mr. Macleay,
Mr. Smart,	Mr. Garrett,
Mr. Arnold,	Mr. Morrice,
Mr. Forlonge,	Mr. Pemell,
Mr. Landale,	Mr. Driver,
Mr. Lucas,	Mr. Roberts,
Mr. Macpherson,	Mr. Martin,
Mr. Farnell,	Mr. Phelps,
Mr. Cunneen,	Tellers.
Mr. Parkes,	
Mr. Cummings,	Mr. Buchanan,
Mr. Dodds,	Mr. De Salis.
Mr. Graham,	

Motion

Motion made by Mr. Hart, and Question, That this House do now adjourn,—put and negatived.

Main Question stated.

Motion made by Mr. Sutherland, and Question put, That this Debate be now adjourned until Friday next.

The House divided.

Ayes, 27.

Mr. Gordon,	Mr. White,
Mr. Wilson,	Mr. Forster,
Mr. Joseph,	Mr. Sutherland,
Mr. Darvall,	Mr. Pemell,
Mr. Hart,	Mr. Cooper,
Mr. Alexander,	Mr. Lord,
Mr. Pickering,	Mr. Mate,
Mr. Donnelly,	Mr. Tunks,
Mr. Terry,	Dr. Lang,
Mr. Stimpson,	Mr. Hurley,
Mr. Dignam,	<i>Tellers.</i>
Mr. Hannell,	
Mr. Oatley,	Mr. Eckford,
Mr. Farnell,	Mr. Kemp.
Mr. Macpherson,	

Noes, 23.

Mr. Cowper,	Mr. Driver,
Mr. Robertson,	Mr. Roberts,
Mr. Arnold,	Mr. Martin,
Mr. Smart,	Mr. Phelps,
Mr. Lucas,	Mr. Buchanan,
Mr. Cunneen,	Mr. De Salis,
Mr. Parkes,	<i>Tellers.</i>
Mr. Cummings,	
Mr. Dodds,	Mr. Forlonge,
Mr. Graham,	Mr. Landale.
Mr. Lloyd,	
Mr. Macleay,	
Mr. Garrett,	
Mr. Ryan,	
Mr. Morrice,	

The House adjourned, on motion of Mr. Cowper, at twenty-two minutes before Twelve o'clock, until To-morrow at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

WEDNESDAY, MAY 3.

Contingent Notice :—

1. DR. LANG to move (*on going into Committee of Ways and Means*),—
 - (1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
 - (2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Questions :—

1. MR. FORSTER to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Has any Petition or Memorial reached the Government from certain residents in or near Kempsey, Macleay River, calling the attention of the Government to the damage done by Floods, in August, to the Public Wharf in that locality, and praying that steps may be taken to repair the same?
 - (2.) If so, what steps have the Government taken, or do they intend taking, in the matter?
2. MR. MATE to ask THE COLONIAL TREASURER,—
 - (1.) Whether any arrangement has been made by which dutiable goods may pass through the Colony of South Australia, *vid* the River Murray, into New South Wales?
 - (2.) If so, what are the terms of the arrangement?
3. MR. GORDON to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Is it the intention of the Government to invite Tenders for the construction of the approaches to the Punt at Tabulam, on the Clarence River? and if so, when?
 - (2.) Is the Government aware that the Punt was finished and launched in December last, but cannot be used until the approaches are made; that it is now laying in a waterhole in the river in charge of no one, and liable to be carried away by the first flood?

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. ROBERTSON to move, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider of the propriety of introducing a Bill to amend the Laws relating to Roads other than Main Roads.

ORDERS OF THE DAY:—

1. Military Contribution Bill ; second reading.
2. Stamp Duties Bill ; second reading.
3. Impounding Bill ; third reading.
4. Supply ; resumption of the Committee.
5. Ways and Means ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HART to move, That the name of Mr. Piddington be added to the Committee appointed by this House to consider the Bill to enable the Members of the United Church of England and Ireland, within the Diocese of Sydney, assembled in Synod, to regulate the affairs thereof.
2. MR. TIGHE to move, That the Petition presented by him on the 2nd May, from Mr. R. Sadleir, in reference to Church of England Synod, be printed.
3. DR. LANG to move,—
 - (1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
 - (2.) That the said Committee shall consist of the following Members, viz.:— Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pemell, Mr. Sutherland, and the Mover.
4. MR. PARKES to move,—
 - (1.) That a Select Committee be appointed to consider and report upon the Petition of Austin Forrest Wilshire, presented to this House on the 22nd March.
 - (2.) That such Committee consist of Mr. Sutherland, Mr. Tunks, Mr. Forlonge, Mr. Josephson, Mr. Forster, Mr. Neale, Mr. Tighe, Mr. Hart, and the Mover.
5. MR. HART to move, That, in order to preserve the health and lives of Her Majesty's subjects, this House is of opinion, that immediate steps should be taken to remedy the nuisance arising from the imperfect drainage of the Lunatic Asylum, Parramatta, and the flow of soil and other matter from that institution to the Parramatta River.
6. MR. COWPER to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the circumstances connected with the Mortgage on the property of the Scots Church, Sydney, in favour of the Collector of Internal Revenue, and also to consider whether any equitable claims exist for cancelling the said Mortgage.
 - (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Cunneen, Mr. Faucett, Mr. Macpherson, Mr. Piddington, Mr. Parkes, Mr. Tighe, Mr. Sutherland, and the Mover.
7. MR. CUNNEEN to move, That the Report from the Select Committee, appointed "to inquire into, and report upon, the Claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done to their properties since the discovery of Gold on their rented Crown Lands," ordered by this House to be printed on the 28th April, 1865, be now adopted.

ORDERS OF THE DAY:—

1. Rogers' Settlement Bill ; second reading.
2. Coal Fields Regulation Act Amendment Bill ; third reading.
3. Petroleum Bill ; second reading.

FRIDAY, MAY 5.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Criminal Evidence Amendment Bill ; second reading.
2. Brands Registration Bill ; to be further considered in Committee.
3. Destitute Children's Bill ; second reading.
4. Prison Discipline Bill ; to be further considered in Committee.
5. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
6. Municipalities Act Amendment Bill ; second reading.
7. Superannuation Act Amendment Bill ; second reading.
8. Miss Isabella Mary Kelly ; consideration in Committee of the Report of Select Committee of Session 1863-4, upon the case of.
9. Resumption of the adjourned Debate on the Motion of Mr. White, “ That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral

“pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.” Upon which Mr. Buchanan had moved by way of amendment, That after the word “tenure,” the words “consistent with the integrity and security of the principle of Free Selection or Conditional Purchase, existing throughout the entire country,” be inserted.

TUESDAY, MAY 9.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.

FRIDAY, MAY 12.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Randwick Coogee and other Roads Investment Bill ; second reading.

NOTICES OF MOTION :—

1. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
2. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.



New South Wales.

No. 36.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 3 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

The Clerk summoned:—The Speaker having informed the House that the Clerk had been summoned, on the part of the defendants, to attend at the Supreme Court House, in King-street, Sydney, at Ten o'clock on Monday, the 8th instant, there and then to produce the Report of the Select Committee of the Legislative Council in 1841, relative to a Mortgage by the plaintiff to the Government of the Colony, of the land on which the Australian College Buildings were erected, and as to the affairs of the said College. Also, the Report of, and Evidence taken before, the Select Committee of the Legislative Assembly, relative to the exchange of a certain piece of land in connection with the Scots Church, in Jamison-street, Sydney. Also the Evidence and all Proceedings of, and before the Select Committee of the Legislative Assembly, during the Session 1863, 1864. Also the Report from the Select Committee of the Legislative Assembly, on the exchange of land Scots Church Jamison-street Legalizing Bill, with the proceedings of the Committee, Minutes of Evidence, and Appendix, ordered to be printed 14th November, 1862—the said documents being required in a certain cause in the said Court, between John Dunmore Lang, plaintiff, and John Fairfax and James Reading Fairfax, defendants;—and having reminded the House that the Clerk could not comply with such summons without leave of the House,—

Put a Question,—That the Clerk have leave to comply with the said summons, personally, or by one of the Officers of his Department as may be most convenient to the business of this House,—which passed in the Affirmative.

2. Questions on Notice Paper for to-day:—

(1.) Public Wharf, Kempsey, Macleay River:—Mr. Forster asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) Has any Petition or Memorial reached the Government, from certain residents in or near Kempsey, Macleay River, calling the attention of the Government to the damage done by Floods, in August, to the Public Wharf in that locality, and praying that steps may be taken to repair the same?

(2.) If so, what steps have the Government taken, or do they intend taking, in the matter?

Mr. Arnold answered:—The attention of the Government has been called to the matter, but it is reported to me by the officer having charge of this business that the damage done to the wharf arose from its not having been constructed in accordance with the plan and specification, for which the Bench of Magistrates are wholly responsible, they having undertaken to superintend, or to have its construction superintended. The question has been referred to the Crown Law Officers to say whether the contractors are not liable for the cost of repairs on the ground of their having improperly constructed the wharf. On receipt of their decision further action will be taken by the Government.

(2.) Dutiable goods passing into New South Wales through South Australia, *via* River Murray:—Mr. Mate asked the Colonial Treasurer, pursuant to Notice No. 2,—

(1.) Whether any arrangement has been made by which dutiable goods may pass through the Colony of South Australia, *via* the River Murray, into New South Wales?

(2.) If so, what are the terms of the arrangement?

Mr. Smart answered,—The arrangement is stated in the document laid upon the Table of the House by the Honorable the Colonial Secretary on the 19th ultimo.

(3.)

(3.) Punt at Tabulam, Clarence River:—Mr. Gordon asked the Secretary for Public Works, pursuant to Notice No. 3,—

- (1.) Is it the intention of the Government to invite Tenders for the construction of the approaches to the Punt at Tabulam, on the Clarence River? and if so, when?
- (2.) Is the Government aware that the Punt was finished and launched in December last, but cannot be used until the approaches are made; that it is now laying in a waterhole in the river in charge of no one, and liable to be carried away by the first flood?

Mr. Arnold answered,—

(1.) Tenders for the approach to Tabulam Punt have been accepted sometime ago, but the works could not be commenced till the road had been proclaimed. The necessary forms in another department have now been complied with, and the proclamation will appear in the next *Government Gazette*, and the approaches be proceeded with forthwith.

(2.) The punt is now in charge of a man at Tabulam, who has full instructions how to act in the event of a flood, and to employ others, if necessary, to secure its safety. Though not as easy of access as when the approach is complete, the punt could now be used if it were found absolutely necessary. But in point of fact, the river is crossable here by ford.

3. Papers:—

(1.) Mr. Robertson laid upon the Table the undermentioned Papers:—

- (1.) Road Trust Accounts for half-year ended 31st December, 1864.
- (2.) Additional and Amended Regulations, dated 28 April, 1865, under Crown Lands Occupation Act of 1861.

Ordered to be printed.

(2.) Mr. Darvall laid upon the Table Return to Address, in reference to "*Re Lotze, in Insolvency (Administration of Justice)*," adopted by this House, on motion of Mr. Buchanan, on 25th April, 1865.

4. Stamp Duties:—The undermentioned Petitions, praying that Building Societies may be exempted from the operation of Stamp Duties, were presented by the Members respectively named:—

- (1.) From certain Members of the Maitland Building and Investment Society. By Mr. Piddington.
- (2.) From certain Members of the Hunter Building and Investment Society, held at Morpeth. By Mr. Campbell.

Petitions received.

5. Impounding Bill ("*Formal*" *Order of the Day*), on motion of Mr. Robertson, read a third time and *passed*.

Mr. Robertson then moved, That the Title of this Bill be "*An Act to regulate the Impounding of Live Stock.*"

Question put and passed.

Whereupon Mr. Robertson moved, That this Bill be carried to the Legislative Council, with following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to regulate the Impounding of Live Stock,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 3rd May, 1865.

Speaker.

Question put and passed.

6. Mr. Austin Forrest Wilshire, (Tanneries, &c.) ("*Formal*" *Motion*):—Mr. Parkes moved, pursuant to Notice,—

- (1.) That a Select Committee be appointed to consider and report upon the Petition of Austin Forrest Wilshire, presented to this House on the 22nd March.
- (2.) That such Committee consist of Mr. Sutherland, Mr. Tunks, Mr. Forlonge, Mr. Josephson, Mr. Forster, Mr. Neale, Mr. Tighe, Mr. Hart, and the Mover.

Question put and passed.

7. Coal Fields Regulation Act Amendment Bill, ("*Formal*" *Order of the Day*), on motion of Mr. Cowper, read a third time, and *passed*.

Mr. Cowper then moved, That the Title of this Bill be "*An Act for the better recovery of Coal Miners' Wages and to amend the Coal Fields' Regulation Act of 1862.*"

Question put and passed.

Whereupon, Mr. Cowper moved, That this Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,—

The Legislative Assembly having this day passed a Bill, intituled, "*An Act for the better recovery of Coal Miners' Wages and to amend the Coal Fields' Regulation Act of 1862,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 3rd May, 1865.

Speaker.

Question put and passed.

8. Elizabeth Castle:—Mr. Driver presented a Petition from Elizabeth Castle, of Paddington, Widow of Morris Castle, house and land proprietor, deceased, praying for relief under the circumstances alleged in her Petition, viz.,—That a certain parcel of land at Hunter's River, purchased by her late husband from one Thomas Whitty Toby, to whom it was granted by the Crown, and to which she became entitled, has since been discovered to have been also granted by the Crown to one John Cobcroft, who holds adverse possession of the same.
Petition received.
9. Fisheries Bill:—Mr. Driver, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee, for whose consideration and report this Bill was referred on 24 March last.
Ordered to be printed.
Whereupon, Mr. Driver moved, That the consideration in Committee of the Whole of this Bill *as amended in Select Committee*, stand an Order of the Day for Friday next.
Question put and passed.
10. Motion for Adjournment:—Mr. Mate moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
11. Roads other than Main Roads Bill:—Mr. Robertson moved, pursuant to notice, That this House will, on Thursday next, resolve itself into a Committee of the Whole, to consider of the propriety of introducing a Bill to amend the Laws relating to Roads other than Main Roads.
Question put and passed.
12. Motion for Adjournment:—Dr. Lang moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
13. Paper:—Mr. Cowper laid upon the Table, Tabular Return of all the National Schools in the Colony, under the different heads of Vested and Non-vested Schools, in reply to the Colonial Secretary's Letter of 21st April, 1865. (*In further reference to Question No. 1 on Notice Paper of 25 April, 1865, and Mr. Cowper's answer thereto.*)
Ordered to be printed.
14. Postponements:—
(1.) The Order of the Day for the second reading of the Military Contribution Bill postponed, on motion of Mr. Cowper, until Tuesday next.
(2.) The Order of the Day for the second Reading of the Stamp Duties Bill postponed, on motion of Mr. Smart, until Tuesday next.
15. Supply:—On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of the Supply to be granted to Her Majesty.

And the Committee having continued to sit till after Midnight;—

THURSDAY, 4 MAY, 1865, A.M.

The Chairman reported progress, and obtained leave to sit again at a later hour this day.

16. Adjournment:—Mr. Cowper, *with the concurrence of the House*, moved, That this House, at its rising, do adjourn until Seven o'clock P.M. This Day.
Debate ensued.
Question put and passed.
Whereupon, on motion of Mr. Cowper, the House adjourned at half-past Twelve o'clock A.M.—*standing adjourned until Seven o'clock P.M. this day.*

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, MAY 4.

Contingent Notice:—

1. DR. LANG to move (*on going into Committee of Ways and Means*),—
(1.) Resolved.—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
(2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Question:—

Question :—

1. MR. DRIVER to ask THE COLONIAL SECRETARY,—
 - (1.) Is it true that the Clerks of Petty Sessions at the Central and Water Police Offices, Sydney, make a charge of 10s. for every temporary extension of a Publican's License?
 - (2.) Is such charge made under the provisions of the Publican's Licensing Act; and if not, by what authority?
 - (3.) How many impositions of this kind have been made, and into what fund have they been paid?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Roads other than Main Roads Bill; consideration in Committee of the propriety of introducing this Bill.
2. Supply; resumption of the Committee.
3. Ways and Means; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PIDDINGTON to move, That the Petition presented by him on 3rd May, from the Maitland Building Society, in reference to the Stamp Duties Bill, be printed.
2. MR. CAMPBELL to move, That the Petition presented by him on 3rd May, from the Hunter Building Society, be printed.
3. MR. DRIVER to move, That the Petition presented by him, from Mrs. Elizabeth Castle, on the 3rd May, be printed.
4. MR. HART to move, That the name of Mr. Piddington be added to the Committee appointed by this House to consider the Bill to enable the Members of the United Church of England and Ireland, within the Diocese of Sydney, assembled in Synod, to regulate the affairs thereof.
5. MR. TIGHE to move, That the Petition presented by him on the 2nd May, from Mr. R. Sadleir, in reference to Church of England Synod, be printed.
6. DR. LANG to move,—
 - (1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
 - (2.) That the said Committee shall consist of the following Members, viz. :— Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pcmell, Mr. Sutherland, and the Mover.
7. MR. HART to move, That, in order to preserve the health and lives of Her Majesty's subjects, this House is of opinion that immediate steps should be taken to remedy the nuisance arising from the imperfect drainage of the Lunatic Asylum, Parramatta, and the flow of soil and other matter from that institution to the Parramatta River.
8. MR. COWPER to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the circumstances connected with the Mortgage on the property of the Scots Church, Sydney, in favour of the Collector of Internal Revenue, and also to consider whether any equitable claims exist for cancelling the said Mortgage.
 - (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Cunneen, Mr. Faucett, Mr. Macpherson, Mr. Piddington, Mr. Parkes, Mr. Tighe, Mr. Sutherland, and the Mover.
9. MR. CUNNEEN to move, That the Report from the Select Committee, appointed "to inquire into, and report upon, the Claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done to their properties since the "discovery of Gold on their rented Crown Lands," ordered, by this House, to be printed, on the 28th April, 1865, be now adopted.

ORDERS OF THE DAY :—

1. Rogers' Settlement Bill; second reading.
2. Petroleum Bill; second reading.

FRIDAY, MAY 5.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Criminal Evidence Amendment Bill; second reading.
2. Brands Registration Bill; to be further considered in Committee.
3. Destitute Children's Bill; second reading.
4. Prison Discipline Bill; to be further considered in Committee.
5. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
6. Municipalities Act Amendment Bill; second reading.
7. Superannuation Act Amendment Bill; second reading.
8. Miss Isabella Mary Kelly; consideration in Committee of the Report of Select Committee of Session 1863-4, upon the case of.

9. Resumption of the adjourned Debate on the Motion of Mr. White, "That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, That after the word "tenure," the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted.
10. Fisheries Bill, *as amended in Select Committee*; to be considered in Committee of the Whole.

NOTICE OF MOTION :—

1. MR. TERRY to move, That there be laid on the Table of this House, all Papers and Correspondence relating to the Colerawa Run, in the District of Bligh, having reference to a dispute between Messrs. Bloomfield and others, and one Colwell, a Free Selector.

TUESDAY, MAY 9.

Question :—

1. MR. BUCHANAN to ask THE COLONIAL SECRETARY,—
 - (1.) Is it within the knowledge of the Government that, in a case tried at Newcastle lately, in which a number of coal miners were concerned, two Magistrates, namely, Messrs. Hickey and Biddulph, came down from Raymond Terrace to try the case—those Magistrates never having presided on the Newcastle Bench on a single occasion, before or since; and, on the occasion referred to, were brought down and taken back again by a steam boat belonging to one of the contending parties?
 - (2.) In the event of the Government being satisfied as to the truth of the above statement, is it the intention of the Government to take any action, having for its object the severe censure or removal of the Magistrates in question?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Military Contribution Bill; second reading.
2. Stamp Duties Bill; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.

FRIDAY, MAY 12.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Randwick Coogee and other Roads Investment Bill; second reading.

NOTICES OF MOTION :—

1. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
2. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.



New South Wales.

No. 37.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 4 MAY, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Question on Notice Paper for to-day :—

Fee charged for Temporary Extension of Publicans' Licenses :—Mr. Driver asked the Colonial Secretary, pursuant to Notice,—

(1.) Is it true that the Clerks of Petty Sessions at the Central and Water Police Offices, Sydney, make a charge of 10s. for every temporary extension of a Publican's License?

(2.) Is such charge made under the provisions of the Publicans' Licensing Act ; and if not, by what authority ?

(3.) How many impositions of this kind have been made, and into what fund have they been paid ?

Mr. Cowper answered ;—In reply to the Honorable Gentleman's question, I will read to the House the information given to me from the two Police Offices. The first is from the Central Police Office.

"(1.) It is true that the Clerk of Petty Sessions at the Central Police Office does make a charge of 10s. for every form of temporary extension of a publican's license issued here.

"(2.) The charge is not made under the provisions of the Publicans' Licensing Act, nor is there any express authority for making it. It appears, however, to have been the practice here for a number of years ; and as granting the privilege is entirely in the option of the Justices, they might reasonably make the payment of a fee a condition precedent to their sanctioning the extension of the license. No doubt this is the ground upon which the practice was adopted.

"(3.) The average number of impositions for the last three years has been 59, and the money produced by them has been paid into the Treasury."

From the Water Police Office I have received the following answers :—

"(1.) It is true that the Clerk of Petty Sessions at this Office makes a charge of 10s. for every temporary extension of a Publican's License.

"(2.) Under the provisions of the Publicans' Licensing Act, no charge is made for temporary extensions. The Clerk of Petty Sessions at this Office is under the impression that the sum of 10s. was fixed by the Justices at the Central Police Office, but there appears no record of it in that Department. The charge has been made for several years at the Central Office, and on the division of the City, in 1862, the custom so long followed out there was adopted here.

"(3.) Eighty-five charges have been made (£42 10s.). The amount has been paid into the Consolidated Revenue Fund."

2. Stamp Duties ("Formal" Motion) :—Mr. Piddington moved, pursuant to Notice, That the Petition presented by him on 3rd May, from the Maitland Building Society, in reference to the Stamp Duties Bill, be printed.

Question put and passed.

Ordered to be printed.

3. Elizabeth Castle ("Formal" Motion) :—Mr. Driver moved, pursuant to Notice, That the Petition presented by him, from Mrs. Elizabeth Castle, on the 3rd May, be printed.

Question put and passed.

Ordered to be printed.

4. Church of England Synod Bill—("Formal" Motions) :—

(1.) Mr. Hart moved, pursuant to Notice,—That the name of Mr. Piddington be added to the Committee appointed by this House to consider the Bill to enable the Members of the United Church of England and Ireland, within the Diocese of Sydney, assembled in Synod, to regulate the affairs thereof.

Question put.

The House divided.

Ayes, 25.

Mr. Hart,	Mr. Wilson,
Mr. Lloyd,	Mr. Landale,
Mr. Eekford,	Mr. Mate,
Mr. Cummings,	Mr. White,
Mr. Donnelly,	Mr. Cunneen,
Mr. Forlonge,	Mr. Sutherland,
Mr. Egan,	Mr. Pickering,
Mr. Walker,	Mr. Tighe,
Mr. Graham,	Mr. Phelps,
Mr. Farnell,	
Mr. Alexander,	<i>Tellers.</i>
Mr. Garrett,	Mr. Brown,
Mr. Cooper,	Mr. De Salis.
Mr. Forster,	

Noes, 11.

Mr. Cowper,
Mr. Smart,
Mr. Lucas,
Mr. Kemp,
Mr. Driver,
Mr. Hannell,
Mr. Stimpson,
Mr. Penell,
Mr. Neale,
<i>Tellers.</i>
Mr. Josephson,
Mr. Oatley.

(2.) Mr. Tighe moved, pursuant to Notice,—That the Petition presented by him on the 2nd May, from Mr. R. Sadleir, in reference to Church of England Synod, be printed.

Question put and passed.

Ordered to be printed.

5. Lunatic Asylum, Parramatta—("Formal" Motion) :—Mr. Hart moved, pursuant to Notice.—That, in order to preserve the health and lives of Her Majesty's subjects, this House is of opinion, that immediate steps should be taken to remedy the nuisance arising from the imperfect drainage of the Lunatic Asylum, Parramatta, and the flow of soil and other matter from that institution to the Parramatta River.

Question put and passed.

6. Australian Paper Company's Bill :—Mr. Cowper, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 11th April last.

Ordered to be printed.

Whereupon, Mr. Cowper moved, That the second reading of this Bill stand an Order of the Day for Friday week.

Question put and passed.

7. Postponement :—The Order of the Day, No. 1 of Government Business, postponed, on motion of Mr. Robertson, to follow immediately the Order of the Day, No. 2 of Government Business.

8. Supply (Order No. 2 of Government Business) :—On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of the Supply to be granted to Her Majesty.

And the Committee having continued to sit until after Midnight ;—

FRIDAY, 5 MAY, 1865, A.M.

The Chairman reported progress, and obtained leave to sit again on Tuesday next.

Adjournment :—Mr. Cowper moved, that this House, at its rising, do adjourn until Seven o'clock, P.M., this day.

The House divided.

Ayes, 11.

Mr. Cowper,
Mr. Smart,
Mr. Campbell,
Mr. Robertson,
Mr. Alexander,
Mr. Egan,
Mr. Morrice,
Mr. Sutherland,
Mr. Burdekin,

Tellers.

Mr. Lucas,
Mr. Driver,

Noes, 23.

Mr. Lloyd,	Mr. Rodd,
Mr. Hannell,	Mr. Donnelly,
Mr. Neale,	Mr. Dodds,
Mr. Parkes,	Mr. Wilson,
Mr. Cooper,	Mr. Walker,
Mr. Terry,	Mr. Piddington,
Mr. Cunneen,	Mr. Farnell,
Mr. Mate,	Mr. Macpherson,
Mr. Garrett,	
Mr. Graham,	<i>Tellers.</i>
Mr. Stimpson,	Mr. White,
Mr. Kemp,	Mr. De Salis.
Mr. Cummings,	

Mr. Cowper then moved,—That this House do now adjourn.

Question put and passed.

Whereupon the Speaker left the Chair, and the House stood adjourned, at twelve minutes after One o'clock a.m., until Three o'clock p.m. This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

FRIDAY, MAY 5.

Contingent Notice :—

1. DR. LANG to move (*on going into Committee of Ways and Means*),—
(1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
(2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Questions :—

1. DR. LANG to ask THE COLONIAL SECRETARY,—
(1.) Whether he is aware that on Thursday, the 27th ult., an unprovoked and murderous assault was committed in the Government Printing Office, on a lad of seventeen years of age, named John Gilberthorpe, a son of a reputable artilleryman, in charge of the station at Mrs. Macquarie's Chair, but now absent on duty in New Zealand, by another lad named Denis Kelly, both employes in the office; the former having received from the latter three severe wounds in the head with a bookbinders' cutting knife, and being placed under treatment in the Infirmary?
(2.) Whether the offender has been reported to the authorities, or otherwise prosecuted or punished?
2. MR. DRIVER to ask THE COLONIAL SECRETARY,—Is it the intention of the Government to direct the Clerks of Petty Sessions, that the charge of 10s. for the temporary extension of a Publican's License is illegal, and ought not in future to be enforced?

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Criminal Evidence Amendment Bill; second reading.
2. Brands Registration Bill; to be further considered in Committee.
3. Destitute Children's Bill; second reading.
4. Prison Discipline Bill; to be further considered in Committee.
5. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
6. Municipalities Act Amendment Bill; second reading.
7. Superannuation Act Amendment Bill; second reading.
8. Miss Isabella Mary Kelly; consideration in Committee of the Report of Select Committee of Session 1863-4, upon the case of.
9. Resumption of the adjourned Debate on the Motion of Mr. White, “That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure ‘tenure’ should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.” Upon which Mr. Buchanan had moved by way of amendment, That after the word “tenure,” the words “consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country,” be inserted.
10. Fisheries Bill, *as amended in Select Committee*; to be considered in Committee of the Whole.
11. Rogers' Settlement Bill; second reading.
12. Petroleum Bill; second reading.

NOTICES OF MOTION :—

1. MR. TERRY to move, That there be laid on the Table of this House, all Papers and Correspondence relating to the Colerawa Run, in the District of Bligh, having reference to a dispute between Messrs. Bloomfield and others, and one Colwell, a free selector.
2. MR. DRIVER to move, That a Select Committee be appointed, with power to send for persons and papers, to enquire into, and report to this House upon, the Petition of Elizabeth Castle, presented on the 3rd day of May, and that such Committee consist of the following Members,—namely, Mr. Cowper, Mr. Buchanan, Mr. Cooper, Mr. Graham, Mr. Roberts, Mr. Stimpson, Mr. Tunks, Mr. White, and the Mover.
3. MR. CAMPBELL to move, That the Petition presented by him on 3rd May, from the Hunter Building Society, be printed.
4. DR. LANG to move,—
(1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
(2.) That the said Committee shall consist of the following Members, viz.:—Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pemell, Mr. Sutherland, and the Mover.

5. Mr. COWPER to move.—
 (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the circumstances connected with the Mortgage on the property of the Scots Church, Sydney, in favour of the Collector of Internal Revenue, and also to consider whether any equitable claims exist for cancelling the said Mortgage.
 (2.) That such Committee consist of Mr. Burdckin, Mr. Caldwell, Mr. Cunneen, Mr. Faucett, Mr. Macpherson, Mr. Piddington, Mr. Parkes, Mr. Tighe, Mr. Sutherland, and the Mover.
6. Mr. CUNNEEN to move, That the Report from the Select Committee, appointed "to inquire into, and report upon, the Claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done to their properties since the discovery of Gold on their rented Crown Lands," ordered by this House to be printed on the 28th April, 1865, be now adopted.
- GOVERNMENT BUSINESS—ORDERS OF THE DAY :—
1. Roads other than Main Roads ; consideration in Committee of the propriety of introducing this Bill.
 2. Ways and Means ; resumption of the Committee.

TUESDAY, MAY 9.

Question :—

1. Mr. BUCHANAN to ask THE COLONIAL SECRETARY,—
 (1.) Is it within the knowledge of the Government that, in a case tried at Newcastle lately, in which a number of coal miners were concerned, two magistrates, namely, Messrs. Hickey and Biddulph, came down from Raymond Terrace to try the case—those Magistrates never having presided on the Newcastle Bench on a single occasion, before or since ; and, on the occasion referred to, were brought down and taken back again by a steam boat belonging to one of the contending parties ?
 (2.) In the event of the Government being satisfied as to the truth of the above statement, is it the intention of the Government to take any action, having for its object the severe censure or removal of the Magistrates in question ?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Military Contribution Bill ; second reading.
2. Stamp Duties Bill ; second reading.
3. Supply ; resumption of the Committee.

OTHER BUSINESS—NOTICE OF MOTION :—

1. Mr. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council and the sanction of Parliament.
 (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.

FRIDAY, MAY 12.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Randwick Coogee and other Roads Investment Bill ; second reading.
2. Australian Paper Company's Bill ; second reading.

NOTICES OF MOTION :—

1. Mr. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
2. Mr. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

New South Wales.

No. 38.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 5 MAY, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Assault in Government Printing Office by Denis Kelly on John Gilberthorpe :—

Dr. Lang asked the Colonial Secretary, pursuant to Notice No. 1,—

(1.) Whether he is aware that, on Thursday, the 27th ult., an unprovoked and murderous assault was committed in the Government Printing Office, on a lad of seventeen years of age, named John Gilberthorpe, a son of a reputable artilleryman, in charge of the station at Mrs. Macquarie's Chair, but now absent on duty in New Zealand, by another lad named Denis Kelly, both employés in the office ; the former having received from the latter three severe wounds in the head with a bookbinders' cutting knife, and being placed under treatment in the Infirmary ?

(2.) Whether the offender has been reported to the authorities, or otherwise prosecuted or punished ?

Mr. *Smart* answered :—In reply to the Honorable and Reverend Gentleman's question, I will read a report I received from the Government Printer yesterday morning, before the question was put upon the Paper :—“ It is with regret that I have to report an affray that occurred on Thursday last, between two of the apprentices of this department, Denis Kelly and John Gilberthorpe, in which the former severely wounded the latter with a paper knife. As it appears that Kelly provoked the quarrel, and as his conduct in using the knife does not admit of any palliation, I beg to recommend that he be suspended for two months. It is but right to state that up to the time of this unfortunate occurrence, Kelly had borne a most excellent character. Had it been otherwise, I should have felt it my duty to recommend his dismissal.” I may add, for the information of the Honorable and Reverend Gentleman, that the mother of the boy called upon the Government Printer, and requested him to take no action in the matter, but he considered it due to himself, and necessary in order to preserve the credit of his department, to suspend him for two months.

(*Mr. Driver not asking the Question standing in his name, No. 2, it dropped.*)

2. Border Customs Duties :—Mr. Mate presented a Petition from S. F. Blackmore, Henry Rau, and others, Inhabitants of the Town and District of Albury, praying that, upon the settlement of the question of Border Duties, the House will adopt such measures as shall encourage the cultivation of the produce of this Colony and the preservation of the interests of its Inhabitants in the said District.
Petition received.
3. Postponement :—The Order of the Day, No. 1 of Other Business postponed, on motion of Mr. Garrett, until this day week.
4. Brands Registration Bill :—On the Order of the Day (No. 2 of Other Business) for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such further consideration.
The Chairman reported progress, and obtained leave to sit again this day week.

5. Postponements:—The Orders of the Day, Nos. 3, 4, and 5, of Other Business, postponed respectively, on motion of Mr. Forster, until this day week.
6. Municipalities Act Amendment Bill (Order No. 6 of Other Business):—Mr. Byrnes moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 32.		Noes, 21.	
Mr. Cowper,	Mr. Tunks,	Mr. Egan,	Mr. Gordon,
Mr. Robertson,	Mr. Cunneen,	Mr. Walker,	Mr. Piddington,
Mr. Smart,	Mr. Caldwell,	Mr. Roberts,	<i>Tellers.</i>
Mr. Arnold,	Mr. Forster,	Mr. Campbell,	Mr. Phelps,
Mr. Darvall,	Mr. Osborne,	Mr. Forlonge,	Mr. Wilson.
Mr. Lloyd,	Mr. Garrett,	Mr. Landale,	
Mr. Byrnes,	Mr. Hart,	Mr. De Salis,	
Mr. Tighe,	Mr. Sutherland,	Mr. Graham,	
Mr. Driver,	Mr. Pemell,	Mr. Dodds,	
Mr. Donnelly,	Mr. Kemp,	Mr. Macleay,	
Mr. Lucas,	Dr. Lang,	Mr. White,	
Mr. Pickering,	Mr. Eckford,	Mr. Cooper,	
Mr. Oatley,	Mr. Neale,	Mr. Martin,	
Mr. Farnell,	<i>Tellers.</i>	Mr. Dignam,	
Mr. Rodd,	Mr. Josephson,	Mr. Hannell,	
Mr. Stimpson,	Mr. Burdekin.	Mr. Mate,	
Mr. Parkes,		Mr. Lord,	

Bill then read a second time.

Mr. Byrnes then moved, That the Bill be committed "forthwith."

Mr. Walker moved, That the Question be amended by omitting the word "forthwith," with a view to inserting in its place the words "this day week."

Debate ensued.

Question put, That the word proposed to be omitted stand part of the Question.

The House divided.

Ayes, 29.		Noes, 23.	
Mr. Cowper,	Mr. Cummings,	Mr. Forster,	Mr. Dodds,
Mr. Smart,	Mr. Caldwell,	Mr. Wilson,	Mr. Mate,
Mr. Arnold,	Mr. Garrett,	Mr. Egan,	Mr. Gordon,
Mr. Darvall,	Mr. Hart,	Mr. Walker,	Mr. Piddington,
Mr. Lloyd,	Mr. Sutherland,	Mr. Roberts,	Mr. Lord,
Mr. Byrnes,	Mr. Driver,	Mr. Forlonge,	<i>Tellers.</i>
Mr. Tighe,	Mr. Kemp,	Mr. Landale,	Mr. Martin,
Mr. Donnelly,	Mr. Neale,	Mr. De Salis,	Mr. Phelps.
Mr. Hannell,	Mr. Pemell,	Mr. Graham,	
Mr. Lucas,	Dr. Lang,	Mr. Parkes,	
Mr. Oatley,	Mr. Burdekin.	Mr. Osborne,	
Mr. Pickering,	<i>Tellers.</i>	Mr. Cooper,	
Mr. Farnell,	Mr. Robertson,	Mr. White,	
Mr. Stimpson,	Mr. Eckford.	Mr. Macleay,	
Mr. Tunks,		Mr. Dignam,	
Mr. Cunneen,		Mr. Campbell,	

Original Question then put and passed.

Whereupon, on motion of Mr. Byrnes, the Speaker left the Chair, and the House 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 Friday next.

7. Postponement:—The Order of the Day, No. 7 of Other Business, postponed, on motion of Mr. Forster, until this day fortnight.
8. Miss Isabella Mary Kelly (Order No. 8 of Other Business):—On motion of Dr. Lang, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to take into consideration the Report of the Select Committee of the Session of 1863-4 upon the case of Miss Isabella Mary Kelly, and to take such steps in the case as may be deemed expedient and necessary.

And the Committee having continued to sit till after Midnight:—

SATURDAY, 6 MAY, 1865, A.M.

The Chairman reported that the Committee had come to a Resolution.

Ordered, on motion of the Chairman, that the said Resolution be received on Tuesday next.

9. Postponement:—The Order of the Day No. 9 of Other Business postponed, on motion of Mr. Walker, until this day fortnight.

The House adjourned, on motion of Mr. Cowper, at twenty-four minutes before One o'clock A.M., until Tuesday next, at Three o'clock P.M.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

TUESDAY, MAY 9.

Contingent Notice :—

1. DR. LANG to move (*on going into Committee of Ways and Means*),—
 - (1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
 - (2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Questions :—

1. MR. BUCHANAN to ask THE COLONIAL SECRETARY,—
 - (1.) Is it within the knowledge of the Government that, in a case tried at Newcastle lately, in which a number of coal miners were concerned, two Magistrates, namely, Messrs. Hickey and Biddulph, came down from Raymond Terrace to try the case—those Magistrates never having presided on the Newcastle Bench on a single occasion, before or since; and, on the occasion referred to, were brought down and taken back again by a steam-boat belonging to one of the contending parties?
 - (2.) In the event of the Government being satisfied as to the truth of the above statement, is it the intention of the Government to take any action, having for its object the severe censure or removal of the Magistrates in question?
2. MR. MARTIN to ask THE SECRETARY FOR PUBLIC WORKS,—Whether any communication was received by the Government, by the last Mail from England, from Captain Mayne, in reference to the alleged overcharge upon Railway Iron; and if so, what is the nature or purport of such communication?
3. MR. MARTIN to ask THE COLONIAL SECRETARY,—Whether, previously to the Felons' Apprehension Act becoming law, he wrote any letter, or signed any writing, purporting to give authority to Messrs. Bray and Byrnes, with some other Volunteers, to take, without the leave of the owners, such horses as they might think necessary to aid them in the pursuit of Bushrangers?
4. MR. MARTIN to ask THE COLONIAL TREASURER,—
 - (1.) Whether it is the intention of the Government, this Session, to submit to Parliament, any Bill to carry into effect the treaty or agreement recently made between the Governments of New South Wales and Victoria, in reference to the importation, into this Colony, of Goods by way of the River Murray, and particularly that portion of the agreement by which the Inhabitants of this Colony are to pay Customs Duties, imposed not by their own Legislature, but the Legislature of Victoria?
 - (2.) Whether any instructions have been sent, or authority given, to any one in this or the neighbouring Colony of Victoria, to prevent the importation into this Colony, of goods on payment of the New South Wales Tariff only; and if so, under what Act such instructions or authority have been given?
 - (3.) Under what law the Government of New South Wales have agreed to authorize the levying on goods imported into this Colony by way of the Murray from South Australia, duties different from those imposed upon the same description of goods when imported by way of the Port of Sydney from other countries?
 - (4.) Has the 45th section of Schedule 1. to the Imperial Act 18 and 19 Vic., cap. 54 been repealed; and if so, when?
5. MR. MACPHERSON to ask THE SECRETARY FOR LANDS,—
 - (1.) What was the amount received during the past year for licenses to dig Gold on the Church and School Lands at Braidwood?
 - (2.) Has this amount been placed to the credit of the Church and School Land Fund?
 - (3.) Are any deductions made from the gross amount received; and if so, what?
 - (4.) Is the Minister aware that, if he chooses to let these auriferous lands on a lease from year to year, that he can obtain at least *treble* the rental at present netted by the Government?
6. MR. PHELPS to ask THE COLONIAL TREASURER,—
 - (1.) When do the Government intend introducing a Bill to give effect to those provisions of the arrangement recently made with the Government of Victoria, with reference to Border Customs, by which it is proposed to invest the Government of Victoria with powers to levy duties on goods imported into this Colony by way of the River Murray?
 - (2.) Is it intended by the Government to extend the powers in question to goods imported into this Colony from South Australia, all along the frontier between the two Colonies?
 - (3.) Will dutiable goods imported across the South Australian frontier north of the River Murray into New South Wales, be subject to duty to the Victorian Government; and if so, under what Tariff?

7. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—
 (1.) Is any record kept of licenses granted for music and dancing, at the several Courts of Petty Sessions throughout the Colony?
 (2.) Do the Government sanction, or recognize in any way, the employment of Police Magistrates or Clerks of Petty Sessions, in drawing out applications for Publicans' Licenses or Agreements, and the receipt, by such Officers, of payment for the same?
 (3.) Have the Government any knowledge of payment having been received by any Police Magistrate for declarations made before him in his Magisterial capacity?
8. DR. LANG *to ask* THE ATTORNEY GENERAL,—
 (1.) Whether he has received the Depositions from the Magistrates at Parramatta in the case of Isabella M'Lean, a female immigrant of previously unblemished character, from the North of Scotland, on the charge of having stolen from her mistress, Mrs. Thomas Icely, of Prospect, to the value of half a crown, or it may be of five shillings and sixpence, the articles stolen having been found in her box after she had left her place in bad health?
 (2.) Whether the said Isabella M'Lean refused to submit to a dismissal with summary punishment from the Magistrates, on the ground that her doing so would be an admission of her guilt, whereas she alleges that the stolen articles were clandestinely placed in her box by other servants of a dishonest character, who had access to it while she was absent in bad health?
 (3.) Whether the Attorney General intends to prosecute the said Isabella M'Lean criminally, on this frivolous charge, and thereby to authorize her confinement in Darlinghurst Gaol till August next?

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Military Contribution Bill; second reading.
2. Stamp Duties Bill; second reading.
3. Supply; resumption of the Committee.
4. Roads other than Main Roads; consideration in Committee of the propriety of introducing this Bill.
5. Ways and Means; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MACPHERSON *to move*, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
 (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
2. MR. MATE *to move*, That the Petition presented by him from certain Inhabitants of Albury, on the 5th May, be printed.
3. MR. TERRY *to move*, That there be laid on the Table of this House, all Papers and Correspondence relating to the Colerawa Run, in the District of Bligh, having reference to a dispute between Messrs. Bloomfield and others, and one Colwell, a Free Selector.
4. MR. DRIVER *to move*, That a Select Committee be appointed, with power to send for persons and papers, to enquire into, and report to this House upon, the Petition of Elizabeth Castle, presented on the 3rd day of May, and that such Committee consist of the following Members, namely:—Mr. Cowper, Mr. Buchanan, Mr. Cooper, Mr. Graham, Mr. Roberts, Mr. Stimpson, Mr. Tunks, Mr. White, and the Mover.
5. MR. CAMPBELL *to move*, That the Petition presented by him on 3rd May, from the Hunter Building Society, be printed.
6. DR. LANG *to move*,—
 (1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
 (2.) That the said Committee shall consist of the following Members, viz.:—Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pemell, Mr. Sutherland, and the Mover.
7. MR. COWPER *to move*,—
 (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the circumstances connected with the Mortgage on the property of the Scots Church, Sydney, in favour of the Collector of Internal Revenue, and also to consider whether any equitable claims exist for cancelling the said Mortgage.
 (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Cunneen, Mr. Faucett, Mr. Macpherson, Mr. Piddington, Mr. Parkes, Mr. Tighe, Mr. Sutherland, and the Mover.

8. MR. CUNNEEN to move, That the Report from the Select Committee, appointed "to inquire into, and report upon, the Claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done to their properties since the discovery of Gold on their rented Crown Lands," ordered, by this House, to be printed, on the 28th April, 1865, be now adopted.

ORDERS OF THE DAY:—

1. Miss Isabella Mary Kelly; reception of Resolution of Committee of the Whole in reference to the case of.
2. Fisheries Bill, *as amended in Select Committee*; to be considered in Committee of the Whole.
3. Rogers' Settlement Bill; second reading.
4. Petroleum Bill; second reading.

FRIDAY, MAY 12.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Randwick Coogee and other Roads Investment Bill; second reading.
2. Australian Paper Company's Bill; second reading.
3. Criminal Evidence Amendment Bill; second reading.
4. Brands Registration Bill; to be further considered in Committee.
5. Destitute Children's Bill; second reading.
6. Prison Discipline Bill; to be further considered in Committee.
7. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
8. Municipalities Act Amendment Bill; to be further considered in Committee.

NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
2. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.

FRIDAY, MAY 19.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Superannuation Act Amendment Bill; second reading.
2. Resumption of the adjourned Debate on the Motion of Mr. White, “That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure ‘tenure’ should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.” Upon which Mr. Buchanan had moved by way of amendment, That after the word “tenure,” the words “consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country,” be inserted.



New South Wales.

No. 39.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 9 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Trial of certain Coal Miners at Newcastle—Messrs. Hickey and Biddulph, Magistrates :—Mr. Buchanan asked the Colonial Secretary, pursuant to Notice No. 1,—

(1.) Is it within the knowledge of the Government that, in a case tried at Newcastle lately, in which a number of coal miners were concerned, two Magistrates, namely, Messrs. Hickey and Biddulph, came down from Raymond Terrace to try the case—those Magistrates never having presided on the Newcastle Bench on a single occasion, before or since; and, on the occasion referred to, were brought down and taken back again by a steam boat belonging to one of the contending parties?

(2.) In the event of the Government being satisfied as to the truth of the above statement, is it the intention of the Government to take any action, having for its object the severe censure or removal of the Magistrates in question?

Mr. Cowper answered,—I have communicated with the Bench of Magistrates upon this subject, but have not yet had any reply. Indeed, from the shortness of the notice given of the question, it was scarcely possible that an answer could have reached me by to-day, but I have no doubt I shall have an answer in a day or two.

- (2.) Alleged overcharge upon Railway Iron :—Mr. Martin asked the Secretary for Public Works, pursuant to Notice No. 2,—Whether any communication was received by the Government, by the last Mail from England, from Captain Mayne, in reference to the alleged overcharge upon Railway Iron; and if so, what is the nature or purport of such communication?

Mr. Arnold answered,—The only allegation of overcharge upon Railway Iron that I find among official documents at the Works' Office, is contained in two letters—one dated the 22nd October, 1864, to Edward Hamilton, Esq., and one addressed to Captain Mayne, dated 21st November. In order to make the correspondence of Captain Mayne intelligible, it will be necessary to read both those letters. The first, dated 22nd October, 1864, addressed to Edward Hamilton, Esq., signed Arthur T. Holroyd, is as follows :—“ Sir, In consequence of recent investigations
“ of the invoices for railway iron shipped from England on account of this Colony,
“ from the beginning of 1859, to this time, it appears to the Government that the
“ charges for rails and chairs have been greatly and improperly in excess of prices
“ current at the times of purchase and shipment. Under these circumstances they
“ are of opinion that a most rigid inquiry should be instituted in England, and as a
“ preliminary step, I have to request that Mr. John Fowler's services as Inspector
“ of railway iron plant and rolling stock, may be dispensed with at once. As to
“ any orders for railway materials which may be transmitted by this mail, I have
“ to request that they may be executed under the superintendence and inspection
“ of a leading London Broker in the Iron trade. As to orders for railway materials
“ which have already been transmitted to you, I have to request that, as far as
“ practicable, the execution of contracts for such materials should be stopped
“ until further orders. In respect of orders already transmitted, the execution of
“ which cannot be fully stopped or suspended till next advices from this, I have
“ to request that you will do nothing without consultation with a leading London
“ Broker as above mentioned. If the advice and opinion of an Engineer should
“ be required in reference to orders still outstanding, you will be pleased to
“ employ an experienced gentleman in lieu of Mr. Fowler. The Government are
“ about

"about to institute inquiries into the supposed overcharges above referred to, and I purpose forwarding by next mail full information and instructions for your guidance or the guidance of your successor, should the Government be in a position to appoint such successor in the mean time."

I have on a former occasion read the letter of Mr. Hamilton in reply to that letter. Captain Mayne having been appointed to the office of Agent for New South Wales on the 21st November, this letter was addressed to him:—

"Sir,

"21 November, —4.

"Referring to the notification in the *Government Gazette*, of the 10th instant, of your appointment as Agent for the Colony of New South Wales, resident in London, I am directed by the Secretary for Public Works to request that, as there is reason to believe that for a considerable period the Government has been defrauded of large sums of money in the prices paid for railway iron, you will, on your arrival in England, investigate into, and report upon all the circumstances connected with their purchase, and the actual value of the rails and chairs so purchased.

"2. I am to enclose herein a return of invoices of all rails and chairs purchased by the Government Agent in England, shewing the prices per ton paid in London, and the prices current as quoted in the *Economist*; and for the purpose of further accrediting you in this matter, I am instructed specially to authorize you to take all proper and necessary steps for the elucidation of all the circumstances connected with the alleged overcharges."

"I have the honor to be,

"Sir,

"Your most obedient servant,

"JOHN RAE."

In reply to the Honorable Member's question, I beg to inform him, that by the late mail, communications were received from Captain Mayne in reply to the letter which I last read. The first is dated 13th February, 1865, and is as follows:—

"Sir,

"Having reference to the letter of the 22nd of October last from the Honorable the Secretary for Public Works, to my predecessor, instructing him, at once to dispense with Mr. John Fowler's services as Inspector of railway stock; to have any orders for railway materials transmitted by the same mail, executed under the superintendence and inspection of a leading London Broker in the Iron trade; as regarded orders for railway materials previously transmitted, to stop, so far as practicable, the execution of contracts for such until further orders; in case of such as could not be stopped, doing nothing without consultation with a leading London Broker as before mentioned; and if the advice and opinion of an Engineer should be required in reference to orders still outstanding to employ an experienced gentleman in lieu of Mr. Fowler. I have the honor to state for your information, that it is not, in the case of any of the orders for railway materials, practicable to stop the execution of the contracts, and that the terms of these, involving as they do, payment under Mr. Fowler's certificate, preclude, till the completion of those contracts, dispensing with Mr. Fowler's services.

"2. Regarding the instruction touching superintendence and inspection by a leading London Broker in the Iron trade, I have to state that the services indicated are, I am informed, entirely beside those of a Broker, and that all the inquiries I have made, lead me to the conclusion that to employ the services of a broker in the carrying out of contracts for permanent way material and rolling stock, would merely include the additional charge of a brokerage commission, without any one safeguard or advantage whatever.

"3. As regards the instruction for the employment of another Engineer in lieu of Mr. Fowler, in cases in which the advice and opinion of one should be required in reference to orders still outstanding, I have, referring you to what I have stated in paragraph 1, as to the impossibility of setting aside Mr. Fowler, so far as existing contracts are concerned, to point out that compliance with that instruction, would involve expense to an amount which cannot, I am confident, have been foreseen, and this without any commensurate advantage. As I have already explained, the existing contracts render imperative payment under Mr. Fowler's certificate, and such payment the contractors would demand and enforce, whatever might be the report made by any other Engineer after inspection and trial of the material or stock. Such inspection and trial could, it is obvious, be made only after delivery by the contractors; that delivery in terms of the contracts is to be 'alongside' the ship. Now observe what this, in the case of the engines (twelve in number) now in course of construction and delivery, would after delivery 'alongside' involve—

1st. The removal from the wharf (not without risk) of cases of such weight and dimensions as are those containing locomotives packed for a voyage to Australia.

2nd. The several processes of unpacking, taking to pieces (indispensable for inspection of any value), putting together again, after this actual testing on rails (only to be effected on a railway line or in a contractor's workshop or yard), then re-packing, and final removal back to the wharf. The expense of all this, added to the charge by the Engineer employed, for his time and professional services in

"making

“ making detailed inspection, would be so very serious, that having regard to all that fulfilment of the instruction would and might involve, I feel it to be my duty, in the exercise of the discretion with which, at such a distance, an Agent must be invested, to suspend acting on the instruction in question, until I receive further orders on the subject.”

“ I have the honor to be,

“ Sir,

“ Your obedient servant,

“ W. C. MAYNE,

“ Agent for the Colony of New South Wales.”

On the 22nd February, Captain Mayne writes as follows :—

“ *New South Wales Agency,*

“ 36, *Cannon-street, London,*

“ 22 *February, 1865.*

“ Sir,

“ Having reference to your letter of the 21st of November last, conveying to me the instructions of the Honorable the Secretary for Public Works, on my arrival in England, to investigate and report upon the purchases of permanent way material for the Government of New South Wales, I have the honor to inform you that though I have used every exertion to carry out those instructions, the steps I have taken to that end have not yet placed me in a position to arrive at a definite conclusion, and to make my report on the subject for the information of the Secretary.

“ 2. It must be borne in mind, that those to whom I have to address my inquiries, and from whom I have to seek information on the subject, are for the most part, gentlemen weighted with their own pressing and important business, to whose leisure and convenience I am obliged entirely to defer.

“ 3. I have already had to make one journey to Staffordshire, to obtain a personal interview with one of those gentlemen, and I expect to have to repeat it to procure further information from him.

“ 4. By the March mail, I have every hope, that I shall be able to report the result of my investigation, for the information of the Honorable the Secretary for Public Works.

“ 5. Before closing an inquiry entrusted to me, I have always guarded myself from forming a conclusive judgment, or committing myself to a positive expression of opinion, and I do so now—but in the special circumstances of this case, I consider it open to me, and right to state, that the result of all my inquiries hitherto, tends towards establishing the *bonâ fides* with which the purchases of the permanent way material for the Government have been made.

“ 6. In these circumstances, referring you to Mr. Hamilton's recent communications respecting Mr. Fowler, and to my letter of the 13th instant, I would submit, for the consideration of the Honorable the Secretary for Public Works, the expediency of so far modifying the instructions conveyed to my predecessor in Mr. Secretary Holroyd's letter of the 22nd October last, as to make the dispensing with Mr. Fowler's services as Inspector of Railway Stock dependent on the result of the inquiry on which I am now engaged, and on the final decision of the Executive. On this point it is very desirable that I shall be favored with a reply by the Mail to be dispatched from Sydney on the 22nd of April.

“ I have the honor to be,

“ Sir,

“ Your obedient Servant,

“ W. C. MAYNE,

“ Agent of the Colony of New South Wales.”

In consequence of the delay in the arrival and delivery of the London February Mail, this letter did not reach my hands until after the Mail was dispatched; but feeling the importance of complying with the request of Captain Mayne, conveyed in the last paragraph of this letter, I saw my honorable friend and colleague Mr. Cowper, shewed him this letter, and requested that the following telegram might be forwarded to the Chief Secretary at Melbourne, for transmission by Mail to Captain Mayne:—

“ Will you have the kindness to send the following communication in a letter by your outgoing Mail” :—

“ *Department of Public Works,*

“ *Sydney, 24th April, 1865.*

“ Sir,

“ Your letter of the 22nd February, 1865, is just received. I concur in the proposal contained in your sixth paragraph, and you may consider the instruction therein referred to as modified accordingly.”

“ W. M. ARNOLD.

“ To Captain Mayne, &c.”

Mr. Cowper concurring, that communication was forwarded to the Victorian Government, and a telegram was received back to this effect—“ Telegram received, and letter to Captain Mayne as requested.” That is all the information I have to offer to the House at present upon the subject, but the honorable Member and the House will observe that Captain Mayne speaks of the probability of the inquiry being brought to a conclusion before the dispatch of the mail in March, which we may expect to be delivered in the course of a few days. (3.)

(3.) Volunteers in pursuit of Bushrangers—Messrs. Bray and Byrnes :—Mr. Martin asked the Colonial Secretary, pursuant to Notice No. 3,—Whether, previously to the Felons' Apprehension Act becoming law, he wrote any letter, or signed any writing, purporting to give authority to Messrs. Bray and Byrnes, with some other Volunteers, to take, without the leave of the owners, such horses as they might think necessary to aid them in the pursuit of Bushrangers?

Mr. Cowper answered,—I find from Mr. Bray, who has just returned to town, his party having been broken up, that I did give to him a confidential memorandum, stating that the Government would be prepared to pay any reasonable cost for any horses he might desire to hire while in search of Bushrangers, but he did not shew that memorandum, nor had he any occasion to use it during the whole time he was engaged in this pursuit.

(4.) Border Customs' Duties :—

(1.) Mr. Martin asked the Colonial Treasurer, pursuant to Notice No. 4,—

(1.) Whether it is the intention of the Government, this Session, to submit to Parliament, any Bill to carry into effect the treaty or agreement recently made between the Governments of New South Wales and Victoria, in reference to the importation, into this Colony, of goods by way of the River Murray, and particularly that portion of the agreement by which the Inhabitants of this Colony are to pay Customs Duties, imposed not by their own Legislature, but the Legislature of Victoria?

(2.) Whether any instructions have been sent, or authority given, to any one in this or the neighbouring Colony of Victoria, to prevent the importation into this Colony, of goods on payment of the New South Wales Tariff only; and if so, under what Act such instructions or authority have been given?

(3.) Under what law the Government of New South Wales have agreed to authorize the levying on goods imported into this Colony by way of the Murray from South Australia, duties different from those imposed upon the same description of goods when imported by way of the Port of Sydney from other countries?

(4.) Has the 45th section of Schedule 1 to the Imperial Act 18 and 19 Vic., cap. 54 been repealed; and if so, when?

Mr. Smart answered,—

(1.) The sanction of Parliament will be asked for to any agreement which may be conditionally entered into between the Government of New South Wales and Victoria in respect of the duties upon goods imported into New South Wales by way of the Murray.

(2.) No instructions have been given on the subject.

(3.) The arrangement proposed was made subject to the passing of a law to authorize it.

(4.) Not that I am aware of; and nothing has been done, or is intended to be done in contravention of it.

(2.) Mr. Phelps asked the Colonial Treasurer, pursuant to Notice No. 6,—

(1.) When do the Government intend introducing a Bill to give effect to those provisions of the arrangement recently made with the Government of Victoria, with reference to Border Customs, by which it is proposed to invest the Government of Victoria with powers to levy duties on goods imported into this Colony by way of the River Murray?

(2.) Is it intended by the Government to extend the powers in question to goods imported into this Colony from South Australia, all along the frontier between the two Colonies?

(3.) Will dutiable goods imported across the South Australian frontier north of the River Murray into New South Wales, be subject to duty to the Victorian Government; and if so, under what Tariff.

Mr. Smart answered,—The formal agreement upon the subject to which the question of the Honorable Member has reference, has not yet been drawn up; and I am, consequently, not in a position to answer the questions.

(Mr. Macpherson withdrew the Question standing in his name, No. 5.)

(5.) Licenses granted for Music and Dancing :—Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 7,—

(1.) Is any record kept of licenses granted for music and dancing, at the several Courts of Petty Sessions throughout the Colony?

(2.) Do the Government sanction, or recognize in any way, the employment of Police Magistrates or Clerks of Petty Sessions, in drawing out applications for publicans' licenses or agreements, and the receipt, by such Officers, of payment for the same?

(3.) Have the Government any knowledge of payment having been received by any Police Magistrate for declarations made before him in his Magisterial capacity?

Mr. Cowper answered,—

(1.) I am sorry to say that I have not any definite information on the Honorable Member's first question; but as by the 35th clause of the Licensed Publicans Act, 25 Victoria, No. 14, permission for music and dancing in any licensed house must be obtained in writing, of one or more Police Magistrates, or of any two Justices of the Peace of the District in which the house shall be situate, in Petty Sessions assembled, it is presumed such a record is kept in the Police Offices.

(2.)

(2.) The Government do not sanction or recognize in any way the employment of Police Magistrates or Clerks of Petty Sessions in drawing out applications for publicans' licenses or agreements, or the receipt by such officers of payment for the same.

(3.) The Government have no knowledge of any payments having been received by any Police Magistrate for declarations made before him in his Magisterial capacity.

(6.) Isabella M'Lean (Administration of Justice) :—Dr. Lang asked the Attorney General, pursuant to Notice No. 8,—

(1.) Whether he has received the depositions from the Magistrates at Parramatta in the case of Isabella M'Lean, a female immigrant of previously unblemished character, from the North of Scotland, on the charge of having stolen from her mistress, Mrs. Thomas Icely, of Prospect, to the value of half a crown, or it may be of five shillings and sixpence, the articles stolen having been found in her box after she had left her place in bad health?

(2.) Whether the said Isabella M'Lean refused to submit to a dismissal with summary punishment from the Magistrates, on the ground that her doing so would be an admission of her guilt, whereas she alleges that the stolen articles were clandestinely placed in her box by other servants of a dishonest character, who had access to it while she was absent in bad health?

(3.) Whether the Attorney General intends to prosecute the said Isabella M'Lean, criminally, on this frivolous charge, and thereby to authorize her confinement in Darlinghurst Gaol till August next?

Mr. Darvall answered :—

(1.) I have to-day received the depositions from the Magistrates at Parramatta, in the case of Isabella M'Lean. I am not aware whether she was or was not of previously unblemished character. The charge and commitment had reference to property alleged to have been stolen, of the value of a few shillings, which was found in her box; but other property, to a much larger amount, was stolen about the same time, there being, however, no evidence at present to connect her with that loss.

(2.) The papers do not disclose that Isabella M'Lean refused to submit to dismissal or summary punishment from the Magistrates; but that the first charge was dismissed—on the second she was committed.

(3.) The commitment having been to Quarter Sessions, the propriety of putting Isabella M'Lean on her trial will first be submitted to the Crown Prosecutor, but I see no reason why she should not be tried. The Quarter Sessions at Parramatta, to which she stands committed, will not take place until August next, but Quarter Sessions will be held in Sydney, in the month of June, at which, very probably, she may be tried.

2. Mr. E. J. H. Knapp :—Mr. Hart presented a Petition from Mr. Edward James Howes Knapp, referring to a former Petition from him, which was presented to the Legislative Assembly, in the year 1858, relative to his alleged claim to a grant of land, and which Petition was in a subsequent year referred to a Select Committee which did not finally report upon the subject; and praying that the subject matter of the said former Petition may be investigated by this House, and that he may be afforded relief in the premises.

Petition received.

3. Papers :—Mr. Cowper laid upon the Table the undermentioned Papers :—

(1.) Sydney Grammar School. (Report for 1864).

(2.) Australian Museum. (Report from Trustees, for 1864).

(3.) Returns under 103rd Clause of the District Courts Act of 1858.

Ordered to be printed.

4. Parramatta Market Bill :—Mr. Farnell, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and report this Bill was referred, on 2nd May instant.

Ordered to be printed.

Whereupon, Mr. Farnell moved, That the second reading of this Bill, *as amended in Select Committee*, stand an Order of the Day for Friday week.

Question put and passed.

5. Church of England Synod Bill :—Mr. Cowper, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee, to whom this Bill was referred on 25th April last.

Ordered to be printed.

Whereupon, Mr. Cowper moved, That the second reading of this Bill, *as amended in Select Committee*, stand an Order of the Day for Friday week.

Question put and passed.

6. Border Customs Duties—(“*Formal*” Motion) :—Mr. Mate moved, pursuant to Notice, That the Petition presented by him from certain Inhabitants of Albury, on the 5th May, be printed.

Question put and passed.

Ordered to be printed.

7. Stamp Duties—(“*Formal*” Motion) :—Mr. Campbell moved, pursuant to Notice, That the Petition presented by him on 3rd May, from the Hunter Building Society, be printed.

Question put and passed.

Ordered to be printed.

8. Postponements :—The undermentioned Orders of the Day of Government Business postponed, respectively, on motion of the Members named, until to-morrow :—
 Order No. 1. Mr. Cowper.
 " No. 2. Mr. Smart.
9. Supply :—On the Order of the Day for the resumption of the Committee being read, Mr. Smart moved, "That" the Speaker do now leave the Chair.
 Mr. Macpherson moved, That the Question be amended by omitting all the words thereof after the word "That," with a view to inserting in their place the words, "it is not desirable to go into the question of Supply, until the House is in possession of distinct information as to whether Duties are or are not being collected by the Victorian Government, at the present moment, on the terms indicated by the recent Conference."
 Debate ensued.
 Question,—That the words proposed to be omitted stand part of the Question,—put and passed.
 Original Question then put and passed.
 Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of the Supply to be granted to Her Majesty.

And the Committee having continued to sit until after Midnight ;—

WEDNESDAY, 10 MAY, 1865, A.M.

The Chairman reported progress, and obtained leave to sit again.
 The House adjourned, on motion of Mr. Cowper, at One o'clock A.M., until Three o'clock P.M. This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

WEDNESDAY, MAY 10.

Contingent Notice :—

1. DR. LANG to move (*on going into Committee of Ways and Means*),—
 (1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
 (2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Questions :—

1. MR. MACPHERSON to ask THE SECRETARY FOR LANDS,—
 (1.) What was the amount received during the past year for licenses to dig gold on the Church and School Lands at Braidwood ?
 (2.) Has this amount been placed to the credit of the Church and School Land Fund ?
 (3.) Are any deductions made from the gross amount received ; and if so, what ?
 (4.) Is the Minister aware that, if he chooses to let these auriferous lands on a lease from year to year, that he can obtain at least *treble* the rental at present netted by the Government ?
2. MR. DE SALIS to ask THE ATTORNEY GENERAL,—
 (1.) Is Government aware that His Honor the Chief Justice broke up the late Assizes at Goulburn, without the hearing of several Civil Cases awaiting his decision ?
 (2.) Has His Honor assigned any valid excuse for such omission ?
 (3.) How are the litigants in the cases referred to to be indemnified for the waste of time and money occasioned to them, without any fault of theirs, by such omission ?
3. MR. BROWN to ask THE SECRETARY FOR LANDS,—
 (1.) How much of the £10,000, authorized by the 27th Victoria, No. 14, to be raised on loan for the filling in of Darling Harbour and Blackwattle Swamp, do the Government intend to appropriate towards the latter work, and when will it be commenced ?
 (2.) How much of the said £10,000 will be absorbed by the contracts already entered into for the work at Darling Harbour ?

GOVERNMENT

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Military Contribution Bill ; second reading.
2. Stamp Duties Bill ; second reading.
3. Supply ; resumption of the Committee.
4. Roads other than Main Roads ; consideration in Committee of the propriety of introducing this Bill.
5. Ways and Means ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessces of Crown Lands in the Unsettled Districts.
2. MR. TERRY to move, That there be laid on the Table of this House, all Papers and Correspondence relating to the Colerawa Run, in the District of Bligh, having reference to a dispute between Messrs. Bloomfield and others, and one Colwell, a free selector.
3. MR. DRIVER to move, That a Select Committee be appointed, with power to send for persons and papers, to enquire into, and report to this House upon, the Petition of Elizabeth Castle, presented on the 3rd day of May, and that such Committee consist of the following Members,—namely, Mr. Cowper, Mr. Buchanan, Mr. Cooper, Mr. Graham, Mr. Roberts, Mr. Stimpson, Mr. Tunke, Mr. White, and the Mover.
4. DR. LANG to move,—
 - (1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
 - (2.) That the said Committee shall consist of the following Members, viz. :— Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pcmell, Mr. Sutherland, and the Mover.
5. MR. COWPER to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the circumstances connected with the Mortgage on the property of the Scots Church, Sydney, in favour of the Collector of Internal Revenue, and also to consider whether any equitable claims exist for cancelling the said Mortgage.
 - (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Cunneen, Mr. Faucett, Mr. Macpherson, Mr. Piddington, Mr. Parkes, Mr. Tighe, Mr. Sutherland, and the Mover.
6. MR. CUNNEEN to move, That the Report from the Select Committee, appointed “ to inquire into, and report upon, the Claims of Tenants of the Crown, lodged with “ the Government, for compensation for injuries done to their properties since the “ discovery of Gold on their rented Crown Lands,” ordered by this House to be printed on the 28th April, 1865, be now adopted.

ORDERS OF THE DAY :—

1. Miss Isabella Mary Kelly ; reception of Resolution of Committee of the Whole in reference to the case of.
2. Fisheries Bill, *as amended in Select Committee* ; to be considered in Committee of the Whole.
3. Rogers' Settlement Bill ; second reading.
4. Petroleum Bill ; second reading.

FRIDAY, MAY 12.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Randwick Coogee and other Roads Investment Bill ; second reading.
2. Australian Paper Company's Bill ; second reading.
3. Criminal Evidence Amendment Bill ; second reading.
4. Brands Registration Bill ; to be further considered in Committee.
5. Destitute Children's Bill ; second reading.
6. Prison Discipline Bill ; to be further considered in Committee.
7. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
8. Municipalities Act Amendment Bill ; to be further considered in Committee.

NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
2. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
3. MR. BUCHANAN to move, That this House should now record its opinion, that the Salaries of all future Governors of New South Wales be fixed at a sum not exceeding £5,000 per annum; and further, that the Salaries of the Ministers of the Crown in this Colony be equalized and fixed at £1,000 per annum.

FRIDAY, MAY 19.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Superannuation Act Amendment Bill; second reading.
2. Resumption of the adjourned Debate on the Motion of Mr. White, "That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, That after the word "tenure," the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted.
3. Parramatta Market Bill, as amended in Select Committee; second reading.
4. Church of England Synod Bill, as amended in Select Committee; second reading.

NOTICE OF MOTION:—

1. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.

New South Wales.

No. 40.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 10 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Licenses to Dig for Gold on Church and School Lands, Braidwood:—Mr.

Maepheron asked the Secretary for Lands, pursuant to *amended* Notice, No. 1,—
(1.) What was the amount received during the past year for licenses to dig Gold on the Church and School Lands at Braidwood?

(2.) Has this amount been placed to the credit of the Church and School Land Fund?

(3.) Are any deductions made from the gross amount received; and if so, what?

Mr. Robertson answered,—

(1.) It is estimated that about £50 was collected in 1864, from persons digging on Church and School Lands on Jembaicumbene Creek, and on the Shoalhaven.

(2.) There are no miner's rights available specially for Church and School Lands; diggers have therefore been permitted to dig for Gold on those lands, under the authority of the ordinary miner's right applicable to Crown Lands. No separate account has been, or can well be kept of miner's right receipts for working the various Gold Fields, as the same right is used throughout the whole. A sum of money is therefore due from the General Revenue to the Church and School Lands Revenue, which can only be adjusted by taking an estimate. My attention having been called to the matter by my honorable friend and colleague Mr. Cowper, some years ago, it was thought the course mentioned would be the least objectionable one for the Government to follow.

(3.) The amounts received for miner's rights are paid into the Treasury without any deductions.

- (2.) Breaking up of Assizes at Goulburn (Administration of Justice):—Mr. De Salis asked the Attorney General, pursuant to Notice, No. 2,—

(1.) Is Government aware that His Honor the Chief Justice broke up the late Assizes at Goulburn, without the hearing of several Civil Cases awaiting his decision?

(2.) Has His Honor assigned any valid excuse for such omission?

(3.) How are the litigants in the cases referred to, to be indemnified for the waste of time and money occasioned to them, without any fault of theirs, by such omission?

Mr. Darvall answered,—

(1.) The Government is aware that the late Circuit at Goulburn came to a close, leaving two civil cases untried.

(2.) His Honor the Chief Justice has not assigned any excuse for such omission, nor has he been called upon to do so.

(3.) I am not aware of any remedy for expense incurred by delay of judicial proceedings. No complaint has reached me about this matter. I am not aware of the reasons that led to the postponement of these cases, but I presume that there were valid and sufficient reasons for the course which His Honor the Chief Justice thought fit to pursue.

(3.)

- (3.) Darling Harbour and Blackwattle Swamp:—Mr. Garrett, on behalf of Mr. Brown, asked the Secretary for Lands, pursuant to Notice No. 3,—
- (1.) How much of the £10,000, authorized by the 27th Victoria, No. 14, to be raised on loan for the filling in of Darling Harbour and Blackwattle Swamp, do the Government intend to appropriate towards the latter work, and when will it be commenced?
 - (2.) How much of the said £10,000 will be absorbed by the contracts already entered into for the work at Darling Harbour?
- Mr. Arnold* answered.—
- (1.) The whole of the £10,000 referred to has been, or will be, expended upon the reclamation works now going on at Darling Harbour.
 - (2.) The second question is sufficiently answered by the reply to the first.
2. William Goodin:—Mr. Byrnes presented a Petition from William Goodin, of Parramatta, representing that on the 1st January, 1864, he purchased, at public auction, the Dues arising from and authorized to be collected at the Annandale, Pitt Row, and Hebersham Toll Gates; and that, subsequently, the Government altered the Railway Traffic so as to deprive Petitioner of a great portion of the Revenue which had been sold to him;—and praying relief.
Petition received.
3. Papers:—
- (1.) Mr. Cowper laid upon the Table the undermentioned Papers:—
 - (1.) Blue Book for the year 1864.
 - (2.) National Education. (Report for 1864.)
 - (3.) Prison Establishments of Victoria. (Result of Inquiries into the working of.)
 Ordered to be printed.
 - (2.) Mr. Robertson laid upon the Table Return to an Address, in reference to "M. Fitzpatrick, Esq., Under Secretary for Lands," adopted by this House, on motion of Mr. Forster, on 26th April, 1863.
Ordered to be printed.
4. Postponements:—The undermentioned Orders of the Day of Government Business postponed, respectively, on motion of the Members named, until to-morrow:—
- (1.) Order No. 1. Mr. Cowper.
 - (2.) Order No. 2. Mr. Smart.
5. Supply:—On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of the Supply to be granted to her Majesty.

And the Committee having continued to sit till after Midnight;—

THURSDAY, 11 MAY, 1865, A.M.

The Chairman reported progress, and obtained leave to sit again.
The House adjourned, on motion of Mr. Cowper, at seven minutes before One o'clock A.M., until Three o'clock P.M. This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, MAY 11.

Contingent Notice:—

1. DR. LANG to move (*on going into Committee of Ways and Means*),—
 - (1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
 - (2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Questions:—

Questions :—

1. MR. GORDON to ask THE SECRETARY FOR LANDS,—Is it the intention of the Government to appoint Scab Directors for the Scab District of Warialda?
2. MR. WISDOM to ask THE SECRETARY FOR LANDS,—Is it the intention of the Government to proceed with the Drainage Bill this Session?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Military Contribution Bill; second reading.
2. Stamp Duties Bill; second reading.
3. Supply; resumption of the Committee.
4. Roads other than Main Roads; consideration in Committee of the propriety of introducing this Bill.
5. Ways and Means; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
2. MR. TERRY to move, That there be laid on the Table of this House, all Papers and Correspondence relating to the Colerawa Run, in the District of Bligh, having reference to a dispute between Messrs. Bloomfield and others, and one Colwell, a Free Selector.
3. MR. DRIVER to move, That a Select Committee be appointed, with power to send for persons and papers, to enquire into, and report to this House upon, the Petition of Elizabeth Castle, presented on the 3rd day of May, and that such Committee consist of the following Members, namely :—Mr. Cowper, Mr. Buchanan, Mr. Cooper, Mr. Graham, Mr. Roberts, Mr. Stimpson, Mr. Tunks, Mr. White, and the Mover.
4. DR. LANG to move,—
 - (1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
 - (2.) That the said Committee shall consist of the following Members, viz. :—Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pemell, Mr. Sutherland, and the Mover.
5. MR. COWPER to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the circumstances connected with the Mortgage on the property of the Scots Church, Sydney, in favour of the Collector of Internal Revenue, and also to consider whether any equitable claims exist for cancelling the said Mortgage.
 - (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Cunneen, Mr. Faucett, Mr. Macpherson, Mr. Piddington, Mr. Parkes, Mr. Tighe, Mr. Sutherland, and the Mover.
6. MR. CUNNEEN to move, That the Report from the Select Committee, appointed “to inquire into, and report upon, the Claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done to their properties since the discovery of Gold on their rented Crown Lands,” ordered, by this House, to be printed, on the 28th April, 1865, be now adopted.

ORDERS OF THE DAY :—

1. Miss Isabella Mary Kelly; reception of Resolution of Committee of the Whole in reference to the case of.
2. Fisheries Bill, as amended in Select Committee; to be considered in Committee of the Whole.
3. Rogers' Settlement Bill; second reading.
4. Petroleum Bill; second reading.

FRIDAY,

FRIDAY, MAY 12.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Randwick Coogee and other Roads Investment Bill ; second reading.
2. Australian Paper Company's Bill ; second reading.
3. Criminal Evidence Amendment Bill ; second reading.
4. Brands Registration Bill ; to be further considered in Committee.
5. Destitute Children's Bill ; second reading.
6. Prison Discipline Bill ; to be further considered in Committee.
7. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
8. Municipalities Act Amendment Bill ; to be further considered in Committee.

NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
2. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
3. MR. BUCHANAN to move, That this House should now record its opinion, that the Salaries of all future Governors of New South Wales be fixed at a sum not exceeding £5,000 per annum ; and further, that the Salaries of the Ministers of the Crown in this Colony be equalized and fixed at £1,000 per annum.
4. MR. LANDALE to move, That there be laid upon the Table of this House, all Correspondence which has taken place, since the commencement of traffic on the River Murray, between the Governments of New South Wales and South Australia, on the subject of improving the facilities for Navigation offered by that river and its tributaries ; also, all Correspondence (if any) which has passed between Captain Cadell and others navigating those rivers and the Government, on the same subject.
5. MR. LANDALE to move, That there be laid upon the Table of this House, a Return, shewing, approximately, in tabular form, the gross amount of Customs revenue received during the ten years ending the 31st December, 1864, at each seaport of the Colony (exclusive of Sydney), as well as the net amount after deducting all expenditure attendant on the cost of collection ; also, shewing, at same period, the amount expended on each such port in piers, wharves, lighthouses, removing bars and obstructions, and other works for the improvement of the harbour, and facilitating navigation and commerce ; likewise shewing, for the corresponding years, the gross and net amount of Customs revenue collected on goods introduced into New South Wales by way of the Murray, whether collected by arrangement with the Government of South Australia or otherwise ; together with the amount expended by New South Wales in clearing the Murray and its tributaries, and in other improvements calculated to afford greater facilities for river traffic.
6. MR. GORDON to move, That there be laid upon the Table of this House, copies of all Correspondence that has passed between the Government and the Scab Inspector and Scab Directors for the District of Warrialda, having reference to the duties of the Inspector, and the non-payment of his salary.

FRIDAY, MAY 19.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Superannuation Act Amendment Bill ; second reading.
2. Resumption of the adjourned Debate on the Motion of Mr. White, “ That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure ‘tenure’ should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.” Upon which Mr. Buchanan had moved by way of amendment, That after the word “tenure,” the words “consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country,” be inserted.
3. Parramatta Market Bill, *as amended in Select Committee* ; second reading.
4. Church of England Synod Bill, *as amended in Select Committee* ; second reading.

NOTICE OF MOTION:—

1. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.

New South Wales.

No. 41.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 11 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

(1.) Scab Directors, Warialda:—Mr. Mate (on behalf of Mr. Gordon), asked the Secretary for Lands, pursuant to Notice No. 1,—Is it the intention of the Government to appoint Scab Directors for the Scab District of Warialda?

Mr. Robertson answered,—The Chief Scab Inspector is now in that District, and on his return we shall better know what will be the proper course to take in regard to this matter.

(2.) Drainage Bill:—Mr. Wisdom asked the Secretary for Lands, pursuant to Notice No. 2,—Is it the intention of the Government to proceed with the Drainage Bill this Session?

Mr. Robertson answered,—Had it not been for the interference of gentlemen who profess to be interested in the Bill, and who have expressed a desire to have certain alterations made in it, and had it not been that I desired to confer with those gentlemen in reference to those proposed alterations, the Bill would have been before the House long ago—I shall now wait for no one.

2. Paper:—Mr. Cowper laid upon the Table, Report of University of Sydney for 1864. Ordered to be printed.

3. Exchange of Land, Scots' Church, Jamison-street, and re-erection of Church Tower, Legalizing Bill:—Mr. Garrett, *with the concurrence of the House*, moved without notice,—That it be referred to the Standing Orders Committee to inquire and report as to the propriety of dispensing with 65th Standing Order, in so far as regards a Private Bill, intituled, "*A Bill to Legalize the exchange of a portion of the allotment of the Scots' Church Sydney and to authorize the re-erection of the Tower of the said Church on its present foundation.*"

Question put and passed.

4. Postponements:—

(1.) The Order of the Day, No. 1 of Government Business postponed, on motion of Mr. Cowper, to follow the Order of the Day No. 4 of Government Business.

(2.) The Order of the Day, No. 2 of Government Business postponed, on motion of Mr. Smart, to follow the Order of the Day No. 1 of Government Business, *as postponed.*

5. Supply (Order No. 3 of Government Business):—On motion of Mr. Smart (after debate) the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of the Supply to be granted to Her Majesty.

And the Committee having continued to sit until after Midnight;—

FRIDAY, 12 MAY, 1865, A.M.

The Speaker resumed the Chair.

The House adjourned, on motion of Mr. Cowper, at twenty minutes after Twelve o'clock A.M., until Three o'clock P.M. This Day.

JOHN HAY,
Speaker.

NOTICES

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

FRIDAY, MAY 12.

Contingent Notice :—

1. DR. LANG to move (*on going into Committee of Ways and Means*),—
(1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
(2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Question :—

1. MR. TIGHE to ask THE SECRETARY FOR LANDS,—
(1.) Whether a Parish Road, from a reserved line of road near Mount Keira, at Fairy Meadow, to the road leading from Wollongong to Bulli, has been gazetted as open for public use?
(2.) Has it been represented to the Government, that a resident of the neighbourhood obstructs the above road and prevents traffic over it; and if so, do the Government intend to take any steps to cause the removal of the obstruction complained of?

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Randwick Coogee and other Roads Investment Bill ; second reading.
2. Australian Paper Company's Bill ; second reading.
3. Criminal Evidence Amendment Bill ; second reading.
4. Brands Registration Bill ; to be further considered in Committee.
5. Destitute Children's Bill ; second reading.
6. Prison Discipline Bill ; to be further considered in Committee.
7. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
8. Municipalities Act Amendment Bill ; to be further considered in Committee.
9. Miss Isabella Mary Kelly ; reception of Resolution of Committee of the Whole in reference to the case of.
10. Fisheries Bill, *as amended in Select Committee* ; to be considered in Committee of the Whole.
11. Rogers' Settlement Bill ; second reading.
12. Petroleum Bill ; second reading.

NOTICES OF MOTION :—

1. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
2. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
3. MR. BUCHANAN to move, That this House should now record its opinion, that the Salaries of all future Governors of New South Wales be fixed at a sum not exceeding £5,000 per annum ; and further, that the Salaries of the Ministers of the Crown in this Colony be equalized and fixed at £1,000 per annum.
4. MR. LANDALE to move, That there be laid upon the Table of this House, all Correspondence which has taken place since the commencement of traffic on the River Murray, between the Governments of New South Wales and South Australia, on the subject of improving the facilities for navigation offered by that river and its tributaries ; also, all Correspondence (if any) which has passed between Captain Cadell and others navigating those rivers, and the Government, on the same subject.
5. MR. LANDALE to move, That there be laid upon the Table of this House, a Return, shewing, approximately, in tabular form, the gross amount of Customs revenue received during the ten years ending the 31st December, 1864, at each seaport of the Colony (exclusive of Sydney), as well as the net amount after deducting all expenditure attendant on the cost of collection ; also, shewing, at same period, the amount expended on each such port, in piers, wharves, light-houses, removing bars and obstructions, and other works for the improvement of the harbour and facilitating navigation and commerce ; likewise shewing, for the corresponding years, the gross and net amount of Customs revenue collected on goods introduced into New South Wales

- Wales by way of the Murray, whether collected by arrangement with the Government of South Australia or otherwise; together with the amount expended by New South Wales in clearing the Murray and its tributaries, and in other improvements calculated to afford greater facilities for river traffic.
6. MR. GORDON to move, That there be laid upon the Table of this House, copies of all Correspondence that has passed between the Government and the Scab Inspector and Scab Directors for the District of Warialda, having reference to the duties of the Inspector, and the non-payment of his salary.
 7. MR. BYRNES to move, That the Petition presented by him on 10th May, from William Goodin, of Parramatta, be printed.
 8. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
 9. MR. TERRY to move, That there be laid on the Table of this House, all Papers and Correspondence relating to the Colerava Run, in the District of Bligh, having reference to a dispute between Messrs. Bloomfield and others, and one Colwell, a free selector.
 10. MR. DRIVER to move, That a Select Committee be appointed, with power to send for persons and papers, to enquire into, and report to this House upon, the Petition of Elizabeth Castle, presented on the 3rd day of May, and that such Committee consist of the following Members,—namely, Mr. Cowper, Mr. Buchanan, Mr. Cooper, Mr. Graham, Mr. Roberts, Mr. Stimpson, Mr. Tunks, Mr. White, and the Mover.
 11. DR. LANG to move,—
 - (1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
 - (2.) That the said Committee shall consist of the following Members, viz. :—Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pemell, Mr. Sutherland, and the Mover.
 12. MR. COWPER to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the circumstances connected with the Mortgage on the property of the Scots Church, Sydney, in favour of the Collector of Internal Revenue, and also to consider whether any equitable claims exist for cancelling the said Mortgage.
 - (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Cunneen, Mr. Faucett, Mr. Macpherson, Mr. Piddington, Mr. Parkes, Mr. Tighe, Mr. Sutherland, and the Mover.
 13. MR. CUNNEEN to move, That the Report from the Select Committee, appointed "to inquire into, and report upon, the Claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done to their properties since the "discovery of Gold on their rented Crown Lands," ordered by this House to be printed, on the 28th April, 1865, be now adopted.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. ROBERTSON to move, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider the propriety of introducing a Bill to promote the better Drainage of Lands.

ORDERS OF THE DAY :—

1. Military Contribution Bill ; second reading.
2. Stamp Duties Bill ; second reading.
3. Roads other than Main Roads ; consideration in Committee of the propriety of introducing this Bill.
4. Ways and Means ; resumption of the Committee.

TUESDAY, MAY 16.

Contingent Notice :—

1. MR. FORSTER to move (on the motion for going into Committee of Supply), That this House disapproves of the appropriation, by the Executive Government, of the sum of £320 19s. 4d., specified in page 8 of the Supplementary Estimates for 1864, under the head of "Roads other than Main Roads," as "Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with "Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 "per annum."

Question :—

Question :—

1. MR. FORLONGE *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether it be the intention of the Government to place on the Supplementary Estimates, any sum of money for the purpose of clearing the River Darling, seeing that this dry season offers great facilities for carrying out that undertaking?
 - (2.) Whether the preliminary Surveys in connection with this object have been completed; if not, what progress has been made towards the same?
 - (3.) Has this Government in any way invited the co-operation of the Colony of Victoria towards removing the obstructions to the navigation of this river—"the great natural highway of Australia"; if not, would the Government have any objection to co-operate with that of Victoria in accomplishing this object?

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply; resumption of the Committee.

FRIDAY, MAY 19.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Superannuation Act Amendment Bill; second reading.
2. Resumption of the adjourned Debate on the Motion of Mr. White, "That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, That after the word "tenure," the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted.
3. Parramatta Market Bill, *as amended in Select Committee*; second reading.
4. Church of England Synod Bill, *as amended in Select Committee*; second reading.

NOTICE OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.

New South Wales.

No. 42.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 12 MAY, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

Parish Road, Wollongong :—Mr. Tighe asked the Secretary for Lands, pursuant to Notice,—

(1.) Whether a Parish Road, from a reserved line of Road near Mount Keira, at Fairy Meadow, to the road leading from Wollongong to Bulli, has been gazetted as open for public use ?

(2.) Has it been represented to the Government, that a resident of the neighbourhood obstructs the above road and prevents traffic over it ; and if so, do the Government intend to take any steps to cause the removal of the obstruction complained of ?

Mr. Robertson answered :—

(1.) If the road referred to is that passing through the lands of Messrs. Campbell, Aitken, Farrell, Cummins, Dr. O'Brien, and P. Howell, it was declared open by Notice in the *Gazette* of 6th April, 1861, and is now a Public Road.

(2.) No representation has been made in reference to obstructions thereon.

2. Improvement of Navigation of River Murray and its Tributaries (*"Formal" Motion*) :—Mr. Landale moved, pursuant to Notice, That there be laid upon the Table of this House, all Correspondence which has taken place, since the commencement of traffic on the River Murray, between the Governments of New South Wales and South Australia, on the subject of improving the facilities for navigation offered by that river and its tributaries ; also, all Correspondence (if any) which has passed between Captain Cadell and others navigating those rivers, and the Government, on the same subject.

Question put and passed.

3. Customs Statistics (*"Formal" Motion*) :—Mr. Landale moved, pursuant to Notice, That there be laid upon the Table of this House, a Return, shewing, approximately, in tabular form, the gross amount of Customs revenue received during the ten years ending the 31st December, 1864, at each seaport of the Colony (exclusive of Sydney), as well as the net amount after deducting all expenditure attendant on the cost of collection ; also, shewing, at same period, the amount expended on each such port, in piers, wharves, lighthouses, removing bars and obstructions, and other works for the improvement of the harbour, and facilitating navigation and commerce ; likewise shewing, for the corresponding years, the gross and net amount of Customs revenue collected on goods introduced into New South Wales by way of the Murray, whether collected by arrangement with the Government of South Australia or otherwise ; together with the amount expended by New South Wales in clearing the Murray and its tributaries, and in other improvements calculated to afford greater facilities for river traffic.

Question put and passed.

4. Scab Inspector, Warialda (*"Formal" Motion*) :—Mr. Gordon moved, pursuant to notice, That there be laid upon the Table of this House, copies of all Correspondence that has passed between the Government and the Scab Inspector and Scab Directors for the District of Warialda, having reference to the duties of the Inspector, and the non-payment of his salary.

Question put and passed.

5. Drainage Promotion Bill (*"Formal" Motion*) :—Mr. Robertson moved, pursuant to Notice, That this House will, on Tuesday next, resolve itself into a Committee of the Whole, to consider of the propriety of introducing a Bill to promote the better drainage of lands.
Question put and passed.
6. Motion Withdrawn :—Mr. Macpherson withdrew the motion standing in his name, No. 8 on the Notice Paper of Other Business for to-day.
7. Municipalities Act of 1858 :—Mr. Osborne presented a Petition from the Mayor and Aldermen of Wollongong, under the Seal of the Municipality of Wollongong, praying that the said Act may be amended during the present Session.
Petition received.
8. Randwick Coogee and other Roads Investment Bill :—The Order of the Day (No. 1 of Other Business) for the second reading of this Bill, discharged, and Bill withdrawn, on motion of Mr. Kemp.
9. Australian Paper Company's Bill (Order No. 2 of Other Business), on motion of Mr. Cowper, read a second time.
Whereupon, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of this Bill, *as amended in Select Committee*.
The Chairman having reported the Bill, without Amendment, the House adopted the report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.
10. Postponement :—The Order of the Day, No. 3 of Other Business, postponed, on motion of Mr. Garrett, until the Order of the Day No. 4 of Other Business shall have been disposed of.
11. Brands Registration Bill :—On the Order of the Day (No. 4 of Other Business) for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such further consideration.
The Chairman having reported the Bill, with Amendments, Mr. Wilson moved, that the adoption of the report stand an Order of the Day for this day fortnight.
Debate ensued.
Motion by leave withdrawn.
The House then, on motion of Mr. Wilson, adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for this day week.
12. Assent to Bills :—The following Messages from His Excellency the Governor were delivered by Mr. Cowper and read by the Speaker :—
- (1.) Additional Judge's Bill :—
- Message No. 12.*
- JOHN YOUNG,
Governor.
- A Bill, intituled "*An Act to authorize the Appointment of an Additional Judge of the Supreme Court,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by Law.
Government House,
Sydney, 12th May, 1865.
- (2.) Presbyterian Church Bill :—
- Message No. 13.*
- JOHN YOUNG,
Governor.
- A Bill, intituled "*An Act to regulate the Temporal Affairs of the Presbyterian Church in the Colony of New South Wales,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper Officer for enrolment, in the manner required by Law.
Government House,
Sydney, 12th May, 1865.
13. Postponements :—
- (1.) The Order of the Day, No. 3 of Other Business, further postponed, on motion of Mr. Garrett, until a later hour this day.
- (2.) The Order of the Day, No. 5 of Other Business, postponed, on motion of Mr. Forster, until this day week.
14. Prison Discipline Bill :—On the Order of the Day (No. 6 of Other Business) for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such further consideration.
The Chairman reported that there was not a Quorum present in the Committee.
Whereupon the Speaker counted the House, and, there being a Quorum present, the Committee resumed.
The Chairman reported the Bill with Amendments.
Ordered, on motion of Mr. Forster, that the adoption of this Report stand an Order of the Day for this day week.
15. Postponement :—The Order of the Day, No. 7 of Other Business, postponed, on motion of Mr. Forster, until this day week.

16. Municipalities Act Amendment Bill:—On the Order of the Day (No. 8 of Other Business) for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such further consideration.

The Chairman reported that there was not a Quorum present in the Committee. Whereupon the Speaker counted the House, and there being only Seventeen Members present, exclusive of the Speaker, namely,—Mr. Brown, Mr. Campbell, Mr. Cowper, Mr. Cummings, Mr. Cunneen, Mr. De Salis, Mr. Dodds, Mr. Donnelly, Mr. Farnell, Mr. Garrett, Mr. Lee, Mr. Parkes, Mr. Smart, Mr. Tighe, Mr. Tunks, Mr. White, and Mr. Wisdom,—the Speaker adjourned the House, at ten minutes before Eight o'clock, until Tuesday next, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

TUESDAY, MAY 16.

Contingent Notices:—

1. MR. FORSTER to move (*on the motion for going into Committee of Supply*),—That this House disapproves of the appropriation, by the Executive Government, of the sum of £320 19s. 4d., specified in page 8 of the Supplementary Estimates for 1864, under the head of "Roads other than Main Roads," as "Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with "Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 "per annum."
2. DR. LANG to move (*on going into Committee of Ways and Means*),—
 - (1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
 - (2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Questions:—

1. MR. FORLONGE to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether it be the intention of the Government to place on the Supplementary Estimates, any sum of money for the purpose of clearing the River Darling, seeing that this dry season offers great facilities for carrying out that undertaking?
 - (2.) Whether the preliminary surveys in connection with this object have been completed; if not, what progress has been made towards the same?
 - (3.) Has this Government in any way invited the co-operation of the Colony of Victoria towards removing the obstructions to the navigation of this river—"the great natural highway of Australia"; if not, would the Government have any objection to co-operate with that of Victoria in accomplishing this object?
2. MR. TUNKS to ask THE COLONIAL TREASURER,—
 - (1.) Is the Government aware that the Regulations for Steam Vessels navigating the Harbour of Port Jackson are frequently disregarded by the masters or persons in charge of such vessels?
 - (2.) Will the Government instruct the proper officer to see that the following Regulation is complied with, viz.:—"The master or person in charge of any "steamer navigating the Harbour of Port Jackson, between the hours of sunset and "sunrise, shall not proceed at more than half-speed whilst within Darling Harbour, "Sydney Cove, or any other part of the Harbour lying to the eastward of Goat "Island and to the westward of Pinchgut Island; and shall continue the ringing of "a bell, or the sounding of a steam whistle."?
3. MR. FORSTER to ask THE COLONIAL SECRETARY,—
 - (1.) Is the Police Magistrate of Port Macquarie required or instructed to attend any other Benches than that of Port Macquarie?
 - (2.) If so, at what places, and how often?
 - (3.) Is any record kept of the actual times of such attendance?
 - (4.) Are any other than police duties imposed upon the Police Magistrate in question; and, if so, what?

4. MR. HART to ask THE SECRETARY FOR PUBLIC WORKS,—What course do the Government intend to take with reference to the motion passed by this House on the 4th instant, to the effect that immediate steps should be taken to abate the nuisance arising from the imperfect drainage of the Lunatic Asylum, Parramatta?

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Supply ; resumption of the Committee.
2. Drainage Promotion Bill ; consideration in Committee of the propriety of introducing this Bill.
3. Military Contribution Bill ; second reading.
4. Stamp Duties Bill ; second reading.
5. Roads other than Main Roads Bill ; consideration in Committee of the propriety of introducing this Bill.
6. Ways and Means ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. OSBORNE to move, That the Petition presented by him on the 12th May, from the Mayor and Aldermen of Wollongong, be printed.
 2. MR. BUCHANAN to move, That, in the opinion of this House, His Honor the Chief Justice of New South Wales, in granting bail to the prisoner Lotze after he had been found guilty, by the verdict of a jury, of a serious crime, and sentenced to three years hard labour in gaol, exercised a discretion reposed in him, most unwisely, by which a criminal found guilty and sentenced will in all probability escape from justice, and who, considering the character given him by the Chief Commissioner in Insolvency, published in both the daily papers, would have been dealt properly with if he, on this ground alone, had been refused bail when first charged with the offence of which he has been found guilty and sentenced, and afterwards allowed to bail in the manner alleged.
 3. MR. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
 4. MR. BUCHANAN to move, That this House should now record its opinion, that the Salaries of all future Governors of New South Wales be fixed at a sum not exceeding £5,000 per annum ; and further, that the Salaries of the Ministers of the Crown in this Colony be equalized and fixed at £1,000 per annum.
 5. MR. BYRNES to move, That the Petition presented by him on 10th May, from William Goodin, of Parramatta, be printed.
 6. MR. TERRY to move, That there be laid on the Table of this House, all Papers and Correspondence relating to the Colerawa Run, in the District of Bligh, having reference to a dispute between Messrs. Bloomfield and others, and one Colwell, a Free Selector.
 7. MR. DRIVER to move, That a Select Committee be appointed, with power to send for persons and papers, to enquire into, and report to this House upon, the Petition of Elizabeth Castle, presented on the 3rd day of May, and that such Committee consist of the following Members, namely:—Mr. Cowper, Mr. Buchanan, Mr. Cooper, Mr. Graham, Mr. Roberts, Mr. Stimpson, Mr. Tunks, Mr. White, and the Mover.
 8. DR. LANG to move,—
 - (1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
 - (2.) That the said Committee shall consist of the following Members, viz.:—Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pemell, Mr. Sutherland, and the Mover.
 9. MR. COWPER to move,—
 - (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the circumstances connected with the Mortgage on the property of the Scots Church, Sydney, in favour of the Collector of Internal Revenue, and also to consider whether any equitable claims exist for cancelling the said Mortgage.
 - (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Cunneen, Mr. Faucett, Mr. Macpherson, Mr. Piddington, Mr. Parkes, Mr. Tighe, Mr. Sutherland, and the Mover.
 10. MR. CUNNEEN to move, That the Report from the Select Committee appointed “ to inquire into, and report upon, the Claims of Tenants of the Crown, lodged with the Government, for compensation for injuries done to their properties since the “ discovery of Gold on their rented Crown Lands,” ordered, by this House, to be printed, on the 28th April, 1865, be now adopted.
- ORDERS OF THE DAY:—
1. Australian Paper Company's Bill ; third reading.
 2. Miss Isabella Mary Kelly ; reception of Resolution of Committee of the Whole in reference to the case of.
 3. Fisheries Bill, as amended in Select Committee ; to be considered in Committee of the Whole.
 4. Rogers' Settlement Bill ; second reading.
 5. Petroleum Bill ; second reading.
 6. Criminal Evidence Amendment Bill ; second reading.

FRIDAY, MAY 19.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Superannuation Act Amendment Bill ; second reading.
2. Resumption of the adjourned Debate on the Motion of Mr. White, "That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, That after the word "tenure," the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted.
3. Parramatta Market Bill, *as amended in Select Committee* ; second reading.
4. Church of England Synod Bill, *as amended in Select Committee* ; second reading.
5. Brands Registration Bill ; third reading.
6. Destitute Children's Bill ; second reading.
7. Prison Discipline Bill Reported ; adoption of Report.
8. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”

NOTICES OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
2. MR. MACPIERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.



New South Wales.

No. 43.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 16 MAY, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Removal of Obstructions to the Navigation of the River Darling :—Mr. Forlonge asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) Whether it be the intention of the Government to place on the Supplementary Estimates, any sum of money for the purpose of clearing the River Darling, seeing that this dry season offers great facilities for carrying out that undertaking ?

(2.) Whether the preliminary Surveys in connection with this object have been completed ; if not, what progress has been made towards the same ?

(3.) Has this Government in any way invited the co-operation of the Colony of Victoria towards removing the obstructions to the navigation of this river—"the great natural highway of Australia" ; if not, would the Government have any objection to co-operate with that of Victoria in accomplishing this object ?

Mr. Arnold answered,—

(1.) Detailed plans and specifications have already been prepared for a snag boat for removing obstructions upon this river.

(2.) The preliminary surveys have not as yet been completed. Until very recently nothing could have been done in the matter, in consequence of the river being above its ordinary low-water level ; now, however, that the river has fallen, and that there is a prospect of its continuing low, immediate steps are proposed to be taken to make the requisite surveys. A good deal of valuable information has in the meantime been collected in regard to the nature, extent, and position of the various obstructions to navigation, which occur in the Darling and Murrumbidgee Rivers. So soon as the preliminary surveys are completed, and the necessary information obtained, the subject generally will receive the further attention of the Government.

(3.) I am not aware that any negotiation has yet taken place between this Government and the Government of Victoria upon this subject.

- (2.) Regulations for Steam Vessels Navigating Port Jackson :—Mr. Tunks asked the Colonial Treasurer, pursuant to Notice No. 2,—

(1.) Is the Government aware that the Regulations for Steam Vessels navigating the Harbour of Port Jackson are frequently disregarded by the masters or persons in charge of such vessels ?

(2.) Will the Government instruct the proper officer to see that the following Regulation is complied with, viz. :—"The master or person in charge of any steamer navigating the Harbour of Port Jackson, between the hours of sunset and sunrise, shall not proceed at more than half-speed whilst within Darling Harbour Sydney Cove, or any other part of the Harbour lying to the eastward of Goat Island and to the westward of Pinchgut Island ; and shall continue the ringing of a bell, or the sounding of a steam whistle" ?

Mr. Smart answered,—

(1.) This is the first complaint the Government have had made to them of these Regulations having been neglected.

(2.) The Water Police Magistrate and the Superintendent of Pilots are now engaged upon this matter, and are going to serve the different Steam Companies with the requisite notice, to let them know the risk they run in neglecting the regulations.

(3.)

(3.) Police Magistrate, Port Macquarie:—Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 3,—

(1.) Is the Police Magistrate of Port Macquarie required or instructed to attend any other Benches than that of Port Macquarie?

(2.) If so, at what places, and how often?

(3.) Is any record kept of the actual times of such attendance?

(4.) Are any other than police duties imposed upon the Police Magistrate in question; and, if so, what?

Mr. Cowper answered,—The letter of appointment intimated to the Police Magistrate of Port Macquarie, that he would have to visit, periodically, the Macleay and Manning River Districts; but there is some ambiguity in the wording of the letter which may have caused him to wait for detailed instructions which do not appear to have been given him. A circular letter, dated 20th October last, issued by the Honorable Gentleman when he was in office, is as follows:—

“I am directed by the Colonial Secretary to request that you will have the goodness to cause a record to be kept, and a return furnished to this office half-yearly, from the 1st January to the 30th June and from the 1st July to the 31st December, in every year, in the accompanying form (copies of which can be obtained on application to the Government Printer), shewing the dates on which Courts were held—the number of cases disposed of or adjourned—the number of hours occupied—the names of the Magistrates who attended on each Court day, and adding the names of any Magistrates who may be absent from the Colony, or have permanently left the District, or who may have died subsequently to the date of the previous return.”

In answer to the fourth question, I believe no other than Police duties have been imposed upon him. I have had no communication with Capt. Sinclair since I have been in Office, but I will now turn my attention to the matter.

(4.) Imperfect Drainage of Lunatic Asylum, Parramatta:—Mr. Hart asked the Secretary for Public Works, pursuant to Notice No. 4—What course do the Government intend to take with reference to the motion passed by this House on the 4th instant, to the effect that immediate steps should be taken to abate the nuisance arising from the imperfect drainage of the Lunatic Asylum, Parramatta.

Mr. Arnold answered,—Had I known the Honorable Member intended to bring forward this motion as a formal motion, I should have made some observations to the House at the time. As the motion is now passed, I have given directions to the Colonial Architect to prepare a plan and estimate for getting rid of the nuisance complained of; but I may say that, with a view to placing a sum upon the Estimates, should it be thought desirable to do so after receiving the preliminary information, I inquired of the Colonial Architect, who states, he having obtained his information from Dr. Greenup, that the drainage from this Asylum is not the only drainage by any means that finds an outlet in that part of the river alluded to by the Honorable Member. For instance, there is the drainage from the Roman Catholic Orphan School on one side of the river, the children of which establishment also bathe in this part of the river; and there is also, what appears to me to be far more objectionable than that even, there is the Corporation drainage from a portion of the town, including the burial-ground of St. John's Church. From that drainage, I am informed, a very offensive smell arises as it passes through the paddock at the back of Dr. Greenup's. I am further informed that, some twenty years ago, this subject was discussed by the Government, and estimates were made for the purpose of carrying the drainage below that portion of the river which was at that time used for the supply of fresh water for the town, and the estimated expense was £2,400, but this plan was never carried into effect, because it was determined that it would be better in other ways to provide for a supply of fresh water for the town of Parramatta, in order that the drainage might still continue into that portion of the river, without becoming a nuisance to those who required the river supply for fresh water purposes. In accordance with that idea, a very large sum of money was expended in providing a dam at the North Rocks. I believe, however, that that supply of water, and that expenditure, has not been of much use, and that the people of Parramatta have never carried the supply into the town. As soon as I receive any further information upon the subject, it will be my duty to lay the matter before the Government, in order that they may decide whether it is desirable to invite the House to vote a sufficient sum of money for the purpose. At present there are no funds available.

2. Mrs. Callaghan:—Mr. Faucett presented a Petition from Eliza Milford Callaghan, of Sydney, Widow of the late Mr. District Judge Callaghan, representing that, by the untimely death of her late husband (who, had he lived, would have been entitled to a considerable superannuation allowance under the existing Law), she and her three children are left totally unprovided for; and praying relief.
Petition received.

3. Papers:—Mr. Smart laid upon the Table the undermentioned Papers:—

(1.) Tenth Annual Report on the Post Office Department, being for the year 1864.

(2.) Border Customs Duties (Further Correspondence, &c.)

Ordered to be printed.

4. Newspaper Postage Rate:—Mr. De Salis presented a Petition from John Clifton and others (dated Queanbeyan, 29 April, 1865), praying for the early repeal of the Newspaper Postage Rate.

Petition received.

5. Paper :—Mr. Robertson laid upon the Table, Return to Order, in reference to "Monopoly of Water on certain Gold Diggings," made by this House, on motion of Mr. Pickering, on 2nd May, 1865.
Ordered to be printed.
6. Municipalities Act of 1858 :—Mr. Piddington presented a Petition from certain Inhabitant Householders, of the northern part of the Parish of Willoughby, County of Cumberland, praying that, for the reasons therein set forth, no such alteration may be made in the said Act as will subject a Country District to be included with an adjacent Town in one Municipality.
Petition received.
7. Public Service Superannuation Act :—Mr. Driver presented a Petition from certain Messengers in the Civil Service of the Colony, complaining that they are excluded from participation in the advantages of the said Act; and praying that, for the reasons set forth in the Petition, such measures may be adopted as will insure justice to them in the matter.
Petition received.
8. William Goodin ("Formal" Motion) :—Mr. Byrnes moved, pursuant to Notice, That the Petition presented by him on 10th May, from William Goodin, of Parramatta, be printed.
Question put and passed.
Ordered to be printed.
9. Colerawa Run, District of Bligh ("Formal" Motion) :—Mr. Terry moved, pursuant to Notice, That there be laid on the Table of this House, all Papers and Correspondence relating to the Colerawa Run, in the District of Bligh, having reference to a dispute between Messrs. Bloomfield and others, and one Colwell, a Free Selector;
Question put and passed.
10. Elizabeth Castle ("Formal" Motion) :—Mr. Driver moved, pursuant to Notice, That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and report to this House upon, the Petition of Elizabeth Castle, presented on the 3rd day of May, and that such Committee consist of the following Members,—namely, Mr. Cowper, Mr. Buchanan, Mr. Cooper, Mr. Graham, Mr. Roberts, Mr. Stimpson, Mr. Tunks, Mr. White, and the Mover.
Question put and passed.
11. Australian Paper Company's Bill ("Formal" Order of the Day), on motion of Mr. Cowper, read a third time and passed.
Mr. Cowper then moved, That the Title of this Bill be "*An Act to incorporate the proprietors of a certain Company called 'The Australian Paper Company' and for other purposes therein mentioned.*"
Question put and passed.
Whereupon, Mr. Cowper moved, That this Bill be carried to the Legislative Council with the following Message :—
- MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled, "*An Act to incorporate the proprietors of a certain Company called 'The Australian Paper Company' and for other purposes therein mentioned,*" presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.
Legislative Assembly Chamber,
Sydney, 16th May, 1865. Speaker.
- Question put and passed.
12. Postponement :—The Order of the Day, No. 1 of Government Business, postponed, on motion of Mr. Smart, to follow the Order of the Day, No. 5 of Government Business.
13. Drainage Promotion Bill :—The Order of the Day (No. 2 of Government Business) for the consideration in Committee of the propriety of introducing this Bill, discharged, on motion of Mr. Robertson—(*a Resolution of a Committee of the Whole affirming that it is desirable to introduce such a Bill having been already adopted by this House. See Votes and Proceedings of 30 March last, Entry 5*).
14. Military Contribution Bill (Order No. 3 of Government Business), on motion of Mr. Cowper, read a second time.
Whereupon, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of this Bill.
The Chairman having reported the Bill with Amendments, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.
15. Postponement :—The Order of the Day No. 4 of Government Business postponed, on motion of Mr. Smart, to follow the Order of the Day No. 1 of Government Business, as postponed.
16. Roads other than Main Roads Bill (Order No. 5 of Government Business) :—
(1.) On motion of Mr. Robertson, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider of the propriety of introducing this Bill.
The Chairman reported the following Resolution :—
Resolved,—That it is desirable to introduce a Bill to amend the Laws relating to Roads other than Main Roads.
Mr. Robertson then moved, That this House do now adopt this Resolution.
Question put and passed.

- (2.) Mr. Robertson having presented this Bill, Bill, intituled, "*A Bill to amend the Laws relating to Roads other than Main Roads*," read a first time.
Ordered to be printed, and read a second time on Thursday next.
17. Postponement:—The Order of the Day, No. 1 of Government Business, further postponed, to follow Order No. 4 of Government Business, *as postponed*.
18. Stamp Duties Bill (Order No. 4 of Government Business):—Mr. Smart moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
And Bill read a second time.
Whereupon, on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of this Bill. The Chairman reported progress, and obtained leave to sit again to-morrow.
19. Postponements:—
(1.) The Order of the Day, No. 1 of Government Business, further postponed, on motion of Mr. Smart, until to-morrow.
(2.) The Order of the Day, No. 6 of Government Business, postponed, on motion of Mr. Smart, until to-morrow.
20. Municipalities Act of 1858:—Mr. Osborne moved, pursuant to Notice, That the Petition presented by him on the 12th May, from the Mayor and Aldermen of Wollongong, be printed.
Question put and passed.
Ordered to be printed.
21. Duty on Gold:—Mr. Buchanan moved, pursuant to Notice, That, in the opinion of this House, the Duty on Gold is an unjust, and therefore an impolitic impost, and should be repealed forthwith.
Debate ensued.
Mr. Parkes moved the Previous Question.
Debate ensued.
Previous Question put,—That that Question be now put.
The House divided.

Ayes, 7.

Mr. Cooper,
Mr. Cummings,
Mr. Mate,
Mr. Buchanan,
Mr. Pickering,

Tellers.

Mr. Macpherson,
Mr. Donnelly.

Nocs, 38.

Mr. Cowper,	Mr. Burdekin,
Mr. Smart,	Dr. Lang,
Mr. Arnold,	Mr. Samuel,
Mr. Forlonge,	Mr. Parkes,
Mr. Landale,	Mr. Morrice,
Mr. Wilson,	Mr. Dodds,
Mr. Piddington,	Mr. De Salis,
Mr. Dignam,	Mr. Lee,
Mr. Farnell,	Mr. Graham,
Mr. Garrett,	Mr. Kemp,
Mr. Sutherland,	Mr. Driver,
Mr. Caldwell,	Mr. Gordon,
Mr. Alexander,	Mr. Joseph,
Mr. Cunneen,	Mr. Robertson,
Mr. Stimpson,	Mr. Darvall,
Mr. Eckford,	Mr. Forster,
Mr. Neale,	
Mr. White,	Tellers.
Mr. Phelps,	Mr. Egan,
Mr. Wisdom,	Mr. Hart.

22. Motion Withdrawn:—Mr. Buchanan withdrew the Motion standing in his name No. 4 on the Notice Paper for to-day.
23. Sydney Sewerage:—Dr. Lang moved, pursuant to Notice,—
(1.) That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case.
(2.) That the said Committee shall consist of the following Members, viz.:—Mr. Burdekin, Mr. Byrnes, Mr. Cowper, Mr. Forster, Mr. Hart, Mr. Oatley, Mr. Parkes, Mr. Pemell, Mr. Sutherland, and the Mover.
Debate ensued.
And Mr. Piddington demanding that the said Committee be appointed by Ballot,—
Question,—That a Select Committee of the Assembly be appointed to take into consideration the Petition of the Right Worshipful the Mayor and Corporation of the City of Sydney, presented by him on the 20th April, on the subject of the Sewerage of Sydney, and to report as to what measures they may deem it expedient and necessary to recommend should be adopted in the case,—put and passed.
Whereupon, the House proceeded to the Ballot, and the Speaker declared the following to be the Committee duly appointed:—Dr. Lang, Mr. Forster, Mr. Parkes, Mr. Burdekin, Mr. Byrnes, Mr. Hart, Mr. Cowper, Mr. Piddington, Mr. Pemell, and Mr. Oatley.

24. Mortgage on the Property of the Scots Church, Sydney :—
 (1.) Mr. Cowper moved, pursuant to Notice,—
 (1.) That a Select Committee, with power to send for persons and papers, be appointed to inquire into, and report upon, the circumstances connected with the Mortgage on the property of the Scots Church, Sydney, in favour of the Collector of Internal Revenue, and also to consider whether any equitable claims exist for cancelling the said Mortgage.
 (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Cunneen Mr. Faucett, Mr. Macpherson, Mr. Piddington, Mr. Parkes, Mr. Tighe Mr. Sutherland, and the Mover.
 Question put and passed.
- (2.) Mr. Cowper then, *with the concurrence of the House*, moved, That the Evidence taken before the Select Committee of the Legislative Assembly in 1863, upon the Mortgage of the property of the Scots Church, Sydney, be laid upon the Table and referred to the Committee now appointed.
 Question put and passed,—*the said Evidence being thereupon laid upon the Table by the Clerk.*
25. Motion Withdrawn :—Mr. Cunneen withdrew the Motion standing in his name, No. 10 on the Notice Paper for to-day.
26. Miss Isabella Mary Kelly :—The Chairman of Committees brought up from the Committee of the Whole, which sat on the 5th instant, (*See Votes and Proceedings of that date, Entry 8.*) a Resolution, which was read a first time, as follows :—
 Resolved,—That an Address be presented to the Governor, praying that His Excellency will cause to be placed upon the Estimates for 1865, a sum of money not exceeding £1,000, as compensation to Miss Isabella Mary Kelly, for losses of health and property sustained in consequence of her unjust conviction and imprisonment for perjury, on the 6th and 7th of October, 1859.
 Resolution then, on motion of Dr. Lang, read a second time.
 Dr. Lang then moved, That this Resolution be now agreed to.
 Debate ensued.
 Question put and passed
27. Fisheries Bill :—On motion of Mr. Driver, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill, *as amended in Select Committee.*

And the Committee having continued to sit till after Midnight ;—

WEDNESDAY, 17 MAY, 1865, A.M.

The Chairman reported the Bill with Amendments, and the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.

28. Rogers' Settlement Bill, on motion of Mr. Cowper, read a second time.
 Whereupon, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.
 The Chairman having reported the Bill without Amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.
 The House adjourned, on motion of Mr. Cowper, at half-past Twelve o'clock A.M. until Three o'clock P.M. This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

WEDNESDAY, MAY 17.

Contingent Notices :—

1. MR. FORSTER to move (*on the motion for going into Committee of Supply*), That this House disapproves of the appropriation, by the Executive Government, of the sum of £320 19s. 4d., specified in page 8 of the Supplementary Estimates for 1864, under the head of "Roads other than Main Roads," as "Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with "Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 "per annum."
2. DR. LANG to move (*on going into Committee of Ways and Means*),—
(1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
(2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Questions :—

1. DR. LANG to ask THE COLONIAL TREASURER,—Whether the attention of the Government has been directed to the circumstance, that the Tide Waiters of this Port are obliged to remain day and night uninterruptedly for weeks together on board the vessels in which they are placed for the protection of the revenue, whereas in European Continental States, as well as in the neighbouring Colonies of Victoria and New Zealand, the Custom House places its locks or seals on the hatches of such vessels, so as to enable the Tide Waiters to be on shore with their families every night after Custom House hours, and to attend Divine service on Sabbath, which they are at present precluded from doing?
2. MR. DRIVER to ask THE COLONIAL TREASURER,—Is there any correspondence in the Office of the Colonial Treasurer or Postmaster General, relating to the appointment and subsequent conduct of late Letter Carrier, Williams; if so, is there any objection to lay the same upon the Table of this House?
3. MR. DIGNAM to ask THE COLONIAL SECRETARY,—Is it the intention of the Government to direct the Police Magistrate at Goulburn to hold Courts of Petty Sessions at Taralga?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Military Contribution Bill; third reading.
2. Stamp Duties Bill; to be further considered in Committee.
3. Supply; resumption of the Committee.
4. Ways and Means; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FAUCETT to move, That the Petition of Mrs. E. M. Callaghan, presented by him on the 16th May, be printed.
2. MR. DE SALIS to move, That the Petition of John Clifton and others, presented by him on 16th May, for the repeal of the Newspaper Postal Rate, be printed.
3. MR. BYRNES to move, That the Order of the Day for the consideration in Committee of the Municipalities Act Amendment Bill, which lapsed by reason of the House being counted out on Friday last, be restored to the Paper.
4. MR. PIDDINGTON to move, That the Petition presented by him on 16th May, relative to the Municipalities Act, be printed.
5. MR. DRIVER to move, That the Petition presented by him on the 16th May, from certain persons, Messengers in the Civil Service of this Colony, be printed.

ORDERS OF THE DAY :—

1. Fisheries Bill; third reading.
2. Rogers' Settlement Bill; third reading.
3. Petroleum Bill; second reading.
4. Criminal Evidence Amendment Bill; second reading.

THURSDAY, MAY 18.

Question :—

1. MR. PICKERING to ask THE ATTORNEY GENERAL,—Is it the intention of the Government to prosecute, under the Felons' Apprehension Act, the man Kelly, and others, the owner and inmates of the hut in which the Bushrangers Gilbert and Dunn were found to be harboured on the morning of the 13th instant, when Gilbert was shot by the Police?

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Roads other than Main Roads Bill; second reading.

FRIDAY,

FRIDAY, MAY 19.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Superannuation Act Amendment Bill; second reading.
2. Resumption of the adjourned Debate on the Motion of Mr. White, "That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, That after the word "tenure," the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted.
3. Parramatta Market Bill, *as amended in Select Committee*; second reading.
4. Church of England Synod Bill, *as amended in Select Committee*; second reading.
5. Brands Registration Bill; third reading.
6. Destitute Children's Bill; second reading.
7. Prison Discipline Bill; adoption of Report.
8. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”

NOTICES OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
2. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
3. MR. TUNKS to move,—
 - (1.) That there be laid upon the Table of this House, copies of all Correspondence having reference to the extension of the Boundaries of the Town of St. Leonards, with a view to incorporating the same under the Municipalities Act of 1858, together with a description of the boundaries of the same Township, as at present authorized by the Government.
 - (2.) A copy of all recorded proceedings in connection with the Incorporating of St. Leonards East, as a Rural District or Municipality, under the Municipalities Act of 1858.
4. MR. FAUCETT to move,—
 - (1.) That a Select Committee be appointed with power to send for persons and papers, to consider and report upon the Petition of Mrs. E. M. Callaghan, presented by him on the 16th May.
 - (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Dignam, Mr. Egan, Mr. Hart, Mr. Josephson, Mr. Macleay, Mr. Mate, Mr. Smart, and the Mover.

TUESDAY, MAY 23.

Question :—

1. MR. WHITE to ask THE COLONIAL SECRETARY,—Is the Government aware that on the committal of the Bushranger Thompson—charged with robbery under fire arms, and who fired at the Police several times before he was shot down—the Police Magistrate at Wee Waa offered to admit the accused to bail?



New South Wales.

No. 44.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 17 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

(1.) Tide Waiters:—Dr. Lang asked the Colonial Treasurer, pursuant to Notice No. 1,—Whether the attention of the Government has been directed to the circumstance, that the Tide Waiters of this Port are obliged to remain day and night uninterruptedly for weeks together on board the vessels in which they are placed for the protection of the revenue; whereas in European Continental States, as well as in the neighbouring Colonies of Victoria and New Zealand, the Custom House places its locks or seals on the hatches of such vessels, so as to enable the Tide Waiters to be on shore with their families every night after Custom House hours, and to attend Divine Service on Sabbath, which they are at present precluded from doing?

Mr. Smart answered,—A change in the mode of discharging vessels, which would have remedied the inconvenience referred to, was proposed by the Collector to Mr. Weekes in 1862, and again to Mr. Eagar in 1864; but it involved new Departmental arrangements which those Ministers were not prepared to sanction, and without which the continued presence of Tide Waiters cannot, in the opinion of the Collector, be dispensed with.

(2.) Williams (late Post Office Letter Carrier):—Mr. Driver asked the Colonial Treasurer, pursuant to Notice No. 2,—Is there any correspondence in the Office of the Colonial Treasurer or Postmaster General, relating to the appointment and subsequent conduct of late letter carrier Williams; if so, is there any objection to lay the same upon the Table of this House?

Mr. Smart answered,—There is a large amount of correspondence relating to the dismissal of the letter carrier, which I have no objection to lay upon the Table if the House desire it.

(3.) Police Magistrate, Goulburn:—Mr. Dignam asked the Colonial Secretary, pursuant to Notice No. 3,—Is it the intention of the Government to direct the Police Magistrate at Goulburn to hold Courts of Petty Sessions at Taralga?

Mr. Cowper answered,—The Government has no intention whatever of directing the Police Magistrate at Goulburn to hold Courts of Petty Sessions at Taralga.

2. Mortgage on the Property of the Scots' Church, Sydney:—Mr. Cowper, *with the concurrence of the House*, moved, without notice, That the Proceedings of the Committee on the "Mortgage on the Property of the Scots' Church, Sydney," in the Session of 1863-4, be referred to the Committee appointed during the present Session to inquire into the same subject.

Question put and passed.

3. Military Contribution Bill ("*Formal*" Order of the Day), on motion of Mr. Cowper, read a third time and *passed*.

Mr. Cowper then moved, That the Title of this Bill be "*An Act to authorize Contribution towards the support of the Imperial Forces in New South Wales.*"

Question put and passed.

Whereupon, Mr. Cowper moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to authorize Contribution towards the support of the Imperial Forces in New South Wales,*"—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 17th May, 1865.

Speaker.

Question put and passed.

4.

4. Mrs. Callaghan ("Formal" Motion):—Mr. Faucett moved, pursuant to notice, That the Petition of Mrs. E. M. Callaghan, presented by him on the 16th May, be printed.
Question put and passed.
Ordered to be printed.
5. Newspaper Postage Rate ("Formal" Motion):—Mr. De Salis moved, pursuant to Notice, That the Petition of John Clifton and others, presented by him on 16th May, for the repeal of the Newspaper Postal Rate, be printed.
Question put and passed.
Ordered to be printed.
6. Municipalities Act of 1858 ("Formal" Motion):—Mr. Piddington moved, pursuant to Notice, That the Petition presented by him on 16th May, relative to the Municipalities Act, be printed.
Question put and passed.
Ordered to be printed.
7. Public Service Superannuation Act ("Formal" Motion):—Mr. Driver moved, pursuant to Notice, That the Petition presented by him on the 16th May, from certain persons, Messengers in the Civil Service of this Colony, be printed.
Question put and passed.
Ordered to be printed.
8. Fisheries Bill ("Formal" Order of the Day), on motion of Mr. Driver, read a third time, and passed.
Mr. Driver then moved, That the Title of this Bill be, "*An Act to protect the Fisheries of New South Wales.*"
Question put and passed.
Whereupon, Mr. Driver moved, That this Bill be carried to the Legislative Council with the following Message:—
MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled, "*An Act to protect the Fisheries of New South Wales,*" presents the same to the Legislative Council for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.
Legislative Assembly Chamber,
Sydney, 17th May, 1865. Speaker.
Question put and passed.
9. Rogers' Settlement Bill ("Formal" Order of the Day), on motion of Mr. Cowper, read a third time and passed.
Mr. Cowper then moved, That the Title of this Bill be, "*An Act to enable the Trustees of a settlement made by George John Rogers of a messuage and lands known as Craigend situate in the City of Sydney to sell the said messuage and lands and to make provision for the investment of the proceeds of the sale thereof.*"
Question put and passed.
Whereupon Mr. Cowper moved, That this Bill be carried to the Legislative Council with the following Message:—
MR. PRESIDENT,—
The Legislative Assembly having this day agreed to the Bill, intituled, "*An Act to enable the Trustees of a settlement made by George John Rogers of a messuage and lands known as Craigend situate in the City of Sydney to sell the said messuage and lands and to make provision for the investment of the proceeds of the sale thereof,*" returns the same to the Legislative Council without Amendment.
Legislative Assembly Chamber,
Sydney, 17th May, 1865. Speaker.
Question put and passed.
10. Exchange of Land, Scots Church Legalizing Bill:—Mr. Burdekin presented a Petition from Elders and Committee of Management of the Scots Church, Sydney, praying for leave to introduce a Bill to legalize the exchange of a portion of the allotment of the Scots Church.
And Mr. Burdekin having produced the *Government Gazette* and the *Empire Newspaper*, containing notices for four consecutive weeks in the months of April and May, 1865, of the intention to apply for such Bill,—
Petition received.
11. Drainage Promotion Bill:—Mr. Robertson having presented this Bill, intituled, "*A Bill to promote the better Drainage of Lands,*" read a first time.
Ordered to be printed, and read a second time on Friday next.
12. Gold Escort Fee:—Mr. Rodd presented a Petition from the Business Men and Miners resident upon the Nerrigundah Gold Field, praying that the said Fee be remitted, unless the Government assume responsibility.
Petition received.
13. Stamp Duties Bill:—On the Order of the Day for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for such further consideration.
The Chairman reported progress, and obtained leave to sit again to-morrow.
14. Postponements:—The Orders of the Day for the Resumption of the Committee of Supply, and the Resumption of the Committee of Ways and Means, postponed respectively, on motion of Mr. Smart, until to-morrow.

15. Messages:—The Speaker reported the following Messages from the Legislative Council:—

(1.) Advances to Agents intrusted with Goods Bill:—

Mr. SPEAKER,

The Legislative Council having this day passed a Bill, intituled "*An Act to amend the Law relating to Advances bonâ fide made to Agents intrusted with Goods*," presents the same to the Legislative Assembly, for its concurrence.

Legislative Council Chamber,
Sydney, 12th May, 1865.

T. A. MURRAY,
President.

Bill, on motion of Mr. Cowper, read a first time.

Ordered to be printed, and read a second time on Friday next.

(2.) Australian Agricultural Company's Bill:—

Mr. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to enable the Australian Agricultural Company to sue and be sued in the Colony by their corporate name*," presents the same to the Legislative Assembly for its concurrence, accompanied by a copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.

Legislative Council Chamber,
Sydney, 17th May, 1865.

T. A. MURRAY,
President.

Bill, on motion of Mr. Cowper, read a first time.

Ordered to be printed, and read a second time on Friday next.

(3.) Trade Marks Bill:—

Mr. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to prevent the fraudulent marking of merchandise and to provide for the registration of Trade Marks*" returns the same to the Legislative Assembly without Amendment.

Legislative Council Chamber,
Sydney, 17th May, 1865.

T. A. MURRAY,
President.

16. Petroleum Bill, on motion of Mr. Arnold, read a second time.

Whereupon, on motion of Mr. Arnold, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of this Bill.

The Chairman reported that there was not a Quorum present in the Committee.

Whereupon, the Speaker counted the House, and, there being a Quorum present, the Committee resumed.

The Chairman having reported the Bill with an Amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.

The House adjourned, on motion of Mr. Cowper, at twenty minutes before Twelve o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, MAY 18.

Contingent Notices:—

1. Mr. FORSTER to move (*on the motion for going into Committee of Supply*),—That this House disapproves of the appropriation, by the Executive Government, of the sum of £320 19s. 4d., specified in page 8 of the Supplementary Estimates for 1864, under the head of "Roads other than Main Roads," as "Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with "Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 "per annum."
2. Dr. LANG to move (*on going into Committee of Ways and Means*),—
 - (1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
 - (2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Questions:—

Questions :—

1. MR. PICKERING to ask THE ATTORNEY GENERAL,—Is it the intention of the Government to prosecute, under the Felons' Apprehension Act, the man Kelly, and others, the owner and inmates of the hut in which the Bushrangers Gilbert and Dunn were found to be harboured on the morning of the 13th instant, when Gilbert was shot by the Police?
2. MR. BUCHANAN to ask THE COLONIAL SECRETARY,—If he has any objection to lay on the Table of this House, any communication he may have sent to Mr. Justice Wise, in reference to the sentence to be passed on the Bushranger Burke?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Roads other than Main Roads Bill ; second reading.
2. Stamp Duties Bill ; to be further considered in Committee.
3. Supply ; resumption of the Committee.
4. Ways and Means ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. CUNNEEN to move, That this House will, on Friday, the 26th May, resolve itself into a Committee of the Whole, to consider of the following Resolutions :—
(1.) That in the opinion of this House, the claim of Mr. William Cummings, for injury and loss of property sustained by him on account of the discovery of gold upon his rented Crown Lands, and reported to this House (with other claims) on the 28th April, 1865, by the Select Committee appointed "to inquire into, and report upon, the Claims of Tenants of the Crown lodged with the Government for injuries done to their properties since the discovery of gold on their rented Crown Lands," is a fit one to be referred to arbitration by the Government.
(2.) That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.
2. MR. ROOB to move, That the Petition presented by him on the 17th May, from the Business Men and Miners resident upon the Nerrigundah Gold Field, relative to the Gold Escort Fee, be printed.
3. MR. BYRNES to move, That the Order of the Day for the consideration in Committee of the Municipalities Act Amendment Bill, which lapsed by reason of the House being counted out on Friday last, be restored to the Paper.

ORDERS OF THE DAY :—

1. Petroleum Bill ; third reading.
2. Criminal Evidence Amendment Bill ; second reading.

FRIDAY, MAY 19.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Superannuation Act Amendment Bill ; second reading.
2. Resumption of the adjourned Debate on the Motion of Mr. White, "That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, That after the word "tenure," the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted.
3. Parramatta Market Bill, as amended in Select Committee ; second reading.
4. Church of England Synod Bill, as amended in Select Committee ; second reading.
5. Brands Registration Bill ; third reading.
6. Destitute Children's Bill ; second reading.
7. Prison Discipline Bill ; adoption of Report.
8. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—"That this Bill be now read a second time."
9. Advances to Agents intrusted with Goods Bill ; second reading.
10. Australian Agricultural Company's Bill ; second reading.

NOTICES OF MOTION :—

1. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
2. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
(1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
(2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
(3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.

3. MR. TUNKS to move,—
 (1.) That there be laid upon the Table of this House, copies of all Correspondence having reference to the extension of the Boundaries of the Town of St. Leonards, with a view to incorporating the same under the Municipalities Act of 1858, together with a description of the boundaries of the same Township, as at present authorized by the Government.
 (2.) A copy of all recorded proceedings in connection with the Incorporating of St. Leonards East as a Rural District or Municipality, under the Municipalities Act of 1858.
4. MR. FAUCETT to move,—
 (1.) That a Select Committee be appointed, with power to send for persons and papers, to consider and report upon the Petition of Mrs. E. M. Callaghan, presented by him on the 16th May.
 (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Dignam, Mr. Egan, Mr. Hart, Mr. Josephson, Mr. Macleay, Mr. Mate, Mr. Smart, and the Mover.
5. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
6. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Drainage Promotion Bill; second reading.

TUESDAY, MAY 23.

Question:—

1. MR. WHITE to ask THE COLONIAL SECRETARY,—Is the Government aware that on the committal of the bushranger Thompson—charged with robbery under fire-arms, and who fired at the Police several times before he was shot down—the Police Magistrate at Wee Waa offered to admit the accused to bail?

FRIDAY, MAY 26.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
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New South Wales.

No. 45.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 18 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

(1.) Felons' Apprehension Act—Harbourers of Bushrangers, Gilbert and Dunn :—
Mr. Pickering asked the Attorney General, pursuant to Notice No. 1,—Is it the intention of the Government to prosecute, under the Felons' Apprehension Act, the man Kelly, and others, the owner and inmates of the hut in which the Bushrangers Gilbert and Dunn were found to be harboured on the morning of the 13th instant, when Gilbert was shot by the Police?

Mr. Darvall answered,—I am not in possession of sufficient information to answer the question of my honorable friend.

(2.) Communication to Mr. Justice Wise respecting Bushranger Burke :—Mr. Buchanan asked the Colonial Secretary, pursuant to Notice No. 2,—If he has any objection to lay on the Table of this House, any communication he may have sent to Mr. Justice Wise, in reference to the sentence to be passed on the Bushranger Burke?

Mr. Cowper answered,—I have no copy of the communication. It was a very short note, containing only a few lines, of which I kept no copy.

2. Mr. Hugh Dixon :—Mr. Parkes presented a Petition from Hugh Dixon, of York-street, Sydney, representing that he had become security to the Crown, in the sum of Five Hundred Pounds, for the fidelity of one F. W. Perry, as Official Assignee in the Insolvent Department of the Supreme Court; that the Petitioner was subsequently compelled by pressure of misfortune to assign his Estate to Trustees for the benefit of his Creditors; but that, notwithstanding, the Crown claims the full penalty of his bond;—and praying relief.

And the same having been read at length by the Clerk, by direction of the Speaker,—

Petition received.

3. Mr. John M. Bate :—Mr. Parkes presented a Petition from John M. Bate, late Clerk in the Telegraph Department, complaining of his dismissal from the Public Service, under the circumstances set forth in his Petition, and of various collateral hardships; and praying redress.

Petition received.

4. Church of England Synod Bill :—Dr. Lang presented a Petition from certain Presbyterian Ministers and Office Bearers in the Colony of New South Wales, praying that the said Bill may not be passed.

Petition received.

5. Claims of Tenants of the Crown—Case of Mr. William Cummings (*"Formal" Motion*) :—Mr. Cunneen moved, pursuant to Notice, That this House will, on Friday, the 26th May, resolve itself into a Committee of the Whole, to consider of the following Resolutions :—

(1.) That, in the opinion of this House, the Claim of Mr. William Cummings, for injury and loss of property sustained by him on account of the discovery of gold upon his rented Crown Lands, and reported to this House (with other claims) on the 28th April, 1865, by the Select Committee appointed "to inquire into, and report upon, the Claims of Tenants of the Crown lodged with the Government for injuries done to their properties since the discovery of gold on their rented Crown Lands," is a fit one to be referred to arbitration by the Government.

(2.) That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.

Question put and passed.

6.

6. Gold Escort Fee ("Formal" Motion):—Mr. Rodd moved, pursuant to Notice, That the Petition presented by him on the 17th May, from the Business Men and Miners resident upon the Nerrigundah Gold Field, relative to the Gold Escort Fee, be printed.
Question put and passed.
Ordered to be printed.
7. Paper:—Mr. Cowper laid upon the Table, Return of Expenditure of Government Asylums for 1864.
Ordered to be printed.
8. Roads other than Main Roads Bill:—Mr. Robertson moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
And Bill read a second time.
Whereupon, on motion of Mr. Robertson, the Speaker left the Chair, and the House 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.
9. Stamp Duties Bill:—On the Order of the Day for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for such further consideration.
The Chairman reported the Bill with Amendments.
Mr. Forster moved, That the Bill be re-committed, with a view to the re-consideration of the 120th clause.
Debate ensued.
Question put and negatived.
The House then, on motion of Mr. Smart, adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.
10. Postponements:—The Orders of the Day for the Resumption of the Committee of Supply, and the Resumption of the Committee of Ways and Means postponed, respectively, on motion of Mr. Smart, until to-morrow.
11. Motion Dropped:—Mr. Byrnes not making the motion standing in his name, No. 3 on the Notice Paper for to-day, it dropped.
12. Messages:—The Speaker reported the following Messages from the Legislative Council:—

(1.) Industrial and Provident Societies Bill:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to establish Industrial and Provident Societies*," presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,
Sydney, 18 May, 1865.

T. A. MURRAY,
President.

Bill, on motion of Mr. Cowper, read a first time.

Ordered to be printed, and read a second time on Tuesday next.

(2.) Military Contribution Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to authorize Contribution towards the support of the Imperial Forces in New South Wales*," returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,
Sydney, 18 May, 1865.

T. A. MURRAY,
President.

13. Petroleum Bill:—On the Order of the Day for the third reading of this Bill being read, the Speaker, in reference to a question which had been put to him by the Chairman of Committees at an earlier period of the day, as to whether the Amendment which had yesterday been made in this Bill in Committee of the Whole, and reported to the House (namely, the introduction into the 4th Clause of the exaction of a Fee as the condition of the issue of a License for carrying out the objects of the Bill, which fee, collected by one particular class of Issuers, would necessarily be paid into the Consolidated Revenue Fund, and publicly accounted for), was such an Amendment as ought to have been made without consideration in a preliminary Committee of the Whole,—said as follows:—
"The general rule is, that any public aid or charge upon the people must be first considered in a Committee of the Whole. According to Mr. Speaker Lefevre, this originally applied to all taxes, but the practice of late years has been for Bills containing taxes of a local nature to be introduced on motion. In this case, however, the fee is of a general, and not of a local character; and it is also, as it seems to me, a matter of public accounting, at least in all cases other than within Municipalities. It is thus in both ways a public charge upon the people." The Speaker then suggested the re-committal of the Bill, in order to modify the Amendment, or expunge it, with a view to its consideration in a preliminary Committee, or not, as might be deemed expedient.
Whereupon Mr. Cowper moved, That the Order for the third reading of this Bill be discharged, and the Bill be re-committed for the purpose of re-considering the 4th clause.
Debate ensued.

Question

Question then, *as amended with the concurrence of the House*, proposed, as follows:—That the Order of the Day for the third reading of this Bill be “discharged,” and that the Bill be re-committed for the purpose of re-considering Clauses 2, 3, and 4.

Debate ensued.

Mr. Lec moved, That the Question be amended by omitting all the words thereof after the word “discharged.”

Question put,—That the words proposed to be omitted stand part of the Question. The House divided.

Ayes, 20.

Mr. Cowper,	Mr. Piddington,
Mr. Smart,	Mr. Mate,
Mr. Robertson,	Mr. Oatley,
Mr. Arnold,	Mr. Neale,
Mr. Stimpson,	Mr. Wilson,
Mr. Morrice,	Mr. Burdekin,
Mr. De Salis,	Mr. Darvall,
Mr. Walker,	
Mr. Cummings,	<i>Tellers.</i>
Mr. Hart,	Mr. Sutherland,
Mr. Joseph,	Mr. Dodds.

Noes, 9.

Mr. Lec,
Mr. Rodd,
Mr. Dignam,
Mr. Donnelly,
Mr. Parkes,
Mr. Farnell,
Mr. Garrett,
<i>Tellers.</i>
Mr. Wisdom,
Mr. Driver.

Question then,—That the Order of the Day for the third reading of this Bill be discharged, and the Bill be re-committed, for the purpose of re-considering Clauses 2, 3, and 4,—put and passed.

Whereupon, on motion of Mr. Arnold, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such re-consideration.

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

The House adjourned, on motion of Mr. Cowper, at fourteen minutes before Twelve o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

FRIDAY, MAY 19.

Contingent Notices :—

1. MR. FORSTER to move (*on the motion for going into Committee of Supply*), That this House disapproves of the appropriation, by the Executive Government, of the sum of £320 19s. 4d., specified in page 8 of the Supplementary Estimates for 1864, under the head of “Roads other than Main Roads,” as “Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with “Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 “per annum.”
2. DR. LANG to move (*on going into Committee of Ways and Means*),—
 - (1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
 - (2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Questions :—

1. MR. COOPER to ask THE SECRETARY FOR LANDS,—
 - (1.) If the road from Scone to Merriwa is a proclaimed road, on which stock can travel; and if so, when was it proclaimed?
 - (2.) If not proclaimed, when will it be?
2. MR. BUCHANAN to ask THE COLONIAL SECRETARY,—
 - (1.) If he wrote a letter to Mr. Justice Wise on the subject of the sentence to be passed on the bushranger Burke?
 - (2.) If that letter in any way recommended that a light sentence should be passed upon the prisoner, on the ground of his having given himself up?

OTHER

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Superannuation Act Amendment Bill; second reading.
2. Resumption of the adjourned Debate on the Motion of Mr. White, "That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, 'That after the word "tenure," the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted.
3. Parramatta Market Bill, *as amended in Select Committee*; second reading.
4. Church of England Synod Bill, *as amended in Select Committee*; second reading.
5. Brands Registration Bill; third reading.
6. Destitute Children's Bill; second reading.
7. Prison Discipline Bill; adoption of Report.
8. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
9. Advances to Agents intrusted with Goods Bill; second reading.
10. Australian Agricultural Company's Bill; second reading.
11. Petroleum Bill re-committed; to be further considered in Committee.
12. Criminal Evidence Amendment Bill; second reading.

NOTICES OF MOTION:—

1. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
2. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
3. MR. TUNKS to move,—
 - (1.) That there be laid upon the Table of this House, copies of all Correspondence having reference to the extension of the Boundaries of the Town of St. Leonard's, with a view to incorporating the same under the Municipalities Act of 1858, together with a description of the boundaries of the same Township, as at present authorized by the Government.
 - (2.) A copy of all recorded proceedings in connection with the Incorporating of St. Leonard's East, as a Rural District or Municipality, under the Municipalities Act of 1858.
4. MR. FAUCETT to move,—
 - (1.) That a Select Committee be appointed, with power to send for persons and papers, to consider and report upon the Petition of Mrs. E. M. Callaghan, presented by him on the 16th May.
 - (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Dignam, Mr. Egan, Mr. Hart, Mr. Josephson, Mr. Macleay, Mr. Mate, Mr. Smart, and the Mover.
5. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
6. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.
7. MR. PARKES to move, That the Petition of Hugh Dixson, presented by him on the 18th May, be printed.
8. MR. PARKES to move, That the Petition of John M. Bate, presented by him on the 18th May, be printed.
9. DR. LANG to move, That the Petition presented by him on Thursday, the 18th May, from certain Presbyterian Ministers and Office-bearers in the Colony of New South Wales, against the passing of the Church of England Synod Bill, be printed.
10. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots Church.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Drainage Promotion Bill ; second reading.
2. Supply ; resumption of the Committee.
3. Ways and Means ; resumption of the Committee.

TUESDAY, MAY 23.

Questions :—

1. MR. WHITE *to ask* THE COLONIAL SECRETARY,—Is the Government aware that on the committal of the Bushranger Thompson—charged with robbery under fire-arms, and who fired at the Police several times before he was shot down—the Police Magistrate at Wee Waa offered to admit the accused to bail ?
2. MR. MACPHERSON *to ask* THE SECRETARY FOR LANDS,—When it is his intention to lay on the Table of the House, *formally*, the Schedule of Minor Roads, of which he distributed copies *informally* when the Estimates were under consideration ?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Roads other than Main Roads Bill ; to be further considered in Committee.
2. Stamp Duties Bill ; third reading.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Industrial and Provident Societies Bill ; second reading.

FRIDAY, MAY 26.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year ; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.

ORDER OF THE DAY :—

1. Claims of Tenants of the Crown—(Case of Mr. William Cummings) ; consideration in Committee of the following Resolutions, viz. :—
 - (1.) That in the opinion of this House, the Claim of Mr. William Cummings, for injury and loss of property sustained by him on account of the discovery of gold upon his rented Crown Lands, and reported to this House (with other claims) on the 28th April, 1865, by the Select Committee appointed “ to inquire into, and “ report upon, the Claims of Tenants of the Crown lodged with the Government “ for injuries done to their properties since the discovery of gold on their rented “ Crown Lands,” is a fit one to be referred to arbitration by the Government.
 - (2.) That an Address, embodying the foregoing resolution, be presented to His Excellency the Governor.



New South Wales.

No. 46.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 19 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Road from Scone to Merriwa:—Mr. Cooper asked the Secretary for Lands, pursuant to Notice No. 1,—

(1.) If the road from Scone to Merriwa is a proclaimed road, on which stock can travel; and if so, when was it proclaimed?

(2.) If not proclaimed, when will it be?

Mr. Robertson answered:—

(1.) The road is not a proclaimed road.

(2.) The reason why the proclamation has not been issued is, that I am personally aware that a much shorter and better road can be got on the Merriwa end of this line; on the Scone end I am satisfied that the best line is taken. I am very intimately acquainted with that part of the country, and I thought it my duty, upon seeing the tracing, to desire the Surveyor General to make his surveyor look over it again, because I believe it can be made four or five miles shorter. That is the only reason why it is not proclaimed.

- (2.) Communication to Mr. Justice Wise respecting Bushranger Burke:—Mr. Buchanan asked the Colonial Secretary, pursuant to Notice No. 2,—

(1.) If he wrote a letter to Mr. Justice Wise on the subject of the sentence to be passed on the bushranger Burke?

(2.) If that letter in any way recommended that a light sentence should be passed upon the prisoner, on the ground of his having given himself up?

Mr. Cowper answered,—I stated to the House yesterday, in answer to the question of the Honorable Member, that I did write a short note to Mr. Justice Wise on the subject of the Bushranger Burke. That note enclosed a letter from the Rev. Mr. McGuinn, to whom the prisoner had surrendered himself, but I have no recollection of having made any comment myself.

2. Church of England Synod Bill:—Mr. Piddington presented a Petition from the Reverend the Minister and certain Parishioners of the Cathedral Church of Christ Church, in the Diocese of Newcastle, in the Colony of New South Wales, praying that this House will refuse its sanction to the said Bill, or any similar measure which may not proceed from the Church of England and Ireland in this Colony as an integral Religious Community.
Petition received.
3. Exchange of Land, Scots' Church, Legalising Bill:—Mr. Piddington presented a Petition from James Fullerton, J.L.D., Minister, praying that this House will withhold its sanction from the said proposed Bill.
Petition received.
4. Henry Moody:—Mr. Farnell presented a Petition from Henry Moody, of Parramatta, late Ranger of the Government Domain at Parramatta, representing that he has certain claims against the Government for the management of the said Domain, until the lands comprising it were sold,—respecting which he has failed to obtain a settlement; and praying relief.
Petition received.

5.

5. Town and District of St. Leonards (*"Formal" Motion*):—Mr. Tunks moved, pursuant to Notice,—
- (1.) That there be laid upon the Table of this House, copies of all Correspondence having reference to the extension of the Boundaries of the Town of St. Leonards, with a view to incorporating the same under the Municipalities Act of 1858, together with a description of the boundaries of the same Township, as at present authorized by the Government.
- (2.) A copy of all recorded proceedings in connection with the Incorporating of St. Leonards East as a Rural District or Municipality, under the Municipalities Act of 1858.
- Question put and passed.
6. Mrs. Callaghan (*"Formal" Motion*):—Mr. Faucett moved, pursuant to Notice,—
- (1.) That a Select Committee be appointed, with power to send for persons and papers, to consider and report upon the Petition of Mrs. E. M. Callaghan, presented by him on the 16th May.
- (2.) That such Committee consist of Mr. Burdekin, Mr. Caldwell, Mr. Dignam, Mr. Egan, Mr. Hart, Mr. Josephson, Mr. Macleay, Mr. Mate, Mr. Smart, and the Mover.
- Question put and passed.
7. Mr. Hugh Dixson (*"Formal" Motion*):—Mr. Parkes moved, pursuant to Notice, That the Petition of Hugh Dixson, presented by him on the 18th May, be printed.
- Question put and passed.
- Ordered to be printed.
8. Mr. John M. Bate (*"Formal" Motion*):—Mr. Parkes moved, pursuant to Notice, That the Petition of John M. Bate, presented by him on the 18th May, be printed.
- Question put and passed.
- Ordered to be printed.
9. Church of England Synod Bill (*"Formal" Motion*):—Dr. Lang moved, pursuant to Notice, That the Petition presented by him on Thursday, the 18th May, from certain Presbyterian Ministers and Office-bearers in the Colony of New South Wales, against the passing of the Church of England Synod Bill, be printed.
- Question put and passed.
- Ordered to be printed.
10. Motions Withdrawn:—Mr. Burdekin withdrew the Motions standing in his name, Nos. 5 and 10 on the Notice Paper for to-day.
11. Postponement:—The Order of the Day No. 1 of Other Business postponed, on motion of Mr. Forster, until this day week.
12. Development of Pastoral Resources of the Colony—Pastoral Tenants of the Crown:—The Adjourned Debate on the motion of Mr. White, "That in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, That after the word "tenure" the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted,—resumed and continued. Dr. Lang moved, That this Debate be now adjourned until "Tuesday week." Debate ensued.
- Mr. Wilson moved, That the Question be amended by omitting the words "Tuesday week," with a view to inserting in their place the words "Friday next." Debate continued.
- Question put,—That the words proposed to be omitted stand part of the Question. The House divided.

Ayes, 26.

Mr. Cowper,	Mr. Parkes,
Mr. Smart,	Mr. Cummings,
Mr. Darvall,	Mr. Sutherland,
Mr. Arnold,	Mr. Cunneen,
Mr. Robertson,	Mr. Pemell,
Mr. Burdekin,	Mr. Rodd,
Mr. Dodds,	Mr. Hart,
Mr. Eckford,	Dr. Lang,
Mr. Morrice,	Mr. Lucas,
Mr. Donnelly,	Mr. Dignam,
Mr. Stimpson,	
Mr. Pickering,	<i>Tellers.</i>
Mr. Garrett,	Mr. Kemp,
Mr. Farnell,	Mr. Driver.

Noes, 23.

Mr. Hurley,	Mr. Tunks,
Mr. Forlonge,	Mr. Piddington,
Mr. Cooper,	Mr. Gordon,
Mr. Wilson,	Mr. Mate,
Mr. White,	Mr. Roberts,
Mr. Landale,	Mr. Phelps,
Mr. Graham,	Mr. Macleay,
Mr. Wisdom,	
Mr. Walker,	<i>Tellers.</i>
Mr. Josephson,	Mr. Forster,
Mr. Buchanan,	Mr. Martin.
Mr. Egan,	
Mr. Lord,	
Mr. Campbell,	

Original Question then put and passed.

The House adjourned, on motion of Mr. Cowper, at twenty minutes before Twelve o'clock, until Tuesday next, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

TUESDAY, MAY 23.

Contingent Notices :—

1. MR. FORSTER to move (*on the motion for going into Committee of Supply*),—That this House disapproves of the appropriation, by the Executive Government, of the sum of £320 19s. 4d., specified in page 8 of the Supplementary Estimates for 1864, under the head of "Roads other than Main Roads," as "Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with "Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 "per annum."
2. DR. LANG to move (*on going into Committee of Ways and Means*),—
(1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
(2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Questions :—

1. MR. WHITE to ask THE COLONIAL SECRETARY,—Is the Government aware that on the committal of the bushranger Thompson—charged with robbery under fire-arms, and who fired at the Police several times before he was shot down—the Police Magistrate at Wee Waa offered to admit the accused to bail?
2. MR. MACPHERSON to ask THE SECRETARY FOR LANDS,—When it is his intention to lay on the Table of the House, *formally*, the Schedule of Minor Roads, of which he distributed copies *informally* when the Estimates were under consideration?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Roads other than Main Roads Bill ; to be further considered in Committee.
2. Stamp Duties Bill ; third reading.
3. Drainage Promotion Bill ; second reading.
4. Supply ; resumption of the Committee.
5. Ways and Means ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PIDDINGTON to move, That the Petition presented by him on 19th May, against the Church of England Synod Bill, be printed.
2. MR. PIDDINGTON to move, That the Petition presented by him on 19th May, from Dr. Fullerton, be printed.
3. MR. FARNELL to move, That the Petition of Henry Moody, presented by him on the 19th of May, be printed.
4. MR. HART to move, That the Petition presented by him on the 9th May, from Mr. E. J. H. Knapp, be printed.
5. MR. DIGNAM to move, That this House will, on Friday, May 26, resolve itself into a Committee of the Whole, to consider of the following Resolutions :—
(1.) That it is expedient that the Police Magistrate at Goulburn should, periodically, visit Taralga and hold a Court of Petty Sessions there, and that provision should be made to defray the expense of such visits.
(2.) That an Address be presented to His Excellency the Governor, communicating the foregoing Resolution.
6. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
7. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
(1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
(2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
(3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
8. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May ; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pennell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

ORDERS

ORDERS OF THE DAY:—

1. Industrial and Provident Societies Bill; second reading.
2. Parramatta Market Bill, *as amended in Select Committee*; second reading.
3. Church of England Synod Bill, *as amended in Select Committee*; second reading.
4. Brands Registration Bill; third reading.
5. Destitute Children's Bill; second reading.
6. Prison Discipline Bill; adoption of Report.
7. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
8. Advances to Agents intrusted with Goods Bill; second reading.
9. Australian Agricultural Company's Bill; second reading.
10. Petroleum Bill; re-committed; to be further considered in Committee.
11. Criminal Evidence Amendment Bill; second reading.

THURSDAY, MAY 25.

Question:—

1. MR. TUNKS to ask THE COLONIAL TREASURER,—
 - (1.) Is the Government aware whether the Justices in Quarter Sessions assembled, have for many years issued fresh regulations of the distances and fares to be charged by licensed boatmen in the Harbour of Port Jackson, and whether all the places at present used as Public Ferrys are named in the published regulations; and whether any places which are named in the same have become useless; and whether in consequence, irregular charges are made on passengers by licensed boatmen with impunity?
 - (2.) Will the Government state the number of years the regulations alluded to in the first question, have been in existence and unaltered?
 - (3.) Will the Government give instructions to the proper officer, that the law regulating boats and boatmen plying for hire in the Harbour of Port Jackson, be carried into operation; and that in future, regard be paid to the skill and physical capacity of persons to be licensed as boatmen?

FRIDAY, MAY 26.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Claims of Tenants of the Crown—(Case of Mr. William Cummings); consideration in Committee of the following Resolutions, viz.:—
 - (1.) That in the opinion of this House, the claim of Mr. William Cummings, for injury and loss of property sustained by him on account of the discovery of gold upon his rented Crown Lands, and reported to this House (with other claims) on the 28th April, 1865, by the Select Committee appointed “to inquire into, and report upon, the Claims of Tenants of the Crown lodged with the Government for injuries done to their properties since the discovery of gold on their rented Crown Lands,” is a fit one to be referred to arbitration by the Government.
 - (2.) That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.
2. Superannuation Act Amendment Bill; second reading.

NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
2. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as “a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation,” be rescinded, on account of an inaccuracy in the said citation.
3. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.

TUESDAY,

TUESDAY, MAY 30.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on the Motion of Mr. White, "That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, That after the word "tenure," the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted.

FRIDAY, JUNE 2.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. BUCHANAN to move, That in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great Criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said Criminal, was an extraordinary and unwarrantable interference with the due and proper administration of Justice, and deserves the pointed condemnation of this House.

[Price, 6d.]



New South Wales.

No. 47.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 23 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Bushranger Thompson:—Mr. White asked the Colonial Secretary, pursuant to Notice No. 1,—Is the Government aware that on the committal of the Bushranger Thompson—charged with robbery under fire-arms, and who fired at the Police several times before he was shot down—the Police Magistrate at Wee Waa offered to admit the accused to bail?

Mr. Cowper answered:—As soon as the Honorable Member gave notice of the question he has just put, the Inspector General of Police communicated with the Police in the district, and I have received this information from him. It is the copy of a telegram received from Superintendent Garland. “The police who gave evidence before Mr. Smith, report to me that he did offer to admit Thompson to bail on both the committals for robbing the Boggy Creek and Millie Public-houses, himself in £80, and two sureties in £40 each; but such offer is not endorsed on the warrant of commitment.” I will now make further inquiry, to see how far such statement is or is not correct.

- (2.) Schedule of Minor Roads:—Mr. Macpherson asked the Secretary for Lands, pursuant to Notice No. 2,—When it is his intention to lay on the Table of the House, *formally*, the Schedule of Minor Roads, of which he distributed copies *informally* when the Estimates were under consideration?

Mr. Robertson answered:—If I could find the key of my box, I would lay it on the Table in a moment. I have no doubt I shall not be very long before I find it, and when I do, I will lay it on the Table.

2. Paper:—Mr. Arnold laid upon the Table, Schedule, shewing Classification and proposed Distribution of Subordinate Roads for 1865.

Ordered to be printed.

3. Stamp Duties Bill (“*Formal*” *Order of the Day*), on motion of Mr. Smart, read a third time and *passed*.

Mr. Smart then moved, That the Title of this Bill be “*An Act to impose Stamp Duties.*”

Question put and passed.

Whereupon, Mr. Smart moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, “*An Act to impose Stamp Duties,*”—presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 23rd May, 1865.

Speaker.

Question put and passed.

- Henry Moody—(“*Formal*” *Motion*):—Mr. Farnell moved, pursuant to Notice, That the Petition of Henry Moody, presented by him on the 19th of May, be printed.

Question put and passed.

Ordered to be printed.

5. Mr. E. J. H. Knapp (*"Formal" Motion*):—Mr. Hart moved, pursuant to Notice, That the Petition presented by him on the 9th May, from Mr. E. J. H. Knapp, be printed.
Question put and passed.
Ordered to be printed.
 6. Special Adjournment:—Mr. Cowper, *with the concurrence of the House*, moved without Notice, That this House, at its rising, do adjourn until Three o'clock on Thursday next.
Question put and passed.
 7. Church of England Synod Bill;—Mr. Hart presented a Petition from the Roman Catholic Archbishop and certain Roman Catholic Clergy of Sydney and the neighbourhood, praying that this House will withhold its assent from the said Bill. And the same having been read at length by the Clerk, by direction of the Speaker,—
Petition received.
 8. William Tyler:—Dr. Lang presented a Petition from William Tyler, of Penrith, setting forth many and great losses alleged to have been sustained by him from floods, and other circumstances, in carrying out his Contract for the erection of the Nepean Bridge, at Penrith, on the Great Western Railway; and praying relief.
And the same having been read at length by the Clerk, by direction of the Speaker,—
Petition received.
 9. Roads other than Main Roads Bill:—On the Order of the Day for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such further consideration.
The Chairman reported progress, and obtained leave to sit again on Thursday next.
- The House adjourned, on motion of Mr. Cowper, at twelve minutes after Six o'clock,—*standing adjourned until Three o'clock on Thursday next.*

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, MAY 25.

Contingent Notices:—

1. Mr. FORSTER to move (*on the motion for going into Committee of Supply*), That this House disapproves of the appropriation, by the Executive Government, of the sum of £320 19s. 4d., specified in page 8 of the Supplementary Estimates for 1864, under the head of "Roads other than Main Roads," as "Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with "Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 "per annum."
2. Dr. LANG to move (*on going into Committee of Ways and Means*),—
(1.) Resolved,—That, in the opinion of this House, it is desirable and expedient that the Act 27 Victoria, No. 7, known as the Newspaper Postage Act of 1864, be repealed forthwith.
(2.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolution.

Questions:—

1. Mr. TUNKS to ask THE COLONIAL TREASURER,—
(1.) Is the Government aware whether the Justices in Quarter Sessions assembled, have for many years issued fresh regulations of the distances and fares to be charged by licensed boatmen in the Harbour of Port Jackson, and whether all the places at present used as Public Ferries are named in the published regulations; and whether any places which are named in the same have become useless; and whether, in consequence, irregular charges are made on passengers by licensed boatmen with impunity?
(2.) Will the Government state the number of years the regulations alluded to in the first question have been in existence and unaltered?
(3.) Will the Government give instructions to the proper officer, that the law regulating boats and boatmen plying for hire in the Harbour of Port Jackson, be carried into operation; and that in future, regard be paid to the skill and physical capacity of persons to be licensed as boatmen?

2. MR. BUCHANAN to ask THE COLONIAL SECRETARY,—Whether he has received any answer to his inquiries as to the charges against Messrs. Hickey and Biddulph, Justices of the Peace?
3. MR. MACPHERSON to ask THE SECRETARY FOR LANDS,—Whether the Honorable the Secretary for Lands has yet found the key of his box, the want of which he has asserted has hitherto prevented him from laying before the House the Schedule of Minor Roads for the year 1865?

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Roads other than Main Roads Bill; to be further considered in Committee.
2. Drainage Promotion Bill; second reading.
3. Supply; resumption of the Committee.
4. Ways and Means; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
2. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
(1.) That, with the view of recognising the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
(2.) That it is desirable that a Bill should be submitted to Parliament as early as possible for the purpose recommended in the foregoing Resolution.
3. DR. LANG to move, That the Petition presented by him on the 23rd May, from William Tyler, contractor, Penrith, be printed.
4. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to take into consideration the prayer of the Petition of William Tyler, contractor, presented by him on the 23rd May.
5. MR. HART to move, That the Petition presented by him on 23rd May, from His Grace the Archbishop and Catholic Clergy, against the passing of the Church of England Synod Bill, be printed.
6. MR. PIDDINGTON to move, That the Petition presented by him on 19th May, against the Church of England Synod Bill, be printed.
7. MR. PIDDINGTON to move, That the Petition presented by him on 19th May, from Dr. Fullerton, be printed.
8. MR. DIGNAM to move, That this House will, on Friday, May 26, resolve itself into a Committee of the Whole, to consider of the following Resolutions:—
(1.) That it is expedient that the Police Magistrate at Goulburn should, periodically, visit Taralga and hold a Court of Petty Sessions there, and that provision should be made to defray the expense of such visits.
(2.) That an Address be presented to His Excellency the Governor, communicating the foregoing Resolution.
9. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
10. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
(1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
(2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
(3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
11. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Penell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

ORDERS OF THE DAY:—

1. Industrial and Provident Societies Bill; second reading.
2. Parramatta Market Bill, as amended in Select Committee; second reading.
3. Church of England Synod Bill, as amended in Select Committee; second reading.
4. Brands Registration Bill; third reading.
5. Destitute Children's Bill; second reading.
6. Prison Discipline Bill Reported; adoption of Report.

7. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
8. Advances to Agents intrusted with Goods Bill; second reading.
9. Australian Agricultural Company's Bill; second reading.
10. Petroleum Bill re-committed; to be further considered in Committee.
11. Criminal Evidence Amendment Bill; second reading.

FRIDAY, MAY 26.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Claims of Tenants of the Crown—(Case of Mr. William Cummings); consideration in Committee of the following Resolutions, viz.:—
 - (1.) That in the opinion of this House, the Claim of Mr. William Cummings, for injury and loss of property sustained by him on account of the discovery of gold upon his rented Crown Lands, and reported to this House (with other claims) on the 28th April, 1865, by the Select Committee appointed “to inquire into, and report upon, the Claims of Tenants of the Crown lodged with the Government, for injuries done to their properties since the discovery of gold on their rented Crown Lands,” is a fit one to be referred to arbitration by the Government.
 - (2.) That an Address, embodying the foregoing resolution, be presented to His Excellency the Governor.
2. Superannuation Act Amendment Bill; second reading.

NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
2. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as “a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation,” be rescinded, on account of an inaccuracy in the said citation.
3. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.

TUESDAY, MAY 30.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on the Motion of Mr. White, “That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure ‘tenure’ should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861.” Upon which Mr. Buchanan had moved by way of amendment, That after the word “tenure,” the words “consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country,” be inserted.

FRIDAY, JUNE 2.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of Justice, and deserves the pointed condemnation of this House?

New South Wales.

No. 48.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 25 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Committee of Elections and Qualifications:—

- (1.) *Single v. Dangar*:—Mr. Piddington, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Committee of Elections and Qualifications, relative to the Petition from John Single, Esquire, of West Maitland, in this case, which was referred to the said Committee on 25 April last.

And the said Report having been read at length by the Clerk, by direction of the Speaker, as follows:—

“The Committee of Elections and Qualifications, duly appointed on 31st January, 1865, under the provisions of the Electoral Act of 1858, to whom was referred, on the 25th April, a Petition from John Single, of West Maitland, Esquire, against the Election and Return of Thomas Gordon Gibbons Dangar, Esquire, as Member for the Electoral District of ‘The Gwydir,’ have determined and do hereby accordingly declare:—

“ (1.) That this Committee is of opinion, that the Election of Thomas Gordon Gibbons Dangar, Esquire, is wholly void under the 28th Section of Schedule 1 of the Imperial Act, 18 and 19 Victoria, cap. 54, by reason of his holding a Contract with the Government at the time of his said Election.

“ (2.) That the Petitioner, John Single, Esquire, is not entitled to be declared the sitting Member.

“ (3.) That the Petition is not frivolous or vexatious.

“ W. R. PIDDINGTON,
“ Chairman.”

“ No. 2 Committee Room,
“ Legislative Assembly,
“ Sydney, 25th May, 1865,—

Ordered, on motion of Mr. Piddington, that the said Report, and Minutes of Proceedings and Evidence, be printed.

- (2.) Adjournment of Committee:—Mr. Piddington then moved, That the Committee of Elections and Qualifications have leave to adjourn their sittings *sine die*, the matters referred to them having been disposed of.

Question put and passed.

2. Questions on Notice Paper for to-day:—

- (1.) Licensed Boatmen, and Public Ferries, Port Jackson:—Mr. Tunks asked the Colonial Treasurer, pursuant to Notice No. 1,—

(1.) Is the Government aware whether the Justices in Quarter Sessions assembled, have for many years issued fresh regulations of the distances and fares to be charged by licensed boatmen in the Harbour of Port Jackson, and whether all the places at present used as Public Ferries are named in the published regulations; and whether any places which are named in the same have become useless; and whether in consequence, irregular charges are made on passengers by licensed boatmen with impunity?

(2.)

(2.) Will the Government state the number of years the regulations alluded to in the first question have been in existence and unaltered?

(3.) Will the Government give instructions to the proper officer, that the law regulating boats and boatmen plying for hire in the Harbour of Port Jackson be carried into operation; and that in future, regard be paid to the skill and physical capacity of persons to be licensed as boatmen?

Mr. Smart answered:—The following information has been received from the Water Police Magistrate, which I beg to read in reply to the Honorable Member's questions:—

“(1.) The Justices in Quarter Sessions assembled have not for many years issued fresh regulations of the distances and fares to be charged by licensed boatmen in the Harbour of Port Jackson. All the places at present used as Public Ferries are not named in the regulations. Two of the places named therein, Gas Wharf and Millers' Point, have become useless. I am not aware that in consequence thereof, irregular charges are made on passengers by licensed boatmen with impunity.

“(2.) The law giving power to make the regulations alluded to in the first question commenced and took effect from and after the 30th September, 1833. The regulations were last revised in 1856.

“(3.) Instructions have been given to the proper officer that the law regulating boats and boatmen be carried into operation. Regard, up to the present time, has always been paid to the skill and physical capacity of persons to be licensed as boatmen.”

(2.) Messrs. Hickey and Biddulph:—Mr. Buchanan asked the Colonial Secretary, pursuant to Notice No. 2,—Whether he has received any answer to his inquiries as to the charges against Messrs. Hickey and Biddulph, Justices of the Peace?

Mr. Cowper answered,—I have received answers, but have not yet had time to read them carefully so as to consider them.

(3.) Schedule of Minor Roads:—Mr. Macpherson asked the Secretary for Lands, pursuant to Notice No. 3,—Whether the Honorable the Secretary for Lands has yet found the key of his box, the want of which he has asserted has hitherto prevented him from laying before the House the Schedule of Minor Roads for the year 1865?

Mr. Robertson answered,—Yes; and in order that the Honorable Member may thoroughly understand my meaning in this answer, I would advise him to read Locke upon the Human Understanding.

3. Motion withdrawn:—Mr. Forster withdrew the Motion standing in his name, No. 1 on the *Contingent* Notice Paper for to-day.

4. Paper:—Mr. Robertson laid upon the Table, Schedule shewing Classification and proposed Distribution, for 1865, of Subordinate Roads of New South Wales, under the control of the Minister for Lands.
Ordered to be printed.

5. Superannuation Act of 1864:—Mr. Alexander presented a Petition from the Stampers, Sorters, and Letter Carriers, employed at the General Post Office, Sydney, praying that they may be placed under the operation of the said Act.
Petition received.

6. William Tyler (“*Formal*” *Motions*):—

(1.) Dr. Lang moved, pursuant to Notice, That the Petition presented by him, on the 23rd May, from William Tyler, contractor, Penrith, be printed.

Question put and passed.

Ordered to be printed.

(2.) Dr. Lang moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole, to take into consideration the prayer of the Petition of William Tyler, contractor, presented by him on the 23rd May.

Question put and passed.

7. Church of England Synod Bill (“*Formal*” *Motions*):—

(1.) Mr. Hart moved, pursuant to Notice, That the Petition presented by him, on 23rd May, from His Grace the Archbishop and Catholic Clergy, against the passing of the Church of England Synod Bill, be printed.

Question put and passed.

Ordered to be printed.

(2.) Mr. Piddington moved, pursuant to Notice, That the Petition presented by him on 19th May, against the Church of England Synod Bill, be printed.

• Question put and passed.

Ordered to be printed.

8. Exchange of Land, Scots Church, Legalizing Bill (“*Formal*” *Motion*):—Mr. Piddington moved, pursuant to Notice, That the Petition presented by him on 19th May, from Dr. Fullerton, be printed.

Question put and passed.

Ordered to be printed.

9. Police Magistrate at Goulburn (“*Formal*” *Motion*):—Mr. Dignam moved, pursuant to Notice, That this House will, on Friday, May 26, resolve itself into a Committee of the Whole, to consider of the following Resolutions:—

(1.) That it is expedient that the Police Magistrate at Goulburn should, periodically, visit Taralga and hold a Court of Petty Sessions there, and that provision should be made to defray the expense of such visits.

(2.)

- (2.) That an Address be presented to His Excellency the Governor, communicating the foregoing Resolution.
Question put and passed.
10. Postponement:—The Order of the Day for the further consideration in Committee of the Roads other than Main Roads Bill postponed, on motion of Mr. Robertson, until Tuesday next.
11. Drainage Promotion Bill, on motion of Mr. Robertson, read a second time.
Whereupon, on motion of Mr. Robertson, the Speaker left the Chair, and the House 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.
12. Postponement:—The Order of the Day for the resumption of the Committee of Supply, postponed, on motion of Mr. Smart, until the Order of the Day for the resumption of the Committee of Ways and Means shall have been disposed of.
13. Ways and Means:—
(1.) Order of the Day for the resumption of Committee read.
(2.) Dr. Lang withdrew the Motion standing in his name, No. 2 on the *Contingent Notice Paper* for to-day.
(3.) On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of Ways and Means.
The Chairman reported progress, and obtained leave to sit again to-morrow.
14. Impounding Bill:—The Speaker reported the following Message from the Legislative Council:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled, "*An Act to regulate the Impounding of Live Stock*," with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 25th May, 1865.

T. A. MURRAY,
President.

Ordered, on motion of Mr. Robertson, That the consideration in Committee of the Amendments made by the Legislative Council in this Bill, stand an Order of the Day for to-morrow.

The House adjourned, on motion of Mr. Cowper, at four minutes before Twelve o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

FRIDAY, MAY 26.

Contingent Notice:—

1. MR. FORSTER to move (*on the motion for going into Committee of Supply*),—That this House disapproves of the appropriation, by the Executive Government, of the sum of £320 19s. 4d., by way of "Gratuity to M. Fitzpatrick, Esq., Under Secretary for "Lands, for performance of duties in connection with Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 per annum," as specified in the Correspondence on the subject laid upon the Table and ordered by the House to be printed on May 10, 1865.

Questions:—

1. MR. MORRICE to ask THE SECRETARY FOR LANDS,—
(1.) Is the Government aware of the Inspector of Scab in Sheep at Penrith passing a scabby flock of sheep as clean, and that part of these sheep are now in the Southern District, and at Picton?
(2.) Is it the intention of the Government to inquire into this matter, and dismiss this Inspector?
2. MR. BUCHANAN to ask THE COLONIAL SECRETARY,—If he has any objection to lay upon the Table of this House, all communications he has received from the Newcastle Bench, also, from Messrs. Chambers and Mullens, Solicitors, as to the charges brought against Messrs. Hickey and Biddulph, Justices of the Peace?
3. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—If he is prepared to make over, in perpetuity, the commonage right set aside for North and South Grafton?
4. MR. LAYCOCK to ask THE SECRETARY FOR PUBLIC WORKS,—What amount the Government intend to expend, during 1865, on the new line of Road between Grafton and Tenterfield?

OTHER

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Claims of Tenants of the Crown—(Case of Mr. William Cummings) ; consideration in Committee of the following Resolutions, viz. :—
 - (1.) That, in the opinion of this House, the claim of Mr. William Cummings, for injury and loss of property sustained by him on account of the discovery of gold upon his rented Crown Lands, and reported to this House (with other claims) on the 28th April, 1865, by the Select Committee appointed “to inquire into, and report upon, the Claims of Tenants of the Crown lodged with the Government, for injuries done to their properties since the discovery of gold on their rented Crown Lands,” is a fit one to be referred to arbitration by the Government.
 - (2.) That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.
2. Superannuation Act Amendment Bill ; second reading.
3. William Tyler ; consideration in Committee of the Prayer of his Petition, presented to the House on 23rd May.
4. Police Magistrate at Goulburn ; consideration in Committee of the following Resolutions in reference to, viz. :—
 - (1.) That it is expedient that the Police Magistrate at Goulburn should, periodically, visit Taralga and hold a Court of Petty Sessions there, and that provision should be made to defray the expense of such visits.
 - (2.) That an Address be presented to His Excellency the Governor, communicating the foregoing Resolution.
5. Industrial and Provident Societies Bill ; second reading.
6. Parramatta Market Bill, *as amended in Select Committee* ; second reading.
7. Church of England Synod Bill, *as amended in Select Committee* ; second reading.
8. Brands Registration Bill ; third reading.
9. Destitute Children’s Bill ; second reading.
10. Prison Discipline Bill reported ; adoption of Report.
11. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
12. Advances to Agents intrusted with Goods Bill ; second reading.
13. Australian Agricultural Company’s Bill ; second reading.
14. Petroleum Bill re-committed ; to be further considered in Committee.
15. Criminal Evidence Amendment Bill ; second reading.

NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year ; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
2. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots’ Church being proceeded with without the payment of £25 ; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as “a Bill to legalize the exchange of a portion of the allotment of the Scots’ Church, Sydney, and to authorize the erection of the Tower of the said Church on its present foundation,” be rescinded, on account of an inaccuracy in the said citation.
3. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots’ Church.
4. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
5. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions :—
 - (1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
 - (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible, for the purpose recommended in the foregoing Resolution.
6. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
7. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.

- (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
8. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Ways and Means; resumption of the Committee.
2. Impounding Bill; consideration in Committee of Legislative Council's Amendments.
3. Supply; resumption of the Committee.

TUESDAY, MAY 30.

Question :—

1. MR. HART to ask THE SECRETARY FOR LANDS,—
 - (1.) Has Garden Island been given over to the Imperial Naval authorities—Is the Government aware that it is being denuded of its indigenous timber—Are the public prohibited from landing on the Island?
 - (2.) If any correspondence exists, will the Government lay it upon the Table?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Roads other than Main Roads Bill; to be further considered in Committee.
2. Drainage Promotion Bill; to be further considered in Committee.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. ALEXANDER to move, That the Petition presented by him on 25th May, from the Stampers, Sorters, and Letter Carriers of the General Post Office, Sydney, be printed.

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on the Motion of Mr. White, "That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, That after the word "tenure," the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted.

FRIDAY, JUNE 2.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of justice, and deserves the pointed condemnation of this House.
2. MR. LAYCOCK to move, That there be laid upon the Table of this House all Correspondence which may have taken place relative to the Bridge proposed to be erected over the Richmond River at Casino; and also, all Correspondence relative to the Punt and Wharf at Casino.



New South Wales.

No. 49.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 26 MAY, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Scabby Sheep :—Mr. Morrice asked the Secretary for Lands, pursuant to Notice No. 1,—

(1.) Is the Government aware of the Inspector of Scab in Sheep at Penrith passing a scabby flock of sheep as clean, and that part of these sheep are now in the Southern District, and at Picton ?

(2.) Is it the intention of the Government to inquire into this matter, and dismiss this Inspector ?

Mr. Robertson answered :—There is nothing irregular, that I know of, under the present law, in scabby sheep being at Picton, it is within the coast district, and as the present law stands it seems to me that is their protection. Then, with regard to the Inspector, I have great doubt whether, under the present law, the Government have the power to dismiss the Inspectors ; I think the power is alone in the hands of the Directors. The matter has been under my consideration, and I have thought it desirable to postpone the final determination as to what course the Government will take, until the return to town of the Chief Inspector. One Inspector has declared these sheep clean, and another, in an equal position to judge, has declared them scabby. I think it is better, therefore, to wait till the Chief Inspector's return. However, I shall consult the Crown Law Officers on the matter, but I am not aware that, under the present law, the Government have the power of dismissing these Inspectors.

- (2.) Messrs. Hickey and Biddulph, Magistrates :—Mr. Buchanan asked the Colonial Secretary, pursuant to Notice No. 2,—If he has any objection to lay upon the Table of this House, all communications he has received from the Newcastle Bench ; also, from Messrs. Chambers and Mullens, Solicitors, as to the charges brought against Messrs. Hickey and Biddulph, Justices of the Peace ?

Mr. Cowper answered,—It would be impossible for me to lay these papers upon the Table of the House until the matter has been dealt with by the Executive Government, and I apprehend this House does not wish to usurp their functions. The matter has not yet been inquired into by me. I have received the communications alluded to, but the matter has not yet been inquired into by me, nor has it been referred to my colleagues. If an inquiry should end in the dismissal of those gentlemen from office, they should be permitted to shew cause why any particular sentence that may be determined upon, should not be passed under the circumstances. It would then perhaps be right that these documents should be asked for by a resolution of the House ; but at present it would be impossible for me to lay them upon the Table.

(Mr. Laycock not asking the Questions standing in his name, Nos. 3 and 4, they dropped.)

2. Mr. Gold Commissioner Sibthorpe :—Mr. Donnelly presented a Petition from certain Miners and Residents of Stoney Creek, Iron Barks, Mookerwa, and Macquarie River Gold Fields, praying for the removal of their resident Gold Commissioner, Mr. L. H. Sibthorpe, for the reasons therein set forth.
Petition received.

3. Newspaper Postage Rate :—Mr. Parkes presented a Petition from Stephen Freeman, Alfred Cook, and others, residents in the District of Kiama, praying for the early repeal of the Newspaper Postage Rate.
Petition received.
4. Postponement :—On the Order of the Day No. 1 of Other Business being read, Mr. Cowper, *with the concurrence of the House*, moved, That the consideration of this Order of the Day, and of all intervening Orders of the Day and Notices of Motion, be postponed, consecutively, until the Order of the Day No. 1 of Government Business shall have been disposed of.
Question put and passed.
5. Ways and Means (Order No. 1 of Government Business) :—On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of Ways and Means.

And the Committee having continued to sit till after Midnight ;—

SATURDAY, 27 MAY, 1865, A.M.

The Chairman obtained leave to sit again on Tuesday next, and reported that the Committee had come to certain Resolutions.
Ordered, on motion of the Chairman, that the said Resolutions be received on Tuesday next.

6. Messages :—

- (1.) From Legislative Council :—The Speaker reported the following Messages ;—

(1.) Coal Fields Regulation Act Amendment Bill :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill returned herewith, intituled, "*An Act for the better recovery of Coal Miners' Wages and to amend the Coal Fields' Regulation Act of 1862,*" with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

*Legislative Council Chamber,
Sydney, 26 May, 1865.*

T. A. MURRAY,
President.

Ordered, on motion of Mr. Wilson, that the consideration in Committee of the Amendments made by the Legislative Council in this Bill stand an Order of the Day for Tuesday next.

(2.) Fisheries Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to protect the Fisheries of New South Wales,*" returns the same to the Legislative Assembly without Amendment.

*Legislative Council Chamber,
Sydney, 26 May, 1865.*

T. A. MURRAY,
President.

(3.) Australian Paper Company's Bill :—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to incorporate the Proprietors of a certain Company called 'The Australian Paper Company' and for other purposes therein mentioned,*" returns the same to the Legislative Assembly without Amendment.

*Legislative Council Chamber,
Sydney, 26 May, 1865.*

T. A. MURRAY,
President.

- (2.) From His Excellency the Governor—Assent to Bills :—The following Messages were delivered by Mr. Cowper, and read by the Speaker :—

(1.) Military Contribution Bill—Trade Marks Bill :—

JOHN YOUNG,
Governor.

Message No. 14.

A Bill, intituled, "*An Act to authorize Contribution towards the support of the Imperial Forces in New South Wales*"—and

A Bill, intituled, "*An Act to prevent the fraudulent marking of Merchandise and to provide for the registration of Trade Marks*"—as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bills, and has this day transmitted them to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 26 May, 1865.*

(2.)

(2.) Rogers' Settlement Bill :—

JOHN YOUNG,

Governor.

Message, No. 15.

A Bill, intituled, "*An Act to enable the Trustees of a Settlement made by George John Rogers of a messuage and lands known as Craigend situate in the City of Sydney to sell the said messuage and lands and to make provision for the investment of the proceeds of the sale thereof,*" having been passed by the Legislative Council and Assembly, and having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper Officer for enrolment, in the manner required by law.

Government House,

Sydney, 26th May, 1865.

The House adjourned at twenty-five minutes after Two o'clock, A.M., until Tuesday next at Three o'clock, P.M.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

TUESDAY, MAY 30.

Contingent Notice :—

1. MR. FORSTER to move (*on the motion for going into Committee of Supply*),—That this House disapproves of the appropriation, by the Executive Government, of the sum of £320 19s. 4d., by way of "Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with Minor Roads, from 14th August, 1862, to 21st March, 1864, at the rate of £200 per annum," as specified in the Correspondence on the subject laid upon the Table and ordered by the House to be printed on May 10, 1865.

Questions :—

1. MR. HART to ask THE SECRETARY FOR LANDS,—
(1.) Has Garden Island been given over to the Imperial Naval authorities—Is the Government aware that it is being denuded of its indigenous timber—Are the public prohibited from landing on the Island?
(2.) If any correspondence exists, will the Government lay it upon the Table?
2. MR. PIDDINGTON to ask THE COLONIAL SECRETARY,—
(1.) Is it the intention of the Government to abolish the Office of Under Secretary, in the department of the Colonial Secretary?
(2.) If the Government do not intend to abolish the said Office, when is the existing vacancy to be filled up?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Roads other than Main Roads Bill ; to be further considered in Committee.
2. Drainage Promotion Bill ; to be further considered in Committee.
3. Ways and Means ; reception of the Committee.
4. Ways and Means ; resumption of Resolutions of Committee.
5. Impounding Bill ; consideration in Committee of Legislative Council's Amendments.
6. Supply ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ALEXANDER to move, That the Petition presented by him on 25th May, from the Stampers, Sorters, and Letter Carriers of the General Post Office, Sydney, be printed.
2. MR. DONNELLY to move, That the Petition presented by him on the 26th May, from the Miners of Stoney Creek, in reference to Mr. Gold Commissioner Sibthorpe, be printed.
3. MR. PARKES to move, That the Petition from certain Inhabitants of the District of Kiama, in reference to the Newspaper Postage Rate, presented by him on the 26th May, be printed.
4. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year ; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.

5. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
6. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
7. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
8. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That, with the view of recognising the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
 - (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible for the purpose recommended in the foregoing Resolution.
9. MR. MAEFIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
10. MR. MACHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
11. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

ORDERS OF THE DAY:—

1. Resumption of the adjourned Debate on the Motion of Mr. White, "That, in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, That after the word 'tenure,' the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted.
2. Coal Fields Regulation Act Amendment Bill; consideration in Committee of Legislative Council's Amendments.
3. Claims of Tenants of the Crown—(Case of Mr. William Cummings); consideration in Committee of the following Resolutions, viz.:—
 - (1.) That in the opinion of this House, the Claim of Mr. William Cummings, for injury and loss of property sustained by him on account of the discovery of gold upon his rented Crown Lands, and reported to this House (with other claims) on the 28th April, 1865, by the Select Committee appointed "to inquire into, and report upon, the Claims of Tenants of the Crown lodged with the Government, for injuries done to their properties since the discovery of gold on their rented Crown Lands," is a fit one to be referred to arbitration by the Government.
 - (2.) That an Address, embodying the foregoing resolution, be presented to His Excellency the Governor.
4. Superannuation Act Amendment Bill; second reading.
5. William Tyler; consideration in Committee of the Prayer of his Petition, presented to the House on 23rd May.

6. Police Magistrate at Goulburn ; consideration in Committee of the following Resolutions in reference to, viz. :—
 - (1.) That it is expedient that the Police Magistrate at Goulburn should, periodically, visit Taralga and hold a Court of Petty Sessions there, and that provision should be made to defray the expense of such visits.
 - (2.) That an Address be presented to His Excellency the Governor, communicating the foregoing Resolution.
7. Industrial and Provident Societies Bill ; second reading.
8. Parramatta Market Bill, *as amended in Select Committee* ; second reading.
9. Church of England Synod Bill, *as amended in Select Committee* ; second reading.
10. Brands Registration Bill ; third reading.
11. Destitute Children's Bill ; second reading.
12. Prison Discipline Bill reported ; adoption of Report.
13. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
14. Advances to Agents intrusted with Goods Bill ; second reading.
15. Australian Agricultural Company's Bill ; second reading.
16. Petroleum Bill re-committed ; to be further considered in Committee.
17. Criminal Evidence Amendment Bill ; second reading.

FRIDAY, JUNE 2.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of Justice, and deserves the pointed condemnation of this House ?
 2. MR. LAYCOCK to move, That there be laid upon the Table of this House all Correspondence which may have taken place relative to the Bridge proposed to be erected over the Richmond River at Casino ; and also, for all Correspondence relative to the Punt and Wharf at Casino.
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New South Wales.

No. 50.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 30 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.
 Questions on Notice Paper for to-day :—
 - (1.) Garden Island :—Mr. Hart asked the Secretary for Lands, pursuant to Notice No. 1,—
 - (1.) Has Garden Island been given over to the Imperial Naval authorities—Is the Government aware that it is being denuded of its indigenous timber—Are the public prohibited from landing on the Island?
 - (2.) If any correspondence exists, will the Government lay it upon the Table?
 Mr. Robertson answered,—
 - (1.) It would be scarcely accurate for me to say that Garden Island, or any portion thereof, has been given over to the Imperial Naval authorities, but, in accordance with arrangements made by the Parker Government several years ago, the late Government dedicated for the purposes of public defence some four acres of that Island, and as our naval defences are in the hands of the Imperial authorities, that portion of the Island is under their control. There is nothing to hinder the public from landing on the other portions of the Island. With regard to the indigenous timber: as a portion of the Island is in the hands of those who have charge of our defences, no doubt it will be in their power to remove the indigenous timber from that portion of the Island, but not from the other portion. The Government is not aware that any more than that is being done.
 - (2.) There will be no difficulty about laying the papers upon the Table of the House, indeed I believe they are already—part of them at any rate—on the Table.
 - (2.) Office of Principal Under Secretary :—Mr. Piddington asked the Colonial Secretary, pursuant to Notice No. 2,—
 - (1.) Is it the intention of the Government to abolish the office of Under Secretary, in the department of the Colonial Secretary?
 - (2.) If the Government do not intend to abolish the said office, when is the existing vacancy to be filled up?
 Mr. Cowper answered,—
 - (1.) It is not the intention of the Government to abolish the office of Under Secretary.
 - (2.) The vacancy will be filled up so soon as a properly qualified gentleman can be obtained to fill the office.
2. Church of England Synod Bill :—The undermentioned Petitions against the passing of this Bill, were presented by the Members respectively named :—
 - (1.) From William Tyrrell, D.D., Lord Bishop of Newcastle. By Mr. White.
 Read at length by the Clerk, by direction of the Speaker.
 - (2.) From the Clergy and Catholic Laity of the District of Bathurst. By Mr. Kemp.
 Petitions received.
3. James Thomas Thornton :—Mr. Hart presented a Petition from James Thomas Thornton, of Sydney, Upholsterer, setting forth a Claim, as the representative of James Charles Thornton, deceased, to a Town allotment, alleged to have been promised by Sir Thomas Brisbane; and praying consideration and decision in the matter.
 Petition received.
4. Superannuation Act of 1864 (*"Formal" Motion*) :—Mr. Alexander moved, pursuant to Notice, That the Petition presented by him on 25th May, from the Stampers, Sorters, and Letter Carriers of the General Post Office, Sydney, be printed.
 Question put and passed.
 Ordered to be printed.

5. Mr. Gold Commissioner Sibthorpe ("Formal" Motion):—Mr. Donnelly moved, pursuant to Notice, That the Petition presented by him on the 26th May, from the Miners of Stony Creek, in reference to Mr. Gold Commissioner Sibthorpe, be printed.
Question put and passed.
Ordered to be printed.
6. Newspaper Postage Rate ("Formal" Motion):—Mr. Parkes moved, pursuant to Notice, That the Petition from certain Inhabitants of the District of Kiama, in reference to the Newspaper Postage Rate, presented by him on the 26th May, be printed.
Question put and passed.
Ordered to be printed.
7. Postponements:—The undermentioned Orders of the Day of Government Business, postponed, respectively, on motion of the Members named, as follows:—
(1.) Order No. 1, to follow Order No. 6 of Government Business, on motion of Mr. Cowper.
(2.) Order No. 2, to follow Order No. 1, *as postponed*, on motion of Mr. Cowper.
(3.) Order No. 3, to follow Order No. 2, *as postponed*, on motion of Mr. Smart.
8. Ways and Means—Reception of Resolutions of Committee—(Order No. 4 of Government Business):—The Chairman of Committees reported from the Committee of Ways and Means two Resolutions, which were read a first time, as follow:—
(24.) *Resolved*, That it is the opinion of this Committee, that there shall be charged (irrespective of any Duties of Customs now payable by law), upon the importation of all goods into the Colony, the rate of one shilling for every package or parcel, except goods in transit, and flour, wheat, sugar, and tea.
(25.) *Resolved*, That it is the opinion of this Committee, that on the importation of any goods now liable to duty, except tea and sugar, and brandy and gin, there shall be charged, in addition to such duty, twenty pounds for every hundred pounds thereof, and in proportion for any lesser or greater amount of such duty.
The said Resolutions were then, on motion of Mr. Smart, read a second time, and agreed to.
9. Postponements:—The undermentioned Orders of the Day of Government Business and Notices of Motion postponed, respectively, on motion of the Members named, as follows:—
(1.) Order No. 5, until to-morrow, on motion of Mr. Robertson.
(2.) Order No. 6 to follow Order No. 3 *as postponed*, on motion of Mr. Smart.
(3.) Orders Nos. 1, 2, 3, and 6 *further* postponed, and *with the concurrence of the House*, Notices of Motion Nos. 4 to 11 inclusive postponed, consecutively, on motion of Mr. Cowper, until the Order of the Day No. 1 of Other Business shall have been disposed of.
10. Development of Pastoral Resources of the Colony—Pastoral Tenants of the Crown (Order No. 1 of Other Business):—The Adjourned Debate on the motion of Mr. White, "That in the opinion of this House, it is of great national importance to encourage the development of the pastoral resources of this country, by promoting the expenditure of capital and labour in pastoral pursuits. Having this object in view, this House records its opinion, that a more secure 'tenure' should be conceded to the pastoral tenants of the Crown than that granted to them under the Crown Lands Occupation Act of 1861." Upon which Mr. Buchanan had moved by way of amendment, That after the word "tenure" the words "consistent with the integrity and security of the principle of Free Selection or Conditional Purchase existing throughout the entire country," be inserted,—resumed and continued.

And the House continuing to sit until after Midnight;—

WEDNESDAY, 31 MAY, 1865, A.M.

Question put,—That the words proposed to be inserted be there inserted.
The House divided.

Ayes, 22.		Noes, 32.	
Mr. De Salis,	Mr. Graham,	Mr. Cowper,	Mr. Ryan,
Mr. Phelps,	Mr. Dodds,	Mr. Robertson,	Mr. Laycock,
Mr. Landale,	Mr. Buchanan,	Mr. Smart,	Mr. Pemell,
Mr. Osborne,		Mr. Arnold,	Mr. Burns,
Mr. Wilson,	<i>Tellers.</i>	Mr. Driver,	Mr. Eckford,
Mr. Gordon,	Mr. Forlonge,	Mr. Lucas,	Mr. Morrice,
Mr. Lord,	Mr. Walker.	Mr. Hannell,	Dr. Lang,
Mr. White,		Mr. Burdekin,	Mr. Garrett,
Mr. Forster,		Mr. Rodd,	Mr. Oatley,
Mr. Macleay,		Mr. Donnelly,	Mr. Darvall,
Mr. Egan,		Mr. Farnell,	Mr. Tighe,
Mr. Wisdom,		Mr. Terry,	Mr. Alexander,
Mr. Cooper,		Mr. Sutherland,	Mr. Kemp,
Mr. Martin,		Mr. Cunneen,	<i>Tellers.</i>
Mr. Faucett,		Mr. Dignam,	Mr. Pickering,
Mr. Lee,		Mr. Parkes,	Mr. Hart.
Mr. Mate,		Mr. Cummings,	

Original Question then put and negatived.

The House adjourned, on motion of Mr. Cowper, at twenty-five minutes after Twelve o'clock A.M., until Three o'clock P.M., This Day.

JOHN HAY,
Speaker.

NOTICES

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

WEDNESDAY, MAY 31.

Contingent Notice :—

1. MR. FORSTER to move (*on the motion for going into Committee of Supply*),—That this House disapproves of the appropriation, by the Executive Government, of the sum of £320 19s. 4d., by way of "Gratuity to M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties in connection with Minor Roads; from 14th August, 1862, to 21st March, 1864, at the rate of £200 per annum," as specified in the Correspondence on the subject laid upon the Table, and ordered by the House to be printed, on May 10, 1865.

Questions :—

1. MR. BYRNES to ask THE ATTORNEY GENERAL,—Has it come within the knowledge of the Honorable the Attorney General, that, in the case of Mrs. Dickson, recently committed at the Central Police Office to take her trial for horse stealing, the presiding Justice refused to allow the accused to cross-question the witnesses for the prosecution, according to law, and also refused to hear evidence for the defence, according to practice; and if so, is it the intention of the Honorable the Attorney General to put the prisoner on her trial, or to send the case back for fresh hearing?
2. MR. PIDDINGTON to ask THE COLONIAL TREASURER,—
 - (1.) What provision has the Government made to secure the payment of the interest on our Debentures falling due in London on July 1st, 1865?
 - (2.) Has the payment of the interest above mentioned been provided for by the remittance of Bank drafts, or by the proposed sale of Debentures; and if by the sale of Debentures, what instructions have been given in reference to any reserved price per £100?
3. MR. BUCHANAN to ask THE COLONIAL TREASURER,—
 - (1.) If any and what steps have been taken to abate the nuisance of tallow melting carried on at Glebe Island, and complained of in a Petition from the Inhabitants of the Glebe, Balmain, and the surrounding Municipalities, presented to the Honorable the Treasurer on the 24th April last.
 - (2.) Does the Government intend to permit the continuance of this nuisance?
 - (3.) Are the regulations respecting cleanliness enforced?
4. MR. BUCHANAN to ask THE SECRETARY FOR LANDS,—If the Government intend to proclaim and open the Road through Ryan's Paddock, being the only approach to the Bridge and Town of Burrumbidgee; and if so, when?
5. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—If he is prepared to make over, in perpetuity, the commonage right set aside for North and South Grafton?
6. MR. LAYCOCK to ask THE SECRETARY FOR PUBLIC WORKS,—What amount the Government intend to expend, during 1865, on the new line of Road between Grafton and Tenterfield?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Impounding Bill; consideration in Committee of Legislative Council's Amendments.
2. Roads other than Main Roads Bill; to be further considered in Committee.
3. Drainage Promotion Bill; to be further considered in Committee.
4. Ways and Means; resumption of the Committee.
5. Supply; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WHITE to move, That the Petition presented by him on 30th May, from the Bishop of Newcastle, against the Church of England Synod Bill, be printed.
2. MR. KEMP to move, That the Petition presented by him on 30th May, from the Clergy and Catholic Laity of the District of Bathurst, against the Church of England Synod Bill, be printed.
3. MR. HART to move, That the Petition presented by him on the 30th May, from James Thomas Thornton, be printed.
4. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
5. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.

6. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
7. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
8. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions :—
 (1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
 (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible, for the purpose recommended in the foregoing Resolution.
9. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
10. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
11. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

ORDERS OF THE DAY :—

1. Coal Fields Regulation Act Amendment Bill; consideration in Committee of Legislative Council's Amendments.
2. Claims of Tenants of the Crown—(Case of Mr. William Cummings); consideration in Committee of the following Resolutions, viz. :—
 (1.) That, in the opinion of this House, the claim of Mr. William Cummings, for injury and loss of property sustained by him on account of the discovery of gold upon his rented Crown Lands, and reported to this House (with other claims) on the 28th April, 1865, by the Select Committee appointed "to inquire into, and report upon, the Claims of Tenants of the Crown lodged with the Government, for injuries done to their properties since the discovery of gold on their rented Crown Lands," is a fit one to be referred to arbitration by the Government.
 (2.) That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.
3. Superannuation Act Amendment Bill; second reading.
4. William Tyler; consideration in Committee of the Prayer of his Petition, presented to the House on 23rd May.
5. Police Magistrate at Goulburn; consideration in Committee of the following Resolutions in reference to, viz. :—
 (1.) That it is expedient that the Police Magistrate at Goulburn should, periodically, visit Taralga and hold a Court of Petty Sessions there, and that provision should be made to defray the expense of such visits.
 (2.) That an Address be presented to His Excellency the Governor, communicating the foregoing Resolution.
6. Industrial and Provident Societies Bill; second reading.
7. Parramatta Market Bill, *as amended in Select Committee*; second reading.
8. Church of England Synod Bill, *as amended in Select Committee*; second reading.
9. Brands Registration Bill; third reading.
10. Destitute Children's Bill; second reading.
11. Prison Discipline Bill reported; adoption of Report.
12. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
13. Advances to Agents intrusted with Goods Bill; second reading.
14. Australian Agricultural Company's Bill; second reading.
15. Petroleum Bill re-committed; to be further considered in Committee.
16. Criminal Evidence Amendment Bill; second reading.

THURSDAY, JUNE 1.

Question :—

1. MR. PICKERING *to ask* THE COLONIAL SECRETARY,—
 - (1.) If the Government has received any communication from the Bench of Magistrates at Uralla, recommending Senior Constable John Mulhall, of the Uralla Police, and Constable Murphy, of the Rocky River Police, for promotion, in recognition of their gallant pursuit and capture of two Bushrangers in the early part of the month of April last?
 - (2.) If such recommendation has been received, is it the intention of the Government to give effect to it?

FRIDAY, JUNE 2.

Questions :—

1. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—
 - (1.) The amount derivable from the alienation of land under pre-emptive right, by auction and free selection, in the Clarence District, since the introduction of Responsible Government?
 - (2.) The amount expended on Public Works in the Clarence District during same period?
 - (3.) The nature of such Public Works performed, and shewing the amount expended thereon?
2. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—
 - (1.) The number of acres in the aggregate on Woodford Island, Clarence River?
 - (2.) The number of acres reserved, and for what purpose?
 - (3.) The number of acres sold under pre-emptive right?
 - (4.) The number of acres sold by auction?
 - (5.) The number of acres taken up by free selectors?
3. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—The amount of rent paid for the Runs known as Rymornie, Newbold, Kangi, and Yugilbar, in the Clarence District, shewing the number of acres on those Runs respectively?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. BUCHANAN *to move*, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of justice, and deserves the pointed condemnation of this House.
2. MR. LAYCOCK *to move*, That there be laid upon the Table of this House, all Correspondence which may have taken place relative to the Bridge proposed to be erected over the Richmond River at Casino; and also, all Correspondence relative to the Punt and Wharf at Casino.

New South Wales.

No. 51.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 31 MAY, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Mrs. Dickson (Administration of Justice):—Mr. Byrnes asked the Attorney General, pursuant to Notice No. 1,—Has it come within the knowledge of the Honorable the Attorney General, that, in the case of Mrs. Dickson, recently committed at the Central Police Office to take her trial for horse stealing, the presiding Justice refused to allow the accused to cross question the witnesses for the prosecution, according to law, and also refused to hear evidence for the defence, according to practice; and if so, is it the intention of the Honorable the Attorney General to put the prisoner on her trial, or to send the case back for fresh hearing?

Mr. Darvall answered,—I have had some information on the matter referred to by my honorable friend, but I desire to have a more certain report before I give any answer to my honorable friend's question. I hope, therefore, he will permit it to stand over for a day or two.

- (2.) Interest on Debentures falling due:—Mr. Piddington asked the Colonial Treasurer, pursuant to Notice No. 2,—

(1.) What provision has the Government made to secure the payment of the interest on our Debentures falling due in London on July 1st, 1865?

(2.) Has the payment of the interest above mentioned been provided for by the remittance of Bank drafts, or by the proposed sale of Debentures; and if by the sale of Debentures, what instructions have been given in reference to any reserved price per £100?

Mr. Smart answered,—It will, I hope, be sufficient for me to assure the House, in reply to the Honorable Member's questions, that provision has been made for the payment of the interest falling due on Debentures in London on 1st July next, and that that provision has been made by the remittance of Government Debentures for sale there. In the instructions which accompanied them, regarding their sale, much has been left to the discretion of the Agents in London.

- (3.) Glebe Island:—Mr. Buchanan asked the Colonial Treasurer, pursuant to Notice No. 3,—

(1.) If any and what steps have been taken to abate the nuisance of tallow melting carried on at Glebe Island, and complained of in a Petition from the Inhabitants of the Glebe, Balmain, and the surrounding Municipalities, presented to the Honorable the Treasurer on the 24th April last?

(2.) Does the Government intend to permit the continuance of this nuisance?

(3.) Are the regulations respecting cleanliness enforced?

Mr. Smart answered,—

(1 & 2.) In reply to the Honorable Member's question, I have to state, that so long as the Abattoirs are continued to be used as such, it will be impossible to prevent altogether the nuisance inseparable from such an establishment; but the subject of abandoning the premises on Glebe Island as Slaughtering Houses has been under the consideration of the Government. It has, however, been found necessary, in consequence of the pressure of public business, to postpone any decision thereon until it can be dealt with during the recess.

(3.) I believe the regulations respecting cleanliness are strictly enforced.

(4.)

- (4.) Road near Burrowa:—Mr. Buchanan asked the Secretary for Lands, pursuant to Notice No. 4,—If the Government intend to proclaim and open the Road through Ryan's Paddock, being the only approach to the Bridge and Town of Burrowa; and if so, when?
Mr. Robertson answered,—The plan was received on the 26th instant, and the preliminary notification will appear in due form; I cannot exactly say when, as the plan has only just come in.
- (5.) Commonage right, North and South Grafton:—Mr. Laycock asked the Secretary for Lands, pursuant to Notice No. 5,—If he is prepared to make over, in perpetuity, the commonage right set aside for North and South Grafton?
Mr. Robertson answered,—There can be no doubt that both at North and South Grafton there will require to be commonage rights made over in accordance with the practice. I do not know exactly the area of land reserved at those places; the practice is, however, to set apart a considerable portion for permanent, and the remainder for a temporary common. I cannot tell exactly how this will be divided, but the Government do not desire to have any delay in the matter, and it will be attended to at once.
- (6.) Road between Grafton and Tenterfield:—Mr. Laycock asked the Secretary for Public Works, pursuant to Notice No. 6,—What amount the Government intend to expend, during 1865, on the new line of Road between Grafton and Tenterfield?
Mr. Arnold answered,—The Honorable Member will see, by reference to the schedule of proposed expenditure on the Subordinate Roads of my department, that it is proposed to appropriate £1,740 for expenditure upon the line of road from Lawrence to Tenterfield, but at present it is not intended to expend any money upon the line of road between Grafton and Fairfield, Fairfield being a point of the road between Tenterfield and Lawrence. I may also inform the Honorable Member, having reference to this question, that a new line of road is now being surveyed between South Grafton and Glen Innes, which will connect the Clarence by another route with the New England District. As soon as that survey is received, the Government will determine whether they will adopt that line, or continue to expend money upon the line referred to in the Honorable Member's question, between Grafton and Fairfield.
2. Church of England Synod Bill:—Mr. Roberts presented a Petition from the Roman Catholic Inhabitants of Berrima, praying that, for the reasons therein set forth, this House will reject the said Bill.
Petition received.
3. Indigenous Productions:—Mr. Forster presented a Petition from Mr. E. W. Rudder, of East Kempsey, praying that certain blocks of Land, may be specially set apart throughout the country, for the preservation of all kinds of indigenous productions growing thereon, and vested in trustees; that the Land Law (if at present inadequate) may be altered so as to admit of this and similar objects being carried out; and that the Petitioner may be appointed to conduct investigations into the nature and value of such indigenous productions in the M'Leay River District.
Petition received.
4. Customs Bill:—
(1.) Mr. Smart moved (without notice) for leave to introduce a Bill, founded on Resolution No. 25 of Ways and Means, to impose, for a limited time, additional Customs Duties.
Question put and passed.
(2.) Mr. Smart having presented this Bill, Bill, intituled, "*A Bill to impose for a limited time additional Customs Duties,*" read a first time.
Ordered to be printed, and read a second time to-morrow.
5. Package Bill:—
(1.) Mr. Smart moved (without notice) for leave to introduce a Bill, founded on Resolution No. 24 of Ways and Means, to impose a charge on Imported Packages.
Question put and passed.
(2.) Mr. Smart having presented this Bill, Bill, intituled, "*A Bill to impose a charge on Imported Packages,*" read a first time.
Ordered to be printed, and read a second time to-morrow.
6. Church of England Synod Bill ("*Formal*" Motion):—Mr. White moved, pursuant to Notice, That the Petition presented by him on 30th May, from the Bishop of Newcastle, against the Church of England Synod Bill, be printed.
Question put and passed.
Ordered to be printed.
7. Postponements:—The undermentioned Orders of the Day of Government Business postponed, respectively, on motion of Mr. Robertson, as follows:—
(1.) Order No. 1, to follow Order No. 3 of Government Business.
(2.) Order No. 2, until to-morrow.
8. Drainage Promotion Bill:—On the Order of the Day (No. 3 of Government Business) for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for such further consideration.
The Chairman having reported the Bill with Amendments, the House adopted the Report, and ordered that the third reading of this Bill, as so reported, stand an Order of the Day for to-morrow.

9. Impounding Bill (Order No. 1 of Government Business):—On motion of Mr. Robertson, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of the Amendments made by the Legislative Council in this Bill.
The Chairman reported that the Committee had agreed to some, and disagreed from others, of the Amendments made by the Legislative Council in this Bill.
Mr. Robertson moved, That this Report be now adopted by this House.
Question put and passed.
10. Ways and Means (Order No. 4 of Government Business):—On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of Ways and Means.
The Chairman reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman, that the said Resolution be received to-morrow.
11. Supply:—On the Order of the Day (No. 5 of Government Business) being read, Mr. Smart moved, "That" the Speaker do now leave the Chair.
Mr. Forster moved, pursuant to *Contingent* Notice, That the Question be amended by omitting all the words thereof after the word "That," with a view to inserting in their place the words, "this House disapproves of the appropriation, by the Executive Government, of the sum of £320 19s. 4d., by way of 'Gratuity to 'M. Fitzpatrick, Esq., Under Secretary for Lands, for performance of duties 'in connection with Minor Roads, from 14th August, 1862, to 21st March, '1864, at the rate of £200 per annum,' as specified in the Correspondence on 'the subject laid upon the Table and ordered by the House to be printed' on 'May 10, 1865.'"
Debate ensued.
Question put,—That the words proposed to be omitted stand part of the Question.
The House divided.

Ayes, 25.		Noes, 14.	
Mr. Cowper,	Mr. Brown.	Mr. Martin,—	<i>Tellers.</i>
Mr. Smart,	Mr. Sutherland,	Mr. Burns,	Mr. Forster,
Mr. Darvall,	Mr. Kemp,	Mr. Driver,	Mr. Macpherson.
Mr. Arnold,	Mr. Garrett,	Mr. Piddington,	
Mr. Dodds,	Mr. Oatley,	Mr. White,	
Mr. Dignam,	Mr. Laycock,	Mr. Wilson,	
Mr. Lee,	Mr. Pemell,	Mr. Buchanan,	
Mr. Eckford,	Mr. Neale,	Mr. Graham,	
Mr. Cummings,	Mr. Burdekin,	Mr. Wisdom,	
Mr. Parkes,	<i>Tellers.</i>	Mr. Gordon,	
Mr. Hurley,	Mr. Egan,	Mr. Phelps,	
Mr. Morrice,	Mr. Hart.	Mr. Robertson,	
Mr. Alexander,			
Mr. Campbell,			

And the House continuing to sit until after Midnight;—

THURSDAY, 1 JUNE, 1865, A.M.

Original Question put and passed.

Whereupon, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of the Supply to be granted to Her Majesty.

The Chairman reported that there was not a Quorum present in the Committee.

Whereupon the Speaker counted the House, and, there being a Quorum present, the Committee resumed.

The Chairman reported the following *Point of Order*:—The Honorable Member for East Macquarie (Mr. Buchanan) had said in the Committee, "This is a "nefarious Government, which has embezzled the people's money not only on this, "but on former occasions."

Whereupon Mr. Hart moved, That the Words reported as used by the Honorable Member for East Macquarie, Mr. Buchanan, are disorderly, and ought to be retracted.

Mr. Buchanan having explained in his place, without denying that he had used the words so reported, withdrew.

Motion made by Mr. Forster, and Question put (after debate), That this House do now adjourn.

The House divided.

Ayes, 5.		Noes, 21.	
Mr. Kemp,		Mr. Cowper,	Mr. Garrett,
Mr. Forster,		Mr. Smart,	Mr. Eckford,
Mr. Wilson,		Mr. Arnold,	Mr. Driver,
<i>Tellers.</i>		Mr. Robertson,	Mr. Dodds,
Mr. Macpherson,		Mr. Burdekin,	Mr. Burns,
Mr. Wisdom,		Mr. Hurley,	Mr. Dignam,
		Mr. Sutherland,	Mr. Darvall,
		Mr. Parkes,	<i>Tellers.</i>
		Mr. Brown,	Mr. Hart,
		Mr. Cummings,	Mr. Lec.
		Mr. Egan,	
		Mr. Graham,	

Main

Main Question stated.

Debate ensued.

Main Question put and passed.

The Honorable Member for East Macquarie (Mr. Buchanan) having been then recalled to his place, the Speaker informed him that the House had come to a decision on the Point of Order reported by the Committee; and, explaining to the Honorable Member the legitimate Parliamentary mode of canvassing the conduct of Government, acquainted him specifically with that decision.

Whereupon, the Honorable Member retracted the words to which exception had been taken, and expressed his regret for having used them.

The Speaker then, on motion of Mr. Smart, left the Chair, and the Committee resumed.

The Chairman reported that there was not a Quorum present in the Committee.

Whereupon the Speaker counted the House, and there being only Seventeen Members present, exclusive of the Speaker, namely,—Mr. Arnold, Mr. Buchanan, Mr. Burdekin, Mr. Burns, Mr. Cowper, Mr. Cummings, Mr. Dignam, Mr. Dodds, Mr. Driver, Mr. Eckford, Mr. Egan, Mr. Garrett, Mr. Hart, Mr. Hurley, Mr. Lee, Mr. Robertson, and Mr. Smart,—

The Speaker adjourned the House at two minutes before Four o'clock, A.M., until Three o'clock, P.M., This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, JUNE 1.

Questions :—

1. MR. PICKERING *to ask* THE COLONIAL SECRETARY,—
(1.) If the Government has received any communication from the Bench of Magistrates at Uralla, recommending Senior Constable John Mullhall, of the Uralla Police, and Constable Murphy, of the Rocky River Police, for promotion, in recognition of their gallant pursuit and capture of two Bushrangers in the early part of the month of April last?
(2.) If such recommendation has been received, is it the intention of the Government to give effect to it?
2. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—
(1.) The amount received from the Clarence District, for Cedar Cutting Licenses, during 1864?
(2.) The amount received the year previous to the License fee being raised?
(3.) What privilege does the payment of the fee confer beyond cutting; does it include the removal, and permission to graze a team of bullocks on the land in the vicinity of the cedar scrub, during such removal?
3. MR. DRIVER *to ask* THE COLONIAL TREASURER,—Whether he has any objection to lay upon the Table of this House, the Correspondence between the Colonial Treasurer and Postmaster General, relating to the appointment and subsequent conduct of late Letter Carrier Williams; and if not, when will the same be ready?
4. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—Is he aware that a free selector named Joseph Armfield, selected in 1862, 153 acres of land in the District of Berrima, near Bendooly; that he has expended upon such land £400, and has made the necessary declaration, which has been approved by the Land Agent—nevertheless the deeds have been refused upon application?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Customs Bill; second reading.
2. Package Bill; second reading.
3. Roads other than Main Roads Bill; to be further considered in Committee.
4. Drainage Promotion Bill; third reading.
5. Ways and Means; resumption of the Committee.
6. Ways and Means; reception of Resolution of Committee.
7. Supply; resumption of the Committee.

OTHER

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. FORSTER to move, That the Petition from E. W. Rudder, presented by him on 31st May, be printed.
2. MR. ROBERTS to move, That the Petition presented by him on the 31st May, from the Roman Catholic Inhabitants of Berrima, against the Church of England Synod Bill, be printed.
3. MR. KEMP to move, That the Petition presented by him on 30th May, from the Clergy and Catholic Laity of the District of Bathurst, against the Church of England Synod Bill, be printed.
4. MR. HART to move, That the Petition presented by him on the 30th May, from James Thomas Thornton, be printed.
5. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
6. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
7. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
8. MR. FORLONGÉ to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
9. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That, with the view of recognising the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
 - (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible for the purpose recommended in the foregoing Resolution.
10. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
11. MR. MACPIERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
12. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

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1. Coal Fields Regulation Act Amendment Bill; consideration in Committee of Legislative Council's Amendments.
2. Claims of Tenants of the Crown—(Case of Mr. William Cummings); consideration in Committee of the following Resolutions, viz.:—
 - (1.) That in the opinion of this House, the Claim of Mr. William Cummings, for injury and loss of property sustained by him on account of the discovery of gold upon his rented Crown Lands, and reported to this House (with other claims) on the 28th April, 1865, by the Select Committee appointed "to inquire into, and report upon, the Claims of Tenants of the Crown lodged with the Government, for injuries done to their properties since the discovery of gold on their rented Crown Lands," is a fit one to be referred to arbitration by the Government.
 - (2.) That an Address, embodying the foregoing resolution, be presented to His Excellency the Governor.
3. Superannuation Act Amendment Bill; second reading.

4. William Tyler; consideration in Committee of the Prayer of his Petition, presented to the House on 23rd May.
5. Police Magistrate at Goulburn; consideration in Committee of the following Resolutions in reference to, viz. :—
 - (1.) That it is expedient that the Police Magistrate at Goulburn should, periodically, visit Taralga and hold a Court of Petty Sessions there, and that provision should be made to defray the expense of such visits.
 - (2.) That an Address be presented to His Excellency the Governor, communicating the foregoing Resolution.
6. Industrial and Provident Societies Bill; second reading.
7. Parramatta Market Bill, *as amended in Select Committee*; second reading.
8. Church of England Synod Bill, *as amended in Select Committee*; second reading.
9. Brands Registration Bill; third reading.
10. Destitute Children's Bill; second reading.
11. Prison Discipline Bill reported; adoption of Report.
12. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
13. Advances to Agents intrusted with Goods Bill; second reading.
14. Australian Agricultural Company's Bill; second reading.
15. Petroleum Bill re-committed; to be further considered in Committee.
16. Criminal Evidence Amendment Bill; second reading.

FRIDAY, JUNE 2.

Questions :—

1. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—
 - (1.) The amount derivable from the alienation of land under pre-emptive right, by auction and free selection, in the Clarence District, since the introduction of Responsible Government?
 - (2.) The amount expended on Public Works in the Clarence District during same period?
 - (3.) The nature of such Public Works performed, and shewing the amount expended thereon?
2. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—
 - (1.) The number of acres in the aggregate on Woodford Island, Clarence River?
 - (2.) The number of acres reserved, and for what purpose?
 - (3.) The number of acres sold under pre-emptive right?
 - (4.) The number of acres sold by auction?
 - (5.) The number of acres taken up by free selectors?
3. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—The amount of rent paid for the Runs known as Ramornie, Newbold, Kangi, and Yulgilbar, in the Clarence District, shewing the number of acres on those Runs respectively?
4. MR. WHITE *to ask* THE COLONIAL TREASURER,—What is the total amount of Land Revenue received at the Treasury during the five months of the present year?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. BUCHANAN *to move*, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of Justice, and deserves the pointed condemnation of this House?
2. MR. LAYCOCK *to move*, That there be laid upon the Table of this House all Correspondence which may have taken place relative to the Bridge proposed to be erected over the Richmond River at Casino; and also, all Correspondence relative to the Punt and Wharf at Casino.

TUESDAY, JUNE 6.

Questions :—

1. MR. LAYCOCK *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) If he is aware that a necessity exists for Buoying the Channel of the Clarence River, and erecting Beacons to steer by?
 - (2.) Will he cause the Channel to be so marked at his earliest convenience?
2. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Is the Government aware that the Bridge over the River Let, near Hartley, is in a very bad state of repair?
 - (2.) Is it the intention of the Government to erect a new bridge in the above locality?

New South Wales.

No. 52.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 1 JUNE, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

(1.) Constables Mulhall and Murphy, of Uralla and Rocky River Police:—Mr. Pickering asked the Colonial Secretary, pursuant to Notice No. 1,—

(1.) If the Government has received any communication from the Bench of Magistrates at Uralla, recommending Senior Constable John Mulhall, of the Uralla Police, and Constable Murphy, of the Rocky River Police, for promotion, in recognition of their gallant pursuit and capture of two Bushrangers in the early part of the month of April last?

(2.) If such recommendation has been received, is it the intention of the Government to give effect to it?

Mr. Cowper answered,—

(1.) The Inspector General of Police reports to me that Acting Superintendent Brown, of Armidale, did bring the conduct of these two constables under his notice with a view to reward; and that the reply of the Inspector General was, that as no reward was offered in this case, though the men acted very commendably in the matter, he did not feel justified in recommending the men for reward until after trial, when the matter might be again brought forward.

(2.) He does not think any recommendation from the Bench at Uralla was attached; nor is it, in his opinion, a case for promotion.

(2.) Cedar Cutting Licenses, Clarence River:—Mr. Laycock asked the Secretary for Lands, pursuant to Notice No. 2,—

(1.) The amount received from the Clarence District, for Cedar Cutting Licenses, during 1864?

(2.) The amount received the year previous to the License fee being raised?

(3.) What privilege does the payment of the fee confer beyond cutting; does it include the removal, and permission to graze a team of bullocks on the land in the vicinity of the cedar scrub, during such removal?

Mr. Robertson answered,—

(1.) The amount received in 1864, was £363.

(2.) The amount received for the year 1861 (inclusive of hardwood), £96; therefore it would be very considerably less than £96 the year before the alteration.

(3.) The payment confers the right of cutting timber or bark and of removing them. As to the right of depasturing working bullocks for the purpose of removal, it conveys no such right; but the Government has never in any way interfered with people using pasture for the purpose of these bullocks employed in the removal of timber.

(3.) Williams, late Letter Carrier:—Mr. Driver asked the Colonial Treasurer, pursuant to Notice No. 3,—Whether he has any objection to lay upon the Table of this House, the Correspondence between the Colonial Treasurer and Postmaster General, relating to the appointment and subsequent conduct of late letter carrier Williams; and if not, when will the same be ready?

Mr. Smart answered,—If the Honorable Member will make a formal motion in the House, I shall have no objection to lay the Papers upon the Table in a day or two.

(4.)

(4.) Free Selection of Joseph Armfield, at Berrima:—Mr. Laycock asked the Secretary for Lands, pursuant to Notice No. 4,—Is he aware that a free selector named Joseph Armfield, selected, in 1862, 153 acres of land in the District of Berrima, near Bendooly; that he has expended upon such land £400, and has made the necessary declaration, which has been approved by the Land Agent—nevertheless the deeds have been refused upon application?

Mr. Robertson answered,—I am aware that a person of this name did select some land in the District of Berrima. That land was within what is called the population reserve, that is, it was within land not open to selection. This person was, although not so speedily as he might have been, warned of this fact. It seems to me that the Land Agent at Berrima was somewhat to blame with regard to it, and therefore I have intimated to this person that it is my intention, by Legislation, to enable him to possess this land, notwithstanding the disability he is now under. There are about a dozen cases of this kind, or perhaps more, that occurred in the first initiation of the law, when the Land Agents themselves scarcely knew what land was, and what was not, open to selection. There will be no difficulty, seeing it is *bonâ fide*, to deal equitably with this man's right, but it will have to be done by Legislation.

2. Drainage Promotion Bill (“*Formal*” *Order of the Day*), on motion of Mr. Robertson, read a third time and *passed*.

Mr. Robertson then moved, That the Title of this Bill be, “*An Act to promote the better Drainage of Lands.*”

Question put and passed.

Whereupon, Mr. Robertson moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,—

The Legislative Assembly having this day passed a Bill, intituled, “*An Act to promote the better Drainage of Lands,*” presents the same to the Legislative Council for its concurrence.

*Legislative Assembly Chamber,
Sydney, 1st June, 1865.*

Speaker.

Question put and passed.

3. Indigenous Productions (“*Formal*” *Motion*):—Mr. Forster moved, pursuant to Notice, That the Petition from E. W. Rudder, presented by him on 31st May, be printed.

Question put and passed.

Ordered to be printed.

4. Church of England Synod Bill (“*Formal*” *Motions*):—

(1.) Mr. Roberts moved, pursuant to Notice, That the Petition presented by him on the 31st May, from the Roman Catholic Inhabitants of Berrima, against the Church of England Synod Bill, be printed.

Question put and passed.

Ordered to be printed.

(2.) Mr. Kemp moved, pursuant to Notice, That the Petition presented by him on 30th May, from the Clergy and Catholic Laity of the District of Bathurst, against the Church of England Synod Bill, be printed.

Question put and passed.

Ordered to be printed.

5. James Thomas Thornton (“*Formal*” *Motion*):—Mr. Hart moved, pursuant to Notice, That the Petition presented by him on the 30th May, from James Thomas Thornton, be printed.

Question put and passed.

Ordered to be printed.

6. Impounding Bill:—Mr. Robertson moved, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated 25th May, 1865, requesting its concurrence in certain Amendments made by the Council in the Impounding Bill,—

Disagrees from the Amendments in page 6, clause 30, lines 21 and 22,—
Because the daily distances thereby proposed will be found in practice too far to drive large numbers of Cattle or Sheep on long journeys,—

And agrees to all the other Amendments.

*Legislative Assembly Chamber,
Sydney, 1st June, 1865.*

Speaker.

Question put and passed.

7. Motion for Adjournment:—Mr. Phelps moved, That this House do now adjourn.
Debate ensued.

Question put and negatived.

8. Postponements:—The undermentioned Orders of the Day of Government Business postponed, respectively, on motion of Mr. Smart, as follows:—

(1.) Order No. 1, to follow Order No. 7 of Government Business.

(2.) Order No. 2, to follow Order No. 1, as postponed.

9. Roads other than Main Roads Bill:—On the Order of the Day (No. 3 of Government Business) for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for such further consideration.

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

10. Assent to Bills :—The following Messages from His Excellency the Governor were delivered by Mr. Cowper, and read by the Speaker :—

(1.) Fisheries Bill :—

JOHN YOUNG,
Governor.

Message, No. 16.

A Bill intituled "*An Act to protect the Fisheries of New South Wales,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 1st June, 1865.*

(2.) Australian Paper Company's Bill :—

JOHN YOUNG,
Governor.

Message No. 17.

A Bill intituled, "*An Act to incorporate the Proprietors of a certain Company called 'The Australian Paper Company' and for other purposes therein mentioned,*" as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bill, and has this day transmitted it to the Legislative Council, to be forwarded to the proper Officer for enrolment, in the manner required by law.

*Government House,
Sydney, 1st June, 1865.*

The House adjourned, on motion of Mr. Cowper, at twenty minutes after Ten o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

FRIDAY, JUNE 2.

Questions :—

1. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—
 - (1.) The amount derivable from the alienation of land under pre-emptive right, by auction and free selection, in the Clarence District, since the introduction of Responsible Government?
 - (2.) The amount expended on Public Works in the Clarence District during same period?
 - (3.) The nature of such Public Works performed, and shewing the amount expended thereon?
2. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—
 - (1.) The number of acres in the aggregate on Woodford Island, Clarence River?
 - (2.) The number of acres reserved, and for what purpose?
 - (3.) The number of acres sold under pre-emptive right?
 - (4.) The number of acres sold by auction?
 - (5.) The number of acres taken up by free selectors?
3. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—The amount of rent paid for the Runs known as Ramornie, Newbold, Kangi, and Yugilbar, in the Clarence District, shewing the number of acres on those Runs respectively?
4. MR. WHITE *to ask* THE COLONIAL TREASURER,—What is the total amount of Land Revenue received at the Treasury during the five months of the present year?
5. MR. LAYCOCK *to ask* THE SECRETARY FOR PUBLIC WORKS,—Is he aware that the Wooden Bridge at Menangle, used for general traffic, is in a dangerous state, from a portion of the planking having been removed?

6.

6. MR. DODDS to ask THE SECRETARY FOR PUBLIC WORKS,—Whether it is the intention of the Government to make any alteration or addition to the present Station House at the Pitnacree Crossing, East Maitland; and if so, when?
7. MR. DONNELLY to ask THE SECRETARY FOR LANDS,—When will he furnish the Return in reference to certain Gold Fields Statistics, which was ordered to be laid upon the Table, by a resolution of this House, on the 28th April last?

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Coal Fields Regulation Act Amendment Bill; consideration in Committee of Legislative Council's Amendments.
2. Claims of Tenants of the Crown—(Case of Mr. William Cummings); consideration in Committee of the following Resolutions, viz.:—
 - (1.) That, in the opinion of this House, the claim of Mr. William Cummings, for injury and loss of property sustained by him on account of the discovery of gold upon his rented Crown Lands, and reported to this House (with other claims) on the 28th April, 1865, by the Select Committee appointed "to inquire into, and report upon, the Claims of Tenants of the Crown lodged with the Government, for injuries done to their properties since the discovery of gold on their rented Crown Lands," is a fit one to be referred to arbitration by the Government.
 - (2.) That an Address, embodying the foregoing Resolution, be presented to His Excellency the Governor.
3. Superannuation Act Amendment Bill; second reading.
4. William Tyler; consideration in Committee of the prayer of his Petition, presented to the House on 23rd May.
5. Police Magistrate at Goulburn; consideration in Committee of the following Resolutions in reference to, viz.:—
 - (1.) That it is expedient that the Police Magistrate at Goulburn should, periodically, visit Taralga and hold a Court of Petty Sessions there, and that provision should be made to defray the expense of such visits.
 - (2.) That an Address be presented to His Excellency the Governor, communicating the foregoing Resolution.
6. Industrial and Provident Societies Bill; second reading.
7. Parramatta Market Bill, *as amended in Select Committee*; second reading.
8. Church of England Synod Bill, *as amended in Select Committee*; second reading.
9. Brands Registration Bill; third reading.
10. Destitute Children's Bill; second reading.
11. Prison Discipline Bill reported; adoption of Report.
12. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
13. Advances to Agents intrusted with Goods Bill; second reading.
14. Australian Agricultural Company's Bill; second reading.
15. Petroleum Bill re-committed; to be further considered in Committee.
16. Criminal Evidence Amendment Bill; second reading.

NOTICES OF MOTION:—

1. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of justice, and deserves the pointed condemnation of this House.
2. MR. LAYCOCK to move, That there be laid upon the Table of this House, all Correspondence which may have taken place relative to the Bridge proposed to be erected over the Richmond River at Casino; and also, all Correspondence relative to the Punt and Wharf at Casino.
3. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid upon the Table of this House, copies of all Correspondence between the Colonial Treasurer and Postmaster General relating to the appointment and subsequent conduct of late letter carrier Williams.
4. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
5. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as “a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation,” be rescinded, on account of an inaccuracy in the said citation.
6. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
7. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.

8. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions :—
- (1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
- (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible, for the purpose recommended in the foregoing Resolution.
9. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
10. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
- (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
- (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
- (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
11. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Roads other than Main Roads Bill; to be further considered in Committee.
2. Ways and Means; resumption of the Committee.
3. Ways and Means; reception of Resolution of Committee.
4. Supply; resumption of the Committee.
5. Customs Bill; second reading.
6. Package Bill; second reading.

TUESDAY, JUNE 6.

Questions :—

1. MR. LAYCOCK to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) If he is aware that a necessity exists for Buoying the Channel of the Clarence River, and erecting Beacons to steer by?
 - (2.) Will he cause the Channel to be so marked at his earliest convenience?
2. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Is the Government aware that the Bridge over the River Let, near Hartley, is in a very bad state of repair?
 - (2.) Is it the intention of the Government to erect a new bridge in the above locality?



New South Wales.

No. 53.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 2 JUNE, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Lands Alienated, and Public Works, Clarence District:—Mr. Laycock asked the Secretary for Lands, pursuant to Notice No. 1,—

(1.) The amount derivable from the alienation of land under pre-emptive right, by auction and free selection, in the Clarence District, since the introduction of Responsible Government?

(2.) The amount expended on Public Works in the Clarence District during same period?

(3.) The nature of such Public Works performed, and shewing the amount expended thereon?

Mr. Robertson answered,—The information sought by the Honorable Member is usually obtainable by way of Motion. It would be impossible for me, upon a day's notice, to find out all these matters. If the Honorable Member had moved for the Returns, no doubt they would have been prepared. However, I do not desire to refuse the information, and probably I shall be able to give it within a week.

- (2.) Woodford Island, Clarence River:—Mr. Laycock asked the Secretary for Lands, pursuant to Notice No. 2,—

(1.) The number of acres in the aggregate on Woodford Island, Clarence River?

(2.) The number of acres reserved, and for what purpose?

(3.) The number of acres sold under pre-emptive right?

(4.) The number of acres sold by auction?

(5.) The number of acres taken up by free selectors?

Mr. Robertson answered,—

(1.) About 17,500 acres.

(2.) 680 acres. 580 acres have been reserved from sale until survey for water supply or other public purposes, and 100 acres for village site.

(3.) 1,008 acres.

(4.) 1,399 acres.

(5.) 2,840 acres. Leaving 1,843 acres measured and open either to conditional purchase or selection after auction.

- (3.) Certain Runs, Clarence District:—Mr. Laycock asked the Secretary for Lands, pursuant to Notice No. 3,—The amount of rent paid for the Runs known as Ramornie, Newbold, Kangi, and Yugalbar, in the Clarence District, shewing the number of acres on those Runs respectively?

Mr. Robertson answered,—The amount of rent and approximate area of the runs referred to, is as follows:—"Ramornie" contains 56,000 acres, rent £105; "Newbold Grange" contains 35,000 acres, rent £10, assessment £52 10s.; "Kangi" contains 8,000 acres, rent £10, assessment £28 2s. 6d.; "Yugalbar East," contains 115,000 acres, rent £165; "Yugalbar West" contains 156,800 acres, the rent is £90, and the assessment £274 4s. 5d.

(4.)

- (4.) Amount of Land Revenue received during current year :—Mr. White asked the Colonial Treasurer, pursuant to Notice No. 4,—What is the total amount of Land Revenue received at the Treasury during the five months of the present year ?
Mr. Smart answered,—The total amount received to the 30th May, was £76,071 7s. 10d.

Suspense balance	£5,934
Interest.....	2,604

£8,538

I presume that it is known to the Honorable Member that the rentals of Crown Lands are receivable only in the last quarter of the year, and that the greatest sales are then calculated upon.

- (5.) Wooden Bridge at Menangle :—Mr. Laycock asked the Secretary for Public Works, pursuant to Notice No. 5,—Is he aware that the Wooden Bridge at Menangle, used for general traffic, is in a dangerous state, from a portion of the planking having been removed ?

Mr. Arnold answered,—The only information I have with regard to this matter is, that some short time ago a report was made that this bridge required repairs, and direction was immediately given that these repairs should be made. It is quite possible that, in the course of making these repairs, the state of things the Honorable Member alludes to may have occurred, but I have no information of it.

- (6.) Station House, Pitnacree Crossing, East Maitland :—Mr. Dodds asked the Secretary for Public Works, pursuant to Notice No. 6,—Whether it is the intention of the Government to make any alteration or addition to the present Station House at the Pitnacree Crossing, East Maitland ; and if so, when ?

Mr. Arnold answered,—It is the intention of the Government to make some additions which are required to the present Station House at the junction of the Great Northern and Morpeth Lines, and direction has been given to prepare plans for this purpose. I am not able to inform the Honorable Member precisely when that alteration will be made ; it must depend upon the state of our account at the Bank.

- (7.) Gold Fields Statistics :—Mr. Donnelly asked the Secretary for Lands, pursuant to Notice No. 7,—When will he furnish the Return in reference to certain Gold Fields Statistics, which was ordered to be laid upon the Table, by a resolution of this House, on the 23th April last ?

Mr. Robertson answered,—I think I shall be able to lay them upon the Table to-day.

2. Bridge, Punt, and Wharf, at Casino, Richmond River (*"Formal Motion"*) :—
Mr. Laycock moved, pursuant to Notice, That there be laid upon the Table of this House all Correspondence which may have taken place relative to the Bridge proposed to be erected over the Richmond River at Casino ; and also, all Correspondence relative to the Punt and Wharf at Casino.
Question put and passed.
3. Stamp Duties Bill :—Mr. Hannell presented a Petition from the Members of the Newcastle Investment and Building Society held at Newcastle, praying that Building Societies may, by the insertion of a clause in the said Bill, be exempted from the operation of the proposed Stamp Duties.
Petition received.
4. Papers :—Mr. Smart laid upon the Table the undermentioned Papers :—
 - (1.) Return to Order, in reference to "Steam Postal Communication with Great Britain by Torres Straits," made by this House, on motion of Mr. Forster, on 21st March, 1865.
 - (2.) Steam Postal Service (Further Correspondence).
 - (3.) Gold Currency for India (Despatch from Secretary of State to Sir John Young).
Ordered to be printed.
5. Coal Fields Regulation Act Amendment Bill :—On motion of Mr. Tighe, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, to consider of the Amendments made by the Legislative Council in this Bill.
The Chairman reported that the Committee had disagreed from the Amendments made by the Legislative Council in this Bill.
6. Claims of Tenants of the Crown (Case of Mr. William Cummings) :—On motion of Mr. Cumneen, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the following Resolutions :—
 - (1.) That in the opinion of this House, the Claim of Mr. William Cummings, for injury and loss of property sustained by him on account of the discovery of gold upon his rented Crown Lands, and reported to this House (with other claims) on the 28th April, 1865, by the Select Committee appointed "to inquire into, and report upon, the Claims of Tenants of the Crown lodged with the Government, for injuries done to their properties since the discovery of gold on their rented Crown Lands," is a fit one to be referred to arbitration by the Government.
 - (2.) That an Address, embodying the foregoing resolution, be presented to His Excellency the Governor.

The Speaker resumed the Chair.

7. Superannuation Act Amendment Bill:—Mr. Forster moved, That this Bill be now read a second time.
Debate ensued.
Mr. Wisdom moved, That this Debate be now adjourned until this day month.
Debate ensued.
Question,—That this Debate be now adjourned until this day month,—put and passed.
8. William Tyler:—On motion of Dr. Lang, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for consideration of the prayer of the Petition of William Tyler, presented to the House on 23rd May (setting forth many and great losses alleged to have been sustained by Petitioner from floods, and other circumstances, in carrying out his Contract for the erection of the Nepean Bridge, at Penrith, on the Great Western Railway, and praying relief.)

The Speaker resumed the Chair.

9. Police Magistrate at Goulburn:—On motion of Mr. Dignam, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of the following Resolutions:—
(1.) That it is expedient that the Police Magistrate at Goulburn should, periodically, visit Taralga and hold a Court of Petty Sessions there, and that provision should be made to defray the expense of such visits.
(2.) That an Address be presented to His Excellency the Governor, communicating the foregoing Resolution.

And the Committee having continued to sit till after Midnight;—

SATURDAY, 3 JUNE, 1865, A.M.

The Speaker resumed the Chair.

10. Industrial and Provident Societies Bill, on motion of Mr. Cowper, read a second time.
Mr. Cowper then moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole for the consideration of this Bill.
Debate ensued.
Motion by leave withdrawn.
Ordered, on motion of Mr. Cowper, that the consideration in Committee of this Bill stand an Order of the Day for Tuesday next.
11. Parramatta Market Bill, as amended in Select Committee, on motion of Mr. Farnell, read a second time.
Whereupon, on motion of Mr. Farnell, the Speaker left the Chair, and the House 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.
12. Adjournment:—Mr. Cowper moved, That this House do now adjourn.
Debate ensued.
Question put.
The House divided.

Ayes, 13.

Mr. Cowper,	Mr. Forster,
Mr. Arnold,	Mr. Farnell,
Mr. Smart,	Mr. Dodds,
Mr. Driver,	<i>Tellers.</i>
Mr. Robertson,	Mr. Lucas,
Mr. Sutherland,	Mr. Garrett.
Mr. De Salis,	
Mr. Mate,	

Noes, 11.

Mr. Kemp,	Mr. Cummings,
Mr. Wisdom,	<i>Tellers.</i>
Mr. Egan,	Mr. Wilson,
Mr. Graham,	Mr. Burns,
Mr. Piddington,	
Mr. Hart,	
Mr. Dignam,	
Mr. Cunneen,	

Whereupon the Speaker left the Chair, and the House stood adjourned at half-past Twelve o'clock, A.M., until Tuesday next, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

TUESDAY, JUNE 6.

Questions :—

1. MR. LAYCOCK *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) If he is aware that a necessity exists for Buoying the Channel of the Clarence River, and erecting Beacons to steer by?
(2.) Will he cause the Channel to be so marked at his earliest convenience?
2. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) Is the Government aware that the Bridge over the River Let, near Hartley, is in a very bad state of repair?
(2.) Is it the intention of the Government to erect a new Bridge in the above locality?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Roads other than Main Roads Bill; to be further considered in Committee.
2. Ways and Means; resumption of the Committee.
3. Ways and Means; reception of Resolution of Committee.
4. Supply; resumption of the Committee.
5. Customs Bill; second reading.
6. Package Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HANNELL *to move*, That the Petition presented by him on the 2nd June, from the Members of the Newcastle Investment and Building Society, relative to the Stamp Duties Bill, be printed.
2. MR. HART *to move* :—
(1.) That the Petition of Mr. E. J. H. Knapp, presented by him on the 9th May, be referred for the investigation and report of a Select Committee.
(2.) That such Committee consist of the following Members, viz. :—Mr. Josephson, Mr. Macpherson, Mr. Pemell, Mr. Tunks, Mr. Forster, Mr. Brown, Mr. Wilson, Mr. Lucas, Mr. Hurley, and the Mover.
3. MR. BUCHANAN *to move*, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of Justice, and deserves the pointed condemnation of this House?
4. MR. DRIVER *to move*, That an Address be presented to the Governor, praying that His Excellency will cause to be laid upon the Table of this House, copies of all Correspondence between the Colonial Treasurer and Postmaster General relating to the appointment and subsequent conduct of late letter carrier Williams.
5. MR. BUCHANAN *to move*, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
6. MR. BURDEKIN *to move*, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
7. MR. BURDEKIN *to move* for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
8. MR. FORLONGE *to move*, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
9. DR. LANG *to move*, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions :—
(1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
(2.) That it is desirable that a Bill should be submitted to Parliament as early as possible for the purpose recommended in the foregoing Resolution.

10. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
11. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
12. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

ORDERS OF THE DAY:—

1. Industrial and Provident Societies Bill; to be considered in Committee.
2. Parramatta Market Bill, *as amended in Select Committee*; to be further considered in Committee of the Whole.
3. Church of England Synod Bill, *as amended in Select Committee*; second reading.
4. Brands Registration Bill; third reading.
5. Destitute Children's Bill; second reading.
6. Prison Discipline Bill reported; adoption of Report.
7. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
8. Advances to Agents intrusted with Goods Bill; second reading.
9. Australian Agricultural Company's Bill; second reading.
10. Petroleum Bill re-committed; to be further considered in Committee.
11. Criminal Evidence Amendment Bill; second reading.

FRIDAY, JUNE 30.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Superannuation Act Amendment Bill; resumption of Adjourned Debate on motion of Mr. Forster, “That this Bill be now read a second time.”



New South Wales.

No. 54.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 6 JUNE, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Channel of River Clarence:—Mr. Laycock asked the Secretary for Public Works, pursuant to Notice No. 1,—

(1.) If he is aware that a necessity exists for Buoying the Channel of the Clarence River, and erecting Beacons to steer by?

(2.) Will he cause the Channel to be so marked at his earliest convenience?

Mr. Arnold answered,—Up to the present moment no complaints have been made of inconvenience arising from the want of buoys spoken of in the question. I find, however, that some beacons have already been placed so as to mark this channel; if it is found that more are required, they might be paid for out of the vote for the improvement of the Clarence River, of which there is at the present time an available balance.

- (2.) Bridge over River Let, Hartley:—Mr. Lucas asked the Secretary for Public Works, pursuant to Notice No. 2,—

(1.) Is the Government aware that the Bridge over the River Let, near Hartley, is in a very bad state of repair?

(2.) Is it the intention of the Government to erect a new bridge in the above locality?

Mr. Arnold answered,—The Government are aware that the bridge over the Let has for some time past frequently required repairs, and these repairs have been made as they became necessary. Should it be necessary to erect a new bridge, some provision will be made for that purpose next year, but it is not thought that any steps will be necessary beyond keeping the bridge in repair for another year, at least.

2. William Cronan:—Mr. Buchanan presented a Petition from William Cronan, of Sydney, representing that, having been a digger at Lambing Flat, and being desirous of removing from thence, he offered a certain sum of money in gold for safe custody to the resident Gold Commissioners, but that these officers declined the charge, and that he was subsequently robbed of the money, since which he has become almost blind and incapable of resuming the occupation of a digger; and praying favourable consideration and equity in the premises.
Petition received.

3. Paper:—Mr. Cowper laid upon the Table, Despatch from the Secretary of State for the Colonies, dated 17th January, 1865 (with Enclosure), respecting state of Colonial Prisons.

Ordered to be printed.

4. Church of England Synod Bill:—Mr. Cowper presented a Petition from the Bishop of Goulburn, praying that this House will pass the said Bill, first introducing therein a clause or clauses whereby his Diocese, or any other Diocese in the Colony, may be allowed to avail itself of its provisions, on certain conditions.
Petition received.

5. Mr. E. J. H. Knapp (*Formal Motion*):—Mr. Hart moved, pursuant to Notice,—

(1.) That the Petition of Mr. E. J. H. Knapp, presented by him on the 9th May, be referred for the investigation and report of a Select Committee.

(2.) That such Committee consist of the following Members viz.:—Mr. Josephson, Mr. Macpherson, Mr. Pemell, Mr. Tunks, Mr. Forster, Mr. Brown, Mr. Wilson, Mr. Lucas, Mr. Hurley, and the Mover.

Question put and passed.

6. Customs Duties :—Mr. Hart presented a Petition from certain Licensed Publicans of the City of Sydney and its suburbs, referring to the proposed Increase of the Duties on certain Spirituous Liquors sold by the Petitioners, and praying that the increased duties may not be imposed upon them.
Petition received.
7. Postponements :—The undermentioned Orders of the Day of Government Business postponed, respectively, on motion of the Members named, as follows :—
(1.) Order No. 1, to follow Order No. 6 of Government Business. Mr. Robertson.
(2.) Order No. 2, to follow Order No. 1, *as postponed*. Mr. Smart.
8. Ways and Means (Order No. 3 of Government Business) :—The Chairman of Committees reported, from the Committee of Ways and Means, a Resolution, which was read a first time, as follows :—
(26.) *Resolved*,—That it is expedient to empower the Government to raise from time to time, in one or more sum or sums, towards defraying the expense of certain Services specified in certain Acts already passed, a sum not exceeding eight hundred and fifty thousand pounds, by the sale of Debentures, bearing Interest at not more than five per centum per annum, and falling due within ten years, of which not less than one hundred thousand pounds shall fall due in any one year, commencing in the year one thousand eight hundred and sixty-seven.
Mr. Smart then moved, That this Resolution be now read a second time.
Debate ensued.
Question put and passed.
And Resolution read a second time.
Resolution then, on motion of Mr. Smart, agreed to.
9. Supply (Order No. 4 of Government Business) :—
(1.) On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of the Supply to be granted to Her Majesty.
The Chairman reported that the Committee had come to certain Resolutions, and moved, That these Resolutions be *now* received.
Question,—That the said Resolutions be now received, put, *with the concurrence of the House*, and passed.
The Chairman then reported certain Resolutions, which were read a first time as follow :—

SUPPLEMENTARY ESTIMATES FOR 1864.

No. I.—SCHEDULES.

- (4.) Resolved, that there be granted to Her Majesty, for the year 1864, a sum not exceeding £131 15s. 3d., to defray supplementary charge for Pensions; being £68 17s. 3d. for David Moores, late Foreman, Stationery Branch of Colonial Stores, from 1st August, 1863, to 31st December, 1864, at the rate of £48 12s. 2d. per annum; and £62 18s. for John Hayes, late Storehouseman, Colonial Stores, from 1st August, 1863, to 31st December, 1864, at the rate of £44 8s. per annum.

No. II.—EXECUTIVE AND LEGISLATIVE.

- (5.) Resolved, that there be granted to Her Majesty, a sum not exceeding £130 16s. 3d., to defray supplementary charge for the Legislative Council and Assembly Joint Establishments, for the year 1864.

No. III.—CHIEF SECRETARY.

- (6.) Resolved, that there be granted to Her Majesty, a sum not exceeding £227 19s. 2d., to defray supplementary charge for Military Allowance (*Artillery*), for the year 1864.
(7.) Resolved, that there be granted to Her Majesty, a sum not exceeding £210 7s. 4d., to defray supplementary charge for Volunteers, for the year 1864.
(8.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,749 13s. 11d., to defray supplementary charge for Police, for the year 1864.
(9.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,513 2s. 4d. to defray supplementary charge for Gaols, for the year 1864.
(10.) Resolved, that there be granted to Her Majesty, a sum not exceeding £39 18s., to defray supplementary charge for Penal Establishment, Cockatoo Island, for the year 1864.
(11.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,916 6s. 2d., to defray supplementary charge for Lunatic Asylum, Parramatta, for the year 1864.
(12.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,228 13s. 8d., to defray supplementary charge for Roman Catholic Orphan School, for the year 1864.
(13.) Resolved, that there be granted to Her Majesty, a sum not exceeding £70 17s. 8d., to defray supplementary charge for Vaccine Institutions, for the year 1864.
(14.) Resolved, that there be granted to Her Majesty, a sum not exceeding £260 6s. 5d., to defray supplementary charge for the Observatory, for the year 1864.

(15.)

(15.) Resolved, that there be granted to Her Majesty, a sum not exceeding £646 14s. 4d., to defray supplementary charge for Asylums for the Infirm and Destitute, for the year 1864.

(16.) Resolved, that there be granted to Her Majesty, a sum not exceeding £300, to defray supplementary charge for Grants in Aid of Public Institutions, for the year 1864; being £100 in aid of the Richmond School of Arts, on condition of an equal amount being raised by private contribution, further sum; and £200 in aid of the Wollongong School of Arts, on same condition.

(17.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,121 19s. 5d., to defray supplementary charge for Miscellaneous Services for the year 1864; being £1,800 for defraying expenses of the Returning Officers of the several Electoral Districts, further sum; £40 towards the erection of a Public Pound at Hartley; £10 towards the erection of a Public Pound at Wollongong; £33 2s. for Medical Attendance and Medicines supplied to Paupers at Lambing Flat, in 1862; £100 towards the publication of Bentham's Work on the Flora of Australia, further sum; £2,200 1s. 4d. for Relief to Sufferers by Floods in the District of Maitland; £219 15s. 9d. for Provisions and Blankets for Sufferers by Floods in the M'Leay River District; £166 8s. 10d. for Provisions and Blankets for Sufferers by Floods in the District of Windsor; £85 9s. 6d. for Relief to Sufferers by Floods in the District of Gunnedah, being an amount equal to that contributed by the Inhabitants; £1,200 15s. for Relief to Sufferers by Floods in the Hawkesbury District, being an amount equal to that locally contributed; £200 for Relief to actual distress in the Camden and Picton Districts; and £7 7s. for Seed Wheat supplied to Settlers in 1862, further sum.

NO. IV.—ADMINISTRATION OF JUSTICE.

(18.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,909 6s. 9d., to defray supplementary charge for Supreme and Circuit Courts, for the year 1864.

(19.) Resolved, that there be granted to Her Majesty, a sum not exceeding £18, to defray supplementary charge for District Courts, for the year 1864.

(20.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,159 10s., to defray supplementary charge for Quarter Sessions, for the year 1864.

(21.) Resolved, that there be granted to Her Majesty, a sum not exceeding £25 1s. 4d., to defray supplementary charge for Coroners' Inquests, for the year 1864.

(22.) Resolved, that there be granted to Her Majesty, a sum not exceeding £116 for Court of Claims, for the year 1864.

(23.) Resolved, that there be granted to Her Majesty, a sum not exceeding £11,561 12s., to defray supplementary charge for Miscellaneous Services, for the year 1864; being £80 7s. for Travelling Expenses of the Curator of Intestate Estates, and others, to Wagga Wagga, as Crown Witnesses, relative to the embezzlement by the late Clerk of Petty Sessions, in the matter of the Estate of Mr. Andrew Demery, deceased; £341 3s. 8d. for Law Expenses, *Pearce v. Bruce—Seizure of Contraband Cattle*; £104 19s. 4d. for Law Expenses, *Peisley and others v. the Commissioner for Railways*; £490 4s. 1d. for Law Expenses, *Attorney General v. Eagar—Church and School Lands*; £500 19s. 8d. for Law Expenses, *The Queen ats. Holdsworth and others—Moruya Breakwater Works*; £7,321 9s. to cover the Verdict and other Expenses in the case of *Robertson ats. Dumaresq*; £1,000 for Law Expenses, *Graham and others, v. Berry*; and £1,722 9s. 3d. for Law Expenses in 1862, *Berry v. Graham*.

NO. V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

(24.) Resolved, that there be granted to Her Majesty, a sum not exceeding £762 10s., to defray supplementary charge for the Treasury, for the year 1864.

(25.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,197 3s. 8d., to defray supplementary charge for Customs Establishment, for the year 1864.

(26.) Resolved, that there be granted to Her Majesty, a sum not exceeding £54 8s. 4d., to defray supplementary charge for the Sydney Branch of the Royal Mint, for the year 1864.

(27.) Resolved, that there be granted to Her Majesty, a sum not exceeding £245 0s. 4d., to defray the supplementary charge for Post Office, for the year 1864.

(28.) Resolved, that there be granted to Her Majesty, a sum not exceeding £174 3s. 10d., to defray supplementary charge for the Money Order Department, for the year 1864.

(29.) Resolved, that there be granted to Her Majesty, a sum not exceeding £18,606 4s. 5d., to defray supplementary charge for Stores and Stationery, for the year 1864.

(30.) Resolved, that there be granted to Her Majesty, a sum not exceeding £26, to defray supplementary charge for Quarantine, for the year 1864.

(31.) Resolved, that there be granted to Her Majesty, a sum not exceeding £15 6s. 5d., to defray supplementary charge for Glebe Island Abattoirs, for the year 1864.

(32.)

(32.) Resolved, that there be granted to Her Majesty, a sum not exceeding £587 0s. 9d., to defray supplementary charge for Harbours, Light-houses, and Pilot Department, for the year 1864.

(33.) Resolved, that there be granted to Her Majesty, a sum not exceeding £12,388 2s. 5d., to defray Miscellaneous Services, for the year 1864; being £850 5s. 2d. for Postage for the various Public Departments, 1863, further sum; £700 for Postage for the various Public Departments, 1864, further sum; £389 4s. 2d. for the transmission of Telegraphic Messages, 1863, further sum; £544 12s. for the transmission of Telegraphic Messages, 1864, further sum; £1,216 2s. 11d. Interest on overdrawn Bank Account—Bank of New South Wales; and £8,687 18s. 2d. Interest on overdrawn Bank Account—Oriental Bank Corporation, London.

NO. VI.—SECRETARY FOR LANDS.

(34.) Resolved, that there be granted to Her Majesty, a sum not exceeding £406 8s. 9d., to defray supplementary charge for Survey of Lands, for the year 1864.

(35.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,003 13s. 2d., to defray supplementary charge for Commission to Land Agents, Appraisers, and others, and for advertising for the Public Service generally, for the year 1864.

(36.) Resolved, that there be granted to Her Majesty, a sum not exceeding £459 12s. 4d., to defray supplementary charge for Management of Alpacas, for the year 1864.

(37.) Resolved, that there be granted to Her Majesty, a sum not exceeding £55 18s., to defray supplementary charge for Coal Fields, for the year 1864.

(38.) Resolved, that there be granted to Her Majesty, a sum not exceeding £250, to defray supplementary charge for Government Domains, for the year 1864.

(39.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,773 9s. 2d., to defray supplementary charge for Roads other than Main Roads, for the year 1864; being £120 5s. 8d. for Salaries; £50 9s. 9d. for Contingencies; £111 1s. 6d. for formation of the portion of Road leading through the Abattoirs at Glebe Island; £67 10s. for rent of the Toll-bar on the Mudbank Road, from 1st January to 30th June last, to be refunded to the Trustees; £345 for rental of the Windsor Ferry, for 1864, to be refunded to the Trustees; £143 5s. for fencing Road through Joseph Kenyon's enclosed land on the Smithfield and Parramatta Road; £264 for fencing Road from Singleton to Belford, through James Miller's enclosed land; £91 10s. for fencing Road from Summer Hill Copper Mines to Isabella River, *via* Truskett's Flat; £36 4s. for fencing Road from Blandford to Box Tree Flat; £89 3s. 3d. for refund to Mr. Beaumont, of amount expended by him in repairs to the Mudbank and Bunnerong Road; £200 for repair of Road from the Appin and Mount Keira Road, *via* Douglass Park Railway Station, to Mcnangle; £200 for Bridge over Wyong Creek, on Road from Maitland to Gosford; and £55 for Road, Upper Dawson and Fitzroy River—amount of outstanding Cheque against balance of Vote of 1858 written off.

(40.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,414 16s. 9d., to defray supplementary charge for Miscellaneous Services, for the year 1864; being £100 remuneration to Hugh Cameron, for services as Special Inspector under the late Scab Act; £137 10s. refund of Fine on J. H. Scott, for crossing Sheep into this Colony from Queensland, without the requisite Certificate from the Inspector; £10 for compensation to James Backhouse, for damage to his property at Guyong, by an alteration of the Great Western Road; £250 for compensation to R. A. Rodd, for Sheep destroyed under Scab in Sheep Act; £232 12s. for compensation to Mr. J. Blaxland, for Sheep destroyed under the same Act; £10 for compensation for Cattle destroyed on account of Pleuropneumonia, *viz.*,—John Keane, £8 5s., Joseph Wharton, £1 15s.; £21 13s. 6d. for compensation for Land taken at Jugiong, for the formation of Audley-street; £503 13s. 3d. for salaries and travelling expenses of Sheep Inspectors, 1863, further sum; £14 8s. for completion of fencing Cemetery at Bundarra; £35 for fencing the old Public Cemetery at Forbes; and £100 for fencing Cemetery at Forbes (new ground).

NO. VII.—SECRETARY FOR PUBLIC WORKS.

(41.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,184 16s. 8d., to defray supplementary charge for Railways, for the year 1864.

(42.) Resolved, that there be granted to Her Majesty, a sum not exceeding £217 12s. 4d., to defray supplementary charge for Harbours and Rivers, for the year 1864.

(43.) Resolved, that there be granted to Her Majesty, a sum not exceeding £300, to defray supplementary charge for Colonial Architect's Office, for the year 1864.

(44.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,558 9s., to defray supplementary charge for Works and Buildings, for the year 1864; being £4,100 for alterations to Benevolent Asylum, Liverpool; £62 15s. 6d. for fencing Cemetery, Parramatta, further sum; £500 for rebuilding portion of Wall, Lunatic Asylum, Parramatta; £900 for erection of Residence for Signal Master,

Master, South Head; £500 for repairs to Military Buildings, further sum; £166 14s. 6d. to cover expense of Furniture for Government House in 1861; £22 10s. to cover expense of Vases for Terrace Garden, Government House; £2,000 for erection of Wall in the Sydney Gaol; £42 9s. for Furniture and Fittings, 1860, further sum; £168 for lighting Government Lamps in Streets of Sydney, and Domain, further sum; and £96 for fencing in Court House and Gaol, Deniliquin.

(45.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,075, to defray supplementary charge for Roads and Bridges, &c., for the year 1864; being £60 for Approach to Railway Station, Branxton; £400 for Approach to Railway Station, South Creek; £350 for Approach to Railway Station, Petersham; £250 for Approach to Railway Station, Morpeth; £440 for Punt at Tabulam and Approaches, further sum; £900 for Bridge over Christmas Creek, McLeay River; and £675 for construction of six Toll-houses on Main Roads.

(46.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,950, to defray supplementary charge for Flood Repairs, for the year 1864; being £1,200 for repair of damage, 1st District, Great Northern Road; £600 for repair of damage, Road between East and West Maitland; £600 for repair of damage, Road between East Maitland and Hinton Ferry, *via* Morpeth; £1,200 for repair of damage, 1st District, Great Western Road; £300 for repair of damage, 1st District, Great Southern Road; £50 for repair of damage to Crossing-place at Breeza; £500 for repair of damage to Bridges, Clyde River Road; and £500 for repair of damage, Araluen Road.

(47.) Resolved, that there be granted to Her Majesty, a sum not exceeding £153 10s., to defray supplementary charge for Electric Telegraph Department, for the year 1864.

(48.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,870 18s. 9d., to defray supplementary charge for Miscellaneous Services, for the year 1864; being £250, Gratuity to Mrs. Trader; and £1,620 18s. 9d., amount of Award and Costs to Mr. M. Faviell, on account of his Contract for Tank Stream.

UNCLASSIFIED EXPENDITURE.

(49.) Resolved, that there be granted to Her Majesty, a sum not exceeding £25,525 3s. 3d.; being to cover payments made on account of Services of 1863 and previous years, after the balances of appropriations available for such were written off in the books of the Treasury, under the authority of the Executive Council's Minute of 2nd August last, as per Schedule to Supplementary Estimates for 1864.

TO BE RAISED BY LOAN.

NO. VI.—SECRETARY FOR LANDS.

(50.) Resolved, that there be granted to Her Majesty, to be raised by Loan, a sum not exceeding £850, to defray supplementary charge for Government Domains, for the year 1864; being for the erection of a Dwarf Wall and Railing between the Domain and the reclaimed Land in Woolloomooloo Bay, and for a Gate to the same, and a new Gate in Palmer-street.

NO. VII.—SECRETARY FOR PUBLIC WORKS.

(51.) Resolved, that there be granted to Her Majesty, to be raised by Loan, a sum not exceeding £20,300, to defray supplementary charge for Railways, for the year 1864; being £650, erection of Railway Station at Riverstone; £650, erection of Railway Station at Mulgrave; £9,000, for forty additional Ballast and Goods Trucks for Railway Traffic; and £10,000 for Windsor and Richmond Railway, further sum.

(52.) Resolved, that there be granted to Her Majesty, to be raised by Loan, a sum not exceeding £12,900, to defray supplementary charge for Harbours and Rivers, for the year 1864; being £3,900, reclamation of Land, Woolloomooloo Bay, further sum; and 9,000, erection of a Bridge at Pittwater.

(53.) Resolved, that there be granted to Her Majesty, to be raised by Loan, a sum not exceeding £5,000, to defray supplementary charge for the Colonial Architect, for the year 1864, being towards completion of Australian Museum.

ESTIMATES OF EXPENDITURE, 1865.

No. I.—SCHEDULES.

(54.) Resolved, that there be granted to Her Majesty, for the year 1865, a sum not exceeding £2,007 8s. 5d., to defray Pensions not provided for by Schedule (B) to Schedule (No. 1) of the Act of the Imperial Parliament 18 and 19 Vict., cap. 54, being inclusive of £1,233 6s. 8d., as follows, that is to say:—£200 to Lady Forbes, Widow of the late Sir Francis Forbes, Chief Justice; £200 to Lady Dowling, Widow of the late Sir James Dowling, Chief Justice; £200 to Lady Mitchell, Widow of the late Sir Thomas Mitchell, Surveyor General; £100 to Mrs. Anne Kinchela, Widow of the late Mr. Justice Kinchela; £100 to Mrs. Anne Petrie, Daughter of the late Captain Flinders, R.N.; £133 6s. 8d. to Edward Robert Stack, late Master of the Benevolent Asylum, Sydney; and £300 to William Bland, in consideration of services rendered to the Public.

No. II.—EXECUTIVE AND LEGISLATIVE.

(55.) Resolved, that there be granted to Her Majesty, a sum not exceeding £720, to defray the salaries and contingencies of the Executive Council Establishment, for the year 1865.

(56.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,823, to defray the salaries and contingencies of the Legislative Council Establishment, for the year 1865.

(57.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,263, to defray the salaries and contingencies of the Legislative Assembly Establishment, for the year 1865.

(58.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,056, to defray the salaries and contingencies of the Joint Establishment of the Legislative Council and Assembly, for the year 1865.

(59.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,601, to defray salaries and contingencies of the Parliamentary Library Establishment, for the year 1865.

No. III.—CHIEF SECRETARY.

(60.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,755, to defray the salaries and contingencies of the Chief Secretary's Establishment, for the year 1865.

(61.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,273, to defray the Military Allowance (Infantry), for the year 1865.

(62.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,456, to defray the expense of the Artillery, for the year 1865.

(63.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,329, to meet the expense of Artillery and Rifle Volunteer Corps, for the year 1865.

(64.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,400, to meet the expense of a Naval Brigade, for the year 1865.

(65.) Resolved, that there be granted to Her Majesty, a sum not exceeding £152,325, to defray the salaries and contingencies for the Police Service, for the year 1865; being £2,575 for salaries for the Department of the Inspector General of Police; £110,643 for salaries of Superintendents, Inspectors, Sub-Inspectors, Sergeants, Constables, and Trackers; £2,957 for salaries of Detective Police; £200 for Police Surgeon; and £35,950 for allowances and contingencies.

(66.) Resolved, that there be granted to Her Majesty, a sum not exceeding £34,921, to defray salaries and contingencies for Petty Sessions, for the year 1865; being £15,550 for Police Magistrates; £15,692 for Clerks of Petty Sessions; and £3,679 for allowances and contingencies.

(67.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,200, to defray Freight and Conveyance of Gold and Escorts, for the year 1865.

(68.) Resolved, that there be granted to Her Majesty, a sum not exceeding £56,375, to defray salaries and contingencies of Gaols and Penal Establishments, for the year 1865; being £800 for Inspector of Prisons; £9,708 for Sydney Gaol; £7,460 for Parramatta Gaol; £2,841 for Bathurst Gaol; £2,558 for Maitland Gaol; £2,693 for Goulburn Gaol; £3,979 for Berrima Gaol; £1,086 for Albury Gaol; £949 for Braidwood Gaol; £1,055 for Mudgee Gaol; £492 for Grafton Gaol; £956 for Wollongong Gaol; £754 for Armidale Gaol; £736 for Wagga Wagga Gaol; £532 for Eden Gaol; £1,140 for Yass Gaol; £908 for Windsor Gaol; £1,061 for Deniliquin Gaol; £119 for Gundagai Gaol; £238 for Tamworth Gaol; £238 for Orange Gaol; £139 for Tenterfield Gaol; £119 for Wellington Gaol; £1,900 for Gaols, Country Districts; £5,100 for Gaols generally; £8,611 for Penal Establishment, Cockatoo Island; and £200 for Visiting Justice at Sydney Gaol and Penal Establishment, Cockatoo Island.

(69.) Resolved, that there be granted to Her Majesty, a sum not exceeding £260, to defray the charge for allowances to Medical Board appointed to make weekly visits to the Lunatic Asylums, at £5 per week, for the year 1865.

(70.) Resolved, that there be granted to Her Majesty, a sum not exceeding £11,233, to defray the charge for salaries and contingencies of the Lunatic Asylum, Tarban, for the year 1865.

(71.)

- (71.) Resolved, that there be granted to Her Majesty, a sum not exceeding £11,079, to defray the charge for salaries and contingencies of the Lunatic Asylum, Parramatta, for the year 1865.
- (72.) Resolved, that there be granted to Her Majesty, a sum not exceeding £44, to defray the salary of the Clerk to the Medical Board, for the year 1865.
- (73.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,012, to defray the charge for Vaccine Institution, for the year 1865.
- (74.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,507, to defray the salaries and contingencies of the Auditor General's Establishment, for the year 1865.
- (75.) Resolved, that there be granted to Her Majesty, a sum not exceeding £12,200, to defray the salaries and contingencies of the Registrar General's Establishment, for the year 1865.
- (76.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,600, to defray the salaries and contingencies of the Observatory Establishment, for the year 1865.
- (77.) Resolved, that there be granted to Her Majesty, a sum not exceeding £500, to defray the salary of Curator, Museum, for the year 1865.
- (78.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,300, to defray the salaries and contingencies for a Colonial Agent, for the year 1865.
- (79.) Resolved, that there be granted to Her Majesty, a sum not exceeding £35,000, for the support of National Schools, and Incidental Expenses of the Board, including the Allowances to the Teachers, for the year 1865.
- (80.) Resolved, that there be granted to Her Majesty, a sum not exceeding £35,000, for the support of Denominational Schools, and Incidental Expenses of the Board, including the Allowances to the Teachers, for the year 1865.
- (81.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,269, to defray the salaries and contingencies of the Protestant Orphan School, for the year 1865.
- (82.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,500, to defray the salaries and contingencies of the Roman Catholic Orphan School, for the year 1865.
- (83.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,000, for Asylums for the Infirm and Destitute, for the year 1865.
- (84.) Resolved, that there be granted to Her Majesty, a sum not exceeding £200, as grants in aid of Public Institutions, for the year 1865; being to supplement the present Annual Endowment of £1,000 to the Australian Museum.
- (85.) Resolved, that there be granted to Her Majesty, a sum not exceeding £21,993, to defray Charitable Allowances, for the year 1865; being £4,000 for the support of Paupers in the Colonial Hospitals; £1,727 in aid of the Sydney Infirmary and Dispensary, on condition of an equal amount being raised by private contributions; £3,600 for the support of Women and Children in the Benevolent Asylum, Sydney; £500 in aid of the Funds of the Benevolent Society, Sydney, on condition of an equal amount being raised by voluntary contributions; £700 for the support of Infants removed from the Benevolent Asylum, Sydney, to the Asylum for Destitute Children at Randwick; £2,000 in aid of the Asylum for Destitute Children at Randwick, on condition of an equal amount being raised by private contributions; £3,000 in aid of the Hospitals, Windsor, Newcastle, Wagga Wagga, Port Macquarie, Yass, Armidale, and New England, Sofala, Braidwood, Port Stephens, Kiandra, Murrurundi, Forbes, Muswellbrook, Carcoar, and Mudgee, at £200 each, on condition of sums to an equal amount being raised by private contributions; £600 in aid of the Hospital, Maitland, on same condition; £600 in aid of the Hospitals, Parramatta and Goulburn, at £300 each, on same condition; £700 in aid of the Hospital at Bathurst, on same condition; £350 in aid of the Benevolent Society, Parramatta, on same condition; £300 in aid of the Benevolent Society, Singleton and Patrick's Plains, on same condition; £150 in aid of the Benevolent Society, Tamworth, on same condition; £200 in aid of the Penrith Hospital and Benevolent Society, on same condition; £416 in aid of the Hospital at Young, on same condition; £150 in aid of the Hospital at Grafton, on same condition; £150 in aid of the Adelong Hospital, on same condition; £100 in aid of the Wellington Hospital, on same condition; £400 in aid of the Albury Hospital and Benevolent Society, on same condition; £600 in aid of the Hospital, Deniliquin, on same condition; £700 in aid of the erection of the Deniliquin Hospital, on same condition; £500 in aid of the erection of the Hospital at Newcastle, on same condition; £300 in aid of the erection of a Benevolent Asylum and Hospital at Cooma, on same condition; and £250 in aid of the Deaf and Dumb Institution.
- (86.) Resolved, that there be granted to Her Majesty, a sum not exceeding £19,580, to defray Miscellaneous Services, for the year 1865; being £10,000 for Municipal Council, Sydney, in aid of the City Funds; £5,500 for Expenses attending the preparation of the Electoral Lists; £1,250 for defraying Expenses of the Returning Officers of the several Electoral Districts; £30 for Newspapers and Almanacs; £450 for Burials of destitute persons in cases where inquests are not held; £300 for Maintenance of deserted children, paupers taken charge of for protection, expenses of transmission, &c.; £50, Fees for examining Lunatics; and £2,000, Rewards for apprehension of Offenders.

No. IV.—ADMINISTRATION OF JUSTICE.

- (87.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,630, to defray the salaries and contingencies of the Establishment of the Law Officers of the Crown, for the year 1865.
- (88.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,946, to defray the salaries and contingencies of the Establishments of the Supreme and Circuit Courts, for the year 1865.
- (89.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,920, to defray the salaries and contingencies of the Establishment of the Sheriff, for the year 1865.
- (90.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,455, to defray the salaries of the Establishment of the Insolvent Court, for the year 1865.
- (91.) Resolved, that there be granted to Her Majesty, a sum not exceeding £11,171, to defray the salaries and contingencies of the District Courts Establishments, for the year 1865; being £3,546 for the Metropolitan and Coast District; £960 for the Southern District; £820 for the South-western District; £920 for the Western District; £815 for the Northern District; £1,010 for the Hunter River District, and £3,100 for contingencies.
- (92.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,714 to defray the salaries and contingencies of the Quarter Sessions Establishments, for the year 1865.
- (93.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,289, to defray the salaries and contingencies connected with Coroners' Inquests, for the year 1865.
- (94.) Resolved, that there be granted to Her Majesty, a sum not exceeding £100, to defray the expenses of the Court of Claims, for the year 1865.

No. V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

- (95.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,538, to defray the salaries and contingencies of the Treasury Establishment, for the year 1865.
- (96.) Resolved, that there be granted to Her Majesty, a sum not exceeding £27,106, to defray the salaries and contingencies of the Customs Establishments, for the year 1865.
- (97.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,945, to defray the salaries and contingencies of the Colonial Distilleries and Refineries, for the year 1865.
- (98.) Resolved, that there be granted to Her Majesty, a sum not exceeding £14,126, to defray the salaries and contingencies of the Sydney Branch of the Royal Mint, for the year 1865.
- (99.) Resolved, that there be granted to Her Majesty, a sum not exceeding £450, to defray the allowances to Gold Receivers, for the year 1865.
- (100.) Resolved, that there be granted to Her Majesty, a sum not exceeding £116,168, to defray the salaries and contingencies of the Post Office, for the year 1865; being £32,198 for the Post Office Establishment, and £83,970 for the Conveyance of Mails.
- (101.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,830, to defray salaries and contingencies of the Money Order Department, for the year 1865.
- (102.) Resolved, that there be granted to Her Majesty, a sum not exceeding £49,660, to defray salaries and contingencies, and the cost of Stores and Stationery for Colonial Storekeeper's Establishment, for the year 1865.
- (103.) Resolved, that there be granted to Her Majesty, a sum not exceeding £17,037, to defray the salaries, wages, and contingencies of the Printing, Book-binding, and Postage Stamps Departments, for the year 1865.
- (104.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,011, to defray the salaries and contingencies of the Gunpowder Magazine Establishment, for the year 1865.
- (105.) Resolved, that there be granted to Her Majesty, a sum not exceeding £755, to defray the salaries of Health Officers and Emigration Officer, Port Jackson, for the year 1865.
- (106.) Resolved, that there be granted to Her Majesty, a sum not exceeding £918, to defray the salaries and contingencies of the Quarantine Establishment, for the year 1865.
- (107.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,200, to defray the salaries and contingencies of the Establishments of the Shipping Masters, for the year 1865.
- (108.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,541, to defray salaries and contingencies for the Globe Island Abattoir Establishment, for the year 1865.
- (109.) Resolved, that there be granted to Her Majesty, a sum not exceeding £23,022, to defray the salaries and contingencies of the Harbours, Light Houses, and Pilot Department, for the year 1865; being £650 for Superintendent of Pilots, Light Houses, and Harbours; £775 for Steam Navigation and Pilot Boards; £1,525 for Harbour Masters; £4,917 for Light Houses; £7,199 for Sea and River Pilots; £6,188 for Boatmen; £544 for Telegraph Stations; and £1,224 for Contingencies.

(110.) Resolved, that there be granted to Her Majesty, a sum not exceeding £27,230, to defray Miscellaneous Services for the year 1865; being £6,000 for Postage of the various Public Departments; £7,500 for the transmission of Telegraphic Messages; £10,000, Interest on Public Accounts overdrawn at the Banks where they are kept; £200 to provide for a Queen's Plate to be run for annually on Randwick Racecourse, under the auspices of the Australian Jockey Club (Resolution of Assembly); £30 for Provisions to be left on Booby Island, for the relief of shipwrecked persons; £2,000 to meet Unforeseen Expenses, to be hereafter accounted for; and £1,500 to meet the expense of carrying on the Coast Surveys.

NO. VI.—SECRETARY FOR LANDS.

(111.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,515, to defray the salaries and contingencies of the Department of Lands, for the year 1865.

(112.) Resolved, that there be granted to Her Majesty, a sum not exceeding £62,926, to defray the salaries and contingencies of the Establishment for the Survey of Lands, for the year 1865.

(113.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,300, for Rent of additional Offices, commission to Land Agents, Appraisers, and others, and for advertising for the Public Service generally, for the year 1865.

(114.) Resolved, that there be granted to Her Majesty, a sum not exceeding £12,177, to defray the salaries and contingencies of the Establishment for the Occupation of Lands, for the year 1865.

(115.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,516, to defray the salaries and contingencies of the Immigration Department, for the year 1865.

(116.) Resolved, that there be granted to Her Majesty, a sum not exceeding £13,815, to defray the salaries and contingencies of the Gold Fields Establishments, for the year 1865.

(117.) Resolved, that there be granted to Her Majesty, a sum not exceeding £700, to defray the salaries and contingencies for the management of Alpacas, for the year 1865.

(118.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,918, to defray charges for Prevention of Scab in Sheep, for the year 1865.

(119.) Resolved, that there be granted to Her Majesty, a sum not exceeding £300, to defray charges for Inspection of Cattle, for the year 1865.

(120.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,740, to defray the expense of Coal Fields Establishment, for the year 1865.

(121.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,978, to defray the salaries and contingencies of the Botanic Gardens Establishment, Sydney, for the year 1865.

(122.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,308, to defray the salaries and contingencies of the Establishment of the Government Domains and Hyde Park, for the year 1865.

(123.) Resolved, that there be granted to Her Majesty, a sum not exceeding £50,380, to defray the expense of the construction and maintenance of Minor Roads, for the year 1865; being £35,000 for the construction and maintenance of Subordinate Roads, as classified per Schedule; £10,000 for Minor Bridges and Roads not classified; £500 for Alignment Posts for Towns; £2,000 to meet expense of fencing Public Roads where proclaimed through enclosed lands; £750 for formation of Streets through Crown Lands in City of Sydney; £50 for fencing Cemetery, West Kempsey, further sum; £80 for fencing General Cemetery at Armidale; and £2,000 towards building and repair of Bridges, on condition of assistance by the Inhabitants.

(124.) Resolved, that there be granted to Her Majesty, a sum not exceeding £104, to defray salary of Overseer at Haslem's Creek Cemetery, for the year 1865.

(125.) Resolved, that there be granted to Her Majesty, a sum not exceeding £500, to defray Medicines and Medical Attendance on the Aborigines, for the year 1865.

(126.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,696, to defray Miscellaneous Services for the year 1865; being £2,500 for sinking Wells so as to render practicable the route from the Darling to the Lachlan, and to the Warrego; £97, repayment to C. Fitzpatrick, of Purchase Money of flooded allotments, at Goulburn; and £99, repayment to R. Andrews of price of flooded allotment, Gundagai.

TO BE RAISED BY LOAN.

(127.) Resolved, that there be granted to Her Majesty, for the year 1865, to be raised by loan, a sum not exceeding £40,000, for the purpose of assisting Immigration to this Colony.

NO. VII.—SECRETARY FOR PUBLIC WORKS.

(128.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,570, to defray the salaries and contingencies of the Department of Public Works, for the year 1865.

(129.)

(129.) Resolved, that there be granted to Her Majesty, a sum not exceeding £119,760, for the Railway Branch of the Department of Public Works, for the year 1865; being £2,860 for General Establishment, £6,600 for works in progress, and £110,300 for existing Lines, working expenses.

(130.) Resolved, that there be granted to Her Majesty, a sum not exceeding £18,393, for Harbours and River Navigation, for the year 1865; being £2,975 for Engineer's Department; £3,980 for Steam Dredge "Hunter"; £2,174 for Steam Dredge "Hercules"; 2,674 for Steam Dredge "Pluto"; £3,580 for Steam Dredge "Vulcan," Newcastle; and £3,010 for Steam Cranes, Newcastle.

(131.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,900, to defray expense of Public Works of the Department of Harbours and River Navigation, for the year 1865; being £500 for Preliminary Harbour Surveys; £1,200 for landing Silt from Dredge, and forming ground; £100 for repairs to Glebe Island Road; £1,000, Incidental Expenses to Wharfs, Bridges, and other Public Works; and £1,100, repairs and improvements to Cook's River Dam.

(132.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,190, to defray the salaries and contingencies of the Establishment of the Colonial Architect, for the year 1865.

(133.) Resolved, that there be granted to Her Majesty, a sum not exceeding £379, to defray the salaries and contingencies of Establishment of Fortifications, for the year 1865.

(134.) Resolved, that there be granted to Her Majesty, a sum not exceeding £43,721, to defray the expense of Public Works and Buildings, for the year 1865; being £10,000 for ordinary repairs, alterations, and additions to Public Buildings generally; £3,000 to provide Furniture and Fittings for the Public Offices generally; £1,000 for repairs to Military Barracks and Buildings; £250 for lighting Lamps, sweeping Chimneys, &c., Victoria Barracks; £750 for lighting Government Lamps in streets of Sydney; £200 for Furniture, and repair of same, for Government House; £6,500 for providing Building and other Materials for completion or repair of Gaols and other Public Buildings, by the labour of Prisoners in Gaol; £2,000, additions, Sydney Gaol; £2,500, Police Buildings; £10,000 for Gaols, Court Houses, and Lock-ups; £400 for supply of Coffins for Paupers; £1,500 for repairs, Lunatic Asylum, Parramatta; £1,000, alterations and repairs, Protestant Orphan School, Parramatta; £4,581, repairs, alterations, &c., to Lunatic Asylum, Tarban; and £40 for additions to Post Office, Armidale.

(135.) Resolved, that there be granted to Her Majesty, a sum not exceeding £149,173, to defray the expenses for Roads and Bridges, for the year 1865; being £3,325 for salaries and contingencies of the General Establishment; £7,700 for superintendence; £24,410 for construction and maintenance, Main Northern Road; £35,485 for Main South Road; £25,150 for Main Western Road; and £53,103 for other Roads and Bridges, viz. :—£1,750 for Clyde Road, 35 miles, at £50 per mile; £5,750 for Road, Clarence River to Great Northern Road; £4,000 for Mudgee Road, 80 miles, at £50 per mile; £28,968 for Minor Roads, as per Schedule; £2,500 for Contingent Works on Minor Bridges and Roads, Approaches to Railway Stations, &c.; £3,000 for Repairs to Bridges; £500 for constructing and repairing Toll-bars; £267 for Bridge, Brown's Creek, Paterson, on condition of local contribution to the extent of one-third of the amount to be expended; £667 for Bridge, Cox's Creek, on same condition; £467 for Bridge, Breeza, on same condition; £200 for Bridge, Grawin Creek, on same condition; £667 for Bridge, Carlisle Gully and Kentucky, on same condition; £200 for Bridge, Mount Hunter Creek, Brownlow Hill, on same condition; £400 for Approaches to Waygunnah Bridge, on same condition; £200 for Bridge over Fawcett's or Fairy Mount Creek, near Casino, on same condition; £667 for Bridge over the Talbragan, at its Junction with the Macquarie, on same condition; £400 for Bridge over Cedar Party Creek, Manning River, on same condition; £167 for Approach to Railway Station, West Maitland, on same condition; £333 for Low Level Bridge at Douglass Park, on same condition; £333 for Bridges on Road, Wagga Wagga to Narandra, on same condition; and £1,667 for Bridge over the Wollondilly, on same condition.

(136.) Resolved, that there be granted to Her Majesty, a sum not exceeding £27,144, to defray the salaries, allowances, contingencies, and working expenses of the Establishment of the Electric Telegraphs, for the year 1865.

(137.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,128, to defray the salaries and contingencies of the Fitz Roy Dock Establishment, for the year 1865.

(138.) Resolved, that there be granted to Her Majesty, a sum not exceeding £104, to defray Miscellaneous Services for the year 1865, being compensation to the family of the late Mrs. De Courcy £104 annually for five years.

TO BE RAISED BY LOAN.

(139.) Resolved, that there be granted to Her Majesty, for the year 1865, to be raised by Loan, a sum not exceeding £74,500, for Railways; being £850 for additional Land at Newtown, for Sidings; £10,000 for additional Rolling Stock; £20,000 for additional Goods Accommodation, Sydney Station; £12,000 for Railway Sheds; £5,000 for additional Accommodation Stations; £6,000 to meet outstanding claims for Land on the Penrith, Picton, and Singleton Extensions; £650 for erection of Railway Station at Douglass Park; and £20,000 for extension of Great Northern Line to Terminus at Morpeth.

(140.)

(140.) Resolved, that there be granted to Her Majesty, for the year 1865, to be raised by Loan, a sum not exceeding £14,900, to defray the expenses of Public Works of the Department of Harbours and River Navigation; being £6,000 towards completion of Excavation, Kiama Harbour Works; £500 for Wharf at Ulladulla, further sum; £3,500 for construction of three new Punts for second Steam Dredge, Newcastle; £900 for Dunmore Bridge, further sum; and £4,000 for West Maitland Bridge, further sum.

(141.) Resolved, that there be granted to Her Majesty, for the year 1865, to be raised by Loan, a sum not exceeding £51,000, for Public Works and Buildings; being £1,000 for Australian Museum; £25,000 for Penitentiary; and £25,000 for Lunatic Asylum.

The said Resolutions were then, on motion of Mr. Smart, read a second time, and agreed to.

(2.) Whereupon, Mr. Smart moved, That the Order of the Day for the resumption of the Committee of Supply be discharged.

Question put and passed.

10. Customs Bill (Order No. 5 of Government Business):—Mr. Smart moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 33*.

Mr. Cowper,	Mr. Caldwell,
Mr. Robertson,	Mr. Cummings,
Mr. Smart,	Mr. Hurley,
Mr. Darvall,	Mr. Mate,
Mr. Burdckin,	Mr. Cooper,
Mr. De Salis,	Mr. Macleay,
Mr. Campbell,	Mr. Driver,
Mr. Macpherson,	Mr. Graham,
Mr. Piddington,	Mr. Dodds,
Mr. Farnell,	Mr. Neale,
Mr. Dignam,	Mr. Gordon,
Mr. Osborne,	Mr. Wilson,
Mr. White,	Dr. Lang,
Mr. Martin,	
Mr. Alexander,	<i>Tellers.</i>
Mr. Pemell,	Mr. Josephson,
Mr. Oatley,	Mr. Garrett.

* Sic in Tellers' List.

Bill thereupon read a second time.

Whereupon, on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.

The Chairman having reported the Bill with an Amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.

11. *Privilege*—Error in Tellers' List:—The Honorable Member for Orange, Mr. Forlonge, referring to the Printed Weekly Report of Divisions in Committee of the Whole, No. 9 of the present Session, in which his name appears as having voted with the Ayes in Division No. 9, which took place in the Committee of Ways and Means on 26th May last, stated that he did not vote on that occasion,—having been absent from the Chamber at the time,—and claimed to have the error corrected,—

And it being found on inspection, that the said Printed Report contained a correct transcript of the Original Lists, as handed in by the Tellers,—

And the Tellers on the side of the Ayes and of the Noes, respectively, agreeing, when called upon by the Speaker, that the Honorable Member, Mr. Forlonge, did not vote on the occasion referred to,—

The Speaker said that the Division List could not now be corrected, but he would direct an entry of this proceeding which would shew that the name of the Honorable Member had been inserted in error.

12. Package Bill (Order No. 6 of Government Business):—Mr. Smart moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 30.

Mr. Cowper,	Mr. Dodds,
Mr. Smart,	Mr. Garrett,
Mr. Robertson,	Mr. Martin,
Mr. Arnold,	Mr. Macleay,
Mr. Darvall,	Mr. Osborne,
Mr. Forlonge,	Mr. Graham,
Mr. Hurley,	Mr. Mate,
Mr. Hart,	Mr. Oatley,
Mr. Burdckin,	Mr. Kemp,
Mr. Cummings,	Mr. Neale,
Mr. Piddington,	Mr. Driver,
Mr. Morrice,	Dr. Lang,
Mr. Dignam,	
Mr. White,	<i>Tellers.</i>
Mr. Cooper,	Mr. Lucas,
Mr. Eckford,	Mr. Egan.

Noes, 8.

Mr. Donnelly,
Mr. Tighe,
Mr. Parkes,
Mr. Alexander,
Mr. Buchanan,
Mr. Caldwell,
<i>Tellers.</i>
Mr. Forster,
Mr. De Salis.

Bill thereupon read a second time.
Whereupon, on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.

And the Committee having continued to sit till after Midnight;—

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The Chairman reported the Bill with Amendments.
Mr. Forster moved, That the Bill be re-committed, for the purpose of reconsidering the last proviso in clause 2.
Debate ensued.
Question put.
The House divided.

Ayes, 10.		Tellers.		Noes, 17.	
Mr. White,				Mr. Darvall,	Mr. Morrice,
Mr. Wilson,				Mr. Cowper,	Mr. Dodds,
Mr. Macpherson,	Mr. Piddington,			Mr. Smart,	Mr. Neale,
Mr. Forster,	Mr. Forlonge,			Mr. Robertson,	Mr. Oatley,
Mr. Mate,				Mr. Arnold,	Mr. Garrett,
Mr. Martin,				Mr. Lucas,	Tellers.
Mr. Macleay,				Mr. Dignam,	Mr. Alexander,
Mr. Driver,				Mr. Donnelly,	Mr. Burdekin.
				Mr. Eckford,	
				Mr. Osborne,	

The House then, on motion of Mr. Smart, adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for a later hour this day.

13. Postponement:—The Order of the Day, No. 1 of Government Business, *further* postponed, on motion of Mr. Cowper, until a later hour this day.

14. Ways and Means:—On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, further to consider of Ways and Means.

The Chairman reported that the Committee had come to certain Resolutions, and moved, That these Resolutions be *now* received.

Question, That the said Resolutions be now received, put, *with the concurrence of the House*, and passed.

The Chairman reported several Resolutions, which were read a first time, as follow:—

(27.) Resolved, that towards making good the Supply granted to Her Majesty for the Service of the year 1865, the sum of £915,467 14s. 8d., be granted out of the Consolidated Revenue Fund of New South Wales.

(28.) Resolved, that towards making good the Supply granted to Her Majesty for the Supplementary Service of the year 1864, and previous years, the sum of £121,593 8s. 4d. be granted out of the Consolidated Revenue Fund of New South Wales.

(29.) Resolved, that towards making good the Supply granted to Her Majesty during the present Session, a sum not exceeding £219,450 be raised by the sale of Debentures secured upon the Consolidated Revenue Fund of New South Wales, and bearing interest at a rate not exceeding five per centum per annum, to defray the expense of carrying on certain Public Works of the Colony, and for the purpose of assisting Immigration to this Colony.

The said Resolutions were then, on motion of Mr. Smart, read a second time, and agreed to.

15. Loan Bill:—

(1.) Mr. Smart moved (without notice) for leave to bring in a Bill, founded on Resolution No. 26 of Ways and Means, to empower the Government to raise a sum not exceeding eight hundred and fifty thousand pounds by the sale of Debentures. Question put and passed.

(2.) Mr. Smart having *presented* this Bill, Bill, intituled, "*A Bill to empower the Government to raise a sum not exceeding eight hundred and fifty thousand pounds by the sale of Debentures*,"—read a first time.

Ordered to be printed, and read a second time at a later hour this day.

16. Appropriation Bill:—

(1.) Mr. Smart moved (without notice) for leave to bring in a Bill, founded on Resolutions Nos. 27 and 28 of Ways and Means, to appropriate and apply out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the Service of the year 1865, and for the year 1864 and previous years.

Question put and passed.

(2.) Mr. Smart having *presented* this Bill, Bill, intituled "*A Bill to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain sums to make good the Supplies granted for the service of the Year 1865 and for the Year 1864 and previous Years*,"—read a first time.

Ordered to be printed, and read a second time at a later hour this day.

17. Messages:—The Speaker reported the following Messages from the Legislative Council:—

(1.) Impounding Bill:—

MR. SPEAKER,

The Legislative Council having had under consideration the Legislative Assembly's Message, dated the 1st June, 1865, in reference to the "*Impounding Bill*," insists upon its Amendments in the said Bill, disagreed to by the Assembly.

(1.) Because, in the opinion of the best practical men, sheep on their ordinary runs should not travel less than six miles a day—that is, three miles out and three miles home. It can, therefore, be no hardship to require them to be driven an equal distance each day, when travelling from one part of the Colony to another.

(2.) Because, under ordinary circumstances, cattle, when travelling are seldom driven less than from twelve to fifteen miles a day, whilst under the Bill as amended, ten miles is the minimum distance.

(3.) Because, in both cases provision is made for shorter distances when stock are prevented from travelling by stress of weather.

Legislative Council Chamber,
Sydney, 6th June, 1865.

T. A. MURRAY,
President.

Ordered, on motion of Mr. Robertson, That the said Message be taken into consideration at a later hour this day.

(2.) Wild Birds and Animals Protection Bill:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to provide for the protection of certain Imported Animals and Birds and for the preservation thereof and of certain Native Birds during the breeding season*," presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,
Sydney, 6th June, 1865.

T. A. MURRAY,
President.

Bill, on motion of Mr. Driver, read a first time.

Ordered to be printed, and read a second time on Friday next.

The House adjourned, on motion of Mr. Cowper, at a quarter past One o'clock, A.M., until Three o'clock, P.M., This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 7.

Questions:—

1. MR. BUCHANAN *to ask* THE ATTORNEY GENERAL,—If he has any objection to state the reasons which led the Executive to liberate the prisoners Levy and Shoveller, found guilty of conspiracy to defraud their creditors, and sentenced to two years imprisonment?
2. MR. BUCHANAN *to ask* THE COLONIAL SECRETARY,—If it is a fact that the National School Teachers have received no pay for the last month; and if so, will he state the reason of this?
3. MR. BUCHANAN *to ask* THE COLONIAL TREASURER,—If it is the intention of the Government to pay Mr. Hill, of the Post Office Department, any additional sum over and above his salary, for having performed for a considerable time the duties of another officer of the Department besides his own?
4. MR. BUCHANAN *to ask* THE SECRETARY FOR LANDS,—If the Government intend to pay Mr. Moriarty anything additional for his extra labour as Commissioner of Roads?

5.

5. MR. LAYCOCK to ask THE COLONIAL SECRETARY,—Is it true that the Government has expressed an intention of furnishing funds for removing the snags from the River Darling?
6. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—Whether he is aware that a number of Sawyers and Cedar Cutters have been located for years past on the banks of a navigable stream called Duck Creek, midway between Lismore and Ballina, Richmond River; and if so, will he issue instructions to the District Surveyor to survey the lots of land on which the various houses have been erected, and enable the parties in possession to purchase such lots by auction or otherwise?
7. MR. LAYCOCK to ask THE SECRETARY FOR LANDS,—The number of persons that have taken up land by Conditional Purchase since the passing of the Act to the 31st May, 1865?
8. MR. PIDDINGTON to ask THE ATTORNEY GENERAL,—When will the Executive appoint a Judge of the Supreme Court to fill the vacancy occasioned by the Death of the late Judge Milford?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Customs Bill; third reading.
2. Package Bill; third reading.
3. Roads other than Main Roads Bill; to be further considered in Committee.
4. Loan Bill; second reading.
5. Appropriation Bill; second reading.
6. Impounding Bill; consideration in Committee of Legislative Council's Message insisting on its Amendments in this Bill.
7. Ways and Means; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move, That the Petition presented by him on 6th June, from the Bishop of Goulburn, in favour of the Church of England Synod Bill, be printed.
2. MR. BUCHANAN to move, That the Petition of William Cronan, presented by him on 6th June, be printed.
3. MR. HART to move, That the Petition presented by him on the 6th June, from certain Licensed Victuallers in Sydney and the Suburbs, relative to Custom Duties, be printed.
4. MR. HANNELL to move, That the Petition presented by him on the 2nd June, from the Members of the Newcastle Investment and Building Society, relative to the Stamp Duties Bill, be printed.
5. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of justice, and deserves the pointed condemnation of this House.
6. MR. DRIVER to move, That an Address be presented to the Governor, praying that His Excellency will cause to be laid upon the Table of this House, copies of all Correspondence between the Colonial Treasurer and Postmaster General, relating to the appointment and subsequent conduct of late letter carrier Williams.
7. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
8. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
9. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
10. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose, of clearing the River Darling.
11. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions :—
(1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
(2.) That it is desirable that a Bill should be submitted to Parliament as early as possible, for the purpose recommended in the foregoing Resolution.
12. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.

13. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
- (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
14. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

ORDERS OF THE DAY :—

1. Industrial and Provident Societies Bill; to be considered in Committee.
2. Parramatta Market Bill, *as amended in Select Committee*; to be further considered in Committee of the Whole.
3. Church of England Synod Bill, *as amended in Select Committee*; second reading.
4. Brands Registration Bill; third reading.
5. Destitute Children's Bill; second reading.
6. Prison Discipline Bill reported; adoption of Report.
7. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
8. Advances to Agents intrusted with Goods Bill; second reading.
9. Australian Agricultural Company's Bill; second reading.
10. Petroleum Bill re-committed; to be further considered in Committee.
11. Criminal Evidence Amendment Bill; second reading.

FRIDAY, JUNE 9.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. LAYCOCK to move, That eight thousand five hundred and twenty acres of land be now set aside in perpetuity as a grazing right for the free selectors on Woodford Island, Clarence River, who have taken up 2,840 acres of land on that island, in compliance with the provisions of the Crown Lands Alienation Act of 1861.

ORDER OF THE DAY :—

1. Wild Birds and Animals Protection Bill; second reading.

FRIDAY, JUNE 30.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Superannuation Act Amendment Bill; resumption of Adjourned Debate on motion of Mr. Forster, “That this Bill be now read a second time.”



New South Wales.

No. 55.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 7 JUNE, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Prisoners Levy and Shoveller (Administration of Justice) :—Mr. Buchanan asked the Attorney General, pursuant to Notice No. 1,—If he has any objection to state the reasons which led the Executive to liberate the prisoners Levy and Shoveller, found guilty of conspiracy to defraud their creditors, and sentenced to two years' imprisonment ?

Mr. Darvall answered,—I am not in a position to state what may have been the reason which induced the exercise of the prerogative of mercy in the manner indicated by the question.

- (2.) National School Teachers :—Mr. Buchanan asked the Colonial Secretary, pursuant to Notice No. 2,—If it is a fact that the National School Teachers have received no pay for the last month ; and if so, will he state the reason of this ?

Mr. Cowper answered,—The payment of the salaries of Schoolmasters, under both the National and Denominational Boards, is not carried out by the Government. These Boards receive sums of money under the votes of this House, and disburse those sums. I have, however, for the information of the Honorable Member and of the House, obtained from the National Board the following reply to the question :—

“ About one-half of the teachers have been paid salary for the month of May. The Board were unable to pay the remainder on account of the exhaustion of their available funds, arising from the discontinuance, without notice, of the arrangement by which the monthly proportion of the vote of the Legislature was paid to them in advance on the first of the month. This arrangement, entered into at the beginning of 1864, and sanctioned by the Government, was intended to enable the Board to pay claims for building purposes as the money became due, and without waiting for the termination of the month. Under present circumstances, the claims on account of buildings unavoidably fall due in the first half of each year. It may not be irrelevant to mention that some of the teachers' abstracts have not yet been received.”

(Mr. Buchanan withdrew the Question standing in his name, No. 3.)

- (3.) Mr. Moriarty, Commissioner of Roads :—Mr. Buchanan asked the Secretary for Lands, pursuant to Notice No. 4,—If the Government intend to pay Mr. Moriarty anything additional for his extra labour as Commissioner of Roads ?

Mr. Arnold answered,—There is no intention on the part of the Government to make any payment of this kind to Mr. Moriarty ; but a proposal was made by the present Government, when it was formerly in office, to remunerate Mr. Moriarty for the extra labour of the work he undertook ; but the proposal then intended to be made was disagreed from by the late Government.

- (4.) Snags in the River Darling :—Mr. Laycock asked the Colonial Secretary, pursuant to Notice No. 5,—Is it true that the Government has expressed an intention of furnishing funds for removing the snags from the River Darling ?

Mr. Cowper answered,—I am not aware that the Government has expressed any such intention.

(5.)

(5.) Sawyers and Cedar Cutters, Duck Creek, Richmond River :—Mr. Laycock asked the Secretary for Lands, pursuant to Notice No. 6,—Whether he is aware that a number of Sawyers and Cedar Cutters have been located for years past on the banks of a navigable stream called Duck Creek, midway between Lismore and Ballina, Richmond River; and if so, will he issue instructions to the District Surveyor to survey the lots of land on which the various houses have been erected, and enable the parties in possession to purchase such lots by auction or otherwise?

Mr. Robertson answered,—I am aware that there is a Creek called Duck Creek, and that in the neighbourhood indicated by the Honorable Member, certain persons are employed as sawyers. I should imagine that some of those persons have houses erected there, and if they choose to apply under the provisions of the Crown Lands Alienation Act they will be permitted to purchase the land, but if they do not choose to apply the same as other people, it seems to me to be their business and not mine.

(6.) Persons who have taken up Lands on Conditional Purchase :—Mr. Laycock asked the Secretary for Lands, pursuant to Notice No. 7.—The number of persons that have taken up land by Conditional Purchase since the passing of the Act to the 31st May, 1865?

Mr. Robertson answered,—I regret that I am not able to give my Honorable friend the information he desires, as too short a period has elapsed from the time when notice of this question was given, to allow of the returns being prepared with sufficient accuracy to enable me to answer the question.

(7.) Vacant Judgeship :—Mr. Piddington asked the Attorney General, pursuant to Notice No. 8,—When will the Executive appoint a Judge of the Supreme Court to fill the vacancy occasioned by the death of the late Judge Milford?

Mr. Darvall answered,—I regret that it is not in my power to give the Honorable gentleman the information he desires.

2. Mortgage on the Property of the Scots Church, Sydney :—Mr. Cowper, as Chairman, brought up the Report from, and laid upon the Table the Minutes and Proceedings of, and of Evidence taken before, the Select Committee to whom this subject was referred on 16th May, 1865, together with Appendix.
Ordered to be printed.
3. Paper :—Mr. Smart laid upon the Table, Further Correspondence, &c., respecting Border Customs Duties.
Ordered to be printed.
4. Church of England Synod Bill (*"Formal" Motion*) :—Mr. Cowper moved, pursuant to Notice, That the Petition presented by him on 6th June, from the Bishop of Goulburn, in favour of the Church of England Synod Bill, be printed.
Question put and passed.
Ordered to be printed.
5. William Cronan (*"Formal" Motion*) :—Mr. Buchanan moved, pursuant to Notice, That the Petition of William Cronan, presented by him on 6th June, be printed.
Question put and passed.
Ordered to be printed.
6. Williams, late Letter Carrier (*"Formal" Motion*) :—Mr. Driver moved, pursuant to Notice, That an Address be presented to the Governor, praying that His Excellency will cause to be laid upon the Table of this House, copies of all Correspondence between the Colonial Treasurer and Postmaster General relating to the appointment and subsequent conduct of late letter carrier Williams.
Question put and passed.
7. Motion for Adjournment :—Mr. Martin moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
8. Elizabeth Castle :—Mr. Driver, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee, for whose enquiry and report the Petition of Elizabeth Castle was referred on 16th May, 1865, together with Appendix.
Ordered to be printed.
9. Public Works and Immigration Loan Bill :—
 - (1.) Mr. Smart moved (without notice) for leave to bring in a Bill, founded on Resolution No. 29 of Ways and Means, to enable the Government to raise a Loan for certain Public Works, and for purposes of Assisted Immigration.
Question put and passed.
 - (2.) Mr. Smart having presented this Bill, Bill, intituled, "*A Bill to enable the Government to raise a Loan for certain Public Works and for purposes of Assisted Immigration,*"—read a first time.
Ordered to be printed, and read a second time to-morrow.
10. Coal Fields Regulation Act Amendment Bill :—
 - (1.) Mr. Tighe moved, That the Report from the Committee of the Whole, on the Amendments made by the Legislative Council in this Bill (*See Votes and Proceedings, No. 53, Entry 5*), be now adopted by this House.
Question put and passed.

- (2.) Mr. Tighe then moved, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message, dated the 26th May, 1865, requesting its concurrence in certain Amendments made by the Council, in the Coal Fields Regulation Act Amendment Bill.

Disagrees from the Amendment in clause 2, line 8. Because the Amendment is not necessary, inasmuch as it has been decided by the Supreme Court that Coal Miners are already under the Masters and Servants Act.

Disagrees from the Amendment in clause 2, line 10, for a similar reason.

Disagrees from the omission of clauses 3 and 5. Because, mines are generally conducted by Agents, and in many cases the Masters do not live in this Colony. The Supreme Court has decided that if an Agent give an order on his Master, for the amount of any verdict, the Act is fully complied with, and thus an order on a Master in Melbourne or elsewhere out of the country would be almost useless to a Miner.

Legislative Assembly Chamber,
Sydney, 7th June, 1865.

Speaker.

Question put and passed.

11. Messages:—The Speaker reported the following Messages from the Legislative Council :—

- (1.) Drainage Promotion Bill :—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to promote the better Drainage of Lands*," returns the same to the Legislative Assembly without Amendment.

Legislative Council Chamber,
Sydney, 7 June, 1865.

T. A. MURRAY,
President.

- (2.) Stamp Duties Bill :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill returned herewith, intituled, "*An Act to impose Stamp Duties*," with the Amendments indicated by the accompanying Schedule, in which Amendments the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 7 June, 1865.

T. A. MURRAY,
President.

Ordered, on motion of Mr. Cowper, that the consideration in Committee of the Amendments made by the Legislative Council in the Stamp Duties Bill, stand an Order of the Day for to-morrow.

12. Customs Bill (Order No. 1 of Government Business) :—Mr. Smart moved, That this Bill be now read a third time.

Debate ensued.

Question put.

The House divided.

Ayes, 26.

Mr. Cowper,	Mr. Pemell,
Mr. Smart,	Mr. Piddington,
Mr. Robertson,	Mr. Wilson,
Mr. Arnold,	Mr. White,
Mr. Campbell,	Mr. Driver,
Mr. Dodds,	Mr. Tunks,
Mr. Hart,	Mr. Hurley,
Mr. Eckford,	Mr. Oatley,
Mr. Cummings,	Mr. Neale,
Mr. Morrice,	Mr. Gordon,
Mr. Farnell,	Tellers.
Mr. Graham,	Mr. Garrett,
Mr. Macpherson,	Mr. Josephson.
Mr. Mate,	

Nocs, 11.

Mr. Joseph,
Mr. Dignam,
Mr. Rodd,
Mr. Donnelly,
Mr. Tighe,
Mr. Terry,
Mr. Egan,
Mr. Sutherland,
Mr. Buchanan,
Tellers.
Mr. Kemp,
Mr. Forster.

Bill thereupon read a third time.

Mr. Smart then moved, That this Bill do now pass.

Question put and passed.

Mr. Smart then moved, That the Title of this Bill be, "*An Act to impose for a limited time Additional Customs Duties*."

Question put and passed.

Whereupon, Mr. Smart moved, That this Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to impose for a limited time Additional Customs Duties*," presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 7th June, 1865.

Speaker.

Question put and passed.

13. Package Bill (Order No. 2 of Government Business) :—Mr. Smart moved, That this Bill be now read a third time.

Debate ensued.

Question put.

The House divided.

Ayes, 25.

Mr. Cowper,	Mr. Cummings,
Mr. Robertson,	Mr. Gordon,
Mr. Smart,	Mr. Driver,
Mr. Arnold,	Mr. Graham,
Mr. Campbell,	Mr. Tunks,
Mr. Hart,	Mr. Neale,
Mr. Piddington,	Mr. Oatley,
Mr. Hurley,	Mr. Dodds,
Mr. Farnell,	Mr. Eckford,
Mr. Terry,	
Mr. Macpherson,	<i>Tellers.</i>
Mr. Morrice,	Mr. Josephson,
Mr. Pemell,	Mr. Garrett.
Mr. Dignum,	

Noes, 10.

Mr. Rodd,
Mr. Donnelly,
Mr. Kemp,
Mr. Tighe,
Mr. Wilson,
Mr. Pickering,
Mr. Caldwell,
Mr. Sutherland.

Tellers.

Mr. Forster,
Mr. Joseph.

Bill thereupon read a third time.

Mr. Smart then moved, That this Bill do now *pass*.

Question put and passed.

Mr. Smart then moved, That the Title of this Bill be "*An Act to impose a charge on Imported Packages.*"

Question put and passed.

Whereupon Mr. Smart moved, That this Bill be carried to the Legislative Council, with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to impose a charge on Imported Packages,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 7th June, 1865.

Speaker.

Question put and passed.

14. Postponements :—The Orders of the Day, Nos. 3, 4, and 5 of Government Business, postponed, on motion of Mr. Robertson, to follow, consecutively, the Order of the Day No. 6 of Government Business.

15. Impounding Bill (Order No. 6 of Government Business) :—On motion of Mr. Robertson, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of the Legislative Council's Message of 6th June, (*See Votes and Proceedings of yesterday, Entry 17*), insisting on the Council's Amendments in this Bill which had been disagreed to by the Assembly. The Chairman reported, that the Committee did not insist on its disagreement to the said Amendments.

Mr. Robertson then moved, That this Report be now adopted by this House.

Question put and passed.

Whereupon, Mr. Robertson moved, That the following Message be carried to the Legislative Council :—

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message of 6th June, 1865, insisting upon the Council's Amendments, in Clause 30, lines 21 and 22, of the Impounding Bill, which Amendments had been disagreed to by the Assembly :—

Does not insist upon its disagreement to the Council's said Amendments.

Legislative Assembly Chamber,

Sydney, 7th June, 1865.

Speaker.

Question put and passed.

16. Postponement :—The Order of the Day No. 3 of Government Business *further* postponed, on motion of Mr. Smart, to follow the Order of the Day No. 7 of Government Business.

17. Loan Bill (Order No. 4 of Government Business) :—Mr. Smart moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

And Bill read a second time.

Whereupon, on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.

The Chairman reported the Bill with Amendments, and with the *Title amended* so as to read thus : "*A Bill to empower the Government to raise a sum not exceeding five hundred and fifty thousand pounds by the sale of Debentures.*"

The House, on motion of Mr. Smart, adopted this Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.

18. Appropriation Bill (Order No. 5 of Government Business) :—Mr. Smart moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed.

And Bill read a second time.

Whereupon,

Whereupon, on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill. The Chairman having reported the Bill without Amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.

19. Postponements:—The Order of the Day No. 7 of Government Business, postponed, on motion of Mr. Smart, until to-morrow.
20. Roads other than Main Roads Bill:—(1) On the Order of the Day (No. 3 of Government Business) for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for such further consideration.

And the Committee having continued to sit till after Midnight;—

THURSDAY, 8 JUNE, 1865, A.M.

The Chairman reported progress, and obtained leave to sit again at a later hour this day.

- (2.) *Point of Order*:—Mr. Forster drew the attention of the Speaker to Clauses 7, 8, and 18, of this Bill, and requested his ruling as to whether these Clauses did not contain such provisions respecting compensation from the Public Revenue as rendered a Message from the Crown necessary, under the 54th Section of the Constitution Act.

The Speaker said that the necessity for a Message did not apply to the 7th and 18th Clauses of the Bill, but clearly did to the 8th Clause, which expressly provides for the payment of compensation out of the Consolidated Revenue Fund.

The House adjourned, on motion of Mr. Cowper, at twenty minutes after Twelve o'clock A.M., until Three o'clock P.M., This Day.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, JUNE 8.

Questions:—

1. MR. BUCHANAN *to ask* THE ATTORNEY GENERAL,—If he has any objections to state the reasons which led the Executive to liberate the prisoners Levy and Shoveller, found guilty of conspiracy to defraud their creditors, and sentenced to two years' imprisonment?
2. MR. BUCHANAN *to ask* THE COLONIAL SECRETARY,—If it is the practice of the Government to retain gentlemen in the Commission of the Peace after they become Insolvent?
3. MR. DONNELLY *to ask* THE COLONIAL SECRETARY,—If the Government has received a Petition from certain Residents of Forbes, praying for the removal of Mr. Farrand, the Resident Police Magistrate of that place; and if so, is it the intention of the Government to take any action therein?

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. SMART *to move*, That this House will, to-morrow, resolve itself into a Committee of the Whole, for the purpose of taking into consideration the proposed Agreement with the Government of Victoria regarding Border Customs Duties.

ORDERS OF THE DAY:—

1. Public Works and Immigration Loan Bill; second reading.
2. Stamp Duties Bill; consideration in Committee of Legislative Council's Amendments.
3. Loan Bill; third reading.
4. Appropriation Bill; third reading.
5. Ways and Means; resumption of the Committee.
6. Roads other than Main Roads Bill; to be further considered in Committee.

OTHER

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimates for the present year, a sum of money not exceeding £300, as compensation to Mrs. Elizabeth Castle, for damages sustained, owing to the improper issue of a grant from the Crown, of land on the Hunter, and afterwards purchased by her late husband.
2. MR. HART to move, That the Petition presented by him on the 6th June, from certain Licensed Victuallers in Sydney and the Suburbs, relative to Custom Duties, be printed.
3. MR. HANNELL to move, That the Petition presented by him on the 2nd June, from the Members of the Newcastle Investment and Building Society, relative to the Stamp Duties Bill, be printed.
4. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of Justice, and deserves the pointed condemnation of this House.
5. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
6. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
7. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
8. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
9. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
(1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
(2.) That it is desirable that a Bill should be submitted to Parliament as early as possible for the purpose recommended in the foregoing Resolution.
10. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
11. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
(1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
(2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
(3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
12. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

ORDERS OF THE DAY:—

1. Industrial and Provident Societies Bill; to be considered in Committee.
2. Parramatta Market Bill, *as amended in Select Committee*; to be further considered in Committee of the Whole.
3. Church of England Synod Bill, *as amended in Select Committee*; second reading.
4. Brands Registration Bill; third reading.
5. Destitute Children's Bill; second reading.

6. Prison Discipline Bill reported; adoption of Report.
7. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
8. Advances to Agents intrusted with Goods Bill; second reading.
9. Australian Agricultural Company's Bill; second reading.
10. Petroleum Bill re-committed; to be further considered in Committee.
11. Criminal Evidence Amendment Bill; second reading.

FRIDAY, JUNE 9.

Question :—

1. MR. SUTHERLAND *to ask* THE COLONIAL SECRETARY,—Is he aware that a Clerk in the Office of the Inspector General of Police has charged George Hawkers, of Paddington, the sum of 10s. 6d. for making a declaration before a Commissioner for Affidavits; if so, by what authority, and to what fund is the money applied?

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. LAYCOCK *to move*, That eight thousand five hundred and twenty acres of land be now set aside in perpetuity as a grazing right for the free selectors on Woodford Island, Clarence River, who have taken up 2,840 acres of land on the island, in compliance with the provisions of the Crown Lands Alienation Act of 1861.

ORDER OF THE DAY :—

1. Wild Birds and Animals Protection Bill; second reading.

FRIDAY, JUNE 30.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Superannuation Act Amendment Bill; resumption of Adjourned Debate on motion of Mr. Forster, “That this Bill be now read a second time.”



New South Wales.

No. 56.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 8 JUNE, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

(*Mr. Buchanan withdrew the Question standing in his name, No. 1.*)

- (1.) Insolvent Magistrates :—Mr. Buchanan asked the Colonial Secretary, pursuant to Notice No. 2,—If it is the practice of the Government to retain gentlemen in the Commission of the Peace after they become Insolvent ?
Mr. Cowper answered,—It is not the practice,—the rule is to the contrary. The Chief Commissioner is required to report to the Government; and when any case is reported by him, a *supersedeas* is at once issued.
- (2.) Mr. Farrand, Police Magistrate at Forbes :—Mr. Donnelly asked the Colonial Secretary, pursuant to Notice No. 3,—If the Government has received a Petition from certain Residents of Forbes, praying for the removal of Mr. Farrand, the Resident Police Magistrate of that place; and if so, is it the intention of the Government to take any action therein ?
Mr. Cowper answered,—The Petition referred to was sent by me to Mr. Farrand, and on receiving his reply, I came to the conclusion that there were not grounds for any formal inquiry. I may add, that in the performance of his duty, a Police Magistrate is almost certain to give dissatisfaction to some parties. With regard to some of the charges against him, I believe Mr. Farrand acted for the public good.
2. Paper :—Mr. Cowper laid upon the Table, Report of Astronomer, for 1864, on Government Observatory, Sydney.
Ordered to be printed.
3. Harbour Defences :—Mr. Macleay, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee, for whose inquiry and report this subject was referred on 2nd May, 1865,—together with Appendix.
Ordered to be printed.
4. Mr. Austin Forrest Wilshire (Tanneries, &c.) :—Mr. Parkes, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee, for whose consideration and report the Petition of Mr. Wilshire was referred on 3rd May, 1865,—together with Appendix.
Ordered to be printed.
5. Paper :—Mr. Arnold laid upon the Table, Return to Order in reference to "Bridges," made by this House, on motion of Mr. Cummings, on 21st April, 1865.
Ordered to be printed.
6. Loan Bill, No. 2 :—
(1.) Mr. Smart moved (without notice), That the Resolution of Ways and Means, No. 26, be now read.
Question put and passed.
And Resolution (*as recorded in Votes and Proceedings, No. 54, Entry 8,*) read.
- (2.) Mr. Smart then moved (without notice) for leave to introduce a Bill to authorize the raising of a Loan of Three hundred thousand pounds upon the security of the Consolidated Revenues of the Colony, to meet a like amount payable in January, 1866, upon Debentures to fall due in that month.
Question put and passed.

(3.)

(3.) Mr. Smart having presented this Bill, Bill, intituled, "*A Bill to authorize the raising of a loan of Three hundred thousand pounds upon the security of the Consolidated Revenues of the Colony to meet a like amount payable in January 1866, upon Debentures to fall due in that month,*"—read a first time.

Ordered to be printed, and read a second time to-morrow.

7. Loan Bill ("*Formal*" Order of the Day), on motion of Mr. Smart, read a third time, and passed.

Mr. Smart then moved, That the Title of this Bill be "*An Act to empower the Government to raise a sum not exceeding Five hundred and fifty thousand pounds by the sale of Debentures.*"

Question put and passed.

Whereupon Mr. Smart moved, That this Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to empower the Government to raise a sum not exceeding Five hundred and fifty thousand pounds by the sale of Debentures,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 8th June, 1865.

Speaker.

Question put and passed.

8. Appropriation Bill ("*Formal*" Order of the Day), on motion of Mr. Smart, read a third time and passed.

Mr. Smart then moved, That the Title of this Bill be, "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain sums to make good the Supplies granted for the Service of the Year 1865 and for the Year 1864 and previous Years.*"

Question put and passed.

Whereupon, Mr. Smart moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain sums to make good the Supplies granted for the Service of the Year 1865 and for the Year 1864 and previous Years,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,
Sydney, 8th June, 1865.

Speaker.

Question put and passed.

9. Customs Duties ("*Formal*" Motion):—Mr. Hart moved, pursuant to Notice, That the Petition presented by him on the 6th June, from certain Licensed Publicans in Sydney and the Suburbs, relative to Customs Duties, be printed.

Question put and passed.

Ordered to be printed.

10. Motion Withdrawn:—Mr. Smart withdrew the Motion standing in his name, No. 1 on the Notice Paper of Government Business for to-day.

11. Public Works and Immigration Loan Bill, on motion of Mr. Smart, read a second time.

Whereupon, on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of this Bill.

The Chairman having reported the Bill without Amendment, the House adopted the Report, and ordered, that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.

12. Stamp Duties Bill:—

Mr. Smart moved, "That" the Speaker do now leave the Chair, and the House resolve itself into a Committee of the Whole for the consideration of the Amendments made by the Legislative Council in this Bill.

Mr. Cowper moved, That the Question be amended by omitting all the words after the word "That," with a view to inserting in their place the words "the Bill be laid aside."

Debate ensued.

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

Question,—That the words proposed to be inserted in the place of the words omitted be there inserted,—put and passed.

Whereupon Question,—That the Bill be laid aside,—put and passed.

13. Stamp Duties Bill, No. 2:—

(1.) Mr. Smart moved, That the Resolutions of Ways and Means, Nos. 4 to 23 inclusive, upon which the Stamp Duties Bill had been founded, be now read.

Question put and passed,—

And the said Resolutions (*as recorded in Votes and Proceedings, No. 32, Entry 12,*) read.

(2.) Mr. Smart then moved for leave to bring in a Bill to impose Stamp Duties.

Question put and passed.

(3.) Mr. Smart having presented this Bill, Bill, intituled, "*A Bill to impose Stamp Duties,*" read a first time.

(4.)

(4.) The House having, on motion of Mr. Smart, ordered that the Bill be printed,—
Mr. Smart moved, That this Bill be read a second "time" at a later hour this day.
Debate ensued.

Mr. Forster moved, That the Question be amended by omitting all the words
after the word "time," with a view to inserting in their place the word
"to-morrow."

Debate continued.

Question put, That the words proposed to be omitted stand part of the Question.
The House divided.

Ayes, 23.

Mr. Cowper,	Mr. Pemell,
Mr. Smart,	Mr. Neale,
Mr. Arnold,	Mr. Pickering,
Mr. Lucas,	Mr. Cummings,
Mr. Hurley,	Mr. Morrice,
Mr. Donnelly,	Mr. Laycock,
Mr. Hart,	Mr. Cunneen,
Mr. Oatley,	Mr. Garrett,
Mr. Dignam,	<i>Tellers.</i>
Mr. Parkes,	Mr. Alexander,
Mr. Farnell,	Mr. Burdekin.
Mr. Driver,	
Mr. Tighe,	

Noes, 14.

Mr. Forlonge,	<i>Tellers.</i>
Mr. Macpherson,	Mr. Piddington,
Mr. White,	Mr. Forster.
Mr. Cooper,	
Mr. Buchanan,	
Mr. De Salis,	
Mr. Caldwell,	
Mr. Samuel,	
Mr. Joseph,	
Mr. Graham,	
Mr. Mate,	
Mr. Phelps,	

Original Question then put.

The House divided.

Ayes, 25.

Mr. Cowper,	Mr. Tighe,
Mr. Smart,	Mr. Pemell,
Mr. Robertson,	Mr. Neale,
Mr. Arnold,	Mr. Pickering,
Mr. Lucas,	Mr. Cummings,
Mr. Joseph,	Mr. Morrice,
Mr. Hurley,	Mr. Laycock,
Mr. Donnelly,	Mr. Cunneen,
Mr. Hart,	Mr. Driver,
Mr. Oatley,	<i>Tellers.</i>
Mr. Dignam,	Mr. Alexander,
Mr. Garrett,	Mr. Burdekin.
Mr. Parkes,	
Mr. Farnell,	

Noes, 13.

Mr. Macpherson,
Mr. White,
Mr. De Salis,
Mr. Cooper,
Mr. Buchanan,
Mr. Caldwell,
Mr. Piddington,
Mr. Samuel,
Mr. Graham,
Mr. Mate,
Mr. Phelps,
<i>Tellers.</i>
Mr. Forlonge,
Mr. Forster.

14. Postponements :—

(1.) The Order of the Day for the resumption of the Committee of Ways and
Means postponed, on motion of Mr. Smart, until to-morrow.

(2.) The Order of the Day for the further consideration in Committee of the Roads
other than Main Roads Bill postponed, on motion of Mr. Robertson, until
Tuesday next.

15. Stamp Duties Bill, No. 2 :—Mr. Smart moved, That this Bill be now read a second
time.

Debate ensued.

Question put.

The House divided.

Ayes, 33.

Mr. Cowper,	Mr. Cummings,
Mr. Robertson,	Mr. Mate,
Mr. Samuel,	Mr. Burdekin,
Mr. Smart,	Mr. Farnell,
Mr. Arnold,	Mr. Cooper,
Mr. Lucas,	Mr. Oatley,
Mr. Joseph,	Mr. Pemell,
Mr. Caldwell,	Mr. Neale,
Mr. Donnelly,	Mr. Pickering,
Mr. Hurley,	Mr. Cunneen,
Mr. Parkes,	Mr. Alexander,
Mr. Dignam,	Mr. Laycock,
Mr. Terry,	Mr. Hart,
Mr. Morrice,	<i>Tellers.</i>
Mr. De Salis,	Mr. Driver,
Mr. Macpherson,	Mr. Garrett.
Mr. White,	
Mr. Graham,	

Noes, 4.

Mr. Buchanan,
Mr. Phelps,
<i>Tellers.</i>
Mr. Forlonge,
Mr. Forster.

Bill thereupon read a second time.

Whereupon, on motion of Mr. Smart (after Debate), the Speaker left the Chair,
and the House resolved itself into a Committee of the Whole, for the consideration
of this Bill.

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

The House adjourned, on motion of Mr. Cowper, at twenty-five minutes after Ten
o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

FRIDAY, JUNE 9.

Questions :—

1. MR. SUTHERLAND *to ask* THE COLONIAL SECRETARY,—Is he aware that a Clerk in the Office of the Inspector General of Police has charged George Hawkers, of Paddington, the sum of 10s. 6d. for making a declaration before a Commissioner for Affidavits ; if so, by what authority, and to what fund is the money applied ?
2. MR. BUCHANAN *to ask* THE ATTORNEY GENERAL,—If he has any objections to state the reasons which led the Executive to liberate the prisoners Levey and Shoveller, found guilty of conspiracy to defraud their creditors, and sentenced to two years' imprisonment ?
3. MR. WALKER *to ask* THE SECRETARY FOR PUBLIC WORKS,—If it is the intention of the Government to place a sum of money on the Estimates for 1866, to be submitted next Session of Parliament, for the purpose of erecting a Bridge across the Hawkesbury at Windsor, in accordance with the petitions which have been presented to the Government and Assembly on the subject ?
4. MR. PICKERING *to ask* THE COLONIAL TREASURER,—
(1.) What is the nature of the duties devolving upon a Sale Clerk at the Government Printing Office ?
(2.) What is the amount of salary to be paid to the gentleman recently gazetted to such appointment ?
(3.) Is the appointment one of new creation, or has it been previously filled, and by whom, and at what salary ?
5. MR. BUCHANAN *to ask* THE COLONIAL SECRETARY,—If the Government have come to any decision in reference to the charges brought against Messrs. Hickey and Biddulph, Justices of the Peace ?
6. MR. FORSTER *to ask* THE SECRETARY FOR PUBLIC WORKS,—What steps have the Government taken, or do they intend taking, with reference to the application of certain residents on the Manning River, for the removal of obstructions to the river, as far as Wingham, by means of a steam dredge ?
7. MR. FORSTER *to ask* THE SECRETARY FOR LANDS,—What steps have the Government taken, or do they intend taking, towards opening a Road between New England and the Upper Manning ?
8. MR. FORSTER *to ask* THE SECRETARY FOR LANDS,—What steps have the Government taken, or do they intend taking, towards putting in thorough repair the Road between New England and Port Macquarie ?
9. MR. FORSTER *to ask* THE SECRETARY FOR LANDS,—What steps have the Government taken, or do they intend taking, towards opening or repairing the Road between New England and Kempsey, on the Macleay River ?
10. MR. PARKES *to ask* THE COLONIAL SECRETARY,—Whether the Government have received any advice on the subject of the appeal to the Privy Council against the decision of the Supreme Court of this Colony, in the case, *Berry v. Graham* ?
11. MR. PARKES *to ask* THE COLONIAL SECRETARY,—Whether the Government will be prepared next Session to introduce a general measure to amend the Municipalities Act of 1858 ?

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Wild Birds and Animals Protection Bill ; second reading.
2. Industrial and Provident Societies Bill ; to be considered in Committee.
3. Parramatta Market Bill, *as amended in Select Committee* ; to be further considered in Committee of the Whole.
4. Church of England Synod Bill, *as amended in Select Committee* ; second reading.
5. Brands Registration Bill ; third reading.
6. Destitute Children's Bill ; second reading.
7. Prison Discipline Bill reported ; adoption of Report.
8. Volunteer Forces Regulation Bill ; Debate on the Motion of Mr. Forster,—“ That this Bill be now read a second time.”
9. Advances to Agents intrusted with Goods Bill ; second reading.
10. Australian Agricultural Company's Bill ; second reading.
11. Petroleum Bill re-committed ; to be further considered in Committee.
12. Criminal Evidence Amendment Bill ; second reading.

NOTICES OF MOTION :—

1. MR. JAYCOCK *to move*, That eight thousand five hundred and twenty acres of land be now set aside in perpetuity as a grazing right for the free selectors on Woodford Island, Clarence River, who have taken up 2,840 acres of land on the island, in compliance with the provisions of the Crown Lands Alienation Act of 1861.
2. MR. DRIVER *to move*, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimates for the present year, a sum of money not exceeding £300, as compensation to Mrs. Elizabeth Castle, for damages sustained, owing to the improper issue of a grant from the Crown, of land on the Hunter, and afterwards purchased by her late husband.

3. MR. HANNELL to move, That the Petition presented by him on the 2nd June, from the Members of the Newcastle Investment and Building Society, relative to the Stamp Duties Bill, be printed.
4. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of justice, and deserves the pointed condemnation of this House.
5. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
6. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
7. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
8. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
9. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions:—
 - (1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
 - (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible, for the purpose recommended in the foregoing Resolution.
10. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
11. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
12. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. SMART to move, That so much of the Standing Orders be suspended as will admit of the passing through all its stages, in one day, of a Bill to authorize the raising of a Loan of Three hundred thousand pounds upon the security of the Consolidated Revenues of the Colony, to meet a like amount payable in January, 1866, upon Debentures to fall due in that month.
2. MR. SMART to move, That this House will, on the next sitting day, resolve itself into a Committee of the Whole, for the purpose of taking into consideration the proposed Agreement with the Government of Victoria regarding Border Customs Duties.

ORDERS OF THE DAY:—

1. Loan Bill No. 2; second reading.
2. Public Works and Immigration Loan Bill; third reading.
3. Ways and Means; resumption of the Committee.
4. Stamp Duties Bill No. 2; to be further considered in Committee.

TUESDAY, JUNE 13.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Roads other than Main Roads Bill ; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. MACLEAY to move, That the Report of the Select Committee on Harbour Defences, brought up on the 8th June, be now adopted.
2. Mr. PARKES to move, That the Report of the Select Committee in the matter of Mr. Austin Forrest Wilshire, (Tanneries, &c.,) brought up on the 8th June, be now adopted, and communicated by Address to His Excellency the Governor.

FRIDAY, JUNE 30.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Superannuation Act Amendment Bill ; resumption of Adjourned Debate on motion of Mr. Forster, " That this Bill be now read a second time."
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New South Wales.

No. 57.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 9 JUNE, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

(*Mr. Sutherland not asking the Question standing in his name No. 1, it dropped.*)

- (1.) Prisoners Levey and Shoveller ;—Mr. Buchanan asked the Attorney General, pursuant to Notice No. 2,—If he has any objections to state the reasons which led the Executive to liberate the prisoners Levey and Shoveller, found guilty of conspiracy to defraud their creditors, and sentenced to two years' imprisonment ?
Mr. Cowper answered,—A petition or petitions in favour of these prisoners having been referred to the Judge who tried the case, His Excellency felt justified in exercising the royal prerogative of mercy.

- (2.) Bridge across the Hawkesbury, at Windsor :—Mr. Walker asked the Secretary for Public Works, pursuant to Notice No. 3,—If it is the intention of the Government to place a sum of money on the Estimates for 1866, to be submitted next Session of Parliament, for the purpose of erecting a Bridge across the Hawkesbury at Windsor, in accordance with the petitions which have been presented to the Government and Assembly on the subject ?

Mr. Arnold answered,—I shall not be in a position to answer this question until the Estimates for 1866 have been brought under the consideration of the Government.

- (3.) Sale Clerk at Government Printing Office :—Mr. Pickering asked the Colonial Treasurer, pursuant to Notice No. 4,—

(1.) What is the nature of the duties devolving upon a Sale Clerk at the Government Printing Office ?

(2.) What is the amount of salary to be paid to the gentleman recently gazetted to such appointment ?

(3.) Is the appointment one of new creation, or has it been previously filled, and by whom, and at what salary ?

Mr. Smart answered,—The Sale Clerk attends to the sale of printed public documents. He keeps an account, and makes a daily return of the same. He also compiles the *Gazette* Index, prepares lists of Parliamentary papers for publication, and attends to various other clerical matters. The appointment is not a new one. The gentleman recently gazetted has been doing the duty for several years past. He was formerly paid by wages at the rate of £4 per week ; he now receives £200 per annum.

- (4.) Messrs. Hickey and Biddulph, Magistrates :—Mr. Buchanan asked the Colonial Secretary, pursuant to Notice No. 5,—If the Government have come to any decision in reference to the charges brought against Messrs. Hickey and Biddulph, Justices of the Peace ?

Mr. Cowper answered,—No decision has been as yet come to, the papers having been referred by me to the Crown Law Officers, and I am in hourly expectation of getting a reply.

- (5.) Removal of Obstructions, Manning River :—Mr. Forster asked the Secretary for Public Works, pursuant to Notice No. 6,—What steps have the Government taken, or do they intend taking, with reference to the application of certain residents on the Manning River, for the removal of obstructions to the river, as far as Wingham, by means of a steam dredge ?

Mr.

Mr. Arnold answered,—The Government have no means of complying with the application of the residents of the Manning River, referred to by the Honorable Member. There is no steam dredge in the possession of the Government at present available for this service, nor is there any present intention upon the part of the Government to make an application to Parliament specially for the purpose of the erection of one. Indeed, so far as I am aware, there is no difficulty in constructing boats for the purpose of navigating this river in its present state. Steam navigation is carried on there at the present time, though not so far as Wingham. There are many other cases quite as fairly pressing upon the attention of the Government as this case.

- (6.) Road between New England and Upper Manning:—Mr. Forster asked the Secretary for Lands, pursuant to Notice No. 7,—What steps have the Government taken, or do they intend taking, towards opening a Road between New England and the Upper Manning?

Mr. Robertson answered:—This question was asked by my Honorable friend on the 15th March, 1865, and was answered by Mr. Arnold, the Minister for Works, as follows:—“The matter to which the Honorable Member alludes is not one connected with my department, it is connected with the Department of Lands; but in the absence of my Honorable colleague I may inform the Honorable Member that the reason for not proclaiming this road appears to have been the enormous expense which would have been necessary to make the road available after it was surveyed. It was surveyed and reported upon in 1861.” There has been no change in this matter—the expense would be so enormous, having regard to the importance of the road, that the Government does not feel justified in entering upon it.

- (7.) Road between New England and Port Macquarie:—Mr. Forster asked the Secretary for Lands, pursuant to Notice No. 8,—What steps have the Government taken, or do they intend taking, towards putting in thorough repair the Road between New England and Port Macquarie?

Mr. Robertson answered:—This road is No. 13 on the Schedule of Subordinate Roads, under the Department of Public Works, “Armidale *via* Walcha to Port Macquarie,” for which £910 has been voted.

- (8.) Road between New England and Kempsey, Macleay River:—Mr. Forster asked the Secretary for Lands, pursuant to Notice, No. 9,—What steps have the Government taken, or do they intend taking, towards opening or repairing the Road between New England and Kempsey, on the Macleay River?

Mr. Robertson answered,—This road is included in No. 12 and part of No. 14 of the Schedule of Subordinate Roads under the Department of Public Works, and the sum voted for 1865 amounts to £920.

- (9.) *Berry v. Graham*—Appeal to Privy Council:—Mr. Parkes asked the Colonial Secretary, pursuant to Notice No. 10,—Whether the Government have received any advice on the subject of the appeal to the Privy Council against the decision of the Supreme Court of this Colony, in the case *Berry v. Graham*?

Mr. Cowper answered,—By the last mail the Crown Solicitor received a letter, bearing date 25th March, 1865, from Messrs. Oliverson, Lavie, and Peachey, of which the following is an extract:—

BERRY v. GRAHAM.

“This Appeal was argued about a fortnight since, and the Judges have taken time to consider their judgment. We expect it before Easter.

“We retained in this case Mr. Mellish, an eminent Lawyer of the Common Law Bar, to assist Sir Hugh Cairns, in addition to our Junior Counsel, Mr. Williams, as many of the points to be urged were analogous to those which have arisen in our Common Law Courts where Mr. Mellish’s assistance would be useful.

“The result was extremely satisfactory; for although our Counsel had at first entertained much doubt of success in the Appeal, before the case came on Sir Hugh Cairns and Mr. Mellish had so thoroughly mastered it that they began to entertain a much more hopeful view.

“Sir Hugh Cairns addressed a masterly argument of some hours to the Court, and Mr. Mellish followed him with great ability; and from the questions put and observations made by the learned Judges during the argument, the impression in Court was that they would decide in our favor. We sincerely hope that we shall not be disappointed.

“We shall have a short-hand note of the arguments and the judgment, and whatever the result may be, we shall have the satisfaction of feeling that the case was well argued by our Counsel.

“The Judges appeared to consider the Respondent’s contention in reference to the use of the disjunctive ‘or’ was open to great practical objection and difficulty, and renders the enactment almost absurd; and on the effect of the 6th section, in excluding all these objections at this late period, they appeared also with us.”

- (10.) Municipalities Act of 1858:—Mr. Parkes asked the Colonial Secretary, pursuant to Notice No. 11,—Whether the Government will be prepared next Session to introduce a general measure to amend the Municipalities Act of 1858?

Mr. Cowper answered:—It is the intention of the Government to take this question up with a view to the introduction of such a measure as the Honorable gentleman alludes to.

2. Stamp Duties Bill (*"Formal" Motion*):—Mr. Cummings, on behalf of Mr. Hannell, moved, pursuant to Notice, That the Petition presented by Mr. Hannell on the 2nd June, from the Members of the Newcastle Investment and Building Society, relative to the Stamp Duties Bill, be printed.
Question put and passed.
Ordered to be printed.
3. Public Works and Immigration Loan Bill (*"Formal" Order of the Day*), On motion of Mr. Smart, read a third time and *passed*.
Mr. Smart then moved, That the Title of this Bill be "*An Act to enable the Government to raise a Loan for certain Public Works and for purposes of Assisted Immigration.*"
Question put and passed.
Whereupon, Mr. Smart moved, That this Bill be carried to the Legislative Council, with the following Message:—
MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled, "*An Act to enable the Government to raise a Loan for certain Public Works and for purposes of Assisted Immigration,*" presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 9th June, 1865. Speaker.
- Question put and passed.
4. Motion Withdrawn:—Mr. Laycock withdrew the Motion standing in his name, No. 1 on the Notice Paper of Other Business for to-day.
5. Railway through Ultimo Estate:—Mr. Cunneen, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee, appointed on 31 March, 1865, to inquire into, and report upon, the Petition of J. Harris and others, having reference to the Railway through Ultimo Estate,—together with Appendix.
Ordered to be printed.
6. Paper:—Mr. Smart laid upon the Table, Return to Address, in reference to "*Williams, late Letter Carrier,*" adopted by this House, on motion of Mr. Driver, on 7 June, 1865.
Ordered to be printed.
7. Wild Birds and Animals Protection Bill:—Mr. Driver moved, That this Bill "*be*" now read a second time.
Debate ensued.
Mr. Buchanan moved, That the Question be amended by omitting all the words after the word "*be*" with a view to inserting in their place the words—"referred to a Select Committee."
(2.) That such Committee consist of the following Members, *viz.*,—Mr. Robertson, Mr. Wilson, Mr. Parkes, Mr. Forlonge, Mr. Brown, Mr. Hart, Mr. Farnell, Mr. Gordon, Mr. Cummings, and the Mover."
Debate continued.
Question put,—That the words proposed to be omitted stand part of the Question.
The House divided.

Ayes, 27.

Mr. Cowper,	Mr. Cooper,
Mr. Arnold,	Mr. Cunneen,
Mr. Smart,	Mr. Wilson,
Mr. Lucas,	Dr. Lang,
Mr. De Salis,	Mr. Brown,
Mr. Hart,	Mr. Pickering,
Mr. Terry,	Mr. Kemp,
Mr. Forlonge,	Mr. Tunks,
Mr. Morrice,	Mr. Garrett,
Mr. Piddington,	Mr. Gordon,
Mr. Macpherson,	<i>Tellers.</i>
Mr. Graham,	Mr. Josephson,
Mr. Macleay,	Mr. Driver.
Mr. Farnell,	
Mr. Mate,	

Noes, 9.

Mr. Parkes,
Mr. Oatley,
Mr. Rodd,
Mr. Dignam,
Mr. Caldwell,
Mr. Laycock,
Mr. Buchanan,
<i>Tellers.</i>
Mr. Donnelly,
Mr. Forster.

Original Question then put and passed.

And Bill read a second time.

Whereupon, on motion of Mr. Driver, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.

The Chairman reported that there was not a Quorum present in the Committee.

Whereupon, the Speaker counted the House, and there being a Quorum present, the Committee resumed.

The Chairman again reported that there was not a Quorum present in the Committee.

Whereupon, the Speaker counted the House, and there being a Quorum present, the Committee resumed.

The Chairman again reported that there was not a Quorum present in the Committee.

Whereupon, the Speaker counted the House, and there being a Quorum present, the Committee resumed.

The Chairman again reported that there was not a Quorum present in the Committee.

Whereupon,

Whereupon, the Speaker counted the House; and, there being only Nineteen Members present, exclusive of the Speaker, namely,—Mr. Cooper, Mr. Cowper, Mr. Cummings, Mr. De Salis, Mr. Driver, Mr. Farnell, Mr. Garrett, Mr. Gordon, Mr. Graham, Mr. Hurley, Mr. Kemp, Mr. Lucas, Mr. Macpherson, Mr. Mate, Mr. Parkes, Mr. Phelps, Mr. Piddington, Mr. Terry, and Mr. Wilson,—The Speaker adjourned the House at a quarter before Twelve o'clock, until Tuesday next, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

TUESDAY, JUNE 13.

Question :—

1. MR. PIDDINGTON *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce a Bill, at the commencement of next Session, to apply the principle of Election to the construction of the Legislative Council?

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. SMART *to move*, That so much of the Standing Orders be suspended as will admit of the passing through all its stages, in one day, of a Bill to authorize the raising of a Loan of Three hundred thousand pounds upon the security of the Consolidated Revenues of the Colony, to meet a like amount payable in January, 1866, upon Debentures to fall due in that month.
2. MR. SMART *to move*, That this House will, on the next sitting day, resolve itself into a Committee of the Whole, for the purpose of taking into consideration the proposed Agreement with the Government of Victoria regarding Border Customs Duties.

ORDERS OF THE DAY :—

1. Roads other than Main Roads Bill; to be further considered in Committee.
2. Loan Bill No. 2; second reading.
3. Ways and Means; resumption of the Committee.
4. Stamp Duties Bill No. 2; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MACLEAY *to move*, That the Report of the Select Committee on Harbour Defences, brought up on the 8th June, be now adopted.
2. MR. PARKES *to move*, That the Report of the Select Committee in the matter of Mr. Austin Forrest Wilshire, (Tannerics, &c.,) brought up on the 8th June, be now adopted, and communicated by Address to His Excellency the Governor.
3. MR. LATCOCK *to move*, That one thousand acres of Land be now set aside as a Common for the purchasers of Land by Free Selection and otherwise, on Woodford Island, Clarence River.
4. MR. DRIVER *to move*, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimates for the present year, a sum of money not exceeding £300, as compensation to Mrs. Elizabeth Castle, for damages sustained, owing to the improper issue of a grant from the Crown, of land on the Hunter, and afterwards purchased by her late husband.
5. MR. BUCHANAN *to move*, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of Justice, and deserves the pointed condemnation of this House.
6. MR. BUCHANAN *to move*, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
7. MR. BURDEKIN *to move*, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.

8. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
9. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
10. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the following Resolutions:—
 - (1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
 - (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible for the purpose recommended in the foregoing Resolution.
11. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
12. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
13. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

ORDERS OF THE DAY:—

1. Industrial and Provident Societies Bill; to be considered in Committee.
2. Parramatta Market Bill, *as amended in Select Committee*; to be further considered in Committee of the Whole.
3. Church of England Synod Bill, *as amended in Select Committee*; second reading.
4. Brands Registration Bill; third reading.
5. Destitute Children's Bill; second reading.
6. Prison Discipline Bill reported; adoption of Report.
7. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
8. Advances to Agents intrusted with Goods Bill; second reading.
9. Australian Agricultural Company's Bill; second reading.
10. Petroleum Bill re-committed; to be further considered in Committee.
11. Criminal Evidence Amendment Bill; second reading.

FRIDAY, JUNE 16.

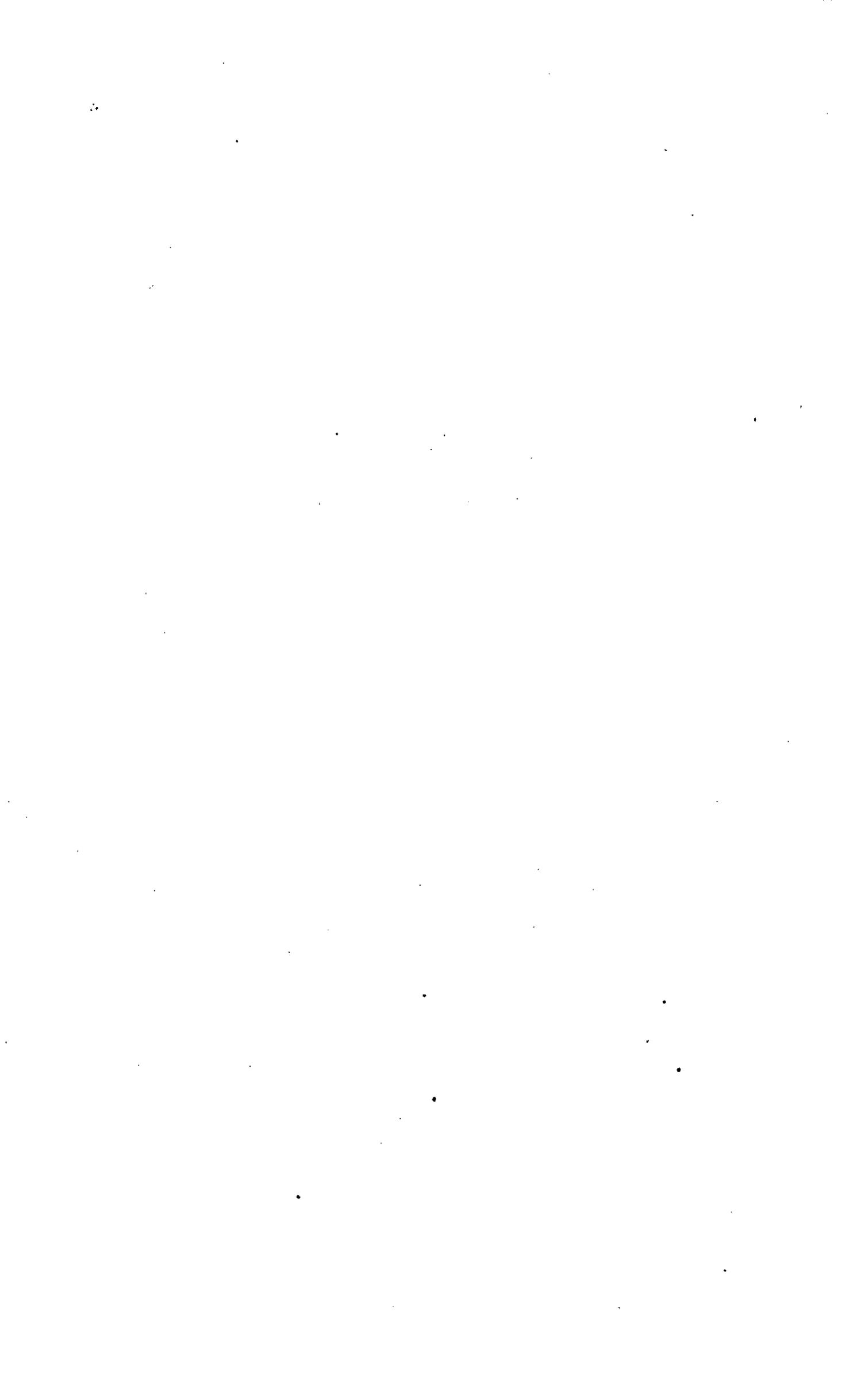
OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. CUNNEEN to move, That the Report from the Select Committee appointed to inquire into, and report upon, the Petition of J. Harris and others, relative to the Railway through Ultimo Estate, ordered by this House to be printed on the 9th June, 1865, be now adopted.

FRIDAY, JUNE 30.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Superannuation Act Amendment Bill; resumption of Adjourned Debate on motion of Mr. Forster, “That this Bill be now read a second time.”
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New South Wales.

No. 58.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 13 JUNE, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.
Question on Notice Paper for to-day:—
Construction of the Legislative Council on the principle of Election:—Mr. Piddington asked the Colonial Secretary, pursuant to Notice,—Is it the intention of the Government to introduce a Bill, at the commencement of next Session, to apply the principle of Election to the construction of the Legislative Council?
Mr. Cowper answered,—I can only assure the Honorable Gentleman, at this moment, that this important subject shall receive the attention of the Government during the recess.
2. Fitz Roy Iron Works Company's Bill:—The Speaker reported the following Message from the Legislative Council:—
MR. SPEAKER,
The Legislative Council having this day passed a Bill, intituled, "*An Act to establish and incorporate a Company to be called 'The Fitz Roy Iron Works Company,'*" presents the same to the Legislative Assembly for its concurrence, accompanied by a Copy of the Report from, and Minutes of Evidence taken before, the Select Committee thereon.
Legislative Council Chamber,
Sydney, 9 June, 1865.
T. A. MURRAY,
President.
Bill, on motion of Mr. Cowper, read a first time.
Ordered to be printed, and read a second time to-morrow.
3. Coal Wharf, Newcastle:—Mr. Josephson presented a Petition from James Mitchell, of Cumberland-place, in the City of Sydney, Esquire, setting forth certain circumstances under which he alleges he obtained permission to occupy a piece of Crown Land at the water side at Newcastle, in the year 1849, as a wharf for shipping coal and landing ores; that the said land has long been so occupied; and that, notwithstanding remonstrances, and application to purchase the land, on which large sums of money have been expended, the Government are about to resume it; and praying that this House will take his case into consideration, and adopt such course as it may deem right and just, in order to obtain for Petitioner a fair and equitable recognition and settlement of his claim in the premises.
Petition received.
4. Papers:—Mr. Robertson laid upon the Table the undermentioned Papers:—
(1.) Return to Address, in reference to "Messrs. Wood Brothers and Kirk," adopted by the Legislative Assembly, on motion of Mr. Leary, on 29th December, 1863.
(2.) Abstract of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th section of the Act, 25 Victoria, No. 1.
(3.) Return to Order, in reference to "Gold Fields Statistics," made by this House, on motion of Mr. Donnelly, on 23th April, 1865.
Ordered to be printed.
5. Mr. E. J. H. Knapp:—Mr. Hart, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before the Select Committee for whose investigation and report the Petition of Mr. Knapp was referred on 6th June, 1865,—together with Appendix.
Ordered to be printed.
6. Motion Dropped:—Mr. Smart not making the Motion standing in his name No. 1 on the Notice Paper of Government Business for to-day, it dropped.

7. Border Customs Duties :—

(1.) Mr. Smart moved, pursuant to notice, That this House will, on the next sitting day, resolve itself into a Committee of the Whole, for the purpose of taking into consideration the proposed Agreement with the Government of Victoria regarding Border Customs Duties.

Debate ensued.

Mr. Samuel moved, That the Question be amended by omitting all the words after the word "That," with a view to inserting in their place the words, "in the opinion of this House,—

"(1.) There ought to be a Customs Union, and an uniform Tariff for Victoria and New South Wales.

"(2.) That such Tariff should, as far as practicable, with a due regard to the fiscal necessities of the two Colonies, be based upon the principles of Free Trade.

"(3.) That the Customs Revenue collected by each Colony should be divided rateably according to population and the amount of dutiable goods consumed.

"(4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor."

Debate continued.

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

Original Question then put.

The House divided.

Ayes, 20.

Mr. Cowper,	Mr. Oatley,
Mr. Alexander,	Mr. Graham,
Mr. Smart,	Mr. Tighe,
Mr. Caldwell,	Mr. Neale,
Mr. De Salis,	Mr. Cummings,
Mr. Hart,	Mr. Josephson,
Mr. Pickering,	Mr. Darvall,
Mr. Rodd,	<i>Tellers.</i>
Mr. Donnelly,	Mr. Kemp,
Mr. Garrett,	Mr. Joseph.
Mr. Mate,	

Noes, 12.

Mr. Martin,	<i>Tellers.</i>
Mr. Macpherson,	Mr. Gordon,
Mr. Forster,	Mr. Driver.
Mr. Wilson,	
Mr. Piddington,	
Mr. White,	
Mr. Samuel,	
Mr. Cooper,	
Mr. Phelps,	
Mr. Lucas,	

(2.) Mr. Phelps presented a Petition from certain residents of the Town of Wentworth (at the confluence of the Rivers Murray and Darling in New South Wales) and others, praying that the Customs Duties to which they are subject may be collected, as heretofore, according to the Tariff of New South Wales, and not according to the Tariff of Victoria.

Petition received.

8. Postponement :—The Order of the Day, No. 1 of Government Business, postponed, on motion of Mr. Smart, to follow the Order of the Day No. 4 of Government Business.

9. Loan Bill No. 2 :—

(1.) The Order of the Day No. 2 of Government Business, for the second reading of this Bill discharged, and Bill withdrawn, on motion of Mr. Smart, *with a view to the introduction of a new Bill with the same Title.*

(2.) Loan Bill No. 3 :—Mr. Smart then, under the Order of Leave made on 8th June instant (*see Votes and Proceedings of that date, Entry No. 6*) presented a new Bill, with the same Title, which, having been read a first time, was ordered to be printed, and read a second time at a later hour this day.

10. Ways and Means :—The Order of the Day (No. 3 of Government Business) for the resumption of the Committee of Ways and Means, discharged, on motion of Mr. Smart.

11. Stamp Duties Bill No. 2 :—On the Order of the Day (No. 4 of Government Business) for the further consideration in Committee of this Bill being read, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for such further consideration.

The Chairman having reported the Bill with an Amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.

12. Roads other than Main Roads Bill :—The Order of the Day (No. 1 of Government Business) for the further consideration in Committee of this Bill discharged, and Bill withdrawn, on motion of Mr. Robertson.

13. Loan Bill No. 3, on motion of Mr. Smart, read a second time.

Whereupon, on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.

The Chairman having reported the Bill without Amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for to-morrow.

The House adjourned, on motion of Mr. Cowper, at twenty-seven minutes before Twelve o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

WEDNESDAY, JUNE 14.

Questions :—

1. MR. FORSTER *to ask* THE ATTORNEY GENERAL,—
(1.) With reference to the recent mitigation of sentence, granted or promised by the Executive Government, to Lawrence Levey, or Levey Lawrence, and Thomas Shoveller, both formerly of Grafton, sentenced to two years' imprisonment for being concerned in fraudulent Insolvency,—to what extent, under what circumstances, and by whose recommendation was such mitigation granted or promised?
(2.) Was the mitigation granted in either case without or against the recommendation of the Judge who tried the case; and if so, under what circumstances?
2. MR. DONNELLY *to ask* THE COLONIAL SECRETARY,—If he has any objection to lay upon the Table of the House, copies of all Correspondence between the residents of Forbes and the Government, relative to the alleged malpractices of W. Farrand, Esq., the Police Magistrate of Forbes?
3. MR. GRAHAM *to ask* THE SECRETARY FOR LANDS,—If the Government intend to renew the Act for the prevention and cure of Scab in Sheep, which will expire on 31st December next?
4. MR. CALDWELL *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce a Bill, at the commencement of next Session, to establish Juvenile Reformatories?
5. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce, next Session, any measure for the alteration or amendment of the Electoral Law?
6. MR. FORSTER *to ask* THE SECRETARY FOR LANDS,—Is it the intention of the Government to introduce, next Session, any measure for the alteration or amendment of the laws relating to the Alienation and Occupation of Crown Lands?
7. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce, next Session, any measure for the regulation of Prison Discipline?
8. MR. FORSTER *to ask* THE COLONIAL TREASURER,—What steps have the Government taken, or do they intend taking, towards carrying into effect the Resolution of this House with reference to Steam Communication by way of Panama?
9. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—
(1.) Whether it be the case that Captain Mann, Superintendent of Cockatoo Island, has accepted an appointment as Overseer of certain Works for the Queensland Government, such superintendence requiring his almost daily visits to Sydney?
(2.) Do the Government consider that Captain Mann has sufficient spare time to attend to these new duties?

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Border Customs Duties; consideration in Committee of the proposed Agreement with the Government of Victoria regarding Border Customs Duties.
2. Stamp Duties Bill No. 2; third reading.
3. Loan Bill No. 3; third reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. JOSEPHSON *to move*, That the Petition of James Mitchell, Esquire, presented by him on 13th June, be printed.
2. MR. PHELPS *to move*, That the Petition from certain Residents of Wentworth and others, respecting Border Customs Duties, presented by him on the 13th June, be printed.
3. MR. MACLEAY *to move*, That the Report of the Select Committee on Harbour Defences, brought up on the 8th June, be now adopted.
4. MR. PARKES *to move*, That the Report of the Select Committee in the matter of Mr. Austin Forrest Wilshire, (Tanneries, &c.,) brought up on the 8th June, be now adopted, and communicated by Address to His Excellency the Governor.
5. MR. LAYCOCK *to move*, That one thousand acres of Land be now set aside as a Common for the purchasers of Land by Free Selection and otherwise, on Woodford Island, Clarence River.
6. MR. DRIVER *to move*, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimates for the present year, a sum of money not exceeding £300, as compensation to Mrs. Elizabeth Castle, for damages sustained, owing to the improper issue of a grant from the Crown, of land on the Hunter, and afterwards purchased by her late husband.

7. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of justice, and deserves the pointed condemnation of this House.
8. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
9. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
10. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
11. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
12. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions :—
 - (1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
 - (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible, for the purpose recommended in the foregoing Resolution.
13. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
14. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
15. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

ORDERS OF THE DAY :—

1. Fitz Roy Iron Works Company's Bill; second reading.
2. Industrial and Provident Societies Bill; to be considered in Committee.
3. Parramatta Market Bill, *as amended in Select Committee*; to be further considered in Committee of the Whole.
4. Church of England Synod Bill, *as amended in Select Committee*; second reading.
5. Brands Registration Bill; third reading.
6. Destitute Children's Bill; second reading.
7. Prison Discipline Bill reported; adoption of Report.
8. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
9. Advances to Agents intrusted with Goods Bill; second reading.
10. Australian Agricultural Company's Bill; second reading.
11. Petroleum Bill re-committed; to be further considered in Committee.
12. Criminal Evidence Amendment Bill; second reading.

FRIDAY, JUNE 16.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. CUNNEEN to move, That the Report from the Select Committee appointed to inquire into, and report upon, the Petition of J. Harris and others, relative to the Railway through Ultimo Estate, ordered by this House to be printed on the 9th June, 1865, be now adopted.
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FRIDAY, JUNE 30.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Superannuation Act Amendment Bill; resumption of Adjourned Debate on motion of Mr. Forster, "That this Bill be now read a second time."
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New South Wales.

No. 59.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 14 JUNE, 1865.

1. The House met, pursuant to adjournment ; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Prisoners Levey and Shoveller :—Mr. Forster asked the Attorney General, pursuant to Notice No. 1,—

(1.) With reference to the recent mitigation of sentence, granted or promised by the Executive Government, to Lawrence Levey, or Levey Lawrence, and Thomas Shoveller, both formerly of Grafton, sentenced to two years' imprisonment for being concerned in fraudulent Insolvency,—to what extent, under what circumstances, and by whose recommendation was such mitigation granted or promised ?
(2.) Was the mitigation granted in either case without or against the recommendation of the Judge who tried the case ; and if so, under what circumstances ?

Mr. Cowper answered,—The mitigation of sentence to Lawrence Levey was to this extent :—He was sentenced for two years on the 7th April, 1864, and in the month of April, 1865, he was released. The circumstances under which he was released are these—A petition, signed by a large number of persons, many of them of great respectability, was presented to His Excellency ; that was referred to the Judge, who was certainly not unfavorable to any recommendation of remission, but quite willing that such remission should be granted if His Excellency thought fit ; His Excellency, after considering the matter, did grant the remission. The circumstances were much the same with regard to Shoveller, the only difference was, that he was retained until Her Majesty's Birthday, when he was released. In both cases the Judge was applied to, and not only did he make no objection to the remission, but left it entirely to the Executive, and seemed not unfavorable to the granting of some remission under the circumstances.

- (2.) Mr. Farrand, Police Magistrate at Forbes :—Mr. Donnelly asked the Colonial Secretary, pursuant to Notice No. 2,—If he has any objection to lay upon the Table of the House, copies of all Correspondence between the residents of Forbes and the Government, relative to the alleged malpractices of W. Farrand, Esq., the Police Magistrate of Forbes ?

Mr. Cowper answered,—It seems to me that this matter being now closed, and the Session being near its termination, no good would arise from placing this Correspondence upon the Table at the present moment.

- (3.) Scab in Sheep Act :—Mr. Graham asked the Secretary for Lands, pursuant to Notice No. 3,—If the Government intend to renew the Act for the prevention and cure of Scab in Sheep, which will expire on 31st December next ?
Mr. Robertson answered,—It is exceedingly improbable in my opinion that the Government will do anything of the kind, although I have never submitted the matter to my colleagues, and therefore do not desire to commit the Government. I think it exceedingly improbable that the Government will commit itself to an Act which has given the very reverse of satisfaction either to those who have administered it or to those who have come under its operation. No doubt it will be the duty of Government to provide some substitute for this law ; but I cannot say in what direction this House will be asked to Legislate upon the matter.

(4.)

- (4.) Juvenile Reformatories:—Mr. Caldwell asked the Colonial Secretary, pursuant to Notice No. 4,—Is it the intention of the Government to introduce a Bill, at the commencement of next Session, to establish Juvenile Reformatories? Mr. Cowper answered,—I have a Bill in preparation to promote and regulate Juvenile Reformatory Institutions, which I intend to introduce next Session. The object of the Bill is rather to facilitate the establishment of these institutions by individuals than to establish them by Government.
- (5.) Electoral Law:—Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 5,—Is it the intention of the Government to introduce, next Session, any measure for the alteration or amendment of the Electoral Law? Mr. Cowper answered,—The Government has not arrived at any decision upon the subject; it shall, however, be considered during the recess.
- (6.) Crown Lands Alienation and Occupation Acts:—Mr. Forster asked the Secretary for Lands, pursuant to Notice No. 6,—Is it the intention of the Government to introduce, next Session, any measure for the alteration or amendment of the laws relating to the Alienation and Occupation of Crown Lands? Mr. Robertson answered,—I think it is not very probable, as I believe it will be admitted even by the Honorable Member, that the laws at present in force have given general satisfaction to the people of the country throughout its length and breadth. It may, indeed, be desirable to make some alterations, as no one supposes, I presume, that these laws, like any other law, may not require some amendments, but I am not aware that it is one of those matters which will require attention during the next Session. However, as my Honorable Friend has himself been a member of a Government, he is well aware that it is not usual, during a Session, for a Government to determine what they shall do in the next.
- (7.) Prison Discipline:—Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 7,—Is it the intention of the Government to introduce, next Session, any measure for the regulation of Prison Discipline? Mr. Cowper answered,—I hope to be prepared with such a measure when the Parliament re-assembles.
- (8.) Steam Communication *via* Panama:—Mr. Forster asked the Colonial Treasurer, pursuant to Notice No. 8,—What steps have the Government taken, or do they intend taking, towards carrying into effect the Resolution of this House with reference to Steam Communication by way of Panama? Mr. Smart answered,—Nothing has yet been done since the passing of the Resolution. During the recess no arrangements but such as are absolutely necessary will be assented to.
- (9.) Captain Mann, Superintendent of Cockatoo Island:—Mr. Lucas asked the Secretary for Public Works, pursuant to Notice No. 9,—
- (1.) Whether it be the case that Captain Mann, Superintendent of Cockatoo Island, has accepted an appointment as Overseer of certain Works for the Queensland Government, such superintendence requiring his almost daily visits to Sydney?
 - (2.) Do the Government consider that Captain Mann has sufficient spare time to attend to these new duties?
- Mr. Arnold answered,—A letter was recently received from the Government of Queensland, requesting that Captain Mann might be permitted to superintend the construction of a steam dredge, for which a contract had been taken, for the Queensland service. The letter was dated 20th May, and was in these terms:—
 “I shall be obliged by your permitting G. K. Mann, Esq., Engineer-in-Chief, Cockatoo Island, to superintend the construction of the same, provided he can perform the duty without inconvenience to your Government.” On the 31st May a reply was sent to this effect:—“I am directed to inform you that the Secretary for Public Works has approved of a compliance with your request, with the understanding that the duty can be undertaken without interfering with the duties of Captain Mann under this Government.” I may say that it is usual to extend courtesies of this kind to neighbouring Governments in friendly relations with us, and upon this occasion I should not have felt justified in refusing the request.
2. Loan Bill No. 3 (Order No. 3 of Government Business) (“*Formal*” *Order of the Day*), on motion of Mr. Smart, read a third time and *passed*.
 Mr. Smart then moved, That the Title of this Bill be “*An Act to authorize the raising of a Loan of Three hundred thousand pounds upon the security of the Consolidated Revenues of the Colony to meet a like amount payable in January 1866, upon Debentures to fall due in that month.*”
 Question put and passed.
 Whereupon, Mr. Smart moved, That this Bill be carried to the Legislative Council, with the following Message:—
- MR. PRESIDENT,
 The Legislative Assembly having this day passed a Bill, intituled, “*An Act to authorize the raising of a Loan of Three hundred thousand pounds upon the security of the Consolidated Revenues of the Colony to meet a like amount payable in January 1866 upon Debentures to fall due in that month,*” presents the same to the Legislative Council for its concurrence.
- Legislative Assembly Chamber,
 Sydney, 14th June, 1865. Speaker.
- Question put and passed.

3. Coal Wharf, Newcastle ("Formal" Motion):—Mr. Garrett, on behalf of Mr. Josephson, moved, pursuant to Notice,—That the Petition of James Mitchell, Esquire, presented by Mr. Josephson on 13th June, be printed.
Question put and passed.
Ordered to be printed.
4. Border Customs Duties ("Formal" Motion):—Mr. Phelps moved, pursuant to Notice,—That the Petition from certain Residents of Wentworth and others, respecting Border Customs Duties, presented by him on the 13th June, be printed.
Question put and passed.
Ordered to be printed.
5. Paper:—Mr. Robertson laid upon the Table, Return to Order, in reference to "Applications to Reclaim Land having Harbour Frontage in Sydney," made by the Legislative Assembly, on motion of Mr. Stewart, on 29th December, 1863.
6. Motion Withdrawn:—Mr. Piddington, on behalf of Mr. Macleay, withdrew the Motion standing in the name of Mr. Macleay, No. 3 on the Notice Paper for to-day.
7. Papers:—
- (1.) Mr. Cowper laid upon the Table, Letter from Secretary to Denominational School Board, dated June 13, 1865, with Tabular Statement enclosed, of the sum standing to the credit of the said Board, on the first day of each month, from 1 January, 1864, to 1 June, 1865, (*in further reference to Question No. 1 on Notice Paper of 25 April, 1865, and Mr. Cowper's answer thereto.*)
Ordered to be printed.
- (2.) Mr. Smart laid upon the Table, Further Correspondence respecting Border Customs Duties.
Ordered to be printed.
8. Postponement:—The Order of the Day, No. 1 of Government Business postponed, on motion of Mr. Smart, to follow the Order of the Day No. 2 of Government Business.
9. Stamp Duties Bill, No. 2 (Order No. 2 of Government Business):—Mr. Smart moved, That this Bill be now read a third time.
Debate ensued.
Question put.
The House divided.

Ayes, 32.

Mr. Cowper,	Mr. Alexander,
Mr. Smart,	Mr. Tighe,
Mr. Arnold,	Mr. White,
Mr. Darvall,	Mr. Macleay,
Mr. Hart,	Mr. Brown,
Mr. Kemp,	Mr. Driver,
Mr. Burdekin,	Mr. Graham,
Mr. Pickering,	Mr. Laycock,
Mr. Rodd,	Mr. Lucas,
Mr. Donnelly,	Mr. Dignam,
Mr. Farnell,	Mr. Neale,
Mr. Samuel,	Mr. Gordon,
Mr. Cummings,	Mr. Joseph,
Mr. Macpherson,	<i>Tellers.</i>
Mr. Parkes,	Mr. Josephson,
Mr. Oatley,	Mr. Garrett.
Mr. Morrice,	

Noes, 5.

Mr. Wilson,
Mr. Mate,
Mr. Buchanan,
<i>Tellers.</i>
Mr. De Salis,
Mr. Forster.

Bill thereupon read a third time.

Mr. Smart then moved, That this Bill do now *pass*.

Question put and passed.

Mr. Smart then moved, That the Title of this Bill be "*An Act to Impose Stamp Duties.*"

Question put and passed.

Whereupon, Mr. Smart moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to impose Stamp Duties,*" presents the same to the Legislative Council for its concurrence.*Legislative Assembly Chamber,**Sydney, 14th June, 1865.*

Speaker.

Question put and passed.

10. Messages:—The Speaker reported the following Messages from the Legislative Council:—

- (1.) Loan Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to empower the Government to raise a sum not exceeding Five hundred and fifty thousand pounds by the sale of Debentures,*" returns the same to the Legislative Assembly without Amendment.*Legislative Council Chamber,**Sydney, 14 June, 1865.*

T. A. MURRAY,

President.

(2.)

(2.) Customs Bill:—

MR. SPEAKER,—

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to impose for a limited time Additional Customs Duties*," returns the same to the Legislative Assembly without Amendment.

Legislative Council Chamber,
Sydney, 14 June, 1865.

T. A. MURRAY,
President.

11. Border Customs Duties (Order No. 1 of Government Business):—On motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the purpose of taking into consideration the proposed Agreement with the Government of Victoria regarding Border Customs Duties.

The Speaker resumed the Chair.

The House adjourned, on motion of Mr. Cowper, at twelve minutes before Twelve o'clock, until To-morrow at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

THURSDAY, JUNE 15.

Questions:—

1. MR. LAYCOCK *to ask* THE COLONIAL SECRETARY,—
 - (1.) Is it the intention of the Government to cause to be erected, within a reasonable period, a new Police Office in Sydney?
 - (2.) Are the Government aware that the present Central Police Office is in an extremely leaky state, and requires immediate repair?
2. MR. PARKES *to ask* THE COLONIAL SECRETARY,—
 - (1.) Whether the Government have any intention of contributing to the Expedition proposed to be fitted out in Victoria to ascertain the fate of Dr. Leichhardt?
 - (2.) Whether the Government have received any communication on the subject of the proposed Expedition; and if so, whether they will lay copies of such communication or communications on the Table of this House?
3. MR. PARKES *to ask* THE COLONIAL SECRETARY,—Whether Boys of tender years, convicted of offences by the Courts, are confined in the Gaol at Darlinghurst without any regulations for their separate treatment, and whether it is a fact that a boy named David Martin, ten years of age, is now in that prison allowed to mingle with, and actually mustered with the adult prisoners?
4. MR. LAYCOCK *to ask* THE SECRETARY FOR PUBLIC WORKS,—Will the Correspondence required by me relative to the Bridge, Punt, and Wharf at Casino, be laid upon the Table of this House this Session?
5. DR. LANG *to ask* THE COLONIAL TREASURER,—Whether it is the intention of the Government to make the requisite provision for stationing a Pilot at the Bellinger River, where there is a considerable and increasing population, chiefly of Free Selectors, during the present year?

OTHER

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MACLEAY to move, That the Report of the Select Committee on Harbour Defences, brought up on the 8th June, be now adopted.
2. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return, shewing:—
 - (1.) The number of prisoners, with their names and offences, liberated previous to the expiry of their sentences, within the last twelve months.
 - (2.) The number of applications, within the same period, that have been made to the Executive, praying for the release of prisoners, with the names and offences of said prisoners.
 - (3.) The grounds upon which such applications were based.
 - (4.) The trade, profession, or occupation, previous to conviction, of all prisoners so released during the last year.
 - (5.) The number of applications of this description refused by the Government during the same period.
 - (6.) The names of the prisoners and their offences whose applications were thus refused; also, the trade or occupation followed by those prisoners previous to conviction.
 - (7.) In every case of any prisoner being liberated before the expiry of sentence, was such liberation recommended by the Judge who tried the case?
3. MR. JOSEPHSON to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and to report to this House upon, the Petition of James Mitchell, Esquire, presented to this House on the 13th day of June. And that such Committee consist of the following Members, viz.:—Mr. Alexander, Mr. Caldwell, Mr. De Salis, Mr. Farnell, Mr. Graham, Mr. Hart, Mr. Macleay, Mr. Neale, Mr. Piddington, and the Mover.
4. MR. PARKES to move, That the Report of the Select Committee in the matter of Mr. Austin Forrest Wilshire, (Tanneries, &c.) brought up on the 8th June, be now adopted, and communicated by Address to His Excellency the Governor.
5. MR. LAYCOCK to move, That one thousand acres of Land be now set aside as a Common for the purchasers of Land by Free Selection and otherwise, on Woodford Island, Clarence River.
6. MR. DRIVER to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimates for the present year, a sum of money not exceeding £300, as compensation to Mrs. Elizabeth Castle, for damages sustained, owing to the improper issue of a grant from the Crown, of land on the Hunter, and afterwards purchased by her late husband.
7. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of justice, and deserves the pointed condemnation of this House.
8. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
9. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
10. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
11. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
12. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions:—
 - (1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
 - (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible, for the purpose recommended in the foregoing Resolution.
13. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.

14. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
- (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
15. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

ORDERS OF THE DAY:—

1. Fitz Roy Iron Works Company's Bill; second reading.
2. Industrial and Provident Societies Bill; to be considered in Committee.
3. Parramatta Market Bill, *as amended in Select Committee*; to be further considered in Committee of the Whole.
4. Church of England Synod Bill, *as amended in Select Committee*; second reading.
5. Brands Registration Bill; third reading.
6. Destitute Children's Bill; second reading.
7. Prison Discipline Bill reported; adoption of Report.
8. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
9. Advances to Agents intrusted with Goods Bill; second reading.
10. Australian Agricultural Company's Bill; second reading.
11. Petroleum Bill re-committed; to be further considered in Committee.
12. Criminal Evidence Amendment Bill; second reading.

FRIDAY, JUNE 16.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. CUNNEEN to move, That the Report from the Select Committee appointed to inquire into, and report upon, the Petition of J. Harris and others, relative to the Railway through Ultimo Estate, ordered by this House to be printed on the 9th June, 1865, be now adopted.

FRIDAY, JUNE 30.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Superannuation Act Amendment Bill; resumption of Adjourned Debate on motion of Mr. Forster, “That this Bill be now read a second time.”

New South Wales.

No. 60.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 15 JUNE, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Central Police Office, Sydney:—Mr. Laycock asked the Colonial Secretary, pursuant to Notice No. 1,—

(1.) Is it the intention of the Government to cause to be erected, within a reasonable period, a new Police Office in Sydney?

(2.) Are the Government aware that the present Central Police Office is in an extremely leaky state, and requires immediate repair?

Mr. Cowper answered,—

(1.) Some two or three years ago a negotiation was commenced with the Corporation of the City of Sydney, with a view to making some arrangement for building a Town Hall and Police Office for the City of Sydney on the same site of ground. Plans were then prepared, and were considered by the Government. In consequence of the difficulty of finding the funds, and completing the arrangements, some delay has taken place; but I will, as soon as Parliament is over, give immediate consideration to the subject.

(2.) With regard to the leaky state of the present Police Office, and its state of repair, I have to-day received a memorandum from the Colonial Architect, in which he says:—"A requisition was received yesterday, from the Police Magistrate, and an examination of the roof made immediately afterwards. It was found that the gutter and pipes were choked with dust and rubbish. Steps have been taken for cleaning these out. The roof requires partial re-shingling, and repairs to one of the lantern lights. For these works an estimate is being prepared. There were several broken squares of glass in the lantern light, through which the rain beat; these would have been replaced when broken, had the persons living on the premises reported the necessity."

- (2.) Dr. Leichhardt:—Mr. Parkes asked the Colonial Secretary, pursuant to Notice No. 2,—

(1.) Whether the Government have any intention of contributing to the Expedition proposed to be fitted out in Victoria to ascertain the fate of Dr. Leichhardt?

(2.) Whether the Government have received any communication on the subject of the proposed Expedition; and if so, whether they will lay copies of such communication or communications on the Table of this House?

Mr. Cowper answered,—I have received communications on the subject of the proposed expedition to ascertain the fate of Dr. Leichhardt, and they have been under consideration by the Government. I shall have no objection to lay them on the Table of the House, but at present the Government is not prepared to advise this House to contribute towards the expenditure. The principle that has guided us up to the present time in considering this matter is, that there has not been any interest manifested on the part of the public, and perhaps the publication of this correspondence might induce the Colonists to commence a contribution from New South Wales towards the expedition, by individual subscriptions. The Government, in that event, will be prepared to recommend to Parliament a contribution equal pound for pound to that subscribed, up to a limited amount; but it does not appear to the Government at present to be a question on which they ought to pledge the public funds, in the absence of any public manifestation of interest in the matter, on the part of the Colonists.

(3.)

- (3.) Convict Boys—David Martin :—Mr. Parkes asked the Colonial Secretary, pursuant to Notice No. 3,—Whether Boys of tender years convicted of offences by the Courts, are confined in the Gaol at Darlinghurst without any regulations for their separate treatment, and whether it is a fact that a boy named David Martin, ten years of age, is now in that prison allowed to mingle with, and actually mustered with the adult prisoners ?

Mr. Cowper answered :—With reference to this question, the Sheriff has furnished me with the following information :—“ Boys of tender years are kept separate from the other prisoners as much as the nature of the buildings will permit. They each sleep in a separate cell. They are, while out of the cells, under the care of a particular Warder, whose duty it is to prevent their communicating with the adult prisoners. In school they are likewise kept as much apart from the men as possible. The boy David Martin is now under sentence and treated with the other boys. All the prisoners, youths and adults, are mustered together, but the mustering is merely that they answer to their names as called, and proceed to their respective cells ; no communication is involved. The boys are constantly under the supervision of the Warder in charge of them, or the Schoolmaster.”

- (4.) Bridge, Punt, and Wharf, at Casino, Richmond River :—Mr. Laycock asked the Secretary for Public Works, pursuant to Notice No. 4,—Will the Correspondence required by me relative to the Bridge, Punt, and Wharf, at Casino, be laid upon the Table of this House this Session ?

Mr. Arnold answered,—I am afraid I shall not be able to lay upon the Table of the House, this Session, the Correspondence alluded to, as it is very voluminous ; and it will be necessary to apply to another Department before I can ascertain whether the Correspondence is complete.

- (5.) Pilot at Bellinger River :—Dr. Lang asked the Colonial Treasurer, pursuant to Notice No. 5,—Whether it is the intention of the Government to make the requisite provision for stationing a Pilot at the Bellinger River, where there is a considerable and increasing population, chiefly of Free Selectors, during the present year ?

Mr. Smart answered,—From the latest information I have been able to obtain, the trade is so unimportant—only one vessel having cleared out for that place during the year—that I do not feel justified in recommending the provision alluded to in the question of the Honorable and Reverend Member.

2. Papers :—

- (1.) Mr. Smart laid upon the Table, Account of Receipts and Payments to 31st December, 1864, under Superannuation Act of 1864.

Ordered to be printed.

- (2.) Mr. Robertson laid upon the Table the undermentioned Papers :—

(1.) Return to Order, in reference to “ Returns respecting Runs,” made by this House, on motion of Mr. Cunneen, on 21 March, 1865.

(2.) Return to Order, in reference to “ Scab Inspector, Warialda,” made by this House, on motion of Mr. Gordon, on 12 May, 1865.

Ordered to be printed.

- (3.) Mr. Cowper laid upon the Table, Police Statistics.

Ordered to be printed.

3. Mrs. Callaghan :—Mr. Faucett, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and report the Petition of Mrs. Callaghan was referred on 19th May, 1865,—together with Appendix.

Ordered to be printed.

4. Coal Wharf, Newcastle (“ *Formal* ” Motion) :—Mr. Josephson moved, pursuant to Notice, That a Select Committee be appointed, with power to send for persons and papers, to inquire into, and to report to this House upon, the Petition of James Mitchell, Esquire, presented to this House on the 13th day of June ; and that such Committee consist of the following Members, viz. :—Mr. Alexander, Mr. Caldwell, Mr. De Salis, Mr. Farnell, Mr. Graham, Mr. Hart, Mr. Macleay, Mr. Neale, Mr. Piddington, and the Mover.

Question put and passed.

5. Harbour Defences :—Mr. Macleay moved, pursuant to Notice, *as amended with the concurrence of the House*, “ That ” this House will, to-morrow, resolve itself into a Committee of the Whole, for the consideration of the Report of the Select Committee on Harbour Defences, brought up on the 8th June.

Mr. Arnold moved, That the Question be amended by omitting all the words after the word “ That,” with a view to inserting in their place the words “ the Report of the Select Committee on Harbour Defences, brought up on the 8th June, be forwarded to His Excellency the Governor, with a request that the recommendations therein contained may receive the serious and early consideration of the Government.”

Debate ensued.

Proposed Amendment by leave withdrawn.

Original Question (as above stated) put and passed.

6. Messages:—The Speaker reported the following Messages from the Legislative Council:—

(1.) Appropriation Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain sums to make good the Supplies granted for the Service of the Year 1865 and for the Year 1864 and previous Years,*" returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,
Sydney, 15 June, 1865.

T. A. MURRAY,
President.

(2.) Public Works and Immigration Loan Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to enable the Government to raise a Loan for certain Public Works and for purposes of Assisted Immigration,*" returns the same to the Legislative Assembly, without Amendment.

Legislative Council Chamber,
Sydney, 15 June, 1865.

T. A. MURRAY,
President.

(3.) Package Bill:—

MR. SPEAKER,

The Legislative Council has this day agreed to the Bill, returned herewith, intituled, "*An Act to impose a charge on Imported Packages,*" with the Amendment indicated by the accompanying Schedule, in which Amendment the Council requests the concurrence of the Legislative Assembly.

Legislative Council Chamber,
Sydney, 15th June, 1865.

T. A. MURRAY,
President.

(Amendment referred to—Page 1, Clause 1, line 8. Insert "*ores for smelting*" after "*transit.*")

The Speaker said, with reference to the Message respecting the Package Bill, just read, that, although the Amendment made by the Legislative Council in that Bill did not increase the burdens upon the People, (in which case it would have infringed the 1st section of the Constitution Act, which limits to the Legislative Assembly the origination of Bills imposing any new rate, tax, or impost,) it was of that class which the House of Commons would not entertain, in such a Bill, if made by the Lords. Mr. Cowper then moved, That this Bill be laid aside.

Debate ensued.

Question put and passed.

7. Package Bill, No. 2:—

(1.) Mr. Smart moved, That the Resolution of Ways and Means, No. 24, upon which the Package Bill had been founded, be now read.

Question put and passed.

And the said Resolution (*as recorded in Votes and Proceedings, No. 50, Entry 8*) read.

(2.) Mr. Smart then moved for leave to bring in a Bill to impose a charge on Imported Packages.

Question put and passed.

(3.) Mr. Smart having presented this Bill, intituled, "*A Bill to impose a charge on Imported Packages,*" read a first time.

Ordered to be printed, and read a second time at a later hour this day.

(4.) Mr. Smart then moved, That this Bill be now read a second time.

Question put.

The House divided.

Ayes, 27.

Mr. Cowper,	Mr. Cooper,
Mr. Smart,	Mr. Martin,
Mr. Arnold,	Mr. Macleay,
Mr. Robertson,	Mr. Phelps,
Mr. Lucas,	Mr. Tunks,
Mr. De Salis,	Mr. Mate,
Mr. Burdekin,	Mr. Alexander,
Mr. Hart,	Mr. Graham,
Mr. Pickering,	Mr. Neale,
Mr. Dignam,	Mr. Gordon,
Mr. Cummings,	Tellers.
Mr. Farnell,	
Mr. Piddington,	Mr. Driver,
Mr. Macpherson,	Mr. Josephson.
Mr. Garrett,	

Noes, 11.

Mr. Wilson,
Mr. Rodd,
Mr. Tighe,
Mr. Brown,
Mr. Joseph,
Mr. Sutherland,
Mr. Caldwell,
Mr. Parkes,
Mr. Buchanan,
Tellers.
Mr. Samuel,
Mr. Kemp.

Bill, thereupon, read a second time.

Mr. Smart then moved, That the Bill be committed to a Committee of the Whole, forthwith.

Question put and passed.

Whereupon, on motion of Mr. Smart, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill.

The

The Chairman having reported the Bill, without Amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for a later hour this day.

- (5.) *Ordered*, on motion of Mr. Smart, That this Bill be *now* read a third time.

Bill then read a third time.

Mr. Smart then moved, That this Bill do now *pass*.

Question put and passed.

Mr. Smart then moved, That the Title of this Bill be "*An Act to impose a charge on Imported Packages.*"

Question put and passed.

Whereupon, Mr. Smart moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,

The Legislative Assembly having, this day passed a Bill, intituled, "*An Act to impose a charge on Imported Packages,*" presents the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 15th June, 1865.

Speaker.

Question put and passed.

8. Motion Withdrawn:—Mr. Parkes withdrew the Motion standing in his name, No. 4 on the Notice Paper for to-day.
9. Motion Dropped:—Mr. Laycock not making the Motion standing in his name, No. 5 on the Notice Paper for to-day, it dropped.
10. Elizabeth Castle:—Mr. Driver moved, pursuant to Notice, That this House will, on Friday next, resolve itself into a Committee of the Whole, for the purpose of considering of an Address to the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimates for the present year, a sum of money not exceeding £300, as compensation to Mrs. Elizabeth Castle, for damages sustained, owing to the improper issue of a grant from the Crown, of land on the Hunter, and afterwards purchased by her late husband.
Question put and passed.
11. Mr. Buchanan proceeding to make the Motion standing in his name, No. 7 on the Notice Paper for to-day,—
Notice was taken that there was not a Quorum present.
Whereupon, the Speaker counted the House, and there being only Seventeen Members present, exclusive of the Speaker, namely,—Mr. Buchanan, Mr. Caldwell, Mr. Cowper, Mr. Darvall, Mr. De Salis, Mr. Driver, Mr. Farnell, Mr. Garrett, Mr. Graham, Mr. Lucas, Mr. Macleay, Mr. Macpherson, Mr. Parkes, Mr. Piddington, Mr. Robertson, Mr. Rodd, and Mr. Sutherland,—the Speaker adjourned the House, at twenty minutes before Eleven o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

FRIDAY, JUNE 16.

Questions:—

1. MR. MATE *to ask* THE COLONIAL TREASURER,—What course do the Government intend pursuing with reference to the question of Border Customs, in consequence of the Government having failed to obtain the sanction of this House to the arrangement recently entered into between the Government of this Colony and that of Victoria with the express object of settling that question?
2. MR. BUCHANAN *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government to introduce a Bill next Session, for the purpose of amending the District Courts Act?
3. MR. HART *to ask* THE COLONIAL TREASURER,—If the Government intend to enforce payment of the Public Debt due by the Colony of Queensland, and what steps have been taken for that purpose?
4. MR. FORSTER *to ask* THE SECRETARY FOR PUBLIC WORKS,—What steps have the Government taken, or do they intend taking, towards constructing a road from Cundletown to Camden Haven, Manning River?

5.

5. MR. FORSTER *to ask* THE SECRETARY FOR LANDS,—What steps have the Government taken, or do they intend taking, with reference to an application from certain residents on the Manning River, for a sum of money towards opening a road from Ghinni Ghinni Punt to the centre of Jones' Island?
6. MR. FORSTER *to ask* THE COLONIAL TREASURER,—With reference to my Question of 14th June, on the subject of Steam Communication by way of Panama, and the statement in reply of the Honorable the Colonial Treasurer, to the effect that "no arrangements, but such as are absolutely necessary, will be assented to," is it the intention of the Government to give effect to the Act 22 Vic., No. 15, and to the several Resolutions of this House in accordance therewith; or, on the other hand, is it the intention of the Government to endeavour to procure the repeal of the said Act, and the rescission of the said Resolutions?
7. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—Is it the intention of the Government, during the recess, to take any steps for the abolition of the office of Solicitor General, or for any such alteration of the position and functions of the Crown Law Officers as may create or establish a Department of Law and Justice on a less anomalous and complicated footing than at present?
8. MR. FORSTER *to ask* THE COLONIAL SECRETARY,—
 - (1.) Has any memorial or remonstrance been lately received by the Government from Barristers or other legal practitioners of the Supreme Court, with reference to the contemplated appointment of a Judge, in place of the late Mr. Justice Milford?
 - (2.) If so, what is the purport of such document, and what steps have the Government taken, or do they intend taking, in the matter?
9. MR. SUTHERLAND *to ask* THE COLONIAL SECRETARY,—Is he aware that a Clerk in the Office of the Inspector General of Police has charged George Hawkens, of Paddington, the sum of 10s. 6d. for making a declaration before a Commissioner for Affidavits; if so, by what authority, and to what fund is the money applied?

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Harbour Defences; consideration in Committee of the Report of the Select Committee on Harbour Defences, brought up on 8th June.
2. Elizabeth Castle; consideration in Committee of an Address to the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimates, for the present year, a sum of money not exceeding £300, as compensation to Mrs. Elizabeth Castle, for damages sustained, owing to the improper issue of a grant from the Crown, of land on the Hunter, and afterwards purchased by her late husband.
3. Fitz Roy Iron Works Company's Bill; second reading.
4. Industrial and Provident Societies Bill; to be considered in Committee.
5. Parramatta Market Bill, *as amended in Select Committee*; to be further considered in Committee of the Whole.
6. Church of England Synod Bill, *as amended in Select Committee*; second reading.
7. Brands Registration Bill; third reading.
8. Destitute Children's Bill; second reading.
9. Prison Discipline Bill reported; adoption of Report.
10. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
11. Advances to Agents intrusted with Goods Bill; second reading.
12. Australian Agricultural Company's Bill; second reading.
13. Petroleum Bill re-committed; to be further considered in Committee.
14. Criminal Evidence Amendment Bill; second reading.

NOTICES OF MOTION :—

1. MR. CUNNEEN to move, That the Report from the Select Committee appointed to inquire into, and report upon, the Petition of J. Harris and others, relative to the Railway through Ultimo Estate, ordered by this House to be printed on the 9th June, 1865, be now adopted.
2. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of justice, and deserves the pointed condemnation of this House.
3. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
4. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as “a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the erection of the Tower of the said Church on its present foundation,” be rescinded, on account of an inaccuracy in the said citation.
5. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.

6. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
7. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions :—
 (1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
 (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible, for the purpose recommended in the foregoing Resolution.
8. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
9. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
10. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pennell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

FRIDAY, JUNE 30.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Superannuation Act Amendment Bill; resumption of Adjourned Debate on motion of Mr. Forster, "That this Bill be now read a second time."

NOTICE OF MOTION:—

1. DR. LANG to move,—
 (1.) That there is at present, as there has also been for several years past, a general stagnation and depression, and great want of employment for the industrious classes, in all branches of Colonial industry, both in the towns and throughout the interior of this Colony, as compared with the rapid progress of colonization during the period indicated, and the demand for all descriptions of labour in the neighbouring Colony of Queensland, of which both the climate and the resources for the settlement of a British population are so greatly inferior to ours.
 (2.) That, in the opinion of this House, this state of things is attributable chiefly, if not entirely, to the fact that, whereas there is a liberal provision made in Queensland, in the form of grants of land for the promotion of the immigration of families and individuals of the middle classes, as immigrants from the Mother-country, many of whom are possessed of considerable capital, and exhibit much energy and enterprise as well as industry and intelligence, there is no such provision made in this Colony.
 (3.) That the system of assisted immigration, which has prevailed in New South Wales for years past, has only tended to aggravate the evil of this state of things, by introducing into the Colony an unusually large number of persons of a humbler and inferior class, who, immediately on their arrival, become candidates for employment in the Police, or as warders and turnkeys in Gaols, as servants in Hospitals and Lunatic Asylums, and in other menial employments throughout the Colony, instead of promoting colonization and settlement all over the Colony, as has been done to so remarkable an extent, under the very different circumstances abovementioned, in the Colony of Queensland.
 (4.) That, in the opinion of this House, it is indispensably necessary to adopt some such system for the promotion of immigration, as is now, and has been for years past, in operation, with such beneficial effects to the community, both in Queensland and in New Zealand.
 (5.) That it is expedient and necessary that a Bill should be introduced, early in next Session of Parliament, to give effect to this resolution, by authorising the Government to give grants of land, of moderate extent, for the promotion of immigration, under such guarantees as may be deemed expedient and necessary for the protection of the public interest, and the due performance of the stipulated terms and conditions of settlement.

New South Wales.

No. 61.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 16 JUNE, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day:—

- (1.) Border Customs Duties:—Mr. Mate asked the Colonial Treasurer, pursuant to Notice No. 1,—What course do the Government intend pursuing with reference to the question of Border Customs, in consequence of the Government having failed to obtain the sanction of this House to the arrangement recently entered into between the Government of this Colony and that of Victoria with the express object of settling that question?

Mr. Smart answered,—The Government is now in the course of communication with the Government of Victoria, to ascertain whether that Government consider any good result is likely to be produced by our endeavouring to arrange with them for the duties on goods coming across the Murray River from Victoria, without reference to river-borne goods from South Australia.

- (2.) District Courts Act:—Mr. Buchanan asked the Colonial Secretary, pursuant to Notice No. 2,—Is it the intention of the Government to introduce a Bill next Session, for the purpose of amending the District Courts Act?

Mr. Cowper answered,—A Bill for this purpose has been a long time in print, and I hope to be able to bring it forward either in its present shape, or in an improved condition in the early part of the next Session.

- (3.) Public Debt due by Queensland:—Mr. Hart asked the Colonial Treasurer, pursuant to Notice No. 3,—If the Government intend to enforce payment of the Public Debt due by the Colony of Queensland, and what steps have been taken for that purpose?

Mr. Smart answered,—Steps were taken to carry out the arbitration provided for by the Act 26th Victoria, No. 8. The Government of Queensland appointed, as Commissioner for that Colony, the Honorable T. de L. Moffatt, who has since died. The matter has therefore been in abeyance, but the attention of the Government will be directed thereto as soon as possible after the prorogation of Parliament, in order to renew the negotiation for its settlement.

- (4.) Road from Cundletown to Camden Haven, Manning River:—Mr. Forster asked the Secretary for Public Works, pursuant to Notice No. 4,—What steps have the Government taken, or do they intend taking, towards constructing a road from Cundletown to Camden Haven, Manning River?

Mr. Robertson answered,—My Honorable Friend the Secretary for Public Works has asked me to reply to this question, there being no record of this road in the Works Department. The road in question is one that we know very little about in the Lands Department. Although it is a road that has been marked out, there is very little if any traffic between the places named, and there never has been any application for it. The matter is under reference.

- (5.) Road from Ghinni Ghinni Punt to centre of Jones' Island:—Mr. Forster asked the Secretary for Lands, pursuant to Notice No. 5,—What steps have the Government taken, or do they intend taking, with reference to an application from certain residents on the Manning River, for a sum of money towards opening a road from Ghinni Ghinni Punt to the centre of Jones' Island?

Mr. Robertson answered,—This matter was brought under my attention by my Honorable Friend the Member for the Hastings, and it is under reference to the district for the purpose of ascertaining the requirements of the inhabitants. There has not been time to receive a reply, but so soon as I have the information I will put myself in communication with the Honorable Member.

(6.)

(6.) Steam Communication *via* Panama :—Mr. Forster asked the Colonial Treasurer, pursuant to Notice No. 6,—With reference to my Question of 14th June, on the subject of Steam Communication by way of Panama, and the statement in reply of the Honorable the Colonial Treasurer, to the effect that “no arrangements but such as are absolutely necessary will be assented to,” is it the intention of the Government to give effect to the Act 22 Vic., No. 15, and to the several Resolutions of this House in accordance therewith; or, on the other hand, is it the intention of the Government to endeavour to procure the repeal of the said Act, and the rescission of the said Resolutions?

Mr. Smart answered,—The Government will be prepared to propose to the Parliament during the next Session such Legislation as may be necessary to carry out the Resolution of the 20th April last.

(7.) Law Arrangements :—

(1.) Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 7,—Is it the intention of the Government, during the recess, to take any steps for the abolition of the office of Solicitor General, or for any such alteration of the position and functions of the Crown Law Officers as may create or establish a Department of Law and Justice on a less anomalous and complicated footing than at present?

Mr. Cowper answered,—It must be admitted that the present arrangements of the Law Departments are not satisfactory. This has long been felt by the various Ministries who have held office under Responsible Government; but while all have acknowledged the evils and inconveniences, none have grappled with them. I can only promise to give my best consideration to the matter, and I hope I may be prepared, when Parliament re-assembles, with some propositions for remedying what I admit is, as the Honorable Member says, an anomalous and complicated state of things.

(2.) Mr. Forster asked the Colonial Secretary, pursuant to Notice No. 8,—

(1.) Has any memorial or remonstrance been lately received by the Government, from barristers or other legal practitioners of the Supreme Court, with reference to the contemplated appointment of a Judge in place of the late Mr. Justice Milford?

(2.) If so, what is the purport of such document, and what steps have the Government taken, or do they intend taking, in the matter?

Mr. Cowper answered,—I can only say that my Honorable and Learned Friend permitted me to read a letter which he had received from certain barristers of the Supreme Court, and he has also read to me his proposed answer. The subject has not been taken into consideration, nor have I had any conversation with my Honorable and Learned Friend in reference to it since that time.

(8.) Fee Charged for making Declaration before a Commissioner for Affidavits :—

Mr. Sutherland asked the Colonial Secretary, pursuant to Notice No. 9,—Is he aware that a Clerk in the Office of the Inspector General of Police has charged George Hawkens, of Paddington, the sum of 10s. 6d. for making a declaration before a Commissioner for Affidavits; if so, by what authority, and to what fund is the money applied?

Mr. Cowper answered :—The Inspector General of Police has forwarded to me the following memorandum from Mr. Horsey, Clerk in charge of the Convict Barrack, who he states is the Officer referred to :—“About a fortnight ago a person called upon me as an old Citizen to ascertain who is the heir-at-law of the late Mr. John Weston. I told him to the best of my belief, and he requested me to make a declaration to that effect, and as this was a matter quite unconnected with my Official capacity, I demanded half a guinea for my trouble, a reasonable charge I considered, when for giving evidence in civil cases in the Supreme Court I always received a guinea with my subpoena.” The Inspector General says, “Mr. Horsey, Clerk in charge of the Convict Barrack, is the Officer referred to. I attach his explanation. Mr. Hawkens addressed a complaint to me on the subject referred to, when I requested him to call, and required Mr. Horsey to furnish an explanation. It seems that it was entirely a private transaction, unconnected with Mr. Horsey’s Official position. He was asked to make a declaration as to some matter within his knowledge, as an old Colonist, and having received on other occasions a guinea with a subpoena, if required to give evidence in any civil suit, he thought he was justified in accepting half a guinea for his trouble in attending and making the declaration. I informed Mr. Horsey that, in my opinion, he acted injudiciously in the matter; but I took no further step, as Mr. Hawkens informed me he should make a complaint to the Member of his district (Mr. Sutherland).”

2. Papers :—

(1.) Mr. Smart laid upon the Table, Further Correspondence, &c., respecting Queensland Debt.

Ordered to be printed.

(2.) Mr. Cowper laid upon the Table the undermentioned Papers :—

(1.) Return, in part, to Order, in reference to “Town and District of St. Leonards,” made by this House, on motion of Mr. Tunks, on 19th May, 1865.

(2.) Letter from Chancellor of University to Colonial Secretary, dated 3rd May, 1865, (with Enclosures) communicating an offer for the sale of the Herbarium and Library of Dr. Lindley.

Ordered to be printed.

3. District Councils Bill:—Mr. Forster having *presented* this Bill, Bill, intituled “*A Bill to establish District Councils and to amend the Municipalities Act of 1858,*” read a first time, and ordered to be printed.
4. Fitz Roy Iron Works Company’s Bill:—Mr. Hart presented a Petition from John Moring, praying that, for the reasons therein set forth, the said Bill may not pass until he be heard by Counsel at the Bar of the House, and the matter of his petition be considered by a Select Committee.
Petition received.
5. Motion for Adjournment;—Mr. Cummings moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
6. Harbour Defences:—On motion of Mr. Macleay, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole, for the consideration of the Report of the Select Committee on Harbour Defences, brought up on 8th June. The Chairman reported that the Committee had come to a Resolution.
Ordered, on motion of the Chairman, *made with the concurrence of the House*, that the said Resolution be *now* received.
The Chairman then reported from the Committee a Resolution, which was read a first time as follows:—
Resolved,—That the Committee, having considered the Report of the Select Committee on Harbour Defences, brought up on the 8th June, 1865, agrees to the same, and resolves that the recommendations contained therein be embodied in an Address to His Excellency the Governor-in-Chief.
Resolution then, on motion of Mr. Macleay, read a second time, and agreed to.
7. Elizabeth Castle:—On motion of Mr. Driver, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole to consider of an Address to the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimates for the present year, a sum of money not exceeding £300, as compensation to Mrs. Elizabeth Castle, for damages sustained, owing to the improper issue of a grant from the Crown, of land on the Hunter, and afterwards purchased by her late husband.
The Chairman reported, That the Committee had come to a Resolution.
Ordered, on motion of the Chairman, *made with the concurrence of the House*, that the said Resolution be *now* received.
The Chairman then reported from the Committee a Resolution, which was read a first time, as follows:—
Resolved, That an Address be presented to the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimates for the present year, a sum of money not exceeding £300, as compensation to Mrs. Elizabeth Castle, for damages sustained, owing to the improper issue of a grant from the Crown, of land on the Hunter, and afterwards purchased by her late husband.
The said Resolution was then, on motion of Mr. Driver, read a second time, and agreed to.
8. Fitz Roy Iron Works Company’s Bill:—Mr. Cowper moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
And Bill read a second time.
Whereupon, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the Whole for the consideration of this Bill. The Chairman having reported the Bill with Amendments, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.
9. Messages:—The Speaker reported the following Messages from the Legislative Council:—
- (1.) Loan Bill No. 3:—
MR. SPEAKER,
The Legislative Council having this day agreed to the Bill, intituled, “*An Act to authorize the raising of a Loan of Three hundred thousand pounds upon the security of the Consolidated Revenues of the Colony to meet a like amount payable in January 1866 upon Debentures to fall due in that month,*” returns the same to the Legislative Assembly without Amendment.
Legislative Council Chamber, T. A. MURRAY,
Sydney, 16 June, 1865. President.
- (2.) Stamp Duties Bill No. 2:—
MR. SPEAKER,
The Legislative Council having this day agreed to the Bill, intituled, “*An Act to impose Stamp Duties,*” returns the same to the Legislative Assembly without Amendment.
Legislative Council Chamber, T. A. MURRAY,
Sydney, 16 June, 1865. President.
- (3.) Package Bill No. 2:—
MR. SPEAKER,
The Legislative Council having this day agreed to the Bill, intituled, “*An Act to impose a charge on Imported Packages,*” returns the same to the Legislative Assembly without Amendment.
Legislative Council Chamber, T. A. MURRAY,
Sydney, 16 June, 1865. President.

10. Industrial and Provident Societies Bill:—On motion of Mr. Cowper, the Speaker left the Chair and the House resolved itself into a Committee of the Whole, for the consideration of this Bill.
The Chairman having reported the Bill without Amendment, the House adopted the Report, and ordered that the third reading of the Bill, as so reported, stand an Order of the Day for Tuesday next.
11. Postponement:—The Order of the Day, No. 5 of Other Business, postponed, on motion of Mr. Cowper, until Tuesday next.
12. Church of England Synod Bill, *as amended in Select Committee*:—Mr. Cowper moved, That the Order of the Day for the second reading of this Bill be discharged.
Debate ensued.
Notice being taken that there was not a Quorum present, the Speaker counted the House; and, there being only Nineteen Members present, exclusive of the Speaker, namely,—Mr. Buchanan, Mr. Caldwell, Mr. Cooper, Mr. Cummings, Mr. Cunneen, Mr. Egan, Mr. Farnell, Mr. Forster, Mr. Garrett, Mr. Graham, Mr. Hart, Mr. Hurley, Mr. Mate, Mr. Parkes, Mr. Piddington, Mr. Sutherland, Mr. Terry, Mr. Tighe, and Mr. Wilson,—The Speaker adjourned the House at ten minutes before Eight o'clock, until Tuesday next, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS OF THE DAY.

TUESDAY, JUNE 20.

Questions:—

1. MR. LUCAS *to ask* THE GOVERNMENT,—When the Correspondence, ordered by this House on the 26th of April, “with reference to the construction of a Bridge over Cox’s River, at Glen Roy,” will be laid on the Table?
2. MR. HART *to ask* THE GOVERNMENT,—Is the sum of £500, voted some years since, for the purpose of erecting a Monument to Dr. Leichhart, still available; and if so, what steps do the Government intend to take towards the expenditure of the sum in question?
3. MR. HART *to ask* THE GOVERNMENT,—
 - (1.) Is the Government aware that the Circular Quay is now, and for some time past has been, in a state unfit for goods or passenger traffic?
 - (2.) Is it the duty of the Government, and, if not, whose duty is it, to keep the said Quay in proper repair?
 - (3.) Under what terms is the Wharf leased, and what amount of rent is derivable by the Government for said wharf and premises?

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. BUCHANAN *to move*, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return, shewing:—
 - (1.) The number of prisoners, with their names and offences, liberated previous to the expiry of their sentences, within the last twelve months.
 - (2.) The number of applications, within the same period, that have been made to the Executive, praying for the release of prisoners, with the names and offences of said prisoners.
 - (3.) The grounds upon which such applications were based.
 - (4.) The trade, profession, or occupation, previous to conviction, of all prisoners so released during the last year.
 - (5.) The number of applications of this description refused by the Government during the same period.
 - (6.) The names of the prisoners and their offences whose applications were thus refused; also, the trade or occupation followed by those prisoners previous to conviction.
 - (7.) In every case of any prisoner being liberated before the expiry of sentence, was such liberation recommended by the Judge who tried the case?
2. MR. PARKES *to move*, That an Address be presented to the Governor, transmitting to His Excellency, a copy of the Petition of Hugh Dixon, presented to this House on the 18th of May, with a recommendation in support of the prayer of the Petitioner.

3. MR. HART to move, That the Petition from John Moring, relative to the Fitz Roy Iron Works Company's Bill, presented by him on the 16th June, be printed.
4. MR. CUNNEEN to move, That the Report from the Select Committee appointed to inquire into, and report upon, the Petition of J. Harris and others, relative to the Railway through Ultimo Estate, ordered by this House to be printed on the 9th June, 1865, be now adopted.
5. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of justice, and deserves the pointed condemnation of this House.
6. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
7. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May instant, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
8. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
9. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
10. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions:—
 - (1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
 - (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible, for the purpose recommended in the foregoing Resolution.
11. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
12. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz.:—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
13. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tunks, Mr. Driver, and the Mover.

ORDERS OF THE DAY:—

1. Fitz Roy Iron Works Company's Bill; third reading.
2. Industrial and Provident Societies Bill; third reading.
3. Parramatta Market Bill, *as amended in Select Committee*; to be further considered in Committee of the Whole.
4. Brands Registration Bill; third reading.
5. Destitute Children's Bill; second reading.
6. Prison Discipline Bill reported; adoption of Report.
7. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
8. Advances to Agents intrusted with Goods Bill; second reading.
9. Australian Agricultural Company's Bill; second reading.
10. Petroleum Bill re-committed; to be further considered in Committee.
11. Criminal Evidence Amendment Bill; second reading.

FRIDAY, JUNE 30.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Superannuation Act Amendment Bill; resumption of Adjourned Debate on motion of Mr. Forster, "That this Bill be now read a second time."

NOTICE OF MOTION:—

1. DR. LANG to move,—

(1.) That there is at present, as there has also been for several years past, a general stagnation and depression, and great want of employment for the industrious classes, in all branches of colonial industry, both in the towns and throughout the interior of this Colony, as compared with the rapid progress of colonization during the period indicated, and the demand for all descriptions of labour in the neighbouring Colony of Queensland, of which both the climate and the resources for the settlement of a British population are so greatly inferior to ours.

(2.) That, in the opinion of this House, this state of things is attributable chiefly, if not entirely, to the fact that, whereas there is a liberal provision made in Queensland, in the form of grants of land, for the promotion of the immigration of families and individuals of the middle classes, as immigrants from the Mother Country, many of whom are possessed of considerable capital, and exhibit much energy and enterprise as well as industry and intelligence, there is no such provision made in this Colony.

(3.) That the system of assisted immigration, which has prevailed in New South Wales for years past, has only tended to aggravate the evil of this state of things, by introducing into the Colony an unusually large number of persons of a humbler and inferior class, who, immediately on their arrival, become candidates for employment in the Police, or as warders and turnkeys in Gaols, as servants in Hospitals and Lunatic Asylums, and in other menial employments throughout the Colony, instead of promoting colonization and settlement all over the Colony, as has been done to so remarkable an extent, under the very different circumstances above-mentioned, in the Colony of Queensland.

(4.) That, in the opinion of this House, it is indispensably necessary to adopt some such system for the promotion of immigration, as is now, and has been for years past, in operation, with such beneficial effects to the community, both in Queensland and in New Zealand.

(5.) That it is expedient and necessary that a Bill should be introduced, early in next Session of Parliament, to give effect to this resolution, by authorizing the Government to give grants of land of moderate extent for the promotion of immigration, under such guarantees as may be deemed expedient and necessary for the protection of the public interest, and the due performance of the stipulated terms and conditions of settlement.

New South Wales.

No. 62.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 20 JUNE, 1865.

1. The House met, pursuant to adjournment; the Speaker took the Chair.

Questions on Notice Paper for to-day :—

- (1.) Bridge over Cox's River, at Glen Roy :—Mr. Lucas asked the Government pursuant to Notice No. 1,—When the Correspondence ordered by this House on the 26th of April, “with reference to the construction of a Bridge over Cox's River, at Glen Roy,” will be laid on the Table?

Mr. Robertson answered :—On behalf of my Honorable Friend and Colleague, the Secretary for Public Works, I desire to say, that I will lay it on the Table in the course of a few minutes.

- (2.) Monument to Dr. Leichhardt :—Mr. Hart asked the Government, pursuant to Notice No. 2,—Is the sum of £500, voted some years since, for the purpose of erecting a Monument to Dr. Leichhardt, still available; and if so, what steps do the Government intend to take towards the expenditure of the sum in question?

Mr. Cowper answered :—The sum of £300, not £500, was voted in 1859, for the erection of a Monument in memory of the late Dr. Leichhardt, and written off by a Minute of the Executive Council, dated 2nd August, 1864. A design has been prepared for a fountain, as a Monument to Dr. Leichhardt, which it is intended to erect in the Botanic Gardens on the land to be reclaimed at the head of Farm Cove; but, as the reclamation has not yet been carried out, the erection of the Monument cannot be proceeded with.

- (3.) Circular Quay :—Mr. Hart asked the Government, pursuant to Notice No. 3,—

(1.) Is the Government aware that the Circular Quay is now, and for some time past has been, in a state unfit for goods or passenger traffic?

(2.) Is it the duty of the Government, and if not, whose duty is it, to keep the said Quay in proper repair?

(3.) Under what terms is the Wharf leased, and what amount of rent is derivable by the Government for said wharf and premises?

Mr. Smart answered,—

(1.) The Circular Quay has been, for some time past, in a very bad state, but no complaint has, so far as I am aware, been made to the Government.

(2.) It is the duty of the lessee to keep the wharf and its appliances in good repair, reasonable wear and tear excepted.

(3.) The wharf is leased for three years from the 1st January, 1863, at a rental of £4,120 per annum.

2. Papers :—

- (1.) Mr. Robertson, *on behalf of Mr. Arnold*, laid upon the Table, Return to Order in reference to “Bridge over River Cox, at Glen Roy,” made by this House, on motion of Mr. Lucas, on 26th April, 1865.

Ordered to be printed.

- (2.) Mr. Robertson laid upon the Table the undermentioned Papers :—

(1.) Return to Order, in reference to “Colerawa Run, District of Bligh,” made by this House, on motion of Mr. Terry, on 16th May, 1865.

(2.) Return to Order, in reference to “Church and School Lands Return,” made by this House, on motion of Mr. Forlonge, on 21st March, 1865.

Ordered to be printed.

- (3.) Mr. Cowper laid upon the Table,—

(1.) Correspondence respecting proposed Expedition in search of Dr. Leichhardt.

(2.) Further Correspondence respecting Steam Postal Service *viâ* Panama.

Ordered to be printed.

3.

3. Mortgage on the Property of the Scots Church, Sydney:—Mr. Cowper, *with the concurrence of the House*, moved, without Notice, That the Clerk have leave to deliver to the Crown Solicitor, the "Mortgage Deed from the Trustees of the Scots Church to the Collector of Internal Revenue," together with the "Deed of Grant from the Government to the Trustees of the Scots Church Allotment," and other documents produced and handed in by him to the Committee on the "Mortgage on the Property of the Scots Church, Sydney," in the Session of 1863-4.

Question put and passed.

4. Assent to Bills (Impounding Bill, Drainage Promotion Bill, Customs Bill, Loan Bill, Stamp Duties Bill No. 2, Package Bill No. 2, Loan Bill No. 3):—The following Message from His Excellency the Governor was delivered by Mr. Cowper, and read by the Speaker:—

JOHN YOUNG,

Governor.

Message, No. 18.

The undermentioned Bills, as finally passed by the Legislative Council and Assembly, having been presented to the Governor for the Royal Assent, His Excellency has, in the name of Her Majesty, assented to the said Bills, and has this day transmitted them to the Legislative Council, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law, viz.:—

1. "An Act to regulate the Impounding of Live Stock."
2. "An Act to promote the better Drainage of Lands."
3. "An Act to impose for a limited time Additional Customs Duties."
4. "An Act to empower the Government to raise a sum not exceeding Five hundred and fifty thousand pounds by the sale of Debentures."
5. "An Act to impose Stamp Duties."
6. "An Act to impose a charge on Imported Packages."
7. "An Act to authorize the raising of a Loan of Three hundred thousand pounds upon the security of the Consolidated Revenues of the Colony to meet a like amount payable in January 1866 upon Debentures to fall due in that month."

Government House,

Sydney, 20th June, 1865.

5. Prorogation:—Mr. Cowper announced that His Excellency the Governor would, at half-past Three o'clock To-morrow, prorogue Parliament.
6. Fitz Roy Iron Works Company's Bill ("Formal" Order of the Day), on motion of Mr. Cowper, read a third time and passed.
- Mr. Cowper then moved, That the Title of this Bill be, "An Act to establish and incorporate a Company to be called 'The Fitz Roy Iron Works Company.'"
- Question put and passed.
- Whereupon Mr. Cowper moved, That this Bill be carried to the Legislative Council, with the following Message:—

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Bill, returned herewith, intitled, "An Act to establish and incorporate a Company to be called 'The Fitz Roy Iron Works Company,'" with the Amendments indicated by the accompanying Schedule, in which Amendments the Assembly requests the concurrence of the Legislative Council.

Legislative Assembly Chamber,

Sydney, 20th June, 1865.

Speaker.

FITZ ROY IRON WORKS COMPANY'S BILL.

SCHEDULE of the Amendments made by the Legislative Assembly in the Bill intitled, "An Act to establish and incorporate a Company to be called 'The Fitz Roy Iron Works Company,'" returned to the Legislative Council with Message of 20th June, 1865.

CHAS. TOMPSON,
Clerk of Legislative Assembly.

- Page 3, clause 11, line 38. Omit "shall only be liable for"; insert "with respect to."
- Page 3, clause 11, line 39. After "Act" insert "shall be liable only."
- Page 3, clause 11, line 41. At end of Clause add "that is to say for the amount subscribed and for a further additional amount equal thereto."
- Page 10, clause 51, line 45. Omit "seven"; insert "fourteen."
- Page 19, clause 108, line 52. After "that" insert "in respect of any liabilities incurred after the passing of this Act."

Examined—

THOS. GARRETT,

Chairman of Committees.

Question put and passed.

7. Industrial and Provident Societies Bill ("Formal" Order of the Day), on motion of Mr. Cowper, read a third time and passed.
- Mr. Cowper then moved, That the Title of this Bill be "An Act to establish Industrial and Provident Societies."
- Question put and passed.

Whereupon,

Whereupon, Mr. Cowper moved, That this Bill be carried to the Legislative Council with the following Message :—

MR. PRESIDENT,

The Legislative Assembly having this day agreed to the Bill, intituled, "*An Act to establish Industrial and Provident Societies*," returns the same to the Legislative Council without Amendment.

*Legislative Assembly Chamber,
Sydney, 20th June, 1865.*

Speaker.

Question put and passed.

8. Fitz Roy Iron Works Company's Bill :—The Speaker reported the following Message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Amendments made by the Legislative Assembly in the Bill, intituled, "*An Act to establish and incorporate a Company to be called 'The Fitz Roy Iron Works Company.'*"

*Legislative Council Chamber,
Sydney, 20 June, 1865.*

T. A. MURRAY,
President.

9. Prisoners Liberated and not Liberated previous to expiration of Sentence :—Mr. Buchanan moved, pursuant to notice,—That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return, shewing :—

(1.) The number of prisoners, with their names and offences, liberated previous to the expiry of their sentences, within the last twelve months.

(2.) The number of applications, within the same period, that have been made to the Executive, praying for the release of prisoners, with the names and offences of said prisoners.

(3.) The grounds upon which such applications were based.

(4.) The trade, profession, or occupation, previous to conviction, of all prisoners so released during the last year.

(5.) The number of applications of this description refused by the Government during the same period.

(6.) The names of the prisoners and their offences whose applications were thus refused; also, the trade or occupation followed by those prisoners previous to conviction.

(7.) In every case of any prisoner being liberated before the expiry of sentence, was such liberation recommended by the Judge who tried the case.

Debate ensued.

Question put,—

And Division called for,—

But there being no Teller for the Noes, no division could be had, and the Speaker declared the Question to have passed in the affirmative.

10. Mr. Hugh Dixon :—Mr. Parkes moved, pursuant to notice, *as amended with the concurrence of the House*,—That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, transmitting to His Excellency a copy of the Petition of Hugh Dixon, presented to this House on 18th May, with a recommendation in support of the prayer of the Petitioner.

Debate ensued.

Question put and passed.

11. Motions Withdrawn :—

(1.) Mr. Hart withdrew the Motion standing in his name, No. 3 on the Notice Paper for to-day.

(2.) Mr. Cunneen withdrew the Motion standing in his name, No. 4 on the Notice Paper for to-day.

12. Mr. Buchanan proceeding to make the motion standing in his name, No. 5 on the Notice Paper for to-day,—

Notice was taken that there was not a Quorum present.

Whereupon, the Speaker counted the House, and there being only Eighteen Members present, exclusive of the Speaker, namely,—Mr. Alexander, Mr. Buchanan, Mr. Campbell, Mr. Cowper, Mr. De Salis, Mr. Forster, Mr. Garrett, Mr. Graham, Mr. Hart, Mr. Kemp, Mr. Lloyd, Mr. Lucas, Mr. Mate, Mr. Piddington, Mr. Samuel, Mr. Tighe, Mr. Tunks, and Mr. Wilson,—the Speaker adjourned the House, at twelve minutes after Six o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES OF QUESTIONS AND MOTIONS, AND ORDERS
OF THE DAY.

WEDNESDAY, JUNE 21.

Question :—

1. MR. BUCHANAN to ask THE SECRETARY FOR PUBLIC WORKS,—If he will inform the House why the Government refuse to pay the Contractors, Messrs. Thurston, who have completed their contract on the Windsor line of Railway?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 - (1.) Copies of all letters and communications to the Executive Government, in reference to the liberation of the prisoners Levy and Shoveller, and all answers to said communications.
 - (2.) All Minutes of the Executive bearing on this subject.
 - (3.) Copies of the opinions of the Judge who was consulted as to the release of those prisoners, and every communication from the Judge to the Executive on the subject.
2. MR. BUCHANAN to move, That, in the opinion of this House, the fact of the Colonial Secretary having sent any communication whatever to one of the Supreme Court Judges, previous to the trial of a great criminal, with the view of influencing the mind of the said Judge as to the sentence to be passed on the said criminal, was an extraordinary and unwarrantable interference with the due and proper administration of justice, and deserves the pointed condemnation of this House.
3. MR. BUCHANAN to move, That, in the opinion of this House, the Salaries of all future Governors of this Colony should be reduced to £5,000 a year; and that the Salaries of Ministers of the Crown should be equalized and reduced to £1,000 per annum.
4. MR. BURDEKIN to move, That it be referred to the Standing Orders Committee to consider and report whether the Standing Orders should be suspended, in so far as to allow of the Bill to legalize the exchange of a portion of the allotment of the Scots' Church being proceeded with without the payment of £25; and that the Order made by this House, on 11th May, for reference to the Standing Orders Committee, relative to a Bill cited as "a Bill to legalize the exchange of a portion of the allotment of the Scots' Church, Sydney, and to authorize the re-erection of the Tower of the said Church on its present foundation," be rescinded, on account of an inaccuracy in the said citation.
5. MR. BURDEKIN to move for leave to bring in a Bill to legalize the Exchange of a portion of the Allotment of the Scots' Church.
6. MR. FORLONGE to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1865, a sum not exceeding £10,000, for the purpose of clearing the River Darling.
7. DR. LANG to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider the following Resolutions :—
 - (1.) That, with the view of recognizing the principle of private enterprise in the construction of lines of Railway, the Assembly recommend to the Government, that Grants of Land in fee be made to Public Companies for that purpose. And for this object, the House is of opinion that two square miles of land, not previously alienated from the Crown, be given for every mile direct of Railway so constructed.
 - (2.) That it is desirable that a Bill should be submitted to Parliament as early as possible, for the purpose recommended in the foregoing Resolution.
8. MR. MARTIN to move for leave to bring in a Bill to restore the power to make Grants of Public Money in aid of Public Worship.
9. MR. MACPHERSON to move, That, in the opinion of this House, it is desirable, with a view to obtaining adequate rents for Crown Lands in the Unsettled Districts, that certain alterations should be made in the existing Land Laws, and that such alterations should embrace the following, viz. :—
 - (1.) That the Government should be empowered to grant Pastoral Leases for fourteen years in the Unsettled Districts, in lieu of five, as under the existing Law.
 - (2.) That during the currency of such leases, the right of conditional purchase should be restricted to the First and Second Class Settled Districts, and to such portions of the Unsettled Districts as may, from time to time, be proclaimed open to conditional purchase, by the Governor, with the advice of the Executive Council, and the sanction of Parliament.
 - (3.) That compensation should be granted to the lessees of such Lands in the Unsettled Districts as shall, from time to time, be so proclaimed, by means of an assessment to be imposed on all lessees of Crown Lands in the Unsettled Districts.
10. MR. BYRNES to move, That a Select Committee be appointed, with power to send for persons and papers, to inquire into and report to this House upon the Petition of William Goodin, presented on the 10th May; and that such Committee consist of Mr. Lucas, Mr. Oatley, Mr. Pemell, Mr. Sutherland, Mr. Farnell, Mr. Arnold, Mr. Rodd, Mr. Ryan, Mr. Tuks, Mr. Driver, and the Mover.

ORDERS

ORDERS OF THE DAY:—

1. Mr. Hugh Dixon; consideration in Committee of an Address to the Governor, transmitting to His Excellency, a copy of the Petition of Hugh Dixon, presented to this House on 18th May, with a recommendation in support of the prayer of the Petitioner.
2. Parramatta Market Bill, *as amended in Select Committee*; to be further considered in Committee of the Whole.
3. Brands Registration Bill; third reading.
4. Destitute Children's Bill; second reading.
5. Prison Discipline Bill reported; adoption of Report.
6. Volunteer Forces Regulation Bill; Debate on the Motion of Mr. Forster,—“That this Bill be now read a second time.”
7. Advances to Agents intrusted with Goods Bill; second reading.
8. Australian Agricultural Company's Bill; second reading.
9. Petroleum Bill re-committed; to be further considered in Committee.
10. Criminal Evidence Amendment Bill; second reading.

FRIDAY, JUNE 30.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Superannuation Act Amendment Bill; resumption of Adjourned Debate on motion of Mr. Forster, “That this Bill be now read a second time.”

NOTICE OF MOTION:—

1. DR. LANG to move,—

(1.) That there is at present, as there has also been for several years past, a general stagnation and depression, and great want of employment for the industrious classes, in all branches of colonial industry, both in the towns and throughout the interior of this Colony, as compared with the rapid progress of colonization during the period indicated, and the demand for all descriptions of labour in the neighbouring Colony of Queensland, of which both the climate and the resources for the settlement of a British population are so greatly inferior to ours.

(2.) That, in the opinion of this House, this state of things is attributable chiefly, if not entirely, to the fact that, whereas there is a liberal provision made in Queensland, in the form of grants of land for the promotion of the immigration of families and individuals of the middle classes, as immigrants from the Mother Country, many of whom are possessed of considerable capital, and exhibit much energy and enterprise as well as industry and intelligence, there is no such provision made in this Colony.

(3.) That the system of assisted immigration, which has prevailed in New South Wales for years past, has only tended to aggravate the evil of this state of things, by introducing into the Colony an unusually large number of persons of a humbler and inferior class, who, immediately on their arrival, become candidates for employment in the Police, or as warders and turnkeys in Gaols, as servants in Hospitals and Lunatic Asylums, and in other menial employments throughout the Colony, instead of promoting colonization and settlement all over the Colony, as has been done to so remarkable an extent, under the very different circumstances above mentioned, in the Colony of Queensland.

(4.) That, in the opinion of this House, it is indispensably necessary to adopt some such system for the promotion of immigration, as is now, and has been for years past, in operation, with such beneficial effects to the community, both in Queensland and in New Zealand.

(5.) That it is expedient and necessary that a Bill should be introduced, early in next Session of Parliament, to give effect to this resolution, by authorizing the Government to give grants of land, of moderate extent, for the promotion of immigration, under such guarantees as may be deemed expedient and necessary for the protection of the public interest, and the due performance of the stipulated terms and conditions of settlement.

OF THE STATE OF TEXAS

PROBATIVE ASSEMBLY

New South Wales.

No. 63.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 21 JUNE, 1865.

1. The House met pursuant to Adjournment ; the Speaker took the Chair.
Question on Notice Paper for to-day :—
Messrs. Thurston, Contractors for Windsor line of Railway :—Mr. Buchanan asked the Secretary for Public Works, pursuant to Notice,—If he will inform the House why the Government refuse to pay the Contractors, Messrs. Thurston, who have completed their contract on the Windsor line of Railway?
Mr. Arnold answered,—The matter is now under the consideration of the Crown Law Officers, and as soon as their opinion has been received, the Government will be in a position to determine what they will do in this matter.
2. Prisoners Levey and Shoveller :—Mr. Buchanan moved, pursuant to Notice, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
(1.) Copies of all letters and communications to the Executive Government, in reference to the liberation of the prisoners Levey and Shoveller, and all answers to said communications.
(2.) All Minutes of the Executive bearing on this subject.
(3.) Copies of the opinions of the Judge who was consulted as to the release of those prisoners, and every communication from the Judge to the Executive on the subject.
Debate ensued.
3. Black Rod :—The Usher of the Black Rod was admitted ; and, having delivered a Message “That it is the pleasure of the Governor that this Honorable House do forthwith attend His Excellency in the Legislative Council Chamber,” the House attended accordingly.
4. Assent to Bills :—His Excellency thereupon declared that he had Assented, in the name and on behalf of Her Majesty, to the undermentioned Bills :—
(1.) Industrial and Provident Societies Bill :—“*An Act to establish Industrial and Provident Societies.*”
(2.) Fitz Roy Iron Works Company's Bill :—“*An Act to establish and incorporate a Company to be called 'The Fitz Roy Iron Works Company.'*”
5. Presentation of Supply Bills :—
(1.) The Honorable the Speaker then addressed His Excellency the Governor as follows :—
MAY IT PLEASE YOUR EXCELLENCY,—
The Legislative Assembly has voted the Supplies for the Service of Her Majesty, and also an amount for the purpose of enabling the Government to carry on certain Public Works and Immigration : I have now the honor to present to your Excellency two Bills passed, in which these grants are embodied, intituled, respectively, “*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain sums to make good the Supplies granted for the Service of the year 1865 and for the year 1864 and previous years,*” and “*An Act to enable the Government to raise a Loan for certain Public Works and for purposes of Assisted Immigration*” ; and, on behalf of the Members of the Legislative Assembly, elected by the people of this Colony, to pray that the Royal Assent may be given to these Bills.
(2.) The Honorable the Speaker then presented to His Excellency the two Bills specified in his said Address.

6. Assent to Supply Bills:—His Excellency was then pleased to subscribe and declare his Assent, in the name and on behalf of Her Majesty, to the undermentioned Bills:—
- (1.) Loan Bill:—“*An Act to enable the Government to raise a Loan for certain Public Works and for purposes of Assisted Immigration.*”
 - (2.) Appropriation Bill:—“*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain sums to make good the Supplies granted for the Service of the Year 1865 and for the Year 1864 and previous Years.*”
7. Prorogation:—
- (1.) His Excellency was then pleased to make to both Houses of Parliament the following Speech:—

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,
AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

In releasing you from attendance in Parliament, I thank you for the earnest consideration which you have given to the various measures submitted to you, and for the zeal and assiduity with which you have performed the onerous duties which have devolved upon you during this Session.

Of the useful laws which have been passed, none is of graver importance than the Felons Apprehension Act. The necessity for such legislation is deeply to be regretted, but its successful operation has fulfilled your expectations. Under the special provisions of this Act, and more especially those which relate to the harbouring of proclaimed outlaws, the capture of several desperate criminals, who had for a long time eluded the grasp of the law, has been effected; and by the perseverance and gallantry of the police, with whom the volunteers and other colonists resident in the disturbed districts have cordially co-operated, an effectual check has been given to that system of violent outrage which so long prevailed in certain portions of the interior, and a feeling of security to life and property has been restored. Upon these results, I congratulate you and the Country.

By the Act for creating an additional Judge of the Supreme Court, the Administration of Justice in the higher branches of jurisdiction, has been liberally provided for. The result of this legislation will, I feel assured, be generally beneficial.

I desire to express my satisfaction at the passing of an Act for making a special fixed contribution for the support of Imperial Forces in the Colony; and also of the Act to make permanent provision for the Establishment of the Mint, thus fulfilling the condition upon which the Royal authority will be given for placing the Sydney Coinage upon the same footing, in regard to circulation, as the Imperial Coinage.

The Acts for regulating the Impounding of Live Stock, and for promoting the better Drainage of Lands, have long been anxiously desired; and they will, I have no doubt, prove highly advantageous. By the former, the Legislature has determined the disputed right of impounding live stock by the conditional purchaser of Crown Lands; and, under the provisions of the latter, it may be fairly anticipated that a large additional extent of agricultural land will be brought into cultivation, and the crops preserved from the devastations occasioned by floods. I trust that the Act to protect the Fisheries of New South Wales will be found sufficient for preserving and securing the production of fish in the waters of the Colony.

It must be gratifying to all who take an interest in our social and material advancement, that the proposition to establish the Panama Route, as nearly as possible on the basis long since sanctioned by Parliamentary enactment, has been re-affirmed by the Resolution passed by the Assembly on the 20th April last, determining that this Colony should participate in the advantages of the contract entered into by the New Zealand Government, for Steam Postal Communication with Great Britain by way of Panama. In addition to the direct object of a more frequent postal communication with the Mother Country, and other portions of the Globe, great benefits may be anticipated to our commerce, by extending our intercourse with the neighbouring Colony of New Zealand, and opening up friendly relations with the Western Coast of America.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

I thank you for the Supplies which you have granted for the service of the year, and assure you that they shall be expended with strict attention to economy.

While we, in common with some of the neighbouring Colonies, have been compelled to resort to additional taxation for meeting the Public Expenditure, it is gratifying to observe that there has been no unwillingness, on the part of the Representatives of the People, to comply with such demands as were shewn to be necessary for sustaining the public credit.

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,
AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

The large additions made to the Revenue, by the Stamp Duties, the Package Charge, and the Additional Customs Acts, which you have passed this Session, must be taken as a most satisfactory proof of the readiness of Parliament to meet all the public engagements. New South Wales, like all young and enterprising communities, requires a large expenditure for Roads and Bridges, Railways, Telegraphs,

Telegraphs, and Public Buildings, for the construction or erection of which the cost may fairly be made chargeable over a series of years; but, as population increases, the means can, without any oppressive burdens, be raised for paying the interest, and eventually the principal, of much larger sums than have been as yet borrowed.

I cannot allow you to separate without expressing my sincere hope that the important measures which have been adopted by Parliament, in the course of the present Session, will, under Divine Providence, establish permanent tranquillity, and promote the general prosperity of the Country.

It will be necessary for me again to call Parliament together after a comparatively brief recess, in order that legal provision may be made, before the commencement of the year 1866, for the Public Expenditure of that year. During the ensuing Session your attention will be directed to the important subjects of Municipal Institutions, Jurisprudence, and other matters of deep and serious moment, regarding which Parliamentary action has been long deferred. My earnest prayer is, that the result of your labours may be the means of maintaining the contentment and happiness, by increasing the comforts and bettering the condition, of the great body of the people.

(2.) His Excellency afterwards declared this Parliament to stand prorogued to Tuesday, the First day of August next.

JOHN HAY,
Speaker.

