

NEW SOUTH WALES.

56
1

VOTES

AND

PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL,

DURING THE

SESSION OF THE YEAR

1850.

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

IN TWO VOLUMES,

VOL. I.

Sydney:

PRINTED BY W. W. DAVIES, AT THE GOVERNMENT PRINTING OFFICE,
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1850.



REFERENCE TO VOTES AND PROCEEDINGS, 1850.

Council:—

	Page.
Nominees approved by Her Majesty	1
Members Sworn	1, 107, 108
Declarations of Qualification	1, 107, 108
Leave of Absence	129, 139, 191, 245
Election of Chairman of Committees	7
Disputed Elections	95
Rescinded Vote	213
Standing Order adopted	11, 35, 39, 47
Standing Orders suspended	48, 101
Council heard	233
Privileges of the House	12
Questions of Order	27, 129
Reverend Dr. Lang	{ 129, 152, 161, 176, 183
Days for dispatch of business	7, 305
Precedence of business	343
Sessional Business	350
Opening Speech	1
Council's Reply	3
Governor's acknowledgment of Reply	9
Prorogation Speech	350

Messages from His Excellency the Governor to the Legislative Council:—

Resumption of Transportation	15
Pre-payment of Ship Letters	151
Mr. Alderman Thurlow	55
Finance	55
Intended appropriations under Schedule B in 1851	5
Passages to distressed Seamen	47
Melbourne Synagogue	151
Sydney Museum	208
Military Establishment	208
Proposed additional appropriations for 1850-51	231
Corporate Towns' Justices Bill	5, 167
Perfumed Spirits' Duties Bill	5
Tolls and Dues Leasing Bill	5
Melbourne Hackney Carriage Bill	6
South Australian Offenders apprehension Bill	6
Outward Pilotage Bill	6
British Stamps Bill	19
Melbourne Private Streets Bill	19
Census Bill	19
Melbourne Public Abattoirs Bill	23
Slaughter House Laws extension Bill	23
Sydney Corporation Bill	23, 345
Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts suspension Bill	31
Female Children's Apprenticing Bill	31
Sewerage Bill	47
Hyde Park Bill	71
Melbourne General Cemetery Bill	71
Benevolent Society's Bill	92, 337
Public Wharves Bill	115
Sydney Public Abattoir Bill	115, 296
Sydney University Bill	167
Distillation Bill	245
Lien on Wool and Mortgages on Stock Bill	289
Police Bill	289
Medical Witnesses Bill	295
Cruelty to Animals Bill	323
Mitchell's Tramway Bill	337
Impounding Bill	344

Messages from the Legislative Council to His Excellency the Governor :—

Perfumed Spirits' Duties Bill	95
Lien on Wool and Mortgages on Stock Bill	312
Crucity to Animals Bill	343
Mitchell's Tramway Bill	344
Benevolent Society's Bill	344
Impounding Bill	349
Sydney Corporation Bill	350

Addresses from the Legislative Council to His Excellency the Governor :—

Reverend Dr. Lang's Land Order	153
Electoral Rolls	12
Civil Crown Solicitor	19
Colonial Appointments	72, 77
Coroners' Inquests (Fees)	21
Administration of Justice (Salaries)	145
Cockatoo Island Offenders (Civil Condition)	249
Police	219, 239
Public Meeting (Despatch)	168
Orphan Immigration	78, 231
Resumption of Transportation	225, 325, 331, 335
Land and Immigration	123
Geelong Town and Suburban Lands	129
Sydney Town and Suburban Lands	153
Boundary Commissioners	79, 175
Assessment on Stock	73
Impounded Cattle Sales	101
Glebe Island	152
Sydney Public Abattoir	312
Customs Establishment at Eden	168
South Creek Bridge	175
Cemetery and Watch Houses, Port Phillip	199
Newcastle Wharf	44
Inward and Outward Pilotage	91
Postage on Newspapers	78
Denominational Schools	225, 345, 346
Orphan Schools	32
Sydney University	44
Moreton Bay	199
Steam Communication	271
Premium on growth of Cotton	146
Queen's Plate	43
Melbourne Synagogue	145
John Moring	92, 145
Military Establishment	239
Retired Officers (Remission Money)	271
Commuted Pensioners	272
Mr. Alderman Thurlow	44, 110
Dr. Douglass	168, 290
Lien on Wool and Mortgages on Stock Bill	227

Addresses from the Legislative Council to Her Majesty :—

Resumption of Transportation	{ 225, 325, 331, 338, 345, 346
Colonial Appointments	77

Resolutions :—

Grievances	209
Supply	272
Printing Abstract of Petitions on the Resumption of Transportation	306

Questions proposed but not passed :—

Bank Deposits (Public Moneys)	17
Member for Melbourne (Earl Grey)	55
John Moring's Petition (Printing)	78
Suspension of Standing Orders (Royal Bank of Australia Bill)	124
.. .. . (Hexham Tramway Bill)	272
.. .. . (Transportation Debate)	324
Dr. Lang and Immigration	129
Speaker's Vote	129
Questions of Order (Reverend Dr. Lang)	139, 151, 152

Detailed

Detailed Expenditure under Schedules	146
Sydney Post Office (Inquiry)	167
Contempts (Punishment)	168
Maitland Letter Carrier	200
Grievances	209
Claims on late Registrar	225
Endowment (City of Sydney)	231, 318
Call of the House (Transportation)	232
Transportation Petitions (Printing)	255
Military Establishment	267
Spirits Duties Bill	272
Transportation Debates (Reporting)	319
(Printing)	347

Petitions received :—

Resumption of Transportation	{ 225, 249, 305, 311, 317, 323, 324, 331
City Franchise	87
Postage on Newspapers	{ 55, 59, 63, 71, 77, 83, 87, 91, 101, 107, 151, 175
Sydney Post Office	145
Light House (Point Stephen)	24
Light House (Newcastle)	305
Harbour Master's Establishment (Port Macquarie)	47
Tobacco exported to Van Diemen's Land (Duty)	175
Sydney Museum	145
Queenbryan Bridge	56
Yass Bridge	289
Road from Sydney to Melbourne	59
Road from Melbourne to Merri Creek	109
Moreton Bay	167
Geelong	71
Queen's Plate	27, 43, 246
Market By-Laws	67, 119, 213
British Gin	207
Melbourne Synagogue	107
Glebe Island	305
Claims on former Registrar, Supreme Court	129
Prothonotary and Registrar, Supreme Court	349
Special Juries	225
Absent Publicans	4
Passengers to California	7
Commuted Pensioners	207
Remission Money to Retired Officers	213
Goulburn Police	31
Wollombi and Macdonald River Police	43, 107
Carcoar Police	47, 107
Bathurst Police	51
Bungonia Police	59
Burnett Police	63
Sydney Police Office Clerks	87
Picton Police	87
Orange Police	91
Warnambool Police	199
Native Police	290
Mr. Alderman Thurlow	101
Mr. David Dunlop	109
William Fitzpatrick	9
Mr. John Bate	19
John Browne	21
Richard Lewis	24
Abraham Moses	51
George Hobbler	55
John Moring	71
Henry Fisher	71, 207
Isaac Aaron	77
Richard King	87
James Cooper	95
James Calwell	95

Charles

Charles John Dennys.. .. .	97
Dr. Douglass	161
Singleton Rochfort	249
Stephen Spencer	305
Dr. Fattorini.. . . .	305
Edward Crooke	343
Impounding Bill	235
Russell's Nepéan Bridge Bill	23, 47, 123, 139
Bank of New South Wales Bill	39
Lien on Wool Bill	43, 77, 91
Registry Bill.. . . .	47
Clergymen's disqualifying Bill.. . . .	55, 123
Mitchell's Tramway Bill	83, 167, 175, 219
Catarrh Bill.. . . .	91
Auction Duties Abolition Bill	101
Hyde Park Bill	101, 123
Cattle Slaughtering Bill	107, 119
Royal Bank of Australia Bill	109
Port Phillip Church Bills	129, 175, 199
Sydney University Bill	{ 175, 225, 245, 249, 255, 271, 289, 295, 305
Publicans' Bill	207
Hexham Tramway Bill	207, 213
Melbourne Public Abattoirs Bill	225
Medical Witnesses Bill	317, 323
Sydney Public Abattoir Bill	318, 324

SELECT COMMITTEES

APPOINTED DURING THE SESSION OF 1850.

REPLY TO GOVERNOR'S OPENING SPEECH.

MR. DARVALL, THE COLONIAL SECRETARY, THE ATTORNEY GENERAL,	} Appointed 4th June, 1850.	{ MR. WENTWORTH, MR. DONALDSON.
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STANDING ORDERS.

THE COLONIAL SECRETARY, THE SPEAKER, THE ATTORNEY GENERAL, MR. PARKER,	} Appointed 5th June, 1850.	{ MR. J. MACARTHUR, MR. DONALDSON, MR. WENTWORTH.
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LIBRARY.

THE COLONIAL SECRETARY, THE SPEAKER, MR. WENTWORTH, MR. DONALDSON,	} Appointed 5th June, 1850.	{ MR. PARKER, THE ATTORNEY GENERAL, MR. J. MACARTHUR.
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Added 6th June.

CAPTAIN KING, DR. DICKSON,		MR. NICHOLS.
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CATTLE PROTECTION.

MR. MURRAY, MR. NICHOLS, MR. DANGAR,	} Appointed 6th June, 1850.	{ MR. MARTIN, MR. BOWMAN, MR. W. MACARTHUR.
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MASTERS' AND SERVANTS' ACTS.

MR. MURRAY, MR. NICHOLS, MR. DANGAR,	} Appointed 6th June, 1850.	{ MR. MARTIN, MR. BOWMAN, MR. W. MACARTHUR.
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PRIVILEGES OF THE HOUSE.

MR. WENTWORTH, MR. DARVALL, MR. NICHOLS, THE ATTORNEY GENERAL,	} Appointed 7th June, 1850.	{ MR. PARKER, MR. ALLEN, MR. MOOR.
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PILOTS' DUTIES REGULATION.

MR. NICHOLS, CAPTAIN KING, MR. LAMB,	} Appointed 13th June, 1850.	{ MR. DONALDSON, MR. COOPER, THE COLLECTOR OF CUSTOMS.
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POLICE.

THE COLONIAL SECRETARY, MR. DONALDSON, THE ATTORNEY GENERAL, MR. WENTWORTH, MR. ALLEN,	} Appointed 19th June, 1850.	{ MR. MURRAY, MR. J. MACARTHUR, MR. KING, MR. SUTTON, MR. MOOR.
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BANKING.

MR. LAMB, THE COLONIAL SECRETARY, MR. WENTWORTH, MR. DONALDSON,	} Appointed 25th June, 1850.	{ THE AUDITOR GENERAL, MR. J. MACARTHUR, MR. MOOR, MR. MURRAY.
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RUSSELL'S NEPEAN BRIDGE BILL.

MR. WENTWORTH,
MR. ICELY,
MR. J. MACARTHUR,

} Appointed
9th July, 1850.

{ MR. BOWMAN,
THE AUDITOR GENERAL,
MR. FITZGERALD.

BANK OF NEW SOUTH WALES BILL.

THE ATTORNEY GENERAL,
MR. NICHOLS,
THE COLONIAL TREASURER,

} Appointed
9th July, 1850.

{ MR. SUTTON,
MR. W. MACARTHUR.

BRITISH AUTHORS BILL.

MR. MURRAY,
THE SPEAKER,
CAPTAIN KING,
MR. NICHOLS,

} Appointed
9th July, 1850.

{ THE ATTORNEY GENERAL,
MR. DONALDSON,
MR. W. MACARTHUR,
MR. PARKER.

FEMALE CHILDREN'S APPRENTICING BILL.

THE COLONIAL TREASURER,
THE ATTORNEY GENERAL,
CAPTAIN KING,

} Appointed
18th July, 1850.

{ MR. J. MACARTHUR,
MR. NICHOLS.

STEAM COMMUNICATION WITH EUROPE.

MR. DONALDSON,
CAPTAIN KING,
COMMANDER JOHN LAMB, R.N.,
MR. J. MACARTHUR,

} Appointed
19th July, 1850.

{ THE SPEAKER,
THE COLONIAL SECRETARY,
MR. WENTWORTH.

CAPE YORK.

MR. NICHOLS,
CAPTAIN KING,
MR. W. MACARTHUR,

} Appointed
19th July, 1850.

{ MR. DONALDSON,
THE SPEAKER,
MR. COOPER.

HYDE PARK BILL.

MR. WENTWORTH,
THE COLONIAL TREASURER,
THE COLONIAL SECRETARY,
MAJOR GENERAL WYNARD,

} Appointed
27th July, 1850.

{ MR. COOPER,
MR. MARTIN,
MR. ALLEN,
THE SPEAKER.

BENEVOLENT SOCIETY'S BILL.

MR. J. MACARTHUR,
MR. BYRNES,
MR. DARVALL,

} Appointed
31st July, 1850.

{ MR. LAMB,
MR. NICHOLS.

LAWS OF REAL PROPERTY AND OF DOWER BILLS.

MR. WENTWORTH,
THE ATTORNEY GENERAL,
MR. DARVALL,

} Appointed
31st July, 1850.

{ MR. NICHOLS,
MR. MOOR,
MR. MARTIN.

MITCHELL'S TRAMWAY BILL.

MR. DONALDSON,
MR. DANGAR,
MR. NICHOLS,

} Appointed
9th August, 1850.

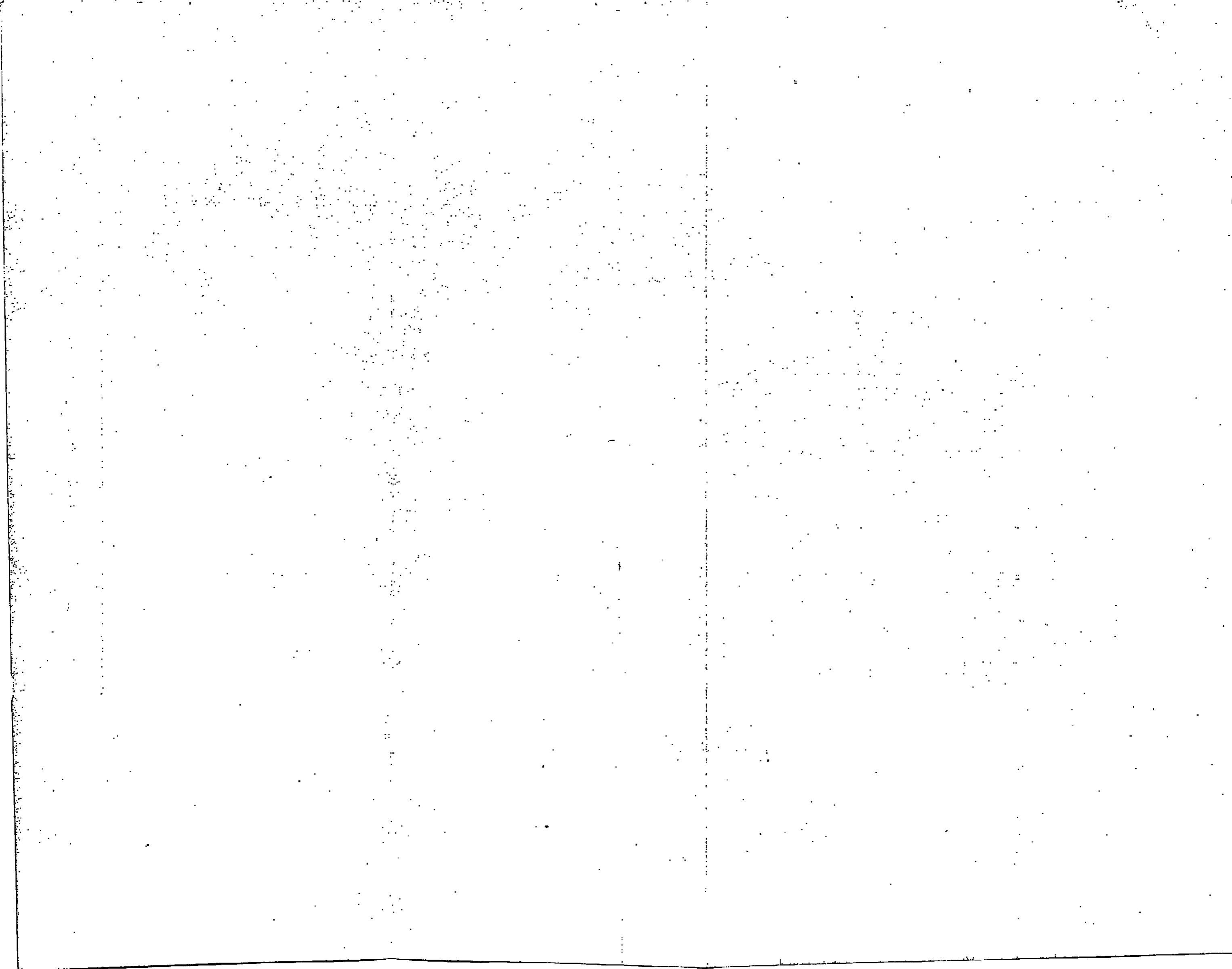
{ MR. MACINTYRE,
MR. MOOR.

SUMMARY OF PROCEEDINGS ON BILLS DURING THE SESSION OF 1850.

SHORT TITLES OF BILLS.	HOW AND WHEN INITIATED.	PROGRESS.										REMARKS.	
		First reading.	Second reading.	Committee.	Report.	Amendments proposed by the Governor.	Re-committed.	Report after Re-commitment.	Passing.	Assent.	Publication in Government Gazette.		
Corporate Towns' Justices Bill	By Message	5 June	12 June	19 June	26 June	4 July	16 Aug.	23 Aug.	23 Aug.	17 July	10 Sep.	13 Sep.	Referred to the Select Committee for regulating the Duties of Pilots, 19 June, 1850.
Portmanned Spirits' Duties Bill	By Message	5 June	12 June	19 June	19 June	19 June	19 July	25 July	25 July	26 June	10 Sep.	13 Sep.	
Tolls and Dues Leasing Bill	By Message	5 June	12 June	19 June	19 June	18 July	1 Aug.	10 Sep.	13 Sep.	Discharged from the Paper, 11 June, 1850.
Melbourne Hackney Carriage Bill	By Message	5 June	12 June	19 June	19 June	19 June	.....	.....	.....	26 June	10 Sep.	13 Sep.
South Australian Offenders' Apprehension Bill	By Message	5 June	12 June	19 June	19 June	11 July	25 July	25 July	7 Aug.	10 Sep.	13 Sep.	To be read a second time this day six months, 6 September, 1850. Lapsed on motion for second reading, 2 July, 1850. Lapsed in the House, 11 June, 1850.
Outward Pilotage Bill	By Message	5 June	12 June	26 Sep.	26 Sep.	26 Sep.	.....	.....	.....	27 Sep.	1 Oct.	13 Sep.
Cattle Protection Bill	By Mr. Murray	6 June	12 June	28 June	9 July	9 July	18 July	18 July	30 July	10 Sep.	13 Sep.	Discharged from the Paper, 11 June, 1850.
Publicans' Act amendment Bill	By Mr. Nichols	7 June	7 June	.....	.....	.....	.....	.....	.....	.....	19 July	23 July
Malt Liquors Bill	By Mr. Martin	7 June	7 June	12 June	12 June	5 July	9 July	9 July	12 July	19 July	23 July	To be read a second time this day six months, 6 September, 1850. Lapsed on motion for second reading, 2 July, 1850. Lapsed in the House, 11 June, 1850.
Cattle Slaughtering Laws Bill	By Mr. Martin	7 June	7 June	.....	.....	.....	.....	.....	.....	.....	.....	.....
Colonial Spirits' Duties Abolition Bill	By Mr. Martin	11 June	11 June	Discharged from the Paper, 11 June, 1850.
Banking Bill	By Mr. Martin	11 June	11 June	.....	.....	.....	.....	.....	.....	.....	.....	.....
Juvenile Offenders' Punishment Bill	By Mr. Nichols	12 June	13 June	25 June	17 June	27 June	4 July	4 July	10 July	19 July	23 July	Discharged from the Paper, 11 June, 1850.
British Stamps Bill	By Message	13 June	19 June	20 June	26 June	25 June	.....	.....	.....	4 July	19 July	23 July
Melbourne Private Streets Bill	By Message	13 June	19 June	4 July	11 July	11 July	25 July	19 Sep.	1 Oct.	Discharged from the Paper, 11 June, 1850.
Census Bill	By Message	13 June	19 June	25 June	18 July	31 July	.....	14 Aug.	14 Aug.	23 Aug.	19 Sep.	27 Sep.
Melbourne Public Abattoirs Bill	By Message	19 June	26 June	4 July	18 July	14 Aug.	11 Sep.	11 Sep.	19 Sep.	1 Oct.	11 Oct.	Discharged from the Paper, 11 June, 1850.
Slaughter House Laws extension Bill	By Message	19 June	26 June	4 July	31 July	5 Sep.	.....	18 Sep.	18 Sep.	26 Sep.	1 Oct.	11 Oct.
Sydney Corporation Bill	By Message	19 June	26 June	11 July	1 Aug.	11 Sep.	1 Oct.	25 Sep.	2 Oct.	22 Oct.	Discharged from the Paper, 11 June, 1850.
Section 70, of Sydney, Melbourne, and Geelong Incorporation Acts suspension Bill.	By Message	26 June	4 July	11 July	11 July	11 July	.....	.....	.....	18 July	19 Sep.	1 Oct.
Female Children's Apprenticing Bill	By Message	25 June	18 July	31 Aug.	21 Aug.	28 Aug.	11 Sep.	1 Oct.	11 Oct.	Referred to a Select Committee, 18 July, 1850.
Russell's Nepean Bridge Bill	By Mr. Wentworth	25 June	2 July	30 Aug.	30 Aug.	29 Sep.	.....	.....	.....	25 Sep.	1 Oct.	18 Oct.
Games and Wagers Bill	By Mr. Nichols	25 June	25 June	16 July	16 July	16 July	23 July	10 Sep.	13 Sep.	Referred to a Select Committee, 9 July, 1850.
Sydney University Bill	By Mr. Wentworth	25 June	23 Aug.	11 Sep.	11 Sep.	11 Sep.	.....	18 Sep.	18 Sep.	24 Sep.	1 Oct.	11 Oct.
Annuitants Bill	By Attorney General	25 June	5 July	11 July	11 July	11 July	26 July	10 Sep.	13 Sep.	Laid aside, 11 September, 1850.
Masters and Servants Bill	By Mr. Murray	28 June	28 June	19 July	23 July	23 July	.....	.....	.....	.....	.....	.....
Registry Acts amendment Bill	By Mr. Moor	28 June	28 June	12 July	19 July	19 July	2 Aug.	10 Sep.	13 Sep.	Discharged from the Paper, 26 July, 1850.
Sale of Poisons prevention Bill	By Dr. Dickson	28 June	28 June	18 July	.....	.....	.....	.....	.....	.....	.....	.....
Cataract in Sheep Hill	By Mr. Donaldson	28 June	28 June	Discharged from the Paper, 26 July, 1850.
Clergymen's Disqualifying Bill	By Mr. Wentworth	28 June	28 June	5 July	30 Aug.	30 Aug.	.....	.....	.....	10 Sep.	1 Oct.	18 Oct.
Sovereigns Bill	By Message	28 June	10 July	17 July	8 Aug.	11 Sep.	19 Sep.	19 Sep.	26 Sep.	1 Oct.	18 Oct.	Discharged from the Paper, 26 July, 1850.
Bank of New South Wales Bill	By Attorney General	28 June	2 July	30 Aug.	30 Aug.	30 Aug.	.....	.....	.....	6 Sep.	23 Sep.	1 Oct.
Port Phillip Church Temporalities Bill	By Mr. Moor	9 July	9 July	Referred to a Select Committee, 9 July, 1850.
Port Phillip Church Discipline Bill	By Mr. Moor	9 July	9 July	.....	.....	.....	.....	.....	.....	.....	.....	.....
British Authors' Bill	By Mr. Murray	9 July	25 July	23 Aug.	23 Aug.	Discharged from the Paper, 6 August, 1850.
Tyde Park Bill	By Message	12 July	18 July	.....	.....	.....	.....	.....	.....	.....	.....	.....
Melbourne General Cemetery Bill	By Message	12 July	18 July	8 Aug.	8 Aug.	15 Aug.	28 Aug.	19 Sep.	1 Oct.	Discharged from the Paper, 6 August, 1850.
Sale of Stolen Horses restriction Bill	By Dr. Dickson	12 July	12 July	19 July	19 July	19 July	.....	.....	.....	.....	.....	.....
Art Unions Bill	By Mr. Nichols	12 July	12 July	19 July	19 July	19 July	23 July	23 July	9 Aug.	10 Sep.	13 Sep.	Discharged from the Paper, 6 August, 1850.
Carriers and Drivers Bill	By Mr. Nichols	16 July	16 July	23 July	23 July	23 July	.....	.....	.....	6 Aug.	10 Sep.	13 Sep.
Leas on Wool and Mortgages on Stock Bill	By Mr. Wentworth	16 July	18 July	25 July	25 July	25 July	18 Sep.	25 Aug.	25 Aug.	30 Aug.	1 Oct.	4 Oct.	Referred to a Select Committee, 31 July, 1850.
Beneficial Society's Bill	By Message	19 July	31 July	13 Sep.	13 Sep.	13 Sep.	30 Sep.	1 Oct.	1 Oct.	25 Sep.	1 Oct.	18 Oct.	
Mitchell's Tramway Bill	By Mr. Donaldson	25 July	9 Aug.	3 Sep.	10 Sep.	10 Sep.	30 Sep.	1 Oct.	1 Oct.	20 Sep.	1 Oct.	18 Oct.	Referred to a Select Committee, 9 August, 1850.
Newspapers' Postage abolition Bill	By Mr. Nichols	25 July	26 July	.....	.....	.....	.....	.....	.....	.....	.....	.....
Justices of the Peace Duties' Bill	By Attorney General	26 July	26 July	29 Aug.	19 Sep.	25 Sep.	27 Sep.	2 Oct.	25 Oct.	Discharged from the Paper, 6 September, 1850.
Marriage Confirmation Bill	By Attorney General	30 July	30 July	19 Sep.	19 Sep.	19 Sep.	.....	.....	.....	25 Sep.	1 Oct.	11 Oct.
Public Wharves Bill	By Message	31 July	14 Aug.	14 Aug.	14 Aug.	14 Aug.	22 Aug.	19 Sep.	27 Sep.	Discharged from the Paper, 6 September, 1850.
Sydney Public Abattoir Bill	By Message	31 July	7 Aug.	22 Aug.	29 Aug.	25 Sep.	.....	26 Sep.	26 Sep.	27 Sep.	1 Oct.	18 Oct.
Trust Estates and Funds Bill	By Mr. Moor	2 Aug.	2 Aug.	30 Aug.	Referred to the Select Committee on Real Property and Dower Laws Bills, 6th September, 1850.
Geelong Private Streets Bill	By Dr. Dickson	6 Aug.	6 Aug.	23 Aug.	30 Aug.	30 Aug.	.....	.....	.....	10 Sep.	1 Oct.	18 Oct.
Auction Duties Abolition Bill	By Mr. Donaldson	6 Aug.	6 Aug.	16 Aug.	23 Aug.	8 Sep.	25 Sep.	1 Oct.	18 Oct.	Negotiated on motion for second reading, 23 August, 1850.
Commission of the Peace Bill	By Mr. Nichols	6 Aug.	16 Aug.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Acts of Parliament Adoption Bill	By Mr. Nichols	13 Aug.	13 Aug.	23 Aug.	23 Aug.	23 Aug.	30 Aug.	19 Sep.	27 Sep.	Not presented.
Imposing Bill	By Mr. Nichols	13 Aug.	13 Aug.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Steam Navigation Bill	By Mr. Nichols	16 Aug.	16 Aug.	23 Aug.	23 Aug.	20 Sep.	24 Sep.	24 Sep.	26 Sep.	1 Oct.	11 Oct.	Discharged from the Paper, 20 September, 1850.
Metropolitan Paving Bill	By Mr. Martin	27 Aug.	27 Aug.	10 Sep.	10 Sep.	10 Sep.	.....	.....	.....	.....	.....	.....
Public Entertainment Bill	By Mr. Nichols	30 Aug.	3 Sep.	10 Sep.	10 Sep.	10 Sep.	20 Sep.	1 Oct.	4 Oct.	Discharged from the Paper, 20 September, 1850.
Distillation Bill	By Message	5 Sep.	11 Sep.	12 Sep.	12 Sep.	12 Sep.	.....	.....	.....	25 Sep.	1 Oct.	4 Oct.
Cruelty to Animals Bill	By Mr. Nichols	6 Sep.	6 Sep.	13 Sep.	13 Sep.	13 Sep.	27 Sep.	1 Oct.	1 Oct.	24 Sep.	1 Oct.	Negotiated on motion for second reading, 21 September, 1850.
Geelong Public Abattoirs Bill	By Dr. Dickson	10 Sep.	10 Sep.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Appropriation Bill	By Colonial Treasurer	11 Sep.	13 Sep.	18 Sep.	18 Sep.	18 Sep.	25 Sep.	1 Oct.	4 Oct.	Lapsed in the House, 24 September, 1850.
Masters' and Servants' Acts Continuation Bill	By Mr. Nichols	11 Sep.	13 Sep.	18 Sep.	20 Sep.	20 Sep.	.....	.....	.....	21 Sep.	1 Oct.	4 Oct.
Dower Bill	By Mr. Wentworth	19 Sep.	19 Sep.	20 Sep.	24 Sep.	24 Sep.	26 Sep.	1 Oct.	4 Oct.	Previous Question, 1 October, 1850.
Publicans' Bill	By Mr. Nichols	24 Sep.	24 Sep.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Medical Witnesses Bill	By Message	25 Sep.	25 Sep.	26 Sep.	26 Sep.	26 Sep.	Lapsed in the House, 24 September, 1850.
Police Bill	By Message	25 Sep.	25 Sep.	26 Sep.	26 Sep.	26 Sep.	.....	.....	.....	.....	.....	.....
Impounding Bill	By Mr. Wentworth	25 Sep.	25 Sep.	26 Sep.	26 Sep.	26 Sep.	Not presented.
Intestate Estates Bill	By Attorney General	25 Sep.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

RECAPITULATION.

Initiated	68
Passed	46
Assent reserved	1
Discharged from the Paper	7
To be further considered that day six months	3
Negotiated on motion for second reading	3
Not presented	2
Laid aside	1
Lapsed in the House	2
Lapsed in Select Committee	3
Previous Question	1
	68



INDEX TO THE PRINTED DOCUMENTS OF THE SESSION, (1850.)
CONTAINED IN TWO VOLUMES.

	Vol.	Page ^a
ABATTOIR (See "FINANCE," "PUBLIC WORKS AND BUILDINGS.")		
ADMINISTRATION OF JUSTICE :— Rules of Court (4)	1	551
APPOINTMENTS (See "GOVERNMENT APPOINTMENTS.")		
APPRENTICING (See "EDUCATION" "FEMALE CHILDREN'S APPRENTICING BILL.")		
ARTESIAN WELL :— Report from Board	1	505
ASSESSMENT ON STOCK (See "FINANCE," "SQUATTING.")		
BANKING :— (Assets and Liabilities.) Quarterly Abstracts (4)	2	203
(General state of.) Report from Select Committee	2	449
BARRISTERS :— (Admission.) Rochfort's Petition	2	583
BOOBY ISLAND :— (Provisions.) Correspondence	1	499
BOTANIC GARDENS :— Report from Director, Sydney	1	591
BREAKWATER (See "FINANCE," "NEWCASTLE BREAKWATER," "PUBLIC WORKS.")		
CALIFORNIA (See "IMMIGRATION," "RE-EMIGRATION.")		
CAPE YORK :— Report from Select Committee	2	487
CENSUS :— (Method and time of taking.) Message with Despatch	2	155
CIVIL CROWN SOLICITOR (See "APPOINTMENTS," "GOVERNMENT APPOINTMENTS.")		
COASTING REGULATIONS (See "STEAM.")		
COCKATOO ISLAND :— (Statistics.) Return to Address	2	237
COMMISSION OF THE PEACE :— (Mr. Alderman Thurlow.) Return to Address.	2	273
COMMISSIONERS (See "DISPUTED BOUNDARY COMMISSIONERS," "FINANCE," "LAND," "SQUATTING.")		
COMPENSATION :— (Dr. Douglass.) Return to Address	2	339
(Glebe Island.) Ditto	2	335
(John Moring.) Ditto	2	287
(Remission Money to Retired Officers.) Petition	2	567
CONSTITUTION :— (Proposed Alterations.) Despatch	1	353
CORONERS :— (Fees to Medical Witnesses.) Return to Address	2	281
COUNCIL :— Divisions in Committee of the whole (10.)	2	547
(Privileges.) Report from Select Committee	2	497
(Standing Orders.) Ditto	2	387
Votes and Proceedings	1	1
CROWN LANDS, (See "LAND.")		
CUMBERLAND ROAD TRUSTS (See "ROADS AND BRIDGES.")		
CUSTOMS :— (Duty on Colonial Wine.) Despatch	1	489
(Establishment at Eden.) Return to Address	2	355
DISPUTED BOUNDARY COMMISSIONERS (See "FINANCE," "LAND," "SQUATTING.")		
DIVISIONS IN COMMITTEE OF THE WHOLE (See "COUNCIL.")		
DOUGLASS DR. (See "COMPENSATION," "LAND.")		
DOWER BILL (See also "REAL PROPERTY BILL") Report from Select Committee	2	535
DUTY ON COLONIAL WINE (See "CUSTOMS," "WINE.")		
EDEN (See "CUSTOMS.")		

NOTE:—The figure within parenthesis—as "(4)"—denotes the number of separate papers where there are more than one on the same subject.

	Vol.	Page.
EDUCATION :—		
(<i>Denominational.</i>) Report from Board, Sydney	1	599
(<i>Ditto.</i>) Ditto, Port Phillip.. .. .	1	603
(<i>National.</i>) Ditto, Sydney	1	607
(<i>Orphan Schools.</i>) Return to Address	2	303
(<i>School of Industry's Apprenticing Bill.</i>) Report from Select Committee	2	391
(<i>The Sydney University.</i>) Return to Address	2	329
(<i>Ditto.</i>) Petitions (5)	2	571
ELECTIVE FRANCHISE :—		
(<i>Electoral Rolls.</i>) Return to Address	1	355
(<i>Reply to Sydney Petition.</i>) Despatch	1	357
(<i>Reply to Port Phillip Petition.</i>) Ditto		
FEMALE CHILDREN'S APPRENTICING BILL (Sec " APPRENTICING," " EDUCATION.")		
FINANCE, 1850-51 :—		
Abstract of Revenues and Appropriation for 1849	2	9
with Statements therein referred to— No. 1	2	29
2	2	33
3	2	35
4	2	37
5	2	39
(<i>Additions to Estimates for 1850-51 proposed.</i>) Message with Statement	2	133
(<i>Appropriations under Schedule B proposed for 1851</i>) Ditto	2	115
(<i>Appropriations under Schedules A, B, and C, in 1840.</i>) Statement	2	1
(<i>Artesian Well.</i>) Report from Board	1	595
(<i>Assessment on Stock.</i>) Return to Address	2	283
(<i>Compensation to John Moring.</i>) Ditto	2	287
Estimates of Expenditure for 1851	2	49
Estimate (<i>Supplementary</i>) for 1850	2	107
Explanatory Abstract No. 1 of alterations in Committee on Estimates for 1851	2	41
Explanatory Abstract No. 2 of alterations in Committee on Supplementary Estimate for 1850	2	47
(<i>Fees to Disputed Boundary Commissioners.</i>) Return to Address	2	357
Financial Message for 1850-51	2	109
(<i>Melbourne Synagogue</i>) Return to Address	2	307
(<i>Military Establishment.</i>) Message	2	145
(<i>Newcastle Breakwater.</i>) Correspondence	1	631
(<i>Orphan Schools.</i>) Return to Address	2	303
(<i>Passages to distressed Seamen.</i>) Message with Despatch	2	147
(<i>Postage on Newspapers.</i>) Return to Address	2	299
(<i>Provisions left at Booby Island.</i>) Correspondence	1	499
(<i>Steam Communication.</i>) Report from Select Committee	2	445
(<i>Sydney Abattoir.</i>) Correspondence	1	545
(<i>Ditto.</i>) Return to Address. (<i>Glebe Island.</i>)	2	335
(<i>Sydney Museum.</i>) Message	2	117
(<i>The University of Sydney.</i>) Return to Address	2	329
FRANCHISE (See " ELECTIVE FRANCHISE.")		
GLEBE ISLAND (See " COMPENSATION," " LAND," " PUBLIC WORKS.")		
GOVERNMENT APPOINTMENTS :—		
(<i>Civil Crown Solicitor.</i>) Return to Address	2	253
HYDE PARK BILL :—		
Report from Select Committee	2	439
IMMIGRATION :—		
(<i>Dr. Lang's Land Order.</i>) Return to Address	2	309
(<i>General—Orphan—and Dr. Lang's</i>) Despatches	1	359
(<i>Needlewomen.</i>) Ditto	1	467
(<i>Orphan.</i>) Returns to Addresses (2.)	2	205
(<i>Its-emigration.</i>) Returns	2	213
(<i>Remittances.</i>) Despatch	1	471
(<i>with Transportation.</i>) Ditto	1	483
LAND :—		
(<i>Assessment on Stock.</i>) Return to Address	2	283
(<i>Disputed Boundary Commissioners.</i>) Returns to Addresses (2.)	2	357
(<i>Dr. Douglass' Claim.</i>) Return to Address	2	339
(<i>Dr. Lang's Land Order.</i>) Ditto	2	309
(<i>Geelong Town and Suburban.</i>) Ditto	2	353
(<i>Glebe Island.</i>) Ditto	2	335
(<i>Remission Money to Retired Officers.</i>) Petition	2	507
(<i>Sydney Town and Suburban.</i>) Return to Address	2	385
(<i>Validity of Sydney Grants</i>) Despatch	1	487
LANG REV. DR. (See " IMMIGRATION" " LAND.")		
MEDICAL WITNESSES (See " CORONERS.")		
MELBOURNE SYNAGOGUE (See " FINANCE.")		
MILITARY :—		
(<i>Reduced.</i>) Despatch	1	485
(<i>Ditto.</i>) Message	2	145
MITCHELL'S TRAMWAY (See " TRAMWAY.")		
MORETON BAY :—		
(<i>Statistics.</i>) Return to Address	2	233
MORING JOHN (See " COMPENSATION" " FINANCE.")		
MUSEUM (See " FINANCE," " PUBLIC WORKS AND BUILDINGS.")		

	Vol.	Page.
NEPEAN (See "ROADS AND BRIDGES," "RUSSELL'S NEPEAN BRIDGE BILL.")		
NEWCASTLE (See "BREAKWATER," "FINANCE," "PUBLIC WORKS AND BUILDINGS.")		
NEWSPAPERS (See "FINANCE" "POSTAL.")		
ORDNANCE :—		
(Moneys.) Return	2	211
(Messages.) Ditto	2	212
PETITIONS (See "TRANSPORTATION.")		
PILOTS :—		
(Duties.) Report from Select Committee	2	501
(Pilotage.) Return to Address	2	331
POLICE :—		
(Generally.) Reports	1	581
(Ditto.) Report from Select Committee	2	305
(Native.) Reports	1	587
PORT ESSINGTON :—		
(Abandonment of.) Despatch	1	491
POSTAL :—		
(Newspapers.) Return to Address	2	299
(Ship Letters.) Message with Despatch in answer to Address	2	305
PROVISIONS (See "BOOBY ISLAND" "FINANCE.")		
PUBLIC WORKS AND BUILDINGS :—		
(Artesian Well.) Report from Board	1	595
(Military.) Message	2	145
(Newcastle Breakwater.) Correspondence	1	531
(Sydney Abattoir.) Ditto	1	545
(Ditto.) Return to Address. (Glebe Island.)	2	335
(Sydney Museum.) Message	2	117
PUBLIC WORSHIP :—		
(Melbourne Synagogue.) Return to Address.	2	307
RAILWAY (See also "TRAMWAY.") :—		
(Sydney.) Correspondence	1	501
REAL PROPERTY BILL (See also "DOWER BILL.") :—		
Report from Select Committee	2	535
RE-EMIGRATION :—		
(California.) Returns	2	213
REMISSION MONEY TO RETIRED OFFICERS (See "COMPENSATION" "LAND.")		
REMITTANCES (See "IMMIGRATION.")		
RETIRED OFFICERS (See "COMPENSATION," "LAND," "REMISSION MONEY TO RETIRED OFFICERS.")		
ROADS AND BRIDGES :—		
(Cumberland Trusts.) Statements of Account (2.)	2	217
(Russell's Bridge Bill.) Report from Select Committee	2	413
(South Head Trust.) Statements of Account (2.)	2	227
RULES OF COURT (See "ADMINISTRATION OF JUSTICE.")		
RUSSELL'S NEPEAN BRIDGE BILL (See "NEPEAN," "ROADS AND BRIDGES.")		
SEAMEN :—		
(Passages to distressed.) Message with Despatch	2	147
SOUTH HEAD ROAD TRUST (See "ROADS AND BRIDGES" AND "TRUSTS.")		
SQUATTING :—		
(Assessment on Stock.) Return to Address	2	283
(Fees to Disputed Boundary Commissioners.) Ditto	2	357
(Instructions to Ditto.) Ditto	2	359
STATISTICS :—		
(Banking.) Quarterly Abstracts (4.)	2	203
(Cockatoo Island.) Return to Address	2	237
(General.) Annual Returns	2	159
(Moreton Bay.) Return to Address	2	283
(Ordnance.) Annual Returns	2	211
(Re-emigration.) Returns	2	213
(Road Trusts.) Statements of account (4.)	2	217
(Transportation—V. D. Land.) Returns from Lieutenant Governor Denison	2	231
STEAM :—		
(Coasting Regulations.) Return to Address	2	257
(Communication with Europe.) Report from Select Committee	2	445
SYNAGOGUE (See "FINANCE" "MELBOURNE SYNAGOGUE.")		
THURLOW MR. ALDERMAN (See "COMMISSION OF THE PEACE.")		
TRAMWAY (See also "RAILWAY.")		
(Mitchell's Bill.) Report from Select Committee.	2	427

	Vol.	Page.
TRANSPORTATION :—		
(with <i>Immigration</i> .) Despatch	1	483
(<i>Cockatoo Island</i> .) Return to Address	2	237
(<i>Resumption</i> .) Message with Despatch	2	239
(<i>Petitions for and against</i> .) Abstract prepared by the Clerk	2	686
(<i>Van Diemen's Land</i> .) Returns from Lieutenant Governor Denison	2	231
TRUSTS (See "CUMBERLAND ROAD TRUSTS," "ROADS AND BRIDGES," "SOUTH HEAD ROAD TRUST.")		
UNIVERSITY OF SYDNEY (See "EDUCATION," "FINANCE.")		
VACCINE INSTITUTION :—		
Report from Officer in charge	1	693
VAN DIEMEN'S LAND (See "STATISTICS," "TRANSPORTATION.")		
WINE :—		
(<i>Duty on Colonial</i> .) Despatch	1	489

ARRANGEMENT OF CONTENTS IN TWO VOLUMES.

VOL. I.

Council :—

Votes and Proceedings, 1 to 68.

Despatches and Correspondence :—

New Constitution.
Elective Franchise—Sydney—Port Phillip (2.)
Immigration (3.)
Transportation and Immigration.
Military.
Validity of City Grants.
Duty on Colonial Wine.
Abandonment of Port Essington.
Provisions left at Booby Island.
Sydney Railway.
Newcastle Breakwater.
Sydney Abattoir.

Miscellaneous :—

Rules of Court (4.)
Reports on the State of the Police.
Reports on the State of the Native Police.
Report from the Director of the Botanic Gardens, Sydney.
Report from the Officer in charge of the Vaccine Institution.
Report from the Artesian Well Board.
Report from the Denominational School Board, Sydney.
Report from the Denominational School Board, Port Phillip.
Report from the National Education Board, Sydney.

VOL. II.

Financial Papers (exclusive of Messages) :—

Statement of Expenditure under Schedules A, B, and C, in 1849.
Abstract of Revenues and of their Appropriation for 1849
with Statement No. 1.
" 2.
" 3.
" 4.
" 5.

No. 1. Explanatory Abstract of the Expenditure as *Estimated* and *Voted* respectively, for the Service of the year 1851.
No. 2. Explanatory Abstract of the Amounts *Estimated* and *Voted* respectively for the Supplementary Service of the year 1850.
Estimates of Expenditure for the year 1851, (*as originally submitted.*)
Supplementary Estimate for the year 1850, (*as originally submitted.*)

Messages (not being Returns to Addresses) :—

Financial Message.
Intended Appropriations under Schedule B in 1861.
Sydney Museum.
Military Establishment.
Passages to Distressed Seamen.
Proposed additional Appropriations for 1850-51.
Census.

Statistics :—

Annual General.
Banking (4.)
Ordnance.
Re-emigration.
Road Trusts—Cumberland, (2.)
" South Head, (2.)
Transportation (Van Diemen's Land.)

NOTE.—The figure within parenthesis—as "(2)"—denotes the number of separate papers where there are more than one on the same subject.

Returns (including Messages) to Addresses :—

Moreton Bay.
 Cockatoo Island.
 Transportation (*Message.*)
 Civil Crown Solicitor's Appointment.
 Steam Coasting Regulations.
 Mr. Alderman Thurlow (*Message.*)
 Coroners' Inquests.
 Assessment on Stock.
 John Moring.
 Female Orphan Immigration (2.)
 Postage on Newspapers.
 Electoral Rolls.
 Orphan Schools.
 Pre-payment of Ship Letters (*Message.*)
 Melbourne Synagogue (*Message.*)
 Dr. Lang's Land Order.
 The University of Sydney (*Message.*)
 Inward and Outward Pilotage.
 Glebe Island.
 Dr. Douglass.
 Geelong Town and Suburban Lands.
 Customs Establishment at Eden.
 Disputed Boundary Commissioners (2.)
 Sydney Town and Suburban Lands.

Reports from Select Committees :—

Standing Orders.
 Female Children's Apprenticing Bill.
 Police.
 Russell's Nepean Bridge Bill.
 Mitchell's Tramway Bill.
 Hyde Park Bill.
 Steam Communication.
 Banking.
 Cape York.
 Privileges of the House.
 Pilots' Duties.
 Laws of Real Property and Dower Bills.

*Divisions in Committee of the whole (10.)**Petitions :—*

Remission Money to Retired Officers.
 The Sydney University Bill (6.)
 Admission of Barristers (*Rockfort.*)
 Abstract of Petitions for and against Transportation.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 4 JUNE, 1850.

1. The Council having met pursuant to Proclamation of His Excellency the Governor, bearing date the 19th day of April, 1850, the Clerk read the said Proclamation by order of the Speaker.
2. Her Majesty's approval of Nominces:—The Clerk, by order of the Speaker, read the following letter from the Honorable the Colonial Secretary:—

No. 50-27.

*Colonial Secretary's Office,
Sydney, 20th May, 1850.*

SIR,

I do myself the honor to inform you that by a Warrant under the Royal Sign Manual, bearing date Osborne House, the 26th November, 1849, and countersigned by one of the Principal Secretaries of State, Her Majesty has been pleased to ratify and confirm the appointments provisionally made by His Excellency the Governor, of the following non-elective Members of the Legislative Council, viz:—

Major-General Edward Buckley Wynyard,
The Honorable E. Deas Thomson, Esq.,
The Honorable J. H. Plunkett, Esq.,
The Honorable C. D. Riddell, Esq.,
J. G. N. Gibbes, Esq.,
William Lithgow, Esq.,
George Allen, Esq.,
Alexander Berry, Esq.,
Edward Hamilton, Esq.,
Thomas Icely, Esq.,
John Lamb, Esq., and
Henry Watson Parker, Esq.

2. The necessary notice appeared in the *Government Gazette* of the 17th instant.

I have the honor to be,

Sir,

Your most obedient servant,

The Honorable
The Speaker of the
Legislative Council.

(Signed)

E. DEAS THOMSON.

3. New Members sworn:—
(1.) James Byrnes, Esquire, having taken the Oath and handed to the Clerk at the table the following Declaration of Qualification, took his seat as a Member for the Electoral District of the County of Cumberland, in room of Charles Cowper, Esquire, resigned.
"I, James Byrnes, do declare and testify, That I am duly seised at Law or
"in Equity of an Estate in freehold, for my own use and benefit, in lands or
"tenements in the Colony of New South Wales, of the value of two thousand pounds
"sterling money, above all charges and incumbrances affecting the same, situate in
"the Town of Parramatta, Parish of St. John, County of Cumberland, being allot-
"ment No. 22, of section No. 23, together with the Messuages and Buildings erected
"thereon: And that I have not collusively or colorably obtained a title to, or become
"possessed of the said lands and tenements, or any part thereof, for the purpose of
"qualifying or enabling me to be returned a Member of the Legislative Council of
"the Colony of New South Wales."
JAMES BYRNES.
Sydney, 4th June, 1850.
(2.) Philip Parker King, Esquire, having taken the Oath, took his seat as a Non-elective Member of the Council, in room of Edward Hamilton, Esquire, resigned.
4. Governor's Speech:—His Excellency the Governor having been announced by the Serjeant-at-Arms, and conducted to his seat by the Speaker, read the following Speech:—

MR. SPEAKER, AND GENTLEMEN OF THE LEGISLATIVE COUNCIL:

The usual period for holding the Session of the Council having arrived, it becomes my duty to declare to you the purposes for which I have called you together.

2. It is proper however that I should first acknowledge, with humble gratitude to Divine Providence, the blessing of another abundant wheat harvest, and the continuance of a plentiful and cheap supply of all the necessaries and essential comforts of life.

3. I am happy to find also that the material resources of the Colony continue steadily to increase. The total quantity of Wool exported in 1849 was (27,960,530 lbs.) twenty-seven millions, nine hundred and sixty thousand, five hundred and thirty pounds, being an increase on the previous year of nearly five millions of pounds. The total quantity of Tallow exported was one hundred and fifty-four thousand one hundred and three hundredweight, (154,103 cwt.) being an increase on the previous year of nearly fifty-six thousand hundredweight.

4. I have likewise to congratulate you on the prosperous state of the Public Revenue. The gross amount realized in the past year exceeded that collected in 1848, by the large sum of ninety-five thousand nine hundred and seventy-four pounds nine shillings and two-pence (£95,974 9s. 2d.) Of this amount, the excess on the General or Ordinary Revenue was thirty-eight thousand three hundred and twenty-four pounds, three shillings, and seven-pence, (£38,324 3s. 7d.) and on the Territorial Revenue, fifty-seven thousand six hundred and fifty pounds, five shillings, and seven-pence, (£57,650 5s. 7d.) irrespective of the sum raised on its security by the sale of Land and Immigration Debentures. The usual Abstracts of Receipt and Expenditure will be presented to you without delay.

5. I have received a despatch from the Right Honorable the Secretary of State, explanatory of the delay which has taken place in passing the Act of Parliament for the Separation of Port Phillip and the establishment of Representative Government in the other Australian Colonies. A copy of this despatch will be laid before you. It will be perceived that Earl Grey announces the intention of Her Majesty's Government to proceed with this important measure early in the Session of the present year.

6. The usual quinquennial period for taking a Census of the population will return in the ensuing year. I will accordingly transmit to you a Bill to authorize the necessary measures for this purpose. I will also lay before you a despatch from the Secretary of State enclosing a paper prepared by the Registrar General of England, containing some valuable suggestions on the subject. This measure it will be perceived acquires a peculiar interest on the present occasion from the fact which is announced in these documents, that it is intended at the same period to take a Census of the population of the United Kingdom and also of all other portions of Her Majesty's Dominions.

7. I have also recently received an important despatch from the Secretary of State intimating the terms upon which Her Majesty's Government has determined on maintaining in future a Military force in this Colony. A Copy of this despatch will be immediately transmitted to you, and it is desirable that I should obtain without delay an expression of your opinion upon the subject that I may communicate it by an early opportunity to the Secretary of State.

8. It will be my duty to lay before you a series of despatches from the Secretary of State on the subject of Immigration. I find by a Return furnished by the Immigration Agent that the total number of persons who arrived in the Colony during the past year was twenty thousand eight hundred and sixty-five. Of these eleven thousand one hundred and thirty-seven came to the Sydney District, and nine thousand seven hundred and twenty-eight to the Port Phillip District. Of the whole number thus introduced the passages of fifteen thousand two hundred and ninety-three were paid wholly or in part from Colonial funds in the proportion of seven thousand eight hundred and sixty-six to the Sydney District and seven thousand four hundred and twenty-seven to the Port Phillip District: the Territorial Revenue in each district being charged proportionately with the expense.

9. The Emigration from this Colony to California from the earliest period to the present date has amounted to three thousand-eight hundred and fourteen souls, of whom three thousand three hundred and forty-eight left the Sydney District and four hundred and sixty-six the Port Phillip District. The Return from which this information is derived will be laid before you. I have caused a communication to be made to the Land and Emigration Commissioners recommending as a prospective measure that Emigrants receiving passages at the colonial expense should be required to enter into an engagement, previously to their embarkation, to remain in the Colony for certain specified periods, or to reimburse a proportionate amount of the passage money if they should desire sooner to remove therefrom. Viewing the general character of the emigration of this description which has taken place, it does not appear to me to be expedient to adopt any further measure, at present, with a view to impede its course. The accounts which have been received of the hardly earned success of some and the disappointment and failure of many of those persons who have gone to California have tended to confirm the labouring classes in their appreciation of the natural advantages of steady employment and cheap living which this Colony affords, and have already produced the effect of an almost entire suspension of emigration to that country.

10. The state of the Police of the Colony and the best means of increasing its strength to the proper standard, and improving its condition, demand the early and serious attention of the Government and the Legislature. The absence, under the present system, of intercommunication between the different Benches of Magistrates and of any effectual prosecution of offenders in the widely spread Districts of the Colony, call, it appears to me, for the organization of a police force directed by an efficient central department invested with a complete control over the whole executive Police of the Colony, and supported by a sufficient staff responsible to one general head, so that order regularity and unity of purpose may be introduced into its constitution

constitution and operations. The great reduction which was effected during the late Session of the Council in the Mounted Police Corps, and the recommended abolition of the remaining portion of that Force at the end of the present year, render it the more imperatively necessary to provide an adequate substitute in order to ensure the due protection of life and property. I have received some valuable suggestions on the subject, and the papers which contain them I propose on an early day to lay before you. An organized force, under proper discipline, and engaged for a limited period of service from the United Kingdom, offers, I consider, the readiest means of effecting the improvement which is now so urgently called for. This need not necessarily displace those of the present constabulary force who are efficient in the performance of their duties and who may be willing to remain in the service under the new system of discipline which it is suggested should be established. I accordingly recommend the whole subject to your deliberate consideration, believing it to be one of great importance to the welfare of the community.

11. The Bill which was transmitted to you during the last Session for improving the constitution of the Corporation of the City of Sydney will be again presented to you, and also "a Bill better to provide for the Sewerage of the City, and to promote the health of its Inhabitants." The latter measure is chiefly founded on one which has been successfully carried into operation in one of the principal provincial Towns of England, and is so simple in its details, and requires in the first instance so small an advance of capital, that it appears to me to be peculiarly well adapted to the local circumstances of this City.

12. The Estimates of Revenue and Expenditure for the ensuing year are in an advanced state of preparation and will be transmitted to you on an early day.

CH^s. A. FITZ ROY.

4th June, 1850.

His Excellency the Governor having been conducted to the door by the Speaker, the Council adjourned at twenty minutes before One o'clock, until Three o'clock.

5. Address in reply to Governor's Speech; The Council having resumed, the Speaker read the Copy of the Speech of His Excellency the Governor on opening the Session—Mr. Darvall then moved, That a Select Committee be appointed to prepare an Address in reply to the Speech of His Excellency the Governor on opening the Session, and that such Committee consist of the following Members, viz:—The Colonial Secretary, The Attorney General, Mr. Wentworth, and Mr. Donaldson.

Question put and passed.

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

*" To His Excellency Sir Charles Augustus Fitz Roy, Knight Companion of the
" Royal Hanoverian Guelphic Order, Captain-General and Governor-in-Chief
" of the Territory of New South Wales and its Dependencies, and Vice-Admiral
" of the same, &c., &c.*

" MAY IT PLEASE YOUR EXCELLENCY:—

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

" We join with your Excellency in the expression of our gratitude to
" Divine Providence for the late abundant wheat harvest, and for the continuance of
" a cheap and plentiful supply of all the necessaries and essential comforts of life.

" The great and rapidly increasing resources of the Colony are strikingly
" exemplified in the increased Export of Wool and Tallow during the past year, and
" together with the large augmentation in the Revenue, afford grounds for con-
" gratulation as well for the present condition as for the future prospects of that
" portion of the Australian Territory confided to your Excellency's Government.

" When the Despatch referring to the proposed alteration in the Constitution
" of this Colony shall be laid before us, it will receive our most attentive consideration,
" and while we declare our great anxiety on this important subject, we venture to
" express our expectation that no such measure will be submitted to Parliament
" until it shall have received the concurrence of this Council.

" The Bill which Your Excellency proposes to transmit to the Council for
" authorizing the measures necessary for taking a Census of the population of the
" Colony, is one of an interesting and important character, and we shall be prepared
" to enter upon its discussion with a view to the adoption of such improvements as may
" be suggested in the Despatch of the Right Honorable the Secretary of State, and
" contained in the Documents prepared by the Registrar General of England.

" The Despatch from the Secretary of State intimating the conditions upon
" which Her Majesty's Government has determined to maintain in future a Military
" Force in this Colony, we shall immediately proceed to consider when transmitted to
" us by Your Excellency; and we shall not delay to place Your Excellency in posses-
" sion of our grave and deliberate opinion upon the important matter to which it
" relates.

" It

"It is satisfactory to know that so large an increase has been made to the population of the Colony during the past year, whilst it is undoubted that, notwithstanding this great accession to the labour market, employment at remunerative rates of wages has been found for all classes of labourers, and that the Colony still presents a wide and continually expanding field for the profitable employment of the surplus population and capital of the British Islands.

"The re-emigration to California of persons who came to this Colony as Bounty Emigrants is an evil which, if it should recur, we are glad to find is likely to be remedied in consequence of the representations of Your Excellency to the Emigration Commissioners. We are disposed however to believe that the object of such representation will to a great extent be rendered unnecessary, from the operation of those causes to which Your Excellency has adverted.

"The state of the Police of the Colony will form the subject of our deliberate enquiry.

"The Bill relating to the improvement in the Constitution of the Corporation of Sydney, and that to provide for the sewerage, and to promote the health of its Inhabitants, will receive due attention at our hands.

"We shall be prepared to consider the Estimates of the Revenue and Expenditure for the ensuing year as soon as the same are prepared, with the view to make due provision for the Public Service."

Legislative Council Chamber,

Sydney, 4th June, 1850."

Mr. Darvall then moved, That this Address be adopted by the Council.

Question put and passed.

Whereupon, on motion of Mr. Darvall, the Colonial Secretary and the Attorney General were appointed a deputation to wait upon the Governor to ascertain when His Excellency may be pleased to receive the Address of the Council in reply to the Speech of His Excellency on opening the Session.

6. Absent Publicans:—Mr. Nichols presented a Petition from the wives of certain Publicans who have gone to California, praying that a law may be passed to enable Petitioners to provide other sureties to enter into recognizances in order that licenses may be granted to them to continue the business of Publicans in the absence of their husbands.

Petition received.

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

NOTICES OF MOTION.

WEDNESDAY, JUNE 5.

1. THE COLONIAL SECRETARY to move, That Henry Watson Parker, Esquire, be Chairman of Committees during the continuance of the present Council.
2. THE COLONIAL SECRETARY to move, That Tuesday, Wednesday, Thursday, and Friday in each week, be the days on which this Council shall meet for the dispatch of business.
3. THE COLONIAL SECRETARY to move, That on Wednesday and Thursday in each week, Government business shall take precedence of all other business.
4. THE COLONIAL SECRETARY to move, That the Standing Orders Committee for the present Session consist of the following Members, viz.:—The Speaker, The Attorney General, Mr. Parker, Mr. J. Macarthur, Mr. Donaldson, and Mr. Wentworth.
5. THE COLONIAL SECRETARY to move, That the Library Committee for the present Session consist of the following Members, viz.:—The Speaker, The Attorney General, Mr. Parker, Mr. J. Macarthur, Mr. Wentworth, and Mr. Donaldson.

FRIDAY, JUNE 7.

1. MR. NICHOLS to move for leave to bring in a Bill to amend an Act passed in the 13th year of the reign of Her present Majesty, (viz., No. 29,) for consolidating and amending the Laws relating to Public Houses.
2. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with indictable offences.

TUESDAY, JUNE 11.

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, copies of all correspondence with the Secretary of State, or other persons, relative to the appointment of Mr. William Whaley Billyard to the Office of Civil Crown Solicitor of the Colony.
2. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of the number of Coroner's Inquests held in the City and District of Sydney, from the first day of June, 1848, to the first day of June, 1850, together with an account of the expenses of such Inquests, distinguishing the amount of fees paid to Medical Witnesses; the amount of fees paid for *post mortem* examinations; and distinguishing by name the recipient of such fees.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 5 JUNE, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Address in reply to Governor's Opening Speech:—The Colonial Secretary reported that the Deputation had waited on His Excellency the Governor, and ascertained it to be the pleasure of His Excellency to receive the Address of the Council in reply to His Excellency's Opening Speech, at Government House, to-morrow, at half-past Two o'clock.
2. Messages:—The following Messages from His Excellency the Governor received and read:—

(1.) Intended Appropriations in 1851 under Schedule B.

CH^s. A. FITZ ROY,
Governor.

Message No. 1.

Agreeably to the provisions of the 39th Section of the Act for the Government of this Colony, 5th and 6th Vic. chap 76, the Governor lays before the Legislative Council a statement of the sums intended to be appropriated, during the year 1851, to the several services and purposes named in Schedule B to that Act annexed.
*Government House, Sydney,
5th June, 1850.*

Ordered to be printed, together with the accompanying Statement.

(2.) Corporate Towns' Justices Bill:—

CH^s. A. FITZ ROY,
Governor.

Message No. 2.

In accordance with the provisions of the Act for the Government of New South Wales 5th and 6th Victoria cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "To extend to the Town of Geelong and all such other Towns as may from time to time be incorporated, the provisions of certain Acts relating to the jurisdiction of the Peace within the respective Cities of Sydney and Melbourne, and to certain other matters therein mentioned."

*Government House, Sydney,
5th June, 1850.*

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

(3.) Perfumed Spirits' Duties Bill:—

CH^s. A. FITZ ROY,
Governor.

Message No. 3.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria cap. 76, the Governor transmits to the Legislative Council the draft of a Bill "To regulate the amount of import duty to be paid upon Perfumed Spirits."

*Government House, Sydney,
5th June, 1850.*

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

(4.) Tolls and Dues Leasing Bill:—

CH^s. A. FITZ ROY,
Governor.

Message No. 4.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria cap. 76, the Governor transmits to the Legislative Council the draft of a Bill "To authorise the leasing of Tolls and dues demandable at Turnpike Gates, Ferries, and on Parish Roads, for extended Periods."

*Government House, Sydney,
5th June, 1850.*

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

(5.)

(5.) Melbourne Hackney Carriage Bill:—

CH^s. A. FITZ ROY,
Governor.

Message No. 5.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "To regulate Hackney Carriages within the City of Melbourne and its vicinity."

Government House, Sydney,
5th June, 1850.

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

(6.) South Australian Offenders Apprehension Bill:—

CH^s. A. FITZ ROY,
Governor.

Message No. 6.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "For the better apprehension of Offenders who shall have escaped from South Australia to parts within the Territory of New South Wales."

Government House, Sydney,
5th June, 1850.

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

(7.) Outward Pilotage Bill.

CH^s. A. FITZ ROY,
Governor.

Message No. 7.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "For regulating payments to be made to Pilots on account of the detention of Outward-bound Ships or Vessels."

Government House, Sydney,
5th June, 1850.

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

3. Papers referred to in the Governor's Opening Speech:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the following Papers referred to in the Opening Speech of His Excellency the Governor:—

(1.) New Constitution:—Despatch from the Right Honorable the Secretary of State for the Colonies, No. 136, of 18th August, 1849; acquainting His Excellency the Governor with the circumstances which rendered it impossible to proceed with the measure for the better Government of the Australian Colonies, in the Session of Parliament then just concluded.

Ordered to be printed.

(2.) Military Establishment:—Despatch from the Right Honorable the Secretary of State for the Colonies, No. 30, of 21st November, 1849, acquainting His Excellency the Governor with the intention of Her Majesty's Government to reduce the Military force in New South Wales, to a Guard in Sydney and in Melbourne, and to leave the charge of providing, maintaining, and repairing Quarters, for these Troops, to be borne in future by the Colony.

Ordered to be printed.

(3.) Re-Emigration of Bounty Immigrants:—

(1.) A Return of persons Emigrated from the Sydney District to California, from 16th January, 1849, to 6th April, 1850.

(2.) A Return of persons Emigrated from the Port Phillip District to California, from 1st January, 1849, to 2nd April, 1850.

(3.) Letter from His Honor the Superintendent of Port Phillip, No. 50-55, of 19th April, 1850, covering a letter from the Harbour Master at Williams' Town, explanatory of certain deficiencies in the Return for the District of Port Phillip.

Ordered to be printed.

(4.) Police Establishment:—

(1.) Report from W. C. Mayne, Esq., of 29th January, 1850, on the establishment and maintenance of an efficient Police.

(2.) Report from John Richard Hardy, Esq., of 20th January, 1850, on the same subjects.

(3.) Report from the Board appointed in the first instance to inquire into the conduct of the Sydney Police on occasion of the recent riots, and subsequently into the means of rendering the Force more efficient.

Ordered to be printed.

4. Bank Returns:—The Colonial Secretary, pursuant to the Act 4. Vict., No. 13, laid upon the Table the General Abstracts of the Sworn Returns of the several Banks of the Colony, for the Quarters respectively ended—

30th September, 1849,

31st December, 1849, and

31st March, 1850.

Ordered to be printed.

5. **Ordnance Returns**:—The Colonial Secretary, pursuant to the Act 4 Vict., No. 2, laid upon the Table—
 (1.) A Return of all Lands, Messuages, Tenements, and Buildings vested in the Principal Officers of Her Majesty's Ordnance in New South Wales.
 (2.) A Return of all Monies received by or payable to the said Officers.
 Ordered to be printed.
6. **Vaccine Institution**:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Report from the Medical Officer in charge of the Vaccine Institution, for the year 1849.
 Ordered to be printed.
7. **Lunatic Asylum**:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Report from the Medical Officer in charge of the Lunatic Asylum at Tarban Creek, for the year 1849, together with sundry Tabular Statements therein referred to.
8. **Validity of City Grants Bill**:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a Despatch from the Right Honorable the Secretary of State for the Colonies, No. 97, of 16 June, 1849, covering an Act of Parliament passed to effect the objects for which the local Act 11 Vic., No. 54, "*To remove doubts concerning the Validity of certain Grants of Land in the City of Sydney*," had passed the Legislative Council of this Colony.
 Ordered to be printed, together with the accompanying Act.
9. **Leases of Crown Lands**:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table an Order of Her Majesty in Council for the establishment of additional regulations for the occupation of Waste Lands of the Crown in the Colony of New South Wales.
10. **Botanic Gardens, Sydney**:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a letter from the Committee of Management of the Botanic Gardens, Sydney, of 1st February, 1850, covering the Report of the Director of the Gardens, for the year 1849.
 Ordered to be printed.
11. **Passengers to California**:—Mr. Wentworth presented a Petition from certain passengers per "*Victoria*" from Sydney to California, complaining of the insufficient provision for the voyage made by the charterers of the vessel, and praying the Council to adopt measures to prevent the recurrence of a similar evil.
 Petition received.
12. **Chairman of Committees**:—The Colonial Secretary moved, pursuant to *amended* notice, That Henry Watson Parker, Esquire, be the Chairman of Committees during the present Session.
 Question put and passed.
 Whereupon Mr. Parker made his acknowledgments to the House.
13. **Dispatch of General Business**:—The Colonial Secretary moved, pursuant to notice, That Tuesday, Wednesday, Thursday, and Friday, in each week, be the days on which the Council shall meet for the dispatch of business.
 Question put and passed.
14. **Dispatch of Government Business**:—The Colonial Secretary moved, pursuant to notice, That on Wednesday and Thursday, in each week, Government business shall take precedence of all other business.
 Question put and passed.
15. **Standing Orders Committee**:—The Colonial Secretary moved, pursuant to notice, That the Standing Orders Committee for the present Session; consist of the following Members, viz.:—The Speaker, The Attorney General, Mr. Parker, Mr. J. Macarthur, Mr. Donaldson, and Mr. Wentworth.
 Question put and passed.
16. **Library Committee**:—The Colonial Secretary moved, pursuant to notice; That the Library Committee for the present Session consist of the following Members; viz.:—The Speaker, The Attorney General; Mr. Parker, Mr. J. Macarthur; Mr. Wentworth, and Mr. Donaldson.
 Debate ensued.
 Mr. Murray having required that the Committee be appointed by Ballot; the Council accordingly proceeded to the Ballot; and the following Members were declared to have the greatest number of votes, and to be, with the Mover, the Committee duly appointed; viz.:—The Speaker, Mr. Wentworth; Mr. Donaldson; Mr. Parker; The Attorney General, and Mr. James Macarthur.
 Council adjourned at half-past Four o'clock; until to-morrow at Two o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 6.

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

NOTICES OF MOTION:—

1. MR. MURRAY to move, That a Select Committee, to consist of Mr. Nichols, Mr. Dangar, Mr. Martin, Mr. Bowman, and Mr. W. Macarthur, be appointed to prepare a Bill to prevent the illegal use of working Oxen and Horses.
2. MR. MURRAY to move, That a Select Committee, to consist of Mr. Nichols, Mr. Dangar, Mr. Martin, Mr. Bowman, and Mr. W. Macarthur, be appointed to inquire into the operation of the Masters and Servants' Acts, with instructions to report and frame a new Bill.
3. MR. MURRAY to move, That the names of Captain P. P. King, Dr. Dickson, and Mr. Martin, be added to the Library Committee.

FRIDAY, JUNE 7.

NOTICES OF MOTION:—

1. MR. NICHOLS to move for leave to bring in a Bill to amend an Act passed in the 13th year of the reign of Her present Majesty, (*viz.*, No. 29,) for consolidating and amending the Laws relating to Public Houses.
2. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with indictable offences.
3. MR. MARTIN to move for leave to bring in a Bill to prevent the adulteration of malt liquors.
4. MR. MARTIN to move for leave to bring in a Bill to amend an Act, intituled "*An Act to amend the law relating to the Licensing of Slaughter Houses within the City and suburbs of Sydney, and for the prevention of other nuisances within the same.*"
5. MR. MARTIN to move, That the following be one of the Standing Orders of this House, namely:—That every Bill for the paving, lighting, or cleansing of any city or town, shall be deemed and taken to be a Public Bill.
6. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency may be pleased to cause to be laid upon the Table of this House, a Return of the number of Electors annually appearing on the Electoral Rolls of each Electoral District in the Colony of New South Wales, since the passing of the Act of Council 6 Vict., No. 16, in the year 1843.

TUESDAY, JUNE 11.

NOTICES OF MOTION:—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, copies of all correspondence with the Secretary of State, or other persons, relative to the appointment of Mr. William Whaley Billyard to the Office of Civil Crown Solicitor of the Colony.
2. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of the number of Coroner's Inquests held in the City and District of Sydney, from the first day of June, 1848, to the first day of June, 1850, together with an account of the expenses of such Inquests, distinguishing the amount of fees paid to Medical Witnesses; the amount of fees paid for *post mortem* examinations; and distinguishing by name the recipient of such fees.
3. MR. MARTIN to move for leave to bring in a Bill to abolish all duties on Brandy and Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.
4. MR. MARTIN to move for leave to bring in a Bill to regulate banking in New South Wales.

WEDNESDAY, JUNE 12.

ORDERS OF THE DAY:—

1. Consideration of Governor's Message No. 2, with Corporate Towns' Justices Bill.
2. Consideration of Governor's Message No. 3, with Perfumed Spirits' Duties Bill.
3. Consideration of Governor's Message No. 4, with Tolls and Dues Leasing Bill.
4. Consideration of Governor's Message No. 5, with Melbourne Hackney Carriage Bill.
5. Consideration of Governor's Message No. 6, with South Australian Offenders Apprehension Bill.
6. Consideration of Governor's Message No. 7, with Outward Pilotage Bill.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 6 JUNE, 1850.

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

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

I thank you for this Address; for the expression of your affection and loyalty to the Person and Government of Our Most Gracious Sovereign which it records; and for the assurance that you will attentively consider those measures which I may deem it my duty to bring before you during the Session.

CH^S. A. FITZ ROY.

*Government House,
6th June, 1850.*

2. William Fitzpatrick :—Mr. Nichols presented a Petition from William Fitzpatrick, late Chief Constable of Brisbane, praying redress for his removal from that office.
Petition received.
3. Native Police :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the following Reports on the state and progress of the Native Police in the Sydney and Port Phillip Districts :—
(1.) Report from the Commandant in the Middle District on the proposed distribution of the Force.
(2.) Report from the same Officer on the proceedings of the Corps from its formation.
(3.) Letter from His Honor the Superintendent of Port Phillip, covering Report of the proceedings of the Native Police in the Port Phillip District during the winter of 1849.
Ordered to be printed.
4. Cattle Protection :—Mr. Murray moved, pursuant to notice, That a Select Committee, to consist of Mr. Nichols, Mr. Dangar, Mr. Martin, Mr. Bowman, and Mr. W. Macarthur, be appointed to prepare a Bill to prevent the illegal use of working Oxen and Horses.
Question put and passed.
5. Masters and Servants' Acts :—Mr. Murray moved, pursuant to notice, That a Select Committee, to consist of Mr. Nichols, Mr. Dangar, Mr. Martin, Mr. Bowman, and Mr. W. Macarthur, be appointed to inquire into the operation of the Masters and Servants' Acts, with instructions to report and frame a new Bill.
Question put and passed.
6. Library Committee :—Mr. Murray moved, pursuant to amended notice, That the names of Captain Philip Parker King, Dr. Dickson, and Mr. Nichols, be added to the Library Committee.
Question put and passed.
Council adjourned at twenty minutes before Four o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 7.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill to amend an Act passed in the 13th year of the reign of Her present Majesty, (viz., No. 29,) for consolidating and amending the *Laws relating to Public Houses*.
2. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with indictable offences.
3. MR. MARTIN to move for leave to bring in a Bill to prevent the adulteration of malt liquors.
4. MR. MARTIN to move for leave to bring in a Bill to amend an Act, intituled "*An Act to amend the law relating to the Licensing of Slaughter Houses within the City and suburbs of Sydney, and for the prevention of other nuisances within the same.*"
5. MR. MARTIN to move, That the following be one of the Standing Orders of this House, namely:—That every Bill for the paving, lighting, or cleansing of any city or town, shall be deemed and taken to be a Public Bill.
6. MR. NICHOLS to move; That an Address be presented to His Excellency the Governor, praying that His Excellency may be pleased to cause to be laid upon the Table of this House, a Return of the number of Electors annually appearing on the Electoral Rolls of each Electoral District in the Colony of New South Wales, since the passing of the Act of Council 6 Vict., No. 16, in the year 1843.
7. MR. WENTWORTH to move, That a Select Committee be appointed to inquire into and determine what are the privileges of this House (if any) with reference to contempts committed in the face of the House as well as out of the House; and if the Committee should be of opinion that no power of summary punishment for such contempts exists, that it be an instruction to the Committee to frame and present a Bill to the House, to confer the same rights and privileges as belong to the Commons House of Parliament in England. The Committee to consist of the Attorney-General, Mr. Darvall, Mr. Nichols, Mr. Martin, Mr. Parker, and Mr. Murray.

TUESDAY, JUNE 11.

NOTICES OF MOTION :—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, copies of all correspondence with the Secretary of State, or other persons, relative to the appointment of Mr. William Whaley Billyard to the Office of Civil Crown Solicitor of the Colony.
2. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of the Number of Coroners Inquests held in the City and District of Sydney, from the first day of June, 1848, to the first day of June, 1850, together with an account of the expenses of such Inquests, distinguishing the amount of fees paid to Medical Witnesses; the amount of fees paid for *post mortem* examinations; and distinguishing by name the recipient of such fees.
3. MR. MARTIN to move for leave to bring in a Bill to abolish all duties on Brandy and Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.
4. MR. MARTIN to move for leave to bring in a Bill to regulate banking in New South Wales.

WEDNESDAY, JUNE 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 2, with Corporate Towns' Justices Bill.
2. Consideration of Governor's Message No. 3, with Perfumed Spirits' Duties Bill.
3. Consideration of Governor's Message No. 4, with Tolls and Dues Leasing Bill.
4. Consideration of Governor's Message No. 5, with Melbourne Hackney Carriage Bill.
5. Consideration of Governor's Message No. 6, with South Australian Offenders Apprehension Bill.
6. Consideration of Governor's Message No. 7, with Outward Pilotage Bill.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. NICHOLS to move, That a Select Committee be appointed to examine into the duties of the Harbour Masters and Pilots in New South Wales, with a view to regulate the same; the Committee to consist of Captain King, Mr. Lamb, Mr. Donaldson, Mr. Cooper, and The Collector of Customs.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 7 JUNE, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Booby Island:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a letter from the late Captain Owen Stanley, dated 15th February, 1850, commendatory of the practice of leaving supplies of provisions at Booby Island for the relief of shipwrecked persons.
Ordered to be printed.
2. Elective Qualification:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a Despatch from the Right Honorable the Secretary of State for the Colonies, No. 113, of 12th July, 1849, in reply to a Petition for a reduction in the Elective Qualification which was adopted at a public meeting holden in Sydney, in January, 1849.
Ordered to be printed.
3. Publicans' Act Amendment Bill:—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill to amend an Act passed in the 13th year of the reign of Her present Majesty, (viz., No. 29,) for consolidating and amending the Laws relating to Public Houses.
Debate ensued.
Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
4. Postponement:—Mr. Nichols postponed the motion standing in his name second on the Notice Paper for to-day, until Tuesday next.
5. Publicans' Act Amendment Bill:—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill to amend in some respects an Act passed in the thirteenth year of the Reign of Her present Majesty Queen Victoria, intituled, 'An Act to consolidate and amend ' the Laws relating to the Licensing of Public Houses, and to regulate the sale of ' fermented and spirituous liquors in New South Wales,'*" read a first time; ordered to be printed, and read a second time on Tuesday next.
6. Malt Liquors' Bill:—Mr. Martin moved, pursuant to notice, for leave to bring in a Bill to prevent the adulteration of Malt Liquors.
Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
7. Cattle Slaughtering Laws Bill:—Mr. Martin moved, pursuant to amended notice, for leave to bring in a Bill to amend an Act, intituled, "*An Act to amend the law ' relating to the Licensing of Slaughter Houses within the City and Suburbs of ' Sydney, and for the prevention of other Nuisances within the same,'*" and also an Act, intituled, "*An Act for regulating the Slaughtering of Cattle.*"
Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
8. Malt Liquors' Bill:—Mr. Martin having presented this Bill, Bill, intituled, "*A Bill to ' prevent the Adulteration of Malt Liquors,'*" read a first time; ordered to be printed, and read a second time on Wednesday next.
9. Standing Orders:—Mr. Martin moved, pursuant to notice, That "*the following be*" one of the Standing Orders of this House, namely:—That every Bill for the paving, lighting, or cleansing of any city or town, shall be deemed and taken to be a Public Bill.
The Colonial Secretary moved, as an amendment, That the words "*the following be*" be omitted with a view to the insertion in their place of the words "*it be an in-*"
struction to the Standing Orders Committee to consider and report upon the "*expediency of adopting the following as*"
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 place of the words omitted be so inserted,—put and passed.
Question.—That it be an instruction to the Standing Orders Committee to consider and report upon the expediency of adopting the following as one of the Standing Orders of this House, namely:—That every Bill for the paving, lighting, or cleansing of any city or town, shall be deemed and taken to be a Public Bill,—put and passed.

- 10. Cattle Slaughtering Laws Bill:—Mr. Martin having presented this Bill, intitled, "A Bill to amend an Act, intitled, 'An Act to amend the Law relating to the Licensing of Slaughter Houses within the City and Suburbs of Sydney, and for the prevention of other Nuisances, within the same;' And also an Act, intitled, 'An Act for regulating the Slaughtering of Cattle,'" read a first time; ordered to be printed, and read a second time on Friday next.
- 11. Electoral Rolls:—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency may be pleased to cause to be laid upon the Table of this House, a Return of the number of Electors annually appearing on the Electoral Rolls of each Electoral District in the Colony of New South Wales, since the passing of the Act of Council 6 Vict., No. 16, in the year 1848.
Question put and passed; Address to be presented by the Speaker.
- 12. Privileges of the House:—Mr. Wentworth moved, pursuant to amended notice, That a Select Committee be appointed to inquire into and determine what are the privileges of this House (if any) with reference to contempts or breaches of the privileges of this House, committed in the face of the House as well as out of the House; and if the Committee should be of opinion that no power of summary punishment for such contempts or breaches of the privileges of this House exists, that it be an instruction to the Committee to frame and present a Bill to confer on this House the same rights and privileges as belong to the Commons House of Parliament in England, or such other rights and privileges as the Committee may suggest. The Committee to consist of The Attorney General, Mr. Darvall, Mr. Nichols, Mr. Martin, Mr. Parker, and Mr. Murray.
The Colonial Secretary required that the Committee be appointed by Ballot.—
Question—That a Select Committee be appointed to inquire into and determine what are the privileges of this House (if any) with reference to contempts or breaches of the privileges of this House, committed in the face of the House as well as out of the House; and if the Committee should be of opinion that no power of summary punishment for such contempts or breaches of the privileges of this House exists, that it be an instruction to the Committee to frame and present a Bill to confer on this House the same rights and privileges as belong to the Commons House of Parliament in England, or such other rights and privileges as the Committee may suggest—put and passed;—
Whereupon the Council proceeded to the Ballot, and the following Members were declared to have the greatest number of votes, and to be, with the Mover, the Committee duly appointed; viz:—Mr. Darvall, Mr. Nichols, The Attorney General, Mr. Parker, Mr. Allen, and Mr. Moor.
Council adjourned at Five o'clock, until Tuesday next; at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JUNE 11.

NOTICES OF MOTION:—

- 1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, copies of all correspondence with the Secretary of State, or other persons, relative to the appointment of Mr. William Whaley Billyard to the Office of Civil Crown Solicitor of the Colony.
- 2. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of the number of Coroner's Inquests held in the City and District of Sydney, from the first day of June, 1848, to the first day of June, 1850, together with an account of the expenses of such Inquests, distinguishing the amount of fees paid to Medical Witnesses; the amount of fees paid for post-mortem-examinations; and distinguishing by name the recipient of such fees.
- 3. MR. MARTIN to move for leave to bring in a Bill to abolish all duties on Brandy and Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.
- 4. MR. MARTIN to move for leave to bring in a Bill to regulate banking in New South Wales.
- 5. MR. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with indictable offences.

ORDER OF THE DAY:—

- 1. Publicans' Act amendment Bill; second reading.

WEDNESDAY, JUNE 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

- 1. Consideration of Governor's Message No. 2, with Corporate Towns' Justices Bill.
- 2. Consideration of Governor's Message No. 3, with Perfumed Spirits' Duties Bill.
- 3. Consideration of Governor's Message No. 4, with Tolls and Dues Leasing Bill.
- 4. Consideration of Governor's Message No. 5, with Melbourne Hackney Carriage Bill.
- 5. Consideration of Governor's Message No. 6, with South Australian, Offenders Apprehension Bill.
- 6. Consideration of Governor's Message No. 7, with Outward Pilotage Bill.

OTHER:

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. NICHOLS to move, That a Select Committee be appointed to examine into the duties of the Harbour Masters and Pilots in New South Wales, with a view to regulate the same; the Committee to consist of Captain King, Mr. Lamb, Mr. Donaldson, Mr. Cooper, and The Collector of Customs.
2. MR. MURRAY to move:—
 - (1.) That inasmuch as the shareholders in the Colonial Banks in New South Wales, are for the most part, if not wholly, resident in the Colony, those Banks afford a better and more tangible security for deposits of the Public Revenues, than Banks belonging to an absent and comparatively unknown proprietary.
 - (2.) That if any advantage is to be derived by Banks in this Colony from deposits on account of the Public Revenues, those Banks which are most intimately connected and identified with the Colony itself, are better entitled to that advantage than institutions which are to some extent, at least, foreign in their character.
 - (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor, praying that he will restrict deposits of the Public Revenues to the Colonial Banks alone.
3. MR. NICHOLS to move for leave to bring in a Bill for the speedy trial and punishment of Juvenile Offenders.

ORDER OF THE DAY:—

1. Malt Liquors' Bill; second reading.

FRIDAY, JUNE 14.

ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

CHARLES NICHOLSON,
Speaker.

14.



VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 11 JUNE, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Renewal of Transportation:—The following Message from His Excellency the Governor received and read:—

CH^s. A. FITZ ROY,

Message No. 8.

Governor.

The Governor transmits to the Council a copy of the Right Honorable the Secretary of State's Despatch in which he acknowledges the receipt of the Address of the Council to Her Most Gracious Majesty of the 1st June 1849, declining to accede to the proposal which had been made for renewing the introduction of Convicts into the Colony, and protesting against the adoption of any measure by which it might be converted into a Penal Establishment—and also—copies of several other Despatches from that Minister on the subject of Transportation and explanatory of the system and successive stages of punishment undergone by Prisoners under sentence of Transportation.

2.—His Lordship it will be perceived takes occasion to point out that owing to the aid granted by Parliament for Free Emigration, the Convicts recently sent out have in point of fact been removed to New South Wales in exact conformity with the arrangement which was approved of by the Council in their Address to His Excellency of the 7th April, 1848. At the same time Earl Grey distinctly announces, that whilst it has been determined that no more Convicts shall be sent to New South Wales so long as the opinion of the Colonists, as expressed by the Legislature, continues adverse to that measure, yet that it has not been thought necessary to revoke the Order in Council in which New South Wales is named as one of the places to which Prisoners who are sentenced to Transportation may be sent, until it shall clearly appear that after being more fully apprised of the measures adopted by Her Majesty's Government to meet its wishes, as previously expressed, the Legislature has deliberately adopted as its final conclusion a determination that no more Convicts ought under any conditions to be sent to any part of the Colony.

Government House, Sydney,

11th June, 1850.

Ordered to be printed, together with the accompanying Despatches and Documents.

2. Postponement:—Mr. Martin, in absence of Mr. Nichols, postponed the motions standing in the name of Mr. Nichols first and second on the Notice Paper for to-day, until Thursday next.
3. Colonial Spirits' Duties Abolition Bill:—Mr. Martin moved, pursuant to notice, for leave to bring in a Bill to abolish all duties on Brandy and Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.
Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
4. Banking Bill:—Mr. Martin moved, pursuant to notice, for leave to bring in a Bill to regulate Banking in New South Wales.
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
5. Colonial Spirits' Duties Abolition Bill:—Mr. Martin having presented this Bill, Bill, intituled, "A Bill to abolish all Duties on Brandy and Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth," read a first time; ordered to be printed, and read a second time this day week.
6. Banking Bill:—Mr. Martin having presented this Bill, moved, That it be now read a first time.
Debate ensued.
Question put and passed; and Bill, intituled, "A Bill to regulate Banking in New South Wales," read first time.
Mr. Martin then moved, That the "Bill" be printed, and read a second time on Friday week.
Mr. Lamb moved, as an amendment, That all the words following the word "Bill" be omitted, with a view to the insertion in their place of the words "be read a second time this day six months."
Debate ensued.
Proposed Amendment by leave withdrawn.
Original motion by leave withdrawn.
7. Postponement:—Mr. Nichols postponed the motion standing in his name fifth on the Notice Paper for to-day, until Thursday next.

8. **Publicans' Act Amendment Bill** :—Mr. Nichols moved, That this Bill be now read a second time.
 Debate ensued.
 Motion by leave withdrawn.
 Moved by Mr. Nichols, That the Bill be discharged from the Paper.
 Question put and passed.
 Council adjourned at Five o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 12.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor's Message No. 2, with Corporate Towns' Justices Bill.
2. Consideration of Governor's Message No. 3, with Perfumed Spirits' Duties Bill.
3. Consideration of Governor's Message No. 4, with Tolls and Dues Leasing Bill.
4. Consideration of Governor's Message No. 5, with Melbourne Hackney Carriage Bill.
5. Consideration of Governor's Message No. 6, with South Australian Offenders Apprehension Bill.
6. Consideration of Governor's Message No. 7, with Outward Pilotage Bill.

OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. NICHOLS to move, That a Select Committee be appointed to examine into the duties of the Harbour Masters and Pilots in New South Wales, with a view to regulate the same; the Committee to consist of Captain King, Mr. Lamb, Mr. Donaldson, Mr. Cooper, and The Collector of Customs.
2. Mr. MURRAY to move:—
 - (1.) That inasmuch as the shareholders in the Colonial Banks in New South Wales, are for the most part, if not wholly, resident in the Colony, those Banks afford a better and more tangible security for deposits of the Public Revenues, than Banks belonging to an absent and comparatively unknown proprietary.
 - (2.) That if any advantage is to be derived by Banks in this Colony from deposits on account of the Public Revenues, those Banks which are most intimately connected and identified with the Colony itself, are better entitled to that advantage than institutions which are to some extent, at least, foreign in their character.
 - (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor, praying that he will restrict deposits of the Public Revenues to the Colonial Banks alone.
3. Mr. NICHOLS to move for leave to bring in a Bill for the speedy trial and punishment of Juvenile Offenders.

ORDER OF THE DAY:—

1. Malt Liquors' Bill; second reading.

THURSDAY, JUNE 13.

NOTICES OF MOTION:—

1. Mr. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, copies of all correspondence with the Secretary of State, or other persons, relative to the appointment of Mr. William Whaley Billyard to the Office of Civil Crown Solicitor of the Colony.
2. Mr. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of the number of Coroner's Inquests held in the City and District of Sydney, from the first day of June, 1848, to the first day of June, 1850, together with an account of the expenses of such Inquests, distinguishing the amount of fees paid to Medical Witnesses; the amount of fees paid for *post mortem* examinations; and distinguishing by name the recipient of such fees.
3. Mr. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with indictable offences.

FRIDAY, JUNE 14.

ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

TUESDAY, JUNE 18.

ORDER OF THE DAY:—

1. Colonial Spirits' Duties Abolition Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 12 JUNE, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Finance:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the following Financial Papers:—
(1.) Abstract of the Revenues of the Colony of New South Wales and of their Appropriation for the year 1849, together with Statements 1 to 5 therein referred to: Ordered to be printed.
(2.) Statements of the Expenditure of the Sums appropriated for defraying the Expenses of the several Services and Purposes specified in Schedules A, B, and C, annexed to the Act of Parliament, 5 & 6 Victoria, chap. 76, for the year 1849. Ordered to be printed.
2. Corporate Towns' Justices Bill:—The Governor's Message No. 2, received with this Bill on the 5th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to extend to the Town of Geelong, and all such other Towns as may from time to time be incorporated, the provisions of certain Acts relating to the jurisdiction of the Peace within the respective Cities of Sydney and Melbourne, and to certain other matters therein referred to,*" read a first time; to be read a second time this day week.
3. Perfumed Spirits' Duties Bill:—The Governor's Message No. 3, received with this Bill on the 5th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to regulate the amount of Import Duty to be paid upon Perfumed Spirits,*" read a first time; to be read a second time this day week.
4. Tolls and Dues Leasing Bill:—The Governor's Message No. 4, received with this Bill on the 5th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to authorise the Leasing of Tolls and Dues demandable at Turnpike Gates, and on Parish Roads, for extended terms,*" read a first time; to be read a second time this day week.
5. Melbourne Hackney Carriage Bill:—The Governor's Message No. 5, received with this Bill on the 5th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to enable the Council of the City of Melbourne to make Bye-laws for the licensing and regulating Hackney Carriages within the City of Melbourne and its Vicinity, and for regulating the conduct of the Owners and Drivers thereof,*" read a first time; to be read a second time this day week.
6. South Australian Offenders Apprehension Bill:—The Governor's Message No. 6, received with this Bill on the 5th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill for the better apprehension of Offenders who shall have escaped from South Australia to parts within the Territory of New South Wales,*" read a first time; to be read a second time this day week.
7. Outward Pilotage Bill:—The Governor's Message No. 7, received with this Bill on the 5th instant, having been read, The Colonial Secretary moved, That the Bill accompanying His Excellency's Message be now read a first time.
Debate ensued.
Question put and passed; and Bill, intituled, "*A Bill for regulating payments to be made to Pilots on account of the detention of outward-bound Ships or Vessels,*" read a first time; to be read a second time this day week.
8. Postponement:—Mr. Oakes, in absence of Mr. Nichols, postponed the motion standing in the name of Mr. Nichols first on the Notice Paper of Other Business for to-day, until to-morrow.
9. Cattle Protection Bill:—Mr. Murray having presented this Bill, Bill, intituled, "*A Bill for the better protection of Cattle in New South Wales,*" read a first time; ordered to be printed, and read a second time on Friday week.
10. Deposit of Public Revenues:—Mr. Murray moved, pursuant to amended notice,—
(1.) That inasmuch as the shareholders in the Colonial Banks in New South Wales, are for the most part, if not wholly, resident in the Colony, those Banks afford a better and more tangible security for deposits of the Public Revenues, than Banks belonging to an absent and comparatively unknown proprietary.
(2.) That if any advantage is to be derived by Banks in this Colony from deposits on account of the Public Revenues, those Banks which are most intimately connected and identified with the Colony itself, are better entitled to that advantage than institutions which are to some extent, at least, foreign in their character.
(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor, praying that he will restrict deposits of the Public Revenues to the Colonial Banks and Public Treasury alone.

Debate

18.

Debate ensued.
Question put.
Council divided.

Ayes, 9.

- Mr. Berry,
- Mr. Cooper,
- Mr. Martin,
- Mr. Wentworth,
- Mr. Oakes,
- Mr. Nichols,
- Mr. Dangar,
- Mr. Fitzgerald,
- Mr. Murray, (Teller.)

Noes, 10.

- The Major General Commanding,
- Captain King,
- The Attorney General,
- The Colonial Secretary,
- Mr. Byrnes,
- Dr. Dickson,
- The Auditor General,
- Mr. Allen,
- Mr. Parker,
- The Colonial Treasurer, (Teller.)

11. Juvenile Offenders' Punishment Bill:—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill for the speedy trial and punishment of Juvenile Offenders. Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
12. Malt Liquors' Bill, having been read a second time, on motion of Mr. Martin, the Council resolved itself into a Committee of the whole for consideration thereof. The Chairman reported progress, and obtained leave to sit again this day week. Council adjourned at Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 13.

NOTICES OF MOTION:—

1. Mr. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, copies of all correspondence with the Secretary of State, or other persons, relative to the appointment of Mr. William Whaley Billyard to the Office of Civil Crown Solicitor of the Colony.
2. Mr. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of the number of Coroner's Inquests held in the City and District of Sydney, from the first day of June, 1848, to the first day of June, 1850, together with an account of the expenses of such Inquests, distinguishing the amount of fees paid to Medical Witnesses; the amount of fees paid for *post mortem* examinations; and distinguishing by name the recipient of such fees.
3. Mr. NICHOLS to move for leave to bring in a Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of New South Wales, with respect to persons charged with indictable offences.
4. Mr. NICHOLS to move, That a Select Committee be appointed to examine into the duties of the Harbour Masters and Pilots in New South Wales, with a view to regulate the same; the Committee to consist of Captain King, Mr. Lamb, Mr. Donaldson, Mr. Cooper, and The Collector of Customs.

FRIDAY, JUNE 14.

ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

TUESDAY, JUNE 18.

ORDER OF THE DAY:—

1. Colonial Spirits' Duties Abolition Bill; second reading.

WEDNESDAY, JUNE 19.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Corporate Towns' Justices Bill; second reading.
2. Perfumed Spirits' Duties Bill; second reading.
3. Tolls and Dues Leasing Bill; second reading.
4. Melbourne Hackney Carriage Bill; second reading.
5. South Australian Offenders Apprehension Bill; second reading.
6. Outward Pilotage Bill; second reading.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Malt Liquors' Bill; to be further considered in Committee.

FRIDAY, JUNE 21.

ORDER OF THE DAY:—

1. Cattle Protection Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 13 JUNE, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Immigration :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Despatches and Documents having reference to Immigration, adverted to in the Opening Speech of His Excellency the Governor.
Ordered to be printed.
2. Mr. John Bate :—Mr. Nichols presented a Petition from Mr. John Bate, of Elizabeth-street, Sydney, praying the appointment of a Select Committee to inquire into the merits of his claim for Gratuity on the abolition of the office of Surveyor of Distilleries, held by his late brother from the year 1827 to the end of the year 1838. Petition received.
3. Messages :—The following Messages from His Excellency the Governor received and read :—
 - (1.) British Stamps Bill :—
CH^s. A. FITZ ROY, Message No. 9.
Governor
In accordance with the provisions of the Act for the Government of New South Wales 5 and 6 Victoria cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill, intituled, "A Bill to prevent the Forgery in New South Wales of Stamps of the United Kingdom."
Government House, Sydney,
13th June, 1850.
Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.
 - (2.) Melbourne Private Streets Bill :—
CH^s. A. FITZ ROY, Message No. 10.
Governor
In accordance with the provisions of the Act for the Government of New South Wales the Governor transmits to the Legislative Council the Draft of a Bill, intituled "A Bill for regulating the formation, drainage, and repair of streets, courts, and alleys on private property within the City of Melbourne."
Government House, Sydney,
13th June, 1850.
Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.
 - (3.) Census Bill :—
CH^s. A. FITZ ROY, Message No. 11.
Governor
In accordance with the intimation conveyed in His opening address to the Legislative Council, the Governor transmits to the Council the Draft of a Bill for taking an account of the population of New South Wales.
2. His Excellency also transmits a copy of a Despatch from the Secretary of State, enclosing a paper prepared by the Registrar General of England on the subject of taking a Census.
Government House, Sydney,
13th June, 1850.
Ordered to be printed, together with the accompanying Bill and Documents, and taken into consideration on Wednesday next.
4. Juvenile Offenders' Punishment Bill :—Mr. Nichols having presented this Bill, intituled, "A Bill for the more speedy trial and punishment of Juvenile Offenders," read a first time; ordered to be printed, and read a second time on Friday week.
5. Civil Crown Solicitor :—Mr. Nichols moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, copies of all correspondence with the Secretary of State, relative to the appointment of Mr. William Whaley Billyard to the Office of Civil Crown Solicitor of the Colony.
Debate ensued.
Question put and passed; Address to be presented by the Speaker.

6. Coroners' Inquests:—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Return of the number of Coroner's Inquests held in the City and District of Sydney, from the first day of June, 1848, to the first day of June, 1850, together with an account of the expenses of such Inquests, distinguishing the amount of fees paid to Medical Witnesses; the amount of fees paid for *post mortem* examinations; and distinguishing by name the recipient of such fees.
Debate ensued.
Question put and passed; Address to be presented by the Speaker.
7. Withdrawal of Motion:—Mr. Nichols withdrew the Motion standing in his name third on the Notice Paper for to-day.
8. Pilots' Duties Regulation:—Mr. Nichols moved, pursuant to notice, That a Select Committee be appointed to examine into the duties of the Harbour Masters and Pilots in New South Wales, with a view to regulate the same; the Committee to consist of Captain King, Mr. Lamb, Mr. Donaldson, Mr. Cooper, and The Collector of Customs.
Debate ensued.
Question put and passed.
Council adjourned at half-past Four o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 14.

ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

TUESDAY, JUNE 18.

ORDER OF THE DAY:—

1. Colonial Spirits' Duties Abolition Bill; second reading.

WEDNESDAY, JUNE 19.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE COLONIAL SECRETARY to move,—
(1.) That a Select Committee consisting of ten Members be appointed to inquire into the state of the Police of the Colony, and to suggest the best means of improving its constitution and efficiency, so that the Constabulary force may be placed upon such a basis as adequately to secure the protection of life and property in the Cities and Towns and throughout the Rural Districts of the Colony.
(2.) That the Committee consist, with the Mover, of the following Members, viz,—
The Attorney General, Mr. Murray, Mr. James Macarthur, Mr. Wentworth, Captain King, Mr. Allen, Mr. Moor, Mr. Donaldson, and Mr. Suttor.

ORDERS OF THE DAY:—

1. Corporate Towns' Justices Bill; second reading.
2. Perfumed Spirits' Duties Bill; second reading.
3. Tolls and Duces Leasing Bill; second reading.
4. Melbourne Hackney Carriage Bill; second reading.
5. South Australian Offenders Apprehension Bill; second reading.
6. Outward Pilotage Bill; second reading.
7. Consideration of Governor's Message, No. 9, with British Stamps' Bill.
8. Consideration of Governor's Message, No. 10, with Melbourne Private Streets' Bill.
9. Consideration of Governor's Message, No. 11, with Census Bill.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Malt Liquors' Bill; to be further considered in Committee.

FRIDAY, JUNE 21.

ORDER OF THE DAY:—

1. Cattle Protection Bill; second reading.
2. Juvenile Offenders' Punishment Bill; second reading.

CHARLES NICHOLSON,
Speaker.

No. 8.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 14 JUNE, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
John Browne:—Mr. Donaldson presented a Petition from John Browne, of Maison Dieu, near Singleton, praying compensation for the loss of about a mile of river frontage, occasioned by a new line of road having been carried through part of his enclosed farm.
Petition received.
2. Cattle Slaughtering Laws Bill:—Mr. Martin moved, That this Bill be now read a second time.
Debate ensued.
Motion by leave withdrawn; and second reading of the Bill, on motion of Mr. Martin, postponed until Thursday next.
Council adjourned at Four o'clock, until Wednesday next at Three o'clock, on motion of the Colonial Treasurer.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 19.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE COLONIAL SECRETARY to move,—
(1.) That a Select Committee consisting of ten Members be appointed to inquire into the state of the Police of the Colony, and to suggest the best means of improving its constitution and efficiency, so that the Constabulary force may be placed upon such a basis as adequately to secure the protection of life and property in the Cities and Towns and throughout the Rural Districts of the Colony.
(2.) That the Committee consist, with the Mover, of the following Members, viz,—
The Attorney General, Mr. Murray, Mr. James Macarthur, Mr. Wentworth, Captain King, Mr. Allen, Mr. Moor, Mr. Donaldson, and Mr. Suttor.

ORDERS OF THE DAY:—

1. Corporate Towns' Justices Bill; second reading.
2. Perfumed Spirits' Duties Bill; second reading.
3. Tolls and Dues Leasing Bill; second reading.
4. Melbourne Hackney Carriage Bill; second reading.
5. South Australian Offenders Apprehension Bill; second reading.
6. Outward Pilotage Bill; second reading.
7. Consideration of Governor's Message, No. 9, with British Stamps' Bill.
8. Consideration of Governor's Message, No. 10, with Melbourne Private Streets' Bill.
9. Consideration of Governor's Message, No. 11, with Census Bill.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Malt Liquors' Bill; to be further considered in Committee.
2. Colonial Spirits' Duties Abolition Bill; second reading.

THURSDAY, JUNE 20.

ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY,

FRIDAY, JUNE 21.

NOTICES OF MOTION :—

1. MR. DONALDSON to move for leave to bring in a Bill for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales.
2. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.
 The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.
3. MR. NICHOLS to move for leave to bring in a Bill, " To amend the law concerning " Games and Wages."
4. MR. WENTWORTH to move for leave to bring in a Bill, " To incorporate and endow an " University to be called ' the University of Sydney.' "
5. MR. LAMB to move, That a Select Committee of eight, viz. :—The Colonial Secretary, The Attorney General, The Auditor General, Mr. Wentworth, Mr. Donaldson, Mr. Martin, Mr. Murray, and the Mover, be appointed to inquire into the system of Banking now prevailing in the Colony: and that they be instructed more especially to inquire,—
 - (1st.) Whether the Returns furnished in accordance with the provisions of the Act 4 Vict., No. 13, afford all the information with regard to the Banks which is desirable; and if not, to report in what respect the form of these Returns should be amended.
 - (2nd.) To ascertain the average amount of public money deposited in each of the Banks, and to report upon the security the several Institutions afford for the safe custody and due payment of the funds entrusted to them.
 - (3rd.) To report on the state of the Currency of the Colony, and whether it be necessary to make any alteration in the Laws whereby it is at present governed.
 - (4th.) To inquire into the amount of notes payable on demand issued by the Banks and by private individuals, and to report whether any legal enactment is required to regulate or restrain such issues.

ORDERS OF THE DAY :—

1. Cattle Protection Bill; second reading.
2. Juvenile Offenders' Punishment Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 19 JUNE, 1850.

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

Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Melbourne Public Abattoirs' Bill :—

CH^s. A. FITZ ROY,
Governor

Message No. 12.

In accordance with the provisions of the Act for the Government of New South Wales 5 and 6 Victoria c. 76, the Governor transmits to the Legislative Council the draft of a " Bill to provide for the establishment of Public Abattoirs in the City of Melbourne, and for preventing certain nuisances therein."

Government House, Sydney,
19th June, 1850.

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

(2.) Slaughter House Laws extension Bill :—

CH^s. A. FITZ ROY,
Governor.

Message No. 13.

In accordance with the provisions of the Act for the Government of New South Wales 5 and 6 Victoria, c. 76, the Governor transmits to the Legislative Council the draft of a " Bill to extend to other Towns in the Colony an Act intituled " An Act to amend the Law relating to the Licensing of Slaughter Houses, within the City and Suburbs of Sydney, and for the prevention of other nuisances therein."

Government House, Sydney,
19th June, 1850.

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

(3.) Sydney Corporation Bill :—

CH^s. A. FITZ ROY,
Governor.

Message No. 14

In accordance with the provision of the Act for the Government of New South Wales 5th and 6th Victoria cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill " To provide for the Regulation of the Corporation of the City of Sydney."

Government House, Sydney,
19th June, 1850.

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

(4.) Finance, 1850-51 :—The Governor's Financial Message, (No. 15, of 19th June, 1850,) for the year 1850-51.

Ordered to be printed, together with the accompanying Estimates of Ways and Means and of Expenditure for the year 1851, and of Supplementary Expenditure for the year 1850, and taken into consideration to-morrow fortnight.

2. Projected Bridge over the Nepean :—Mr. Wentworth presented a Petition from William Russell, Esquire, of Regentville, in the County of Cumberland, praying leave to bring in a Bill empowering him to build a Bridge over the Nepean River.
Petition received.

Mr. Wentworth then produced the *Government Gazette*, of 26th April, and 3rd, 10th, and 17th of May respectively, containing notice of the intention to apply for such Bill.

3. Postponement :—Mr. Lamb postponed the motion standing in his name fifth on the Notice Paper for Friday, until Tuesday, June 25.

4. Proposed Light House on Point Stephens :—Mr. Cooper presented a Petition from certain Merchants, Shipowners, Master Mariners, and others connected with the Coasting Trade of New South Wales, praying the erection of a Light House on Point Stephens. Petition received.
5. Elective Franchise, Port Phillip :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a Despatch from the Right Honorable the Secretary of State for the Colonies, No. 184, of 27th November, 1849, in reply to a Petition adopted at a Public Meeting held in Geelong, Port Phillip, praying the extension of the Elective Franchise to Lessees of Crown Lands and Tenant farmers of that Province.
Ordered to be printed.
6. Newcastle Breakwater :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table certain Papers having reference to the Breakwater at Newcastle.
Ordered to be printed.
7. Civil Crown Solicitor :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address respecting this Officer, adopted, on motion of Mr. Nichols, on the 13th instant.
Ordered to be printed.
8. Richard Lewis :—Mr. Martin presented a Petition from Richard Lewis, Surgeon, praying redress for ill treatment in the Lunatic Asylum, at Tarban Creek. Petition received.
9. Police :—The Colonial Secretary moved, pursuant to notice,—
(1.) That a Select Committee consisting of ten Members be appointed to inquire into the state of the Police of the Colony, and to suggest the best means of improving its constitution and efficiency, so that the Constabulary force may be placed upon such a basis as adequately to secure the protection of life and property in the Cities and Towns and throughout the Rural Districts of the Colony.
Question put and passed.
The Colonial Secretary then moved,—
(2.) That the Committee consist, with the Mover, of the following Members, viz,—The Attorney General, Mr. Murray, Mr. James Macarthur, Mr. Wentworth, Captain King, Mr. Allen, Mr. Moor, Mr. Donaldson, and Mr. Suttor.
Mr. Martin required that the Committee be appointed by Ballot,—
Whereupon the Council proceeded to the Ballot, and the following Members were declared to have the greatest number of votes, and to be, with the Mover, the Committee duly appointed, viz :—Mr. Donaldson, The Attorney General, Mr. Wentworth, Mr. Allen, Mr. Murray, Mr. James Macarthur, Captain King, Mr. Suttor, Mr. Dangar, and Mr. Moor.
10. Corporate Towns' Justices Bill :—The Colonial Secretary moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed; Bill read a second time; to be considered in Committee this day week.
11. Perfumed Spirits' Duties Bill, having been read a second time, on motion of the Colonial Secretary, the Council resolved itself into a Committee of the whole, for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
12. Tolls and Dues Leasing Bill, having been read a second time, on motion of the Colonial Secretary, the Council resolved itself into a Committee of the whole, for consideration thereof.
The Chairman reported progress, and obtained leave to sit again this day week.
13. Melbourne Hackney Carriage Bill, having been read a second time, on motion of the Colonial Secretary, the Council resolved itself into a Committee of the whole, for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
14. South Australian Offenders' Apprehension Bill, having been read a second time, on motion of the Colonial Secretary, the Council resolved itself into a Committee of the whole, for consideration thereof.
The Chairman reported progress, and obtained leave to sit again this day week.
15. Outward Pilotage Bill :—The Colonial Secretary moved, "That" this Bill be now read a second time.
Mr. Nichols moved, as an amendment, That all the words following "That" be omitted with a view to the insertion in their place of the words "this Bill be referred to the "Select Committee for regulating the Duties of Pilots."
Question,—That the words proposed to be omitted stand part of the Question—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question—That this Bill be referred to the Select Committee for regulating the Duties of Pilots,—put and passed.
16. British Stamps' Bill :—The Governor's Message No. 9, received with this Bill on the 13th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "A Bill to prevent the forgery in New South Wales, of stamps of the United Kingdom," read a first time; to be read a second time this day week.

- 17. Melbourne Private Streets Bill :—The Governor's Message No. 10, received with this Bill on the 13th instant, having been read, on motion of the Colonial Secretary, Bill, intituled " *A Bill for regulating the formation, drainage, and repair of streets, courts, and alleys, on private property, within the City of Melbourne,*" read a first time ; to be read a second time this day week.
- 18. Census Bill :—The Governor's Message, No. 11, received with this Bill on the 13th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, " *A Bill for taking an Account of the Population of New South Wales,*" read a first time ; to be read a second time this day week.
- 19. Postponements :—On motion of Mr. Martin the following Orders of the Day postponed until to-morrow:—
 - (1.) Malt Liquors' Bill :—To be further considered in Committee.
 - (2.) Colonial Spirits' Duties Abolition Bill :—Second reading.
 Council adjourned at a quarter after Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 20.

ORDERS OF THE DAY :—

- 1. Cattle Slaughtering Laws' Bill ; second reading.
- 2. Malt Liquors' Bill ; to be further considered in Committee.
- 3. Colonial Spirits' Duties Abolition Bill ; second reading.

FRIDAY, JUNE 21.

NOTICES OF MOTION :—

- 1. MR. DONALDSON to move for leave to bring in a Bill for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales.
- 2. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government :—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.
 The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.
- 3. MR. NICHOLS to move for leave to bring in a Bill, " *To amend the law concerning Games and Wages.*"
- 4. MR. WENTWORTH to move for leave to bring in a Bill, " *To incorporate and endow an University to be called 'the University of Sydney.'*"
- 5. THE ATTORNEY GENERAL to move, for leave to bring in a Bill " *For the encouragement of persons desirous of providing for their support in old age ; and for the protection under certain restrictions of their annuities and subscriptions for deferred annuities.*"
- 6. MR. NICHOLS to move, That the Return dated 9th August, 1849, in reply to an Address of this Council, presented on the 31st July, 1849, requesting that the Governor would cause to be laid on the Table of this House, a Report of the Board for the regulation of Steam vessels on the present system of Pilotage in the Harbour of Port Jackson, together with the Evidence upon which such Report was founded,—be printed.

ORDERS OF THE DAY :—

- 1. Cattle Protection Bill ; second reading.
- 2. Juvenile Offenders' Punishment Bill ; second reading.

TUESDAY, JUNE 25.

NOTICES OF MOTION :—

1. MR. WENTWORTH to move for leave to bring in a Bill to empower William Russell, Esq., of Regentville, in the County of Cumberland, to erect and maintain a Bridge over the River Nepean, near the Town of Penrith, and to take Toll thereat for a term of years, and for other purposes therein mentioned.
2. MR. LAMB to move, That a Select Committee of eight, viz. :—The Colonial Secretary, The Attorney General, The Auditor General, Mr. Wentworth, Mr. Donaldson, Mr. Martin, Mr. Murray, and the Mover, be appointed to inquire into the system of Banking now prevailing in the Colony: and that they be instructed more especially to inquire,—
 (1st.) Whether the Returns furnished in accordance with the provisions of the Act 4 Vict., No. 13, afford all the information with regard to the Banks which is desirable; and if not, to report in what respect the form of these Returns should be amended.
 (2nd.) To ascertain the average amount of public money deposited in each of the Banks, and to report upon the security the several Institutions afford for the safe custody and due payment of the funds entrusted to them.
 (3rd.) To report on the state of the Currency of the Colony, and whether it be necessary to make any alteration in the Laws whereby it is at present governed.
 (4th.) To inquire into the amount of notes payable on demand issued by the Banks and by private individuals, and to report whether any legal enactment is required to regulate or restrain such issues.
3. DR. DICKSON to move for leave to introduce a Bill for preventing the sale of Virulent Poisons, unless under particular circumstances.

WEDNESDAY, JUNE 26.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 12, with Melbourne Public Abattoirs' Bill.
2. Consideration of Governor's Message, No. 13, with Slaughter House Laws extension Bill.
3. Consideration of Governor's Message, No. 14, with Sydney Corporation Bill.
4. Corporate Towns' Justices Bill; to be considered in Committee.
5. Perfumed Spirits' Duties Bill; third reading.
6. Tolls and Dues Leasing Bill; to be further considered in Committee.
7. Melbourne Hackney Carriage Bill; third reading.
8. South Australian Offenders' Apprehension Bill; to be further considered in Committee.
9. British Stamps' Bill; second reading.
10. Melbourne Private Streets' Bill; second reading.
11. Census Bill; second reading.

THURSDAY, JULY 4.

ORDER OF THE DAY :—

1. Consideration of Governor's Financial Message No. 15, with Estimates for 1850-51.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 20 JUNE, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Police Committee:—The Speaker requested the attention of the House to the fact that ten Members, exclusive of the Mover, had been balloted for the Select Committee on Police yesterday, which was in contravention of the Resolution of the House that the Committee should consist of ten Members inclusive of the Mover, as well as of the 21st Section of the Standing Orders which limited the number to be appointed on any Select Committee to ten Members inclusive of the Mover; and explained that this had arisen in consequence of the two Members who had the least number of votes, viz.—Mr. Dangar and Mr. Moor—having also had an equality of votes, which rendered it imperative on the Clerk, in the absence of any Order applicable to such cases, and in conformity with the precedents established in the formation of Select Committees of a smaller number, to retain the names of both Members on the Ballot List of the Committee.
The Colonial Secretary moved, That the Council do now declare by Ballot the name of that one of the two Members appointed yesterday to the Select Committee on Police with the least number as well as with an equality of votes whom they wish to retain on such Committee.
Question put and passed,—
Whereupon the Council proceeded to the Ballot, and Mr. Moor was declared to have the greatest number of votes, and to be the member duly elected to be retained on the Committee.
2. Race Plate :—Mr. Wentworth presented a Petition from certain Colonists, praying the Council to recommend to His Excellency the Governor to place a sum on the Estimates annually to be run for at Homebush or such other Racecourse in the County of Cumberland, and under such regulations as the Australian Jockey Club with the sanction of His Excellency the Governor shall devise.
Petition received.
3. Cattle Slaughtering Laws Bill :—Mr. Martin moved, That this Bill be now read a second time.
Debate ensued.
Motion by leave withdrawn; and second reading of the Bill postponed until this day fortnight.
4. Malt Liquors' Bill :—On motion of Mr. Martin, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow week.
5. Postponement :—On motion of Mr. Martin, the second reading of the Colonial Spirits' Duties Abolition Bill postponed until Tuesday week.
Council adjourned at half-past Five o'clock, until Tuesday next at Three o'clock, on motion of The Colonial Secretary.

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NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JUNE 25.

NOTICES OF MOTION:—

1. MR. WENTWORTH to move for leave to bring in a Bill to empower William Russell, Esq., of Regentville, in the County of Cumberland, to erect and maintain a Bridge over the River Nepean, near the Town of Penrith, and to take Toll thereat for a term of years, and for other purposes therein mentioned.
2. MR. LAMB to move, That a Select Committee of eight, viz. :—The Colonial Secretary, The Attorney General, The Auditor General, Mr. Wentworth, Mr. Donaldson, Mr. Martin, Mr. Murray, and the Mover, be appointed to inquire into the system of Banking now prevailing in the Colony: and that they be instructed more especially to inquire,—
 - (1st.) Whether the Returns furnished in accordance with the provisions of the Act 4 Vict., No. 13, afford all the information with regard to the Banks which is desirable; and if not, to report in what respect the form of these Returns should be amended.
 - (2nd.) To ascertain the average amount of public money deposited in each of the Banks, and to report upon the security the several Institutions afford for the safe custody and due payment of the funds entrusted to them.
 - (3rd.) To report on the state of the Currency of the Colony, and whether it be necessary to make any alteration in the Laws whereby it is at present governed.
 - (4th.) To inquire into the amount of notes payable on demand issued by the Banks and by private individuals, and to report whether any legal enactment is required to regulate or restrain such issues.
3. DR. DICKSON to move for leave to introduce a Bill for preventing the sale of Virulent Poisons, unless under particular circumstances.
4. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return showing as far as may be practicable the undermentioned particulars respecting the children received into and discharged from the several Orphan Schools of the Colony, in each of the last five years.—
 - (1.) The numbers received.
 - (2.) The numbers discharged, and for what purpose.
 - (3.) The numbers who have died.
 - (4.) The numbers, when admitted, whose parents, or either of them, were known to be living, distinguishing whether resident within the Colony or otherwise.
 - (5.) The numbers whose parents, or either of them, were known to be dead.
 - (6.) The numbers now in the schools, distinguishing sex and age.
 - (7.) By what authority, and under what regulations, the children are admitted into the schools.
5. MR. DONALDSON to move for leave to bring in a Bill for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales.
6. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.

The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.
7. MR. NICHOLS to move for leave to bring in a Bill, "*To amend the law concerning Games and Wages.*"
8. MR. WENTWORTH to move for leave to bring in a Bill, "*To incorporate and endow an University to be called 'the University of Sydney.'*"
9. THE ATTORNEY GENERAL to move for leave to bring in a Bill, "*For the encouragement of persons desirous of providing for their support in old age; and for the protection under certain restrictions of their annuities and subscriptions for deferred annuities.*"
10. MR. NICHOLS to move, That the Return dated 9th August, 1849, in reply to an Address of this Council, presented on the 31st July, 1849, requesting that the Governor would cause to be laid on the Table of this House, a Report of the Board for the regulation of Steam vessels on the present system of Pilotage in the Harbour of Port Jackson, together with the Evidence upon which such Report was founded,—be printed.

ORDERS OF THE DAY:—

1. Cattle Protection Bill; second reading.
2. Juvenile Offenders' Punishment Bill; second reading.

WEDNESDAY,

WEDNESDAY, JUNE 26.

NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move, That the following papers, which were laid before the Council, by command of His Excellency the Governor, on the 5th instant, be referred to the Select Committee on Police, namely,—
 - (1.) A Report from W. C. Mayne, Esq., on the establishment of a Police Force.
 - (2.) A Report from John Richard Hardy, Esq., on the same subject; and
 - (3.) Report from the Board appointed to enquire into the conduct of the Sydney Police on the occasion of a recent riot.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 12, with Melbourne Public Abattoirs' Bill.
2. Consideration of Governor's Message, No. 13, with Slaughter House Laws extension Bill.
3. Consideration of Governor's Message, No. 14, with Sydney Corporation Bill.
4. Corporate Towns' Justices Bill; to be considered in Committee.
5. Perfumed Spirits' Duties Bill; third reading.
6. Tolls and Dues Leasing Bill; to be further considered in Committee.
7. Melbourne Hackney Carriage Bill; third reading.
8. South Australian Offenders' Apprehension Bill; to be further considered in Committee.
9. British Stamps' Bill; second reading.
10. Melbourne Private Streets' Bill; second reading.
11. Census Bill; second reading.

FRIDAY, JUNE 28.

NOTICES OF MOTION :—

1. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the ensuing year, and annually thereafter, the sum of one hundred pounds, to be called the "Queen's Plate," to be run for annually at Homebush or such other Racecourse in the County of Cumberland, and under such rules and regulations as the Australian Jockey Club, with the sanction of His Excellency the Governor, shall devise.
2. MR. NICHOLS to move for leave to bring in a Bill for legalizing Art Unions.

ORDER OF THE DAY :—

1. Malt Liquors' Bill; to be further considered in Committee.

TUESDAY, JULY 2.

ORDER OF THE DAY :—

1. Colonial Spirits' Duties Abolition Bill; second reading.

THURSDAY, JULY 4.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Consideration of Governor's Financial Message No. 15, with Estimates for 1850-51.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Cattle Slaughtering Laws' Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 25 JUNE, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
 Messages :—The following Messages from His Excellency the Governor received and read :—
 (1.) Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill :—
 CH^s. A. FITZ ROY, Message No. 16.
Governor.
 In accordance with the provisions of the Act for the Government of New South Wales 5th and 6th Victoria cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill, intituled, "*A Bill to suspend for one year so much of the Acts to Incorporate the Inhabitants of the Cities of Sydney and Melbourne and the Town of Geelong respectively, as relates to the estimating and levying a Rate for the Police of the same.*"
Government House, Sydney,
25th June, 1850.
 Ordered to be printed, together with the accompanying Bill, and taken into consideration to-morrow week.
 (2.) Female Childrens' Apprenticing Bill :—
 CH^s. A. FITZ ROY, Message No. 17.
Governor.
 In accordance with the provisions of the Act for the Government of New South Wales 5th and 6th Victoria cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill intituled "*A Bill to make effectual provision for the apprenticing of female children admitted and to be admitted into 'The Female School of Industry' to the Secretary for the time being of the said Society, and to authorise such Secretary to apprentice such children to other persons.*"
Government House, Sydney,
25th June, 1850.
 Ordered to be printed, together with the accompanying Bill, and taken into consideration on Thursday week.
2. Postponement :—Mr. Donaldson postponed the Motion standing in his name sixth on the Notice Paper for to-day, until Friday next.
3. Police :—The Attorney General presented a Petition from certain Inhabitants of the Town and District of Goulburn, in Public Meeting assembled, praying the Council to adopt such measures as to them may seem fit to relieve Petitioners from their present insecurity of person and property.
 Petition received.
4. Rules of Court :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table certain Rules made by their Honors the Judges of the Supreme Court at Sydney, and by His Honor the Resident Judge at Port Phillip; Rules in Insolvency Jurisdiction at Sydney; and Letters explanatory of such several Rules.
 Ordered to be printed.
5. Denominational Schools :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Report from the Denominational School Board for the past year, together with an Appendix thereto.
 Report (without the Appendix) ordered to be printed.
6. Russell's Nepean Bridge Bill :—Mr. Wentworth moved, pursuant to notice, for leave to bring in a Bill to enable William Russell, Esq., of Regentville, in the County of Cumberland, to erect and maintain a Bridge over the River Nepean, near the Town of Penrith, and to take Toll thereat for a term of years, and for other purposes therein mentioned.
 Question put and passed.
7. Banking :—Mr. Lamb moved, pursuant to notice, That a Select Committee of eight, viz. :—The Colonial Secretary, The Attorney General, The Auditor General, Mr. Wentworth, Mr. Donaldson, Mr. Martin, Mr. Murray, and the Mover, be appointed to inquire into the system of Banking now prevailing in the Colony: and that they be instructed more especially to inquire,—
 (1st.) Whether the Returns furnished in accordance with the provisions of the Act 4 Vict., No. 13, afford all the information with regard to the Banks which is desirable; and if not, to report in what respect the form of these Returns should be amended.
 (2nd.)

(2nd.) To ascertain the average amount of public money deposited in each of the Banks, and to report upon the security the several Institutions afford for the safe custody and due payment of the funds entrusted to them.

(3rd.) To report on the state of the Currency of the Colony, and whether it be necessary to make any alteration in the Laws whereby it is at present governed.

(4th.) To inquire into the amount of notes payable on demand issued by the Banks and by private individuals, and to report whether any legal enactment is required to regulate or restrain such issues.

Debate ensued.

Question—That a Select Committee of eight Members, inclusive of the Mover, be appointed to inquire into the system of Banking now prevailing in the Colony: and that they be instructed more especially to inquire,—

(1st.) Whether the Returns furnished in accordance with the provisions of the Act 4 Vict., No. 13, afford all the information with regard to the Banks which is desirable; and if not, to report in what respect the form of these Returns should be amended.

(2nd.) To ascertain the Average amount of public money deposited in each of the Banks, and to report upon the security the several Institutions afford for the safe custody and due payment of the funds entrusted to them.

(3rd.) To report on the state of the Currency of the Colony, and whether it be necessary to make any alteration in the Laws whereby it is at present governed.

(4th.) To inquire into the amount of notes payable on demand issued by the Banks and by private individuals, and to report whether any legal enactment is required to regulate or restrain such issues,—put and passed.

Question—That the Committee consist, with the Mover, of the following Members, viz:—The Colonial Secretary, The Attorney General, the Auditor General, Mr. Wentworth, Mr. Donaldson, Mr. Martin, and Mr. Murray, stated,—

The Attorney General required that the Committee be appointed by Ballot,—

Whereupon the Council proceeded to the Ballot, and the following Members were declared to have the greatest number of votes, and to be with the Mover, the Committee duly appointed, viz: The Colonial Secretary, Mr. Wentworth, Mr. Donaldson, The Auditor General, Mr. J. Macarthur, Mr. Moor, and Mr. Murray.

8. Postponement:—Dr. Dickson postponed the Motion standing in his name third on Notice Paper for to-day, until Friday next.

9. Orphan Schools:—Mr. Oakes moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return showing as far as may be practicable the undermentioned particulars respecting the children received into and discharged from the several Orphan Schools of the Colony, in each of the last five years.—

(1.) The numbers received.

(2.) The numbers discharged, and for what purpose.

(3.) The numbers who have died.

(4.) The numbers, when admitted, whose parents, or either of them, were known to be living, distinguishing whether resident within the Colony or otherwise.

(5.) The numbers whose parents, or either of them, were known to be dead.

(6.) The numbers now in the schools, distinguishing sex and age.

(7.) By what authority; and under what regulations, the children are admitted into the schools.

(8.) The cost per annum for each child in the different schools.

(9.) The age at which the children are apprenticed out.

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

10. Postponement:—Mr. Wentworth, in absence of Mr. Donaldson, postponed the motion standing in the name of Mr. Donaldson fifth on the Notice Paper for to-day, until Friday next.

11. Games and Wagers Bill:—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill to amend the law concerning Games and Wagers.

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

12. Sydney University Bill:—Mr. Wentworth moved, pursuant to notice, for leave to bring in a Bill to incorporate and endow a University, to be called "The University of Sydney."

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

13. Games and Wagers Bill:—Mr. Nichols having *presented* this Bill, Bill, intitled, "*A Bill to amend the law concerning Games and Wagers*," read a first time; ordered to be printed, and read a second time on Friday week.

14. Annuities Bill:—The Attorney General moved, pursuant to notice, for leave to bring in a Bill for the encouragement of persons desirous of providing for their support in old age; and for the protection under certain restrictions of their annuities, and subscriptions for deferred annuities.

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

15. Regulations affecting Steam Vessels:—Mr. Nichols moved, pursuant to *amended* notice, That the Return dated 9th August, 1849, in reply to an Address of this Council, presented on the 31st July, 1849, requesting that the Governor would cause to be laid on the Table of this House, a Report of the Board for the regulation of Steam vessels on the present system of Pilotage in the Harbour of Port Jackson, together with the Evidence upon which such Report was founded,—be printed, and referred to the Select Committee for Regulating the Duties of Pilots.

Question put and passed.

16.

16. Postponement :—The second reading of the Cattle Protection Bill postponed, on motion of Mr. Murray, until Friday next.
17. Juvenile Offenders' Punishment Bill, on motion of Mr. Nichols, read a second time ; to be considered in Committee on Thursday next.
Council adjourned at Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 26.

NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move, That the following papers, which were laid before the Council, by command of His Excellency the Governor, on the 5th instant, be referred to the Select Committee on Police, namely,—
 - (1.) A Report from W. C. Mayne, Esq., on the establishment of a Police Force.
 - (2.) A Report from John Richard Hardy, Esq., on the same subject; and
 - (3.) Report from the Board appointed to enquire into the conduct of the Sydney Police on the occasion of a recent riot.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 12, with Melbourne Public Abattoirs' Bill.
2. Consideration of Governor's Message, No. 13, with Slaughter House Laws extension Bill.
3. Consideration of Governor's Message, No. 14, with Sydney Corporation Bill.
4. Corporate Towns' Justices Bill; to be considered in Committee.
5. Perfumed Spirits' Duties Bill; third reading.
6. Tolls and Dues Leasing Bill; to be further considered in Committee.
7. Melbourne Hackney Carriage Bill; third reading.
8. South Australian Offenders' Apprehension Bill; to be further considered in Committee.
9. British Stamps' Bill; second reading.
10. Melbourne Private Streets' Bill; second reading.
11. Census Bill; second reading.

THURSDAY, JUNE 27.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE ATTORNEY GENERAL to move, That the Petition from Goulburn, praying increased protection for person and property, presented by him on the 25th instant, be referred to the Select Committee on Police.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Juvenile Offenders' Punishment Bill; to be considered in Committee.

FRIDAY, JUNE 28.

NOTICES OF MOTION :—

1. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the ensuing year, and annually thereafter, the sum of one hundred pounds, to be called the "Queen's Plate," to be run for annually at Homebush or such other Racecourse in the County of Cumberland, and under such rules and regulations as the Australian Jockey Club, with the sanction of His Excellency the Governor, shall devise.
2. MR. NICHOLS to move for leave to bring in a Bill for legalizing Art Unions.
3. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government :—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.
 The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.

34

4. MR. MARTIN to move, That this House do resolve itself into a Committee of the whole for the consideration of the proposed Standing Order referred to the Standing Orders' Committee on the 7th of June instant, and not yet reported on.
5. MR. MOOR to move for leave to bring in a Bill to amend an Act, intituled, "An Act to amend the Act for the Registration of Deeds; and to provide for the establishment of a separate Registry for Sydney and Port Phillip respectively."
6. DR. DICKSON to move for leave to introduce a Bill for preventing the sale of Virulent Poisons, unless under particular circumstances.
7. MR. DONALDSON to move for leave to bring in a Bill for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales.
8. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to recommend to this House the insertion in the Bill for Incorporating and Endowing a University to be called the University of Sydney, the permanent endowment clause suggested in the Report of the Select Committee appointed to inquire into and report upon the best means of instituting a University for the promotion of Literature and Science to be endowed at the Public expense—such suggestion being that £5000 a year be appropriated from the General Revenue, as a fund for Salaries, a Library, and other necessary annual expenses.
9. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be placed on the Estimates of Expenditure for the ensuing year, a sum of money not exceeding Two hundred and fifty pounds, towards the improvement of the Public Wharf, at Newcastle.
10. MR. WENTWORTH to move for leave to bring in a Bill to remove doubts respecting the eligibility of persons in Holy Orders to sit as Members of the Legislative Council of New South Wales, and to disqualify Ministers of Religion from being elected Members of the said Legislative Council, or of any other Legislative Council or Assembly that may hereafter be substituted for the same.

ORDERS OF THE DAY:—

1. Malt Liquors' Bill; to be further considered in Committee.
2. Cattle Protection Bill; second reading.

TUESDAY, JULY 2.

ORDER OF THE DAY:—

1. Colonial Spirits' Duties Abolition Bill; second reading.

WEDNESDAY, JULY 3.

ORDER OF THE DAY:—

1. Consideration of Governor's Message No. 16, with Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill.

THURSDAY, JULY 4.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor's Financial Message No. 15, with Estimates for 1850-51.
2. Consideration of Governor's Message No. 17, with Female Childrens' Apprenticing Bill.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 5.

ORDER OF THE DAY:—

1. Games and Wagers' Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 26 JUNE, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Standing Orders:—Mr. Parker, on behalf of the Chairman, brought up the Report from the Standing Orders Committee on the proposed additional Standing Order referred to them on the 7th instant.
Ordered to be printed, and taken into consideration, in Committee of the whole House, to-morrow.
2. Police:—The Colonial Secretary moved, pursuant to notice, That the following papers, which were laid before the Council, by command of His Excellency the Governor, on the 5th instant, be referred to the Select Committee on Police, namely,—
(1.) A Report from W. C. Mayne, Esq., on the establishment of a Police Force.
(2.) A Report from John Richard Hardy, Esq., on the same subject; and
(3.) Report from the Board appointed to enquire into the conduct of the Sydney Police on the occasion of a recent riot.
Question put and passed.
3. Melbourne Public Abattoirs Bill:—The Governor's Message No. 12, received with this Bill on the 19th instant, having been read,—
The Colonial Secretary moved, That the Bill accompanying His Excellency's Message be now read a first time.
Debate ensued.
Question put and passed; and Bill, intituled, "*A Bill to provide for the establishment of Public Abattoirs in the City of Melbourne, and for preventing certain nuisances therein,*" read a first time; to be read a second time on Thursday, July 4.
4. Slaughter House Laws extension Bill:—The Governor's Message No. 13, received with this Bill on the 19th instant, having been read, on motion of the Colonial Secretary, Bill, intituled, "*A Bill to extend to other Towns in the Colony an Act, intituled 'An Act to amend the law relating to the Licensing of Slaughter Houses within the City and Suburbs of Sydney, and for the prevention of other nuisances therein,'*" read a first time; to be read a second time on Thursday, July 4.
5. Sydney Corporation Bill:—The Governor's Message No. 14 received with this Bill on the 19th instant having been read,—
The Colonial Secretary moved, That the Bill accompanying His Excellency's Message be now read a first time.
Debate ensued.
Question put and passed; and Bill, intituled, "*A Bill to provide for the regulation of the Corporation of the City of Sydney,*" read a first time; to be read a second time on Thursday, July 11.
6. Corporate Towns Justices' Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again to-morrow week.
7. Perfumed Spirits Duties' Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved, That the following be the title of the Bill, viz.:—
"*An Act to regulate the amount of Import Duty to be paid upon Perfumed Spirits.*"
Question put and passed.
8. Tolls and Dues Leasing Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Thursday, July 4.
9. Melbourne Hackney Carriage Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved, That the following be the title of the Bill, viz.:—
"*An Act to enable the Council of the City of Melbourne to make Bye-laws for the Licensing and regulating Hackney Carriages within the City of Melbourne and its Vicinity, and for regulating the conduct of the Owners and Drivers thereof.*"
Question put and passed.

- 10. Postponement:—The further consideration in Committee of the South Australian Offenders' Apprehension Bill postponed, on motion of the Colonial Secretary, until Thursday, July 4.
- 11. British Stamps' Bill:—The Colonial Secretary moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed; Bill read a second time;—
Whereupon, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill, without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Thursday, July 4.
- 12. Postponement:—The second reading of the Melbourne Private Streets' Bill postponed, on motion of the Colonial Secretary, until Thursday, July 4.
- 13. Census Bill, on motion of the Colonial Secretary, read a second time; to be considered in Committee on Thursday, July 4.
Council adjourned at a quarter after Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 27.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

- 1. THE ATTORNEY GENERAL to move, That the Petition from Goulburn, praying increased protection for person and property, presented by him on the 25th instant, be referred to the Select Committee on Police.
- 2. THE COLONIAL SECRETARY to move, That the consideration of the Governor's Message, No. 16, with Section 70 of Sydney, Melbourne, and Geelong Incorporation Act's Suspension Bill, be postponed until Thursday, the 4th July.

OTHER BUSINESS—ORDERS OF THE DAY:—

- 1. Juvenile Offenders' Punishment Bill; to be considered in Committee.
- 2. Report from Standing Orders Committee on proposed additional Standing Order; to be considered in Committee.

FRIDAY, JUNE 28.

NOTICES OF MOTION:—

- 1. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the ensuing year, and annually thereafter, the sum of one hundred pounds, to be called the "Queen's Plate," to be run for annually at Homebush or such other Racecourse in the County of Cumberland, and under such rules and regulations as the Australian Jockey Club, with the sanction of His Excellency the Governor, shall devise.
- 2. MR. NICHOLS to move for leave to bring in a Bill for legalizing Art Unions.
- 3. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.
 The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.
- 4. MR. MARTIN to move, That this House do resolve itself into a Committee of the whole for the consideration of the proposed Standing Order referred to the Standing Orders' Committee on the 7th of June instant, and not yet reported on.
- 5. MR. MOOR to move for leave to bring in a Bill to amend an Act, intituled, "An Act to amend the Act for the Registration of Deeds; and to provide for the establishment of a separate Registry for Sydney and Port Phillip respectively."
- 6. DR. DICKSON to move for leave to introduce a Bill for preventing the sale of Virulent Poisons, unless under particular circumstances.
- 7. MR. DONALDSON to move for leave to bring in a Bill for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales.

8. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to recommend to this House the insertion in the Bill for Incorporating and Endowing a University to be called the University of Sydney, the permanent endowment clause suggested in the Report of the Select Committee appointed to inquire into and report upon the best means of instituting a University for the promotion of Literature and Science to be endowed at the Public expense—such suggestion being that £5000 a year be appropriated from the General Revenue, as a fund for Salaries, a Library, and other necessary annual expenses.
9. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be placed on the Estimates of Expenditure for the ensuing year, a sum of money not exceeding Two hundred and fifty pounds, towards the improvement of the Public Wharf, at Newcastle.
10. MR. WENTWORTH to move for leave to bring in a Bill to remove doubts respecting the eligibility of persons in Holy Orders to sit as Members of the Legislative Council of New South Wales, and to disqualify Ministers of Religion from being elected Members of the said Legislative Council, or of any other Legislative Council or Assembly that may hereafter be substituted for the same:

ORDERS OF THE DAY:—

1. Malt Liquors' Bill; to be further considered in Committee.
2. Cattle Protection Bill; second reading.

TUESDAY, JULY 2.

ORDER OF THE DAY:—

1. Colonial Spirits' Duties Abolition Bill; second reading.

WEDNESDAY, JULY 3.

ORDER OF THE DAY:—

1. Consideration of Governor's Message No. 16, with Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill.

THURSDAY, JULY 4.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor's Financial Message No. 15, with Estimates for 1850-51.
2. Consideration of Governor's Message No. 17, with Female Childrens' Apprenticing Bill.
3. Melbourne Public Abattoirs' Bill; second reading.
4. Slaughter House Laws extension Bill; second reading.
5. Corporate Towns' Justices Bill; to be further considered in Committee.
6. Tolls and Dues Leasing Bill; to be further considered in Committee.
7. South Australian Offenders' Apprehension Bill; to be further considered in Committee.
8. British Stamps' Bill; third reading.
9. Melbourne Private Streets' Bill; second reading.
10. Census Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 5.

ORDER OF THE DAY:—

1. Games and Wagers' Bill; second reading.

THURSDAY, JULY 11.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Sydney Corporation Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 27 JUNE, 1860.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Proposed Bank of New South Wales:—The Attorney General presented a Petition from Daniel Cooper junior, Felix Wilson, Robert Campbell, Donald Larnach, Charles Salmon Vallack, and George John Rogers, Esquires, provisional Directors and Shareholders of a certain Banking Company about to be established in the City of Sydney under the name, style, and title of the Bank of New South Wales, praying leave to bring in a Bill to Incorporate the said Banking Company, and for other purposes in such Bill to be mentioned.
Petition received.
The Attorney General then produced the *Government Gazette* of 24th and 31st May last, and of 7th June instant, containing notice of the intention to apply for such Bill.
2. Police:—The Attorney General moved, pursuant to notice, That the Petition from Goulburn, praying increased protection for person and property, presented by him on the 25th instant, be referred to the Select Committee on Police.
Question put and passed.
3. Postponement:—The Colonial Secretary moved, pursuant to notice, That the consideration of the Governor's Message No. 16, with Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill, be postponed until Thursday, the 4th July.
Question put and passed.
4. Juvenile Offenders' Punishment Bill:—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman having reported the Bill, with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Tuesday next.
5. Standing Orders:—On motion of Mr. Parker, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of the Report of the Standing Orders Committee on the proposed additional Standing Order referred to such Committee on the 7th instant.
The Chairman having reported the proposed additional Standing Order as agreed to in Committee, the same was adopted by the Council, on motion of the Colonial Secretary, and ordered to be engrossed, and laid before His Excellency the Governor for approval, pursuant to the requirement of the 27 Section of the Act of Parliament 5 and 6 Victoria, Chap. 78.
Council adjourned at Four o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 28.

NOTICES OF MOTION:—

1. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the ensuing year, and annually thereafter, the sum of one hundred pounds, to be called the "Queen's Plate," to be run for annually at Homebush or such other Racecourse in the County of Cumberland, and under such rules and regulations as the Australian Jockey Club, with the sanction of His Excellency the Governor, shall devise.
2. MR. NICHOLS to move for leave to bring in a Bill for legalizing Art Unions.
3. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
(1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
(2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.

(3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.

(4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.

The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.

4. MR. MARTIN to move, That this House do resolve itself into a Committee of the whole for the consideration of the proposed Standing Order referred to the Standing Orders' Committee on the 7th of June instant, and not yet reported on.
5. MR. MOOR to move for leave to bring in a Bill to amend an Act, intituled, "An Act to amend the Act for the Registration of Deeds; and to provide for the establishment of a separate Registry for Sydney and Port Phillip respectively."
6. DR. DICKSON to move for leave to introduce a Bill for preventing the sale of Virulent Poisons, unless under particular circumstances.
7. MR. DONALDSON to move for leave to bring in a Bill for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales.
8. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to recommend to this House the insertion in the Bill for Incorporating and Endowing a University to be called the University of Sydney, the permanent endowment clause suggested in the Report of the Select Committee appointed to inquire into and report upon the best means of instituting a University for the promotion of Literature and Science to be endowed at the Public expense—such suggestion being that £5000 a year be appropriated from the General Revenue, as a fund for Salaries, a Library, and other necessary annual expenses.
9. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be placed on the Estimates of Expenditure for the ensuing year, a sum of money not exceeding Two hundred and fifty pounds, towards the improvement of the Public Wharf, at Newcastle.
10. MR. WENTWORTH to move for leave to bring in a Bill to remove doubts respecting the eligibility of persons in Holy Orders to sit as Members of the Legislative Council of New South Wales, and to disqualify Ministers of Religion from being elected Members of the said Legislative Council, or of any other Legislative Council or Assembly that may hereafter be substituted for the same.
11. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House copies of all papers and correspondence relating to the writ issued by the Governor superseding Mr. Alderman William Thurlow from the Commission of the Peace; and of any opinion or opinions of the Crown Law Officers in connexion therewith.
12. MR. MARTIN to move, That an Address be presented to His Excellency the Governor praying that he will be pleased to cause to be laid upon the Table of this House, a Return of all sums of money demanded and received by the Collector of Customs, or any of his subordinates, for Duties on Van Diemen's Land or New Zealand Produce, ever since the 30th of June, 1842, and in contravention of the Act of Council, 6 Victoria, No. 1; such Return to specify the date and amount of each separate payment; for what charged; and from whom received.

ORDERS OF THE DAY:—

1. Malt Liquors' Bill; to be further considered in Committee.
2. Cattle Protection Bill; second reading.

TUESDAY, JULY 2.

NOTICE OF MOTION:—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to Incorporate a certain Banking Company, to be established under the name, style and title of "The Bank of New South Wales," and for other purposes in such Bill to be mentioned.

ORDERS OF THE DAY:—

1. Colonial Spirits' Duties Abolition Bill; second reading.
2. Juvenile Offenders' Punishment Bill; third reading.

THURSDAY, JULY 4.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor's Financial Message No. 15, with Estimates for 1850-51.
2. Consideration of Governor's Message No. 17, with Female Childrens' Apprenticing Bill.
3. Melbourne Public Abattoirs' Bill; second reading.
4. Slaughter House Laws extension Bill; second reading.
5. Corporate Towns' Justices Bill; to be further considered in Committee.
6. Tolls and Dues Leasing Bill; to be further considered in Committee.
7. South Australian Offenders' Apprehension Bill; to be further considered in Committee
8. British Stamps' Bill; third reading.
9. Melbourne Private Streets' Bill; second reading.
10. Census Bill; to be considered in Committee.
11. Consideration of Governor's Message No. 16, with Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill.

OTHER

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.
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FRIDAY, JULY 5.**NOTICE OF MOTION:—**

1. Mr. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House copies of all correspondence between himself and Earl Grey respecting the election of that Nobleman as member for Melbourne in 1848; also of all correspondence between the Colonial Executive and the Law Officers of the Crown respecting the same matter, and of any opinion or opinions given by the Law Officers in relation thereto.

ORDER OF THE DAY:—

1. Games and Wagers' Bill; second reading.
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THURSDAY, JULY 11.**GOVERNMENT BUSINESS—ORDER OF THE DAY:—**

1. Sydney Corporation Bill; second reading.

CHARLES NICHOLSON,
Speaker.

42.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 28 JUNE, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Race Plate :—Mr. Allen presented a Petition from certain landed proprietors and residents in the County of Cumberland, praying that the Council will not accede to the proposed Vote for the Queen's Plate.
Petition received.
2. Police Magistracy :—Mr. Dangar presented a Petition from certain Electors and other inhabitants of the Police District of Wollombi and Macdonald River, praying the Council to Vote an Address to His Excellency the Governor to place upon the Estimates for the Year 1851 a salary for a Police Magistrate for that District.
Petition received.
3. Lien on Wool and Mortgages on Stock Act :—Mr. Moor presented a Petition from certain settlers, merchants, and others in the District of Port Phillip, praying that this Act may be continued, or another similar Act passed before the 31st December next.
Petition received.
4. Race Plate :—Mr. Wentworth moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the ensuing year, and annually thereafter, the sum of one hundred pounds, to be called the " Queen's Plate," to be run for annually at Homebush or such other Racecourse in the County of Cumberland, and under such rules and regulations as the Australian Jockey Club, with the sanction of His Excellency the Governor, shall devise.
Debate ensued.
Question put.
Council divided.

Ayes, 13

The Colonial Secretary,
The Attorney General,
Mr. Suttor,
Colonel Snodgrass,
Mr. James Macarthur,
Mr. Martin,
Mr. Darvall,
Mr. Dangar,
Mr. Nichols,
Mr. William Macarthur,
The Collector of Customs,
Mr. Wentworth,
Mr. Cooper, (Teller.)

Noes, 12

The Colonial Treasurer,
Mr. Parker,
Mr. Macintyre,
Mr. Byrnes,
Mr. Moor,
Mr. Murray,
Mr. Berry,
Mr. Lamb,
Mr. Oakes,
Dr. Dickson,
Mr. Donaldson,
Mr. Allen, (Teller.)

- Address to be presented by the Speaker and the Attorney General.
5. Postponements :—
(1.) Mr. Nichols postponed the motion standing in his name second on the Notice Paper for to-day, until this day week.
(2.) Mr. Donaldson postponed the motion standing in his name third on the Notice Paper for to-day, until this day three weeks.
 6. Masters and Servants Bill :—Mr. Murray, as Chairman of the Select Committee appointed on the 6th instant to inquire into the operation of the Masters and Servants Acts, with instructions to report, and frame a new Bill, having presented this Bill, framed in conformity with the instructions of the House, Bill, intituled, " A Bill to regulate contracts between masters and servants," read a first time; ordered to be printed, and read a second time on this day week.
 7. Withdrawal of Motion :—Mr. Martin withdrew the motion standing in his name fourth on the Notice Paper for to-day.
 8. Registry Acts Amendment Bill :—Mr. Moor moved, pursuant to notice, for leave to bring in a Bill to amend an Act, intituled, " An Act to amend the Act for the " Registration of Deeds; and to provide for the establishment of a separate Registry " for Sydney and Port Phillip respectively."
Question put and passed ;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
 9. Abandonment of the Settlement of Port Essington :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table certain Documents having reference to the abandonment of the Settlement at Port Essington.
Ordered to be printed.

10. Registry Acts Amendment Bill :—Mr. Moor having *presented* this Bill, Bill, intituled, " *A Bill to amend an Act, intituled, ' An Act to amend the Act for the Registration of Deeds; and to provide for the establishment of a separate registry for Sydney and Port Phillip respectively,'*" read a first time; ordered to be printed, and read a second time on this day fortnight.
11. Sale of Poisons prevention Bill :—Dr. Dickson moved, pursuant to notice, for leave to introduce a Bill for preventing the sale of Virulent Poisons, unless under particular circumstances.
Question put and passed ;— *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
12. Catarrh in Sheep Bill :—Mr. Donaldson moved, pursuant to notice, for leave to bring in a Bill for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales.
Question put and passed ;— *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
13. Sale of Poisons prevention Bill :—Dr. Dickson having *presented* this Bill, Bill, intituled, " *A Bill to regulate the sale and use of Poisonous Drugs,*" read a first time; ordered to be printed, and read a second time on this day week.
14. Catarrh in Sheep Bill :—Mr. Donaldson, having *presented* this Bill, Bill, intituled, " *A Bill for preventing the extension of the diseases called the Scab and the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales,*" read a first time; order to be printed, and read a second time this day fortnight.
15. Sydney University :—Mr. Wentworth moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to recommend to this House the insertion in the Bill for Incorporating and Endowing a University to be called the University of Sydney, the permanent endowment clause suggested in the Report of the Select Committee appointed to inquire into and report upon the best means of instituting a University for the promotion of Literature and Science to be endowed at the Public expense—such suggestion being that £5000 a year be appropriated from the General Revenue, as a fund for Salaries, a Library, and other necessary annual expenses.
Question put and passed; Address to be presented by the Speaker and the Colonial Secretary.
16. Newcastle Wharf :—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will cause to be placed on the Estimates of Expenditure for the ensuing year, a sum of money not exceeding Two hundred and fifty pounds, towards the improvement of the Public Wharf, at Newcastle.
Debate ensued.
Question put and passed; Address to be presented by the Speaker.
17. Clergymen's disqualifying Bill :—Mr. Wentworth moved, pursuant to notice, for leave to bring in a Bill to remove doubts respecting the eligibility of persons in Holy Orders to sit as Members of the Legislative Council of New South Wales, and to disqualify Ministers of Religion from being elected Members of the said Legislative Council, or of any other Legislative Council or Assembly that may hereafter be substituted for the same.
Debate ensued.
Question put and passed ;— *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
18. Mr. Alderman Thurlow :—Mr. Nichols moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid upon the Table of this House copies of all papers and correspondence relating to the writ issued by the Governor superseding Mr. Alderman William Thurlow from the Commission of the Peace; and of any opinion or opinions of the Crown Law Officers in connexion therewith; and also a Return of all members of the Legal Profession holding the Commission of the Peace.
Debate ensued.
Question put and passed; Address to be presented by the Speaker.
19. Withdrawal of Motion :—Mr. Martin withdrew the motion standing in his name twelfth on the Notice Paper for to-day.
20. Clergymen's disqualifying Bill :—Mr. Wentworth having *presented* this Bill, Bill, intituled, " *A Bill to remove doubts respecting the eligibility of persons in Holy Orders to sit as Members of the Legislative Council of New South Wales, and to disqualify Ministers of Religion from being elected Members of the said Legislative Council, or of any other Legislative Council or Assembly that may hereafter be substituted for the same,*" read a first time; ordered to be printed, and read a second time this day week.
21. Malt Liquors' Bill :—On motion of Mr. Martin, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
22. Cattle Protection Bill, on motion of Mr. Murray, read a second time; to be considered in Committee on Tuesday next.
Council adjourned at a quarter after Six o'clock, until Tuesday next, at Three o'clock.

No. 5

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JULY 2.

NOTICES OF MOTION :—

Contingent.—The Attorney General to move, That the Standing Orders in reference to Private Bills be suspended preliminarily to his motion for leave to introduce the Bill to Incorporate the Bank of New South Wales.

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to Incorporate a certain Banking Company, to be established under the name, style and title of "The Bank of New South Wales," and for other purposes in such Bill to be mentioned.
2. MR. DANGAR to move, That the Petition from the Police District of Wollombi and Macdonald River, praying that provision be made in the Estimates for 1851 for a Police Magistrate for that District, presented by him on the 28th ultimo, be referred to the Select Committee on Police.
3. MR. MURRAY to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the ensuing year, and annually thereafter, the sum of one hundred pounds, to be called the "Royal Plate," to be run for annually, on the public Racecourse at Yass, in the County of Murray, under such rules and regulations as the stewards of the races at that place, with the sanction of His Excellency the Governor for the time being, shall appoint.
4. MR. MOOR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Estimates for the ensuing year, the sum of one hundred pounds, to be called the "Prince's Plate," to be run for at the next Races at Melbourne, or some other Racecourse in the County of Bourke.

ORDERS OF THE DAY :—

1. Colonial Spirits' Duties Abolition Bill; second reading.
 2. Juvenile Offenders' Punishment Bill; third reading.
 3. Cattle Protection Bill; to be considered in Committee.
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THURSDAY, JULY 4.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Financial Message No. 15, with Estimates for 1850-51.
2. Consideration of Governor's Message No. 17, with Female Childrens' Apprenticing Bill.
3. Melbourne Public Abattoirs' Bill; second reading.
4. Slaughter House Laws extension Bill; second reading.
5. Corporate Towns' Justices Bill; to be further considered in Committee.
6. Tolls and Dues Leasing Bill; to be further considered in Committee.
7. South Australian Offenders' Apprehension Bill; to be further considered in Committee.
8. British Stamps' Bill; third reading.
9. Melbourne Private Streets' Bill; second reading.
10. Census Bill; to be considered in Committee.
11. Consideration of Governor's Message No. 16, with Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Cattle Slaughtering Laws' Bill; second reading.
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FRIDAY, JULY 5.

NOTICES OF MOTION :—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House copies of all correspondence between himself and Earl Grey respecting the election of that Nobleman as member for Melbourne in 1848; also of all correspondence between the Colonial Executive and the Law Officers of the Crown respecting the same matter, and of any opinion or opinions given by the Law Officers in relation thereto.
2. MR. NICHOLS to move for leave to bring in a Bill for legalizing Art Unions.

ORDERS OF THE DAY :—

1. Games and Wagers' Bill; second reading.
 2. Masters' and Servants' Bill; second reading.
 3. Sale of Poisons prevention Bill; second reading.
 4. Clergymen's disqualifying Bill; second reading.
 5. Malt Liquors' Bill; to be further considered in Committee.
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THURSDAY,

THURSDAY, JULY 11.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Sydney Corporation Bill; second reading.

FRIDAY, JULY 12.

ORDERS OF THE DAY:—

1. Registry Acts Amendment Bill; second reading.
2. Catarrh in Sheep Bill; second reading.

FRIDAY, JULY 19.

NOTICE OF MOTION:—

- I. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprize.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 2 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Approval of Additional Standing Order :—The Speaker reported that His Excellency the Governor had been pleased to approve of the additional Standing Order passed by the Council on the 27th ultimo.
2. Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Sewerage Bill :

CH^s. A. FITZ ROY,
Governor.

Message No. 18.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria cap. 76, the Governor transmits to the Legislative Council the draft of a Bill "*For the better Sewerage, cleansing, and draining of the City of Sydney, and to promote the health of the Inhabitants thereof.*"

*Government House, Sydney,
2nd July, 1850.*

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

(2.) Passages to Distressed Seamen :—

CH^s. A. FITZ ROY,
Governor.

Message No. 19.

His Excellency the Governor transmits to the Legislative Council a copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, dated the 13th December, 1849, together with copies of the Correspondence therein referred to, which has taken place on the subject of the cost of providing passages to this Colony for certain distressed seamen belonging to Colonially registered vessels.

2. It will be perceived that in the particular cases alluded to, the cost attending the maintenance of the seamen, and their re-conveyance to the Colony, has been charged to British Funds; but Her Majesty's Government conceive that this is an item which should fairly be borne on Colonial Funds, and have accordingly issued instructions to the Deputy Commissary General not to make any similar payment in future from the Military chest.

If the Council therefore should still decline to vote the necessary funds for this purpose, the effect of such refusal, Earl Grey observes, will inevitably be to prevent relief being afforded by other ships to distressed sailors from New South Wales with the same readiness as heretofore, by which the commercial interests of the Colony cannot fail to be injuriously affected.

*Government House, Sydney,
2th July, 1850.*

Ordered to be printed, together with the accompanying Documents.

3. Russell's Nepean Bridge Bill :—Mr. Martin presented a Petition from certain Landholders and other Inhabitants of the District of Penrith and Emu Plains, praying the Council not to pass this or any other Bill for the erection of a Bridge over the Nepean.
Petition received.
4. Port Macquarie :—Mr. Nichols presented a Petition from certain Inhabitants of the District of Port Macquarie, praying the restoration of the Harbour Master's Establishment there.
Petition received.
5. Police of Lachlan and Carcoar :—Mr. Darvall presented a Petition from certain Licensed Occupiers of Crown Lands, and other Inhabitants of the Lachlan and Carcoar Districts, praying an increased Police Establishment.
Petition received.
6. Registry Acts :—Mr. Moor presented a Petition from certain Magistrates, Merchants, Bankers, Solicitors, and Landholders of Geelong and its neighbourhood, praying the establishment of a separate Registry for the County of Grant.
Petition received.

7. Bank of New South Wales' Bill :—The Standing Orders in reference to Private Bills having been suspended, on motion (pursuant to notice) of the Attorney General, preliminarily to his motion for leave to introduce a Bill to Incorporate the Bank of New South Wales,—
The Attorney General moved, pursuant to notice, for leave to bring in a Bill to Incorporate a certain Banking Company, to be established under the name, style and title of "The Bank of New South Wales," and for other purposes in such Bill to be mentioned.
Question put and passed.
8. Russell's Nepean Bridge Bill :—Mr. Wentworth having presented this Bill, Bill, intituled, "A Bill to enable William Russell, Esquire, of Regentville, in the County of Cumberland, to erect and maintain a Bridge over the River Nepean, near the Town of Penrith, and to take Toll thereat for a term of years, and for other purposes therein mentioned," read a first time.
9. Police Magistracy :—Mr. Dangar moved, pursuant to notice, That the Petition from the Police District of Wollombi and Macdonald River, praying that provision be made in the Estimates for 1851 for a Police Magistrate for that District, presented by him on the 28th ultimo, be referred to the Select Committee on Police.
Question put and passed.
10. Dropped Motion :—The Motion standing in the name of Mr. Murray third on the Notice Paper for to-day dropped on not being moved.
11. Withdrawal of Motion :—Mr. Moor withdrew the Motion standing in his name fourth on the Notice Paper for to-day.
12. Colonial Spirits Duties Abolition Bill :—Mr. Martin moved, That this Bill be now read a second time.
Debate ensued.
Question put.
Council divided:
Ayes, 5
Mr. Dangar,
Mr. Wentworth,
Mr. Nichols,
Mr. Murray,
Mr. Martin, (Teller.)
- Noes, 17
The Colonial Secretary,
The Colonial Treasurer,
Mr. Icely,
The Collector of Customs,
Mr. William Macarthur,
Mr. Donaldson,
Mr. Oakes,
The Auditor General,
Mr. Allen,
Mr. Byrnes,
Mr. Suttor,
Mr. Parker,
Captain King,
Colonel Snodgrass,
The Major General Commanding,
The Attorney General,
Mr. Cooper, (Teller.)
13. Juvenile Offenders' Punishment Bill :—Mr. Nichols moved, "That" this Bill be now read a third time.
The Attorney General moved, as an amendment, That all the words following "That" be omitted, with a view to the insertion in their place of the words, "this Bill be re-committed on Thursday next, with a view to the re-consideration and amendment of Clause VI."
Question,—That the words proposed to be omitted stand part of the Question—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That this Bill be re-committed on Thursday next, with a view to the re-consideration and amendment of Clause VI,—put and passed.
14. Postponement :—The consideration in Committee of the Cattle Protection Bill postponed, on motion of Mr. Murray, until Tuesday next.
Council adjourned at Eight o'clock, until Thursday next at Three o'clock, on motion of the Colonial Secretary.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JULY 4.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Financial Message No. 15, with Estimates for 1850-51.
2. Consideration of Governor's Message No. 17, with Female Childrens' Apprenticing Bill.
3. Melbourne Public Abattoirs' Bill; second reading.
4. Slaughter House Laws extension Bill; second reading.
5. Corporate Towns' Justices Bill; to be further considered in Committee.
6. Tolls and Dues Leasing Bill; to be further considered in Committee.
7. South Australian Offenders' Apprehension Bill; to be further considered in Committee.
8. British Stamps' Bill; third reading.
9. Melbourne Private Streets' Bill; second reading.
10. Census Bill; to be considered in Committee.
11. Consideration of Governor's Message No. 16, with Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill.

OTHER

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. DARVALL to move, That the Petition from the Lachlan and Carcoar Districts, praying an increased Police Establishment, presented by him on the 2nd instant, be referred to the Select Committee on Police.

ORDERS OF THE DAY :—

1. Cattle Slaughtering Laws' Bill; second reading.
2. Juvenile Offenders' Punishment Bill; recommittal for Clause VI.

FRIDAY, JULY 5.**NOTICES OF MOTION :—**

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House copies of all correspondence between himself and Earl Grey respecting the election of that Nobleman as member for Melbourne in 1848; also of all correspondence between the Colonial Executive and the Law Officers of the Crown respecting the same matter, and of any opinion or opinions given by the Law Officers in relation thereto.
2. MR. NICHOLS to move for leave to bring in a Bill for legalizing Art Unions.
3. MR. NICHOLS to move, That the Petition from Port Macquarie praying the restoration of the Establishment of the Harbour Master there, presented by him on the 2nd instant, be referred to the Select Committee on Pilots' Duties.

ORDERS OF THE DAY :—

1. Games and Wagers' Bill; second reading.
2. Masters' and Servants' Bill; second reading.
3. Sale of Poisons prevention Bill; second reading.
4. Clergymen's disqualifying Bill; second reading.
5. Malt Liquors' Bill; to be further considered in Committee.

TUESDAY, JULY 9.**NOTICES OF MOTION :—**

1. MR. WENTWORTH to move, That Russell's Nepean Bridge Bill be referred for the consideration and report of a Select Committee to consist, with the Mover, of Mr. Bowman, Mr. James Macarthur, Mr. Fitzgerald, Mr. Icely, and the Auditor General.
2. MR. WENTWORTH to move, That the Petition against Russell's Nepean Bridge Bill, presented by Mr. Martin on the 2nd instant, be referred to the Select Committee on such Bill.

ORDER OF THE DAY :—

1. Cattle Protection Bill; to be considered in Committee.

WEDNESDAY, JULY 10.**GOVERNMENT BUSINESS—ORDER OF THE DAY :—**

1. Consideration of Governor's Message, No. 18, with Sewerage Bill.

THURSDAY, JULY 11.**GOVERNMENT BUSINESS—ORDER OF THE DAY :—**

1. Sydney Corporation Bill; second reading.

FRIDAY, JULY 12.**ORDERS OF THE DAY :—**

1. Registry Acts Amendment Bill; second reading.
2. Catarrh in Sheep Bill; second reading.

FRIDAY, JULY 19.**NOTICE OF MOTION :—**

- II. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.
 The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.

CHARLES NICHOLSON,
Speaker.

50.

51

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 4 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Transportation and Immigration:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a Despatch from the Right Honorable the Secretary of State for the Colonies, No. 213, of 22nd December, 1849, in continuation of the series of Despatches on these subjects already laid upon the Table.
Ordered to be printed.
2. Police Magistracy:—Mr. Darvall presented a Petition from certain Magistrates, Clergymen, Land and Stockholders, Merchants, and Inhabitants of the District of Bathurst, praying the Council, when considering the Estimates of Expenditure, to allow the Salary of the Police Magistrate of their District.
Petition received.
3. Abraham Moses:—Mr. Darvall presented a Petition from Abraham Moses, of Sydney, Merchant, praying compensation for loss sustained by him in consequence of the change made in the Plan of allotments in the Old Military Barrack Square.
Petition received.
4. Duty on Colonial Wine:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a Despatch from the Right Honorable the Secretary of State for the Colonies, No. 2, of 3rd January, 1850, in answer to a Memorial from certain Wine Growers, praying that their produce may be admitted within the United Kingdom at the same rate of duty as that charged upon wine of the Cape of Good Hope.
Ordered to be printed.
5. Finance 1850-51:—The consideration of the Governor's Financial Message No. 15, with the Estimates for the year 1850-51 postponed, on motion of the Colonial Treasurer, until Wednesday next.
6. Female Childrens' Apprenticing Bill:—The Governor's Message No. 17, received with this Bill on the 25th ultimo, having been read, on motion of the Colonial Secretary,—The Colonial Secretary moved, That the Bill accompanying the Message be now read a first time.
Debate ensued.
Motion by leave withdrawn.
Bill, on motion of the Colonial Secretary, ordered to be read a first time this day fortnight.
7. Melbourne Public Abattoirs Bill:—The Colonial Secretary moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time; to be considered in Committee this day fortnight.
8. Slaughter House Lays extension Bill, on motion of the Colonial Secretary, read a second time; to be considered in Committee this day fortnight.
9. Corporate Towns' Justices Bill:—On motion of the Colonial Secretary the Speaker left the chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Wednesday next.
10. Tolls and Dues Leasing Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
11. Postponement:—The further consideration in Committee of the South Australian Offenders Apprehension Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
12. British Stamps Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Attorney General, read a third time, and passed.
The Attorney General then moved, That the following be the title of the Bill, viz.:
"An Act to prevent the forgery in New South Wales of Stamps of the United Kingdom."
Question put and passed.

13. Melbourne Private Streets Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole, for consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
14. Postponements:—The consideration in Committee of the Census Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
15. Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill:—The Governor's Message No. 16, received with this Bill on the 25th ultimo, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, "*A Bill to suspend for one year so much of the Acts to Incorporate the inhabitants of the Cities of Sydney and Melbourne and the Town of Geelong, respectively, as relates to the estimating and levying a Rate for the Police of the same,*" read a first time; to be read a second time on Wednesday next.
16. Police of Lachlan and Carcoar:—Mr. Darvall moved, pursuant to notice, That the Petition from the Lachlan and Carcoar Districts, praying an increased Police Establishment, presented by him on the 2nd instant, be referred to the Select Committee on Police.
Question put and passed.
17. Postponement:—The second reading of the Cattle Slaughtering Laws Bill postponed, on motion of Mr. Martin, until this day fortnight.
18. Juvenile Offenders' Punishment Bill:—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of Clause VI of this Bill.
The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next.
Council adjourned at half-past Five o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JULY 5.

NOTICES OF MOTION:—

1. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House copies of all correspondence between himself and Earl Grey respecting the election of that Nobleman as member for Melbourne in 1848; also of all correspondence between the Colonial Executive and the Law Officers of the Crown respecting the same matter, and of any opinion or opinions given by the Law Officers in relation thereto.
2. MR. NICHOLS to move for leave to bring in a Bill for legalizing Art Unions.
3. MR. NICHOLS to move, That the Petition from Port Macquarie praying the restoration of the Establishment of the Harbour Master there, presented by him on the 2nd instant, be referred to the Select Committee on Pilots' Duties.
4. MR. DARVALL to move, That the Petition from Bathurst, praying the allowance of the Salary of the Police Magistrate of that District, presented by him on the 4th instant, be referred to the Select Committee on Police.

ORDERS OF THE DAY:—

1. Games and Wagers' Bill; second reading.
2. Masters' and Servants' Bill; second reading.
3. Sale of Poisons prevention Bill; second reading.
4. Clergymen's disqualifying Bill; second reading.
5. Malt Liquors' Bill; to be further considered in Committee.

TUESDAY, JULY 9.

NOTICES OF MOTION:—

1. MR. WENTWORTH to move, That Russell's Nepean Bridge Bill be referred for the consideration and report of a Select Committee to consist, with the Mover, of Mr. Bowman, Mr. James Macarthur, Mr. Fitzgerald, Mr. Icely, and the Auditor General.
2. MR. WENTWORTH to move, That the Petition against Russell's Nepean Bridge Bill, presented by Mr. Martin on the 2nd instant, be referred to the Select Committee on such Bill.
3. MR. MARTIN to move for leave to bring in a Bill to reduce the Duties on Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.

ORDERS OF THE DAY:—

1. Cattle Protection Bill; to be considered in Committee.
2. Juvenile Offenders' Punishment Bill Reported (2^d); Adoption of the Report.

WEDNESDAY,

WEDNESDAY, JULY 10.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor's Message, No. 18, with Sewerage Bill.
2. Consideration of Governor's Financial Message No. 15, with Estimates for 1850-51.
3. Corporate Towns' Justices Bill Reported; Adoption of the Report.
4. South Australian Offenders' Apprehension Bill; to be further considered in Committee.
5. Melbourne Private Streets' Bill; to be further considered in Committee.
6. Census Bill; to be considered in Committee.
7. Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill; second reading.

THURSDAY, JULY 11.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sydney Corporation Bill; second reading.
2. Tolls and Dues Leasing Bill; to be further considered in Committee.

FRIDAY, JULY 12.

ORDERS OF THE DAY:—

1. Registry Acts Amendment Bill; second reading.
2. Catarrh in Sheep Bill; second reading.

THURSDAY, JULY 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Female Children's Apprenticing Bill; first reading.
2. Melbourne Public Abattoirs' Bill; to be considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 19.

NOTICE OF MOTION:—

1. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.

The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.

CHARLES NICHOLSON,
Speaker.

54.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 5 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
George Hobbler, Settler:—Mr. Moor presented a Petition from George Hobbler, of Bacchus Marsh, in the District of Port Phillip, Settler, praying compensation for the injurious operation upon his interests of the Land Regulations promulgated under Her Majesty's Order in Council in 1847.
Petition received.
2. Postage on Newspapers:—
(1.) Mr. Byrnes presented a Petition from certain Inhabitants of the District of Penrith, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
(2.) Mr. Cooper presented a Petition from certain Inhabitants of the Town of Bungonia and its vicinity, with a similar prayer.
Petition received.
3. Clergymen's disqualifying Bill:—Mr. Byrnes presented a Petition from certain inhabitants of the City of Sydney, praying that lay preachers and teachers not regularly ordained or set apart for the Christian Ministry may be excepted from the operation of this Bill.
Petition received.
4. Bank of New South Wales' Bill:—The Attorney General having presented this Bill, intitled, "*A Bill to incorporate the Proprietors of a certain Banking Company called the 'Bank of New South Wales,' and for other purposes therein mentioned,*" read a first time.
5. Member for Melbourne:—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House copies of all correspondence between himself and Earl Grey respecting the election of that Nobleman as Member for Melbourne in 1848; also of all correspondence between the Colonial Executive and the Law Officers of the Crown respecting the same matter, and of any opinion or opinions given by the Law Officers in relation thereto.
Debate ensued.
6. Mr. Alderman Thurlow:—The following Message from His Excellency the Governor received and read:—

CHAS. A. FITZ ROY,
Governor.

Message No. 20.

In compliance with the request of the Legislative Council the Governor forwards to the House, copies of the papers and correspondence relating to the Writ issued by His Excellency for superseding Mr. Alderman Wm. Thurlow from the Commission of the Peace, and as the Crown Law Officers have expressed their concurrence in that proceeding, His Excellency submits to the House copies of the opinions of those officers in connection therewith; and also a Return of all members of the Legal Profession holding the Commission of the Peace.

2. In forwarding these documents His Excellency deems it proper to observe, that the opinions forwarded by the Crown Law Officers to the Government being always considered to be communications of a confidential nature, He must guard himself from having His compliance with the wishes of the Council in the present instance drawn into a precedent for further applications of a similar nature.

Government House, Sydney,
5th July, 1850.

Ordered to be printed, together with the accompanying Documents.

7. Member for Melbourne:—The Debate on the Question, "That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House copies of all correspondence between himself and Earl Grey respecting the election of that Nobleman as member for Melbourne in 1848; also of all correspondence between the Colonial Executive and the Law Officers of the Crown respecting the same matter, and of any opinion or opinions given by the Law Officers in relation thereto," interrupted by Message from His Excellency the Governor—resumed.
Motion by leave withdrawn.

8. Postponement:—Mr. Nichols postponed the Motion standing in his name second on the Notice Paper for to-day, until Friday next.
9. Port Macquarie:—Mr. Nichols moved, pursuant to notice, That the Petition from Port Macquarie, praying the restoration of the Establishment of the Harbour Master there, presented by him on the 2nd instant, be referred to the Select Committee on Pilots' Duties.
Question put and passed.
10. Police Magistracy:—Mr. Darvall moved, pursuant to notice, That the Petition from Bathurst, praying the allowance of the Salary of the Police Magistrate of that District, presented by him on the 4th instant, be referred to the Select Committee on Police.
Question put and passed.
11. Queanbeyan Bridge:—Mr. Murray presented a Petition from certain inhabitants of the District of Queanbeyan, praying the Council to concur in the prayer of a Petition they have addressed to His Excellency the Governor, to place upon the Estimates the sum of £300 towards the erection of a Bridge at Queanbeyan.
Petition received.
12. Annuities Bill:—The Attorney General having presented this Bill, Bill, intituled, "*A Bill for the encouragement of persons desirous of providing for their support in old age, and for the protection under certain restrictions of their Annuities, and subscriptions for deferred annuities,*" read a first time; ordered to be printed, and read a second time on Thursday next.
13. Postponements:—
(1) The second reading of the Games and Wagers' Bill postponed, on motion of Mr. Nichols, until Wednesday next.
(2) The second reading of the Masters' and Servants' Bill, postponed on motion of Mr. Murray, until Tuesday week.
(3) The second reading of the Sale of Poisons prevention Bill postponed, on motion of Dr. Dickson, until Tuesday next.
14. Clergymen's disqualifying Bill:—Mr. Wentworth moved, That this Bill be now read a second time.
Debate ensued.
Question put.
Council divided.

Ayes, 13.

Mr. Suttor,
Mr. Martin,
Mr. Wentworth,
Colonel Snodgrass,
The Colonial Treasurer,
Mr. Darvall,
Mr. Moor,
Mr. Murray,
The Collector of Customs,
Mr. Macintyre,
Mr. Icely,
Mr. William Macarthur,
Mr. Parker, (Teller.)

Noes, 7.

The Colonial Secretary,
Dr. Dickson,
Captain King,
Mr. Allen,
The Attorney General,
Mr. Byrnes,
Mr. Nichols, (Teller.)

- Bill read a second time; to be considered in Committee on Tuesday next.
15. Malt Liquors' Bill:—On motion of Mr. Martin, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, Mr. Martin moved, "That" the Council do now adopt the Report of the Committee.
The Attorney General moved, as an amendment, That all the words following "That" be omitted with a view to the insertion in their place of the words "the adoption of the Report of the Committee stand an Order of the Day for Tuesday next."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That the Adoption of the Report of the Committee stand an Order of the Day for Tuesday next—put and passed.
Council adjourned at half-past Seven o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JULY 9.

NOTICES OF MOTION:—

1. MR. WENTWORTH to move, That Russell's Nepean Bridge Bill be referred for the consideration and report of a Select Committee to consist, with the Mover, of Mr. Bowman, Mr. James Macarthur, Mr. Fitzgerald, Mr. Icely, and the Auditor General.
2. MR. WENTWORTH to move, That the Petition against Russell's Nepean Bridge Bill, presented by Mr. Martin on the 2nd instant, be referred to the Select Committee on such Bill.

3. MR. MARTIN to move for leave to bring in a Bill to reduce the Duties on Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.
4. MR. MARTIN to move for leave to bring in a Bill to provide for the paving and cleansing of the Metropolis.
5. MR. MOOR to move for leave to bring in a Bill to consolidate and amend the Laws regarding the building of Churches and Chapels of the United Church of England and Ireland, in the District of Port Phillip, and the maintenance of the Ministers thereof, and to regulate the temporal affairs of the said Churches and Chapels.
6. MR. MOOR to move for leave to bring in a Bill for enforcing Church discipline in the United Church of England and Ireland within the District of Port Phillip.
7. THE ATTORNEY GENERAL to move, That the New South Wales Banking Bill be referred to a Select Committee to consist, with the Mover, of Mr. Darvall, Mr. Nichols, Mr. Moor, and Mr. W. Macarthur.
8. MR. MURRAY to move for leave to bring in a Bill to authorise the introduction and sale in this Colony of foreign copies of the works of British Authors.

ORDERS OF THE DAY:—

1. Cattle Protection Bill; to be considered in Committee.
2. Juvenile Offenders' Punishment Bill Reported (2^o); Adoption of the Report.
3. Sale of Poisons prevention Bill; second reading.
4. Clergymen's disqualifying Bill; to be considered in Committee.
5. Malt Liquors' Bill Reported; Adoption of the Report.

WEDNESDAY, JULY 10.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor's Message, No. 18, with Sewerage Bill.
2. Consideration of Governor's Financial Message No. 15, with Estimates for 1850-51.
3. Corporate Towns' Justices Bill Reported; Adoption of the Report.
4. South Australian Offenders' Apprehension Bill; to be further considered in Committee.
5. Melbourne Private Streets' Bill; to be further considered in Committee.
6. Census Bill; to be considered in Committee.
7. Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill; second reading.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Games and Wagers' Bill; second reading.

THURSDAY, JULY 11.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sydney Corporation Bill; second reading.
2. Tolls and Duos Leasing Bill; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Annuities Bill; second reading.

FRIDAY, JULY 12.

NOTICES OF MOTION:—

1. MR. NICHOLS to move, That this House do resolve,—
 - (1.) That the appointment to all offices under the Government in this Colony should be vested absolutely in the Local Executive.
 - (2.) That no person should be appointed to any office under the Government of this Colony unless he were previously a *bona fide* settled inhabitant thereof.
 - (3.) That no recommendation from the authorities in the Mother Country should give any person a right to be appointed to any office under the Government in this Colony.
 - (4.) That the recent appointment of Mr. William Whaley Billyard to the office of Civil Crown Solicitor in pursuance of the directions of Her Majesty's Secretary of State for the Colonies,—there being at the time many persons highly competent to fill the said office and long previously settled inhabitants of the said Colony,—being in contravention of the principle embodied in the foregoing Resolutions, is a grievance of which this House has a right to complain.
 - (5.) That the foregoing Resolutions be embodied in an Address to Her Majesty, to be transmitted through His Excellency the Governor.
2. DR. DICKSON to move for leave to introduce a Bill to prevent the immediate Sale by Auction of Stolen Horses.
3. MR. NICHOLS to move for leave to bring in a Bill for legalizing Art Unions.

ORDERS OF THE DAY:—

1. Registry Acts Amendment Bill; second reading.
2. Catarrh in Sheep Bill; second reading.

TUESDAY,

58.
TUESDAY, JULY 16.

ORDER OF THE DAY :—

1. Masters' and Servants' Bill; second reading.

THURSDAY, JULY 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Female Children's Apprenticing Bill; first reading.
2. Melbourne Public Abattoirs' Bill; to be considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 19.

NOTICE OF MOTION :—

1. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.

The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 9 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Postage on Newspapers :—
(1.) Mr. W. Macarthur presented a Petition from certain Inhabitants of the Town and District of Goulburn, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
(2.) Mr. Bowman presented a Petition from certain Inhabitants of the Districts of Windsor, Richmond, Wilberforce, and Pitt Town, with a similar prayer.
Petition received.
2. Road from Sydney to Melbourne :—Mr. Moor presented a Petition from certain proprietors and others who travel the road from Melbourne to Sydney, praying the Council to present an Address to His Excellency the Governor, requesting that a sum may be placed upon the Estimates for the repair of that Road, at all events as far as the Village of Kilmore.
Petition received.
3. Russell's Nepean Bridge Bill :—
(1.) Mr. Wentworth moved, pursuant to notice, That Russell's Nepean Bridge Bill be referred for the consideration and report of a Select Committee to consist, with the Mover, of Mr. Bowman, Mr. James Macarthur, Mr. Fitzgerald, Mr. Icely, and the Auditor General.
Captain King required, That the Committee be appointed by Ballot,—
Question,—That Russell's Nepean Bridge Bill be referred for the consideration and report of a Select Committee of five Members exclusive of the Mover—put and passed.
The Council then proceeded to the Ballot, and the following Members were declared to have the greatest number of votes, and to be, with the Mover, the Committee duly appointed, viz.—Mr. Icely, Mr. James Macarthur, Mr. Bowman, The Auditor General, and Mr. Fitzgerald.
(2.) Mr. Wentworth then moved, pursuant to notice, That the Petition against Russell's Nepean Bridge Bill, presented by Mr. Martin on the 2nd instant, be referred to the Select Committee on such Bill.
Question put and passed.
4. Postponement :—Mr. Martin postponed the motions standing in his name third and fourth on the Notice Paper for to-day, until Friday next.
5. Port Phillip Church Temporalities Bill :—Mr. Moor moved, pursuant to notice, for leave to bring in a Bill to consolidate and amend the Laws regarding the building of Churches and Chapels of the United Church of England and Ireland, in the District of Port Phillip, and the maintenance of the Ministers thereof, and to regulate the temporal affairs of the said Churches and Chapels.
Debate ensued.
Question put and passed ;— *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
6. Port Phillip Church Discipline Bill :—Mr. Moor moved, pursuant to notice, for leave to bring in a Bill for enforcing Church discipline in the United Church of England and Ireland within the District of Port Phillip.
Question put and passed ;— *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
7. Port Phillip Church Temporalities Bill :—Mr. Moor having presented this Bill, Bill, intituled, "*A Bill to consolidate and amend the Laws regarding the building of Churches and Chapels of the United Church of England and Ireland, in the District of Port Phillip, and the maintenance of the Ministers thereof, and to regulate the temporal affairs of the said Churches and Chapels,*" read a first time; ordered to be printed, and read a second time this day three weeks.
8. Clerk of the Bench at Bungonia :—Mr. Cooper presented a Petition from certain Inhabitants of Bungonia and surrounding district, praying the Council to allow Salary for a Clerk to the Bench of Magistrates at Bungonia, for the year 1851.
Petition received.
9. Port Phillip Church Discipline Bill :—Mr. Moor having presented this Bill, Bill, intituled, "*A Bill for enforcing Church discipline in the United Church of England and Ireland within the District of Port Phillip,*" read a first time; ordered to be printed, and read a second time on Tuesday, August 6.

10. **Bank of New South Wales Bill** :—The Attorney General moved, pursuant to notice, That the New South Wales Banking Bill be referred to a Select Committee, to consist, with the Mover, of Mr. Darvall, Mr. Nichols, Mr. Moor, and Mr. W. Macarthur. The Colonial Treasurer required that the Committee be appointed by Ballot,— Question,—That the New South Wales Banking Bill be referred to a Select Committee to consist of four Members exclusive of the Mover—put and passed. The Council then proceeded to the Ballot, and the following Members were declared to have the greatest number of votes, and to be, with the Mover, the Committee duly appointed, viz. :— Mr. Nichols, The Colonial Treasurer, Mr. Sutor, and Mr. Wm. Macarthur.
11. **British Authors' Bill** :—Mr. Murray moved, pursuant to notice, for leave to bring in a Bill to authorise the introduction and sale in this Colony of foreign copies of the works of British Authors. Debate ensued. Question put and passed ;— *Ordered*, That the Bill be prepared and brought in by a Select Committee, to consist, with the Mover, of the Speaker, Captain King, Mr. Nichols, The Attorney General, Mr. Donaldson, Mr. Wm. Macarthur, and Mr. Parker.
12. **Cattle Protection Bill** :—On motion of Mr. Murray, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill. The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for this day week.
13. **Juvenile Offenders Punishment Bill Reported (2^d)** :—The Council having adopted the Report of this Bill, on motion of Mr. Nichols, *Ordered*, That the Bill as reported, be engrossed, and read a third time to-morrow.
14. **Postponement** :—
(1.) The second reading of the sale of Poisons' Prevention Bill postponed, on motion of Dr. Dickson, until Friday next.
(2.) The consideration in Committee of the Clergymen's disqualifying Bill postponed, on motion of Mr. Wentworth, until Friday, July 26.
15. **Malt Liquors' Bill Reported** :—Mr. Martin moved "That" the Report of this Bill be now adopted. Mr. Nichols moved as an amendment, That all the words following "That" be omitted, with a view to the insertion in their place of the words "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, with a view to the further consideration and amendment of Clause I of this Bill." Question,—That the words proposed to be omitted stand part of the Question,—put and negatived. Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed. Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, with a view to the further consideration and amendment of Clause I of this Bill,—put and passed.— Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly. The Chairman having reported the Bill with a further amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next. Council adjourned at a quarter after Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JULY 10.

NOTICE OF MOTION :—

Contingent.—Mr. Murray to move when the Estimates are under consideration, That the salary attached to the office of Speaker of this House be reduced to £250, and that of Chairman of Committees to £125 a year.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 18, with Sewerage Bill.
2. Consideration of Governor's Financial Message No. 15, with Estimates for 1850-51.
3. Corporate Towns' Justices Bill Reported ; Adoption of the Report.
4. South Australian Offenders' Apprehension Bill ; to be further considered in Committee.
5. Melbourne Private Streets' Bill ; to be further considered in Committee.
6. Census Bill ; to be considered in Committee.
7. Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill ; second reading.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Games and Wagers' Bill ; second reading.
2. Juvenile Offenders' Punishment Bill ; third reading.

THURSDAY,

THURSDAY, JULY 11.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sydney Corporation Bill; second reading.
2. Tolls and Dues Leasing Bill; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Annuities Bill; second reading.

FRIDAY, JULY 12.

NOTICES OF MOTION:—

1. MR. NICHOLS to move, That this House do resolve,—
 - (1.) That the appointment to all offices under the Government in this Colony should be vested absolutely in the Local Executive.
 - (2.) That no person should be appointed to any office under the Government of this Colony unless he were previously a *bona fide* settled inhabitant thereof.
 - (3.) That no recommendation from the authorities in the Mother Country should give any person a right to be appointed to any office under the Government in this Colony.
 - (4.) That the recent appointment of Mr. William Whaley Billyard to the office of Civil Crown Solicitor in pursuance of the directions of Her Majesty's Secretary of State for the Colonies,—there being at the time many persons highly competent to fill the said office and long previously settled inhabitants of the said Colony,—being in contravention of the principle embodied in the foregoing Resolutions, is a grievance of which this House has a right to complain.
 - (5.) That the foregoing Resolutions be embodied in an Address to Her Majesty, to be transmitted through His Excellency the Governor.
2. DR. DICKSON to move for leave to introduce a Bill to prevent the immediate Sale by Auction of Stolen Horses.
3. MR. NICHOLS to move for leave to bring in a Bill for legalizing Art Unions.
4. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a Return shewing the Amount collected by Assessment on Stock in each District beyond the Settled Districts of the Colony, and the application of and charges on the same, including the expense of Postal Communication and the Revenue derived therefrom for the period from 1st January to 31st December, 1849—in continuation of a similar Return laid before this House on 17th July and 19th September, 1849.
5. MR. MARTIN to move for leave to bring in a Bill to reduce the Duties on Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.
6. MR. MARTIN to move for leave to bring in a Bill to provide for the paving and cleansing of the Metropolis.
7. MR. COOPER to move, That the Petition from Bungonia praying the allowance of a salary for a clerk to the Bench in that District, presented by him on the 9th instant, be referred to the Select Committee on Police.

ORDERS OF THE DAY:—

1. Registry Acts Amendment Bill; second reading.
2. Catarrh in Sheep Bill; second reading.
3. Sale of Poisons prevention Bill; second reading.
4. Malt Liquors' Bill; third reading.

TUESDAY, JULY 16.

NOTICE OF MOTION:—

1. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return, shewing the undermentioned particulars respecting the Female Orphan Immigration:—
 - (1.) The total number of Orphan Girls that have arrived in the Colony, distinguishing those received in the Sydney and Port Phillip Districts.
 - (2.) The total cost of the above, distinguishing the expense prior to embarkation, the expense of passage, and expenses after leaving the ship.
 - (3.) The disposal of the girls, and the number now in barracks at the cost of the Colony, shewing how many of the latter have been in the barracks at a prior period.
 - (4.) The present daily expense of each now in barracks.

ORDERS OF THE DAY:—

1. Masters' and Servants' Bill; second reading.
2. Cattle Protection Bill Reported; Adoption of the Report.

THURSDAY,

THURSDAY, JULY 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Female Children's Apprenticing Bill; first reading.
2. Melbourne Public Abattoirs' Bill; to be considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 19.

NOTICE OF MOTION:—

1. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprize.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.
 The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.

FRIDAY, JULY 26.

ORDER OF THE DAY:—

1. Clergymen's disqualifying Bill; to be considered in Committee.

TUESDAY, JULY 30.

ORDERS OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.

TUESDAY, AUGUST 6.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill: second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 10 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Postage on Newspapers :—Mr. Nichols presented a Petition from certain Inhabitants of the Districts of Newcastle, Raymond Terrace, Dungog, Port Stephens, Paterson, Maitland, Wollombi, Singleton, Merton, Muswell Brook, Cassilis, Bligh, Scoue, Murrurundi, Liverpool Plains, Gwydir, and New England, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
2. Police Protection, Burnett District :—Mr. Donaldson presented a Petition from certain Stockholders and other Inhabitants of the District of Burnett, praying the appointment of a Court of Petty Sessions and the establishment of a Native Police Corps to be stationed in some convenient place within the District.
Petition received.
3. Sewerage Bill :—The Governor's Message No. 18, received with this Bill on the 2nd instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, "*A Bill for the better sewerage, cleansing, and draining of the City of Sydney, and to promote the health of the Inhabitants thereof;*" read a first time; to be read a second time this day week.
4. Finance 1850-51 :—The Financial Message No. 15, received from His Excellency the Governor on the 19th ultimo, having been read, on motion of the Colonial Treasurer,—The Colonial Treasurer moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51, accompanying the Message just read.
Debate ensued.
Question put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
5. Corporate Towns Justices Bill Reported :—The Council having adopted the Report of this Bill, on motion of the Colonial Secretary, *Ordered*, That the Bill, as so reported, be engrossed, and read a third time this day week.
6. Postponements :—
(1.) On motion of the Colonial Secretary, the remaining Orders of the Day on the Paper of Government Business for to-day postponed until to-morrow.
(2.) On motion of Mr. Nichols, the second reading of the Games and Wagers' Bill postponed until Tuesday next.
7. Juvenile Offenders' Punishment Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and *passed*.
Mr. Nichols then moved, That the following be the title of the Bill, viz. :—"*An Act for the more speedy trial and punishment of Juvenile Offenders.*"
Question put and passed.
Council adjourned at a quarter before Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JULY 11.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sydney Corporation Bill; second reading.
2. Tolls and Dues Leasing Bill; to be further considered in Committee.
3. South Australian Offenders' Apprehension Bill; to be further considered in Committee.
4. Melbourne Private Streets' Bill; to be further considered in Committee.
5. Census Bill; to be considered in Committee.
6. Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill; second reading.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Annuities Bill; second reading.

FRIDAY, JULY 12.

NOTICES OF MOTION:—

1. MR. NICHOLS to move, That this House do resolve,—
 - (1.) That the appointment to all offices under the Government in this Colony should be vested absolutely in the Local Executive.
 - (2.) That no person should be appointed to any office under the Government of this Colony unless he were previously a *bona fide* settled inhabitant thereof.
 - (3.) That no recommendation from the authorities in the Mother Country should give any person a right to be appointed to any office under the Government in this Colony.
 - (4.) That the recent appointment of Mr. William Whaley Billyard to the office of Civil Crown Solicitor in pursuance of the directions of Her Majesty's Secretary of State for the Colonies,—there being at the time many persons highly competent to fill the said office and long previously settled inhabitants of the said Colony,—being in contravention of the principle embodied in the foregoing Resolutions, is a grievance of which this House has a right to complain.
 - (5.) That the foregoing Resolutions be embodied in an Address to Her Majesty, to be transmitted through His Excellency the Governor.
2. DR. DICKSON to move for leave to introduce a Bill to prevent the immediate Sale by Auction of Stolen Horses.
3. MR. NICHOLS to move for leave to bring in a Bill for legalizing Art Unions.
4. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a Return showing the Amount collected by Assessment on Stock in each District beyond the Settled Districts of the Colony, and the application of and charges on the same, including the expense of Postal Communication and the Revenue derived therefrom for the period from 1st January to 31st December, 1849—in continuation of a similar Return laid before this House on 17th July and 19th September, 1849.
5. MR. MARTIN to move for leave to bring in a Bill to reduce the Duties on Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.
6. MR. MARTIN to move for leave to bring in a Bill to provide for the paving and cleansing of the Metropolis.
7. MR. COOPER to move, That the Petition from Bungonia praying the allowance of a salary for a clerk to the Bench in that District, presented by him on the 9th instant, be referred to the Select Committee on Police.

ORDERS OF THE DAY:—

1. Registry Acts Amendment Bill; second reading.
2. Catarrh in Sheep Bill; second reading.
3. Sale of Poisons prevention Bill; second reading.
4. Malt Liquors' Bill; third reading.

TUESDAY, JULY 16.

NOTICES OF MOTION:—

1. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return, showing the undermentioned particulars respecting the Female Orphan Immigration:—
 - (1.) The total number of Orphan Girls that have arrived in the Colony, distinguishing those received in the Sydney and Port Phillip Districts.
 - (2.) The total cost of the above, distinguishing the expense prior to embarkation, the expense of passage, and expenses after leaving the ship.
 - (3.) The disposal of the girls, and the number now in barracks at the cost of the Colony, shewing how many of the latter have been in the barracks at a prior period.
 - (4.) The present daily expense of each now in barracks.

2. Mr. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return of the number of Newspapers sent through the Post Office in the Middle District, in the first six months of the years 1849 and 1850, respectively; the number of additional clerks, (if any), which it has been found necessary to employ in the Sydney Post Office department, since the 1st of January, 1850, in consequence of the additional labour imposed by the stamping and counting newspapers rendered necessary by the new postage system.
3. Mr. NICHOLS to move for leave to bring in a Bill to prevent frauds by Carriers and Drivers in certain cases.

ORDERS OF THE DAY:—

1. Masters' and Servants' Bill; second reading.
2. Cattle Protection Bill Reported; Adoption of the Report.
3. Games and Wagers' Bill; second reading.

WEDNESDAY, JULY 17.

NOTICE OF MOTION:—

Contingent.—Mr. Murray to move when the Estimates are under consideration, That the salary attached to the office of Speaker of this House be reduced to £250, and that of Chairman of Committees to £125 a year.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; second reading.
2. Estimates for 1850-51; to be further considered in Committee.
3. Corporate Towns' Justices Bill; third reading.

THURSDAY, JULY 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Female Children's Apprenticing Bill; first reading.
2. Melbourne Public Abattoirs' Bill; to be considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 19.

NOTICE OF MOTION:—

1. Mr. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.
 The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.

FRIDAY, JULY 26.

ORDER OF THE DAY:—

1. Clergymen's disqualifying Bill; to be considered in Committee.

TUESDAY, JULY 30.

ORDER OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.

TUESDAY, AUGUST 6.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill: second reading.

CHARLES NICHOLSON,
Speaker.

Ob.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 11 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Coroners' Inquests:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject adopted on motion of Mr. Nichols on the 13th ultimo.
Ordered to be printed:
 2. Private Subscription for Female Immigration:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a Circular Despatch from the Right Honorable the Secretary of State for the Colonies, dated 12th January, 1850, in reference to the proposed scheme of Female Immigration by means of Private Subscription to be raised in the Mother Country.
Ordered to be printed, together with its enclosure.
 3. Market Bye-Laws:—Mr. Wentworth presented a Petition from certain producers and consumers of fruits, vegetables, meat, poultry, butter, eggs, and other marketable necessaries of life, complaining of certain Market Ducs they are compelled to pay, and praying redress.
Petition received.
 4. Sydney Corporation Bill:—The Colonial Secretary moved, That this Bill be now read a second time.
Debate ensued.
Mr. Allen moved the previous Question.
Debate continued.
Question put—" Shall the Question be now put ?"—
Council divided.

<p>Ayes, 17,</p> <p>Captain King, Mr. Donaldson, The Auditor General, Colonel Saodgrass, Mr. Murray, The Attorney General, Mr. James Macarthur, Mr. William Macarthur, The Colonial Secretary, Mr. Moor, The Colonial Treasurer, Mr. Icely, Mr. Lamb, Mr. Cooper, The Collector of Customs, Mr. Macintyre, Mr. Parker, (Teller.)</p>		<p>Noes, 6.</p> <p>Mr. Allen, Dr. Dickson, Mr. Fitzgerald, Mr. Nichols, Mr. Wentworth, Mr. Martin, (Teller.)</p>
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- Question—That this Bill be now read a second time—put and passed.
Bill read a second time; to be considered in Committee this day week.
5. Tolls and Ducs Leasing Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
 6. South Australian Offenders Apprehension Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered that the adoption of the Report stand an Order of the Day for Wednesday next.
 7. Melbourne Private Streets Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Wednesday next.

8. Postponement:—The consideration in Committee of the Census Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
9. Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman having reported the Bill, without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
10. Annuities Bill having been read a second time, on motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered that the adoption of the Report stand an Order of the Day for Wednesday next. Council adjourned at half-past Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JULY 12.

NOTICES OF MOTION:—

1. MR. NICHOLS to move, That this House do resolve,—
 - (1.) That the appointment to all offices under the Government in this Colony should be vested absolutely in the Local Executive.
 - (2.) That no person should be appointed to any office under the Government of this Colony unless he were previously a *bona fide* settled inhabitant thereof.
 - (3.) That no recommendation from the authorities in the Mother Country should give any person a right to be appointed to any office under the Government in this Colony.
 - (4.) That the recent appointment of Mr. William Whaley Billyard to the office of Civil Crown Solicitor in pursuance of the directions of Her Majesty's Secretary of State for the Colonies,—there being at the time many persons highly competent to fill the said office and long previously settled inhabitants of the said Colony,—being in contravention of the principle embodied in the foregoing Resolutions, is a grievance of which this House has a right to complain.
 - (5.) That the foregoing Resolutions be embodied in an Address to Her Majesty, to be transmitted through His Excellency the Governor.
2. DR. DICKSON to move for leave to introduce a Bill to prevent the immediate Sale by Auction of Stolen Horses.
3. MR. NICHOLS to move for leave to bring in a Bill for legalizing Art Unions.
4. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a Return shewing the Amount collected by Assessment on Stock in each District beyond the Settled Districts of the Colony, and the application of and charges on the same, including the expense of Postal Communication and the Revenue derived therefrom for the period from 1st January to 31st December, 1849—in continuation of a similar Return laid before this House on 17th July and 19th September, 1849.
5. MR. MARTIN to move for leave to bring in a Bill to reduce the Duties on Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.
6. MR. MARTIN to move for leave to bring in a Bill to provide for the paving and cleansing of the Metropolis.
7. MR. COOPER to move, That the Petition from Bungonia praying the allowance of a salary for a clerk to the Bench in that District, presented by him on the 9th instant, be referred to the Select Committee on Police.
8. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return of all instructions given to the Boundary Commissioners, and of any opinions of the Law Officers of the Crown accompanying or referred to in such instructions.

ORDERS OF THE DAY:—

1. Registry Acts Amendment Bill; second reading.
2. Catarrh in Sheep Bill; second reading.
3. Sale of Poisons prevention Bill; second reading.
4. Malt Liquors' Bill; third reading.

TUESDAY, JULY 16.

NOTICES OF MOTION:—

1. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return, shewing the undermentioned particulars respecting the Female Orphan Immigration:—
 - (1.) The total number of Orphan Girls that have arrived in the Colony, distinguishing those received in the Sydney and Port Phillip Districts.
 - (2.) The total cost of the above, distinguishing the expense prior to embarkation, the expense of passage, and expenses after leaving the ship.
 - (3.) The disposal of the girls, and the number now in barracks at the cost of the Colony, shewing how many of the latter have been in the barracks at a prior period.
 - (4.) The present daily expense of each now in barracks.

2. Mr. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return of the number of Newspapers sent through the Post Office in the Middle District, in the first six months of the years 1849 and 1850, respectively; the number of additional clerks, (if any), which it has been found necessary to employ in the Sydney Post Office department, since the 1st of January, 1850, in consequence of the additional labour imposed by the stamping and counting newspapers rendered necessary by the new postage system.
3. Mr. NICHOLS to move for leave to bring in a Bill to prevent frauds by Carriers and Drivers in certain cases.
4. Mr. NICHOLS to move for the appointment of a Select Committee, consisting of, with the Mover, Captain King, Mr. W. Macarthur, Mr. Donaldson, The Speaker, and Mr. Cooper, to enquire into and report upon the expediency of forming a settlement at Cape York, or its immediate neighbourhood.

ORDERS OF THE DAY:—

1. Masters' and Servants' Bill; second reading.
2. Cattle Protection Bill Reported; Adoption of the Report.
3. Games and Wagers' Bill; second reading.

WEDNESDAY, JULY 17.

NOTICE OF MOTION:—

Contingent.—Mr. Murray to move when the Estimates are under consideration, That the salary attached to the office of Speaker of this House be reduced to £250, and that of Chairman of Committees to £125 a year.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; second reading.
2. Estimates for 1850-51; to be further considered in Committee.
3. Corporate Towns' Justices Bill; third reading.
4. South Australian Offenders' Apprehension Bill Reported; Adoption of the Report.
5. Melbourne Private Streets' Bill Reported; Adoption of the Report.
6. Census Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Annuities Bill Reported; Adoption of the Report.

THURSDAY, JULY 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Female Children's Apprenticing Bill; first reading.
2. Melbourne Public Abattoirs' Bill; to be considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.
4. Sydney Corporation Bill; to be considered in Committee.
5. Tolls and Dues Leasing Bill; to be further considered in Committee.
6. Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill; third reading.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 19.

NOTICE OF MOTION:—

1. Mr. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprize.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.
 The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.

FRIDAY, JULY 26.

ORDER OF THE DAY:—

1. Clergymen's disqualifying Bill; to be considered in Committee.
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TUESDAY, JULY 30.

ORDER OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.
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TUESDAY, AUGUST 6.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 12 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
John Moring :—Mr. Donaldson presented a Petition from John Moring, praying further enquiry into his case.
Petition received.
2. Geelong :—
(1.) Dr. Dickson presented a Petition from the Mayor, Aldermen, and Councillors of the Town of Geelong, in the District of Port Phillip, praying the extension to Geelong of the provisions of the Melbourne Private Streets and Hackney Carriage Bills.
Petition received.
(2.) Dr. Dickson presented another Petition from the same Corporate Body, praying increased expenditure on Public Works at Geelong.
Petition received.
3. Postage on Newspapers :—Mr. James Macarthur presented a Petition from certain Inhabitants of the District of Illawarra, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
4. Colonial Distillation :—Mr. Wentworth presented a Petition from Henry Fisher, of the Glenmore Distillery, praying the establishment of a Scale of Differential Duties, so as to give a fair degree of encouragement to Colonial productions.
Petition received.

5. Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Hyde Park Bill :—

CH^s. A. FITZ ROY,

Governor.

Message No. 21.

In accordance with the provisions of the Act for the Government of New South Wales, 5 and 6 Vict. cap. 76, the Governor transmits to the Legislative Council, the Draft of a Bill, intituled, "A Bill to authorise the Surveyor General to enclose certain parts of the public road running through Hyde Park in the City of Sydney, known as a continuation of Macquarie-street, and to authorise the same to be included within the enclosures of the Domain, known as Hyde Park."

2. The object of this Bill is to close up the present continuation of the line of Macquarie-street from St. James' Church to Liverpool-street, and add the space thus gained to Hyde Park, which will then be comprised in two compact areas instead of being divided into four blocks as at present.

3. The closing of Macquarie-street from Park to Liverpool-street was pressed upon the attention of the Government by a memorial signed by a number of the most respectable Inhabitants of the neighbourhood; but it was conceived that the reasons which were alleged for closing that line of street from Liverpool to Park-street were equally applicable to that portion of it running from Park-street to the north extremity of Hyde Park.

*Government House, Sydney,
12th July, 1850.*

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

(2.) Melbourne General Cemetery Bill :—

CH^s. A. FITZ ROY,

Governor.

Message No. 22.

In accordance with the provisions of the Act for the Government of New South Wales, 5 and 6 Vict. cap. 76 the Governor transmits to the Legislative Council the Draft of a Bill, intituled, "A Bill for the Establishment and Regulation by Trustees of a General Cemetery, near the City of Melbourne."

*Government House, Sydney,
12th July, 1850.*

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

6. Colonial Appointments:—Mr. Nichols moved, pursuant to notice, That this House do “resolve” :—

(1.) That the appointment to all offices under the Government in this Colony should be vested absolutely in the Local Executive.

(2.) That no person should be appointed to any office under the Government of this Colony unless he were previously a *bona fide* settled inhabitant thereof.

(3.) That no recommendation from the authorities in the Mother Country should give any person a right to be appointed to any office under the Government in this Colony.

(4.) That the recent appointment of Mr. William Whaley Billyard to the office of Civil Crown Solicitor in pursuance of the directions of Her Majesty's Secretary of State for the Colonies,—there being at the time many persons highly competent to fill the said office and long previously settled inhabitants of the said Colony,—being in contravention of the principle embodied in the foregoing Resolutions, is a grievance of which this House has a right to complain.

(5.) That the foregoing Resolutions be embodied in an Address to Her Majesty, to be transmitted through His Excellency the Governor.

Debate ensued.

Mr. Darvall moved, as an amendment, That all the words following the word “resolve” be omitted, with a view to insert in their place the words :—

“(1.) That it is just and expedient that the Governor for the time being should be entrusted with the unfettered patronage of all Government Appointments, and that in the exercise of such authority he should, as far as may be consistent with the due performance of the Public Service, fill up all vacancies from amongst the inhabitants of the Colony.”

“(2.) That the system which has hitherto prevailed of disposing of Colonial appointments under the instruction or dictation of Her Majesty's Secretary of State for the Colonies, has been productive of injury to the public service and of unnecessary expenditure of the Revenue; and that its continuance is deprecated by the Colonists;—

“First;—Because it leads to the creation of unnecessary offices, the appointment of incompetent persons, and the payment of excessive salaries.”

“Secondly;—Because the irresponsibility of persons so appointed and of those by whom they are selected, induces a feeling of indifference in the discharge of their public duty on the part of those who are so employed, and a justifiable want of confidence in those whose money is so expended.”

“Thirdly;—Because it leads to the neglect and disappointment of deserving and well qualified Colonial candidates for Government employment.”

“Fourthly;—Because it prevents the introduction of a proper system of promotion based on merit and length of service.”

“Fifthly;—Because it discourages education and a proper feeling of self respect and ambition amongst the youth of the Colony.”

“And lastly;—Because it deprives the Colonial Government of a legitimate means of sustaining its authority, while it is at the same time improperly relieved from due responsibility.”

“(3.) That the foregoing Resolutions be embodied in an Address to Her Majesty, to be transmitted by His Excellency the Governor.”

Debate continued.

Mr. Parker moved, That the Debate be adjourned until Tuesday next.

Debate ensued on the motion for adjournment.

Question put,—That the Debate be adjourned until Tuesday, next.

Council divided.

Ayes, 14.

Mr. Macintyre,
Mr. Berry,
The Colonial Treasurer,
The Attorney General,
The Colonial Secretary,
Mr. James Macarthur,
Mr. William Macarthur,
Mr. Moor,
Mr. Allen,
Captain King,
Mr. Icely,
The Collector of Customs,
Mr. Darvall,
Mr. Parker, (Teller.)

Noes, 12.

Colonel Snodgrass,
Mr. Lamb,
Mr. Wentworth,
Mr. Fitzgerald,
Mr. Oakes,
Mr. Byrnes,
Mr. Martin,
Mr. Nichols,
Mr. Cooper,
Mr. Murray,
Dr. Dickson,
Mr. Donaldson, (Teller)

7. Artesian Wells :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table certain Papers in reference to the expediency of sinking Artesian Wells in this Colony, together with a Report of the Board in relation thereto.
Ordered to be printed.

8. Sale of Stolen Horses restriction Bill :—Dr. Dickson moved, pursuant to notice, for leave to introduce a Bill to prevent the immediate Sale by Auction of Stolen Horses. Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.

9. Art Unions Bill :—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill for legalizing Art Unions.
Debate ensued.
Question put and passed ;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
10. Assessment on Stock :—Mr. Donaldson moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a Return shewing the Amount collected by Assessment on Stock in each District beyond the Settled Districts of the Colony, and the application of and charges on the same, including the expense of Postal Communication and the Revenue derived therefrom for the period from 1st January to 31st December, 1848—in continuation of a similar Return laid before this House on 17th July and 19th September, 1849.
Debate ensued.
Question put and passed ; Address to be presented by the Speaker and the Colonial Secretary.
11. Art Unions Bill :—Mr. Nichols having *presented* this Bill, Bill, intituled, "*A Bill for legalizing Art Unions*," read a first time ; ordered to be printed, and read a second time this day week.
12. Sale of Stolen Horses prevention Bill :—Dr. Dickson having *presented* this Bill, Bill, intituled, "*A Bill to restrict the Sale by Auction of Stolen Horses*," read a first time ; ordered to be printed, and read a second time this day week.
13. Postponement :—Mr. Martin postponed the motion standing in his name fifth on the Notice Paper for to-day, until this day week.
14. Cleansing and Paving the Metropolis :—Mr. Martin moved, pursuant to notice, for leave to bring in a Bill to provide for the Paving and Cleansing of the Metropolis.
Debate ensued.
Motion by leave withdrawn.
15. Clerk of the Bench at Bungonia :—Mr. Cooper moved, pursuant to notice, That the Petition from Bungonia praying the allowance of a salary for a Clerk to the Bench in that District, presented by him on the 9th instant, be referred to the Select Committee on Police.
Question put and passed.
16. Postponement :—Mr. Wentworth postponed the motion standing in his name eighth on the Notice Paper for to-day, until Tuesday next.
17. Registry Acts amendment Bill, on motion of Mr. Moor, read a second time ; to be considered in Committee this day week.
18. Catarrh in Sheep Bill :—Mr. Donaldson moved, "That" this Bill be now read a second time.
Debate ensued.
Mr. Murray moved, as an amendment, That all the words following the word "That" be omitted, with a view to insert in their place the words "this Bill be read a second time this day six months."
Debate continued.
Question put,—That the words proposed to be omitted stand part of the Question.
Committee divided.

Ayes, 4.

Mr. Moor,
The Attorney General,
The Colonial Treasurer,
Mr. Donaldson, (Teller.)

Noes, 17.

Mr. Icely,
Dr. Dickson,
Mr. Macintyre,
Mr. Byrnes,
Mr. Wentworth,
Mr. Oakes,
Mr. Cooper,
Mr. Lamb,
Mr. Martin,
Mr. Fitzgerald,
Mr. James Macarthur,
Mr. William Macarthur,
Mr. Darvall,
The Collector of Customs,
Mr. Murray,
The Major General Commanding,
Mr. Parker, (Teller.)

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

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

19. Sale of Poisons' prevention Bill read a second time, on motion of Dr. Dickson ; to be considered in Committee on Tuesday week.
20. Malt Liquors' Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Martin, read a third time, and *passed*.
Mr. Martin then moved, That the following be the title of the Bill, viz. :—"*An Act to prevent the Adulteration of Malt Liquors*."
Question put and passed.
Council adjourned at Eight o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JULY 16.

MEMO:—*Understood* That the Resumption of the Debate on the proposed Resolutions in reference to Colonial Appointments, take precedence of all other business.

NOTICES OF MOTION:—

1. MR. OAKES to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return, shewing the undermentioned particulars respecting the Female Orphan Immigration:—
 - (1.) The total number of Orphan Girls that have arrived in the Colony, distinguishing those received in the Sydney and Port Phillip Districts.
 - (2.) The total cost of the above, distinguishing the expense prior to embarkation, the expense of passage, and expenses after leaving the ship.
 - (3.) The disposal of the girls, and the number now in barracks at the cost of the Colony, shewing how many of the latter have been in the barracks at a prior period.
 - (4.) The present daily expense of each now in barracks.
2. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return of the number of Newspapers sent through the Post Office in the Middle District, in the first six months of the years 1849 and 1850, respectively; the number of additional clerks, (if any), which it has been found necessary to employ in the Sydney Post Office department, since the 1st of January, 1850, in consequence of the additional labour imposed by the stamping and counting newspapers rendered necessary by the new postage system.
3. MR. NICHOLS to move for leave to bring in a Bill to prevent frauds by Carriers and Drivers in certain cases.
4. MR. NICHOLS to move for the appointment of a Select Committee, consisting of, with the Mover, Captain King, Mr. W. Macarthur, Mr. Donaldson, The Speaker, and Mr. Cooper, to enquire into and report upon the expediency of forming a settlement at Cape York, or its immediate neighbourhood.
5. MR. DONALDSON to move, That the Petition from John Moring, presented by him on the 12th instant, be printed.
6. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return of all instructions given to the Boundary Commissioners, and of any opinions of the Law Officers of the Crown accompanying or referred to in such instructions.
7. MR. WENTWORTH to move for leave to bring in a Bill to continue for five years, from the 31st December next, and from thence until the next Session of the Legislative Council, an Act, intituled, "*An Act to give a preferable lien on Wool from season to season, and to make Mortgages of Sheep, Cattle, and Horses valid without delivery to the Mortgagee, and to substitute, for a limited time, other provisions in lieu thereof.*"

ORDERS OF THE DAY:—

1. Resumption of the Debate on proposed Resolutions in reference to Colonial Appointments.
2. Masters' and Servants' Bill; second reading.
3. Cattle Protection Bill Reported; Adoption of the Report.
4. Games and Wagers' Bill; second reading.

WEDNESDAY, JULY 17.

NOTICE OF MOTION:—

Contingent.—Mr. Murray to move when the Estimates are under consideration, That the salary attached to the office of Speaker of this House be reduced to £250, and that of Chairman of Committees to £125 a year.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; second reading.
2. Estimates for 1850-51; to be further considered in Committee.
3. Corporate Towns' Justices Bill; third reading.
4. South Australian Offenders' Apprehension Bill Reported; Adoption of the Report.
5. Melbourne Private Streets' Bill Reported; Adoption of the Report.
6. Census Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Annuities Bill Reported; Adoption of the Report.

THURSDAY,

THURSDAY, JULY 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Female Children's Apprenticing Bill; first reading.
2. Melbourne Public Abattoirs' Bill; to be considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.
4. Sydney Corporation Bill; to be considered in Committee.
5. Tolls and Dues Leasing Bill; to be further considered in Committee.
6. Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill; third reading.
7. Consideration of Governor's Message, No. 21; with Hyde Park Bill.
8. Consideration of Governor's Message, No. 22; with Melbourne General Cemetery Bill.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 19.

NOTICES OF MOTION:—

1. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.
 The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.
2. MR. MARTIN to move for leave to bring in a Bill to reduce the Duties on Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.

ORDERS OF THE DAY:—

1. Art Unions' Bill; second reading.
2. Sale of Stolen Horses restriction Bill; second reading.
3. Registry Acts Amendment Bill; to be considered in Committee.

TUESDAY, JULY 23.

ORDER OF THE DAY:—

1. Sale of Poisons prevention Bill; to be considered in Committee.

FRIDAY, JULY 26.

ORDER OF THE DAY:—

1. Clergymen's disqualifying Bill; to be considered in Committee.

TUESDAY, JULY 30

ORDER OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.

TUESDAY, AUGUST 6.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.

CHARLES NICHOLSON,
Speaker.

76.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 16 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Isaac Aaron, Surgeon:—Mr. Darvall presented a Petition from Isaac Aaron, Surgeon, praying compensation for certain damages sustained by him on occasion of a recent riot in Sydney.
Petition received.
2. Lien on Wool and Mortgages on Stock Act:—Mr. Moor presented a Petition from certain Settlers, Merchants, and others, in the District of Port Phillip, praying that this Act may be continued, or another similar Act passed in the present Session.
Petition received.
3. Postage on Newspapers:—Mr. Onkes presented a Petition from certain Inhabitants of the Town and District of Parramatta, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
4. Colonial Appointments:—The Adjourned Debate on the motion of Mr. Nichols,—
That this House do “resolve” :—
 - (1.) That the appointment to all offices under the Government in this Colony should be vested absolutely in the Local Executive.
 - (2.) That no person should be appointed to any office under the Government of this Colony unless he were previously a *bona fide* settled inhabitant thereof.
 - (3.) That no recommendation from the authorities in the Mother Country should give any person a right to be appointed to any office under the Government in this Colony.
 - (4.) That the recent appointment of Mr. William Whaley Billyard to the office of Civil Crown Solicitor in pursuance of the directions of Her Majesty's Secretary of State for the Colonies,—there being at the time many persons highly competent to fill the said office and long previously settled inhabitants of the said Colony,—being in contravention of the principle embodied in the foregoing Resolutions, is a grievance of which this House has a right to complain.
 - (5.) That the foregoing Resolutions be embodied in an Address to Her Majesty, to be transmitted through His Excellency the Governor.
 Upon which Mr. Darvall had moved, as an amendment, That all the words following the word “resolve” be omitted, with a view to insert in their place the words :—
 - “ (1.) That it is just and expedient that the Governor for the time being should be entrusted with the unfettered patronage of all Government Appointments, and that in the exercise of such authority he should, as far as may be consistent with the due performance of the Public Service, fill up all vacancies from amongst the inhabitants of the Colony.”
 - “ (2.) That the system which has hitherto prevailed of disposing of Colonial appointments under the instruction or dictation of Her Majesty's Secretary of State for the Colonies, has been productive of injury to the public service and of unnecessary expenditure of the Revenue; and that its continuance is deprecated by the Colonists;—
“ First;—Because it leads to the creation of unnecessary offices, the appointment of incompetent persons, and the payment of excessive salaries.”
 - “ Secondly;—Because the irresponsibility of persons so appointed and of those by whom they are selected, induces a feeling of indifference in the discharge of their public duty on the part of those who are so employed, and a justifiable want of confidence in those whose money is so expended.”
 - “ Thirdly;—Because it leads to the neglect and disappointment of deserving and well qualified Colonial candidates for Government employment.”
 - “ Fourthly;—Because it prevents the introduction of a proper system of promotion based on merit and length of service.”
 - “ Fifthly;—Because it discourages education and a proper feeling of self respect and ambition amongst the youth of the Colony.”
 - “ And lastly;—Because it deprives the Colonial Government of a legitimate means of sustaining its authority, while it is at the same time improperly relieved from due responsibility.”
 “ (3.) That the foregoing Resolutions be embodied in an Address to Her Majesty, to be transmitted by His Excellency the Governor”;—
—Resumed :—
Proposed Amendment by leave withdrawn.
Question stated—That this House do “resolve,” :—
 - (1.) That the appointment to all offices under the Government in this Colony should be vested absolutely in the Local Executive.

(2.) That no person should be appointed to any office under the Government of this Colony unless he were previously a *bona fide* settled inhabitant thereof.

(3.) That no recommendation from the authorities in the Mother Country should give any person a right to be appointed to any office under the Government in this Colony.

(4.) That the recent appointment of Mr. William Whaley Billyard to the office of Civil Crown Solicitor in pursuance of the directions of Her Majesty's Secretary of State for the Colonies,—there being at the time many persons highly competent to fill the said office and long previously settled inhabitants of the said Colony,—being in contravention of the principle embodied in the foregoing Resolutions, is a grievance of which this House has a right to complain.

(5.) That the foregoing Resolutions be embodied in an Address to Her Majesty, to be transmitted through His Excellency the Governor.

Mr. Donaldson moved, as an amendment, That all the words following the word "resolve" be omitted with a view to insert in their place the words,—

"First;—That this Council, having had under its consideration the subject of Colonial Patronage, is of opinion that the reserving to the Secretary of State for the Colonies the gift of appointments to public offices in New South Wales is inexpedient, and that from the advanced state of society in this Colony this patronage should be absolutely vested in the Local Executive."

"Second;—That in the opinion of this Council the adoption of such a principle would be productive of the best results;—by creating a proper responsibility with greater efficiency and economy throughout the public service;—by doing away with a fertile source of dissatisfaction and complaint;—by opening a field for honorable ambition;—and by strengthening those feelings of loyalty which attach the Colony to the Parent State."

"Third;—That the foregoing Resolutions be embodied in an Address to Her Majesty, to be transmitted by His Excellency the Governor."

Debate continued:—

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

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

Question,—That this House do resolve—

"First;—That this Council, having had under its consideration the subject of Colonial Patronage, is of opinion that the reserving to the Secretary of State for the Colonies the gift of appointments to public offices in New South Wales is inexpedient, and that from the advanced state of society in this Colony this patronage should be absolutely vested in the Local Executive."

"Second;—That in the opinion of this Council the adoption of such a principle would be productive of the best results;—by creating a proper responsibility with greater efficiency and economy throughout the Public Service;—by doing away with a fertile source of dissatisfaction and complaint;—by opening a field for honorable ambition;—and by strengthening those feelings of loyalty which attach the Colony to the Parent State."

"Third;—That the foregoing Resolutions be embodied in an Address to Her Majesty, to be transmitted by His Excellency the Governor"—put and passed.

Address to be presented by the Speaker and the Attorney General.

5. Female Orphan Immigration:—Mr. Oakes moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return, shewing the undermentioned particulars respecting the Female Orphan Immigration:—

(1.) The total number of Orphan Girls that have arrived in the Colony, distinguishing those received in the Sydney and Port Phillip Districts.

(2.) The total cost of the above, distinguishing the expense prior to embarkation, the expense of passage, and expenses after leaving the ship.

(3.) The disposal of the girls, and the number now in barracks at the cost of the Colony, shewing how many of the latter have been in the barracks at a prior period.

(4.) The present daily expense of each now in barracks.

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

6. Postage on Newspapers:—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return of the number of Newspapers sent through the Post Office in the Middle District in the first six months of the years 1840 and 1850, respectively; the number of additional clerks, (if any), which it has been found necessary to employ in the Sydney Post Office department since the 1st of January, 1850, in consequence of the additional labour imposed by the stamping and counting newspapers rendered necessary by the new postage system. Question put and passed; Address to be presented by the Speaker.

7. Carriers' and Drivers' Bill:—Mr. Nichols moved, pursuant to Notice, for leave to bring in a Bill to prevent frauds by Carriers and Drivers in certain cases.

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

8. Postponement:—Mr. Nichols postponed the motion standing in his name fourth on the Notice Paper for to-day, until Friday next.

9. John Moring:—Mr. Donaldson moved, pursuant to notice, That the Petition from John Moring, presented by him on the 12th instant, be printed.

Debate ensued.

Motion by leave withdrawn.

- 49.
10. **Boundary Commissioners:**—Mr. Wentworth moved, pursuant to amended Notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return of all instructions given to the Boundary Commissioners, and of any opinions of the Law Officers of the Crown accompanying or referred to in such instructions, together with all correspondence which has taken place with reference to the duties of the said Boundary Commissioners between the Government and the Surveyor General.
Debate ensued.
Question put and passed; Address to be presented by the Speaker and the Colonial Secretary.
 11. **Carriers' and Drivers' Bill:**—Mr. Nichols having presented this Bill, intituled, "*A Bill to prevent frauds by Carriers and Drivers in certain cases,*" read a first time; ordered to be printed, and read a second time on Tuesday next.
 12. **Lien on Wool and Mortgages on Stock Bill:**—Mr. Wentworth moved, pursuant to notice, for leave to bring in a Bill to continue for five years, from the 31st December next, and from thence until the next Session of the Legislative Council, an Act, intituled, "*An Act to give a preferable lien on Wool from season to season, and to make Mortgages of Sheep, Cattle, and Horses valid without delivery to the Mortgagee, and to substitute, for a limited time, other provisions in lieu thereof.*"
Question put and passed;—*Ordered,* That the Mover and Seconder prepare and bring in the Bill.
 13. **Postponement:**—The second reading of the Masters and Servants Bill postponed, on motion of Mr. Murray, until Friday next.
 14. **Cattle protection Bill Reported:**—Mr. Murray moved, "That" the Report of this Bill from the Committee of the whole Council be now adopted.
Mr. Nichols moved as an amendment, That all the words following "That" be omitted with a view to insert in their place the words "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill."
Question,—That the words proposed to be omitted stand part of the Question—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill—put and passed.
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council ordered that the adoption of the Report stand an Order of the Day for Friday next.
 15. **Games and Wagers Bill** having been read a second time, on motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Friday next.
Council adjourned at Seven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JULY 17.

NOTICE OF MOTION:—

Contingent.—Mr. Murray to move when the Estimates are under consideration, That the salary attached to the office of Speaker of this House be reduced to £250, and that of Chairman of Committees to £125 a year.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; second reading.
2. Estimates for 1850-51; to be further considered in Committee.
3. Corporate Towns' Justices Bill; third reading.
4. South Australian Offenders' Apprehension Bill Reported; Adoption of the Report.
5. Melbourne Private Streets' Bill Reported; Adoption of the Report.
6. Census Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Annuities Bill Reported; Adoption of the Report.

THURSDAY,

THURSDAY, JULY 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Female Children's Apprenticing Bill; first reading.
2. Melbourne Public Abattoirs' Bill; to be considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.
4. Sydney Corporation Bill; to be considered in Committee.
5. Tolls and Dues Leasing Bill; to be further considered in Committee.
6. Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill; third reading.
7. Consideration of Governor's Message, No. 21; with Hyde Park Bill.
8. Consideration of Governor's Message, No. 22; with Melbourne General Cemetery Bill.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 19.

NOTICES OF MOTION:—

1. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.

The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.

2. MR. MARTIN to move for leave to bring in a Bill to reduce the Duties on Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.
3. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a Return shewing the Amount collected in each year on account of Inward and Outward Pilotage for the Harbour of Port Jackson and how the same has been appropriated to the several Pilots; the amount received for distance money and how appropriated; the amount of fines and stoppages from Pilots and Harbour Masters for neglect of duty or otherwise and how the same has been appropriated; the amount of fees received on account of removal of Vessels in the Harbour of Port Jackson, as authorised by Schedule C of the Act of Council, 3rd William 4th, No. 6; These Returns to cover a period of five years previous to the 30th of June, 1850.
4. MR. NICHOLS to move for the appointment of a Select Committee, consisting of, with the Mover, Captain King, Mr. W. Macarthur, Mr. Donaldson, The Speaker, and Mr. Cooper, to enquire into and report upon the expediency of forming a settlement at Cape York, or its immediate neighbourhood.
5. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Communication by way of Correspondence between the Government and their Honors the Judges, within the last six months, on the subject of John Moring's Case—together with the notes taken at the trial by the Judge who tried the Case.

ORDERS OF THE DAY:—

1. Art Unions' Bill; second reading.
2. Sale of Stolen Horses restriction Bill; second reading.
3. Registry Acts Amendment Bill; to be considered in Committee.
4. Masters' and Servants' Bill; second reading.
5. Cattle Protection Bill Reported (2^o); Adoption of the Report.
6. Games and Wagers' Bill Reported; Adoption of the Report.

TUESDAY, JULY 23.

ORDERS OF THE DAY:—

1. Sale of Poisons prevention Bill; to be considered in Committee.
2. Carriers' and Drivers' Bill; second reading.

FRIDAY.

FRIDAY, JULY 26.

ORDER OF THE DAY:—

1. Clergymen's disqualifying Bill; to be considered in Committee.

TUESDAY, JULY 30

ORDER OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.

TUESDAY, AUGUST 6.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 17 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
James Mitchell, Surgeon:—Mr. Donaldson presented a Petition from James Mitchell, Surgeon and Landowner, praying the Council to secure to him and his Lessees the site of a Tramway line from his Coal-field to the wharf at Newcastle—a distance of about two miles—on condition of compensation being made should private property be interfered with.
Petition received.
2. Postage on Newspapers:—Mr. Nichols presented a Petition from certain Inhabitants of the Districts of Drayton, Warwick, and Tenterfield, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
3. Statistics:—The Colonial Secretary laid upon the Table the usual Annual Statistical Returns.
Ordered to be printed.
4. Sewerage Bill, on motion of the Colonial Secretary, read a second time; to be considered in Committee to-morrow week.
5. Finance 1850-51:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
The Chairman reported progress, and obtained leave to sit again to-morrow, with the understanding that the consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51, take precedence of all other business.
6. Corporate Towns' Justices Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—
“ A Bill to extend to the Town of Geelong, and all such other Towns as may from time to time be incorporated, the provisions of certain Acts relating to the jurisdiction of the Peace within the respective Cities of Sydney and Melbourne, and to certain other matters therein mentioned.”
Question put and passed.
7. Postponement:—The adoption of the Report of the South Australian Offenders' Apprehension Bill postponed, on motion of the Colonial Secretary, until to-morrow.
8. Melbourne Private Streets' Bill Reported:—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of the Colonial Secretary, *Ordered*, That the Bill, as so reported, be engrossed, and read a third time this day week.
9. Postponements:—
(1.) The consideration in Committee of the Census Bill postponed, on motion of the Colonial Secretary, until to-morrow.
(2.) The adoption of the Report of the Annuities Bill postponed, on motion of the Attorney General, until Tuesday next.
Council adjourned at half-past Five o'clock, until to-morrow, at Three o'clock.

84.

2

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JULY 18.

NOTICE OF MOTION:—

Contingent.—Mr. Murray to move when the Estimates are under consideration, That the salary attached to the office of Speaker of this House be reduced to £250, and that of Chairman of Committees to £125 a year.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Estimates for 1850-51; to be further considered in Committee.
2. Female Children's Apprenticing Bill; first reading.
3. Melbourne Public Abattoirs' Bill; to be considered in Committee.
4. Slaughter House Laws extension Bill; to be considered in Committee.
5. Sydney Corporation Bill; to be considered in Committee.
6. Tolls and Dues Leasing Bill; to be further considered in Committee.
7. Section 70 of Sydney, Melbourne, and Geelong Incorporation Acts Suspension Bill; third reading.
8. Consideration of Governor's Message, No. 21; with Hyde Park Bill.
9. Consideration of Governor's Message, No. 22; with Melbourne General Cemetery Bill.
10. South Australian Offenders' Apprehension Bill Reported; Adoption of the Report.
11. Census Bill; to be considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 19.

NOTICES OF MOTION:—

1. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq.; The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.
2. MR. MARTIN to move for leave to bring in a Bill to reduce the Duties on Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.
3. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a Return shewing the Amount collected in each year on account of Inward and Outward Pilotage for the Harbour of Port Jackson and how the same has been appropriated to the several Pilots; the amount received for distance money and how appropriated; the amount of fines and stoppages from Pilots and Harbour Masters for neglect of duty or otherwise and how the same has been appropriated; the amount of fees received on account of removal of Vessels in the Harbour of Port Jackson, as authorised by Schedule C of the Act of Council, 3rd William 4th, No. 6; These Returns to cover a period of five years previous to the 30th of June, 1850.
4. MR. NICHOLS to move for the appointment of a Select Committee, consisting of, with the Mover, Captain King, Mr. W. Macarthur, Mr. Donaldson, The Speaker, and Mr. Cooper, to enquire into and report upon the expediency of forming a settlement at Cape York, or its immediate neighbourhood.
5. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Communication by way of Correspondence between the Government and their Honors the Judges, within the last six months, on the subject of John Moring's Case—together with the notes taken at the trial by the Judge who tried the Case.

ORDERS OF THE DAY:—

1. Art Unions' Bill; second reading.
2. Sale of Stolen Horses restriction Bill; second reading.
3. Registry Acts Amendment Bill; to be considered in Committee.
4. Masters' and Servants' Bill; second reading.
5. Cattle Protection Bill Reported (2^d); Adoption of the Report.
6. Games and Wagers' Bill Reported; Adoption of the Report.

TUESDAY,

TUESDAY, JULY 23.

NOTICE OF MOTION:—

1. Mr. NICHOLS to move, That this House do resolve:—
 - (1.) That it appears by a letter written by the Honorable the Colonial Secretary to Mr. Alderman Thurlow that His Excellency the Governor, under the advice of the Attorney General, directed that Mr. Thurlow should be superseded from the Commission of the Peace, "for having acted as a practising Attorney in a criminal case instituted in the Police Court in which he was in the habit of sitting in his Magisterial capacity."
 - (2.) That inasmuch as there is no law prohibiting Justices of the Peace acting as Attorneys in the Police Court in which they are in the habit of sitting, and no notice appears to have been given to Mr. Thurlow that by so acting as an Attorney he would be superseded from the Commission of the Peace, the issuing of the before mentioned Supersedeas was wholly unwarrantable, unconstitutional, and unjust.
 - (3.) That the foregoing Resolutions be embodied in an Address to be presented to His Excellency the Governor.

ORDERS OF THE DAY:—

1. Sale of Poisons prevention Bill; to be considered in Committee.
2. Carriers' and Drivers' Bill; second reading.
3. Annuities Bill Reported; Adoption of the Report.

WEDNESDAY, JULY 24.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Melbourne Private Streets' Bill; third reading.

THURSDAY, JULY 25.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Sewerage Bill; to be considered in Committee.

FRIDAY, JULY 26.

ORDER OF THE DAY:—

1. Clergymen's disqualifying Bill; to be considered in Committee.

TUESDAY, JULY 30.

ORDER OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.

TUESDAY, AUGUST 6.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.

CHARLES NICHOLSON,
Speaker.

84

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 18 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Richard King:—Mr. Donaldson presented a Petition from Richard King, praying compensation for losses occasioned to him by a line of Public Road having been carried through part of his lands at Jerry's Plains.
Petition received.
2. City Franchise:—Mr. Nichols presented a Petition from certain Inhabitants of the City of Sydney, praying the reduction of the City Franchise to ten pounds.
Petition received.
3. Lien on Wool and Mortgages on Stock Bill:—Mr. Wentworth having presented this Bill, Bill, intituled, "*A Bill to continue for five years from the thirty-first day of December next, and from thence until the end of the Session of the Legislative Council then next ensuing, an Act, intituled, 'An Act to give a preferable Lien on Wool from season to season, and to make Mortgages of Sheep, Cattle, and Horses valid without delivery to the Mortgagee, and to substitute for a limited time other provisions in lieu thereof,'*" read a first time; ordered to be printed, and read a second time this day week.
4. Postage on Newspapers:—Mr. Nichols presented a Petition from certain Inhabitants of the District of Liverpool, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
5. Sydney Police Office Clerks:—Mr. Nichols presented a Petition from the Clerks of the Sydney Police Office, praying compensation for certain reductions in their salaries.
Petition received.
6. Police of Picton:—Mr. Nichols presented a petition from certain Inhabitants of the Police District of Picton, praying increased Police protection.
Petition received.
7. Finance 1850-51:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
8. Female Children's Apprenticing Bill, having been read a first time, on motion of the Colonial Secretary,—
The Colonial Treasurer moved, That the Bill be referred to a Select Committee of five Members, to obtain proof of the allegations contained in the Preamble; and that the following, with the Mover, be the Members of the Committee, viz., The Attorney General, Captain King, Mr. James Macarthur, and Mr. Nichols.
Question put and passed.
9. Melbourne Public Abattoirs Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
10. Postponements:—
(1.) The consideration in Committee of the Slaughter House Laws extension Bill postponed, on motion of the Colonial Secretary, until this day week.
(2.) The consideration in Committee of the Sydney Corporation Bill postponed, on motion of the Colonial Secretary, until this day week.
11. Tolls and Dues Leasing Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with Amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Wednesday next.
12. Section of 70 of Sydney, Melbourne and Geelong Incorporation Acts Suspension Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved, That the following be the Title of the Bill, viz. "*An Act to suspend for one year so much of the Acts to incorporate the Inhabitants of the Cities of Sydney and Melbourne, and the Town of Geelong respectively, as relates to the estimating and levying a Rate for the Police of the same.*"
Question put and passed.

88.

- 13. Hyde Park Bill:—The Governor's Message No. 21, received with this Bill on the 12th instant, having been read on motion of the Colonial Secretary, The Colonial Secretary moved, that the Bill accompanying the Message be now read a first time. Debate ensued.
Question put and passed; and Bill, intituled, "A Bill to authorise the Surveyor General to enclose certain parts of the public Road running through Hyde Park, in the City of Sydney, known as a continuation of Macquarie-street, and to authorise the same to be included within the enclosures of the Domain, known as Hyde Park," read a first time, to be read a second time this day week.
- 14. Melbourne General Cemetery Bill:—The Governor's Message No. 22, received with this Bill on the 12th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, "A Bill for the establishment and regulation by Trustees of a General Cemetery near the City of Melbourne," read a first time; to be read a second time this day week.
- 15. Postponement:—The adoption of the Report of the South Australian Offenders Apprehension Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
- 16. Census Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill. The Chairman reported progress, and obtained leave to sit again this day week.
- 17. Postponement:—The second reading of the Cattle Slaughtering Laws Bill postponed, on motion of Mr. Martin, until this day week.
Council adjourned at Eight o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JULY 19.

NOTICES OF MOTION:—

- 1. MR. DONALDSON to move, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
 - (1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
 - (2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprize.
 - (3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
 - (4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.
 The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.
- 2. MR. MARTIN to move for leave to bring in a Bill to reduce the Duties on Spirits distilled in the Colony of New South Wales from grapes and grain of Colonial growth.
- 3. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a Return shewing the Amount collected in each year on account of Inward and Outward Pilotage for the Harbour of Port Jackson and how the same has been appropriated to the several Pilots; the amount received for distance money and how appropriated; the amount of fines and stoppages from Pilots and Harbour Masters for neglect of duty or otherwise and how the same has been appropriated; the amount of fees received on account of removal of Vessels in the Harbour of Port Jackson, as authorised by Schedule C of the Act of Council, 3rd William 4th, No. 6; These Returns to cover a period of five years previous to the 30th of June, 1850.
- 4. MR. NICHOLS to move for the appointment of a Select Committee, consisting of, with the Mover, Captain King, Mr. W. Macarthur, Mr. Donaldson, The Speaker, and Mr. Cooper, to enquire into and report upon the expediency of forming a settlement at Cape York, or its immediate neighbourhood.
- 5. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Communication by way of Correspondence between the Government and their Honors the Judges, within the last six months, on the subject of John Moring's Case—together with the notes taken at the trial by the Judge who tried the Case.
- 6. MR. NICHOLS to move, That the petition presented by him from the Clerks of the Sydney Police Office, and the petition from the Inhabitants of Picton, be referred to the Police Committee.

NOTICES

ORDERS OF THE DAY:—

1. Art Unions' Bill; second reading.
2. Sale of Stolen Horses restriction Bill; second reading.
3. Registry Acts Amendment Bill; to be considered in Committee.
4. Masters' and Servants' Bill; second reading.
5. Cattle Protection Bill Reported (2^d); Adoption of the Report.
6. Games and Wagers' Bill Reported; Adoption of the Report.

TUESDAY, JULY 23.

NOTICE OF MOTION:—

1. Mr. NICHOLS to move, That this House do resolve:—
 - (1.) That it appears by a letter written by the Honorable the Colonial Secretary to Mr. Alderman Thurlow that His Excellency the Governor, under the advice of the Attorney General, directed that Mr. Thurlow should be superseded from the Commission of the Peace, "for having acted as a practising Attorney in a criminal case instituted in the Police Court in which he was in the habit of sitting in his Magisterial capacity."
 - (2.) That inasmuch as there is no law prohibiting Justices of the Peace acting as Attorneys in the Police Court in which they are in the habit of sitting, and no notice appears to have been given to Mr. Thurlow that by so acting as an Attorney he would be superseded from the Commission of the Peace, the issuing of the before mentioned Supersedeas was wholly unwarrantable, unconstitutional, and unjust.
 - (3.) That the foregoing Resolutions be embodied in an Address to be presented to His Excellency the Governor.

ORDERS OF THE DAY:—

1. Sale of Poisons prevention Bill; to be considered in Committee.
2. Carriers' and Drivers' Bill; second reading.
3. Annuities Bill Reported; Adoption of the Report.

WEDNESDAY, JULY 24.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne Private Streets' Bill; third reading.
2. Estimates for 1850-51; to be further considered in Committee.
3. Tolls and Dues Leasing Bill Reported; Adoption of the Report.
4. South Australian Offenders' Apprehension Bill Reported; Adoption of the Report.

THURSDAY, JULY 25.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; to be considered in Committee.
2. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.
4. Sydney Corporation Bill; to be considered in Committee.
5. Hyde Park Bill; second reading.
6. Melbourne General Cemetery Bill; second reading.
7. Census Bill; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 26.

NOTICES OF MOTION:—

1. Mr. DONALDSON to move, That the Standing Orders in reference to Private Bills be suspended in order to his moving for leave to bring in a Bill to authorise the construction of a Tram or Railway, to connect the Tramroad at Burwood with the Wharf at Newcastle, in the County of Northumberland, in the Colony of New South Wales.
2. Mr. DONALDSON to move for leave to bring in a Bill to authorise the construction of a Tram or Railway, to connect the Tramroad at Burwood with the Wharf at Newcastle, in the county of Northumberland, in the Colony of New South Wales.
3. Mr. Nichols to move for leave to bring in a Bill to abolish Postage on posted Newspapers.

ORDER OF THE DAY:—

1. Clergymen's disqualifying Bill; to be considered in Committee.

TUESDAY, JULY 30.

ORDER OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.

TUESDAY, AUGUST 6.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.

CHARLES NICHOLSON,
Speaker.

90.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 19 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
National Education:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Report of the Board of National Education, for the year 1849.
Ordered to be printed.
2. Railways:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table certain Correspondence of the Government with the Directors of the Railway Company.
Ordered to be printed.
3. Police of Orange:—Mr. Darvall presented a petition from certain Magistrates, Land and Stockholders, and Inhabitants of the District of Orange, praying increased Police protection.
Petition received.
4. Postage on Newspapers:—Mr. Darvall presented a Petition from certain Inhabitants of the District of Bathurst, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
5. Catarrh in Sheep:—Mr. Moor presented a Petition from certain Stockowners in the District of Port Phillip, praying the Council to pass an Act in reference to Catarrh in Sheep, founded on the Report of the Select Committee of last Session.
Petition received.
6. Lien on Wool and Mortgages on Stock Act:—Mr. Moor presented a Petition from certain Settlers, Merchants, and others, in the District of Port Phillip, praying the Council to continue the Lien on Wool Act, or pass another similar Act in the present Session.
Petition received.
7. Steam Communication with Europe:—Mr. Donaldson moved, pursuant to notice, That a Select Committee, consisting, with the Mover, of seven Members, be appointed to inquire into and report upon the probability or otherwise of this Colony obtaining the advantages of Steam Communication with Europe, by way of Singapore, by any arrangements to be made by the Home Government:—And that it be an instruction to that Committee to inquire into and report upon,—
(1.) The expediency of withdrawing the vote of £6,000 a year which has now for four years been held at the disposal of the Home Government for this purpose without effect.
(2.) The propriety of appropriating £6,000 a year out of the General Revenue of this Colony, as a bonus to any person or body of persons who will accomplish this great object by private enterprise.
(3.) The expediency of appropriating all the postages directly derived from this mode of communication with India and Europe to the same object in the same way.
(4.) The modifications necessary in the present Postage Law of New South Wales for this purpose.
The Committee to consist of Captain P. P. King, R.N., Commander John Lamb, R.N., James Macarthur, Esq., The Speaker, The Colonial Secretary, and William Charles Wentworth, Esq.
Debate ensued.
Question put and passed.
8. Motion withdrawn:—Mr. Martin, withdrew the motion standing in his name second on the Notice Paper for to-day.
9. Inward and Outward Pilotage:—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House a Return shewing the Amount collected in each year on account of Inward and Outward Pilotage for the Harbour of Port Jackson and how the same has been appropriated to the several Pilots; the amount received for distance money and how appropriated; the amount of fines and stoppages from Pilots and Harbour Masters for neglect of duty or otherwise and how the same has been appropriated; the amount of fees received on account of removal of Vessels in the Harbour of Port Jackson, as authorised by Schedule C of the Act of Council, 3rd William 4th, No. 6; These Returns to cover a period of five years previous to the 30th of June, 1850.
Question put and passed; Address to be presented by the Speaker.

10. Cape York :—Mr. Nichols moved, pursuant to notice, for the appointment of a Select Committee, consisting of, with the Mover, Captain King, Mr. W. Macarthur, Mr. Donaldson, The Speaker, and Mr. Cooper, to inquire into and report upon the expediency of forming a settlement at Cape York, or its immediate neighbourhood. Question put and passed.
11. John Moring :—Mr. Donaldson moved; pursuant to *amended* notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of any Communication by way of Correspondence between the Government and their Honors the Judges, within the last six months, on the subject of John Moring's Case. Question put and passed; Address to be presented by the Colonial Secretary.
12. Petitions referred to Police Committee :—Mr. Nichols moved, pursuant to notice, That the petition presented by him from the Clerks of the Sydney Police Office, and the petition from the Inhabitants of Picton, be referred to the Police Committee. Question put and passed.
13. Art Unions Bill, on motion of Mr. Nichols, read a second time.
14. Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Benevolent Society's Bill.

CH^s. A. FITZ ROY,

Message No. 23.

Governor.

In accordance with the provisions of the Act for the Government of New South Wales 5 and 6 Victoria cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill "to enable the Trustees of the Benevolent Society to sell and dispose of certain lands and to apply the proceeds in aid towards the erection of additional buildings."

Government House, Sydney,

19th July, 1850.

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

(2.) Perfumed Spirits Duties' Bill.

CH^s. A. FITZ ROY,

Message No. 24.

Governor.

Agreeably to the provisions of the 30th Clause of the Act for the Government of New South Wales and Van Diemen's Land the Governor has to propose the following amendment in the Act which has been passed by the Council and presented to His Excellency for the Royal Assent intituled, "An Act to regulate the amount of Import Duty to be paid upon Perfumed Spirits."

2. The amendment which His Excellency proposes is that a Clause be added to the Bill by way of Rider in the form annexed,* in order to prevent the evasions of the Law by perfuming spirits which should properly pay duty.

Government House, Sydney,

19th July, 1850.

* "Provided nevertheless, that the Act shall be deemed and construed to apply only to such Spirits as are usually known as Perfumery, made up and labelled as such, contained in flasks or bottles of not more than a pint each; and if any question shall arise whether any Spirits claimed to be introduced under the advantages established by this Act be of the description hereby defined, the same shall be determined by the Collector or other Chief Officer of Customs at the Port where such Spirits shall be entered for Home consumption."

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

15. Art Unions' Bill :—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill. The Chairman having reported the Bill with amendments, the Council ordered that the adoption of the Report stand an Order of the Day for Tuesday next.
16. Sale of Stolen Horses restriction Bill, having been read a second time, on motion of Dr. Dickson, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof. The Chairman reported progress, and obtained leave to sit again this day six months.
17. Assent to Bills :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the following Bills :—
- (1.) British Stamps' Bill.
 - (2.) Juvenile Offenders' Punishment Bill.
 - (3.) Melbourne Hackney Carriage Bill.
 - (4.) Malt Liqueurs' Bill.
18. Registry Acts Amendment Bill :—On motion of Mr. Moor, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill. The Chairman having reported the Bill with an Amendment, the Council ordered the adoption of the Report to stand an Order of the Day for Friday next.
19. Masters and Servants' Bill :—Mr. Murray moved, That this Bill be now read a second time. Debate ensued. Question put and passed; Bill read a second time; to be considered in Committee on Tuesday next.

20. Cattle Protection Bill Reported (2^o). Mr. Murray moved, "That" the Report of this Bill from the Committee of the whole Council be now adopted.
Mr. Nichols moved as an amendment, That all the words following "That" be omitted, with a view to the insertion in their place of the words "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill."
Question,—That the words proposed to be omitted stand part of the Question—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill,—put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next.
21. Games and Wagers Bill Reported:—On motion of Mr. Nichols the Report of this Bill from the Committee of the whole Council adopted, and Bill, as so reported, ordered to be engrossed, and read a third time on Tuesday next.
Council adjourned at half-past Six o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JULY 23.

NOTICES OF MOTION :—

1. MR. NICHOLS to move, That this House do resolve :—
 - (1.) That it appears by a letter written by the Honorable the Colonial Secretary to Mr. Alderman Thurlow that His Excellency the Governor, under the advice of the Attorney General, directed that Mr. Thurlow should be superseded from the Commission of the Peace, "for having acted as a practising Attorney in a criminal case instituted in the Police Court in which he was in the habit of sitting in his Magisterial capacity."
 - (2.) That inasmuch as there is no law prohibiting Justices of the Peace acting as Attorneys in the Police Court in which they are in the habit of sitting, and no notice appears to have been given to Mr. Thurlow that by so acting as an Attorney he would be superseded from the Commission of the Peace, the issuing of the before mentioned Supersedeas was wholly unwarrantable, unconstitutional, and unjust.
 - (3.) That the foregoing Resolutions be embodied in an Address to be presented to His Excellency the Governor.
2. MR. DARVALL to move, That the Petition from the District of Orange, presented by him on the 19th instant, be referred to the Police Committee.

ORDERS OF THE DAY :—

1. Sale of Poisons prevention Bill; to be considered in Committee.
2. Carriers' and Drivers' Bill; second reading.
3. Annuities Bill Reported; Adoption of the Report.
4. Art Unions' Bill Reported; Adoption of the Report.
5. Masters' and Servants' Bill; to be considered in Committee.
6. Cattle Protection Bill Reported (3^o); Adoption of the Report.
7. Games and Wagers' Bill; third reading.

WEDNESDAY, JULY 24.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Melbourne Private Streets' Bill; third reading.
2. Estimates for 1850-51; to be further considered in Committee.
3. Tolls and Dues Leasing Bill Reported; Adoption of the Report.
4. South Australian Offenders' Apprehension Bill Reported; Adoption of the Report.
5. Consideration of Governor's Message No. 23, with Benevolent Society's Bill.

THURSDAY,

THURSDAY, JULY 25.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; to be considered in Committee.
2. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.
4. Sydney Corporation Bill; to be considered in Committee.
5. Hyde Park Bill; second reading.
6. Melbourne General Cemetery Bill; second reading.
7. Census Bill; to be further considered in Committee.
8. Consideration of Governor's Message No. 24, proposing an amendment in the Perfumed Spirits Duties Bill.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 26.

NOTICES OF MOTION:—

1. MR. DONALDSON to move, That the Standing Orders in reference to Private Bills be suspended in order to his moving for leave to bring in a Bill to authorise the construction of a Tram or Railway, to connect the Tramroad at Burwood with the Wharf at Newcastle, in the County of Northumberland, in the Colony of New South Wales.
2. MR. DONALDSON to move for leave to bring in a Bill to authorise the construction of a Tram or Railway, to connect the Tramroad at Burwood with the Wharf at Newcastle, in the county of Northumberland, in the Colony of New South Wales.
3. Mr. Nichols to move for leave to bring in a Bill to abolish Postage on posted Newspapers.

ORDERS OF THE DAY:—

1. Clergymen's disqualifying Bill; to be considered in Committee.
2. Registry Acts Amendment Bill Reported; Adoption of the Report.

TUESDAY, JULY 30.

ORDER OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.

TUESDAY, AUGUST 6.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.

CHARLES NICHOLSON,
Speaker.

93

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 23 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Disputed Elections:—The Colonial Treasurer, by command of His Excellency the Governor, laid upon the Table, under the 47th section of the Act of Council 6 Victoria, No. 16, the copy of a Petition from upwards of one-tenth of the entire number of the Electors who voted, or were qualified to have voted, at the last Election of Members to serve in the Legislative Council for the Electoral District of Port Phillip, against the return of Charles Hotson Ebdon and William Drummond Mércer, Esquires, as Members of the said Council for the said Electoral District.
The Colonial Treasurer then informed the Council that the original Petition had been referred to the proper Court duly constituted under the 36th section of the said Act.
2. James Cooper:—Mr. Nichols presented a Petition from James Cooper, of Engehurst, Glenmore Road, near the City of Sydney, praying, in the event of the Council passing the Hyde Park Bill, compensation for certain injuries his property will thereby sustain.
Petition received.
3. James Calwell:—Mr. Nichols presented a Petition from James Calwell, late Clerk at Her Majesty's Gaol at Darlinghurst, praying redress for dismissal from office.
Petition received.
4. Postponement:—Mr. Nichols postponed the motion standing in his name, first on the Notice Paper for to-day, until Friday next.
5. Police of Orange:—Mr. Nichols, in absence of Mr. Darvall, moved, pursuant to notice standing in the name of Mr. Darvall; That the Petition from the District of Orange, presented by him on the 19th instant, be referred to the Police Committee.
Question put and passed.
6. Postponement:—The consideration in Committee of the Sale of Poisons prevention Bill postponed, on motion of Mr. Moor, in absence of Dr. Dickson, until Friday next.
7. Carriers' and Drivers' Bill; having been read a second time, on motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill, with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Friday next.
8. Annuities Bill Reported:—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of the Attorney General, the Council ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.
9. Art-Unions Bill Reported:—Mr. Nichols moved, "That" the Report of this Bill from the Committee of the whole Council be now adopted.
The Attorney General moved, as an amendment, That all the words following the word "That" be omitted, with a view to the insertion in their place of the words "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of Clause II."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of Clause II,—put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Friday next.
10. Masters' and Servants' Bill:—On motion of Mr. Murray, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Friday next.
11. Cattle Protection Bill Reported (3^d):—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of Mr. Murray, the Council ordered the Bill, as so reported, to be engrossed, and read a third time on Tuesday next.
12. Games and Wagers' Bill, on motion of Mr. Nichols, read a third time, and passed.
Mr. Nichols then moved, That the following be the title of the Bill, viz.:—"An Act to amend the Law concerning Games and Wagers."
Question put and passed.
Council adjourned at a quarter after Six o'clock, until Thursday next at Three o'clock, on motion, of the Colonial Treasurer.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JULY 25.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; to be considered in Committee.
2. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.
4. Sydney Corporation Bill; to be considered in Committee.
5. Hyde Park Bill; second reading.
6. Melbourne General Cemetery Bill; second reading.
7. Census Bill; to be further considered in Committee.
8. Consideration of Governor's Message No. 24, proposing an amendment in the Perfumed Spirits Duties Bill.
9. Melbourne Private Streets' Bill; third reading.
10. Estimates for 1850-51; to be further considered in Committee.
11. Tolls and Dues Leasing Bill Reported; Adoption of the Report.
12. South Australian Offenders' Apprehension Bill Reported; Adoption of the Report.
13. Consideration of Governor's Message No. 23, with Benevolent Society's Bill.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, JULY 26.

NOTICES OF MOTION:—

1. MR. DONALDSON to move, That the Standing Orders in reference to Private Bills be suspended in order to his moving for leave to bring in a Bill to authorise the construction of a Tram or Railway, to connect the Tramroad at Burwood with the Wharf at Newcastle, in the County of Northumberland, in the Colony of New South Wales.
2. MR. DONALDSON to move for leave to bring in a Bill to authorise the construction of a Tram or Railway, to connect the Tramroad at Burwood with the Wharf at Newcastle, in the county of Northumberland, in the Colony of New South Wales.
3. Mr. Nichols to move for leave to bring in a Bill to abolish Postage on posted Newspapers.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that his Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Stock sold at the various Public Pounds within the Colony during the years 1848 and 1849; the amount realised for the same; the amount charged for impounding fees and other charges; the amount paid into the Treasury as the surplus arising from such sales; the amount received for publishing impounding sales in the *Government Gazette*; an account of the appropriation of any surplus monies paid into the Colonial Treasury on this account; and the amount, if any, remaining in the Treasury undisposed of.
5. MR. NICHOLS to move, That this House do resolve:—
 - (1.) That it appears by a letter written by the Honorable the Colonial Secretary to Mr. Alderman Thurlow that His Excellency the Governor, under the advice of the Attorney General, directed that Mr. Thurlow should be superseded from the Commission of the Peace, "for having acted as a practising Attorney in a criminal case instituted in the Police Court in which he was in the habit of sitting in his Magisterial capacity."
 - (2.) That inasmuch as there is no law prohibiting Justices of the Peace acting as Attorneys in the Police Court in which they are in the habit of sitting, and no notice appears to have been given to Mr. Thurlow that by so acting as an Attorney he would be superseded from the Commission of the Peace, the issuing of the before mentioned Supersedens was wholly unwarrantable, unconstitutional, and unjust.
 - (3.) That the foregoing Resolutions be embodied in an Address to be presented to His Excellency the Governor.

ORDERS OF THE DAY:—

1. Clergymen's disqualifying Bill; to be considered in Committee.
2. Registry Acts Amendment Bill Reported; Adoption of the Report.
3. Sale of Poisons prevention Bill; to be considered in Committee.
4. Carriers' and Drivers' Bill Reported; Adoption of the Report.
5. Annuities Bill; third reading.
6. Art Unions' Bill Reported (2^d); Adoption of the Report.
7. Masters' and Servants' Bill; to be further considered in Committee.

TUESDAY, JULY 30.

ORDERS OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.
2. Cattle Protection Bill; third reading.

TUESDAY, AUGUST 6.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 25 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Assessment on Stock:—The Colonial Treasurer, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject adopted on motion of Mr. Donaldson on the 12th instant—extended, by estimation, to the year 1851.
Ordered to be printed.
2. Denominational Schools, Port Phillip:—The Colonial Treasurer, by command of His Excellency the Governor, laid upon the Table a letter from His Honor the Superintendent of Port Phillip, covering the Report of the Denominational School Board in that District, together with a printed copy of the Rules and Regulations of the Board.
Ordered to be printed, without the Rules and Regulations.
3. Charles John Dennys:—Mr. Moor presented a Petition from Charles John Dennys, of Geelong, praying that exception be made, in the Slaughter House Laws' extension Bill, in favor of existing establishments, or compensation provided for their abolition.
Petition received.
4. Postponements:—On motion of the Colonial Treasurer the following Orders of the Day postponed, until Wednesday next;—
 - (1.) Consideration in Committee of the Sewerage Bill.
 - (2.) Further consideration in Committee of the Melbourne Public Abattoirs' Bill.
 - (3.) Consideration in Committee of the Slaughter House Laws' extension Bill.
5. Postponement:—On motion of the Colonial Treasurer, the consideration in Committee of the Sydney Corporation Bill postponed, until Thursday next.
6. Hyde Park Bill:—The Colonial Treasurer moved, "That" this Bill be now read a second time.
Debate ensued.
Mr. Wentworth moved, as an amendment, That all the words following the word "That" be omitted, with a view to the insertion in their place of the words "this Bill be referred to a Select Committee of not less than seven members (to be balloted for,) with instructions to consider and report upon the expediency of the measure."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That this Bill be referred to a Select Committee of not less than seven Members, (to be balloted for,) with instructions to consider and report upon the expediency of the measure,—put and passed;—
Whereupon the Council proceeded to the ballot, and the following Members were declared to have the greatest number of votes, and to be, with the Mover, the Committee duly appointed, viz.,—The Colonial Treasurer, The Colonial Secretary, Major General Wynyard, Mr. Cooper, Mr. Martin, Mr. Allen, and the Speaker.
7. Postponement:—The second reading of the Melbourne General Cemetery Bill postponed, on motion of the Colonial Treasurer, until this day fortnight.
8. Census Bill:—The Colonial Treasurer moved, That the further consideration of this Bill in Committee be postponed until Wednesday next.
Debate ensued.
Question put and passed.
9. Perfumed Spirits Duties Bill:—The Governor's Message No. 24, received on the 19th instant, proposing an amendment in this Bill, having been read, on motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported that the Committee had agreed to the amendment proposed by His Excellency the Governor,—
The Colonial Treasurer moved, That this Council do now adopt the amendment so agreed to.
Question put and passed.

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

Message from the Legislative Council to His Excellency the Governor, in answer to an Amendment proposed by His Excellency to be made in a Bill presented to His Excellency for Her Majesty's Assent, intituled, "An Act to regulate the amount of Import Duty to be paid upon Perfumed Spirits."

"Agreeably to the provisions of the 30th Clause of the Act for the Government of New South Wales, 5th and 6th Victoria, chap. 76, the Legislative Council have taken into consideration an amendment proposed to the Council to be made in the said Bill, by His Excellency the Governor, in his Message No. 24, of the 19th instant, and, having agreed to the same, beg to present the said Bill to His Excellency for Her Majesty's Assent, with the said amendment so agreed to.

Question put and passed.

10. Melbourne Private Streets Bill, on motion of the Colonial Treasurer, read a third time, and passed.
The Colonial Treasurer then moved That the following be the title of the Bill, viz., "An Act for regulating the formation, drainage, and repair of streets, courts, and alleys on private property within the City of Melbourne."
Question put and passed.
11. Postponement :—The further consideration in Committee of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51 postponed, on motion of the Colonial Treasurer, until Wednesday next.
12. Tolls and Dues Leasing Bill Reported :—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of the Colonial Treasurer, the Council ordered the Bill, as so reported, to be engrossed, and read a third time on Thursday next.
13. South Australian Offenders' Bill Reported :—The Colonial Treasurer moved, "That" the Report of this Bill from the Committee of the whole Council be now adopted.
The Attorney General moved, as an amendment, That all the words following the word "That" be omitted, with a view to the insertion in their place of the words "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill."
Question,—That the words proposed to be omitted, stand part of the question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of this Bill,—put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Wednesday next.
14. Postponement :—The consideration of the Governor's Message, No. 23, received with the Benevolent Society's Bill postponed, on motion of the Colonial Treasurer, until Wednesday next.
15. Lien on Wool and Mortgages on Stock Bill :—Mr. Wentworth 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. Wentworth, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill, with an amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Friday week.
16. British Authors' Bill :—Mr. Murray having, on behalf of the Select Committee appointed on the 9th instant, presented this Bill, intituled, "A Bill to amend the law relating to the protection in this Colony of Works entitled to Copyright in the United Kingdom," read a first time; ordered to be printed, and read a second time on Tuesday next.
17. Postponement :—The second reading of the Cattle Slaughtering Laws Bill postponed, on motion of Mr. Martin, until Wednesday next.
Council adjourned at Six o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JULY 26.

NOTICES OF MOTION:—

1. MR. DONALDSON to move, That the Standing Orders in reference to Private Bills be suspended in order to his moving for leave to bring in a Bill to authorise the construction of a Tram or Railway, to connect the Tramroad at Burwood with the Wharf at Newcastle, in the County of Northumberland, in the Colony of New South Wales.
2. MR. DONALDSON to move for leave to bring in a Bill to authorise the construction of a Tram or Railway, to connect the Tramroad at Burwood with the Wharf at Newcastle, in the county of Northumberland, in the Colony of New South Wales.
3. MR. NICHOLS to move for leave to bring in a Bill to abolish Postage on posted Newspapers.
4. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that his Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Stock sold at the various Public Pounds within the Colony during the years 1848 and 1849; the amount realised for the same; the amount charged for impounding fees and other charges; the amount paid into the Treasury as the surplus arising from such sales; the amount received for publishing impounding sales in the *Government Gazette*; an account of the appropriation of any surplus monies paid into the Colonial Treasury on this account; and the amount, if any, remaining in the Treasury undisposed of.
5. MR. NICHOLS to move, That this House do resolve:—
 - (1.) That it appears by a letter written by the Honorable the Colonial Secretary to Mr. Alderman Thurlow that His Excellency the Governor, under the advice of the Attorney General, directed that Mr. Thurlow should be superseded from the Commission of the Peace, "for having acted as a practising Attorney in a criminal case instituted in the Police Court in which he was in the habit of sitting in his Magisterial capacity."
 - (2.) That inasmuch as there is no law prohibiting Justices of the Peace acting as Attorneys in the Police Court in which they are in the habit of sitting, and no notice appears to have been given to Mr. Thurlow that by so acting as an Attorney he would be superseded from the Commission of the Peace, the issuing of the before mentioned Supersedeas was wholly unwarrantable, unconstitutional, and unjust.
 - (3.) That the foregoing Resolutions be embodied in an Address to be presented to His Excellency the Governor.
6. THE ATTORNEY GENERAL to move for leave to bring in a Bill "to adopt and apply certain Acts of Parliament passed for facilitating the performance of the duties of Justices of the Peace, and for protecting them from vexatious actions, and to prevent persons convicted of offences from taking undue advantage of mere defects or errors in form."

ORDERS OF THE DAY:—

1. Clergymen's disqualifying Bill; to be considered in Committee.
2. Registry Acts Amendment Bill Reported; Adoption of the Report.
3. Sale of Poisons prevention Bill; to be considered in Committee.
4. Carriers' and Drivers' Bill Reported; Adoption of the Report.
5. Annuities Bill; third reading.
6. Art Unions' Bill Reported (2^d); Adoption of the Report.
7. Masters' and Servants' Bill; to be further considered in Committee.

TUESDAY, JULY 30.

NOTICES OF MOTION:—

1. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that he will be pleased to cause to be laid upon the Table of this House a Return of all Sales of Crown Lands within the limits of the Corporation of the Town of Geelong, distinguishing Town Lots from Suburban.
2. DR. DICKSON to move for leave to bring in a Bill for regulating the formation, drainage, and repair of streets, courts, and alleys on private property within the Town of Geelong.

ORDERS OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.
2. Cattle Protection Bill; third reading.
3. British Authors' Bill; second reading.

WEDNESDAY, JULY 31.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; to be considered in Committee.
2. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.
4. Census Bill; to be further considered in Committee.
5. Estimates for 1850-51; to be further considered in Committee.
6. South Australian Offenders' Apprehension Bill Reported (2^d); Adoption of the Report.
7. Consideration of Governor's Message No. 23, with Benevolent Society's Bill.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

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THURSDAY, AUGUST 1.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sydney Corporation Bill; to be considered in Committee.
 2. Tolls and Dues Leasing Bill; third reading.
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FRIDAY, AUGUST 2.

ORDER OF THE DAY:—

1. Lion on Wool and Mortgages on Stock Bill; third reading.
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TUESDAY, AUGUST 6.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.
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THURSDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Melbourne General Cemetery Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 26 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Postage on Newspapers :—
(1.) Mr. Martin presented a Petition from certain Inhabitants of the District of Hartley, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
(2.) Mr. Wentworth presented a Petition from certain Inhabitants of the City of Sydney, with a similar prayer.
Petition received.
(3.) Mr. Nichols presented a Petition from certain Merchants, Bankers, and other Citizens of Sydney, with a similar prayer.
Petition received.
2. Auction Duty :—Mr. Donaldson presented a Petition from certain Bankers, Merchants, Graziers, and others, praying the repeal of so much of the Act of Council 11 Victoria, No. 16, as imposes a duty on Sales by Auction.
Petition received.
3. Mr. Alderman Thurlow :—Mr. Wentworth presented a petition from certain residents of the City of Sydney, praying the Council to take such steps, in reference to the Supersedeas against Mr. Alderman Thurlow, as to them shall seem expedient.
Petition received.
4. Hydro Park Bill :—Mr. Wentworth presented a Petition from certain owners of land in Macquarie-street, praying, in the event of the Council passing this Bill, that provision be made for compensating them for the injuries their properties will thereby sustain.
Petition received.
5. Mitchell's Tramway Bill :—
(1.) Mr. Donaldson moved, pursuant to notice, That the Standing Orders in reference to Private Bills be suspended in order to his moving for leave to bring in a Bill to authorise the construction of a Tram or Railway, to connect the Tramroad at Burwood with the Wharf at Newcastle, in the County of Northumberland, in the Colony of New South Wales.
Debate ensued.
Question put and passed.
(2.) Mr. Donaldson then moved, pursuant to amended notice, for leave to bring in a Bill to authorise the construction of a Tram or Railway, to connect the Tramroad at Burwood with the Public Wharf at Newcastle, in the county of Northumberland, in the Colony of New South Wales.
Question put and passed.
6. Postage on Newspapers :—Mr. Cooper presented a Petition from certain Inhabitants of the District of Gundagai, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
7. Newspapers Postage abolition Bill :—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill to abolish postage on printed newspapers.
Question put and passed ;— *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
8. Impounded Cattle Sales :—Mr. Nichols moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor, praying that his Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the number of Stock sold at the various Public Pounds within the Colony during the years 1848 and 1849; the amount realised for the same; the amount charged for impounding fees and other charges; the amount paid into the Treasury as the surplus arising from such sales; an account of the appropriation of any surplus monies paid into the Colonial Treasury on this account; the amount received for publishing impounding sales in the *Government Gazette*; and the amount, if any, remaining in the Treasury undisposed of.
Debate ensued.
Question put and passed; Address to be presented by the Speaker.
9. Postponement :—Mr. Nichols postponed the motion standing in his name fifth on the Notice Paper for to-day, until Tuesday next.

10. **Justices of the Peace Duties' Bill** :—The Attorney General moved, pursuant to notice, for leave to bring in a Bill "to adopt and apply certain Acts of Parliament passed for facilitating the performance of the duties of Justices of the Peace, and for protecting them from vexatious actions, and to prevent persons convicted of offences from taking undue advantage of mere defects or errors in form." Debate ensued.
Question put and passed;—*Ordered*, That the Attorney General and Mr. Nichols prepare and bring in the Bill.
11. **Newspapers' Postage abolition Bill** :—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill to abolish Postage on Printed Newspapers*," read a first time; ordered to be printed, and read a second time this day week.
12. **Postponement** :—The consideration in Committee of the Clergymen's disqualifying Bill postponed, on motion of Mr. Wentworth, until this day week.
13. **Registry Acts Amendment Bill Reported** :—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of Mr. Moor, the Council ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
14. **Sale of Poisons prevention Bill** :—Dr. Dickson moved, "That" the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for consideration of this Bill.
Debate ensued.
The Attorney General moved, as an amendment, That all the words following the word "That" be omitted, with a view to the insertion in their place of the words, "this Bill be committed this day fortnight."
Debate continued.
Proposed amendment by leave withdrawn.
Original question by leave withdrawn.
Bill, on motion of Dr. Dickson, discharged from the Paper.
15. **Carriers' and Drivers' Bill Reported** :—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of Mr. Nichols, the Council ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
16. **Annuities Bill** :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Attorney General, read a third time, and passed.
The Attorney General then moved, That the following be the title of the Bill, viz., "*An Act for the encouragement of persons desirous of providing for their support in old age, and for the protection under certain restrictions of their annuities and subscriptions for deferred annuities.*"
Question put and passed.
17. **Justices of the Peace Duties' Bill** :—The Attorney General having presented this Bill, Bill, intituled, "*A Bill to adopt and apply certain Acts of Parliament passed for facilitating the performance of the duties of Justices of the Peace, and for protecting them from vexatious actions, and to prevent persons convicted of offences from taking undue advantage of mere defects or errors in form,*" read a first time; ordered to be printed, and read a second time next Wednesday fortnight.
18. **Art. Unions' Bill Reported (2^o)** :—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of Mr. Nichols, the Council ordered That the Bill, as so reported, be engrossed, and read a third time on Friday next.
19. **Masters' and Servants' Bill** :—On motion of Mr. Murray, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
Council adjourned at a quarter after Seven o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JULY 30.

NOTICES OF MOTION :—

1. **DR. DICKSON** to move, That an Address be presented to His Excellency the Governor praying that he will be pleased to cause to be laid upon the Table of this House a Return of all Sales of Crown Lands within the limits of the Corporation of the Town of Geelong, distinguishing Town Lots from Suburban.
2. **DR. DICKSON** to move for leave to bring in a Bill for regulating the formation, drainage, and repair of streets, courts, and alleys on private property within the Town of Geelong.
3. **MR. DONALDSON** to move for leave to bring in a Bill to repeal so much of the 11 Vic. No. 16, as imposes a duty upon the auction sales of stock and Colonial produce, so as to exempt the same from the present charge of $\frac{1}{2}$ per cent.
4. **MR. WENTWORTH** to move, That the Petition in reference to the Hyde Park Bill, presented by him on the 26th instant, be referred to the Select Committee on that Bill.

- 5. THE ATTORNEY GENERAL to move for leave to bring in a Bill for the Confirmation of certain Marriages in the Colony of New South Wales.
- 6. MR. NICHOLS to move, That this House do resolve:—
 - (1.) That it appears by a letter written by the Honorable the Colonial Secretary to Mr. Alderman Thurlow that His Excellency the Governor, under the advice of the Attorney General, directed that Mr. Thurlow should be superseded from the Commission of the Peace, "for having acted as a practising Attorney in a criminal case instituted in the Police Court in which he was in the habit of sitting in his Magisterial capacity."
 - (2.) That inasmuch as there is no law prohibiting Justices of the Peace acting as Attorneys in the Police Court in which they are in the habit of sitting, and no notice appears to have been given to Mr. Thurlow that by so acting as an Attorney he would be superseded from the Commission of the Peace, the issuing of the before mentioned Supersedeas was wholly unwarrantable, unconstitutional, and unjust.
 - (3.) That the foregoing Resolutions be embodied in an Address to be presented to His Excellency the Governor.

ORDERS OF THE DAY:—

- 1. Port Phillip Church Temporalities Bill; second reading.
- 2. Cattle Protection Bill; third reading.
- 3. British Authors' Bill; second reading.
- 4. Masters' and Servants' Bill; to be further considered in Committee.

WEDNESDAY, JULY 31.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

- 1. Sewerage Bill; to be considered in Committee.
- 2. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
- 3. Slaughter House Laws extension Bill; to be considered in Committee.
- 4. Census Bill; to be further considered in Committee.
- 5. Estimates for 1850-51; to be further considered in Committee.
- 6. South Australian Offenders' Apprehension Bill Reported (2^d); Adoption of the Report.
- 7. Consideration of Governor's Message No. 23, with Benevolent Society's Bill.

OTHER BUSINESS—ORDER OF THE DAY:—

- 1. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY, AUGUST 1.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

- 1. Sydney Corporation Bill; to be considered in Committee.
- 2. Tolls and Dues Leasing Bill; third reading.

FRIDAY, AUGUST 2.

NOTICES OF MOTION:—

Contingent— Mr. Wentworth to move (after the passing of the Lien on Wool and Mortgages on Stock Bill), That this House do resolve:—

- (1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.
- (2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.
- (3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.
- (4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250.

104.

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,288,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an inter-dict to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 10th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to show the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. Mr. NICHOLS to move for leave to bring in a Bill to abolish the 'division' of the profession of the law in New South Wales.
2. Mr. DARVALL to move, That this House do resolve:—
 - (1.) That since the year 1836 the Land Fund, amounting to £1,170,000, has been expended, under the direction of Her Majesty's Government, in relieving Great Britain of a portion of her distressed population, in all 78,500 souls, comprehending 27,700 adult laborers.
 - (2.) That the same Revenue has been similarly charged with a debt of £100,000.
 - (3.) That although this expenditure has been beneficial in some respects, it has impoverished the Colonists, and exhausted their means of obtaining, at their own cost, the supply of labor which they most urgently require, while unmixed advantages have been derived from this outlay by Great Britain, by whom no part of the expense has been borne.
 - (4.) That during the greater portion of this period the Colonists were justly entitled to the administration of their own Land Fund; and that if such power had not been withheld from them, they might have procured an equal contribution towards the cost of Emigration from Her Majesty's Government, or the overpopulous parishes in England, Ireland, and Scotland.
 - (5.) That the unreasonable rate of wages which the scarcity of labor and the cheapness of living has induced, discourages the employment of capital, and paralyzes all pastoral and manufacturing enterprise.
 - (6.) That it is no part of the duty of the Colonists compulsorily to pay for the importation of paupers, nor to receive criminals gratuitously, and that the same principles of mutuality and good faith which have induced Her Majesty's Government to give compensation by way of free labour for the introduction of Exiles, entitle the Colonists to expect that the same amount of Imperial funds shall be expended in the introduction of free labour into New South Wales which has been disbursed for that purpose out of the Colonial Revenue.

(7.) That failing such act of justice, an exhausted land fund, heavy taxation, urgent want of labor, and excessive wages, will press heavily on the Colonists, and will force upon them the bitter reflection that their loyalty and submission is to be requited by neglect.

(8.) That these Resolutions be embodied in an Address, to be presented to His Excellency the Governor.

ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill; third reading.
2. Newspapers Postage abolition Bill; second reading.
3. Clergymen's disqualifying Bill; to be considered in Committee.
4. Registry Acts Amendment Bill; third reading.
5. Carriers' and Drivers' Bill; third reading.
6. Art Unions' Bill; third reading.

TUESDAY, AUGUST 6.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.

THURSDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Melbourne General Cemetery Bill; second reading.

WEDNESDAY, AUGUST 14.

ORDER OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.

CHARLES NICHOLSON,
Speaker.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be clearly documented and supported by appropriate evidence. This ensures transparency and accountability in the financial process.

Furthermore, it is noted that regular audits are essential to verify the accuracy of the records. These audits should be conducted by independent parties to avoid any potential conflicts of interest. The findings of these audits should be promptly reported and addressed.

In addition, the document highlights the need for clear communication between all parties involved. Any discrepancies or questions should be resolved through open dialogue and mutual cooperation. This collaborative approach is key to maintaining trust and ensuring the smooth operation of the organization.

Finally, it is stressed that all financial activities must comply with applicable laws and regulations. Staying up-to-date on these requirements is crucial to avoid legal penalties and maintain the integrity of the organization's financial system.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 30 JULY, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
New Members sworn:—Charles Hotson Ebdon and William Drummond Mercer, Esquires, having severally taken the Oath and handed to the Clerk at the Table the following Declarations of their respective Qualifications, took their seats as Members for the Electoral District of Port Phillip, in room of John Fitzgerald. Leslie Foster and Laughlan Mackinnon, Esquires, resigned:—

“ I, Charles Hotson Ebdon, do declare and testify, That I am duly seised at Law and in Equity of an Estate in freehold, for my own use and benefit, in lands and tenements in the Colony of New South Wales, of the value of Two thousand pounds, above all charges and incumbrances affecting the same, situate in Collins-street east, between Stephen and Spring-streets in the City of Melbourne, in the County of Bourke, and consisting of the several allotments of land, and the houses thereon erected, occupied by myself and my tenants: And that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

C. H. EBDEN.

Sydney, this 30th day of July, 1850.

“ I, William Drummond Mercer, do declare and testify, That I am duly seised at Law or in Equity of an Estate in freehold, for my own use and benefit, in lands and tenements in the Colony of New South Wales, of the value of two thousand pounds, above all charges and incumbrances affecting the same, situate in Suburban Allotments, County of Grant, near Geelong, and three Town Allotments in South Geelong; And that I have not collusively or colourably obtained a title to, or become possessed of the same lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

W. D. MERCER.

2. Wollombi Police Magistracy:—Mr. Nichols presented a Petition from Jonas Morris Townshend, of Wollombi, in the Colony of New South Wales, gentleman, against the maintenance of the Police Magistracy of Wollombi.
Petition received.
3. Carcoar Police Magistracy:—Mr. Darvall presented a Petition from certain Inhabitants of the District of Carcoar, praying the maintenance of the Police Magistracy of Carcoar.
Petition received.
4. Postage on Newspapers:—Mr. Darvall presented a Petition from certain Inhabitants of the District of Carcoar, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
5. Melbourne Synagogue:—Mr. Ebdon presented a Petition from certain members of the Jewish persuasion, resident in the City of Melbourne, Port Phillip, praying aid in the completion of their Synagogue and Minister's residence.
Petition received.
6. Cattle Slaughtering Laws:—Mr. Dangar presented a Petition from certain landed proprietors and owners of stations in the Northern Districts, praying that these laws may be so amended as to substitute weekly reports from persons holding licenses to Slaughter, for the inspection of Chief Constables.
Petition received.

7. New Member sworn :—The Rev. Dr. Lang having taken the Oath, and handed to the Clerk at the Table the following Declaration of Qualification, took his seat as a Member for the Electoral District of Sydney, in room of William Bland, Esq., resigned :—

“ I John Dunmore Lang, D. D., do declare and testify, That I am duly seised at law of an Estate in freehold, for my own use and benefit, in allotments of ground and tenements in the Colony of New South Wales, of the yearly value of one hundred pounds sterling, above all charges and incumbrances affecting the same, situate—

“ 1. In College or Jamison Street, Sydney, and consisting of the two lower Buildings of the range commonly called the Australian College Buildings.”*

“ 2. In the main street of Balmain, and consisting of two allotments of ground, with a substantial building thereon, hitherto occupied as a place of worship ; and

“ 3. In High-street, Pyrmont, and consisting of an allotment of ground with a substantial building thereon, also occupied as a place of worship.

“ And that I have not collusively or colourably obtained a title to, or become possessed of the said allotments of ground and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales.”

JOHN DUNMORE LANG, D.D.

Sydney, 30 July, 1850.

* MEMORANDUM.

“ In the year 1841, when the Australian College had fallen, for the time, into hopeless abeyance, a Committee consisting of the four following gentlemen, viz., David Ramsay, Esq., M. D., of Dobroyd, George Bowman, Esq., of Richmond, Thomas Cadell, Esq., now of Windsor, and Thomas Brown, Esq., late of George-street, Sydney, was appointed to enquire into the accounts of the Institution from its commencement, and to report to those concerned. These gentlemen reported accordingly, and their Report of which the following is an extract, was published at length, in the Colonial Observer Newspaper, of October 14th, 1841.

“ Extract of a Report on the pecuniary affairs of the Australian College.”

“ 15. That the whole cost of the Establishment of the College, has therefore been as follows, viz.—

	£	s.	d.
Original cost of the four Buildings	8,000	0	0
Repairs of the two lower Buildings... ..	250	0	0
Additional Expenditure ascertained by the Committee of 1836	1,320	18	0
Cost of the two allotments purchased from Sir John.	497	0	0
	<hr/>		
	10,067	18	0

“ 16. That of this Expenditure there has been contributed.”

	£	s.	d.
By the Government on Mortgage	3,500	0	0
By the Shareholders... ..	1,800	0	0
From the surplus funds arising from fees... ..	240	0	0
By Dr. Lang	4,417	18	0
	<hr/>		
	10,067	18	0

“ 17. That the expenditure thus incurred by Dr. Lang in the years 1832, 1836, 1838, and 1841, respectively, is exclusive of the heavy expense of two voyages to England, undertaken in the years 1830, and 1833, for the establishment of the College, as well as of serious losses sustained by the sale of much valuable property, to carry on the undertaking under unexpected difficulties, besides the loss of interest of money sunk in the College Buildings.

“ 18. That in these circumstances, it being desirable and necessary that the question of property should now be definitively settled, and the claims of all parties interested finally adjusted, it is equitable and just that, as two of the four buildings have been erected entirely by Dr. Lang, and have cost him, together with the ground they occupy, not less than £2,298 10s. each, Dr. Lang should be confirmed in the possession of the two lower buildings in satisfaction of his claims, the Government and the shareholders having evidently no claim, in equity, to more than two of the buildings.”

(Signed) { DAVID RAMSAY.
GEORGE BOWMAN.
THOMAS CADELL.
THOMAS BROWN.

Sydney, September 29th, 1841.

“ In accordance with this recommendation the undersigned has hitherto held the said buildings as his personal property, in the hope, however, of being enabled eventually, through the revival of the Australian College, to reconvey the same to the Institution for the purposes for which they were originally intended.”

J. D. LANG.

8. **The Royal Bank of Australia**:—Mr. Darvall presented a Petition from William Dawes, of Church-hill, in the City of Sydney, in the Colony of New South Wales, as Manager of a certain Joint Stock Company, trading in the City of Sydney, under the style and firm of the Royal Bank of Australia, praying leave to introduce a Bill to enable the said Company to sue and be sued in name of the Manager or Agent thereof.
Petition received.
9. **David Dunlop**:—Mr. Martin presented a Petition from David Dunlop, of Wollombi, late one of Her Majesty's Justices of the Peace, praying redress for his removal from the Commission of the Peace.
Petition received.
10. **Road from Melbourne to Merri Merri Creek**:—Mr. Ebdon presented a Petition from certain landed proprietors, residents, and settlers, on the line of road leading from Melbourne to the River Plenty, through the village of Warringal or Heidelberg, praying the Council to address His Excellency the Governor to make provision on the Estimates for the repair of that line of road.
Petition received.
11. **Postponement**:—Mr. Moor, in absence of Dr. Dickson, postponed the motions standing in the name of Dr. Dickson first and second on the Notice Paper for to-day, until this day week.
12. **John Moring**:—The Colonial Secretary laid upon the Table the Return to the Address in reference to this person, adopted on motion of Mr. Donaldson on the 19th instant.
Ordered to be printed.
13. **Female Orphan Immigration**:—The Colonial Secretary laid upon the Table part Return to the Address on this subject, adopted on motion of Mr. Oakes on the 16th instant.
Ordered to be printed.
14. **Postage on Newspapers**:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Nichols, on the 16th instant.
Ordered to be printed.
15. **Postponement**:—Mr. Donaldson postponed the motion standing in his name third on the Notice Paper for to-day, until Tuesday next.
16. **Hyde Park Bill**:—Mr. Wentworth moved pursuant to notice, That the Petition in reference to the Hyde Park Bill, presented by him on the 26th instant, be referred to the Select Committee on that Bill.
Question put and passed.
17. **Marriage Confirmation Bill**:—
(1) The Attorney General moved, pursuant to notice for leave to bring in a Bill for the Confirmation of certain Marriages in the Colony of New South Wales.
Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
(2) The Attorney General having presented the Bill, Bill, intituled, "*A Bill for the confirmation of certain Marriages in the Colony of New South Wales*," read a first time; ordered to be printed, and read a second time on Thursday fortnight.
18. **Mr. Alderman Thurlow**:—Mr. Nichols moved, pursuant to notice, "*That*" this House do resolve:—
(1.) That it appears by a letter written by the Honorable the Colonial Secretary to Mr. Alderman Thurlow that His Excellency the Governor, under the advice of the Attorney General, directed that Mr. Thurlow should be superseded from the Commission of the Peace, "for having acted as a practising Attorney in a criminal case instituted in the Police Court in which he was in the habit of sitting in his Magisterial "*capacity*."
(2.) That inasmuch as there is no law prohibiting Justices of the Peace acting as Attorneys in the Police Court in which they are in the habit of sitting, and no notice appears to have been given to Mr. Thurlow that by so acting as an Attorney he would be superseded from the Commission of the Peace, the issuing of the before mentioned Supersedeas was wholly unwarrantable, unconstitutional, and unjust.
(3.) That the foregoing Resolutions be embodied in an Address to be presented to His Excellency the Governor.
Debate ensued.
Mr. Murray moved, as an amendment, That all the words following the word "*That*" be omitted, with a view to the insertion in their place of the words "this House having had under its consideration the Papers and the circumstances connected with the removal of Mr. Alderman Thurlow from the Commission of the Peace, is of opinion that the Executive Government was fully justified in the course '*adopted*.'"—
Debate continued.
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put.

Council divided.

Ayes, 21.

Mr. Donaldson,
The Collector of Customs,
Mr. Allen,
Mr. Lamb,
Mr. Parker,
The Major General Commanding,
Major Mercer,
Mr. Icely,
Mr. Ebdon,
Mr. Darvall,
Mr. Oakes,
Mr. Cooper,
Mr. Byrnes,
Mr. Moor,
Mr. Berry,
The Auditor General,
Mr. Murray,
Mr. James Macarthur,
The Attorney General,
The Colonial Secretary,
The Colonial Treasurer, (Teller.)

Noes, 5.

Mr. Dangar,
Mr. Wentworth,
Mr. Nichols,
Dr. Dickson,
Mr. Martin, (Teller.)

Amended Question stated:—

Mr. Darvall then moved, That the Question be further amended by the addition after the word "adopted" of the words,—

"That this Council is further of opinion, that the correct principle, now for the first time applied by the Government in Mr. Thurlow's case with reference to the Magisterial Office, ought in future to be applied generally to all legal practitioners similarly situated.

"That the foregoing Resolutions be embodied in an Address, to be presented to His Excellency the Governor, by the Speaker."

Question,—That the words proposed to be added after the word "adopted," in the amended Question, be so added—put and passed.

Question,—That this House having had under its consideration the Papers and the circumstances connected with the removal of Mr. Alderman Thurlow from the Commission of the Peace, is of opinion that the Executive Government was fully justified in the course adopted.

That this Council is further of opinion that the correct principle, now for the first time applied by the Government in Mr. Thurlow's case with reference to the Magisterial Office ought in future to be applied generally to all legal practitioners similarly situated.

That the foregoing Resolutions be embodied in an Address, to be presented to His Excellency the Governor, by the Speaker,—put and passed.

19. Postponement:—The second reading of the Port Phillip Church Temporalities Bill postponed, on motion of Mr. Moor, until Friday week.

20. Cattle Protection Bill:—The Speaker having reported that the Chairman of Committees had certified to the ongrossment of this Bill, Bill, on motion of Mr. Murray, read a third time, and passed:

Mr Murray then moved, That the following be the title of the Bill, viz., "An Act for the better protection of Cattle in New South Wales."

Question put and passed.

21. Postponements:—The remaining Orders of the Day, on motion of Mr. Murray, postponed until Friday next.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JULY 31.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; to be considered in Committee.
2. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
3. Slaughter House Laws extension Bill; to be considered in Committee.
4. Census Bill; to be further considered in Committee.
5. Estimates for 1850-51; to be further considered in Committee.
6. South Australian Offenders' Apprehension Bill Reported (2^d); Adoption of the Report.
7. Consideration of Governor's Message No. 23, with Benevolent Society's Bill.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. WENTWORTH to move:—

(1.) That the Select Committee to whom was referred last session the consideration of "a Bill to simplify the Law of Real Property," be reappointed, and that Mr. Moor and Mr. Martin be appointed in lieu of Mr. Lowe and Mr. Hamilton, since resigned.

(2.) That the Bill to amend the Law of Dower in certain respects be referred to that Committee.

ORDER OF THE DAY:—

1. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY,

THURSDAY, AUGUST 1.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sydney Corporation Bill; to be considered in Committee.
2. Tolls and Dues Leasing Bill; third reading.

FRIDAY, AUGUST 2.

NOTICES OF MOTION:—

Contingent—Mr. Wentworth to move (after the passing of the *Lien on Wool and Mortgages on Stock Bill*), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 23rd October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250.

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdiction to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1843, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject,

subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.
 2. MR. DARVALL to move, That this House do resolve:—
 - (1.) That since the year 1836 the Land Fund, amounting to £1,179,000, has been expended, under the direction of Her Majesty's Government, in relieving Great Britain of a portion of her distressed population, in all 78,500 souls, comprehending 27,700 adult laborers.
 - (2.) That the same Revenue has been similarly charged with a debt of £100,000.
 - (3.) That although this expenditure has been beneficial in some respects, it has impoverished the Colonists, and exhausted their means of obtaining, at their own cost, the supply of labor which they most urgently require, while unmixed advantages have been derived from this outlay by Great Britain, by whom no part of the expense has been borne.
 - (4.) That during the greater portion of this period the Colonists were justly entitled to the administration of their own Land Fund, and that if such power had not been withheld from them, they might have procured an equal contribution towards the cost of Emigration from Her Majesty's Government, or the overpopulous parishes in England, Ireland, and Scotland.
 - (5.) That the unreasonable rate of wages which the scarcity of labor and the cheapness of living has induced, discourages the employment of capital, and paralyses all pastoral and manufacturing enterprise.
 - (6.) That it is no part of the duty of the Colonists compulsorily to pay for the importation of paupers, nor to receive criminals gratuitously, and that the same principles of mutuality and good faith which have induced Her Majesty's Government to give compensation by way of free labour for the introduction of Exiles, entitle the Colonists to expect that the same amount of Imperial funds shall be expended in the introduction of free labour into New South Wales which has been disbursed for that purpose out of the Colonial Revenue.
 - (7.) That failing such act of justice, an exhausted land fund, heavy taxation, urgent want of labor, and excessive wages, will press heavily on the Colonists, and will force upon them the bitter reflection that their loyalty and submission is to be requited by neglect.
 - (8.) That these Resolutions be embodied in an Address, to be presented to His Excellency the Governor.
 3. MR. DARVALL to move, That the Petition from Carcoar praying the maintenance of the Police Magistracy of that District, presented by him on the 30th ultimo, be referred to the Police Committee.
 4. MR. NICHOLS to move, That the Petition of Mr. James Cooper, presented by him on the 23rd ultimo, be referred to the Select Committee on the Hyde Park Bill.
 5. MR. NICHOLS to move, That the Petition presented by him from the Police Force of the City of Sydney, (during the last Session,) be referred to the Police Committee.
 6. MR. DARVALL to move:—
 - (1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving for leave to bring in a Bill to enable the Royal Bank of Australia to sue and be sued in name of the Manager thereof.
 - (2.) For leave to bring in a Bill to enable the Royal Bank of Australia to sue and be sued in name of the Manager thereof.
 7. MR. MOOR to move for leave to bring in a Bill to further extend the provisions of an Act, intituled, "*An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees, and for enabling Courts of Equity to give effect to their decrees in certain cases.*"
 8. MR. DONALDSON to move:—
 - (1.) That in the opinion of this Council the case of John Moring, whose Petition is now on the Table of the House, is one of those cases which this Council should take into its favorable consideration.
 - (2.) That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimate for the year 1850 the sum of £200, being the amount of fair and reasonable compensation to the said John Moring, under all the circumstances of his case.
- ORDERS OF THE DAY:—
1. Lien on Wool and Mortgages on Stock Bill; third reading.
 2. Newspapers Postage abolition Bill; second reading.
 3. Clergymen's disqualifying Bill; to be considered in Committee.
 4. Registry Acts Amendment Bill; third reading.
 5. Carriers' and Drivers' Bill; third reading.
 6. Art Unions' Bill; third reading.
 7. British Authors' Bill; second reading.
 8. Masters' and Servants' Bill; to be further considered in Committee.

TUESDAY, AUGUST 6.

NOTICES OF MOTION:—

1. DR. LANG to move, That a Select Committee be appointed to ascertain whether there are any, and if any, what foundations there are for certain charges recently preferred, by the Right Honorable the Secretary of State for the Colonies, against a Member of this House, in matters connected with a series of efforts for the promotion of emigration to Australia.
2. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that he will be pleased to cause to be laid upon the Table of this House a Return of all Sales of Crown Lands within the limits of the Corporation of the Town of Geelong, distinguishing Town Lots from Suburban.
3. DR. DICKSON to move for leave to bring in a Bill for regulating the formation, drainage, and repair of streets, courts, and alleys on private property within the Town of Geelong.
4. MR. DONALDSON to move for leave to bring in a Bill to repeal so much of the 11 Vic. No. 16, as imposes a duty upon the auction sales of stock and Colonial produce, so as to exempt the same from the present charge of $\frac{1}{4}$ per cent.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.

THURSDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Melbourne General Cemetery Bill; second reading.

FRIDAY, AUGUST 9.

ORDER OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.

WEDNESDAY, AUGUST 14.

ORDER OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.

THURSDAY, AUGUST 15.

ORDER OF THE DAY:—

1. Marriage Confirmation Bill; second reading.

CHARLES NICHOLSON,
Speaker.

~~114.~~

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 31 JULY, 1850.

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

Postponements :—

- (1.) The consideration in Committee of the Sewerage Bill postponed, on motion of the Colonial Secretary, until to-morrow.
(2.) The further consideration in Committee of the Melbourne Public Abattoirs' Bill postponed, on motion of the Colonial Secretary, until this day fortnight.
2. Slaughter House Laws extension Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.

The Chairman reported progress, and obtained leave to sit again this day fortnight.

3. Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Public Wharves Bill :—

CH^s. A. FITZ ROY,
Governor.

Message No. 25.

In accordance with the provisions of the Act for the Government of New South Wales 5 and 6 Victoria cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill " *To amend the Law relating to Public Wharves.*"

Government House, Sydney,
31st July, 1850.

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

(2.) Sydney Public Abattoir Bill :—

CH^s. A. FITZ ROY,
Governor.

Message No. 26.

In accordance with the Act for the Government of New South Wales, 5th and 6th Victoria cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill, intituled, " *A Bill for the establishment of a Public Abattoir, or place for the slaughtering of Cattle.*"

Government House, Sydney,
31st July, 1850.

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

4. Census Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.

The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Wednesday next.

5. Estimates for 1850-51 :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.

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

6. South Australian Offenders' Apprehension Bill Reported :—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of the Colonial Secretary, Bill, as so reported, ordered to be engrossed, and read a third time this day week.

7. Benevolent Society's Bill :—The Governor's Message No. 23, received with this Bill on the 19th instant, having been read, on motion of the Colonial Secretary, the Bill accompanying, intituled, " *A Bill to enable the Trustees of the Benevolent Society to sell and dispose of certain lands, and to apply the proceeds in aid towards the erection of additional buildings,*" read a first time.

Mr. James Macarthur then moved, That the Bill be referred for consideration and report to a Select Committee, to consist, with himself, of Mr. Byrnes, Mr. Darvall, Mr. Laub, and Mr. Nichols.

Question put and passed.

8. Laws of Real Property and of Dower Bills:—Mr. Wentworth moved, pursuant to notice:—
 (1.) That the Select Committee to whom was referred last Session the consideration of "A Bill to simplify the Law of Real Property," be reappointed, and that Mr. Moor and Mr. Martin be appointed in lieu of Mr. Lowe and Mr. Hamilton, since resigned.
 (2.) That the Bill to amend the Law of Dower in certain respects be referred to that Committee.
 Question put and passed.
9. Cattle Slaughtering Laws Bill:—Mr. Martin moved, That this Bill be now read a second time.
 Debate ensued.
 Motion by leave withdrawn.
 Second reading of Bill postponed until this day fortnight.
 Council adjourned at Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, AUGUST 1.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sydney Corporation Bill; to be considered in Committee.
2. Tolls and Dues Leasing Bill; third reading.
3. Sewerage Bill; to be considered in Committee.
4. Estimates for 1850-51; to be further considered in Committee.

FRIDAY, AUGUST 2.

NOTICES OF MOTION:—

Contingent— Mr. Wentworth to move (after the passing of the *Lien on Wool and Mortgages on Stock Bill*), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250.

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,039 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdict to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.)

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.
2. MR. DARVALL to move, That this House do resolve:—
 - (1.) That since the year 1836 the Land Fund, amounting to £1,179,000, has been expended, under the direction of Her Majesty's Government, in relieving Great Britain of a portion of her distressed population, in all 78,500 souls, comprehending 27,700 adult laborers.
 - (2.) That the same Revenue has been similarly charged with a debt of £100,000.
 - (3.) That although this expenditure has been beneficial in some respects, it has impoverished the Colonists, and exhausted their means of obtaining, at their own cost, the supply of labor which they most urgently require, while unmixed advantages have been derived from this outlay by Great Britain, by whom no part of the expense has been borne.
 - (4.) That during the greater portion of this period the Colonists were justly entitled to the administration of their own Land Fund, and that if such power had not been withheld from them, they might have procured an equal contribution towards the cost of Emigration from Her Majesty's Government, or the overpopulous parishes in England, Ireland, and Scotland.
 - (5.) That the unreasonable rate of wages which the scarcity of labor and the cheapness of living has induced, discourages the employment of capital, and paralyses all pastoral and manufacturing enterprise.
 - (6.) That it is no part of the duty of the Colonists compulsorily to pay for the importation of paupers, nor to receive criminals gratuitously, and that the same principles of mutuality and good faith which have induced Her Majesty's Government to give compensation by way of free labour for the introduction of Exiles, entitle the Colonists to expect that the same amount of Imperial funds shall be expended in the introduction of free labour into New South Wales which has been disbursed for that purpose out of the Colonial Revenue.
 - (7.) That failing such act of justice, an exhausted land fund, heavy taxation, urgent want of labor, and excessive wages, will press heavily on the Colonists, and will force upon them the bitter reflection that their loyalty and submission is to be requited by neglect.
 - (8.) That these Resolutions be embodied in an Address, to be presented to His Excellency the Governor.
3. MR. DARVALL to move, That the Petition from Carcoar praying the maintenance of the Police Magistracy of that District, presented by him on the 30th ultimo, be referred to the Police Committee.
4. MR. NICHOLS to move, That the Petition of Mr James Cooper, presented by him on the 23rd ultimo, be referred to the Select Committee on the Hyde Park Bill.
5. MR. NICHOLS to move, That the Petition presented by him from the Police Force of the City of Sydney, (during the last Session,) be referred to the Police Committee.
6. MR. DARVALL to move:—
 - (1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving for leave to bring in a Bill to enable the Royal Bank of Australia to sue and be sued in name of the Manager thereof.
 - (2.) For leave to bring in a Bill to enable the Royal Bank of Australia to sue and be sued in name of the Manager thereof.
7. MR. MOOR to move for leave to bring in a Bill to further extend the provisions of an Act, intituled, "*An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees, and for enabling Courts of Equity to give effect to their decrees in certain cases.*"

8. MR. DONALDSON to move:—

(1.) That in the opinion of this Council the case of John Moring, whose Petition is now on the Table of the House, is one of those cases which this Council should take into its favorable consideration.

(2.) That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimate for the year 1850 the sum of £200, being the amount of fair and reasonable compensation to the said John Moring, under all the circumstances of his case.

ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill; third reading.
2. Newspapers Postage abolition Bill; second reading.
3. Clergymen's disqualifying Bill; to be considered in Committee.
4. Registry Acts Amendment Bill; third reading.
5. Carriers' and Drivers' Bill; third reading.
6. Art Unions' Bill; third reading.
7. British Authors' Bill; second reading.
8. Masters' and Servants' Bill; to be further considered in Committee.

TUESDAY, AUGUST 6.

NOTICES OF MOTION:—

1. DR. LANG to move, That a Select Committee be appointed to ascertain whether there are any, and if any, what foundations there are for certain charges recently preferred, by the Right Honorable the Secretary of State for the Colonies, against a Member of this House, in matters connected with a series of efforts for the promotion of emigration to Australia.
2. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that he will be pleased to cause to be laid upon the Table of this House a Return of all Sales of Crown Lands within the limits of the Corporation of the Town of Geelong, distinguishing Town Lots from Suburban.
3. DR. DICKSON to move for leave to bring in a Bill for regulating the formation, drainage, and repair of streets, courts, and alleys on private property within the Town of Geelong.
4. MR. DONALDSON to move for leave to bring in a Bill to repeal so much of the 11 Vic. No. 16, as imposes a duty upon the auction sales of stock and Colonial produce, so as to exempt the same from the present charge of $\frac{1}{2}$ per cent.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.

WEDNESDAY, AUGUST 7.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor's Message, No. 25; with Public Wharves Bill.
2. Consideration of Governor's Message No. 26, with Sydney Public Abattoir Bill.
3. Census Bill Reported; Adoption of the Report.
4. South Australian Offenders' Apprehension Bill; third reading.

THURSDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Melbourne General Cemetery Bill; second reading.

FRIDAY, AUGUST 9.

ORDER OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.

WEDNESDAY, AUGUST 14.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
2. Slaughter House Laws extension Bill; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY, AUGUST 15.

ORDER OF THE DAY:—

1. Marriage Confirmation Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 1 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Market Bye-Laws:—Mr. Cooper presented a Petition from certain producers and consumers of fruits, vegetables, meat, poultry, butter, eggs, and other marketable necessaries of life, complaining of certain Market dues they are compelled to pay, and praying redress.
Petition received.
2. *Cattle Slaughtering Laws*:—Mr. Bowman presented a Petition from certain landed proprietors and owners of stations in the Northern Districts, praying that these Laws may be so amended as to substitute weekly reports from persons holding Licenses to slaughter, for the inspection of Chief Constables.
Petition received.
3. *Blue Book*:—The Colonial Secretary laid upon the Table the Blue Book for the year 1849.
4. *Electoral Rolls*:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Nichols on the 7th June.
Ordered to be printed.
5. *Sydney Corporation Bill*:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
6. *Tolls and Dues Leasing Bill*:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, That the following be the title of the Bill, viz.,
“ *An Act to authorise the Leasing of Tolls and Dues demandable at Turnpike Gates and Ferries, and on Parish Roads, for extended terms.*”
Question put and passed.
7. *Postponement*:—The consideration in Committee of the Sewerage Bill postponed, on motion of the Colonial Secretary, until this day week.
8. *Estimates for 1850-51*:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
The Chairman reported progress, and obtained leave to sit again on Wednesday next. Council adjourned at Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, AUGUST 2.

NOTICES OF MOTION :—

Contingent— Mr. Wentworth to move (after the passing of the *Lien on Wool and Mortgages on Stock Bill*), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250.

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdiction to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.
2. MR. DARVALL to move, That this House do resolve:—
 - (1.) That since the year 1836 the Land Fund, amounting to £1,179,000, has been expended, under the direction of Her Majesty's Government, in relieving Great Britain of a portion of her distressed population, in all 78,500 souls, comprehending 27,700 adult laborers.
 - (2.) That the same Revenue has been similarly charged with a debt of £100,000.
 - (3.) That although this expenditure has been beneficial in some respects, it has impoverished the Colonists, and exhausted their means of obtaining, at their own cost, the supply of labor which they most urgently require, while unmixed advantages have been derived from this outlay by Great Britain, by whom no part of the expense has been borne.
 - (4.) That during the greater portion of this period the Colonists were justly entitled to the administration of their own Land Fund, and that if such power had not been withheld from them, they might have procured an equal contribution towards the cost of Emigration from Her Majesty's Government, or the overpopulous parishes in England, Ireland, and Scotland.
 - (5.) That the unreasonable rate of wages which the scarcity of labor and the cheapness of living has induced, discourages the employment of capital, and paralyzes all pastoral and manufacturing enterprise.
 - (6.) That it is no part of the duty of the Colonists compulsorily to pay for the importation of paupers, nor to receive criminals gratuitously, and that the same principles of mutuality and good faith which have induced Her Majesty's Government to give compensation by way of free labour for the introduction of Exiles, entitle the Colonists to expect that the same amount of Imperial funds shall be expended in the introduction of free labour into New South Wales which has been disbursed for that purpose out of the Colonial Revenue.
 - (7.) That failing such act of justice, an exhausted land fund, heavy taxation, urgent want of labor, and excessive wages, will press heavily on the Colonists, and will force upon them the bitter reflection that their loyalty and submission is to be requited by neglect.
 - (8.) That these Resolutions be embodied in an Address, to be presented to His Excellency the Governor.
3. MR. DARVALL to move, That the Petition from Carcoar praying the maintenance of the Police Magistracy of that District, presented by him on the 30th ultimo, be referred to the Police Committee.
4. MR. NICHOLS to move, That the Petition of Mr James Cooper, presented by him on the 23rd ultimo, be referred to the Select Committee on the Hyde Park Bill.
5. MR. NICHOLS to move, That the Petition presented by him from the Police Force of the City of Sydney, (during the last Session,) be referred to the Police Committee.
6. MR. DARVALL to move:—
 - (1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving for leave to bring in a Bill to enable the Royal Bank of Australia to sue and be sued in name of the Manager thereof.
 - (2.) For leave to bring in a Bill to enable the Royal Bank of Australia to sue and be sued in name of the Manager thereof.
7. MR. MOOR to move for leave to bring in a Bill to further extend the provisions of an Act, intituled, "*An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees, and for enabling Courts of Equity to give effect to their decrees in certain cases.*"
8. MR. DONALDSON to move:—
 - (1.) That in the opinion of this Council the case of John Moring, whose Petition is now on the Table of the House, is one of those cases which this Council should take into its favorable consideration.
 - (2.) That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimate for the year 1850 the sum of £200, being the amount of fair and reasonable compensation to the said John Moring, under all the circumstances of his case.

ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill; third reading.
2. Newspapers Postage abolition Bill; second reading.
3. Clergymen's disqualifying Bill; to be considered in Committee.
4. Registry Acts Amendment Bill; third reading.
5. Carriers' and Drivers' Bill; third reading.
6. Art Unions' Bill; third reading.
7. British Authors' Bill; second reading.
8. Masters' and Servants' Bill; to be further considered in Committee.

TUESDAY, AUGUST 6.

NOTICES OF MOTION:—

1. DR. LANG to move, That a Select Committee be appointed to ascertain whether there are any, and if any, what foundations there are for certain charges recently preferred, by the Right Honorable the Secretary of State for the Colonies, against a Member of this House, in matters connected with a series of efforts for the promotion of emigration to Australia.
2. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that he will be pleased to cause to be laid upon the Table of this House a Return of all Sales of Crown Lands within the limits of the Corporation of the Town of Geelong, distinguishing Town Lots from Suburban.
3. DR. DICKSON to move for leave to bring in a Bill for regulating the formation, drainage, and repair of streets, courts, and alleys on private property within the Town of Geelong.
4. MR. DONALDSON to move for leave to bring in a Bill to repeal so much of the 11 Vic. No. 16, as imposes a duty upon the auction sales of stock and Colonial produce, so as to exempt the same from the present charge of $\frac{1}{2}$ per cent.
5. MR. NICHOLS to move, for leave to bring in a Bill to prevent any Practising Barrister or Attorney from acting as a Justice of the Peace in New South Wales.

ORDER OF THE DAY:—

1. Port Phillip Church Discipline Bill; second reading.

WEDNESDAY, AUGUST 7.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor's Message, No. 25; with Public Wharves Bill.
2. Consideration of Governor's Message No. 26, with Sydney Public Abattoir Bill.
3. Census Bill Reported; Adoption of the Report.
4. South Australian Offenders' Apprehension Bill; third reading.
5. Estimates for 1850-51; to be further considered in Committee.

THURSDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne General Cemetery Bill; second reading.
2. Sydney Corporation Bill; to be further considered in Committee.
3. Sewerage Bill; to be considered in Committee.

FRIDAY, AUGUST 9.

ORDER OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.

WEDNESDAY, AUGUST 14.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
2. Slaughter House Laws extension Bill; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY, AUGUST 15.

ORDER OF THE DAY:—

1. Marriage Confirmation Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 2 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair. :
Clergymen's disqualifying Bill :—Mr. Oakes presented a Petition from certain Citizens of Sydney, praying that this Bill may not be passed.
Petition received.
2. Russell's Nepean Bridge Bill :—Mr. Byrnes presented a Petition from certain Landholders and Inhabitants of the District of Penrith, and others interested, praying that evidence may be taken in reference to the comparative eligibility, on public grounds, of the site proposed for the bridge by the Bill now before the Council and that which is indicated by the Petitioners.
Petition received.
3. Hyde Park Bill :—
(1.) Mr. Wentworth presented a Petition from John Bede Polding, Archbishop of Sydney, praying that this Bill may not be passed.
Petition received.
(2.) Mr. Wentworth presented a Petition from John Dalley, of Macquarie-street, in the City of Sydney, with a similar prayer.
Petition received.
4. Postponement :—Mr. Nichols postponed the motion standing in his name first on the Notice Paper for to-day, until this day fortnight.
5. Land and Immigration :—Mr. Darvall moved, pursuant to amended notice, That this House do resolve,—
(1.) That since the year 1836 the Land Fund, amounting to £1,179,000, has been expended, under the direction of Her Majesty's Government, in relieving Great Britain of a portion of her distressed population, in all 78,500 souls, comprehending 27,700 adult laborers.
(2.) That this Revenue has, for the same purpose, been charged with a debt of £100,000.
(3.) That although this expenditure has been beneficial in some respects, it has exhausted the means of obtaining that continuous supply of labor which the Colonists most urgently require, while unmixed advantages have been derived from this outlay by Great Britain, by whom no part of the expense has been borne.
(4.) That during the whole of this period the Colonists were justly entitled to the administration of their own Land Fund, and that if such power had not been withheld from them, they might have procured contribution towards the cost of Emigration from Her Majesty's Government, or the overpopulous parishes in England, Ireland, and Scotland.
(5.) That it is no part of the duty of the Colonists to pay for the importation of Emigrants, nor to receive criminals; and that the same principles of sound policy which have induced Her Majesty's Government to give compensation by way of free labour for the introduction of Exiles, entitle the Colonists to expect that the same amount of Imperial funds shall be expended in the introduction of free labour into New South Wales which has been disbursed for this purpose out of the Colonial Revenue.
(6.) That these Resolutions be embodied in a humble Address to the Queen, and that the Governor be requested to transmit the same to the Right Honorable the Secretary of State for the Colonies.
Debate ensued.
Question put and passed; Address to His Excellency the Governor to be presented by the Speaker.
6. Carcoar Police Magistracy :—Mr. Darvall moved, pursuant to notice, That the Petition from Carcoar, praying the maintenance of the Police Magistracy of that District, presented by him on the 30th ultimo, be referred to the Police Committee.
Question put and passed.

7. Hyde Park Bill :—Mr. Nichols moved, pursuant to notice, That the Petition of Mr. James Cooper, presented by him on the 23rd ultimo, be referred to the Select Committee on the Hyde Park Bill.
Question put and passed.
8. City Police :—Mr. Nichols moved, pursuant to notice, That the Petition presented by him from the Police Force of the City of Sydney, (during the last Session,) be referred to the Police Committee.
Question put and passed.
9. The Royal Bank of Australia :—Mr. Darvall moved, pursuant to notice :—
(1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving for leave to bring in a Bill to enable the Royal Bank of Australia to sue and be sued in name of the Manager thereof.
Debate ensued.
Question put.
Council divided.

Ayes, 7.

Dr. Lang,
Mr. Allen,
Mr. Ebdon,
Mr. Icely,
Mr. Donaldson,
Mr. Darvall,
The Colonial Treasurer, (Teller.)

Nocs, 12.

Dr. Dickson,
Mr. Parker,
Mr. Murray,
Mr. Oakes,
Mr. Wentworth,
Mr. Nichols,
Major Mercer,
Mr. Moor,
Mr. Cooper,
Mr. Bowman,
Mr. Dangar,
Mr. Martin, (Teller.)

10. Trust Estates and Funds Bill :—Mr. Moor moved, pursuant to notice, for leave to bring in a Bill to further extend the provisions of an Act, intituled, "*An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees, and for enabling Courts of Equity to give effect to their decrees in certain cases.*"
Question put and passed ;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
11. Postponement :—Mr. Donaldson postponed the motion standing in his name eighth on the Notice Paper for to-day, until this day week.
12. Trust Estates and Funds Bill :—Mr. Moor having presented this Bill, intituled, "*A Bill to further extend the provisions of an Act, intituled, 'An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees, and for enabling Courts of Equity to give effect to their decrees in certain cases,'*" read a first time ; ordered to be printed, and read a second time this day fortnight.
13. Postponements :—
(1.) The third reading of the Lien on Wool and Mortgages on Stock Bill postponed, on motion of Mr. Wentworth, until Tuesday next.
(2.) The second reading of the Newspapers Postage abolition Bill postponed, on motion of Mr. Nichols, until Tuesday next.
(3.) The consideration in Committee of the Clergymen's disqualifying Bill postponed, on motion of Mr. Wentworth, until Tuesday next.
14. Registry Acts amendment Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Moor, read a third time, and passed.
Mr. Moor then moved, That the following be the title of the Bill, viz. :—"*An Act to amend an Act, intituled, 'An Act to amend the Act for the Registration of Deeds, and to provide for the establishment of a separate Registry for Sydney and Port Phillip, respectively.'*"
Question put and passed.
15. Postponements :—
(1.) The third reading of the Carriers and Drivers' Bill postponed, on motion of Mr. Nichols, until Tuesday next.
(2.) The third reading of the Art Unions' Bill postponed, on motion of Mr. Nichols, until Friday next.
(3.) The second reading of the British Authors' Bill postponed, on motion of Mr. Murray, until this day week.
(4.) The further consideration in Committee of the Masters' and Servants' Bill postponed, on motion of Mr. Murray, until Tuesday next.
Council adjourned at a quarter after Eight o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, AUGUST 6.

Contingent— Mr. Wentworth to move (after the passing of the *Lien on Wool and Mortgages on Stock Bill*), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an inter-dict to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of

of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

NOTICES OF MOTION :—

1. DR. LANG to move, That a Select Committee be appointed to ascertain whether there are any, and if any, what foundations there are for certain charges recently preferred, by the Right Honorable the Secretary of State for the Colonies, against a Member of this House, in matters connected with a series of efforts for the promotion of emigration to Australia.
2. DR. DICKSON to move, That an Address be presented to His Excellency the Governor praying that he will be pleased to cause to be laid upon the Table of this House a Return of all Sales of Crown Lands within the limits of the Corporation of the Town of Geelong, distinguishing Town Lots from Suburban.
3. DR. DICKSON to move for leave to bring in a Bill for regulating the formation, drainage, and repair of streets, courts, and alleys on private property within the Town of Geelong.
4. MR. DONALDSON to move for leave to bring in a Bill to repeal so much of the 11 Vic. No. 16, as imposes a duty upon the auction sales of stock and Colonial produce, so as to exempt the same from the present charge of $\frac{1}{4}$ per cent.
5. MR. NICHOLS to move, for leave to bring in a Bill to prevent any Practising Barrister or Attorney from acting as a Justice of the Peace in New South Wales.
6. MR. WENTWORTH to move, That the Petitions presented by him on the 2nd instant, from Archbishop Polding and Mr. John Dalley, be referred to the Select Committee on the Hyde Park Bill.
7. MR. BYRNES to move, That the Petition presented by him, on the 2nd instant, from the Inhabitants of Penrith, be referred to the Select Committee on Russell's Nepean Bridge Bill.
8. MR. MARTIN to move,
 - (1.) That in the opinion of this House the Statements of the Expenditure of the sums appropriated for defraying the expenses of the several services and purposes specified in the Schedules A, B, and C, laid upon the Table of this House, on the 12th June last, does not contain such an account in detail as is contemplated and required by the 38th section of the Imperial Act, 5 and 6 Victoria, cap. 76.
 - (2.) That the foregoing resolution be embodied in an Address, to be presented to His Excellency the Governor.

ORDERS OF THE DAY :—

1. Port Phillip Church Discipline Bill ; second reading.
2. Lien on Wool and Mortgages on Stock Bill ; third reading.
3. Newspapers Postage abolition Bill ; second reading.
4. Clergymen's disqualifying Bill ; to be considered in Committee.
5. Carriers' and Drivers' Bill ; third reading.
6. Masters' and Servants' Bill ; to be further considered in Committee.

WEDNESDAY, AUGUST 7.

NOTICE OF MOTION :—

Contingent—MR. MARTIN to move, (*when the Estimate for the Denominational Schools comes under consideration.*) That this Council being thoroughly persuaded of the inefficiency of the system of Education, known as the Denominational System, and of the very great superiority of the system known as Lord Stanley's National System of Education, declines to Vote any sum whatever in support of the former system, but in order that existing schools may not, in consequence, be closed, this House has no objection to Vote the entire sum proposed to be appropriated for the Denominational System for the maintenance of the National System of Education—to be placed at the disposal of "the Board of National Education."

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 25 ; with Public Wharves Bill.
2. Consideration of Governor's Message No. 26, with Sydney Public Abattoir Bill.
3. Census Bill Reported ; Adoption of the Report.
4. South Australian Offenders' Apprehension Bill ; third reading.
5. Estimates for 1850-51 ; to be further considered in Committee.

THURSDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Melbourne General Cemetery Bill ; second reading.
2. Sydney Corporation Bill ; to be further considered in Committee.
3. Sewerage Bill ; to be considered in Committee.

FRIDAY,

FRIDAY, - AUGUST 9.

NOTICES OF MOTION :—

1. MR. EBDEN to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will please to be caused to be placed on the Supplementary Estimate for the present year, a sum not exceeding five hundred pounds, for the purpose of enabling the members of the Jewish persuasion to complete their Synagogue and Minister's dwelling in the City of Melbourne.
2. MR. DONALDSON to move :—
 - (1.) That in the opinion of this Council the case of John Moring, whose Petition is now on the Table of the House, is one of those cases which this Council should take into its favorable consideration.
 - (2.) That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimate for the year 1850 the sum of £200, being the amount of fair and reasonable compensation to the said John Moring, under all the circumstances of his case.

ORDERS OF THE DAY :—

1. Port Phillip Church Temporalities Bill ; second reading.
2. Art Unions' Bill ; third reading.
3. British Authors' Bill ; second reading.

WEDNESDAY, AUGUST 14.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Melbourne Public Abattoirs' Bill ; to be further considered in Committee.
2. Slaughter House Laws extension Bill ; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Justices of the Peace Duties' Bill ; second reading.
2. Cattle Slaughtering Laws' Bill ; second reading.

THURSDAY, AUGUST 15.

ORDER OF THE DAY :—

1. Marriage Confirmation Bill ; second reading.

FRIDAY, AUGUST 16.

NOTICE OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.

ORDER OF THE DAY :—

1. Trust Estates and Funds Bill ; second reading.

CHARLES NICHOLSON,
Speaker.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author details the various methods used to collect and analyze the data. This includes both primary and secondary sources, as well as the specific statistical techniques employed to interpret the results. The goal is to provide a comprehensive overview of the research methodology.

The third part of the document presents the findings of the study. It highlights the key trends and patterns observed in the data, along with any significant correlations or anomalies. The author also discusses the implications of these findings for the field of study.

Finally, the document concludes with a summary of the main points and a list of references. This provides a clear and concise overview of the entire study, as well as a list of the sources used in the research.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 6 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Port Phillip Church Temporalities and Discipline Bills:—
(1.) Dr. Dickson presented a Petition from certain Members of the various Religious Denominations in the Town of Geelong, in public meeting assembled, praying that these Bills may not be passed.
Petition received.
(2.) Major Mercer presented a Petition from certain Members of the United Church of England and Ireland, residing in and near Geelong, in the District of Port Phillip, with a similar prayer.
Petition received.
2. Claims on the late Registrar:—Mr. Wentworth presented a Petition from Archibald Campbell, of Sydney, Administrator of the goods of Hugh Niven, deceased, praying the Council to amend the Act 13 Victoria, No. 44, passed in reference to these claims.
Petition received.
3. Leave of absence granted to Mr. Lamb for three weeks from to-day, on motion of Mr. Parker.
4. Dr. Lang and Immigration:—Dr. Lang moved, pursuant to notice "That" a Select Committee be appointed to ascertain whether there are any, and if any, what foundations there are for certain charges recently preferred, by the Right Honorable the Secretary of State for the Colonies, against a Member of this House, in matters connected with a series of efforts for the promotion of emigration to Australia.
Mr. Donaldson moved, as an amendment, That all the words following the word "That" be omitted, with a view to insert in their place the words "a Select Committee, to consist of seven members, be appointed by Ballot, for the purpose of enquiring into and reporting upon certain charges preferred by the Right Honorable the Secretary of State for the Colonies, and by other persons, against the Reverend Dr. Lang, now a Member of this House, on matters connected with or incidentally arising out of a series of efforts made by him for the promotion of Emigration to Australia, and particularly how far any of his contracts or engagements with any Emigrants who have arrived here in any vessel chartered by him, have been of a fraudulent character; and that the Reverend Dr. Lang be heard either personally, or by Counsel, before such Committee."
Debate ensued.
Proposed amendment by leave withdrawn.
Original Question put and negatived.
5. Geelong Town and Suburban Lands:—Dr. Dickson moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, a Return of all Sales of Crown Lands within the limits of the Corporation of the Town of Geelong, distinguishing Town Lots from Suburban.
Question put and passed; Address to be presented by the Speaker.
6. Geelong Private Streets Bill:—Dr. Dickson moved, pursuant to notice, for leave to bring in a Bill for regulating the formation, drainage, and repair of streets, courts, and alleys on private property within the Town of Geelong.
Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
7. Auction Duties abolition Bill:—Mr. Donaldson moved, pursuant to notice, for leave to bring in a Bill to repeal so much of the 11 Vic. No. 16, as imposes a duty upon the auction sales of stock and Colonial produce, so as to exempt the same from the present charge of $\frac{1}{4}$ per cent.
Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.

8. Geelong Private Streets Bill :—Dr. Dickson having presented this Bill, Bill, intituled, "A Bill for regulating the formation, drainage, and repair of streets, courts, and alleys on private property within the Town of Geelong," read a first time; ordered to be printed, and read a second time this day week.
9. Auction Duties abolition Bill :—Mr. Donaldson having presented this Bill, Bill, intituled "A Bill to exempt from Duties all Sales by Auction of Colonial Produce, and Sheep, Cattle, and Horses," read a first time; ordered to be printed, and read a second time on Friday week.
10. Commission of the Peace Bill :—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill to prevent any Practising Barrister or Attorney from acting as a Justice of the Peace in New South Wales.
Question put and passed; Ordered, That the Mover and Seconder prepare and bring in the Bill.
11. Hyde Park Bill :—Mr. Wentworth moved, pursuant to notice, That the Petitions presented by him on the 2nd instant, from Archbishop Polding and Mr. John Dalley, be referred to the Select Committee on the Hyde Park Bill.
Question put and passed.
12. Russell's Nepean Bridge Bill :—Mr. Byrnes moved, pursuant to notice, That the Petition presented by him, on the 2nd instant, from the Inhabitants of Penrith, be referred to the Select Committee on Russell's Nepean Bridge Bill.
Question put and passed.
13. Postponement :—Mr. Martin postponed the motion standing in his name eighth on the Notice Paper for to-day, until Friday next.
14. Port Phillip Church Discipline Bill :—Mr. Moor moved, That this Bill be now read a second time.
Debate ensued.
Motion by leave withdrawn.
Bill, on motion of Mr. Moor, discharged from the Paper.
15. Postponements :—
(1.) The third reading of the Lien on Wool and Mortgages on Stock Bill postponed, on motion of Mr. Wentworth, until Friday next.
(2.) The second reading of the Newspapers Postage abolition Bill postponed, on motion of Mr. Nichols, until Friday next.
(3.) The consideration in Committee of the Clergymen's disqualifying Bill postponed, on motion of Mr. Wentworth, until Friday next.
16. Carriers' and Drivers' Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill; Bill, on motion of Mr. Nichols, read a third time, and passed.
Mr. Nichols then moved, That the following be the title of the Bill, viz. :—*An Act "to prevent Frauds by Carriers and Drivers."*
Question put and passed.
17. Postponement :—The further consideration in Committee of the Masters' and Servants' Bill postponed, on motion of Mr. Murray, until Friday next.
Council adjourned at half-past Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, AUGUST 7.

NOTICE OF MOTION :—

Contingent—MR. MARTIN to move, (when the Estimate for the Denominational Schools comes under consideration.) That this Council being thoroughly persuaded of the inefficiency of the system of Education, known as the Denominational System, and of the very great superiority of the system known as Lord Stanley's National System of Education, declines to Vote any sum whatever in support of the former system, but in order that existing schools may not, in consequence, be closed, this House has no objection to Vote the entire sum proposed to be appropriated for the Denominational System for the maintenance of the National System of Education—to be placed at the disposal of "the Board of National Education."

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 25; with Public Wharves Bill.
2. Consideration of Governor's Message No. 26, with Sydney Public Abattoir Bill.
3. Census Bill Reported; Adoption of the Report.
4. South Australian Offenders' Apprehension Bill; third reading.
5. Estimates for 1850-51; to be further considered in Committee.

THURSDAY,

THURSDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne General Cemetery Bill; second reading.
2. Sydney Corporation Bill; to be further considered in Committee.
3. Sewerage Bill; to be considered in Committee.

FRIDAY, AUGUST 9.

NOTICES OF MOTION:—

Contingent— Mr. Wentworth to move (after the passing of the *Lien on Wool and Mortgages on Stock Bill*), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1848, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537; although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £240,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdict to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter

counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. EBDEN to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will please to be caused to be placed on the Supplementary Estimate for the present year, a sum not exceeding five hundred pounds, for the purpose of enabling the members of the Jewish persuasion to complete their Synagogue and Minister's dwelling in the City of Melbourne.
2. MR. DONALDSON to move:—
 - (1.) That in the opinion of this Council the case of John Moring, whose Petition is now on the Table of the House, is one of those cases which this Council should take into its favorable consideration.
 - (2.) That an Address be presented to His Excellency the Governor, praying that His Excellency will please to be placed on the Supplementary Estimate for the year 1850 the sum of £200, being the amount of fair and reasonable compensation to the said John Moring, under all the circumstances of his case.
3. MR. MARTIN to move:—
 - (1.) That in the opinion of this Council, the Officers hereunder mentioned, ought not to be paid for their services any greater sums than those set opposite their respective names, namely,—

	£
The Crown Solicitor for Criminal business	300
The Chairman of Quarter Sessions	500
The Crown Prosecutor	400
The Commissioner of the Court of Requests, County of Cumberland	500
The Registrar of the Court of Requests, Sydney	200
Total	1,900

- (2.) That inasmuch as the Salaries at present paid to the above Officers amount in the aggregate to the sum of £3,100, it is the opinion of this Council that in the payment of those Officers £1,200 per annum has hitherto been improperly and unnecessarily expended.
- (3.) That inasmuch as by reducing the salaries of the above officers there would be a saving sufficient to pay the whole of the fees for Coroners, this Council declines to vote any sum for those fees—they being fairly chargeable on Schedule A as part of the Administration of Justice.
- (4.) That the foregoing Resolutions be embodied in an Address and presented to His Excellency the Governor.
4. MR. DONALDSON to move, That the Bill to authorise the construction of a Tram road from the Mine called Burwood to the Wharf at Newcastle, be now read a first time.
5. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place upon the Estimates for the year 1851, the sum of fifty pounds, to be paid as a premium to encourage the growth of cotton in New South Wales—£30 to be paid for the best sample, £20 for second best sample, not weighing less than 10lbs. each—to be grown on land within this Colony, and exhibited in Sydney in 1851.
6. MR. MARTIN to move,
 - (1.) That in the opinion of this House the Statements of the Expenditure of the sums appropriated for defraying the expenses of the several services and purposes specified in the Schedules A, B, and C, laid upon the Table of this House, on the 12th June last, does not contain such an account in detail as is contemplated and required by the 38th section of the Imperial Act, 5 and 6 Victoria, cap. 76.
 - (2.) That the foregoing Resolution be embodied in an Address, to be presented to His Excellency the Governor.

ORDERS OF THE DAY:—

1. Port Phillip Church Temporalities Bill; second reading.
2. Art Unions' Bill; third reading.
3. British Authors' Bill; second reading.
4. Lien on Wool and Mortgages on Stock Bill; third reading.
5. Newspapers Postage abolition Bill; second reading.
6. Clergymen's disqualifying Bill; to be considered in Committee.
7. Masters' and Servants' Bill; to be further considered in Committee.

TUESDAY, AUGUST 13.

ORDER OF THE DAY:—

1. Geelong Private Streets' Bill; second reading.

WEDNESDAY,

WEDNESDAY, AUGUST 14.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
2. Slaughter House Laws extension Bill; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY, AUGUST 15.

ORDER OF THE DAY:—

1. Marriage Confirmation Bill; second reading.

FRIDAY, AUGUST 16.

NOTICE OF MOTION:—

1. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.

ORDERS OF THE DAY:—

1. Trust Estates and Funds Bill; second reading.
2. Auction Duties' abolition Bill; second reading.

CHARLES NICHOLSON,
Speaker.

134.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 7 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Rules of Court:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the copy of further Rules of Court made by their Honors the Judges.
Ordered to be printed.
2. Public Wharves Bill:—The Governor's Message No. 25, received with this Bill on the 31st ultimo, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, "*A Bill to amend the Law relating to Public Wharves,*" read a first time; to be read a second time this day week.
3. Sydney Public Abattoir Bill:—The Governor's Message No. 26, received with this Bill on the 31st ultimo, having been read, on motion of the Colonial Secretary, The Colonial Secretary moved, That the accompanying Bill be now read a first time. Debate ensued.
Question put and passed; and Bill, intituled, "*A Bill for the establishment of a Public Abattoir or place for the Slaughtering of Cattle,*" read a first time; to be read a second time on Thursday fortnight.
4. Census Bill Reported:—The Report of this Bill from the Committee of the whole Council having been adopted, on motion of the Colonial Secretary, Bill, as so reported, ordered to be engrossed, and read a third time this day week.
5. South Australian Offenders Apprehension Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved that the following be the title of the Bill, viz. :—"*An Act for the better apprehension of offenders who shall have escaped to parts within the territory of New South Wales, from any other of the Australian Colonies.*" Question put and passed.
6. Finance 1850-51:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
The Chairman reported progress and obtained leave to sit again when a certain point of Order which had arisen in the Committee shall have been determined,—
And the House being informed that the Committee having come to a Division, a Question arose, while the Committee was in such Division, whether or no the Speaker's Retiring Room is part of the House, and Members there found are bound to record their Votes,—
It was moved by Mr. Martin, That this House do resolve that the Retiring Room of the Speaker is a part of this House.
Debate ensued.
Question put.
Council divided.

Ayes, 13.

Mr. Oakes,
Mr. Byrnes,
Mr. Nichols,
Dr. Lang,
Mr. Bowman,
Mr. Donaldson,
Mr. Dangar,
Mr. Wentworth,
Mr. James Macarthur,
Mr. William Macarthur,
Mr. Cooper,
Mr. Murray,
Mr. Martin, (Teller.)

Noes, 13.

Mr. Macintyre,
Major Mercer,
Mr. Moor,
The Colonial Secretary,
Mr. Ebden,
Mr. Berry,
The Major General Commanding,
Mr. Parker,
Mr. Allen,
Mr. Icely,
The Collector of Customs,
The Auditor General,
The Colonial Treasurer, (Teller.)

The

The numbers for the Ayes and Nocs being declared to be equal, the Speaker gave his Vote for the Ayes, and declared the Resolution to have passed in the affirmative. The Colonial Secretary then moved, "That" notwithstanding the Resolution which has just been passed, it shall not be compulsory on the Speaker to Vote on any Division of the Committee of the whole House, if he should see fit to decline to do so. Debate ensued.

Mr. Wentworth moved, as an amendment, That all the words following the word "That" be omitted, with a view to insert in their place the words "it be an instruction to the Standing Orders Committee to consider and report upon the expediency of adopting, as one of the Standing Orders of this House, the following, namely:— That notwithstanding that the Speaker's Retiring Room has been declared to be a part of this House, it shall not be compulsory on the Speaker to vote on any division of the Committee of the whole House, if he should see fit to decline to do so."

Debate ensued.

Proposed amendment by leave withdrawn.

Original Question by leave withdrawn, on the ground that in accordance with the practice of Parliament, which binds this House, the Speaker is already at liberty to decline to record his Vote on any Division come to in Committee of the whole House if he have retired before the Question shall have been finally put.

The Colonial Treasurer then moved, That the Speaker do leave the Chair, and the Council resolve itself into a Committee of the whole for the resumption of the consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51, at the point where the Committee left off.

Question put and passed,—

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

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

Council adjourned at a quarter after Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, AUGUST 8.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne General Cemetery Bill; second reading.
2. Sydney Corporation Bill; to be further considered in Committee.
3. Sewerage Bill; to be considered in Committee.
4. Estimates for 1850-51; to be further considered in Committee.

FRIDAY, AUGUST 9.

NOTICES OF MOTION:—

Contingent— Mr. Wentworth to move (after the passing of the *Lien on Wool and Mortgages on Stock Bill*), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316

to

to 1,810,213; the sheep from 5,055,837 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,108 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdiction to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with more qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. EDDEN to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the present year, a sum not exceeding five hundred pounds, for the purpose of enabling the members of the Jewish persuasion to complete their Synagogue and Minister's dwelling in the City of Melbourne.

2. MR. DONALDSON to move:—

(1.) That in the opinion of this Council the case of John Moring, whose Petition is now on the Table of the House, is one of those cases which this Council should take into its favorable consideration.

(2.) That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimate for the year 1850 the sum of £200, being the amount of fair and reasonable compensation to the said John Moring, under all the circumstances of his case.

3. MR. MARTIN to move:—

(1.) That in the opinion of this Council, the Officers hereunder mentioned, ought not to be paid for their services any greater sums than those set opposite their respective names, namely,—

	£
The Crown Solicitor for Criminal business	300
The Chairman of Quarter Sessions	500
The Crown Prosecutor	400
The Commissioner of the Court of Requests, County of Cumberland	500
The Registrar of the Court of Requests, Sydney	200

Total 1,900

(2.) That inasmuch as the Salaries at present paid to the above Officers amount in the aggregate to the sum of £3,100, it is the opinion of this Council that in the payment of those Officers £1,200 per annum has hitherto been improperly and unnecessarily expended.

(3.)

(3.) That inasmuch as by reducing the salaries of the above officers there would be a saving sufficient to pay the whole of the fees for Coroners, this Council declines to vote any sum for those fees—they being fairly chargeable on Schedule A as part of the Administration of Justice.

(4.) That the foregoing Resolutions be embodied in an Address and presented to His Excellency the Governor.

- 4. MR. DONALDSON to move, That the Bill to authorise the construction of a Tram road from the Mine called Burwood to the Wharf at Newcastle, be now read a first time.
- 5. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place upon the Estimates for the year 1851, the sum of fifty pounds, to be paid as a premium to encourage the growth of cotton in New South Wales—£30 to be paid for the best sample, £20 for second best sample, not weighing less than 10lbs. each—to be grown on land within this Colony, and exhibited in Sydney in 1851.
- 6. MR. MARTIN to move,
 - (1.) That in the opinion of this House the Statements of the Expenditure of the sums appropriated for defraying the expenses of the several services and purposes specified in the Schedules A, B, and C, laid upon the Table of this House, on the 12th June last, does not contain such an account in detail as is contemplated and required by the 38th section of the Imperial Act, 5 and 6 Victoria, cap. 76.
 - (2.) That the foregoing Resolution be embodied in an Address, to be presented to His Excellency the Governor.

ORDERS OF THE DAY:—

- 1. Port Phillip Church Temporalities Bill; second reading.
- 2. Art Unions' Bill; third reading.
- 3. British Authors' Bill; second reading.
- 4. Lien on Wool and Mortgages on Stock Bill; third reading.
- 5. Newspapers Postage abolition Bill; second reading.
- 6. Clergymen's disqualifying Bill; to be considered in Committee.
- 7. Masters' and Servants' Bill; to be further considered in Committee.

TUESDAY, AUGUST 13.

NOTICE OF MOTION:—

- 1. MR. MURRAY to move, That this Council having had under its consideration the Despatches from the Right Honorable the Secretary of State to Sir Charles Fitz Roy, dated respectively the 30th of November, 1849, No. 189, and 15th December, 1849, No. 206, relative to the conduct of the Rev. Dr. Lang in sending Immigrants to this Colony, as well as other matters connected therewith, and having heard that gentleman's explanation, is of opinion that he has failed to exculpate himself from the charges brought against him, and desires to record its approval of the course adopted in reference thereto by Her Majesty's Government both at Home and in this Colony.

ORDER OF THE DAY:—

- 1. Geelong Private Streets' Bill; second reading.

WEDNESDAY, AUGUST 14.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

- 1. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
- 2. Slaughter House Laws extension Bill; to be further considered in Committee.
- 3. Public Wharves Bill; second reading.
- 4. Census Bill; third reading.

OTHER BUSINESS—ORDERS OF THE DAY:—

- 1. Justices of the Peace Duties' Bill; second reading.
- 2. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY, AUGUST 15.

ORDER OF THE DAY:—

- 1. Marriage Confirmation Bill; second reading.

FRIDAY, AUGUST 16.

NOTICE OF MOTION:—

- 1. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.

ORDERS OF THE DAY:—

- 1. Trust Estates and Funds Bill; second reading.
- 2. Auction Duties' abolition Bill; second reading.

THURSDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

- 1. Sydney Public Abattoir Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 8 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Leave of absence granted to Colonel Snodgrass for a fortnight from to-day, on motion of Mr. Donaldson.
2. South Head Roads Accounts:—The Colonial Secretary, pursuant to the requirement of the Act of Council, 11 Victoria, No. 49, laid upon the Table the Accounts of the Commissioners of the South Head Road for the half-year ended 31st December, 1849.
Ordered to be printed.
3. Orphan Schools:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Oakes on the 25th June last.
Ordered to be printed.
4. Russell's Nepean Bridge Bill:—Mr. Wentworth presented a Petition from certain landholders and others, resident on and interested in the Road leading from Sydney to Batfurst and the Western Country, praying the Council to pass this Bill.
Petition received.
5. Question of Order:—The Reverend Dr. Lang having taken notice of a Motion standing in the name of Mr. Murray on the Notice Paper for Tuesday next, and expressed it to be his opinion that that Motion involved substantially the same argument and matter as the Question in reference to him—the Reverend Dr. Lang—debated on Tuesday, the 6th instant,—
Moved, That the motion standing in the name of Mr. Murray on the Notice Paper for Tuesday next be expunged.
Debate ensued.
The Speaker being referred to, ruled, That the proper time for raising the Debate on the point of Order in question will be when Mr. Murray shall offer to make his motion on Tuesday next,—
Whereupon the Reverend Dr. Lang, by leave of the Council, withdrew his motion.
6. Melbourne General Cemetery Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again this day week.
7. Sydney Corporation Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
8. Sewerage Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
9. Finance 1850-51:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
Council adjourned at half-past Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, AUGUST 9.

NOTICES OF MOTION:—

Contingent— Mr. Wentworth to move (after the passing of the Lien on Wool and Mortgages on Stock Bill), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,288,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an inter-dict to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

144.

1. MR. EBDEN to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the present year, a sum not exceeding five hundred pounds, for the purpose of enabling the members of the Jewish persuasion to complete their Synagogue and Minister's dwelling in the City of Melbourne.
2. MR. DONALDSON to move :—
 - (1.) That in the opinion of this Council the case of John Moring, whose Petition is now on the Table of the House, is one of those cases which this Council should take into its favorable consideration.
 - (2.) That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimate for the year 1850 the sum of £200, being the amount of fair and reasonable compensation to the said John Moring, under all the circumstances of his case.
3. MR. MARTIN to move :—
 - (1.) That in the opinion of this Council, the Officers hereunder mentioned, ought not to be paid for their services any greater sums than those set opposite their respective names, namely,—

	£
The Crown Solicitor for Criminal business	300
The Chairman of Quarter Sessions	500
The Crown Prosecutor	400
The Commissioner of the Court of Requests, County of Cumberland	500
The Registrar of the Court of Requests, Sydney	200
Total	1,900

- (2.) That inasmuch as the Salaries at present paid to the above Officers amount in the aggregate to the sum of £3,100, it is the opinion of this Council that in the payment of those Officers £1,200 per annum has hitherto been improperly and unnecessarily expended.
- (3.) That inasmuch as by reducing the salaries of the above officers there would be a saving sufficient to pay the whole of the fees for Coroners, this Council declines to vote any sum for those fees—they being fairly chargeable on Schedule A as part of the Administration of Justice.
- (4.) That the foregoing Resolutions be embodied in an Address and presented to His Excellency the Governor.
4. MR. DONALDSON to move, That the Bill to authorise the construction of a Tram road from the Mine called Burwood to the Wharf at Newcastle, be now read a first time.
5. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place upon the Estimates for the year 1851, the sum of fifty pounds, to be paid as a premium to encourage the growth of cotton in New South Wales—£30 to be paid for the best sample, £20 for second best sample, not weighing less than 10lbs. each—to be grown on land within this Colony, and exhibited in Sydney in 1851.
6. MR. MARTIN to move,
 - (1.) That in the opinion of this House the Statements of the Expenditure of the sums appropriated for defraying the expenses of the several services and purposes specified in the Schedules A, B, and C, laid upon the Table of this House, on the 12th June last, does not contain such an account in detail as is contemplated and required by the 38th section of the Imperial Act, 5 and 6 Victoria, cap. 76.
 - (2.) That the foregoing Resolution be embodied in an Address, to be presented to His Excellency the Governor.
7. MR. WENTWORTH to move, That the Petition presented by him yesterday be referred to the Select Committee on Russell's Nepean Bridge Bill.

ORDERS OF THE DAY :—

1. Port Phillip Church Temporalities Bill; second reading.
2. Art Unions' Bill; third reading.
3. British Authors' Bill; second reading.
4. Lien on Wool and Mortgages on Stock Bill; third reading.
5. Newspapers Postage abolition Bill; second reading.
6. Clergymen's disqualifying Bill; to be considered in Committee.
7. Masters' and Servants' Bill; to be further considered in Committee.

TUESDAY, AUGUST 13.

NOTICES OF MOTION :—

1. MR. MURRAY to move, That this Council having had under its consideration the Despatches from the Right Honorable the Secretary of State to Sir Charles Fitz Roy, dated respectively the 30th of November, 1849, No. 189, and 15th December, 1849, No. 206, relative to the conduct of the Rev. Dr. Lang in sending Immigrants to this Colony, as well as other matters connected therewith, and having heard that gentleman's explanation, is of opinion that he has failed to exculpate himself from the charges brought against him, and desires to record its approval of the course adopted in reference thereto by Her Majesty's Government both at Home and in this Colony.

2. MR. NICHOLS to move,—That an Address be presented to His Excellency the Governor, praying that he will cause to be laid on the Table of this House, the following Papers, viz.—
 - (1.) A Copy of the Deed from the Crown, granting any portion of the Lands called Glebe Island.
 - (2.) A Return of the quantity of Land sold by the Crown, forming portions of the same Lands; the amount realized by such sales; the names of the purchasers; and a Copy (if His Excellency should think fit to lay the same before the House,) of the opinions of the Law Officers of the Crown, with reference to the proposed resumption thereof.
3. MR. NICHOLS to move for leave to bring in a Bill to adopt and apply certain Acts of Parliament in the Administration of Justice in New South Wales, viz., an Act passed in the 8th and 9th years of the reign of Her present Majesty Queen Victoria, intituled, "*An Act for the further prevention of Dog Stealing*;" an Act passed in the 9th and 10th years of Her Majesty's reign, intituled, "*An Act for preventing malicious injuries to persons and property by fire, or by explosive or destructive substances*;" an Act passed in the 10th and 11th years of Her Majesty's reign, intituled, "*An Act for extending the provisions of the Law respecting threatening letters, and accusing parties with a view to extort money.*"
4. MR. NICHOLS to move for leave to bring in a Bill to alter and amend the laws relating to the Impounding of Cattle.
5. DR. LANG to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to cause to be laid upon the Table of this House a Return of all sums paid into the Treasury from the Sale of Town Allotments and Suburban Allotments in the City of Sydney and its vicinity, since the year 1831.

ORDER OF THE DAY:—

1. Geelong Private Streets' Bill; second reading.

WEDNESDAY, AUGUST 14.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
2. Slaughter House Laws extension Bill; to be further considered in Committee.
3. Public Wharves Bill; second reading.
4. Census Bill; third reading.
5. Sydney Corporation Bill; to be further considered in Committee.
6. Estimates for 1850-51; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY, AUGUST 15.

NOTICE OF MOTION:—

Contingent—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

ORDERS OF THE DAY:—

1. Marriage Confirmation Bill; second reading.
2. Melbourne General Cemetery Bill; to be further considered in Committee.
3. Sewerage Bill; to be further considered in Committee.

FRIDAY, AUGUST 16.

NOTICES OF MOTION:—

1. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.

2. MR. DANGAR to move,—

(1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, find, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.

(2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.

(3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.

(4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.

(5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.

(7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

ORDERS OF THE DAY:—

- 1. Trust Estates and Funds Bill; second reading.
- 2. Auction Duties' abolition Bill; second reading.

THURSDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

- 1. Sydney Public Abattoir Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 9 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Sydney Museum:—Mr. Wentworth presented a Petition from Messrs. Inder and Co., and George Paton, Builders, praying the Council will vote any sum that may be placed upon the Estimates in satisfaction of their claims upon the Government, on account of erecting the Sydney Muscum.
Petition received.
2. Immigration:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a series of Despatches, relating to Immigration, in continuation of those laid upon the Table on the 13th June last.
Ordered to be printed.
3. Sydney Post Office:—Mr. Donaldson presented a Petition from certain Merchants and others residing in the City of Sydney, praying enquiry into certain irregularities by the Petitioners said to exist in the Sydney Post Office Department.
Petition received.
4. Melbourne Synagogue:—Mr. Ebden moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be placed on the Supplementary Estimate for the present year, a sum not exceeding five hundred pounds, for the purpose of enabling the members of the Jewish persuasion to complete their Synagogue and Minister's dwelling in the City of Melbourne.
Debate ensued.
Question put and passed; Address to be presented by the Speaker.
5. John Moring:—Mr. Donaldson moved, pursuant to notice:—
(1.) That in the opinion of this Council the case of John Moring, whose Petition is now on the Table of the House, is one of those cases which this Council should take into its favorable consideration.
(2.) That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be placed on the Supplementary Estimate for the year 1850 the sum of £200, being the amount of fair and reasonable compensation to the said John Moring, under all the circumstances of his case.
Question put and passed; Address to be presented by the Speaker and the Colonial Secretary.
6. Administration of Justice:—Mr. Martin moved, pursuant to notice:—
(1.) "That" in the opinion of this Council, the Officers hereunder mentioned, ought not to be paid for their services any greater sums than those set opposite their respective names, namely,—

	£
The Crown Solicitor for Criminal business	300
The Chairman of Quarter Sessions	500
The Crown Prosecutor	400
The Commissioner of the Court of Requests, County of Cumberland	500
The Registrar of the Court of Requests, Sydney	200
Total	1,000

- (2.) That inasmuch as the Salaries at present paid to the above Officers amount in the aggregate to the sum of £3,100, it is the opinion of this Council that in the payment of those Officers £1,200 per annum has hitherto been improperly and unnecessarily expended.
- (3.) That inasmuch as by reducing the salaries of the above officers there would be a saving sufficient to pay the whole of the fees for Coroners, this Council declines to vote any sum for those fees—they being fairly chargeable on Schedule A as part of the Administration of Justice.
- (4.) That the foregoing Resolutions be embodied in an Address and presented to His Excellency the Governor.
Debate ensued.
Mr. Donaldson moved as an amendment, That all the words following the word "That" be omitted, with a view to insert in their place the words "in the opinion of this Council the Salaries of the undermentioned Officers, together with some others whose Salaries are included in those paid out of the sums reserved by the Schedules " A,

146.

" A, B, and C, are higher than, with a due regard to the value of the services rendered to the public and the time and attention necessary for the proper performance of the same, they ought to receive, namely—

- " (1.) The Chairman of Quarter Sessions,
- " (2.) The Commissioner of the Court of Requests,
- " (3.) The Criminal Crown Solicitor,
- " (4.) The Crown Prosecutor,
- " (5.) The Registrar of the Court of Requests,

" amounting, as they do, to £3,100 a year.

" (2.) That in the opinion of this Council the above-named Salaries, and others above alluded to, ought to be reduced ; and that a considerable sum might be saved therefrom towards the expenses of the Administration of Justice, which this House is at present called upon annually to vote out of the General Revenue.

" (3.) That these Resolutions be embodied in an Address to the Governor."

Debate continued.

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

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

Council divided.

Ayes, 10.

- Mr. Macintyre,
- Dr. Lang,
- Mr. Dangar,
- Mr. Moor,
- Mr. Fitzgerald,
- Mr. Cooper,
- Mr. Donaldson,
- Mr. Wentworth,
- Major Mercer,
- Mr. Martin, (Teller.)

Nocs, 9.

- The Colonial Secretary,
- The Colonial Treasurer,
- Mr. Nichols,
- The Auditor General,
- Mr. Murray,
- Mr. Parker,
- Mr. Allen,
- The Collector of Customs,
- Mr. Ebdon, (Teller.)

Question—(1.) That in the opinion of this Council the Salaries of the undermentioned Officers, together with some others whose Salaries are included in those paid out of the sums reserved by the Schedules A, B, and C, are higher than, with a due regard to the value of the services rendered to the public and the time and attention necessary for the proper performance of the same, they ought to receive, namely—

- (1.) The Chairman of Quarter Sessions,
- (2.) The Commissioner of the Court of Requests,
- (3.) The Criminal Crown Solicitor,
- (4.) The Crown Prosecutor,
- (5.) The Registrar of the Court of Requests,

amounting, as they do, to £3,100 a year.

(2.) That in the opinion of this Council the above-named Salaries, and others above alluded to, ought to be reduced ; and that a considerable sum might be saved therefrom towards the expenses of the Administration of Justice, which this House is at present called upon annually to vote out of the General Revenue.

(3.) That these Resolutions be embodied in an Address to the Governor—put and passed.

Address to be presented by the Speaker.

7. Mitchell's Tramway Bill :—Mr. Donaldson moved, pursuant to notice, That the Bill to authorise the construction of a Tram road from the Mine called Burwood to the Wharf at Newcastle, be now read a first time.

Question put and passed; and Bill, intituled, " A Bill to authorise the continuation of a Tram Road from Burwood to the Wharf at Newcastle,"—read a first time.

Mr. Donaldson then moved, That the Bill be referred to the consideration and Report of a Select Committee, to consist of, with himself, Mr. Dangar, Mr. Nichols, Mr. Macintyre, and Mr. Moor.

Question put and passed.

8. Premium for the Growth of Cotton :—Mr. Donaldson moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place upon the Estimates for the year 1851, the sum of fifty pounds, to be paid as a premium to encourage the growth of cotton in New South Wales—£30 to be paid for the best sample, £20 for second best sample, not weighing less than 10lbs. each—to be grown on land within this Colony, and exhibited in Sydney in 1851.

Debate ensued.

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

9. Detailed Expenditure under Schedules A, B, and C. :—Mr. Martin moved, pursuant to notice,—

(1.) That in the opinion of this House the Statements of the Expenditure of the sums appropriated for defraying the expenses of the several services and purposes specified in the Schedules A, B, and C, laid upon the Table of this House, on the 12th June last, does not contain such an account in detail as is contemplated and required by the 38th section of the Imperial Act, 5 and 6 Victoria, cap. 76.

(2.) That the foregoing Resolution be embodied in an Address, to be presented to His Excellency the Governor.

Debate ensued.

Motion by leave withdrawn.

10. Russell's Nepean Bridge Bill:—Mr. Wentworth moved, pursuant to notice, That the Petition presented by him yesterday be referred to the Select Committee on Russell's Nepean Bridge Bill.
Question put and passed.
11. Port Phillip Church Temporalities Bill, on motion of Mr. Moor, discharged from the Paper
12. Art Unions Bill: The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, on motion of Mr. Nichols, read a third time, and passed.
Mr. Nichols then moved, That the following be the title of the Bill, viz., "*An Act for legalizing Art Unions.*"
Question put and passed.
15. Postponements:—
- (1.) The second reading of the British Authors' Bill postponed, on motion of Mr. Murray, until this day week.
 - (2.) The third reading of the Lien on Wool and Mortgages on Stock Bill postponed, on motion of Mr. Wentworth, until this day week.
 - (3.) The second reading of the Newspapers Postage abolition Bill postponed, on motion of Mr. Nichols, until Tuesday next.
 - (4.) The consideration in Committee of the Clergymen's disqualifying Bill postponed, on motion of Mr. Wentworth, until Tuesday next.
 - (5.) The further consideration in Committee of the Masters' and Servants' Bill postponed, on motion of Mr. Murray, until Friday next.
- Council adjourned at a quarter before Eight o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, AUGUST 13.

NOTICES OF MOTION:—

1. MR. MURRAY to move, That this Council having had under its consideration the Despatches from the Right Honorable the Secretary of State to Sir Charles Fitz Roy, dated respectively the 30th of November, 1849, No. 189, and 15th December, 1849, No. 206, relative to the conduct of the Rev. Dr. Lang in sending Immigrants to this Colony, as well as other matters connected therewith, and having heard that gentleman's explanation, is of opinion that he has failed to exculpate himself from the charges brought against him, and desires to record its approval of the course adopted in reference thereto by Her Majesty's Government both at Home and in this Colony.
2. MR. NICHOLS to move,—That an Address be presented to His Excellency the Governor, praying that he will cause to be laid on the Table of this House, the following Papers, viz.—
 - (1.) A Copy of the Deed from the Crown, granting any portion of the Lands called Glebe Island.
 - (2.) A Return of the quantity of Land sold by the Crown, forming portions of the same Lands; the amount realized by such sales; the names of the purchasers; and a Copy (if His Excellency should think fit to lay the same before the House,) of the opinions of the Law Officers of the Crown, with reference to the proposed resumption thereof.
3. MR. NICHOLS to move for leave to bring in a Bill to adopt and apply certain Acts of Parliament in the Administration of Justice in New South Wales, viz., an Act passed in the 8th and 9th years of the reign of Her present Majesty Queen Victoria, intituled, "*An Act for the further prevention of Dog Stealing;*" an Act passed in the 9th and 10th years of Her Majesty's reign, intituled, "*An Act for preventing malicious injuries to persons and property by fire, or by explosive or destructive substances;*" an Act passed in the 10th and 11th years of Her Majesty's reign, intituled, "*An Act for extending the provisions of the Law respecting threatening letters, and accusing parties with a view to extort money.*"
4. MR. NICHOLS to move for leave to bring in a Bill to alter and amend the laws relating to the Impounding of Cattle.
5. DR. LANG to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to cause to be laid upon the Table of this House a Return of all sums paid into the Treasury from the Sale of Town Allotments and Suburban Allotments in the City of Sydney and its vicinity, since the year 1831.
6. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to cause to be laid upon the Table of this House, a copy of all official documents connected with the Land Order for £850 addressed to His Excellency in favor of the Reverend Dr. Lang, and dated 16 June, 1849.
7. MR. WENTWORTH to move, That the Petition from the Clerks of the Police Office, presented to this House on the 13th July, 1847, be referred to the Police Committee.

ORDERS OF THE DAY:—

1. Geelong Private Streets' Bill; second reading.
2. Newspapers Postage abolition Bill; second reading.
3. Clergymen's disqualifying Bill; to be considered in Committee.

WEDNESDAY,

148.

WEDNESDAY, AUGUST 14.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
2. Slaughter House Laws extension Bill; to be further considered in Committee.
3. Public Wharves Bill; second reading.
4. Census Bill; third reading.
5. Sydney Corporation Bill; to be further considered in Committee.
6. Estimates for 1850-51; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY, AUGUST 15.

NOTICE OF MOTION:—

Contingent—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

ORDERS OF THE DAY:—

1. Marriage Confirmation Bill; second reading.
2. Melbourne General Cemetery Bill; to be further considered in Committee.
3. Sewerage Bill; to be further considered in Committee.

FRIDAY, AUGUST 16.

NOTICES OF MOTION:—

Contingent—Mr. Wentworth to move (after the passing of the Lien on Wool and Mortgages on Stock Bill), That this House do resolve:—

- (1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.
- (2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.
- (3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.
- (4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—
- (5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,703,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,063,530 lbs., of the value of £1,238,559; the

149

the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdiction to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. Mr. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.

2. Mr. DANGAR to move,—

(1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, find, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.

(2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.

(3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.

(4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.

(5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.

(7.)

150.

(7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

3. MR. DONALDSON to move, That a Select Committee, to consist, with the Mover, of seven Members, be appointed to inquire into and report upon the allegations contained in a Petition presented on the 9th instant by the Hon. Member for Durham, relating to the Sydney Post Office. The Committee to consist, with the Mover, of the Colonial Secretary, the Auditor General, Mr. Ebdon, Major Mercer, Mr. Wentworth, and Mr. Lamb.

ORDERS OF THE DAY:—

1. Trust Estates and Funds Bill; second reading.
2. Auction Duties' abolition Bill; second reading.
3. British Authors' Bill; second reading.
4. Lien on Wool and Mortgages on Stock Bill; third reading.
5. Masters' and Servants' Bill; to be further considered in Committee.

THURSDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Sydney Public Abattoir Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 13 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Bank Returns:—The Colonial Secretary laid upon the Table the General Abstract of the sworn Returns of the average Assets and Liabilities and of the Capital and Profits of the several Banks in the Colony of New South Wales, rendered pursuant to the Act 4 Victoria, No. 13, for the Quarter ended 30th June, 1850.
Ordered to be printed.
2. Postage on Newspapers:—Mr. Murray presented a Petition from certain Inhabitants of the District of Queanbeyan, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
3. Messages:—The following Messages from His Excellency the Governor received and read:—

(1.) Pre-payment of Ship Letters:—

CH^r. A. FITZ ROY,
Governor.

Message No. 27.

The Governor transmits to the Legislative Council the annexed copy of a Despatch, with enclosures, from the Right Honorable the Secretary of State for the Colonies, in reply to the Address from the Council to Her Majesty, dated 10th August, 1849, on the subject of the optional prepayment of the Postage on all Letters passing between the Colony and the United Kingdom.

*Government House, Sydney,
13th August, 1850.*

Ordered to be printed, together with the accompanying Documents.

(2.) Melbourne Synagogue:—

CH^s. A. FITZ ROY,
Governor.

Message No. 28.

In reply to the Address of the Legislative Council of the 9th instant, requesting the Governor to cause to be placed on the Supplementary Estimate for the present year a sum not exceeding five hundred pounds, for the purpose of enabling the members of the Jewish persuasion to complete their Synagogue and Minister's dwelling in Melbourne, His Excellency begs to refer the Council to the Secretary of State's Despatch of the 13th April, 1847, on the subject of the allowance of a stipend to the Jewish Minister at Sydney; a copy of which was laid before the Council in compliance with the request contained in their Address of 9th May, 1848.

Under the terms of that Despatch His Excellency does not consider himself at liberty to comply with the present application, without previously obtaining the sanction of Her Majesty's Government:

*Government House, Sydney,
13th August, 1850.*

Ordered to be printed.

4. Dr. Lang and Immigration:—Mr. Murray offering to make the motion standing in his name first on the Notice Paper for to-day,—
Mr. Martin moved, That the Notice of Motion standing in the name of the Honorable Member for Murray, being contrary to the rules of this House, as substantially bringing under discussion a question already considered in this House, be expunged from the Paper.
Debate ensued.
Question put.

Council

Council divided.

Ayes, 9.
 Dr. Lang,
 Mr. Oakes,
 Dr. Dickson,
 Mr. Byrnes,
 Mr. Macintyre,
 Mr. Bowman,
 The Auditor General,
 The Attorney General,
 Mr. Martin, (Teller.)

Noes, 17.
 The Colonial Treasurer,
 The Colonial Secretary,
 The Major General Commanding,
 Captain King,
 Mr. William Macarthur,
 Mr. Parker,
 The Collector of Customs,
 Mr. Allen,
 Mr. Moor,
 Major Mercer,
 Mr. Nichols,
 Mr. Donaldson,
 Mr. Dangar,
 Mr. Cooper,
 Mr. Wentworth,
 Mr. Ebden,
 Mr. Murray, (Teller.)

Mr. Murray again offering to make his motion,—

Mr. Nichols moved :—

(1.) That this House having found that the motion of the Reverend Dr. Lang, Member for Sydney, of the 6th instant, for enquiry into his own conduct, was irregular, do consider the same as void and without effect.

(2.) That this House therefore do pronounce the whole proceeding arising out of such motion of the Reverend Dr. Lang to be irregular, and that it be expunged from the records of the same, together with the Notice of Motion now standing in the name of the Honorable Member for Murray.

Debate ensued.

Question put.

Council divided.

Ayes, 4.

Mr. Byrnes,
 Mr. Dangar,
 Mr. Macintyre,
 Mr. Nichols, (Teller.)

Noes, 23.

The Colonial Secretary,
 The Colonial Treasurer,
 The Major General Commanding,
 Captain King,
 Mr. Murray,
 The Collector of Customs,
 Dr. Dickson,
 Mr. Allen,
 Mr. Fitzgerald,
 The Attorney General,
 The Auditor General,
 Mr. Bowman,
 Dr. Lang,
 Mr. Martin,
 Mr. Oakes,
 Major Mercer,
 Mr. Donaldson,
 Mr. Wentworth,
 Mr. Cooper,
 Mr. Moor,
 Mr. Ebden,
 Mr. William Macarthur,
 Mr. Parker, (Teller.)

Mr. Murray then moved, pursuant to amended notice, That this Council having had under its consideration the Despatches from the Right Honorable the Secretary of State to Sir Charles Fitz Roy, dated respectively the 30th of November, 1849, No. 189, and 15th December, 1849, No. 206, relative to the conduct of the Rev. Dr. Lang in sending Emigrants to this Colony, as well as other matters connected therewith, and having heard that gentleman's explanation, is of opinion that he has failed to exculpate himself from the charges brought against him.

And the Rev. Dr. Lang having been heard in his place and withdrawn—

Mr. Wentworth moved, That the Debate be adjourned until Tuesday next.

Question on the motion for adjournment of the Debate put and passed.

5. Glebe Island :—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will cause to be laid on the Table of this House, the following Papers, viz:—

(1.) A Copy of the Deed from the Crown, granting any portion of the Lands called Glebe Island.

(2.) A Return of the quantity of Land sold by the Crown, forming portions of the same Lands; the amount realized by such sales; the names of the purchasers; and a Copy (if His Excellency should think fit to lay the same before the House,) of the opinions of the Law Officers of the Crown, with reference to the proposed resumption thereof.

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

6. Acts of Parliament adoption Bill:—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill to adopt and apply certain Acts of Parliament in the Administration of Justice in New South Wales, viz., an Act passed in the 8th and 9th years of the reign of Her present Majesty Queen Victoria, intituled, "*An Act for the further prevention of Dog Stealing*;" an Act passed in the 9th and 10th years of Her Majesty's reign, intituled, "*An Act for preventing malicious injuries to persons and property by fire, or by explosive or destructive substances*;" an Act passed in the 10th and 11th years of Her Majesty's reign, intituled, "*An Act for extending the provisions of the Law respecting threatening letters, and accusing parties with a view to extort money*."
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
7. Impounding Bill:—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill to alter and amend the laws relating to the Impounding of Cattle.
Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
8. Sydney Town and Suburban Lands:—The Rev. Dr. Lang moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to cause to be laid upon the Table of this House a Return of all sums paid into the Treasury from the Sale of Town Allotments and Suburban Allotments in the City of Sydney and its vicinity, since the year 1831.
Question put and passed; Address to be presented by the Speaker.
9. Acts of Parliament adoption Bill:—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill to adopt and apply certain Acts of Parliament in the Administration of Justice in New South Wales*," read a first time; ordered to be printed, and read a second time on Friday week.
10. Dr. Lang's Land Order:—Mr. Wentworth moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting that he will be pleased to cause to be laid upon the Table of this House, a copy of all official documents connected with the Land Order for £850 addressed to His Excellency in favor of the Reverend Dr. Lang, and dated 16th June, 1849.
Question put and passed; Address to be presented by the Speaker.
11. Sydney Police Office Clerks:—Mr. Wentworth moved, pursuant to notice, That the Petition from the Clerks of the Police Office, presented to this House on the 13th July, 1847, be referred to the Police Committee.
Question put and passed.
12. Postponements:—
(1) The second reading of the Geelong Private Streets Bill postponed, on motion of Dr. Dickson, until this day week.
(2) The second reading of the Newspapers Postage abolition Bill postponed, on motion of Mr. Nichols, until Friday next.
(3) The consideration in Committee of the Clergymen's disqualifying Bill postponed, on motion of Mr. Wentworth, until Friday next.
Council adjourned at half-past Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, AUGUST 14.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne Public Abattoirs' Bill; to be further considered in Committee.
2. Slaughter House Laws extension Bill; to be further considered in Committee.
3. Public Wharves Bill; second reading.
4. Census Bill; third reading.
5. Sydney Corporation Bill; to be further considered in Committee.
6. Estimates for 1850-51; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY, AUGUST 15.

NOTICE OF MOTION:—

Contingent—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

(1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.

(2.)

(2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.

(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Marriage Confirmation Bill; second reading.
2. Melbourne General Cemetery Bill; to be further considered in Committee.
3. Sewerage Bill; to be further considered in Committee.

FRIDAY, AUGUST 16.

NOTICES OF MOTION:—

Contingent—Mr. Wentworth to move (after the passing of the *Lien on Wool and Mortgages on Stock Bill*), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £85,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdiction to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.

2. MR. DANGAR to move,—

(1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, and from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 ls. 11d.

(2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.

(3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.

(4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.

(5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.

(7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

3. MR. DONALDSON to move, That a Select Committee, to consist, with the Mover, of seven Members, be appointed to inquire into and report upon the allegations contained in a Petition presented on the 9th instant by the Hon. Member for Durham, relating to the Sydney Post Office. The Committee to consist, with the Mover, of the Colonial Secretary, the Auditor General, Mr. Ebdon, Major Mercer, Mr. Wentworth, and Mr. Lamb.
4. MR. MARTIN to move for leave to bring in a Bill to give Jurisdiction to the Legislative Council, in cases of Contempt.
5. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount of Customs' Duties collected at Eden, Two-fold Bay, during the years 1848-9 up to the 30th June, 1850; also a Return of the amount of expenses incurred by the Customs' Department in the collection of such Customs' Duties, during the period aforesaid.

6. DR. LANG to move, That His Excellency the Governor, be requested, in an Address from this House, to lay upon the Table a copy of His Excellency's Despatch to Earl Grey, of the 30th June, 1849, on the subject of a Public Meeting in Sydney, held on the 18th of the same month.

ORDERS OF THE DAY :—

1. Trust Estates and Funds Bill; second reading.
2. Auction Duties' abolition Bill; second reading.
3. British Authors' Bill; second reading.
4. Lien on Wool and Mortgages on Stock Bill; third reading.
5. Masters' and Servants' Bill; to be further considered in Committee.
6. Newspapers Postage abolition Bill; second reading.
7. Clergymen's disqualifying Bill; to be considered in Committee.

TUESDAY, AUGUST 20.

ORDERS OF THE DAY :—

1. Resumption of the Debate on Mr. Murray's Motion in reference to Dr. Lang and Immigration.
2. Geelong Private Streets' Bill; second reading.

THURSDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Sydney Public Abattoir Bill; second reading.

FRIDAY, AUGUST 23.

NOTICE OF MOTION :—

1. DR. LANG to move, That this House having taken into consideration His Excellency the Governor's Despatch to the Right Honorable Earl Grey, of date June 30th, 1849, feels constrained, from the serious misrepresentation of facts of public notoriety which that Despatch contains, as well as of public opinion in Sydney and throughout the Colony, on a matter of vital importance to the general welfare, to express its utter want of confidence in the Local Executive, and its earnest desire for a thorough and entire change of the existing Administration.

ORDER OF THE DAY :—

1. Acts of Parliament Adoption Bill; second reading.

CHARLES NICHOLSON,
Speaker.

134

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 14 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Melbourne Public Abattoirs' Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for this day week.
2. Postponement:—The further consideration in Committee of the Slaughter House Laws extension Bill postponed, on motion of the Colonial Secretary, until this day week.
3. Public Wharves' Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
4. Census Bill:—The Colonial Secretary moved, "That" this Bill be now read a third time.
The Colonial Treasurer moved, as an amendment, That all the words following the word "That" be omitted, with a view to the insertion in their place of the words, "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of this Bill,—put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
5. Sydney Corporation Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
6. Finance 1850-51:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
The Chairman reported progress, and obtained leave to sit again to-morrow.
7. Postponements:—
(1.) The second reading of the Justices of the Peace Duties' Bill postponed, on motion of the Attorney General, until Wednesday next.
(2.) The second reading of the Cattle Slaughtering Laws' Bill postponed, on motion of Mr. Martin, until this day week.
Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, AUGUST 15.

NOTICE OF MOTION:—

Contingent—Dr. Lang to move the following Resolutions (*on the motion for the third reading of the Sewerage Bill for the City of Sydney*):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Marriage Confirmation Bill; second reading.
2. Melbourne General Cemetery Bill; to be further considered in Committee.
3. Sewerage Bill; to be further considered in Committee.
4. Estimates for 1850-51; to be further considered in Committee.

FRIDAY, AUGUST 16.

NOTICES OF MOTION:—

Contingent—Mr. Wentworth to move (*after the passing of the Lien on Wool and Mortgages on Stock Bill*), That this House do resolve:—

- (1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.
- (2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.
- (3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.
- (4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,000,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—
- (5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,047 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,104 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.
- (6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdict to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled

enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £540,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.

2. MR. DANGAR to move,—

(1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, and, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 ls. 11d.

(2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.

(3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.

(4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.

(5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.

(7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

3. MR. DONALDSON to move, That a Select Committee, to consist, with the Mover, of seven Members, be appointed to inquire into and report upon the allegations contained in a Petition presented on the 9th instant by the Hon. Member for Durham, relating to the Sydney Post Office. The Committee to consist, with the Mover, of the Colonial Secretary, the Auditor General, Mr. Ebdon, Major Mercer, Mr. Wentworth, and Mr. Lamb.
4. MR. MARTIN to move for leave to bring in a Bill to give Jurisdiction to the Legislative Council, in cases of Contempt.
5. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount of Customs' Duties collected at Eden, Two-fold Bay, during the years 1848-9 up to the 30th June, 1850; also a Return of the amount of expenses incurred by the Customs' Department in the collection of such Customs' Duties, during the period aforesaid.
6. DR. LANG to move, That His Excellency the Governor, be requested, in an Address from this House, to lay upon the Table a copy of His Excellency's Despatch to Earl Grey, of the 30th June, 1849, on the subject of a Public Meeting in Sydney, held on the 18th of the same month.
7. MR. NICHOLS to move for leave to introduce a Bill to extend the provisions of an Act of the Governor and Legislative Council, passed in the 11th year of the reign of Her present Majesty, intituled, "*An Act for the regulation of Steam Navigation and for requiring sea-going vessels to carry boats,*" to all steam vessels or boats employed in carrying passengers.

ORDERS OF THE DAY:—

1. Trust Estates and Funds Bill; second reading.
2. Auction Duties' abolition Bill; second reading.
3. British Authors' Bill; second reading.
4. Lien on Wool and Mortgages on Stock Bill; third reading.
5. Masters' and Servants' Bill; to be further considered in Committee.
6. Newspapers Postage abolition Bill; second reading.
7. Clergymen's disqualifying Bill; to be considered in Committee.

TUESDAY, AUGUST 20.

ORDERS OF THE DAY:—

1. Resumption of the Debate on Mr. Murray's Motion in reference to Dr. Lang and Immigration.
2. Geelong Private Streets' Bill; second reading.

WEDNESDAY, AUGUST 21.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne Public Abattoirs' Bill Reported; Adoption of the Report.
2. Slaughter House Laws extension Bill; to be further considered in Committee.
3. Public Wharves Bill; third reading.
4. Census Bill; third reading.
5. Sydney Corporation Bill; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Sydney Public Abattoir Bill; second reading.

FRIDAY, AUGUST 23.

NOTICE OF MOTION:—

1. DR. LANG to move, That this House having taken into consideration His Excellency the Governor's Despatch to the Right Honorable Earl Grey, of date June 30th, 1849, feels constrained, from the serious misrepresentation of facts of public notoriety which that Despatch contains, as well as of public opinion in Sydney and throughout the Colony, on a matter of vital importance to the general welfare, to express its utter want of confidence in the Local Executive, and its earnest desire for a thorough and entire change of the existing Administration.

ORDER OF THE DAY:—

1. Acts of Parliament Adoption Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 15 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Dr. Douglass:—Mr. Wentworth presented a Petition from Henry Grattan Douglass, M.D., praying relief in the matter of a certain Grant of Land withheld from him.
Petition received.
2. Point of Order:—Mr. Wentworth moved, That on the Resumption of the adjourned Debate on Tuesday next, in reference to the Rev. Dr. Lang and Immigration, the Honorable and Rev. Member for Sydney be allowed to continue his observations to the House, as there will then be new matter before the House.
Debate ensued.
Question put and passed.
3. Dr. Lang's Land Order:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Wentworth on the 13th instant.
Ordered to be printed.
4. Postponement:—The second reading of the Marriage Confirmation Bill postponed; on motion of the Attorney General, until Wednesday next.
5. Melbourne General Cemetery Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Wednesday next.
6. Sewerage Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day fortnight.
7. Finance 1850-51:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
Council adjourned at Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, AUGUST 16.

NOTICES OF MOTION :—

Contingent— Mr. Wentworth to move (after the passing of the *Loan on Wool and Mortgages on Stock Bill*), That this House do resolve :—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,922 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,233,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdict to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.
2. MR. DANGAR to move,—
- (1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, find, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.
- (2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.
- (3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.
- (4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.
- (5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefited, by being relieved of some of its unproductive population.
- (6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.
- (7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.
- Lastly, That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.
3. MR. DONALDSON to move, That a Select Committee, to consist, with the Mover, of seven Members, be appointed to inquire into and report upon the allegations contained in a Petition presented on the 9th instant by the Hon. Member for Durham, relating to the Sydney Post Office. The Committee to consist, with the Mover, of the Colonial Secretary, the Auditor General, Mr. Edden, Major Mercer, Mr. Wentworth, and Mr. Lamb.
4. MR. MARTIN to move for leave to bring in a Bill to give Jurisdiction to the Legislative Council, in cases of Contempt.
5. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount of Customs' Duties collected at Eden, Two-fold Bay, during the years 1848-9 up to the 30th June, 1850; also a Return of the amount of expenses incurred by the Customs' Department in the collection of such Customs' Duties, during the period aforesaid.
6. DR. LANG to move, That His Excellency the Governor be requested, in an Address from this House, to lay upon the Table a copy of His Excellency's Despatch to Earl Grey, of the 30th June, 1849, on the subject of a Public Meeting in Sydney, held on the 18th of the same month.
7. MR. NICHOLS to move for leave to introduce a Bill to extend the provisions of an Act of the Governor and Legislative Council, passed in the 11th year of the reign of Her present Majesty, intituled, "An Act for the regulation of Steam Navigation and for requiring sea-going vessels to carry boats," to all steam vessels or boats employed in carrying passengers.
8. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that Copies of any Correspondence between the Local Government and the Colonial Office touching Dr. Douglass's claim for compensation for the undue cancellation of the grant of two thousand acres of land promised to him by Sir Thomas Brisbane, be laid on the Table of this House.

ORDERS OF THE DAY:—

1. Trust Estates and Funds Bill; second reading.
2. Auction Duties' abolition Bill; second reading.
3. British Authors' Bill; second reading.
4. Lien on Wool and Mortgages on Stock Bill; third reading.
5. Masters' and Servants' Bill; to be further considered in Committee.
6. Newspapers Postage abolition Bill; second reading.
7. Clergymen's disqualifying Bill; to be considered in Committee.

TUESDAY, AUGUST 20.

NOTICE OF MOTION:—

1. MR. FITZGERALD to move, That an Address be presented to His Excellency the Governor requesting him to cause to be placed on the Supplementary Estimate for the present year, a sufficient sum to erect a substantial Bridge over the South Creek at the entrance to the Town of Windsor.

ORDERS OF THE DAY:—

1. Resumption of the Debate on Mr. Murray's Motion in reference to Dr. Lang and Immigration.
2. Geelong Private Streets' Bill; second reading.

WEDNESDAY, AUGUST 21.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Melbourne Public Abattoirs' Bill Reported; Adoption of the Report.
2. Slaughter House Laws extension Bill; to be further considered in Committee.
3. Public Wharves Bill; third reading.
4. Census Bill; third reading.
5. Sydney Corporation Bill; to be further considered in Committee.
6. Marriage Confirmation Bill; second reading.
7. Melbourne General Cemetery Bill Reported; Adoption of the Report.
8. Estimates for 1850-51; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Sydney Public Abattoir Bill; second reading.

FRIDAY, AUGUST 23.

NOTICE OF MOTION:—

1. DR. LANG to move, That this House having taken into consideration His Excellency the Governor's Despatch to the Right Honorable Earl Grey, of date June 30th, 1849, feels constrained, from the serious misrepresentation of facts of public notoriety which that Despatch contains, as well as of public opinion in Sydney and throughout the Colony, on a matter of vital importance to the general welfare, to express its utter want of confidence in the Local Executive, and its earnest desire for a thorough and entire change of the existing Administration.

ORDER OF THE DAY:—

1. Acts of Parliament Adoption Bill; second reading.

THURSDAY,

THURSDAY, AUGUST 29.

NOTICE OF MOTION :—

Contingent—Dr. Lang to move the following Resolutions (*on the motion for the third reading of the Sewerage Bill for the City of Sydney*):—

(1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.

(2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.

(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

- 1. Sewerage Bill; to be further considered in Committee.

CHARLES NICHOLSON,
Speaker.

166.

H. J.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 16 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Moreton Bay:—Mr. Donaldson presented a Petition from certain Landowners and other Inhabitants of the Town of Brisbane, Moreton Bay, praying the survey of the entrance to the River Brisbane.
Petition received.
2. Messages:—The following Messages from His Excellency the Governor received and read:—
 - (1.) University Bill:—
CH^S. A. FITZ ROY, Message No. 29.
Governor.
In compliance with the prayer of the Address of the Legislative Council, of the 28th June last, the Governor recommends to the Council the insertion in the Bill for incorporating and endowing a University; to be called the University of Sydney, a clause permanently appropriating the sum of £5,000 a year, from the General Revenue, as a fund for Salaries, a Library, and other necessary annual expenses of such University.
Government House, Sydney,
16th August, 1850.
Ordered to be printed, and taken into consideration this day week.
 - (2.) Corporate Towns Justices Bill:—
CH^S. A. FITZ ROY, Message No. 30.
Governor.
Agreeably to the provisions of the 30th clause of the Act for the Government of New South Wales and Van Diemen's Land the Governor has to propose the following amendment in the Act which has been passed by the Council and presented to His Excellency for the Royal Assent, intituled, "A Bill to extend to the Town of Geelong and all such other Towns as may from time to time be incorporated the provisions of certain Acts relating to the jurisdiction of the Peace within the respective Cities of Sydney and Melbourne, and to certain other matters therein mentioned."
2. The amendment which His Excellency proposes is that in the tenth line of Clause II. the following words should be substituted for those already inserted after the word "but," namely,—“such last mentioned Commissions shall be and continue to be of the same force and effect in every respect, and in all places, as if such Commissions for the Town of Geelong had not been made or issued.”
Government House, Sydney,
16th August, 1850.
Ordered to be printed, and taken into consideration on Wednesday next.
3. Mitchell's Tramway Bill:—Mr. Nichols presented a Petition from certain Inhabitants of the City of Newcastle and its neighbourhood, and others interested in the trade of the Port of Newcastle, praying that this Bill may be passed.
Petition received.
4. Postponements:—
 - (1.) Mr. Nichols postponed the motion standing in his name first on the Notice Paper for to-day, until this day week.
 - (2.) Mr. Dangar postponed the motion standing in his name second on the Notice Paper for to-day, until Friday, August 30.
5. Sydney Post Office:—Mr. Donaldson moved, pursuant to notice, That a Select Committee, to consist, with the Mover, of seven Members, be appointed to inquire into and report upon the allegations contained in a Petition presented on the 9th instant by the Hon. Member for Durham, relating to the Sydney Post Office. The Committee to consist, with the Mover, of the Colonial Secretary, the Auditor General, Mr. Ebdon, Major Mercer, Mr. Wentworth, and Mr. Lamb.
Debate ensued.
Motion by leave withdrawn.

168.

- 6. Contempts :—Mr. Martin moved, pursuant to notice, for leave to bring in a Bill to give Jurisdiction to the Legislative Council, in cases of Contempt.
Debate ensued.
Mr. Nichols moved the Previous Question.
Previous Question put—" Shall this Question be now put ?"—
Council divided.

Ayes, 4.

Mr. Berry,
Mr. Dangar,
Mr. Wentworth,
Mr. Martin, (Teller.)

Noes, 19.

The Colonial Treasurer,
The Attorney General,
The Colonial Secretary,
Mr. Allen,
Mr. Parker,
Mr. Macintyre,
Dr. Lang,
Mr. Moor,
Dr. Dickson,
Mr. Oakes,
Mr. Ebdon,
Mr. Cooper,
The Collector of Customs,
The Auditor General,
Mr. Donaldson,
Major Mercer,
Captain King,
Mr. William Macarthur,
Mr. Nichols, (Teller.)

- 7. Female Children's Apprenticing Bill :—The Colonial Treasurer, on behalf of the Select Committee appointed on the 18th July last, to obtain proof of the allegations contained in the Preamble of this Bill, brought up the Report.
Ordered to be printed.
- 8. Commission of the Peace Bill :—Mr. Nichols having presented this Bill, Bill, intituled, " A Bill to prevent any practising Barrister or Attorney from acting as a Justice of the Peace in certain cases," read a first time; ordered to be printed, and read a second time this day week.
- 9. Customs Department at Eden :—Mr. Nichols moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of the amount of Customs' Duties collected at Eden, Twofold Bay, during the years 1848-9 up to the 30th June, 1850; also a Return of the amount of expenses incurred by the Customs' Department in the collection of such Customs' Duties, during the period aforesaid.
Question put and passed; Address to be presented by the Speaker.
- 10. Despatch on Public Meeting :—Dr. Lang moved, pursuant to notice, That His Excellency the Governor be requested, in an Address from this House, to lay upon the Table a copy of His Excellency's Despatch to Earl Grey, of the 30th June, 1849, on the subject of a Public Meeting in Sydney, held on the 18th of the same month.
Question put and passed; Address to be presented by the Speaker.
- 11. Steam Navigation Bill :—Mr. Nichols moved, pursuant to notice, for leave to introduce a Bill to extend the provisions of an Act of the Governor and Legislative Council, passed in the 11th year of the reign of Her present Majesty, intituled, " An Act for the regulation of Steam Navigation and for requiring sea-going vessels to carry boats," to all steam vessels or boats employed in carrying passengers.
Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
- 12. Dr. Douglass :—Mr. Wentworth moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that Copies of any Correspondence between the Local Government and the Colonial Office touching Dr. Douglass's claim for compensation for the undue cancellation of the grant of two thousand acres of land promised to him by Sir Thomas Brisbane, be laid on the Table of this House.
Question put and passed; Address to be presented by the Speaker.
- 13. Steam Navigation Bill :—Mr. Nichols having presented this Bill, Bill, intituled, " A Bill to extend the provisions of an Act passed in the eleventh year of the reign of Her present Majesty, intituled, ' An Act for the regulation of Steam Navigation, and for requiring sea-going vessels to carry boats,' to all steam vessels," read a first time; ordered to be printed, and read a second time this day week.
- 14. Postponement :—The second reading of the Trust Estates and Funds' Bill postponed, on motion of Mr. Moor, until this day fortnight.
- 15. Auction Duties' abolition Bill, on motion of Mr. Donaldson, read a second time; ordered to be considered in Committee this day week.
- 16. Postponements :—
(1.) The second reading of the British Authors' Bill postponed, on motion of Mr. Murray, until Tuesday next.
(2.) The third reading of the Lien on Wool and Mortgages on Stock Bill postponed, on motion of Mr. Wentworth, until Thursday next.

- (3.) The further consideration in Committee of the Masters and Servants' Bill postponed, on motion of Mr. Murray, until Friday next.
- (4.) The second reading of the Newspapers Postage abolition Bill postponed, on motion of Mr. Nichols, until Friday next.
- (5.) The consideration in Committee of the Clergymen's Disqualifying Bill postponed, on motion of Mr. Wentworth, until Thursday next.
- Council adjourned at Eight o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, AUGUST 20.

NOTICES OF MOTION :—

1. MR. FITZGERALD to move, That an Address be presented to His Excellency the Governor requesting him to cause to be placed on the Supplementary Estimate for the present year, a sufficient sum to erect a substantial Bridge over the South Creek at the entrance to the Town of Windsor.
2. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, a Return of the amount received into the Colonial Treasury under and by virtue of the Act 11 Victoria, No. 61, known as the "Boundary Commissioners' Act," for fees derived from cases of disputed boundaries to runs referred to the Commissioners under this Act; the amount paid out of this sum to the Commissioners; and the amount paid and the sum still due to each Commissioner.
3. MR. WENTWORTH to move, on the resumption of the Debate in reference to the Rev. Dr. Lang and Immigration, by way of amendment upon Mr. Murray's motion, That all the words following the words "exculpate himself," be omitted, with a view to the insertion in their place of the words :—
 - "(1.) That having been warned by competent authority that any Emigrants sent out by him, contrary to the Regulations in force for the conduct of Emigration to these Colonies, would not be entitled to any remissions in the purchase of land, he induced many persons, nevertheless, to pay him for their passages at rates above the current price, and to emigrate under the impression that they would be so entitled to land upon their arrival.
 - "(2.) That this system of deception was practised under pretence that a Colonization Company had been formed in London, under the name of 'The Port Phillip and Clarence River Colonization Company,' which in fact, except in the person of the Rev. Dr. Lang, as its Secretary, and a Mr. Arnold, as Assistant Secretary, pro tempore, had no visible existence there.
 - "(3.) That it follows from the statements and admissions made by the Rev. Dr. Lang, in his speeches in this House, that this system of deception was deliberately practised with a view to induce Emigrants to come to these Colonies, and that he considers his personal responsibility to give them land in addition to their passage a sufficient justification of this proceeding.
 - "(4.) That in the opinion of this House, the worthlessness of this alleged responsibility is sufficiently proved by the fact, that in the great majority of these cases, the parties holding these responsibilities have not yet received the land thus stipulated to be given to them.
 - "(5.) That the beneficial interest in the Land Order of two parts, dated 16th June, 1849, for £850, which sum the Rev. Dr. Lang in his letter to Mr. Pettigrew, his Agent, directing the allotment of this land, distinctly admits that he received from the allottees, was not in the Rev. Dr. Lang but in such allottees; that he was merely their trustee; and that his subsequent pledging of the said Order was a fraud upon his cestuique trust, and highly incorrect.
 - "(6.) That under these circumstances this House feels bound to declare that the conduct of the Rev. Dr. Lang in the matters aforesaid has been unwarranted and dishonorable, and such as would fully justify this House, if it had the undoubted power, in expelling him therefrom."

ORDERS OF THE DAY :—

1. Resumption of the Debate on Mr. Murray's Motion in reference to Dr. Lang and Immigration.
2. Geelong Private Streets' Bill; second reading.
3. British Authors' Bill; second reading.

WEDNESDAY,

WEDNESDAY, AUGUST 21.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. THE COLONIAL TREASURER to move, That the Female Childrens' Apprenticing Bill be now read a second time.

ORDERS OF THE DAY:—

1. Melbourne Public Abattoirs' Bill Reported; Adoption of the Report.
2. Slaughter House Laws extension Bill; to be further considered in Committee.
3. Public Wharves Bill; third reading.
4. Census Bill; third reading.
5. Sydney Corporation Bill; to be further considered in Committee.
6. Marriage Confirmation Bill; second reading.
7. Melbourne General Cemetery Bill Reported; Adoption of the Report.
8. Estimates for 1850-51; to be further considered in Committee.
9. Consideration of Governor's Message No. 30, proposing amendment in the Corporata Towns' Justices Bill.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

THURSDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Sydney Public Abattoir Bill; second reading.

OTHER BUSINESS—NOTICE OF MOTION:—

Contingent— Mr. Wentworth to move (after the passing of the Lien on Wool and Mortgages on Stock Bill), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdiction to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.)

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill; third reading.
2. Clergymen's disqualifying Bill; to be considered in Committee.

FRIDAY, AUGUST 23.

NOTICES OF MOTION:—

1. DR. LANG to move, That this House having taken into consideration His Excellency the Governor's Despatch to the Right Honorable Earl Grey, of date June 30th, 1849, feels constrained, from the serious misrepresentation of facts of public notoriety which that Despatch contains, as well as of public opinion in Sydney and throughout the Colony, on a matter of vital importance to the general welfare, to express its utter want of confidence in the Local Executive, and its earnest desire for a thorough and entire change of the existing Administration.
2. MR. MOOR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be placed on a Supplementary Estimate, for the year 1851, the following sums, viz. :—

	£	s.	d.
For enclosing, fencing, and laying out the intended New Melbourne General Cemetery	500	0	0
For building a Lock-up House at Warrnambool	250	0	0
3. MR. EDDEN to move, (as an amendment upon Mr. Moor's motion,) That there be added the words and figures "for building a lock-up house at Port Fairy £250."
4. MR. WENTWORTH to move :—
 - (1.) That it is a grievance that the Salary and Establishment of the Governor, so long as he continues to be a strictly Imperial Officer, appointed by the Home authorities, and responsible only to them, are not defrayed wholly out of Imperial Funds.
 - (2.) That, in the opinion of this House, the dispensation of any part of the patronage of the Colony by any other than the Governor, with the advice of such responsible Executive, is a grievance; that all offices of trust or emolument should be bestowed on the settled inhabitants, who pay the taxes out of which the appointees to such offices are compensated for their services; and that it is a meanness and injustice, bordering on dishonesty, that any portion of this taxation should be applied, as it has hitherto been, to augment the patronage, and thereby the influence of the Queen's Ministers in England; that this grievance has been aggravated by the fact, that all important offices of trust, honor, and emolument, have been, and still continue to be, exclusively bestowed on persons born in some portion of the United Kingdom.
 - (3.) That, in the opinion of this House, the schedules A. B. and C. appended to the Imperial Act, 5 and 6 Victoria, chap. 76, are a grievance; that they are opposed to the Declaratory Act 18 Geo. 3. cap. 12, sec. 1, which places the appropriation as well as the tendency of these Schedules, independent of this fundamental objection to their enactment by the Imperial Parliament, is to encourage a wasteful expenditure of the Public Moneys, and to destroy all responsibility in the governing power to the People's Representatives.

(4.)

172

(4.) That, in the opinion of this House, the Imperial Act, 5 and 6 Victoria, chap. 36, which places the management of the lands of the Colony, and the appropriation of the Revenues thence arising, beyond the control of this House, is a grievance; that inasmuch as the whole value of these lands has been imparted to them by the settlement of the Colonists, and by the labour and capital which they have expended upon them, and this value consequently belongs to the whole Colony, and not to the Crown, it follows that the entire Revenues thence arising, whether by sale or rent, ought of right to form part of our Ordinary Revenue, and to be subject to the sole control and appropriation of the Local Legislature; that although by the Bill now before Parliament for the better government of the Australian Colonies, it is proposed to vest in the general or federal assembly, to be thereby constituted, the power to redress this grievance, this House,—seeing the uncertainty that any two of these Colonies will agree to set this general assembly in motion,—that the process for calling it together, even though they should so agree, is very dilatory,—and that there is little chance of any unanimity in regard to a uniform price for the public lands of these Colonies, so diverse in climate, production and soil,—does not look to any relief from a Legislative body so unfitted to deal with this grievance, and insists on the justice and expediency of vesting plenary powers with reference to the Public lands of the several Colonies, in their several Legislatures.

(5.) That in the opinion of this House, it is a still greater grievance that this large branch of our Colonial Revenues has been, to a very considerable extent, appropriated (under the management of a Board of Commissioners in England in no way responsible to this House) in the conveyance to this Colony of the paupers of the unions, workhouses, and other eleemosynary establishments of the United Kingdom, with little or no contribution in aid either from the localities thus benefitted or from Imperial Funds; that this Emigration has in a great measure, as this House believes, been conducted in utter disregard of the requirements of the Colony, and with reference only to the particular interest that has been brought to bear on the Colonial Minister; and that while the manifest tendency of such a system of Emigration is to debase and impoverish our community, it cannot, in the opinion of this House, have been sanctioned with any other view than to relieve permanently the parishes and establishments from which this mass of pauperism has been ejected at our expense, so that a double burden has thus been cast upon us—the burden of their migration to these shores, and the burden of their support after their arrival.

(6.) That in the opinion of this House, it is a grievance that the Territorial Revenues have not been long since handed over to the control of this House, in pursuance of the compact entered into by Sir Richard Bourke with the previous Nominee Council, under the authority of the letter of Mr. Spring Rice, now Lord Monteagle, of the 15th November, 1834, and the Treasury letter of the 23rd of September of the same year, which accompanied it. That this House considers, that the entire amount of the Police and other expenditure for the coercion and punishment of Convicts, which was assumed by the previous Nominee Council, then in existence, upon the faith of this compact, ought to be refunded to this Colony, either in money or an equivalent immigration, as repeatedly before insisted upon by this House, out of Imperial funds. That this expenditure, as appears by the General Grievance Report adopted by this House in 1844, amounted on the 31st of December of that year, in round numbers, to £793,349; and according to the scale of the annual proportion of the said charge for Public Gaols and the Criminal Administration of Justice, fixed by the same Report, as justly chargeable to the Home Government, will amount, on the 31st of December, 1850, to £1,238,204. That whilst the equivalent immigration, so insisted upon, would be only a measure of justice to the Colony, it would be highly beneficial to the Parent State, by transferring large masses of unemployed and burdensome paupers to the unlimited field for productive industry which exists here.

(7.) That, in the opinion of this House, it is a grievance, that all the salaries of all public officers are not subject to the control of this House; that many of these salaries were fixed by a Nominee Council, under the orders of the Secretary of State for the Colonies, at a time when the Colony from the large amount of the Convict Expenditure, and from other causes, was in a state of great prosperity, and are no longer consistent with our increased population and comparatively diminished means of paying such salaries; and that the accounts of the Customs and of all Public Departments should be subject only to the audit of Officers or Boards appointed by this Legislature.

(8.) That, in the opinion of this House, it is a grievance that the Poor Houses, Lunatic Asylums, and Police of the Colony, increased as all these establishments have unavoidably been by the pauper lunatics and criminals of Great Britain, still forming a considerable element of our population, have been so suddenly cast upon the Colony without a due contribution from Imperial funds.

(9.) That, in the opinion of this House, it is a grievance that the Local Legislature does not possess a plenary power of legislation in all matters of domestic or municipal concernment; and a still greater grievance that the course of such legislation should be so frequently interrupted by unnecessary and vexatious interferences from the Home authorities. That whilst this House is willing to submit to the veto of the Queen's Representative on all such questions, they respectfully insist that no Bill of theirs, or of any Legislative Body succeeding them, should be reserved for the signification of Her Majesty's pleasure, which does not affect Imperial interests, or the Prerogatives of the Crown.

(10.) That, in the opinion of this House, it is a grievance that the Military force hitherto stationed in the Colony should have been reduced so low, considering how large an amount

amount of turbulence and crime has been and continues to be mixed up with our population by means of the criminals of the Mother Country, either transported from it direct to these shores, or who have found their way hither as expiring or freed men from the Penal Colony of Van Diemen's Land. That this is felt to be a peculiar grievance inasmuch as it is notorious that the Royal Prerogative of mercy has been prostituted in that Colony in a wholesale way in order that the Imperial Expenditure might be diminished at our expense by letting loose upon us hordes of incorrigible offenders who are a pest to our Community and ought still to be under the severest punishment and surveillance. That this abuse has been carried to the length that whereas all ticket of leave holders in that Colony, who have not committed offences after the reception of this indulgence, are by the regulations in force, entitled, after a very short interval, to a Conditional Pardon, which gives them the option of either remaining in that Colony, or of emigrating elsewhere; those on the other hand, who during the same period commit offences, and suffer punishments under sentence of the Colonial Courts, equally receive a Conditional Pardon, with this only difference, that it does not give them an option of further infesting such Colony with their depredations, but compels them at once, and for ever, to transfer themselves and their predatory habits to the surrounding Colonies, or to some Foreign Country. That as the originators of this system must have anticipated, its results has been to fill the surrounding Colonies generally, but this Colony in particular, with the very dregs of the felon population of Great Britain, rendered still more debased by the probation system of Van Diemen's Land; and thereby so to endanger the personal security and property of the inhabitants of these Colonies, as to render indispensable a large increase to the already enormous expenditure for Police, Gaols, and the Criminal administration of Justice. That whilst this House enters its solemn Protest against the further continuance of this demoralizing system, they insist that this most indefensible exercise of the Royal Prerogative has given the Colony they represent an undoubted claim to a large contribution from the Military Chest, in aid of the increased expenditure for Police, Gaols, and the Criminal Administration of Justice, which has been, and must in a still greater degree be, consequent on this unwarrantable addition to our Criminal Statistics; and, further, at the very least, to an equivalent Emigration from the United Kingdom, to counteract in some measure the moral poison which has been thus diffused amongst us.

(11.) That it is a grievance that the Metropolitan City of this Colony, after having been founded upwards of sixty-two years, and with the immense fund of convict labour which has been at the disposal of the local Government during the greater part of that period, should be exposed, as it is, to the attack of the smallest naval armament. That the construction of the necessary Forts for the defence of Harbours and Cities, has in all Colonies been a charge upon Imperial funds; and that to reduce the military force under such circumstances, is in the highest degree unjust and inopportune.

(12.) That whilst it is the ardent desire of this House to strengthen and perpetuate the bond of union which at present happily subsists between this Colony and the Parent Country, they feel bound to declare it to be their deliberate opinion, that the grievances above enumerated, have already produced wide spread dissatisfaction, and that their inevitable tendency, if persisted in, is to sow throughout the Colony, and more especially among that rapidly increasing portion of it, the Native born population, the seeds of disaffection, which must, at no remote period, end in disruption from the parent stock.

(13.) That a Committee of this House, consisting of the Mover, Mr. Murray, Mr. Dangar, Mr. Martin, and Mr. Cooper, be appointed to prepare Petitions founded on these Resolutions to Her Majesty, and both Houses of Parliament, praying that all these grievances may be immediately redressed.

5. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.

ORDERS OF THE DAY:—

1. Acts of Parliament Adoption Bill; second reading.
2. Consideration of Governor's Message, No. 29, endowing the proposed University.
3. Commission of the Peace Bill; second reading.
4. Steam Navigation Bill; second reading.
5. Auction Duties' abolition Bill; to be considered in Committee.
6. Masters' and Servants' Bill; to be further considered in Committee.
7. Newspapers Postage abolition Bill; second reading.

THURSDAY, AUGUST 29.

NOTICE OF MOTION:—

Contingent—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

(1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in

in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.

(2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.

(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Sewerage Bill; to be further considered in Committee.

FRIDAY, AUGUST 30.

NOTICE OF MOTION:—

1. MR. DANGAR to move,—

(1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, find, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.

(2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.

(3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.

(4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed, at the whole cost of this Colony.

(5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.

(7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

ORDER OF THE DAY:—

1. Trust Estates and Funds Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 20 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Inward and Outward Pilotage :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Nichols on the 19th July last.
Ordered to be printed.
2. Glebe Island :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Nichols on the 13th instant.
Ordered to be printed.
3. Mitchell's Tramway Bill :—Mr. Macintyre presented a Petition from William Croasdill, of Newcastle, praying that this Bill may not be passed.
Petition received.
4. Duty on Colonial Tobacco exported to Van Diemen's Land :—Mr. Donaldson presented a Petition from certain Landed Proprietors and Settlers resident in the District of Dungog, praying the Council to obtain the abolition of the Duty charged in Van Diemen's Land upon Tobacco the growth of New South Wales, or to impose a protective Duty on Wheat and other Grain the produce of that Colony imported into New South Wales.
Petition received.
5. Postage on Newspapers :—Mr. Donaldson presented a Petition from certain Inhabitants of Moreton Bay, praying the abolition of the Postage now charged upon Newspapers.
Petition received.
6. Mitchell's Tramway Bill :—Mr. Parker presented a Petition from James Edward Ebsworth, of Newcastle, Agent for the Australian Agricultural Company, praying that this Bill may not be passed.
Petition received.
7. South Creek Bridge :—Mr. Fitzgerald moved, pursuant to notice, That an Address be presented to His Excellency the Governor requesting him to cause to be placed on the Supplementary Estimate for the present year, a sufficient sum to erect a substantial Bridge over the South Creek at the entrance to the Town of Windsor.
Debate ensued.
Question put and passed; Address to be presented by the Speaker.
8. Port Phillip Church Temporalities and Discipline Bills :—Dr. Lang presented a Petition from certain Inhabitants of the City of Melbourne and District of Port Phillip, in public meeting assembled, praying that these Bills may not be passed.
Petition received.
9. Disputed Boundaries' Fees :—Mr. Donaldson moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will cause to be laid upon the Table of this House, a Return of the amount received into the Colonial Treasury under and by virtue of the Act 11 Victoria, No. 61, known as the "Boundary Commissioners' Act," for fees derived from cases of disputed boundaries to runs referred to the Commissioners under this Act; the amount paid out of this sum to the Commissioners; and the amount paid and the sums still due to each Commissioner.
Question put and passed; Address to be presented by the Speaker.
10. Denominational Education :—Mr. Darvall presented a Petition from certain Members of the United Church of England and Ireland, praying that any arrangements adopted for the establishment of a University may be accompanied by pecuniary provision towards the support of a College in connexion with the Church of England, the Students of which may offer themselves as Candidates for Degrees in the University.
Petition received.

176.

11. Dr. Lang and Immigration:—The Order of the Day for the resumption of the adjourned Debate on the motion of Mr. Murray, "That this Council having had under its consideration the Despatches from the Right Honorable the Secretary of State to Sir Charles Fitz Roy, dated respectively the 30th of November, 1849, No. 189, and 15th December, 1849, No. 206, relative to the conduct of the Rev. Dr. Lang in sending Emigrants to this Colony, as well as other matters connected therewith, and having heard that gentleman's explanation, is of opinion that he has failed to 'exculpate himself' from the charges brought against him,"—having been read,—

Dr. Lang continued his observations to the House—pursuant to Resolution passed on the 15th instant—and having concluded, withdrew,—

Whereupon Mr. Darvall moved, That any Standing Order of this House which would prevent the Honorable and Reverend Member for Sydney being present during the further debate of his case, or having the right of reply at its conclusion, be suspended. Debate ensued.

Question put and passed.

And the Honorable and Reverend Gentleman having returned, the Speaker communicated to him the foregoing Resolution, whereupon the Honorable and Reverend Gentleman resumed his place.

Mr. Wentworth then moved, pursuant to amended notice, That all the words of Mr. Murray's motion following the words 'exculpate himself,' be omitted, with a view to the insertion in their place of the words "from the following charges:—

"(1.) That having been warned by competent authority that any Emigrants sent out by him, contrary to the Regulations in force for the conduct of Emigration to these Colonies, would not be entitled to any remissions in the purchase of land, he induced many persons, nevertheless, to pay him for their passages at rates above the current price, and to emigrate under the impression that they would be so entitled to land upon their arrival.

"(2.) That this system of deception was practised under pretence that a Colonization Company had been formed in London, under the name of 'The Port Phillip and Clarence River Colonization Company,' which in fact, except in the person of the Rev. Dr. Lang, as its Secretary, and a Mr. Arnold, as Assistant Secretary, pro tempore, had no visible existence there.

"(3.) That it follows from the statements and admissions made by the Rev. Dr. Lang, in his speeches in this House, that this system of deception was deliberately practised with a view to induce Emigrants to come to these Colonies, and that he considers his personal responsibility to give them land in addition to their passage a sufficient justification of this proceeding.

"(4.) That in the opinion of this House, the worthlessness of this alleged responsibility is sufficiently proved by the fact, that in the great majority of these cases, the parties holding these responsibilities have not yet received the land thus stipulated to be given to them.

"(5.) That the beneficial interest in the Land Order of two parts, dated 16th June, 1849, for £850, which sum the Rev. Dr. Lang in his letter to Mr. Pettigrew, his Agent, directing the allotment of this land, distinctly admits that he received from the allottees, was not in the Rev. Dr. Lang but in such allottees; that he was merely their trustee; and that his subsequent pledging of the said Order was a fraud upon his cestuique trust, and highly, incorrect.

"(6.) That under these circumstances this House feels bound to declare that the conduct of the Rev. Dr. Lang in the matters aforesaid has been unwarranted and dishonorable, and such as would fully justify this House, if its power were undoubted, in expelling him therefrom."

Mr. Martin moved, That the Debate be adjourned until to-morrow.

Question put on the Motion for adjournment of the Debate.

Council divided.

- Ayes, 13.
- Mr. Macintyre,
- Dr. Dickson,
- Mr. Byrnes,
- The Auditor General,
- Mr. Martin,
- Mr. Cooper,
- Mr. Bowman,
- Mr. Icely,
- The Colonial Secretary,
- Mr. Fitzgerald,
- Mr. William Macarthur,
- Mr. Allen,
- Mr. Oakes, (Teller.)

- Noes, 10.
- The Attorney General,
- Mr. Darvall,
- The Collector of Customs,
- Major Mercer,
- Mr. Murray,
- Mr. Parker,
- Mr. Noor,
- Mr. Wentworth,
- Mr. Ebdon,
- Mr. Donaldson, (Teller)

12. Postponements:—

(1.) The second reading of the Geelong Private Streets Bill postponed, on motion of Dr. Dickson, until Friday next.

(2.) The second reading of the British Authors Bill postponed, on motion of Mr. Murray until Friday next.

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

144

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, AUGUST 21.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL TREASURER to move, That the Female Childrens' Apprenticing Bill be now read a second time.

ORDERS OF THE DAY :—

1. Melbourne Public Abattoirs' Bill Reported ; Adoption of the Report.
2. Slaughter House Laws extension Bill ; to be further considered in Committee.
3. Public Wharves Bill ; third reading.
4. Census Bill ; third reading.
5. Sydney Corporation Bill ; to be further considered in Committee.
6. Marriage Confirmation Bill ; second reading.
7. Melbourne General Cemetery Bill Reported ; Adoption of the Report.
8. Estimates for 1850-51 ; to be further considered in Committee.
9. Consideration of Governor's Message No. 30, proposing amendment in the Corporate Towns' Justices Bill.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MACINTYRE to move, That the Petition presented by him yesterday be referred to the Select Committee on Mitchell's Tramway Bill.
2. MR. PARKER to move, That the Petition presented by him yesterday be referred to the Select Committee on Mitchell's Tramway Bill.
3. MR. DARVALL to move, That the Petition presented by him yesterday from members of the Church of England and Ireland be printed.

ORDERS OF THE DAY :—

1. Justices of the Peace Duties' Bill ; second reading.
2. Cattle Slaughtering Laws' Bill ; second reading.
3. Resumption of the Debate in reference to Dr. Lang and Immigration.

THURSDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Sydney Public Abattoir Bill ; second reading.

OTHER BUSINESS—NOTICE OF MOTION :—

Contingent— Mr. Wentworth to move (after the passing of the *Lien on Wool and Mortgages on Stock Bill*), That this House do resolve :—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420 ; the exports from £1,172,320 to £1,991,270 ; the vessels built and registered in this Colony from 7,022 tons to 8,504 ; the live stock from 62,017 horses to 121,859 ; the horned cattle from 1,017,316 to 1,810,213 ; the sheep from 5,055,337 to 12,102,540 ; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559 ;

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148.

the tallow exported from 5,080 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,658 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdiction to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir G. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to show the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill; third reading.
2. Clergymen's disqualifying Bill; to be considered in Committee.

FRIDAY, AUGUST 23.

NOTICES OF MOTION:—

1. DR. LANG to move, That this House having taken into consideration His Excellency the Governor's Despatch to the Right Honorable Earl Grey, of date June 30th, 1849, feels constrained, from the serious misrepresentation of facts of public notoriety which that Despatch contains, as well as of public opinion in Sydney and throughout the Colony, on a matter of vital importance to the general welfare, to express its utter want of confidence in the Local Executive, and its earnest desire for a thorough and entire change of the existing Administration.

2. MR. MOOR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be placed on a Supplementary Estimate, for the year 1851, the following sums, viz. :—

For enclosing, fencing, and laying out the intended New	£	s.	d.
Melbourne General Cemetery	500	0	0
For building a Lock-up House at Warrnambool	250	0	0

3. MR. EBDEN to move, (as an amendment upon Mr. Moor's motion.) That there be added the words and figures "for building a lock-up house at Port Fairy £250."

4. MR. WENTWORTH to move:—

(1.) That it is a grievance that the Salary and Establishment of the Governor, so long as he continues to be a strictly Imperial Officer, appointed by the Home authorities, and responsible only to them, are not defrayed wholly out of Imperial Funds.

(2.) That, in the opinion of this House, the dispensation of any part of the patronage of the Colony by any other than the Governor, with the advice of such responsible Executive, is a grievance; that all offices of trust or emolument should be bestowed on the settled inhabitants, who pay the taxes out of which the appointees to such offices are compensated for their services; and that it is a meanness and injustice, bordering on dishonesty, that any portion of this taxation should be applied, as it has hitherto been, to

to augment the patronage, and thereby the influence of the Queen's Ministers in England; that this grievance has been aggravated by the fact, that all important offices of trust, honor, and emolument, have been, and still continue to be, exclusively bestowed on persons born in some portion of the United Kingdom.

(3.) That, in the opinion of this House, the schedules A. B. and C. appended to the Imperial Act, 5 and 6 Victoria, chap. 76, are a grievance; that they are opposed to the Declaratory Act 18 Geo. 3. cap. 12, sec. 1, which places the appropriation as well as the imposition of all taxes in the several Legislatures of the Colonies; and that the tendency of these Schedules, independent of this fundamental objection to their enactment by the Imperial Parliament, is to encourage a wasteful expenditure of the Public Moneys, and to destroy all responsibility in the governing power to the People's Representatives.

(4.) That, in the opinion of this House, the Imperial Act, 5 and 6 Victoria, chap. 36, which places the management of the lands of the Colony, and the appropriation of the Revenues thence arising, beyond the control of this House, is a grievance; that inasmuch as the whole value of these lands has been imparted to them by the settlement of the Colonists, and by the labour and capital which they have expended upon them, and this value consequently belongs to the whole Colony, and not to the Crown, it follows that the entire Revenues thence arising, whether by sale or rent, ought of right to form part of our Ordinary Revenue, and to be subject to the sole control and appropriation of the Local Legislature; that although by the Bill now before Parliament for the better government of the Australian Colonies, it is proposed to vest in the general or federal assembly, to be thereby constituted, the power to redress this grievance, this House,—seeing the uncertainty that any two of these Colonies will agree to set this general assembly in motion,—that the process for calling it together, even though they should so agree, is very dilatory,—and that there is little chance of any unanimity in regard to a uniform price for the public lands of these Colonies, so diverse in climate, production and soil,—does not look to any relief from a Legislative body so unfitted to deal with this grievance, and insists on the justice and expediency of vesting plenary powers with reference to the Public lands of the several Colonies, in their several Legislatures.

(5.) That in the opinion of this House, it is a still greater grievance that this large branch of our Colonial Revenues has been, to a very considerable extent, appropriated (under the management of a Board of Commissioners in England in no way responsible to this House) in the conveyance to this Colony of the paupers of the unions, workhouses, and other eleemosynary establishments of the United Kingdom, with little or no contribution in aid either from the localities thus benefitted or from Imperial Funds; that this Emigration has in a great measure, as this House believes, been conducted in utter disregard of the requirements of the Colony, and with reference only to the particular interest that has been brought to bear on the Colonial Minister; and that while the manifest tendency of such a system of Emigration is to debase and impoverish our community, it cannot, in the opinion of this House, have been sanctioned with any other view than to relieve permanently the parishes and establishments from which this mass of pauperism has been ejected at our expense, so that a double burden has thus been cast upon us—the burden of their migration to these shores, and the burden of their support after their arrival.

(6.) That in the opinion of this House, it is a grievance that the Territorial Revenues have not been long since handed over to the control of this House, in pursuance of the compact entered into by Sir Richard Bourke with the previous Nominee Council, under the authority of the letter of Mr. Spring Rice, now Lord Montecagle, of the 15th November, 1834, and the Treasury letter of the 23rd of September of the same year, which accompanied it. That this House considers, that the entire amount of the Police and other expenditure for the coercion and punishment of Convicts, which was assumed by the previous Nominee Council, then in existence, upon the faith of this compact, ought to be refunded to this Colony, either in money or an equivalent immigration, as repeatedly before insisted upon by this House, out of Imperial funds. That this expenditure, as appears by the General Grievance Report adopted by this House in 1844, amounted on the 31st of December of that year, in round numbers, to £793,349; and according to the scale of the annual proportion of the said charge for Public Gaols and the Criminal Administration of Justice, fixed by the same Report, as justly chargeable to the Home Government, will amount, on the 31st of December, 1850, to £1,238,204. That whilst the equivalent immigration, so insisted upon, would be only a measure of justice to the Colony, it would be highly beneficial to the Parent State; by transferring large masses of unemployed and burdensome paupers to the unlimited field for productive industry which exists here.

(7.) That, in the opinion of this House, it is a grievance that all the salaries of all public officers are not subject to the control of this House; that many of these salaries were fixed by a Nominee Council, under the orders of the Secretary of State for the Colonies, at a time when the Colony from the large amount of the Convict Expenditure, and from other causes, was in a state of great prosperity, and are no longer consistent with our increased population and comparatively diminished means of paying such salaries; and that the accounts of the Customs and of all Public Departments should be subject only to the audit of Officers or Boards appointed by this Legislature.

(8.) That, in the opinion of this House, it is a grievance that the Poor Houses, Lunatic Asylums, and Police of the Colony, increased as all these establishments have unavoidably been by the pauper lunatics and criminals of Great Britain, still forming

a considerable element of our population, have been so suddenly cast upon the Colony without a *due contribution from Imperial funds*.

(9.) That, in the opinion of this House, it is a grievance that the Local Legislature does not possess a plenary power of legislation in all matters of domestic or municipal concernment; and a still greater grievance that the course of such legislation should be so frequently interrupted by unnecessary and vexatious interferences from the Home authorities. That whilst this House is willing to submit to the veto of the Queen's Representative on all such questions, they respectfully insist that no Bill of theirs, or of any Legislative Body succeeding them, should be reserved for the signification of Her Majesty's pleasure, which does not affect Imperial interests, or the Prerogatives of the Crown.

(10.) That, in the opinion of this House, it is a grievance that the Military force hitherto stationed in the Colony should have been reduced so low, considering how large an amount of turbulence and crime has been and continues to be mixed up with our population by means of the criminals of the Mother Country, either transported from it direct to these shores, or who have found their way hither as expees or freed men from the Penal Colony of Van Diemen's Land. That this is felt to be a peculiar grievance inasmuch as it is notorious that the Royal Prerogative of mercy has been prostituted in that Colony in a wholesale way in order that the Imperial Expenditure might be diminished at our expense by letting loose upon us hordes of incorrigible offenders who are a pest to our Community and ought still to be under the severest punishment and surveillance. That this abuse has been carried to the length that whereas all ticket of leave holders in that Colony, who have not committed offences after the reception of this indulgence, are by the regulations in force, entitled, after a very short interval, to a Conditional Pardon, which gives them the option of either remaining in that Colony, or of emigrating elsewhere; those on the other hand, who during the same period commit offences, and suffer punishments under sentence of the Colonial Courts, equally receive a Conditional Pardon, with this only difference, that it does not give them an option of further infesting such Colony with their depredations, but compels them at once, and for ever, to transfer themselves and their predatory habits to the surrounding Colonies, or to some Foreign Country. That as the originators of this system must have anticipated, its result has been to fill the surrounding Colonies generally, but this Colony in particular, with the very dregs of the felon population of Great Britain, rendered still more debased by the probation system of Van Diemen's Land; and thereby so to endanger the personal security and property of the inhabitants of these Colonies, as to render indispensable a large increase to the already enormous expenditure for Police, Gaols, and the Criminal administration of Justice. That whilst this House enters its solemn Protest against the further continuance of this demoralizing system, they insist that this most indefensible exercise of the Royal Prerogative has given the Colony they represent an undoubted claim to a large contribution from the Military Chest, in aid of the increased expenditure for Police, Gaols, and the Criminal Administration of Justice, which has been, and must in a still greater degree be, consequent on this unwarrantable addition to our Criminal Statistics; and further, at the very least, to an equivalent Emigration from the United Kingdom, to counteract in some measure the moral poison which has been thus diffused amongst us.

(11.) That it is a grievance that the Metropolitan City of this Colony, after having been founded upwards of sixty-two years, and with the immense fund of convict labour which has been at the disposal of the local Government during the greater part of that period, should be exposed, as it is, to the attack of the smallest naval armament. That the construction of the necessary Forts for the defence of Harbours and Cities, has in all Colonies been a charge upon Imperial funds; and that to reduce the military force under such circumstances, is in the highest degree unjust and inopportune.

(12.) That whilst it is the ardent desire of this House to strengthen and perpetuate the bond of union which at present happily subsists between this Colony and the Parent Country, they feel bound to declare it to be their deliberate opinion, that the grievances above enumerated, have already produced wide spread dissatisfaction, and that their inevitable tendency, if persisted in, is to sow throughout the Colony, and more especially among that rapidly increasing portion of it, the Native born population, the seeds of disaffection, which must, at no remote period, end in disruption from the parent stock.

(13.) That a Committee of this House, consisting of the Mover, Mr. Murray, Mr. Dangar, Mr. Martin, and Mr. Cooper, be appointed to prepare Petitions founded on these Resolutions to Her Majesty and both Houses of Parliament, praying that all these grievances may be immediately redressed.

5. MR. MARTIN to move, (as an amendment to Mr. Wentworth's motion respecting grievances, the following additions thereto, to come in immediately after the first resolution.)—

(2.) That it is a grievance that persons not elected by the people have seats in this House.

(3.) That it is a grievance that our Executive Government is not responsible to the people's Representatives in the same manner as the Queen's Ministers in England are,—and that this is the most intolerable of all grievances.

6. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.

7. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor praying, that His Excellency will be pleased to place on the Supplementary Estimate for the year 1850, the sum of £100 to be applied towards the completion of a proper survey of and report upon the navigation of the River Brisbane, Moreton Bay, with a view to the removal of the natural obstacles which at present exist, especially at the river bar, and at Eagle Farm flats.

8. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the following results for a period of time extending over the last 12 months,—
- (1.) The amount of Revenue derived from sales of Crown Lands in the districts of Moreton Bay, Darling Downs, Wide Bay, and Clarence River.
 - (2.) The amount of Revenue derived from Assessment on Stock in the Districts of New England (estimated amount from that portion lying to the northward of the 30th parallel of south latitude), Clarence River, Moreton Bay, Darling Downs, Burnett, Maranoa, and Wide Bay.
 - (3.) The amount of Customs' Revenue, collected at Brisbane.
 - (4.) The number of Immigrants landed at Brisbane.
 - (5.) The amount expended in the several districts included in the Item No. 2.

ORDERS OF THE DAY:—

- 1. Acts of Parliament Adoption Bill; second reading.
- 2. Consideration of Governor's Message, No. 29, endowing the proposed University.
- 3. Commission of the Peace Bill; second reading.
- 4. Steam Navigation Bill; second reading.
- 5. Auction Duties' abolition Bill; to be considered in Committee.
- 6. Masters' and Servants' Bill; to be further considered in Committee.
- 7. Newspapers Postage abolition Bill; second reading.
- 8. Geelong Private Streets' Bill; second reading.
- 9. British Authors' Bill; second reading.

TUESDAY, AUGUST 27.

NOTICE OF MOTION:—

- 1. MR. MARTIN to move for leave to bring in a Bill to provide for the paving of the Metropolis.

THURSDAY, AUGUST 29.

NOTICE OF MOTION:—

Contingent—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

- 1. Sewerage Bill; to be further considered in Committee.

FRIDAY, AUGUST 30.

NOTICE OF MOTION:—

- 1. MR. DANGAR to move,—
 - (1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, find, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.
 - (2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.
 - (3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.

(4.)

(4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.

(5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.

(7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

ORDER OF THE DAY:—

1. Trust Estates and Funds Bill; second reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 21 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Female Children's Apprenticing Bill:—The Colonial Treasurer moved, pursuant to notice, That the Female Children's Apprenticing Bill be now read a second time.
 Question put and passed.
 Bill read a second time.
 The Colonial Treasurer then moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for consideration of this Bill.
 Question put and passed.
 Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
 The Chairman reported progress, and obtained leave to sit again this day week.
2. Mitchell's Tramway Bill:—
 (1.) Mr. Donaldson, in absence of Mr. Macintyre, moved, pursuant to notice standing in the name of Mr. Macintyre first on the Notice Paper of Other Business for to-day, That the Petition presented by Mr. Macintyre yesterday be referred to the Select Committee on Mitchell's Tramway Bill.
 Question put and passed.
 (2.) Mr. Parker moved, pursuant to notice, That the Petition presented by him yesterday be referred to the Select Committee on Mitchell's Tramway Bill.
 Question put and passed.
3. Postponement:—Mr. Darvall postponed the motion standing in his name third on the Notice Paper of Other Business for to-day until to-morrow.
4. Dr. Lang and Immigration:—On the first Order of the Day for the adoption of the Report from the Committee of the whole Council on the Melbourne Public Abattoirs Bill being read,—
 The Colonial Secretary moved, That the resumption of the Debate in reference to Dr. Lang and Immigration, take precedence of all other Orders of the Day.
 Question put and passed,—
 Whereupon Debate accordingly resumed.
 Dr. Lang having, pursuant to Resolution passed yesterday, addressed the House in reply, and withdrawn,—
 And Mr. Wentworth having by leave withdrawn his proposed amendment,—
 The original Question stated,—“That” this Council having had under its consideration the Despatches from the Right Honorable the Secretary of State to Sir Charles Fitz Roy, dated respectively the 30th of November, 1849, No. 189, and 15th December, 1849, No. 206, relative to the conduct of the Reverend Dr. Lang in sending Emigrants to this Colony, as well as other matters connected therewith, and having heard that gentleman's explanation, is of opinion that he has failed to exculpate himself from the charges brought against him.
 Whereupon Mr. Wentworth moved, as an amendment, That all the words following the word “That” be omitted, with a view to the insertion in their place of the words “this House having been invited by the Reverend Dr. Lang to ascertain whether there are any, and if any, what foundations there are for the charges recently preferred against him by the Right Honorable the Secretary of State for the Colonies, in His Lordship's Despatches, No. 189, of the 30th November, 1849, and No. 206, of the 15th December, 1849;—and having considered these Despatches and the circumstances generally connected with them, and having heard the Reverend Dr. Lang in explanation, is of opinion that there are foundations for such charges, and particularly,—
 “(1.) That the Reverend Dr. Lang having been warned by competent authority that any Emigrants sent out by him, contrary to the Regulations in force for the conduct of Emigration to these Colonies, would not be entitled to any remissions in the purchase of land, induced many persons, nevertheless, to pay him for their passages at rates
 “above

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" above the current price, and to emigrate under the impression that they would be so entitled to land upon their arrival.

" (2.) That the beneficial interest in the Land Order of two parts, dated 16th June, 1849, for £850, which sum the Reverend Dr. Lang in his letter to Mr. Pettigrew, his Agent, directing the allotment of this land, distinctly admits that he received from the allottees, was not in the Reverend Dr. Lang but in such allottees; that he was merely their trustee; and that his subsequent pledging of the Duplicate of the said Order was a fraud upon his cestuique trusts, and highly discreditable."

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

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

Question,—That this House having been invited by the Reverend Dr. Lang to ascertain whether there are any, and if any, what foundations there are for the charges recently preferred against him by the Right Honorable the Secretary of State for the Colonies, in His Lordship's Despatches, No. 189, of the 30th November, 1849, and No. 206, of the 15th December, 1849;—and having considered these Despatches and the circumstances generally connected with them, and having heard the Reverend Dr. Lang in explanation, is of opinion that there are foundations for such charges, and particularly,—

(1.) That the Reverend Dr. Lang having been warned by competent authority that any Emigrants sent out by him, contrary to the Regulations in force for the conduct of Emigration to these Colonies, would not be entitled to any remissions in the purchase of land, induced many persons, nevertheless, to pay him for their passages at rates above the current price, and to emigrate under the impression that they would be so entitled to land upon their arrival.

(2.) That the beneficial interest in the Land Order of two parts, dated 16th June, 1849, for £850, which sum the Reverend Dr. Lang in his letter to Mr. Pettigrew, his Agent, directing the allotment of this land, distinctly admits that he received from the allottees, was not in the Reverend Dr. Lang but in such allottees; that he was merely their trustee; and that his subsequent pledging of the duplicate of the said Order was a fraud upon his cestuique trusts, and highly discreditable,—put and passed.

- 5. Postponements:—The remaining Orders of the Day postponed until to-morrow. Council adjourned at a quarter after Ten o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, AUGUST 22.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

- 1. Sydney Public Abattoir Bill; second reading.
2. Melbourne Public Abattoirs' Bill Reported; Adoption of the Report.
3. Slaughter House Laws extension Bill; to be further considered in Committee.
4. Public Wharves Bill; third reading.
5. Census Bill; third reading.
6. Sydney Corporation Bill; to be further considered in Committee.
7. Marriage Confirmation Bill; second reading.
8. Melbourne General Cemetery Bill Reported; Adoption of the Report.
9. Estimates for 1850-51; to be further considered in Committee.
10. Consideration of Governor's Message No. 30, proposing amendment in the Corporate Towns' Justices Bill.

OTHER BUSINESS—NOTICES OF MOTION:—

Contingent— Mr. Wentworth to move (after the passing of the Lien on Wool and Mortgages on Stock Bill), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1848, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,000,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,310,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £385,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,053 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdiction to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. DARVALL to move, That the Petition presented by him on the 20th instant from members of the Church of England and Ireland be printed.

ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill; third reading.
2. Clergymen's disqualifying Bill; to be considered in Committee.
3. Justices of the Peace Duties' Bill; second reading.
4. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, AUGUST 23.

NOTICES OF MOTION:—

1. DR. LANG to move, That this House having taken into consideration His Excellency the Governor's Despatch to the Right Honorable Earl Grey, of date June 30th, 1849, feels constrained, from the serious misrepresentation of facts of public notoriety which that Despatch contains, as well as of public opinion in Sydney and throughout the Colony, on a matter of vital importance to the general welfare, to express its utter want of confidence in the Local Executive, and its earnest desire for a thorough and entire change of the existing Administration.

186.

- 2. MR. MOOR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be placed on a Supplementary Estimate, for the year 1851, the following sums, viz:—

For enclosing, fencing, and laying out the intended New	£	s.	d.
Melbourne General Cemetery	500	0	0
For building a Lock-up House at Warrnambool	250	0	0

- 3. MR. EDDEN to move, (as an amendment upon Mr. Moor's motion,) That there be added the words and figures "for building a lock-up house at Port Fairy £250."

- 4. MR. WENTWORTH to move:—

(1.) That it is a grievance that the Salary and Establishment of the Governor, so long as he continues to be a strictly Imperial Officer, appointed by the Home authorities, and responsible only to them, are not defrayed wholly out of Imperial Funds.

(2.) That, in the opinion of this House, the dispensation of any part of the patronage of the Colony by any other than the Governor, with the advice of such responsible Executive, is a grievance; that all offices of trust or emolument should be bestowed on the settled inhabitants, who pay the taxes out of which the appointees to such offices are compensated for their services; and that it is a meanness and injustice, bordering on dishonesty, that any portion of this taxation should be applied, as it has hitherto been, to augment the patronage, and thereby the influence of the Queen's Ministers in England; that this grievance has been aggravated by the fact, that all important offices of trust, honor, and emolument, have been, and still continue to be, exclusively bestowed on persons born in some portion of the United Kingdom.

(3.) That, in the opinion of this House, the Schedules A. B. and C. appended to the Imperial Act, 5 and 6 Victoria, chap. 76, are a grievance; that they are opposed to the Declaratory Act 18 Geo. 3. cap. 12, sec. 1, which places the appropriation as well as the imposition of all taxes in the several Legislatures of the Colonies; and that the tendency of these Schedules, independent of this fundamental objection to their enactment by the Imperial Parliament, is to encourage a wasteful expenditure of the Public Moneys, and to destroy all responsibility in the governing power to the People's Representatives.

(4.) That, in the opinion of this House, the Imperial Act, 5 and 6 Victoria, chap. 36, which places the management of the lands of the Colony, and the appropriation of the Revenues thence arising, beyond the control of this House, is a grievance; that inasmuch as the whole value of these lands has been imparted to them by the settlement of the Colonists, and by the labour and capital which they have expended upon them, and this value consequently belongs to the whole Colony, and not to the Crown, it follows that the entire Revenues thence arising, whether by sale or rent, ought of right to form part of our Ordinary Revenue, and to be subject to the sole control and appropriation of the Local Legislature; that although by the Bill now before Parliament for the better government of the Australian Colonies, it is proposed to vest in the general or federal assembly, to be thereby constituted, the power to redress this grievance, this House,—seeing the uncertainty that any two of these Colonies will agree to set this general assembly in motion,—that the process for calling it together, even though they should so agree, is very dilatory,—and that there is little chance of any unanimity in regard to a uniform price for the public lands of these Colonies, so diverse in climate, production and soil,—does not look to any relief from a Legislative body so unfitted to deal with this grievance, and insists on the justice and expediency of vesting plenary powers with reference to the Public lands of these several Colonies, in their several Legislatures.

(5.) That in the opinion of this House, it is a still greater grievance that this large branch of our Colonial Revenues has been, to a very considerable extent, appropriated (under the management of a Board of Commissioners in England in no way responsible to this House) in the conveyance to this Colony of the paupers of the unions, workhouses, and other eleemosynary establishments of the United Kingdom, with little or no contribution in aid either from the localities thus benefited or from Imperial Funds; that this Emigration has in a great measure, as this House believes, been conducted in utter disregard of the requirements of the Colony, and with reference only to the particular interest that has been brought to bear on the Colonial Minister; and that while the manifest tendency of such a system of Emigration is to debase and impoverish our community, it cannot, in the opinion of this House, have been sanctioned with any other view than to relieve permanently the parishes and establishments from which this mass of pauperism has been ejected at our expense, so that a double burden has thus been cast upon us—the burden of their migration to these shores, and the burden of their support after their arrival.

(6.) That in the opinion of this House, it is a grievance that the Territorial Revenues have not been long since handed over to the control of this House, in pursuance of the compact entered into by Sir Richard Bourke with the previous Nominee Council, under the authority of the letter of Mr. Spring Rice, now Lord Monteagle, of the 15th November, 1834, and the Treasury letter of the 23rd of September of the same year, which accompanied it. That this House considers, that the entire amount of the Police and other expenditure for the coercion and punishment of Convicts, which was assumed by the previous Nominee Council, then in existence, upon the faith of this compact, ought to be refunded to this Colony, either in money or an equivalent immigration, as repeatedly before insisted upon by this House, out of Imperial funds. That this expenditure, as appears by the General Grievance Report adopted by this House in 1844, amounted on the 31st of December of that year, in round numbers, to £793,349; and according to the scale of the

the annual proportion of the said charge for Police, Gaols, and the Criminal Administration of Justice, fixed by the same Report, as justly chargeable to the Home Government, will amount, on the 31st of December, 1850, to £1,238,204. That whilst the equivalent immigration, so insisted upon, would be only a measure of justice to the Colony, it would be highly beneficial to the Parent State, by transferring large masses of unemployed and burdensome paupers to the unlimited field for productive industry which exists here.

(7.) That, in the opinion of this House, it is a grievance that all the salaries of all public officers are not subject to the control of this House; that many of these salaries were fixed by a Nominee Council, under the orders of the Secretary of State for the Colonies, at a time when the Colony from the large amount of the Convict Expenditure, and from other causes, was in a state of great prosperity, and are no longer consistent with our increased population and comparatively diminished means of paying such salaries; and that the accounts of the Customs and of all Public Departments should be subject only to the audit of Officers or Boards appointed by this Legislature.

(8.) That, in the opinion of this House, it is a grievance that the Poor Houses, Lunatic Asylums, and Police of the Colony, increased as all these establishments have unavoidably been by the pauper lunatics and criminals of Great Britain, still forming a considerable element of our population, have been so suddenly cast upon the Colony without a due contribution from Imperial funds.

(9.) That, in the opinion of this House, it is a grievance that the Local Legislature does not possess a plenary power of legislation in all matters of domestic or municipal concernment; and a still greater grievance that the course of such legislation should be so frequently interrupted by unnecessary and vexatious interferences from the Home authorities. That whilst this House is willing to submit to the veto of the Queen's Representative on all such questions, they respectfully insist that no Bill of theirs, or of any Legislative Body succeeding them, should be reserved for the signification of Her Majesty's pleasure, which does not affect Imperial interests, or the Prerogatives of the Crown.

(10.) That, in the opinion of this House, it is a grievance that the Military force hitherto stationed in the Colony should have been reduced so low, considering how large an amount of turbulence and crime has been and continues to be mixed up with our population by means of the criminals of the Mother Country, either transported from it direct to these shores, or who have found their way hither as expees or freed men from the Penal Colony of Van Diemen's Land. That this is felt to be a peculiar grievance inasmuch as it is notorious that the Royal Prerogative of mercy has been prostituted in that Colony in a wholesale way in order that the Imperial Expenditure might be diminished at our expence by letting loose upon us hordes of incorrigible offenders who are a pest to our Community and ought still to be under the severest punishment and surveillance. That this abuse has been carried to the length that whereas all ticket of leave holders in that Colony, who have not committed offences after the reception of this indulgence, are by the regulations in force, entitled, after a very short interval, to a Conditional Pardon, which gives them the option of either remaining in that Colony, or of emigrating elsewhere; those on the other hand, who during the same period commit offences, and suffer punishments under sentence of the Colonial Courts, equally receive a Conditional Pardon, with this only difference, that it does not give them an option of further infesting such Colony with their depredations, but compels them at once, and for ever, to transfer themselves and their predatory habits to the surrounding Colonies, or to some Foreign Country. That as the originators of this system must have anticipated, its result has been to fill the surrounding Colonies generally, but this Colony in particular, with the very dregs of the felon population of Great Britain, rendered still more debased by the probation system of Van Diemen's Land; and thereby so to endanger the personal security and property of the inhabitants of these Colonies, as to render indispensable a large increase to the already enormous expenditure for Police, Gaols, and the Criminal Administration of Justice. That whilst this House enters its solemn Protest against the further continuance of this demoralizing system, they insist that this most indefensible exercise of the Royal Prerogative has given the Colony they represent an undoubted claim to a large contribution from the Military Chest, in aid of the increased expenditure for Police, Gaols, and the Criminal Administration of Justice, which has been, and must in a still greater degree be, consequent on this unwarrantable addition to our Criminal Statistics; and further, at the very least, to an equivalent Emigration from the United Kingdom, to counteract in some measure the moral poison which has been thus diffused amongst us.

(11.) That it is a grievance that the Metropolitan City of this Colony, after having been founded upwards of sixty-two years, and with the immense fund of convict labour which has been at the disposal of the local Government during the greater part of that period, should be exposed, as it is, to the attack of the smallest naval armament. That the construction of the necessary Forts for the defence of Harbours and Cities, has in all Colonies been a charge upon Imperial funds; and that to reduce the Military force under such circumstances, is in the highest degree unjust and inopportune.

(12.) That whilst it is the ardent desire of this House to strengthen and perpetuate the bond of union which at present happily subsists between this Colony and the Parent Country, they feel bound to declare it to be their deliberate opinion, that the grievances above enumerated, have already produced wide spread dissatisfaction, and that their inevitable tendency, if persisted in, is to sow throughout the Colony, and more especially among that rapidly increasing portion of it, the Native born population, the seeds of disaffection, which must, at no remote period, end in disruption from the parent stock.

(13.)

- (18.) That a Committee of this House, consisting of the Mover, Mr. Murray, Mr. Dangar, Mr. Martin, and Mr. Cooper, be appointed to prepare Petitions founded on these Resolutions to Her Majesty and both Houses of Parliament, praying that all these grievances may be immediately redressed.
5. MR. MARTIN to move, (as an amendment to Mr. Wentworth's motion respecting grievances, the following additions thereto, to come in immediately after the first resolution.)—
- (2.) That it is a grievance that persons not elected by the people have seats in this House.
- (3.) That it is a grievance that our Executive Government is not responsible to the People's Representatives in the same manner as the Queen's Ministers in England are,—and that this is the most intolerable of all grievances.
6. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.
7. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor praying, that His Excellency will be pleased to place on the Supplementary Estimate for the year 1850, the sum of £100 to be applied towards the completion of a proper survey of and report upon the navigation of the River Brisbane, Moreton Bay, with a view to the removal of the natural obstacles which at present exist, especially at the river bar, and at Eagle Farm flats.
8. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the following results for a period of time extending over the last 12 months,—
- (1.) The amount of Revenue derived from sales of Crown Lands in the districts of Moreton Bay, Darling Downs, Wide Bay, and Clarence River.
- (2.) The amount of Revenue derived from Assessment on Stock in the Districts of New England (estimated amount from that portion lying to the northward of the 30th parallel of south latitude), Clarence River, Moreton Bay, Darling Downs, Burnett, Maranoa, and Wide Bay.
- (3.) The amount of Customs' Revenue, collected at Brisbane.
- (4.) The number of Immigrants landed at Brisbane.
- (5.) The amount expended in the several districts included in the Item No. 2.

ORDERS OF THE DAY:—

1. Acts of Parliament Adoption Bill; second reading.
2. Consideration of Governor's Message, No. 29, endowing the proposed University.
3. Commission of the Peace Bill; second reading.
4. Steam Navigation Bill; second reading.
5. Auction Duties' abolition Bill; to be considered in Committee.
6. Masters' and Servants' Bill; to be further considered in Committee.
7. Newspapers Postage abolition Bill; second reading.
8. Geelong Private Streets' Bill; second reading.
9. British Authors' Bill; second reading.

TUESDAY, AUGUST 27.

NOTICE OF MOTION:—

1. MR. MARTIN to move for leave to bring in a Bill to provide for the paving of the Metropolis.

WEDNESDAY, AUGUST 28.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Female Children's Apprenticing Bill; to be further considered in Committee.

THURSDAY, AUGUST 29.

NOTICE OF MOTION:—

Contingent—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Sewerage Bill; to be further considered in Committee.

189.

FRIDAY, AUGUST 30.

NOTICE OF MOTION :—

1. MR. DANGAR to move,—

(1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, find, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.

(2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.

(3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.

(4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.

(5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.

(7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

ORDER OF THE DAY :—

- 1. Trust Estates and Funds Bill; second reading.

CHARLES NICHOLSON,
Speaker.

MEMO:—The Honorable the Colonial Treasurer omitted his own name as Teller for the Ayes in the Division come to yesterday on the motion of Mr. Martin for the adjournment of the Debate in reference to Dr. Lang and Immigration—the numbers on that Division should therefore stand—Ayes 14, Noes 10—instead of Ayes 13, Noes 10.

190.

191.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 22 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Leave of absence granted to Captain King for fourteen days from to-day, on motion of Mr. Parker.
2. Sydney Public Abattoir Bill, having been read a second time, on motion of the Colonial Secretary, Bill ordered to be considered in Committee this day week.
3. Melbourne Public Abattoirs' Bill Reported:—The Colonial Secretary moved, "That" the Report of this Bill from the Committee of the whole Council be now adopted.
Mr. Moor moved, as an amendment, That all the words following the word "That" be omitted, with a view to the insertion in their place of the words, "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of Clauses I, VI, VII, and X of this Bill.
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That the Speaker do now leave the Chair; and the Council resolve itself into a Committee of the whole for the further consideration of Clauses I, VI, VII, and X, of this Bill,—put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Wednesday next.
4. Slaughter House Laws Extension Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
5. Public Wharves' Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved, That the following be the title of the Bill, viz.:—
"An Act to amend the Law relating to Public Wharves."
Question put and passed.
6. Census Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved That the following be the title of the Bill, viz.:—
"An Act for taking an account of the population of New South Wales."
Question put and passed.
7. Sydney Corporation Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
8. Postponement:—The second reading of the Marriage Confirmation Bill postponed, on motion of the Attorney General, until to-morrow.
9. Melbourne General Cemetery Bill Reported:—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of the Colonial Secretary, ordered the Bill, as so reported, to be engrossed, and read a third time on Wednesday next.
10. Postponement:—On motion of the Colonial Treasurer, the further consideration in Committee of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51, postponed until Wednesday next.

11. **Corporate Towns Justices Bill** :—The Governor's Message, No. 30, received on the 16th instant, proposing an amendment on this Bill, having been read, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported that the Committee had agreed to the amendment proposed by His Excellency the Governor,—
The Colonial Treasurer moved, That this Council do now adopt the amendment so agreed to.
Question put and passed.
The Colonial Secretary then moved, That the Bill, with the amendment so agreed to, be again presented to His Excellency the Governor, for the Royal Assent, accompanied by the following Message, to be presented by the Speaker.
Message from the Legislative Council to His Excellency the Governor, in answer to an amendment proposed by His Excellency to be made in a Bill presented to His Excellency for Her Majesty's Assent, intituled, " An Act to extend to the Town " of Geelong, and all such other Towns as may from time to time be incorporated, " the provisions of certain Acts relating to the Jurisdiction of the Peace within " the respective Cities of Sydney and Melbourne, and in certain other matters " therein mentioned."
" Agreeably to the provisions of the 30th Clause of the Act for the Govern-
" ment of New South Wales, 5th and 6th Victoria, chap 76, the Legislative Council
" have taken into consideration an amendment proposed to the Council to be made in
" the said Bill by His Excellency the Governor, in his Message No. 30, of the 16th
" instant, and, having agreed to the same, beg to present the said Bill to His Excel-
" lency for Her Majesty's Assent, with the said amendment so agreed to."
Question put and passed.
12. **Postponement** :—The Colonial Treasurer, in absence of Mr. Darvall, postponed the Motion standing in Mr. Darvall's name, first on the Notice Paper of Other Business for to-day, until to-morrow.
13. **Lien on Wool and Mortgages on Stock Bill** :—Mr. Wentworth moved, " That " this Bill be now read a third time.
Mr. Allen moved, as an amendment, That all the words following the word " That " be omitted, with a view to the insertion in their place of the words, " the Speaker " do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of this Bill."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed,—
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of this Bill,—put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next.
14. **Postponements** :—
(1.) The consideration in Committee of the Clergymen's disqualifying Bill postponed, on motion of Mr. Wentworth, until Tuesday next.
(2.) The second reading of Justices of the Peace Duties' Bill postponed, on motion of the Attorney General, until Thursday next.
(3.) The second reading of the Cattle Slaughtering Laws' Bill postponed, on motion of Mr. Martin, until this day week.
Council adjourned at Six o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, AUGUST 23.

NOTICES OF MOTION :—

1. **DR. LANG** to move, That this House having taken into consideration His Excellency the Governor's Despatch to the Right Honorable Earl Grey, of date June 30th, 1849, feels constrained, from the serious misrepresentation of facts of public notoriety which that Despatch contains, as well as of public opinion in Sydney and throughout the Colony, on a matter of vital importance to the general welfare, to express its utter want of confidence in the Local Executive, and its earnest desire for a thorough and entire change of the existing Administration.

2. MR. MOOR to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be placed on a Supplementary Estimate, for the year 1851, the following sums, viz :—

For enclosing, fencing, and laying out the intended New	£	s.	d.
Melbourne General Cemetery	500	0	0
For building a Lock-up House at Warrnambool	250	0	0

3. MR. EBDEN to move, (as an amendment upon Mr. Moor's motion,) That there be added the words and figures "for building a lock-up house at Port Fairy £250."

4. MR. WENTWORTH to move :—

(1.) That it is a grievance that the Salary and Establishment of the Governor, so long as he continues to be a strictly Imperial Officer, appointed by the Home authorities, and responsible only to them, are not defrayed wholly out of Imperial Funds.

(2.) That, in the opinion of this House, the dispensation of any part of the patronage of the Colony by any other than the Governor, with the advice of such responsible Executive, is a grievance; that all offices of trust or emolument should be bestowed on the settled inhabitants, who pay the taxes out of which the appointees to such offices are compensated for their services; and that it is a meanness and injustice, bordering on dishonesty, that any portion of this taxation should be applied, as it has hitherto been, to augment the patronage, and thereby the influence of the Queen's Ministers in England; that this grievance has been aggravated by the fact, that all important offices of trust, honor, and emolument, have been, and still continue to be, exclusively bestowed on persons born in some portion of the United Kingdom.

(3.) That, in the opinion of this House, the Schedules A. B. and C. appended to the Imperial Act, 5 and 6 Victoria, chap. 76, are a grievance; that they are opposed to the Declaratory Act 18 Geo. 3. cap. 12, sec. 1, which places the appropriation as well as the imposition of all taxes in the several Legislatures of the Colonies; and that the tendency of these Schedules, independent of this fundamental objection to their enactment by the Imperial Parliament, is to encourage a wasteful expenditure of the Public Moneys, and to destroy all responsibility in the governing power to the People's Representatives.

(4.) That, in the opinion of this House, the Imperial Act, 5 and 6 Victoria, chap. 36, which places the management of the lands of the Colony, and the appropriation of the Revenues thence arising, beyond the control of this House, is a grievance; that inasmuch as the whole value of these lands has been imparted to them by the settlement of the Colonists, and by the labour and capital which they have expended upon them, and this value consequently belongs to the whole Colony, and not to the Crown, it follows that the entire Revenues thence arising, whether by sale or rent, ought of right to form part of our Ordinary Revenue, and to be subject to the sole control and appropriation of the Local Legislature; that although by the Bill now before Parliament for the better government of the Australian Colonies, it is proposed to vest in the general or federal assembly, to be thereby constituted, the power to redress this grievance, this House,—seeing the uncertainty that any two of these Colonies will agree to set this general assembly in motion,—that the process for calling it together, even though they should so agree, is very dilatory,—and that there is little chance of any unanimity in regard to a uniform price for the public lands of these Colonies, so diverse in climate, production and soil,—does not look to any relief from a Legislative body so unfitted to deal with this grievance, and insists on the justice and expediency of vesting plenary powers with reference to the Public lands of these several Colonies, in their several Legislatures.

(5.) That in the opinion of this House, it is a still greater grievance that this large branch of our Colonial Revenues has been, to a very considerable extent, appropriated (under the management of a Board of Commissioners in England in no way responsible to this House) in the conveyance to this Colony of the paupers of the unions, workhouses, and other eleemosynary establishments of the United Kingdom, with little or no contribution in aid either from the localities thus benefited or from Imperial Funds; that this Emigration has in a great measure, as this House believes, been conducted in utter disregard of the requirements of the Colony, and with reference only to the particular interest that has been brought to bear on the Colonial Minister; and that while the manifest tendency of such a system of Emigration is to debase and impoverish our community, it cannot, in the opinion of this House, have been sanctioned with any other view than to relieve permanently the parishes and establishments from which this mass of pauperism has been ejected at our expense, so that a double burden has thus been cast upon us—the burden of their migration to these shores, and the burden of their support after their arrival.

(6.) That in the opinion of this House, it is a grievance that the Territorial Revenues have not been long since handed over to the control of this House, in pursuance of the compact entered into by Sir Richard Bourke with the previous Nominee Council, under the authority of the letter of Mr. Spring Rice, now Lord Monteagle, of the 15th November, 1834, and the Treasury letter of the 23rd of September of the same year, which accompanied it. That this House considers, that the entire amount of the Police and other expenditure for the coercion and punishment of Convicts, which was assumed by the previous Nominee Council, then in existence, upon the faith of this compact, ought to be refunded to this Colony, either in money or an equivalent immigration, as repeatedly before insisted upon by this House, out of Imperial funds. That this expenditure, as appears by the General Grievance Report adopted by this House in 1844, amounted on the 31st of December of that year, in round numbers, to £793,349; and according to the scale of the

194.

the annual proportion of the said charge for Police, Gaols, and the Criminal Administration of Justice, fixed by the same Report, as justly chargeable to the Home Government, will amount, on the 31st of December, 1850, to £1,238,204. That whilst the equivalent immigration, so insisted upon, would be only a measure of justice to the Colony, it would be highly beneficial to the Parent State, by transferring large masses of unemployed and burdensome paupers to the unlimited field for productive industry which exists here.

(7.) That, in the opinion of this House, it is a grievance that all the salaries of all public officers are not subject to the control of this House; that many of these salaries were fixed by a Nominee Council, under the orders of the Secretary of State for the Colonies, at a time when the Colony from the large amount of the Convict Expenditure, and from other causes, was in a state of great prosperity, and are no longer consistent with our increased population and comparatively diminished means of paying such salaries; and that the accounts of the Customs and of all Public Departments should be subject only to the audit of Officers or Boards appointed by this Legislature.

(8.) That, in the opinion of this House, it is a grievance that the Poor Houses, Lunatic Asylums, and Police of the Colony, increased as all these establishments have unavoidably been by the pauper lunatics and criminals of Great Britain, still forming a considerable element of our population, have been so suddenly cast upon the Colony without a due contribution from Imperial funds.

(9.) That, in the opinion of this House, it is a grievance that the Local Legislature does not possess a plenary power of legislation in all matters of domestic or municipal concernment; and a still greater grievance that the course of such legislation should be so frequently interrupted by unnecessary and vexatious interferences from the Home authorities. That whilst this House is willing to submit to the veto of the Queen's Representative on all such questions, they respectfully insist that no Bill of theirs, or of any Legislative Body succeeding them, should be reserved for the signification of Her Majesty's pleasure, which does not affect Imperial interests, or the Prerogatives of the Crown.

(10.) That, in the opinion of this House, it is a grievance that the Military force hitherto stationed in the Colony should have been reduced so low, considering how large an amount of turbulence and crime has been and continues to be mixed up with our population by means of the criminals of the Mother Country, either transported from it direct to these shores, or who have found their way hither as ex-convicts or freed men from the Penal Colony of Van Diemen's Land. That this is felt to be a peculiar grievance inasmuch as it is notorious that the Royal Prerogative of mercy has been prostituted in that Colony in a wholesale way in order that the Imperial Expenditure might be diminished at our expense by letting loose upon us hordes of incorrigible offenders who are a pest to our Community and ought still to be under the severest punishment and surveillance. That this abuse has been carried to the length that whereas all ticket of leave holders in that Colony, who have not committed offences after the reception of this indulgence, are by the regulations in force, entitled, after a very short interval, to a Conditional Pardon, which gives them the option of either remaining in that Colony, or of emigrating elsewhere; those on the other hand, who during the same period commit offences, and suffer punishments under sentence of the Colonial Courts, equally receive a Conditional Pardon, with this only difference, that it does not give them an option of further infesting such Colony with their predatory habits to the surrounding Colonies, or to some Foreign Country. That as the originators of this system must have anticipated, its result has been to fill the surrounding Colonies generally, but this Colony in particular, with the very dregs of the felon population of Great Britain, rendered still more debased by the probation system of Van Diemen's Land; and thereby so to endanger the personal security and property of the inhabitants of these Colonies, as to render indispensable a large increase to the already enormous expenditure for Police, Gaols, and the Criminal Administration of Justice. That whilst this House enters its solemn Protest against the further continuance of this demoralizing system, they insist that this most indefensible exercise of the Royal Prerogative has given the Colony they represent an undoubted claim to a large contribution from the Military Chest, in aid of the increased expenditure for Police, Gaols, and the Criminal Administration of Justice, which has been, and must in a still greater degree be, consequent on this unwarrantable addition to our Criminal Statistics; and further, at the very least, to an equivalent Emigration from the United Kingdom, to counteract in some measure the moral poison which has been thus diffused amongst us.

(11.) That it is a grievance that the Metropolitan City of this Colony, after having been founded upwards of sixty-two years, and with the immense fund of convict labour which has been at the disposal of the local Government during the greater part of that period, should be exposed, as it is, to the attack of the smallest naval armament. That the construction of the necessary Forts for the defence of Harbours and Cities, has in all Colonies been a charge upon Imperial funds; and that to reduce the Military force under such circumstances, is in the highest degree unjust and inopportune.

(12.) That whilst it is the ardent desire of this House to strengthen and perpetuate the bond of union which at present happily subsists between this Colony and the Parent Country, they feel bound to declare it to be their deliberate opinion, that the grievances above enumerated, have already produced wide spread dissatisfaction, and that their inevitable tendency, if persisted in, is to sow throughout the Colony, and more especially among that rapidly increasing portion of it, the Native born population, the seeds of disaffection, which must, at no remote period, end in disruption from the parent stock.

- (13.) That a Committee of this House, consisting of the Mover, Mr. Murray, Mr. Dangar, Mr. Martin, and Mr. Cooper, be appointed to prepare Petitions founded on these Resolutions to Her Majesty and both Houses of Parliament, praying that all these grievances may be immediately redressed.
5. MR. MARTIN to move, (as an amendment to Mr. Wentworth's motion respecting grievances, the following additions thereto, to come in immediately after the first resolution.)—
(2.) That it is a grievance that persons not elected by the people have seats in this House.
(3.) That it is a grievance that our Executive Government is not responsible to the People's Representatives in the same manner as the Queen's Ministers in England are, —and that this is the most intolerable of all grievances.
6. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.
7. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Supplementary Estimate for the year 1850, the sum of £100 to be applied towards the completion of a proper survey of and report upon the navigation of the River Brisbane, Moreton Bay, with a view to the removal of the natural obstacles which at present exist, especially at the river bar, and at Eagle Farm flats.
8. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the following results for a period of time extending over the last 12 months,—
(1.) The amount of Revenue derived from sales of Crown Lands in the districts of Moreton Bay, Darling Downs, Wide Bay, and Clarence River.
(2.) The amount of Revenue derived from Assessment on Stock in the Districts of New England (estimated amount from that portion lying to the northward of the 30th parallel of south latitude), Clarence River, Moreton Bay, Darling Downs, Burnett, Maranoa, and Wide Bay.
(3.) The amount of Customs' Revenue, collected at Brisbane.
(4.) The number of Immigrants landed at Brisbane.
(5.) The amount expended in the several districts included in the Item No. 2.
9. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, praying that he will cause to be placed on the Supplementary Estimate for the year 1850, a sum not exceeding seventy-three pounds, to defray the expense of a Letter Carrier for the Towns of East and West Maitland.
10. MR. DARVALL to move, That the Petition presented by him on the 20th instant from members of the Church of England and Ireland be printed.

ORDERS OF THE DAY:—

1. Acts of Parliament Adoption Bill; second reading.
2. Consideration of Governor's Message, No. 29, endowing the proposed University.
3. Commission of the Peace Bill; second reading.
4. Steam Navigation Bill; second reading.
5. Auction Duties' abolition Bill; to be considered in Committee.
6. Masters' and Servants' Bill; to be further considered in Committee.
7. Newspapers Postage abolition Bill; second reading.
8. Geelong Private Streets' Bill; second reading.
9. British Authors' Bill; second reading.
10. Marriage Confirmation Bill; second reading.

TUESDAY, AUGUST 27.

NOTICES OF MOTION:—

- Contingent*— Mr. Wentworth to move (after the passing of the Lien on Wool and Mortgages on Stock Bill), That this House do resolve:—
(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.
(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.
(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.
(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and

196.

and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537; although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 30 lbs., of the value of £9,639 to 154,103 cwt. 1 qr.; of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons, who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an inter-dict to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. MARTIN to move for leave to bring in a Bill to provide for the paving of the Metropolis.

ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill Reported (2^o); Adoption of the Report.
2. Clergymen's disqualifying Bill; to be considered in Committee.

WEDNESDAY, AUGUST 28...

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Female Children's Apprenticing Bill; to be further considered in Committee.
2. Melbourne Public Abattoirs Bill Reported (2^o); Adoption of the Report.
3. Sydney Corporation Bill; to be further considered in Committee.
4. Melbourne General Cemetery Bill; third reading.
5. Estimates for 1850-51; to be further considered in Committee.

THURSDAY, AUGUST 29.

NOTICE OF MOTION :—

Contingent—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Sewerage Bill; to be further considered in Committee.
2. Sydney Public Abattoir Bill; to be considered in Committee.
3. Slaughter House Laws extension Bill; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.

FRIDAY, AUGUST 30.

NOTICE OF MOTION :—

1. MR. DANGAR to move,—

(1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, find, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.

(2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.

(3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.

(4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.

(5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.

(7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

ORDER OF THE DAY :—

1. Trust Estates and Funds Bill; second reading.

CHARLES NICHOLSON,
Speaker.

108.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 23 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Despatch on Public Meeting:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Dr. Lang on the 16th instant.
2. Warnambool Police:—Mr. W. Macarthur presented a Petition from certain Inhabitants and Residents of the Town of Warnambool, in the District of Port Phillip, and its vicinity, praying that Salaries may be voted for a Police Magistrate and additional Constables at Warnambool.
Petition received.
3. Port Phillip Church Temporalities and Discipline Bills:—Major Mercer presented a Petition from certain Inhabitants of Melbourne and District of Port Phillip, praying that these Bills may not be passed.
Petition received.
4. Dropped Motion:—The motion standing in the name of Dr. Lang first on the Notice Paper for to-day, not having been moved, dropped.
5. Port Phillip:—Mr. Moor moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to cause to be placed on a Supplementary Estimate, for the year 1851, the following sums, viz. :—

For enclosing, fencing, and laying out the intended New	£	s.	d.
Melbourne General Cemetery	500	0	0
For building a Lock-up House at Warnambool	250	0	0

Whereupon Mr. Ebdon moved, pursuant to notice, That the Question be amended by adding the words and figures "for building a Lock-up House at Port Fairy £250."
Question with the words and figures so added put and passed; Address to be presented by the Speaker.
6. Sydney University Bill:—Mr. Wentworth having presented this Bill, Bill, intituled "A Bill to Incorporate and Endow a University to be called 'The University of 'Sydney,'" read a first time; ordered to be printed, and read a second time this day week.
7. Postponements :—
 - (1.) Mr. Wentworth postponed the motion standing in his name fourth on the Notice Paper for to-day, until Tuesday next.
 - (2.) Mr. Nichols postponed the motion standing in his name sixth on the Notice Paper for to-day, until this day week.
8. Moreton Bay :—
 1. Mr. Donaldson moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place on the Supplementary Estimate for the year 1850, the sum of £100 to be applied towards the completion of a proper survey of and report upon the navigation of the River Brisbane, Moreton Bay, with a view to the removal of the natural obstacles which at present exist, especially at the river bar, and at Eagle Farm flats.
Question put and passed; Address to be presented by the Speaker.
 2. Mr. Donaldson moved, pursuant to amended notice, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing the following results for a period of time extending over the 12 months, ending on 30th June last,—
 - (1.) The amount of Revenue derived from sales of Crown Lands in the districts of Moreton Bay, Darling Downs, Wide Bay, and Clarence River.
 - (2.) The amount of Revenue derived from Assessment on Stock in the Districts of New England (estimated amount from that portion lying to the northward of the 30th parallel of south latitude), Clarence River, Moreton Bay, Darling Downs, Burnett, Maranoa, and Wide Bay.
 - (3.) The amount of Customs' Revenue, collected at Brisbane.
 - (4.) The number of Immigrants landed at Brisbane.
 - (5.) The amount expended in the several districts included in the Item No. 2.

- 9. Letter Carrier, East and West Maitland:—Mr. Nichols moved, pursuant to *amended* notice, That an Address be presented to His Excellency the Governor, praying that he will cause to be placed on the Supplementary Estimate for the year 1850, a sufficient sum to defray the expense of a Letter Carrier for the Towns of East and West Maitland.
Debate ensued.
Question put.
Council divided.

Ayes, 7.

Mr. Wentworth,
Mr. Martin,
Dr. Dickson,
Major Mercer,
Mr. Donaldson,
Mr. Nichols,
Mr. Ebdon, (Teller.)

Noes, 9.

The Attorney General,
Mr. Parker,
Mr. Bowman,
The Colonial Secretary,
The Auditor General,
Mr. Murray,
Mr. Berry,
Mr. Suttor,
The Colonial Treasurer, (Teller.)

- 10. Postponement:—Mr. Parker, in absence of Mr. Darvall, postponed the motion standing in the name of Mr. Darvall tenth on the Notice Paper for to-day, until Tuesday next.
- 11. Acts of Parliament adoption Bill, having been read a second time, on motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman having reported the Bill without amendment, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next.
- 12. Sydney University Bill:—On motion of the Colonial Secretary, the Governor's Message No. 29, received on the 16th instant, authorising the introduction into this Bill of a permanent endowment Clause,—read.
- 13. Commission of the Peace Bill:—Mr. Nichols moved, That this Bill be now read a second time.
Debate ensued.
Question put and negatived.
- 14. Steam Navigation Bill, having been read a second time, on motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
- 15. Auction Duties' abolition Bill:—On motion of Mr. Donaldson, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
- 16. Postponements:—
(1.) The further consideration in Committee of the Masters' and Servants' Bill, postponed, on motion of Mr. Murray, until Tuesday next.
(2.) The second reading of the Newspapers' Postage abolition Bill postponed, on motion of Mr. Nichols, until Tuesday next.
- 17. Geelong Private Streets Bill, having been read a second time, on motion of Dr. Dickson, Bill ordered to be considered in Committee on Tuesday next.
- 18. British Authors' Bill:—Mr. Murray moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time,—
Whereupon, on motion of Mr. Murray, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
- 19. Postponement:—The second reading of the Marriage Confirmation Bill postponed, on motion of the Attorney General, until Thursday next.
Council adjourned at Seven o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, AUGUST 27.

NOTICES OF MOTION:—

Contingent— Mr. Wentworth to move (after the passing of the *Lien on Wool and Mortgages on Stock Bill*), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,850; the horned cattle from 1,017,310 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,233,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdict to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. MARTIN to move for leave to bring in a Bill to provide for the paving of the Metropolis.
2. MR. NICHOLS to move for leave to bring in a Bill to alter and amend the Law for regulating places of public exhibition and entertainment.
3. MR. WENTWORTH to move :—
 - (1.) That it is a grievance that the Salary and Establishment of the Governor, so long as he continues to be a strictly Imperial Officer, appointed by the Home authorities, and responsible only to them, are not defrayed wholly out of Imperial Funds.
 - (2.) That, in the opinion of this House, the dispensation of any part of the patronage of the Colony by any other than the Governor, with the advice of such responsible Executive, is a grievance; that all offices of trust or emolument should be bestowed on the settled inhabitants, who pay the taxes out of which the appointees to such offices are compensated for their services; and that it is a meanness and injustice, bordering on dishonesty, that any portion of this taxation should be applied, as it has hitherto been, to augment the patronage, and thereby the influence of the Queen's Ministers in England; that this grievance has been aggravated by the fact, that all important offices of trust, honor, and emolument, have been, and still continue to be, exclusively bestowed on persons born in some portion of the United Kingdom.
 - (3.) That, in the opinion of this House, the Schedules A. B. and C. appended to the Imperial Act, 5 and 6 Victoria, chap. 76, are a grievance; that they are opposed to the Declaratory Act 18 Geo. 3. cap. 12, sec. 1, which places the appropriation as well as the imposition of all taxes in the several Legislatures of the Colonies; and that the tendency of these Schedules, independent of this fundamental objection to their enactment by the Imperial Parliament, is to encourage a wasteful expenditure of the Public Moneys, and to destroy all responsibility in the governing power to the People's Representatives.
 - (4.) That, in the opinion of this House, the Imperial Act, 5 and 6 Victoria, chap. 36, which places the management of the lands of the Colony, and the appropriation of the Revenues thence arising, beyond the control of this House, is a grievance; that inasmuch as the whole value of these lands has been imparted to them by the settlement of the Colonists, and by the labour and capital which they have expended upon them, and this value consequently belongs to the whole Colony, and not to the Crown, it follows that the entire Revenues thence arising, whether by sale or rent, ought of right to form part of our Ordinary Revenue, and to be subject to the sole control and appropriation of the Local Legislature; that although by the Bill now before Parliament for the better government of the Australian Colonies, it is proposed to vest in the general or federal assembly, to be thereby constituted, the power to redress this grievance, this House,—seeing the uncertainty that any two of these Colonies will agree to set this general assembly in motion,—that the process for calling it together, even though they should so agree, is very dilatory,—and that there is little chance of any unanimity in regard to a uniform price for the public lands of these Colonies, so diverse in climate, production and soil,—does not look to any relief from a Legislative body so unfitted to deal with this grievance, and insists on the justice and expediency of vesting plenary powers with reference to the Public lands of these several Colonies, in their several Legislatures.
 - (5.) That in the opinion of this House, it is a still greater grievance that this large branch of our Colonial Revenues has been, to a very considerable extent, appropriated (under the management of a Board of Commissioners in England in no way responsible to this House) in the conveyance to this Colony of the paupers of the unions, workhouses, and other eleemosynary establishments of the United Kingdom, with little or no contribution in aid either from the localities thus benefitted or from Imperial Funds; that this Emigration has in a great measure, as this House believes, been conducted in utter disregard of the requirements of the Colony, and with reference only to the particular interest that has been brought to bear on the Colonial Minister; and that while the manifest tendency of such a system of Emigration is to debase and impoverish our community, it cannot, in the opinion of this House, have been sanctioned with any other view than to relieve permanently the parishes and establishments from which this mass of pauperism has been ejected at our expense, so that a double burden has thus been cast upon us—the burden of their migration to these shores, and the burden of their support after their arrival.
 - (6.) That in the opinion of this House, it is a grievance that the Territorial Revenues have not been long since handed over to the control of this House, in pursuance of the compact entered into by Sir Richard Bourke with the previous Nominee Council, under the authority of the letter of Mr. Spring Rice, now Lord Monteagle, of the 15th November, 1834, and the Treasury letter of the 23rd of September of the same year, which accompanied it. That this House considers, that the entire amount of the Police and other expenditure for the coercion and punishment of Convicts, which was assumed by the previous Nominee Council, then in existence, upon the faith of this compact, ought to be refunded to this Colony, either in money or an equivalent immigration, as repeatedly before insisted upon by this House, out of Imperial funds. That this expenditure, as appears by the General Grievance Report adopted by this House in 1844, amounted on the 31st of December of that year, in round numbers, to £793,349; and according to the scale of

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the annual proportion of the said charge for Police, Gaols, and the Criminal Administration of Justice, fixed by the same Report, as justly chargeable to the Home Government, will amount, on the 31st of December, 1850, to £1,238,204. That whilst the equivalent immigration, so insisted upon, would be only a measure of justice to the Colony, it would be highly beneficial to the Parent State, by transferring large masses of unemployed and burdensome paupers to the unlimited field for productive industry which exists here.

(7.) That, in the opinion of this House, it is a grievance that all the salaries of all public officers are not subject to the control of this House; that many of these salaries were fixed by a Nominee Council, under the orders of the Secretary of State for the Colonies, at a time when the Colony from the large amount of the Convict Expenditure, and from other causes, was in a state of great prosperity, and are no longer consistent with our increased population and comparatively diminished means of paying such salaries; and that the accounts of the Customs and of all Public Departments should be subject only to the audit of Officers or Boards appointed by this Legislature.

(8.) That, in the opinion of this House, it is a grievance that the Poor Houses, Lunatic Asylums, and Police of the Colony, increased as all these establishments have unavoidably been by the pauper lunatics and criminals of Great Britain, still forming a considerable element of our population, have been so suddenly cast upon the Colony without a due contribution from Imperial funds.

(9.) That, in the opinion of this House, it is a grievance that the Local Legislature does not possess a plenary power of legislation in all matters of domestic or municipal concernment; and a still greater grievance that the course of such legislation should be so frequently interrupted by unnecessary and vexatious interferences from the Home authorities. That whilst this House is willing to submit to the veto of the Queen's Representative on all such questions, they respectfully insist that no Bill of theirs, or of any Legislative Body succeeding them, should be reserved for the signification of Her Majesty's pleasure, which does not affect Imperial interests, or the Prerogatives of the Crown.

(10.) That, in the opinion of this House, it is a grievance that the Military force hitherto stationed in the Colony should have been reduced so low, considering how large an amount of turbulence and crime has been and continues to be mixed up with our population by means of the criminals of the Mother Country, either transported from it direct to these shores, or who have found their way hither as expiring or freed men from the Penal Colony of Van Diemen's Land. That this is felt to be a peculiar grievance inasmuch as it is notorious that the Royal Prerogative of mercy has been prostituted in that Colony in a wholesale way in order that the Imperial Expenditure might be diminished at our expense by letting loose upon us hordes of incorrigible offenders who are a pest to our Community and ought still to be under the severest punishment and surveillance. That this abuse has been carried to the length that whereas all ticket of leave holders in that Colony, who have not committed offences after the reception of this indulgence, are by the regulations in force, entitled, after a very short interval, to a Conditional Pardon, which gives them the option of either remaining in that Colony, or of emigrating elsewhere; those on the other hand, who during the same period commit offences, and suffer punishments under sentence of the Colonial Courts, equally receive a Conditional Pardon, with this only difference, that it does not give them an option of further infesting such Colony with their depredations, but compels them at once, and for ever, to transfer themselves and their predatory habits to the surrounding Colonies, or to some Foreign Country. That as the originators of this system must have anticipated, its result has been to fill the surrounding Colonies generally, but this Colony in particular, with the very dregs of the felon population of Great Britain, rendered still more debased by the probation system of Van Diemen's Land; and thereby so to endanger the personal security and property of the inhabitants of these Colonies, as to render indispensable a large increase to the already enormous expenditure for Police, Gaols, and the Criminal Administration of Justice. That whilst this House enters its solemn Protest against the further continuance of this demoralizing system, they insist that this most indefensible exercise of the Royal Prerogative has given the Colony they represent an undoubted claim to a large contribution from the Military Chest, in aid of the increased expenditure for Police, Gaols, and the Criminal Administration of Justice, which has been, and must in a still greater degree be, consequent on this unwarrantable addition to our Criminal Statistics; and further, at the very least, to an equivalent Emigration from the United Kingdom, to counteract in some measure the moral poison which has been thus diffused amongst us.

(11.) That it is a grievance that the Metropolitan City of this Colony, after having been founded upwards of sixty-two years, and with the immense fund of convict labour which has been at the disposal of the local Government during the greater part of that period, should be exposed, as it is, to the attack of the smallest naval armament. That the construction of the necessary Forts for the defence of Harbours and Cities, has in all Colonies been a charge upon Imperial funds; and that to reduce the Military force under such circumstances, is in the highest degree unjust and inopportune.

(12.) That whilst it is the ardent desire of this House to strengthen and perpetuate the bond of union which at present happily subsists between this Colony and the Parent Country, they feel bound to declare it to be their deliberate opinion, that the grievances above enumerated, have already produced wide spread dissatisfaction, and that their inevitable tendency, if persisted in, is to sow throughout the Colony, and more especially among that rapidly increasing portion of it, the Native born population, the seeds of disaffection, which must, at no remote period, end in disruption from the parent stock.

(13.)

- (13.) That a Committee of this House, consisting of the Mover, Mr. Murray, Mr. Dangar, Mr. Martin, and Mr. Cooper, be appointed to prepare Petitions founded on these Resolutions to Her Majesty and both Houses of Parliament, praying that all these grievances may be immediately redressed.
4. MR. MARTIN to move, (as an amendment to Mr. Wentworth's motion respecting grievances, the following additions thereto, to come in immediately after the first resolution.)—
- (2.) That it is a grievance that persons not elected by the people have seats in this House.
- (3.) That it is a grievance that our Executive Government is not responsible to the People's Representatives in the same manner as the Queen's Ministers in England are, —and that this is the most intolerable of all grievances.
5. MR. DARVALL to move, That the Petition presented by him on the 20th instant from members of the Church of England and Ireland be printed.

ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill Reported (2^o); Adoption of the Report.
2. Clergymen's disqualifying Bill; to be considered in Committee.
3. Acts of Parliament Adoption Bill Reported; Adoption of the Report.
4. Steam Navigation Bill; to be further considered in Committee.
5. Auction Duties' abolition Bill; to be further considered in Committee.
6. Masters' and Servants' Bill; to be further considered in Committee.
7. Newspapers Postage abolition Bill; second reading.
8. Geelong Private Streets' Bill; to be considered in Committee.
9. British Authors' Bill; to be further considered in Committee.

WEDNESDAY, AUGUST 28.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Female Children's Apprenticing Bill; to be further considered in Committee.
2. Melbourne Public Abattoirs' Bill Reported (2^o); Adoption of the Report.
3. Sydney Corporation Bill; to be further considered in Committee.
4. Melbourne General Cemetery Bill; third reading.
5. Estimates for 1850-51; to be further considered in Committee.

THURSDAY, AUGUST 29.

NOTICE OF MOTION:—

Contingent—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; to be further considered in Committee.
2. Sydney Public Abattoir Bill; to be considered in Committee.
3. Slaughter House Laws extension Bill; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.
3. Marriage Confirmation Bill; second reading.

FRIDAY, AUGUST 30.

NOTICES OF MOTION:—

1. MR. DANGOAR to move,—
- (1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, and, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.

(2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.

(3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.

(4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.

(5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.

(7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

- 2. Mr. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.

ORDERS OF THE DAY:—

- 1. Trust Estates and Funds Bill; second reading.
- 2. Sydney University Bill; second reading.

CHARLES NICHOLSON,
Speaker.

206.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 27 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Police:—The Colonial Secretary, as Chairman, brought up the Report from the Select Committee appointed on the 10th June last to inquire into the state of the Police of the Colony, and to suggest the best means of improving its constitution and efficiency, so that the Constabulary Force may be placed upon such a basis as adequately to secure the protection of life and property in the Cities and Towns and throughout the Rural Districts of the Colony.
Ordered to be printed.
2. Distillation:—Mr. Wentworth presented a Petition from Henry Fisher, of the Glenmore Distillery, praying certain alterations in the Distillation Laws and the imposition of increased duties upon Imported Spirits.
Petition received.
3. British Gin:—Mr. Ebdon presented a Petition from certain Merchants of Geelong, praying a reduction in the duty imposed upon British Gin.
Petition received.
4. Commuted Pensioners:—Mr. Donaldson presented a Petition from certain Commuted Pensioners, praying compensation for the expense of their passages, or remission in the purchase of land at the price subsisting at the period of their arrival in the Colony.
Petition received.
5. Licensing Act:—
(1.) Major Mercer presented a Petition from the Officers and Members of Committee of the Christ Church Benevolent Society of Geelong, praying to be relieved from the operation of the 86th section of this Act which directs that all fines and penalties on drunkenness shall go to the Hospital established at Melbourne.
Petition received.
(2.) Major Mercer presented a Petition from the Officers and Members of Committee of the Friendly Brothers' Society of Geelong, with a similar prayer.
Petition received.
6. Coal Tramway to Hexham:—
(1.) Mr. Nichols presented a Petition from Edward Turnor, of Hexham, and John Hawkes Valentine Turner, of West Maitland, Gentlemen, praying facilities for the construction of a Coal Tramway to Hexham.
Petition received.
(2.) Mr. Nichols presented a Petition from Messrs. William Sparks and Algernon Sydney Wilde, and others, praying that the Council will pass a Bill to effect the object of the Petition from the Messrs. Turner.
Petition received.
7. Metropolitan Paving Bill:—Mr. Martin moved, pursuant to notice, for leave to bring in a Bill to provide for the paving of the Metropolis.
Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
8. Postponement:—Mr. Nichols postponed the motion standing in his name second on the Notice Paper for to-day, until Friday next.
9. Russell's Nepean Bridge Bill:—Mr. Wentworth having brought up the Report from the Select Committee to whom this Bill was referred on the 9th ultimo,—
Moved, That the Bill be now read a second time.
Question put and passed.
Bill read a second time, and ordered to be considered in Committee on Friday next.
10. Metropolitan Paving Bill:—Mr. Martin having presented this Bill, Bill, intituled, "A Bill to provide for the paving of the Metropolis," read a first time; ordered to be printed, and read a second time this day week.

11. Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Sydney Museum :—

CH^s. A. FITZ ROY,

Governor.

Message No. 31.

The Governor transmits, for the information of the Legislative Council, copies of three reports made on the claims of certain parties for work performed at the Sydney Museum.

Representations had been made to the Government that the Contracts for the execution of the work for this Building had been materially deviated from, and claims preferred of larger amount than ought to have been made, in conformity therewith,—and an investigation was in consequence instituted, in the first instance under the direction of the Committee of the Museum, and subsequently by the present Colonial Architect. The result of those enquiries is shewn in the papers now transmitted; and it is proposed to insert in an additional Estimate about to be brought under the consideration of the Council, the sums necessary to adjust the whole of the outstanding claims on account of the Museum, amounting, together with the £263 16s. 8d., for Plumbers, Painters, and Glaziers work already included in the Supplementary Estimate before the Council, to £974 2s. 10d.

Government House,

Sydney, 27th August, 1850.

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

(2.) Military Establishment :—

CH^s. A. FITZ ROY,

Governor.

Message No. 32.

With reference to the seventh paragraph of the Governor's opening address to the Council of the 4th June last, and to the Despatch from the Right Honorable the Secretary of State intimating the terms upon which Her Majesty's Government has determined on maintaining in future a Military Force in this Colony, His Excellency transmits to the Council an Estimate, prepared by the respective Officers of Ordnance, of the probable Barrack expenses and receipts proportioned to the reduced Military Force which will be quartered in Sydney, consisting of 300 rank and file, with the usual number of commissioned and non-commissioned officers, and a similar Estimate for a company of 75 men to be stationed at Port Phillip. The former amounts to £408 10s. 11d., and the latter to £252 4s. 8d.: and His Excellency proposes to the Council that these sums should be appropriated to meet the charges specified in the Estimates for the year 1851, with the understanding that the rent of the Canteen at Sydney, amounting to £351 2s. per annum, and such of the receipts shewn in the statements of the respective officers as may not be properly claimable by the Ordnance, will be placed to the credit of the Colonial Revenue.

2. The Military buildings in Sydney, not being those required for the preservation of stores, which are to be still provided by the Ordnance, proposed to be taken over to the charge of the Colony are, the Victoria Barracks—Engineer's Quarters—the Batteries at Dawes' Point, Fort Phillip, Fort Macquarie, and Bradley's Head—the Barracks at Melbourne being already a Colonial building; and the amount which it is estimated will be necessary for maintaining them for the year 1851, is for those in Sydney, £749 13s. 2d., and for that in Melbourne, £100.

3. The buildings above mentioned, will be placed under the charge of the Colonial Architect, and as this Officer has stated his opinion that the business connected with it will not be sufficient to render any additional assistance necessary in his Department, no special provision will be required on this account in the Estimates for 1851.

4. With the reduced Military Force to be retained in Sydney, it appears that more than thirty men cannot conveniently be detached as a guard for the Penal Establishment at Cockatoo Island, and it will therefore be necessary, for the security of the prisoners and the preservation of order, to increase the Civil Force at present on the Island. The Visiting Magistrate and the Superintendent are of opinion, that an addition of five constables will be required for this purpose; and the Governor has therefore to propose to the Council to make provision for this augmentation, according to the Estimate which will be submitted to them, amounting to £338 18s. 9d., for 1851, in addition to £74 18s. 1d., for a building which it will be necessary to erect for the accommodation of the constables.

5. The Governor has accordingly directed the above mentioned sums to be placed on the additional Estimate for 1851, to be submitted for the consideration of the Council; and also that the necessary amounts, at the same rates, shall be placed on a Supplementary Estimate for 1850, for the quarter commencing on the 1st of October next, from which date the charge of making provision for the accommodation of the Troops will devolve on the Colonial Government.

Government House, Sydney,

27th August, 1850.

Ordered to be printed, together with the accompanying Documents, and taken into consideration to-morrow week.

209

12. Grievances:—Mr. Wentworth moved the first of the series of Resolutions standing in his name third on the Notice Paper for to-day, *amended* as follows:—

(1.) That it is a grievance that the Salary and Establishment of the Governor, so long as he continues to be a strictly Imperial Officer, appointed by the Home authorities, and responsible only to them, are not defrayed to the extent of half-out of Imperial Funds.

Debate ensued.

Question put and passed.

Mr. Wentworth then moved the following Resolution to stand the second in the series, but of which he had given no notice.

That it is a grievance that there should be any nominated Members in this House, except the responsible advisers of the Government, and that their number should not exceed one sixth of the entire number.

Debate ensued.

Motion by leave withdrawn.

Mr. Wentworth then moved the second of the series of Resolutions standing in his name third on the Notice Paper for day, *amended* as follows:—

(2.) That, in the opinion of this House, the dispensation of any part of the patronage of the Colony by any other than the Governor, with the advice of the Executive Council, is a grievance; that all offices of trust or emolument should be bestowed on the settled inhabitants, who pay the taxes out of which the appointees to such offices are compensated for their services; and that it is unjust, that any portion of this taxation should be applied, as it has hitherto been, to augment the patronage, and thereby the influence of the Queen's Ministers in England; that this grievance has been aggravated by the fact, that all important offices of trust, honor, and emolument, have been, and still continue to be, exclusively bestowed on persons born in some portion of the United Kingdom.

Debate ensued.

Motion by leave withdrawn.

Mr. Wentworth then moved the third of the series of Resolutions standing in his name third on the Notice Paper for to day, as follows:—

(3.) That, in the opinion of this House, the Schedules A. B. and C. appended to the Imperial Act, 5 and 6 Victoria, chap. 76, are a grievance; that they are opposed to the Declaratory Act 18 Geo. 3. cap. 12, sec. 1, which places the appropriation as well as the imposition of all taxes in the several Legislatures of the Colonies; and that the tendency of these Schedules, independent of this fundamental objection to their enactment by the Imperial Parliament, is to encourage a wasteful expenditure of the Public Moneys, and to destroy all responsibility in the governing power to the People's Representatives.

Question put.

Council divided.

Ayes, 9.

Mr. Oakes,
Mr. Cooper,
Mr. Wentworth,
Mr. Martin,
Mr. Ebden,
Mr. Byrnes,
Dr. Dickson,
Mr. Nichols,
Mr. Donaldson, (Teller.)

Noes, 5.

The Colonial Secretary,
The Collector of Customs,
Mr. Parker,
The Auditor General,
Mr. Darvall, (Teller.)

Mr. Wentworth then moved the fourth of the series of Resolutions standing in his name third on the Notice Paper for to-day, as follows:—

(4.) That, in the opinion of this House, the Imperial Act, 5 and 6 Victoria, chap. 36, which places the management of the lands of the Colony, and the appropriation of the Revenues thence arising, beyond the control of this House, is a grievance; that inasmuch as the whole value of these lands has been imparted to them by the settlement of the Colonists, and by the labour and capital which they have expended upon them, and this value consequently belongs to the whole Colony, "*and not to the Crown,*" it follows that the entire Revenues thence arising, whether by sale or rent, ought of right to form part of our Ordinary Revenue, and to be subject to the sole control and appropriation of the Local Legislature; that although by the Bill now before Parliament for the better government of the Australian Colonies, it is proposed to vest in the general or federal assembly, to be thereby constituted, the power to redress this grievance, this House,—seeing the uncertainty that any two of these Colonies will agree to set this general assembly in motion,—that the process for calling it together, even though they should so agree, is very dilatory,—and that there is little chance of any unanimity in regard to a uniform price for the public lands of these Colonies, so diverse in climate, production and soil,—does not look to any relief from a Legislative body so unfitted to deal with this grievance, and insists on the justice and expediency of vesting plenary powers with reference to the Public lands of these several Colonies, in their several Legislatures.

Mr. Donaldson moved, That the question be amended, by the omission of the words, "*and not to the Crown.*"

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

Original

210.

Original Question, with the said words so omitted,—put,
Council divided.

Ayes, 8.
Mr. Darvall,
Mr. Cooper,
Mr. Martin,
Mr. Wentworth,
Mr. Ebdon,
Mr. Oakes,
Dr. Dickson,
Mr. Donaldson, (Teller.)

Noes, 4.
The Colonial Secretary,
The Colonial Treasurer,
The Collector of Customs,
Mr. Parker, (Teller.)

Mr. Wentworth then moved the fifth of the series of Resolutions standing in his name third on the Notice Paper for to-day, as follows:—

(5.) That in the opinion of this House, it is a still greater grievance that this large branch of our Colonial Revenues has been, to a very considerable extent, appropriated (under the management of a Board of Commissioners in England in no way responsible to this House) in the conveyance to this Colony of the paupers of the unions, work-houses, and other eleemosynary establishments of the United Kingdom, with little or no contribution in aid either from the localities thus benefitted or from Imperial Funds; that this Emigration has in a great measure, as this House believes, been conducted in utter disregard of the requirements of the Colony, and with reference only to the particular interest that has been brought to bear on the Colonial Minister; and that while the manifest tendency of such a system of Emigration is to debase and impoverish our community, it cannot, in the opinion of this House, have been sanctioned with any other view than to relieve permanently the parishes and establishments from which this mass of pauperism has been ejected at our expense, so that a double burden has thus been cast upon us—the burden of their migration to these shores, and the burden of their support after their arrival.

There not being twelve Members present, exclusive of the Speaker, the Speaker adjourned the Council at Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, AUGUST 28.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Female Children's Apprenticing Bill; to be further considered in Committee.
2. Melbourne Public Abattoirs' Bill Reported (2^d); Adoption of the Report.
3. Sydney Corporation Bill; to be further considered in Committee.
4. Melbourne General Cemetery Bill; third reading.
5. Estimates for 1850-51; to be further considered in Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

Contingent— Mr. Wentworth to move (after the passing of the *Lien on Wool and Mortgages on Stock Bill*), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504 the live stock from 62,017 horses to 121,850; the horned cattle from 1,017,316

to 1,810,213; the sheep from 5,055,387 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdiction to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives:

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. DARVALL to move, That the Petition presented by him on the 20th instant from members of the Church of England and Ireland be printed.

ORDERS OF THE DAY:—

1. Lien on Wool and Mortgages on Stock Bill Reported (2^d); Adoption of the Report.
2. Clergymen's disqualifying Bill; to be considered in Committee.
3. Acts of Parliament Adoption Bill Reported; Adoption of the Report.
4. Steam Navigation Bill; to be further considered in Committee.
5. Auction Duties' abolition Bill; to be further considered in Committee.
6. Masters' and Servants' Bill; to be further considered in Committee.
7. Newspapers Postage abolition Bill; second reading.
8. Geelong Private Streets' Bill; to be considered in Committee.
9. British Authors' Bill; to be further considered in Committee.

THURSDAY, AUGUST 29.

NOTICE OF MOTION:—

Contingent—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

(1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.

(2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.

(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; to be further considered in Committee.
2. Sydney Public Abattoir Bill; to be considered in Committee.
3. Slaughter House Laws extension Bill; to be further considered in Committee.
4. Consideration of Governor's Message, No. 31, respecting the Sydney Museum.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; second reading.
2. Cattle Slaughtering Laws' Bill; second reading.
3. Marriage Confirmation Bill; second reading.

FRIDAY, AUGUST 30.

NOTICES OF MOTION:—

1. Mr. DANGAR to move,—
 - (1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, find, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.
 - (2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.
 - (3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.
 - (4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.
 - (5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.
 - (6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.
 - (7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.
2. Mr. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.
3. Mr. NICHOLS to move for leave to bring in a Bill to alter and amend the Law for regulating places of public exhibition and entertainment.

ORDERS OF THE DAY:—

1. Trust Estates and Funds Bill; second reading.
2. Sydney University Bill; second reading.
3. Russell's Nepean Bridge Bill; to be considered in Committee.

TUESDAY, SEPTEMBER 3.

ORDER OF THE DAY:—

1. Metropolitan Paving Bill; second reading.

WEDNESDAY, SEPTEMBER 4.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Consideration of Governor's Message No. 32, respecting the Military Establishment.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 28 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Rules of Court:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table further Rules of Court made by their Honors the Judges of the Supreme Court.
 Ordered to be printed.
2. Remission money to Retired Officers:—
 (1.) Mr. Wentworth presented a Petition from certain retired Military, Naval, and Medical Officers of Her Majesty's and the Honorable East India Company's Services, in the Sydney District, praying relief in the matter of remission money in the purchase of Land.
 Petition received.
 (2.) Mr. Wentworth presented a similar Petition from the District of Port Phillip.
 Petition received.
2. Coal Tramway to Hexham:—Mr. Nichols presented a Petition from Edward Turner, of Hexham, and John Hawkes Valentine Turner, of West Maitland, praying leave to introduce a Bill to enable them to construct a Tramway to the Wharf at Hexham.
 Petition received
4. Bank of New South Wales Bill:—Mr. Nichols having, on behalf of the Select Committee to whom this Bill was referred on the 9th ultimo, brought up the Report,—
 Moved, That the second reading of this Bill stand an Order of the Day for Friday next.
 Question put and passed.
5. Market Bye-Laws:—Dr. Lang presented a Petition from certain producers and consumers of fruits, vegetables, meat, poultry, butter, eggs, and other marketable necessaries of life, praying relief from the operation of certain bye-laws of the City Council.
 Petition received.
6. Russell's Nepean Bridge Bill:—Mr. Allen moved, That the Vote in reference to this Bill yesterday, having been come to, on motion without notice, be rescinded.
 Debate ensued.
 Question put and passed.
 Mr. Wentworth then moved, That the second reading of the Bill stand an Order of the Day for Friday next.
 Question put and passed.
7. Mitchell's Tramway Bill:—Mr. Donaldson having, on behalf of the Select Committee to whom this Bill was referred on the 9th instant, brought up the Report,—
 Moved, That the second reading of the Bill stand an Order of the Day for Friday next.
 Question put and passed.
8. Female Children's Apprenticing Bill:—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
 The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for to-morrow.
9. Melbourne Public Abattoirs Bill Reported (2^d):—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of the Colonial Secretary, ordered the Bill, as so reported, to be engrossed, and read a third time on Wednesday next.
10. Sydney Corporation Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
 The Chairman reported progress, and obtained leave to sit again to-morrow.
11. Melbourne General Cemetery Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
 The Attorney General then moved, That the following be the title of the Bill, viz.:—
 "An Act for the establishment and regulation by Trustees of a General Cemetery near the City of Melbourne."
 Question put and passed.

214

- 12. Finance 1850-51 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
The Chairman reported progress, and obtained leave to sit again to-morrow.
- 13. Postponement :—Mr. Parker, on behalf of Mr. Darvall, postponed the motion standing in the name of Mr. Darvall first on the Notice Paper for to-day, until to-morrow.
- 14. Lien on Wool and Mortgages on Stock Bill Reported (2^d) :—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of Mr. Wentworth, ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.
- 15. Postponement :—The consideration in Committee of the Clergymen's disqualifying Bill postponed, on motion of Mr. Wentworth, until Friday next.
- 16. Acts of Parliament adoption Bill Reported :—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of Mr. Allen, on behalf of Mr. Nichols, ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.
- 17. Postponements :—
 - (1.) The further consideration in Committee of the Steam Navigation Bill postponed, on motion of Mr. Allen, on behalf of Mr. Nichols, until Tuesday next.
 - (2.) The further consideration in Committee of the Auction Duties abolition Bill postponed, on motion of Mr. Cooper, on behalf of Mr. Donaldson, until Tuesday next.
 - (3.) The further consideration in Committee of the Masters' and Servants' Bill, postponed, on motion of Mr. Allen, on behalf of Mr. Murray, until Tuesday next.
 - (4.) The second reading of the Newspapers' Postage abolition Bill postponed, on motion of Mr. Allen, on behalf of Mr. Nichols, until Tuesday next.
 - (5.) The consideration in Committee of the Geelong Private Streets Bill postponed, on motion of Dr. Dickson, until Friday next.
 - (6.) The further consideration in Committee of the British Authors Bill postponed, on motion of the Collector of Customs, on behalf of Mr. Murray, until Tuesday next.
 Council adjourned at a quarter before Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, AUGUST 29.

NOTICE OF MOTION :—

- Contingent*—Dr. Lang to move the following Resolutions (*on the motion for the third reading of the Sewerage Bill for the City of Sydney*):—
- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
 - (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
 - (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

- 1. THE COLONIAL SECRETARY to move, That this Council having taken into consideration the Report from the Select Committee on Police, approves of the recommendations contained therein.

ORDERS OF THE DAY :—

- 1. Sewerage Bill ; to be further considered in Committee.
- 2. Sydney Public Abattoir Bill ; to be considered in Committee.
- 3. Slaughter House Laws extension Bill ; to be further considered in Committee.
- 4. Consideration of Governor's Message, No. 31, respecting the Sydney Museum.
- 5. Female Children's Apprenticing Bill Reported ; Adoption of the Report.
- 6. Sydney Corporation Bill ; to be further considered in Committee.
- 7. Estimates for 1850-51 ; to be further considered in Committee.

OTHER

Handwritten notes:
 one of the resolutions
 moved by Dr. Lang
 in the Council
 on the 29th inst.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. DARVALL to move, That the Petition presented by him on the 20th instant from members of the Church of England and Ireland be printed.

ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill ; second reading
2. Cattle Slaughtering Laws' Bill ; second reading.
3. Marriage Confirmation Bill ; second reading.

FRIDAY, AUGUST 30.

NOTICES OF MOTION:—

Contingent— Mr. Wentworth to move (after the passing of the Lien on Wool and Mortgages on Stock Bill), That this House do resolve:—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,604,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504 the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdiction to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that

that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

1. MR. DANGAR to move,—

(1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, find, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.

(2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.

(3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.

(4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.

(5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.

(7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

2. MR. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.
3. MR. NICHOLS to move for leave to bring in a Bill to alter and amend the Law for regulating places of public exhibition and entertainment.
4. MR. WENTWORTH to move, That the Petition from Retired Naval, Military, and Medical Officers, in the Sydney District, presented by him on the 28th instant, be printed,

ORDERS OF THE DAY:—

1. Trust Estates and Funds Bill; second reading.
2. Sydney University Bill; second reading.
3. Bank of New South Wales Bill; second reading.
4. Russell's Nepean Bridge Bill; second reading.
5. Mitchell's Tramway Bill; second reading.
6. Lien on Wool and Mortgages on Stock Bill; third reading.
7. Clergymen's disqualifying Bill; to be considered in Committee.
8. Acts of Parliament Adoption Bill; third reading.
9. Geelong Private Streets' Bill; to be considered in Committee.

TUESDAY, SEPTEMBER 3.

ORDERS OF THE DAY:—

1. Metropolitan Paving Bill; second reading.
2. Steam Navigation Bill; to be further considered in Committee.
3. Auction Duties' abolition Bill; to be further considered in Committee.
4. Masters' and Servants' Bill; to be further considered in Committee.
5. Newspapers Postage abolition Bill; second reading.
6. British Authors' Bill; to be further considered in Committee.

WEDNESDAY, SEPTEMBER 4.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor's Message No. 32, respecting the Military Establishment.
2. Melbourne Public Abattoirs' Bill; third reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 29 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Mitchell's Tramway Bill :—Mr. Parker presented a Petition from James Edward Ebsworth, of Newcastle, Agent for the Australian Agricultural Company, praying to be heard by Council at the Bar of the House, and to be allowed to produce evidence, against the passing of this Bill.
Petition received.
2. Police :—The Colonial Secretary moved, pursuant to *amended* notice,—
(1.) That this Council having taken into consideration the Report from the Select Committee on Police, approves of the recommendations contained therein.
(2.) That an Address be presented to His Excellency the Governor embodying the foregoing Resolution, and praying His Excellency to take the necessary steps for giving effect to those recommendations.
Debate ensued.
Mr. Martin moved, That the Debate be adjourned until Wednesday next.
Question on the motion for adjournment of the Debate put and passed.
3. Sewerage Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
4. Sydney Public Abattoir Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
5. Slaughter House Laws extension Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
6. Postponement :—On motion of the Colonial Secretary, the consideration of the Governor's Message No. 31, respecting the Sydney Museum, postponed until Wednesday next.
7. Female Children's Apprenticing Bill Reported :—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of the Colonial Treasurer, ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
8. Sydney Corporation Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
9. Finance 1850-51 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
10. Postponement :—Mr. Darvall postponed the motion standing in his name on the Notice Paper of Other Business for to-day, until Tuesday next.
11. Justices of the Peace Duties Bill, on motion of the Attorney General read a second time; to be considered in Committee on Wednesday week.
12. Postponements :—
(1.) The second reading of the Cattle Slaughtering Laws Bill postponed, on motion of Dr. Dickson, on behalf of Mr. Martin, until Thursday next.
(2.) The second reading of the Marriage Confirmation Bill postponed, on motion of the Attorney General, until Wednesday week.
Council adjourned at half-past Seven o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, AUGUST 30.

NOTICES OF MOTION :—

Contingent— Mr. Wentworth to move (after the passing of the *Lien on Wool and Mortgages on Stock Bill*), That this House do resolve :—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse, as the statistics of our banks, and other statistics of the Colony, abundantly testify.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,009,800, whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,004,537, although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,991,270; the vessels built and registered in this Colony from 7,022 tons to 8,504; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,630 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,653 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an inter-diet to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,521, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by more personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony; that instead of being a temporary law it ought to be made permanent; and that to disallow an Act which merely concerns our domestic legislation, only because it runs counter to unfounded assumptions as to the state of the law of England on the same subject, and to the views of theorists ignorant of the wants and condition of society here, would involve a necessary implication that this House is unfit for the exercise of any legislative authority whatever—an implication alike insulting and derogatory to

to the character of this House, and to the Colony which has elected it as their Representatives.

That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

Contingent.—Mr. Parker to move, on the Order of the Day for the second reading of Mitchell's Tramway Bill being read, That the Australian Agricultural Company's Agent be heard by Counsel at the Bar of the House against the passing of the said Bill.

1. Mr. DANGAR to move,—

(1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, and, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.

(2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.

(3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.

(4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.

(5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.

(7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

2. Mr. NICHOLS to move for leave to bring in a Bill to abolish the division of the profession of the law in New South Wales.

3. Mr. NICHOLS to move for leave to bring in a Bill to alter and amend the Law for regulating places of public exhibition and entertainment.

4. Mr. WENTWORTH to move, That the Petition from Retired Naval, Military, and Medical Officers, in the Sydney District, presented by him on the 28th instant, be printed.

5. Mr. LAMB to move:—

(1.) That an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquility of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June, 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

6. MR. WENTWORTH to move—*by way of amendment to Mr. Lamb's motion*—That there be a call of the House to take the subject matter thereof into consideration, and that it be in the meanwhile postponed.
7. MR. DONALDSON to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid on the Table of this House, a Return of the number of visits made by Clergymen and Ministers of Religion, during week days, to each school under the Denominational Board of Education, distinguishing the respective Schools and Ministers, for the period extending from the 1st of January, 1849, to the 1st January, 1850.
8. MR. WENTWORTH to move, That the Despatches of Earl Grey marked (Military) of the 10th December, 1849, addressed to Governor Sir Charles A. Fitz Roy, and of the 28th October, 1849, addressed to Lieutenant-Governor Sir Wm. Denison, be printed.
9. MR. WENTWORTH to move for leave to bring in a Bill to amend an Act, intituled, "*An Act to provide for the payment of claims on the late Registrar of the Supreme Court, in respect of Intestate Estates.*"

ORDERS OF THE DAY :—

1. Trust Estates and Funds Bill ; second reading.
2. Sydney University Bill ; second reading.
3. Bank of New South Wales Bill ; second reading.
4. Russell's Nepean Bridge Bill ; second reading.
5. Mitchell's Tramway Bill ; second reading.
6. Lien on Wool and Mortgages on Stock Bill ; third reading.
7. Clergymen's disqualifying Bill ; to be considered in Committee.
8. Acts of Parliament Adoption Bill ; third reading.
9. Geelong Private Streets' Bill ; to be considered in Committee.

TUESDAY, SEPTEMBER 3.

NOTICE OF MOTION :—

1. MR. DARVALL to move, That the Petition presented by him on the 20th ultimo, from members of the Church of England and Ireland be printed.

ORDERS OF THE DAY :—

1. Metropolitan Paving Bill ; second reading.
2. Steam Navigation Bill ; to be further considered in Committee.
3. Auction Duties' abolition Bill ; to be further considered in Committee.
4. Masters' and Servants' Bill ; to be further considered in Committee.
5. Newspapers Postage abolition Bill ; second reading.
6. British Authors' Bill ; to be further considered in Committee.

WEDNESDAY, SEPTEMBER 4.

Contingent.—MR. DONALDSON to move—*on the Order of the Day for consideration of the Governor's Message, No. 32, respecting the Military Establishment,*—being read—the following Resolutions :—

That this House having recently been called upon to enquire into the state of the Police of the Colony, with a view to the maintenance of greater efficiency in that force, which, under the existing state of society, promises to be attended with a very large increase of expenditure in years to come,—and having had their attention directed by the Despatch of the Right Honorable the Secretary of State for the Colony, dated 21st November, 1849, now on the Table of this House, and by the Message of His Excellency the Governor, No. 32, as to the reduction of the Military Force now in this Colony, to the proposal to charge on the General Revenue the cost of maintaining the Barracks and Ordnance buildings in a state of repair, resolves as follows :—

(1.) That without meaning to question the general principle, that the Police of the Colony should be maintained in an efficient state wholly from Local Funds, they consider that the large amount of crime, which is the necessary result of the old penal system but lately abolished, would be sufficient to establish a claim on the part of this community which would not only justify the retention of a full Regiment in the Colony, but also a large contribution from the Military Chest in aid of the Local Police and the administration of Criminal Justice.

(2.) That when to this consideration is superadded the fact that an increasing stream of criminals prematurely manumitted with the view solely, as this House believes, to get rid, at our expense, of the cost of their maintenance and coercion, is setting in upon us from Van Diemen's Land at the instance of the Home Government, the claims of the Colony, on these heads, are quite irresistible; and, therefore, that this House deprecates the proposed reduction in the Military Force employed in this Colony, and declares its opinion that such reduction is both inopportune and unjust.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 32, respecting the Military Establishment.
2. Melbourne Public Abattoirs' Bill ; third reading.
3. Resumption of adjourned Debate on Report from Police Committee.
4. Consideration of Governor's Message, No. 31, respecting the Sydney Museum.
5. Sydney Corporation Bill ; to be further considered in Committee.
6. Estimates for 1850-51 ; to be further considered in Committee.

THURSDAY, SEPTEMBER 5.

NOTICE OF MOTION :—

Contingent—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Sewerage Bill ; to be further considered in Committee.
- 2. Sydney Public Abattoir Bill ; to be further considered in Committee.
- 3. Slaughter House Laws extension Bill ; to be further considered in Committee.
- 4. Female Children's Apprenticing Bill ; third reading.

OTHER BUSINESS—ORDER OF THE DAY :—

- 1. Cattle Slaughtering Laws Bill ; second reading.

WEDNESDAY, SEPTEMBER 11.

OTHER BUSINESS—ORDERS OF THE DAY :—

- 1. Justices of the Peace Duties' Bill ; to be considered in Committee.
- 2. Marriage Confirmation Bill ; second reading.

CHARLES NICHOLSON,
Speaker.

~~224~~

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 30 AUGUST, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Hyde Park Bill:—Mr. Wentworth, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee to whom this Bill was referred on the 25th ultimo.
Ordered to be printed.
2. Transportation :—
(1.) Mr. Lamb presented a Petition from certain Clergymen of the United Church of England and Ireland, praying the Council to recommend that the Order in Council declaring New South Wales to be a place to which criminals may be transported, be rescinded.
Petition received.
(2.) Mr. Oakes presented a Petition from certain Inhabitants of the Town and District of Parramatta, with a similar prayer.
Petition received.
3. Special Jurors :—The Attorney General presented a Petition from certain Colonists serving as Special Jurors, praying remuneration when they serve in Civil Cases, and exemption from serving in the inferior Courts.
Petition received.
4. Melbourne Public Abattoirs Bill :—Major Mercer presented a Petition from certain Settlers, Tallow Melters, and Butchers of the Town of Geelong, praying to be exempted from the operation of this Act.
Petition received.
5. Transportation :
(1.) Mr. Wentworth presented a Petition from certain Licensed Occupants of Crown Lands and other Inhabitants of the Colony, praying the Council at once to take into consideration the proposal of Earl Grey, in reference to the resumption of Transportation, or to make such other proposal for the reception of Ticket of Leave Holders, conditioned that they be located exclusively beyond the Settled Districts, as to the Council shall seem expedient.
Petition received.
(2.) Mr. Wentworth presented a Petition from certain Licensed Occupants of Crown Lands within and without the Boundaries, and other Inhabitants of the Colony, with a similar prayer.
Petition received.
6. Female Orphan Immigration :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table a further Return to the Address on this subject, adopted on motion of Mr. Oakes on the 16th ultimo.
Ordered to be printed.
7. Sydney University Bill :—Dr. Lang presented a Petition from certain Professors of the Australian College, Sydney, praying that this Bill may be so amended as to secure a system of Academical Education, combining unbounded freedom with unity of purpose and vigorous action.
Petition received.
8. Postponement :—Mr. Martin, on behalf of Mr. Dangar, postponed the motion standing in the name of Mr. Dangar first on the Notice Paper for to-day, until Tuesday next.
9. Motion withdrawn :—Mr. Nichols withdrew the motion standing in his name second on the Notice Paper for to-day.
10. Public Entertainment Bill :—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill to alter and amend the Law for regulating places of public exhibition and entertainment.
Question put and passed ;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
11. Remission Money to Retired Officers :—Mr. Wentworth moved, pursuant to notice, That the Petition from Retired Naval, Military, and Medical Officers, in the Sydney District, presented by him on the 28th instant, be printed.
Question put and passed.

12. Resumption of Transportation :—Mr. Lamb moved, pursuant to notice,
 (1.) That an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.
 (2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.
 (3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.
 Mr. Wentworth (withdrawing the motion standing in his name sixth on the Notice Paper for to-day) moved, That the Debate of this Question be adjourned until this day month.
 Debate ensued.
 Question put on the motion for adjournment of the Debate.
 Council divided.

Ayes, 13.
 Colonel Snodgrass,
 Mr. Donaldson,
 Mr. Darvall,
 Mr. Ebden,
 Mr. Icely,
 The Collector of Customs,
 Mr. Nichols,
 Mr. James Macarthur,
 The Colonial Treasurer,
 The Auditor General,
 Mr. Wentworth,
 Mr. William Macarthur,
 Mr. Martin, (Teller.)

Noes, 13.
 Mr. Moor,
 Mr. Lamb,
 Mr. Suttor,
 Mr. Oakes,
 Mr. Bowman,
 Major Mercer,
 The Attorney General,
 Mr. Byrnes,
 Dr. Dickson,
 Dr. Lang,
 Mr. Allen,
 Mr. Parker,
 Mr. Cooper, (Teller.)

The Numbers being equal, the Speaker voted for the Ayes, and declared the Question for adjournment to have passed in the affirmative.

13. Denominational Schools :—Mr. Donaldson moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid on the Table of this House, a Return of the number of visits made by Clergymen and Ministers of Religion, during week days, to each school under the Denominational Board of Education, distinguishing the respective Schools and Ministers, for the period extending from the 1st of January, 1849, to the 1st January, 1850. Question put and passed; Address to be presented by the Speaker.
14. Motion withdrawn :—Mr. Wentworth withdrew the motion standing in his name eighth on the Notice Paper for to-day.
15. Claims on the late Registrar :—Mr. Wentworth moved, pursuant to notice, for leave to bring in a Bill to amend an Act, intituled, "An Act to provide for the payment of claims on the late Registrar of the Supreme Court, in respect of Intestate Estates." Debate ensued.
 Motion by leave withdrawn.
16. Trust Estates and Funds Bill, on motion of Mr. Moor, read a second time, and ordered to be considered in Committee this day week.
17. Postponement :—The second reading of the Sydney University Bill postponed, on motion of Mr. Wentworth, until Tuesday next.
18. Bank of New South Wales Bill, having been read a second time, on motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
 The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next.
19. Russell's Nepean Bridge Bill, having been read a second time, on motion of Mr. Wentworth, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
 The Chairman reported progress, and obtained leave to sit again this day week.
20. Postponement :—The second reading of Mitchell's Tramway Bill, postponed, on motion of Mr. Donaldson, until Tuesday next.
21. Lien on Wool and Mortgages on Stock Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Wentworth, read a third time, and passed.
 Mr. Wentworth then moved, That the following be the title of the Bill, viz. :—"An Act to continue for three years from the thirty-first day of December next, and from thence until the end of the next Session of the Legislative Council, an Act, intituled, "An Act to give a Preferable Lien on Wool from Season to Season, and to make "Mortgages of Sheep, Cattle, and Horses valid without delivery to the Mortgagee, "and to substitute for a limited time other provisions in lieu thereof." Question put and passed.

227

Whereupon Mr. Wentworth, moved, pursuant to amended notice, That this House do resolve,—

(1.) That there is not the slightest foundation for any of the conclusions in Lord Stanley's Despatch, No. 156, of the 28th October, 1844, relative to the probable results of the Colonial Act 7 Victoria, No. 3, of which this Bill is a continued renewal with certain amendments, one of which is a stringent penal clause repressive of the supposed tendencies to fraud, with which it was conceived that the first Act was pregnant.

(2.) That the Report of the Select Committee of this House of the 14th October, 1845, as well as the subsequent experience of the workings of this measure, afford unanswerable proof that, so far from acting as an encouragement to fraud, dishonesty, or speculation, its results have been the very reverse.

(3.) That it appears from Official Returns on the Table of this House, that the total amount of the registered securities under this Act, including those given in the District of Port Phillip, during the seven years it has now been in operation, has been £2,753,056 11s. 7d., and that notwithstanding this immense amount of indebtedness, there has not been a single conviction for fraud under this Act, though fraud to a very considerable extent was predicated as one of its inevitable consequences.

(4.) That on the 15th September, 1843, when the original Act was passed, the amount of all debts due to the several banks of the Colony, including notes, bills of exchange, and all stock and funded debts of every description, excepting notes, bills, and balances due to these banks from one another, amounted to £2,000,809 19s. 8d. whereas the debts so due at present, including the registered securities under this Act, have fallen to £1,478,173 11s. 1d. although the population of the Colony in the same period has increased in round numbers from about 165,000 to 250,000—

(5.) That the imports into this Colony from all parts of the world during the same period have advanced from £1,550,544 to £1,793,420; the exports from £1,172,320 to £1,891,270; the live stock from 62,017 horses to 121,859; the horned cattle from 1,017,316 to 1,810,213; the sheep from 5,055,337 to 12,102,540; the wool exported from 12,704,899 lbs., of the value of £685,647 to 27,963,530 lbs., of the value of £1,238,559; the tallow exported from 5,680 cwt. 2 qrs. 36 lbs., of the value of £9,639 to 154,103 cwt. 1 qr., of the value of £249,932; and the quantity of land in cultivation from 145,658 acres to 181,612 acres.

(6.) That a large portion of the promissory notes, bills, and other securities under discount or bearing interest at the initiation of this Act, were the securities of persons who were the ostensible, though not the real owners, of live stock, and that the registration required by this Act, according to the evidence of all the professional witnesses examined before that Committee is, in the language of the Report, "one of the chief recommendations of the measure, and has operated, not as a stimulus, but an interdict to fraud;" it having effectually destroyed that ostensibility of property, by means of which the possessors of live stock, with mere qualified ownership, were enabled, before the passing of this Act, to practise deception and frauds on the public; and by thus affording all parties interested an opportunity to ascertain to what extent such apparent ownership exists, it has established the most satisfactory guide and limit to the credit which in every case may be properly given.

(7.) That while Lord Stanley's predictions, with regard to the probable mischief of this measure, have been thus wholly disproved by its actual results, the additional arguments of the Right Honorable the present Secretary of State for the Colonies, urged in his Despatch to Sir C. A. Fitz Roy, No. 21, of date the 19th February, 1848, in support of the views of Lord Stanley, are equally untenable; the principal of these being, that borrowers of money, who have interest as well as wages to pay, can compete injuriously with persons trading on their own capital.

(8.) That the present amount of the registered securities under this Act, including those of the District of Port Phillip, is £549,543, an amount sufficient to shew the extent of the difficulties under which the pastoral interest, by far the most important in the Colony, still labors; that these securities form a very important item in its monetary transactions; and that if this Act were allowed to expire, the conclusion is inevitable, that they could only be replaced by mere personal obligations, resting on no real or tangible foundation.

(9.) That in the opinion of this House the non-renewal of this Act would occasion a monetary panic, which would lead to the ruin of hundreds of solvent stockholders, as well as their creditors, and spread dismay and confusion throughout the entire Colony. That His Excellency the Governor be requested to transmit a copy of these Resolutions for the consideration of the Right Honorable the Secretary of State for the Colonies.

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

22. Clergymen's disqualifying Bill:—On motion of Mr. Wentworth the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.

The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next.

23. Acts of Parliament adoption Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and passed.

Mr. Nichols then moved, That the following be the title of the Bill, viz.:—"An Act to adopt and apply certain Acts of Parliament in the Administration of Justice in New South Wales."

Question put and passed.

23. Geelong Private Streets' Bill :—On motion of Dr. Dickson, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman having reported the Bill without amendment, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next.
Council adjourned at Seven o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, SEPTEMBER 3.

NOTICES OF MOTION :—

1. MR. DARVALI to move, That the Petition presented by him on the 20th ultimo, from members of the Church of England and Ireland be printed.
2. MR. LAMB to move, That the Petition from certain Clergymen of the United Church of England and Ireland, presented by him on the 30th ultimo, be printed.
3. MR. WENTWORTH to move for leave to bring in a Bill to confer certain endowments on the Corporation of the City of Sydney.
4. MR. DANGAR to move,—
 - (1.) That this House having witnessed the effect of the Orphan Emigration from Great Britain to this Colony, and, from official sources, that from its commencement, on the arrival of the ship "Earl Grey," on the 6th October, 1848, to the present time, three thousand four hundred and thirty-five (3,435) of this class of Female Emigrants have been introduced into this Colony, at a cost of upwards of £40,000 for passages, besides their maintenance after their arrival, and whilst unemployed, which in the Sydney or Middle District alone has cost for that purpose £2,342 1s. 11d.
 - (2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 313 Orphans and Workhouse Girls unemployed and out of situations, in the Hyde Park Barracks, besides 220 which arrived in the "Tippoo Saib," on the 30th ultimo.
 - (3.) That Orphan and Workhouse Emigration, conducted on the scale, and at the large cost it has been subject to, while this House is ready to acknowledge that such girls, if of good character, and under fair conditions, could be sent here advantageously both for the Mother Country as well as this Colony, it cannot but determine that there is no commensurate benefit to the Colony, against the serious expense incurred.
 - (4.) That this House has much satisfaction in hearing from the Colonial Secretary, that His Excellency Sir C. A. Fitz Roy has, in a Despatch dated the 22nd April last, recommended to Her Majesty's Government, that the Orphan Emigration from the Workhouses in Ireland should, for the present, be discontinued, and this House is desirous of concurring with His Excellency's views thereon, and also of recording its deliberate opinion, that in the present wants and circumstances of the Colony, no Workhouse or Orphan Emigration should be again resumed at the whole cost of this Colony.
 - (5.) That this House can see no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost of such is defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.
 - (6.) That this Colony is still in want of shepherds and agricultural laborers, and this House desire to impress upon the British Government their opinion, that this class of Emigrants is that the most required for this Colony.
 - (7.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Executive Council of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeon Superintendents of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.
5. MR. OAKES to move,—
 - (1.) That the fifth section of the Standing Orders be suspended, in order to his moving,
 - (2.) That there be a Call of the House on Friday the 27th of September, on the Resumption of the adjourned Debate on Mr. Lamb's motion against the resumption of Transportation.

ORDERS

ORDERS OF THE DAY:—

1. Metropolitan Paving Bill; second reading.
2. Steam Navigation Bill; to be further considered in Committee.
3. Auction Duties' abolition Bill; to be further considered in Committee.
4. Masters' and Servants' Bill; to be further considered in Committee.
5. Newspapers Postage abolition Bill; second reading.
6. British Authors' Bill; to be further considered in Committee.
7. Sydney University Bill; second reading.
8. Bank of New South Wales Bill Reported; Adoption of the Report.
9. Mitchell's Tramway Bill; second reading.
10. Clergymen's disqualifying Bill Reported; Adoption of the Report.
11. Geelong Private Streets' Bill Reported; Adoption of the Report.

WEDNESDAY, SEPTEMBER 4.

Contingent.—MR. DONALDSON to move—on the Order of the Day for consideration of the Governor's Message, No. 32, respecting the Military Establishment,—being read—the following Resolutions:—

That this House having recently been called upon to enquire into the state of the Police of the Colony, with a view to the maintenance of greater efficiency in that force, which, under the existing state of society, promises to be attended with a very large increase of expenditure in years to come,—and having had their attention directed by the Despatch of the Right Honorable the Secretary of State for the Colony, dated 21st November, 1849, now on the Table of this House, and by the Message of His Excellency the Governor, No. 32, as to the reduction of the Military Force now in this Colony, to the proposal to charge on the General Revenue the cost of maintaining the Barracks and Ordnance buildings in a state of repair, resolves as follows:—

(1.) That without meaning to question the general principle, that the Police of the Colony should be maintained in an efficient state wholly from Local Funds, they consider that the large amount of crime, which is the necessary result of the old penal system but lately abolished, would be sufficient to establish a claim on the part of this community which would not only justify the retention of a full Regiment in the Colony, but also a large contribution from the Military Chest in aid of the Local Police and the administration of Criminal Justice.

(2.) That when to this consideration is superadded the fact that an increasing stream of criminals prematurely manumitted with the view solely, as this House believes, to get rid, at our expense, of the cost of their maintenance and coercion, is setting in upon us from Van Diemen's Land at the instance of the Home Government, the claims of the Colony, on these heads, are quite irresistible; and, therefore, that this House deprecates the proposed reduction in the Military Force employed in this Colony, and declares its opinion that such reduction is both inopportune and unjust.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Consideration of Governor's Message No. 32, respecting the Military Establishment.
2. Melbourne Public Abattoirs' Bill; third reading.
3. Resumption of adjourned Debate on Report from Police Committee.
4. Consideration of Governor's Message, No. 31, respecting the Sydney Museum.
5. Sydney Corporation Bill; to be further considered in Committee.
6. Estimates for 1850-51; to be further considered in Committee.

THURSDAY, SEPTEMBER 5.

Contingent.—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

(1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.

(2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.

(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; to be further considered in Committee.
2. Sydney Public Abattoir Bill; to be further considered in Committee.
3. Slaughter House Laws extension Bill; to be further considered in Committee.
4. Female Children's Apprenticing Bill; third reading.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws Bill; second reading.

FRIDAY,

230.

FRIDAY, SEPTEMBER 6.

ORDERS OF THE DAY:—

1. Trust Estates and Funds Bill; to be considered in Committee.
2. Russell's Nepean Bridge Bill; to be further considered in Committee.

WEDNESDAY, SEPTEMBER 11.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; to be considered in Committee.
2. Marriage Confirmation Bill; second reading.

FRIDAY, SEPTEMBER 27.

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 3 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Dr. Douglass:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address in reference to this gentleman, adopted on motion of Mr. Wentworth on the 16th ultimo.
Ordered to be printed.
2. Proposed additional Appropriations for 1850-51 :—The following Message from His Excellency the Governor received and read :—

CH^s. A. FITZ ROY,
Governor.

Message No. 33.

Referring to the Messages, Nos. 31 and 32, dated the 27th instant, the Governor submits, for the consideration of the Legislative Council, the enclosed Statement of proposed Additions to the Estimates for the Service of the Years 1850 and 1851, viz. :—

1850.....	£ 3,999. 4 6
1851.....	6,580 12 6

TOTAL..... 10,529 17 0

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

*Government House, Sydney,
3rd September, 1850.*

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

3. Public Entertainment Bill :—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill to amend the Law for regulating places of public exhibition and entertainment,*" read a first time; ordered to be printed, and read a second time this day week.
4. Steam Communication :—Mr. Donaldson, on behalf of the Select Committee to whom, on the 19th July last, was referred the question of Steam Communication with Europe, brought up the Report.
Ordered to be printed.
5. Denominational Education :—Mr. Darvall moved, pursuant to notice, That the Petition presented by him on the 20th ultimo, from members of the Church of England and Ireland, be printed.
Debate ensued.
Question put and passed.
6. Dropped motion :—The motion standing in the name of Mr. Lamb second on the Notice Paper for to-day, not having been moved, dropped.
7. City Endowments :—Mr. Wentworth moved, pursuant to notice, for leave to bring in a Bill to confer certain endowments on the Corporation of the City of Sydney.
Debate ensued.
Question put and negatived.
8. Female Orphan Immigration :—Mr. Dangar moved, pursuant to amended notice,—
 - (1.) "That" this House finds from official sources, that from the 6th October, 1848, to the present time, 3,458 Orphan Female Emigrants have been introduced into this Colony, at a cost of upwards of £43,000, and that their maintenance after their arrival has cost £3,098 18s. 7d.
 - (2.) That it appears by a Return laid upon the Table of this House, on the 30th July last, that there were 318 Orphans and Workhouse Girls in the Hyde Park Barracks, besides which, 220 arrived in the "Tippoo Saib," on that day.
 - (3.) That while this House is ready to acknowledge that such girls, if of good character, might be sent here advantageously for themselves, the Mother Country, and this Colony, still it cannot but determine that under the existing system this Colony derives no adequate benefit for the serious expense incurred.

(4.) That this House has no present objection to the continuance of Orphan Emigration from the Mother Country if one-half of the cost be defrayed by the British Government, or the Parishes which would in such case be mainly benefitted, by being relieved of some of its unproductive population.

(5.) That this Colony is still in want of shepherds and agricultural laborers, and this House desires to impress upon the British Government its opinion, that this class of Emigrants is that most required for this Colony.

(6.) That this House views with regret, from the papers lately laid on its Table, the great irregularities which took place in the Orphan Emigration ships "Earl Grey" and "Subraon," in 1848, and while this House feels that the Government of this Colony represented the same to the Right Honorable the Secretary of State for the Colonies, it cannot concur in the tone and spirit of the animadversion used by the Poor Law Commissioners of Ireland, and others under that Government, upon the evidence given before the Immigration Committee of this Government, touching such irregularities; it being the opinion of this House, that it does not exonerate the Irish Government from blame, in sending out improper women, and that a procedure of this kind must tend to discourage and prevent Surgeons Superintendent of emigrant ships, from giving an honest expression of their opinion upon arriving here, as to the character of the Emigrants placed under their charge.

Lastly. That His Excellency the Governor be respectfully requested to transmit a copy of these Resolutions, for the consideration of the Right Honorable the Secretary of State for the Colonies.

Debate ensued.

Mr. James Macarthur moved, as an amendment, That all the words following the word "That" be omitted, with a view to insert in their place the words "in the opinion of this Council it is inexpedient that any portion of the Land Revenue of the Colony should in future be applied to Orphan Immigration from the United Kingdom; and that the expense of any such Immigration ought in justice to be defrayed from Imperial or Parochial funds."

"(2.) That a copy of this Resolution be presented to His Excellency the Governor, with a request that he will be pleased to forward the same to the Right Honorable the Secretary of State for the Colonies."

Debate continued.

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

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

Question,—(1.) That in the opinion of this Council it is inexpedient that any portion of the Land Revenue of the Colony should in future be applied to Orphan Immigration from the United Kingdom; and that the expense of any such Immigration ought in justice to be defrayed from Imperial or Parochial funds.

(2.) That a copy of this Resolution be presented to His Excellency the Governor, with a request that he will be pleased to forward the same to the Right Honorable the Secretary of State for the Colonies,—put and passed.

Address to be presented by the Speaker.

9. Call of the House:—Mr. Oakes moved the first part of the motion standing in his name fifth on the Notice Paper for to-day, as follows:—

(1.) That the fifth section of the Standing Orders be suspended.

Debate ensued.

Question put and negatived.

10. Metropolitan Paving Bill:—Mr. Martin moved, That this Bill be "now" read a second "time."

Debate ensued.

Mr. Wentworth moved, That the Question be amended by the omission of the word "now," with a view to the insertion after the word "time" of the words "this day week."

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

Question,—That the words proposed to be inserted after the word "time" be so inserted—put and passed.

Question,—That this Bill be read a second time this day week,—put and passed.

11. Postponement:—The further consideration in Committee of the Steam Navigation Bill postponed, on motion of Mr. Nichols, until Friday next.

12. Auction Duties abolition Bill:—On motion of Mr. Donaldson, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.

The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for this day week.

13. Postponements:—

(1.) The further consideration in Committee of the Masters and Servants' Bill postponed, on motion of Mr. Nichols, on behalf of Mr. Murray, until Friday next.

(2.) The second reading of the Newspapers' Postage abolition Bill postponed, on motion of Mr. Nichols, until Friday next.

(3.) The further consideration in Committee of the British Authors Bill postponed, on motion of the Collector of Customs, on behalf of Mr. Murray, until Friday next.

(4.) The second reading of the Sydney University Bill postponed, on motion of Mr. Wentworth, until Friday next.

293

- 14. Bank of New South Wales' Bill Reported :—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of Mr. Nichols, on behalf of the Attorney General, ordered the Bill, as so reported, to be read a third time on Friday next.
- 15. Mitchell's Tramway Bill :—On the Order of the Day for the second reading of this Bill being read—
Mr. Parker moved, pursuant to notice, That the Australian Agricultural Company's Agent be heard by Counsel at the Bar of the House against the passing of this Bill.
Question put and passed,—
Whereupon Counsel admitted to the Bar and heard accordingly.
Counsel having withdrawn,—
Mr. Donaldson moved, That the Bill be now read a second time.
Question put and passed.
Bill read a second time ; to be considered in Committee this day week.
- 16. Clergymen's Disqualifying Bill Reported :—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of Mr. Wentworth, ordered the Bill, as so reported, to be engrossed, and read a third time on Tuesday next.
- 17. Geelong Private Streets Bill Reported :—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of Dr. Dickson, ordered the Bill, as so reported, to be engrossed, and read a third time this day week.
Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 4.

NOTICES OF MOTION :—

Contingent.—MR. DONALDSON to move—on the Order of the Day for consideration of the Governor's Message, No. 32, respecting the Military Establishment,—being read—the following Resolutions :—

That this House having recently been called upon to enquire into the state of the Police of the Colony, with a view to the maintenance of greater efficiency in that force, which, under the existing state of society, promises to be attended with a very large increase of expenditure in years to come,—and having had their attention directed by the Despatch of the Right Honorable the Secretary of State for the Colony, dated 21st November, 1849, now on the Table of this House, and by the Message of His Excellency the Governor, No. 32, as to the reduction of the Military Force now in this Colony, to the proposal to charge on the General Revenue the cost of maintaining the Barracks and Ordnance buildings in a state of repair, resolves as follows :—

(1.) That without meaning to question the general principle, that the Police of the Colony should be maintained in an efficient state wholly from Local Funds, they consider that the large amount of crime, which is the necessary result of the old penal system but lately abolished, would be sufficient to establish a claim on the part of this community which would not only justify the retention of a full Regiment in the Colony, but also a large contribution from the Military Chest in aid of the Local Police and the administration of Criminal Justice.

(2.) That when to this consideration is superadded the fact that an increasing stream of criminals prematurely manumitted with the view solely, as this House believes, to get rid, at our expense, of the cost of their maintenance and coercion, is setting in upon us from Van Diemen's Land at the instance of the Home Government, the claims of the Colony, on these heads, are quite irresistible; and, therefore, that this House deprecates the proposed reduction in the Military Force employed in this Colony, and declares its opinion that such reduction is both inopportune and unjust.

Contingent.—MR. MARTIN to move, as an amendment (on the resumption of the adjourned Debate on the Report from the Police Committee) the omission of all the words after the word "Police," with a view to the insertion in their place of the words following, namely,—“Resolves—

(1.) That it is highly desirable that steps should be immediately taken to improve the character and increase the efficiency of the Metropolitan Police, and to establish proper means for the rapid and systematic communication of intelligence between its head in Sydney and the Police in all other parts of the Colony.

(2.) That for the purpose of improving the character and increasing the efficiency of the Sydney Police, the following additions should be made thereto, namely :—One chief

234

chief constable, twelve sergeants, forty-four ordinary constables, eight detectives, and a horse patrol, consisting of one sergeant, one corporal, and twelve men, and that the whole force should be paid as follows :—

	£	s.	d.
One Chief Constable.....	150	0	0
Four Inspectors, at 6s. each per diem	438	0	0
Twenty-four Sergeants, at 4s. each per diem...	1,752	0	0
One hundred and twenty Ordinary Constables, at 3s. 6d. each per diem	7,665	0	0
			10,005 0 0
DETECTIVE FORCE.			
One Inspector, at 6s. per diem.....	109	10	0
Eight Constables, at 4s. each per diem	584	0	0
			693 10 0
Allowance for Female Searcher			20 0 0
HORSE PATROL.			
One Sergeant, or Acting Inspector, at 5s. per diem.....	91	5	0
One Corporal, at 4s. per diem	78	0	0
Twelve Constables, at 3s. 6d. each per diem...	766	10	0
			930 15 0
			<u>£11,649 5 0</u>

- (3.) That for the purpose of establishing the communication before mentioned, the Superintendent of the Sydney Police should have placed at his disposal, for the conduct of correspondence, two clerks, at £150 each per annum.
- (4.) That there should be a Police Magistrate appointed for Sydney, with a salary of £400 per annum; and that such Magistrate should be a barrister or attorney, of not less than five years standing.
- (5.) That with a view to the more speedy detection and apprehension of offenders, there should be within the settled districts of the Colony, at each chief place for holding Petty Sessions, two ordinary constables, mounted at the public expense, at the following cost, namely :—

	£	s.	d.
Forage for seventy-six horses, at £10 per annum each	760	0	0
Purchase of horses to supply deficiencies	50	0	0
Saddlery, &c.	10	0	0
			<u>£820 0 0</u>

- (6.) That the above alterations, combined with a judicious distribution of the Police Force, due vigilance and activity on the part of its officers, and an immediate and entire cessation of the practice frequently indulged in by Magistrates of employing Constables on other than their public duties,—the Police of the country might, in the opinion of this House, without difficulty, be placed in a state of the highest efficiency, without entailing any further expense upon the public.
- (7.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolutions, and praying His Excellency to take the necessary steps to give effect to them.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 32, respecting the Military Establishment.
2. Melbourne Public Abattoirs' Bill; third reading.
3. Resumption of the adjourned Debate on the Colonial Secretary's motion on the Report from the Select Committee on Police, namely ;—
 - (1.) That this Council having taken into consideration the Report from the Select Committee on " Police," approves of the recommendations contained therein.
 - (2.) That an Address be presented to His Excellency the Governor embodying the foregoing Resolution, and praying His Excellency to take the necessary steps for giving effect to those recommendations.
4. Consideration of Governor's Message, No. 31, respecting the Sydney Museum.
5. Sydney Corporation Bill; to be further considered in Committee.
6. Estimates for 1850-51; to be further considered in Committee.

THURSDAY, SEPTEMBER 5.

NOTICE OF MOTION :—

Contingent.—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the

the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.

(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; to be further considered in Committee.
2. Sydney Public Abattoir Bill; to be further considered in Committee.
3. Slaughter House Laws extension Bill; to be further considered in Committee.
4. Female Children's Apprenticing Bill; third reading.
5. Consideration of Governor's Message, No. 33, proposing additional Appropriations for 1850-51.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws Bill; second reading.

FRIDAY, SEPTEMBER 6.

NOTICES OF MOTION:—

1. MR. NICHOLS to move for leave to bring in a Bill for the more effectual prevention of Cruelty to Animals.
2. MR. NICHOLS to move,—
 - (1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving,
 - (2.) For leave to bring in a Bill to enable Messrs. Turner to form a Tram Road from a Coal Pit near Hexham, to a certain wharf at Hexham.

ORDERS OF THE DAY:—

1. Trust Estates and Funds Bill; to be considered in Committee.
2. Russell's Nepean Bridge Bill; to be further considered in Committee.
3. Steam Navigation Bill; to be further considered in Committee.
4. Masters' and Servants' Bill; to be further considered in Committee.
5. Newspapers Postage abolition Bill; second reading.
6. British Authors' Bill; to be further considered in Committee.
7. Sydney University Bill; second reading.
8. Bank of New South Wales Bill; third reading.

TUESDAY, SEPTEMBER 10.

ORDERS OF THE DAY:—

1. Public Entertainment Bill; second reading.
2. Metropolitan Paving Bill; second reading.
3. Auction Duties' abolition Bill Reported; Adoption of the Report.
4. Mitchell's Tramway Bill; to be considered in Committee.
5. Clergymen's disqualifying Bill; third reading.
6. Geelong Private Streets' Bill; third reading.

WEDNESDAY, SEPTEMBER 11.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; to be considered in Committee.
2. Marriage Confirmation Bill; second reading.

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION:—

Contingent.—MR. MARTIN to move, as an amendment, (on the resumption of the Debate on Mr. Lamb's motion on Transportation,) the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely:—
This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows:—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions:—

- (1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.
- (2.) That no female convict be transported to this Colony.
- (3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.

(4.)

- (4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.
- (5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.
- (6.) That there shall be no assignment of convicts to private service.
- (7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.
- (8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.
- (9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.
- (10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.
- (11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.
- (12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.
- (13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.
- (14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.
- (15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.
- (16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.
- (17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.
- (18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.
- (19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.
- (20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.
- (2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.
- (3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.
- (4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or

under

under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY:—

I. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely:—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON,
Speaker.

238.

239.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 4 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
 Military Establishment:—On the Order of the Day for the consideration of the Governor's Message No. 32, respecting the Military Establishment, being read,—
 Mr. Donaldson moved, pursuant to amended notice, That this House having recently been called upon to enquire into the state of the Police of the Colony, with a view to the maintenance of greater efficiency in that force, which, under the existing state of society, promises to be attended with a very large increase of expenditure in years to come,—and having had their attention directed by the Despatch of the Right Honorable the Secretary of State for the Colonies, dated 21st November, 1849, now on the Table of this House, and by the Message of His Excellency the Governor, No. 32, as to the reduction of the Military Force now in this Colony, to the proposal to charge on the General Revenue the cost of maintaining the Barracks and Ordnance buildings in a state of repair, resolves as follows:—
 (1.) That without meaning to question the general principle, that the Police of the Colony should be maintained in an efficient state wholly from Local Funds, they consider that the large amount of crime, which is the necessary result of the old penal system but lately abolished, would be sufficient to establish a claim on the part of this community which would not only justify the retention of a full Regiment in the Colony, but also a large contribution from the Military Chest in aid of the Local Police and the administration of Criminal Justice.
 (2.) That when to this consideration is superadded the fact that an increasing stream of criminals prematurely manumitted with the view solely, as this House believes, to get rid, at our expense, of the cost of their maintenance and coercion, is setting in upon us from Van Diemen's Land at the instance of the Home Government, the claims of the Colony, on these heads, are quite irresistible; and, therefore, that this House deprecates the proposed reduction in the Military Force employed in this Colony, and declares its opinion that such reduction is both inopportune and unjust.
 (3.) That the foregoing Resolutions be embodied in an Address to the Queen, and that His Excellency the Governor be requested to forward the same to the Right Honorable the Secretary of State for the Colonies, for presentation to Her Majesty.
 Debate ensued.
 Question put and passed; Address to the Governor to be presented by the Speaker. On motion of the Colonial Secretary, the Governor's Message above referred to was then read, and ordered to be taken into consideration in Committee on the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
2. Melbourne Public Abattoirs' Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
 The Colonial Secretary then moved, That the following be the title of the Bill, viz.:—
 "An Act to provide for the establishment of Public Abattoirs in the City of Melbourne, and for preventing certain Nuisances therein."
 Question put and passed.
3. Police:—On the Order of the Day for the resumption of the adjourned Debate of the Colonial Secretary's motion on the Report from the Select Committee on Police, namely,—
 (1.) That this Council having taken into consideration the Report from the Select Committee on "Police" approves of the recommendations contained therein.
 (2.) That an Address be presented to His Excellency the Governor embodying the foregoing Resolution, and praying His Excellency to take the necessary steps for giving effect to those recommendations—being read—
 Mr. Martin, pursuant to notice, moved, as an amendment, That all the words following the word "Police" be omitted, with a view to the insertion in their place of the words following, namely:— "Resolves—"

" (1.) That it is highly desirable that steps should be immediately taken to improve the character and increase the efficiency of the Metropolitan Police, and to establish proper means for the rapid and systematic communication of intelligence between its head in Sydney and the Police in all other parts of the Colony.

" (2.) That for the purpose of improving the character and increasing the efficiency of the Sydney Police, the following additions should be made thereto, namely:—One chief constable, twelve sergeants, forty-four ordinary constables, eight detectives, and a horse patrol, consisting of one sergeant, one corporal, and twelve men, and that the whole force should be paid as follows:—

	£	s.	d.	
" One Chief Constable	150	0	0	
" Four Inspectors, at 6s. each per diem ...	438	0	0	
" Twenty-four Sergeants, at 4s. each per diem	1,752	0	0	
" One hundred and twenty Ordinary Constables, at 3s. 6d. each per diem	7,665	0	0	
				10,005 0 0

DETECTIVE FORCE.

" One Inspector, at 6s. per diem	109	10	0	
" Eight Constables, at 4s. each per diem...	584	0	0	
				693 10 0
" Allowance for Female Searcher.....				20 0 0

HORSE PATROL.

" One Sergeant, or Acting Inspector, at 5s. per diem	91	5	0	
" One Corporal, at 4s. per diem	73	0	0	
" Twelve Constables, at 3s. 6d. each per diem	766	10	0	
				930 15 0
				<u>£11,649 5 0</u>

" (3.) That for the purpose of establishing the communication before mentioned, the Superintendent of the Sydney Police should have placed at his disposal, for the conduct of correspondence, two clerks, at £150 each per annum.

" (4.) That there should be a Police Magistrate appointed for Sydney, with a salary of £400 per annum; and that such Magistrate should be a barrister or attorney, of not less than five years standing.

" (5.) That with a view to the more speedy detection and apprehension of offenders, there should be within the settled districts of the Colony, at each chief place for holding Petty Sessions, two ordinary constables, mounted at the public expense, at the following cost, namely:—

	£	s.	d.	
" Forage for seventy-six horses, at £10 per annum each...	760	0	0	
" Purchase of horses to supply deficiencies	50	0	0	
" Saddlery, &c.	10	0	0	
				<u>£820 0 0</u>

" (6.) That by the above alterations, combined with a judicious distribution of the Police Force, due vigilance and activity on the part of its officers, and an immediate and entire cessation of the practice frequently indulged in by Magistrates of employing Constables on other than their public duties,—the Police of the country might, in the opinion of this House, without difficulty, be placed in a state of the highest efficiency, without entailing any further expense upon the public.

" (7.) That an Address be presented to His Excellency the Governor, embodying the foregoing Resolutions, and praying His Excellency to take the necessary steps to give effect to them."

Debate ensued.

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

Original Question stated.

(1.) That this Council having taken into consideration the Report from the Select Committee on Police, approves of the recommendations contained " therein."

(2.) That an Address be presented to His Excellency the Governor embodying the foregoing Resolution, and praying His Excellency to take the necessary steps for giving effect to those recommendations.

Dr. Lang moved, That the Question be amended by adding after the word " therein" the words " except so far as the salaries of the Inspector General and the Provincial Inspectors are concerned, which salaries this House is of opinion ought not to exceed—the first, £600—and the latter, £300 each"—

Debate ensued.

Question put,—That the words proposed to be added after the word " therein" be so added,—

Council divided.

Ayes, 7.
Mr. Oakes,
Mr. Byrnes,
Mr. Cooper,
Dr. Lang,
Mr. Bowman,
Mr. Dangar,
Mr. Martin, (Teller.)

Noes, 17.

Mr. Berry,
The Colonial Treasurer,
Mr. Wentworth,
Mr. Icely,
Mr. Parker,
Mr. Allen,
Mr. Fitzgerald,
The Major General Commanding,
Mr. James Macarthur,
The Collector of Customs,
The Auditor General,
Mr. Darvall,
Mr. Donaldson,
Mr. Suttor,
Mr. William Macarthur,
The Colonial Secretary,
Mr. Nichols, (Teller.)

Original Question put.

Council divided.

Ayes, 17.
The Colonial Secretary,
The Colonial Treasurer,
Mr. Wentworth,
Mr. Berry,
The Collector of Customs,
The Auditor General,
Mr. James Macarthur,
Mr. Donaldson,
Mr. Darvall,
Mr. Suttor,
The Major General Commanding,
Mr. Parker,
Mr. Allen,
Mr. Icely,
Mr. William Macarthur,
Mr. Fitzgerald,
Mr. Nichols, (Teller.)

Noes, 7.

Dr. Lang,
Mr. Dangar,
Mr. Oakes,
Mr. Byrnes,
Mr. Cooper,
Mr. Bowman,
Mr. Martin, (Teller.)

Address to be presented by the Speaker.

4. Sydney Museum :—On motion of the Colonial Secretary, the Governor's Message, No. 31, in reference to this building, read, and ordered to be taken into consideration in Committee on the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
5. Postponement :—The further consideration in Committee of the Sydney Corporation Bill postponed, on motion of the Colonial Secretary, until this day week.
6. Finance 1850-51 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51, together with the Governor's Messages Nos. 31 and 32, in reference to the Sydney Museum and the Military Establishment.
The Chairman reported progress, and obtained leave to sit again to-morrow.
Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 5.

NOTICE OF MOTION :—

Contingent.—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; to be further considered in Committee.
2. Sydney Public Abattoir Bill; to be further considered in Committee.
3. Slaughter House Laws extension Bill; to be further considered in Committee.
4. Female Children's Apprenticing Bill; third reading.
5. Consideration of Governor's Message, No. 33, proposing additional Appropriations for 1850-51.
6. Estimates for 1850-51, and Messages Nos. 31 and 32; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Cattle Slaughtering Laws Bill; second reading.

FRIDAY, SEPTEMBER 6.

NOTICES OF MOTION:—

1. MR. NICHOLS to move for leave to bring in a Bill for the more effectual prevention of Cruelty to Animals.
2. MR. NICHOLS to move,—
 - (1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving,
 - (2.) For leave to bring in a Bill to enable Messrs. Turner to form a Tram Road from a Coal Pit near Hexham, to a certain wharf at Hexham.
3. MR. DONALDSON to move, That an Address be presented to His Excellency 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 men now serving sentences at Cockatoo Island.
 - (2.) The number of those who are natives of the Colony.
 - (3.) The number of those who arrived free in the Colony from any part of the United Kingdom.
 - (4.) The number of those who came to the Colony as transported offenders.

ORDERS OF THE DAY:—

1. Trust Estates and Funds Bill; to be considered in Committee.
2. Russell's Nepean Bridge Bill; to be further considered in Committee.
3. Steam Navigation Bill; to be further considered in Committee.
4. Masters' and Servants' Bill; to be further considered in Committee.
5. Newspapers Postage abolition Bill; second reading.
6. British Authors' Bill; to be further considered in Committee.
7. Sydney University Bill; second reading.
8. Bank of New South Wales Bill; third reading.

TUESDAY, SEPTEMBER 10.

NOTICE OF MOTION:—

1. MR. WENTWORTH to move for leave to bring in a Bill to reduce the duty on Spirits distilled in the Colony.

ORDERS OF THE DAY:—

1. Public Entertainment Bill; second reading.
2. Metropolitan Paving Bill; second reading.
3. Auction Duties' abolition Bill Reported; Adoption of the Report.
4. Mitchell's Tramway Bill; to be considered in Committee.
5. Clergymen's disqualifying Bill; third reading.
6. Geelong Private Streets' Bill; third reading.

WEDNESDAY, SEPTEMBER 11.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Sydney Corporation Bill; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; to be considered in Committee.
2. Marriage Confirmation Bill; second reading.

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION:—

- Contingent.*—MR. MARTIN to move, as an amendment, (*on the resumption of the Debate on Mr. Lamb's motion on Transportation*), the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely:—
This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows:—
- (1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions:—

(1.)

- (1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.
 - (2.) That no female convict be transported to this Colony.
 - (3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.
 - (4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.
 - (5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.
 - (6.) That there shall be no assignment of convicts to private service.
 - (7.) That there shall never be more than three hundred convicts at one time in any barrack, depot, or other place in the City of Sydney.
 - (8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.
 - (9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.
 - (10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.
 - (11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.
 - (12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.
 - (13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.
 - (14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.
 - (15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.
 - (16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.
 - (17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.
 - (18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.
 - (19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.
 - (20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.
- (2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.
- (3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held

held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely :—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON.

Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 5 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Rules of Court :—The Colonial Secretary laid upon the Table further Rules of Court made by their Honors the Judges of the Supreme Court.
Ordered to be printed.
2. Sydney University Bill :—Mr. Darvall presented a Petition from the Archbishop, Bishop Coadjutor, and Roman Catholic Clergy of Sydney, praying certain modifications in this Bill.
Petition received.
3. Impounding Act :—Mr. Dangar presented a Petition from certain Inhabitants of Singleton and the District of St. Patrick's Plains, praying certain amendments in this Act.
Petition received.
4. Further Leave of Absence for three weeks from to-day granted to Captain King, on motion of Mr. Parker.
5. Queen's Plate :—Mr. Oakes presented a Petition from certain Inhabitants of Parramatta and its neighbourhood, praying the Council not to vote the proposed sum for a Queen's Plate.
Petition received.
6. Postponements :—
 - (1.) The further consideration in Committee of the Sewerage Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
 - (2.) The further consideration in Committee of the Sydney Public Abattoir Bill postponed, on motion of the Colonial Secretary, until Wednesday next.
7. Slaughter House Laws extension Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Wednesday next.
8. Postponement :—The third reading of the Female Children's Apprenticing Bill postponed, on motion of the Colonial Treasurer, until Wednesday next.
9. Proposed additional Appropriations for 1850-51 :—On motion of the Colonial Treasurer, the Governor's Message, No. 33, received on the 3rd instant, proposing additional Appropriations for the year 1850-51, read, and ordered to be considered in Committee on the Supplementary Estimate and Estimates of Expenditure for the year 1850-51.
10. Finance, 1850-51 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51, and Messages Nos. 31, 32, and 33.
The Chairman reported progress, and obtained leave to sit again at a later hour of the day.
11. Distillation Bill :—The following Message from His Excellency the Governor received and read :—

CH^s. A. FITZ ROY,
Governor.
Message No. 34.

In accordance with the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill, intitled, "*A Bill to amend the Law with respect to the distillation and exportation of Spirits distilled in the Colony of New South Wales.*"
Government House, Sydney,
5th September, 1850.

Ordered to be printed, together with the accompanying Bill, and taken into consideration on Wednesday next.
12. Finance 1850-51 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51, and Messages Nos. 31, 32, and 33.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
13. Postponement :—The second reading of the Cattle Slaughtering Laws' Bill postponed, on motion of Mr. Martin, until to-morrow.
Council adjourned at a quarter after Five o'clock, until to-morrow at Three o'clock.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 6.

NOTICES OF MOTION :—

1. MR. NICHOLS to move for leave to bring in a Bill for the more effectual prevention of Cruelty to Animals.
2. MR. NICHOLS to move,—
 - (1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving,
 - (2.) For leave to bring in a Bill to enable Messrs. Turner to form a Tram Road from a Coal Pit near Hexham, to a certain wharf at Hexham.
3. MR. DONALDSON to move, That an Address be presented to His Excellency 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 men now serving sentences at Cockatoo Island.
 - (2.) The number of those who are natives of the Colony.
 - (3.) The number of those who arrived free in the Colony from any part of the United Kingdom.
 - (4.) The number of those who came to the Colony as transported offenders.

ORDERS OF THE DAY :—

1. Trust Estates and Funds Bill; to be considered in Committee.
2. Russell's Nepean Bridge Bill; to be further considered in Committee.
3. Steam Navigation Bill; to be further considered in Committee.
4. Masters' and Servants' Bill; to be further considered in Committee.
5. Newspapers Postage abolition Bill; second reading.
6. British Authors' Bill; to be further considered in Committee.
7. Sydney University Bill; second reading.
8. Bank of New South Wales Bill; third reading.
9. Cattle Slaughtering Laws Bill; second reading.

TUESDAY, SEPTEMBER 10.

NOTICE OF MOTION :—

1. MR. WENTWORTH to move for leave to bring in a Bill to reduce the duty on Spirits distilled in the Colony.

ORDERS OF THE DAY :—

1. Public Entertainment Bill; second reading.
2. Metropolitan Paving Bill; second reading.
3. Auction Duties' abolition Bill Reported; Adoption of the Report.
4. Mitchell's Tramway Bill; to be considered in Committee.
5. Clergymen's disqualifying Bill; third reading.
6. Geelong Private Streets' Bill; third reading.

WEDNESDAY, SEPTEMBER 11.

NOTICE OF MOTION :—

Contingent.—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Sydney Corporation Bill; to be further considered in Committee.
2. Sewerage Bill; to be further considered in Committee.
3. Sydney Public Abattoir Bill; to be further considered in Committee.
4. Slaughter House Laws extension Bill Reported; Adoption of the Report.
5. Female Children's Apprenticing Bill; third reading.
6. Consideration of Governor's Message, No. 34, with Distillation Bill.
7. Estimates for 1850-51, and Messages Nos. 31, 32, and 33; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Justices of the Peace Duties' Bill; to be considered in Committee.
2. Marriage Confirmation Bill; second reading.

FRIDAY,

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION :—

Contingent.—MR. MARTIN to move, as an amendment, (on the resumption of the Debate on Mr. Lamb's motion on Transportation,) the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely :— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows :—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions :—

(1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.

(2.) That no female convict be transported to this Colony.

(3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.

(4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.

(5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.

(6.) That there shall be no assignment of convicts to private service.

(7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.

(8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.

(9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.

(10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.

(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.

(2.)

248.

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentiing this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely :—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honourable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 6 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Sydney University Bill:—Mr. Allen presented a Petition from certain Inhabitants of the City of Sydney, praying certain modifications in this Bill.
Petition received.
2. Transportation:—Mr. Lamb presented a Petition from the Minister and certain Members of the Scots' Church, Pitt-street south, Sydney, against the resumption of Transportation.
Petition received.
3. Geelong Town and Suburban Lands:—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table the Return to the Address on this subject, adopted on motion of Dr. Dickson on the 6th August last.
Ordered to be printed.
4. Admission of Barristers:—Mr. Nichols presented a Petition from Singleton Rochfort, of Newtown, near Sydney, praying certain amendments in the Law for the admission of Barristers.
Petition received
5. Cruelty to Animals Bill:—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill for the more effectual prevention of Cruelty to Animals.
Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
6. Postponement:—Mr. Nichols postponed the motion standing in his name second on the Notice Paper for to-day, until Tuesday next.
7. Cockatoo Island Offenders:—Mr. Donaldson moved, pursuant to notice, That an Address be presented to His Excellency 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 men now serving sentences at Cockatoo Island.
(2.) The number of those who are natives of the Colony.
(3.) The number of those who arrived free in the Colony from any part of the United Kingdom.
(4.) The number of those who came to the Colony as transported offenders.
Question put and passed; Address to be presented by the Speaker.
8. Cruelty to Animals Bill:—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill for the more effectual prevention of cruelty to Animals,*" read a first time; ordered to be printed, and read a second time this day week.
9. Trust Estates and Funds' Bill:—Mr. Nichols, on behalf of Mr. Moor, moved "That" the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the consideration of this Bill.
Mr. Allen moved, as an amendment, That all the words following the word "That" be omitted, with a view to the insertion in their place of the words, "this Bill be now referred to the Select Committee on Real Property and Dower Laws Bills."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That this Bill be now referred to the Select Committee on Real Property and Dower Laws Bills,—put and passed.
10. Postponement:—The further consideration in Committee of Russell's Nepean Bridge Bill postponed, on motion of Mr. Wentworth, until Tuesday next.
11. Steam Navigation Bill:—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again this day week.
12. Masters' and Servants' Bill:—On motion of Mr. Nichols, on behalf of Mr. Murray, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.

13. **Newspapers Postage abolition Bill** :—Mr. Nichols moved, That this Bill be now read a second time.
 Debate ensued.
 Motion by leave withdrawn.
 Bill, on motion of Mr. Nichols, discharged from the Paper.
14. **British Authors' Bill** :—The Collector of Customs, on behalf of Mr. Murray, moved That the Speaker do "now" leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of this Bill.
 Mr. Martin moved, as an amendment, That the word "now" be omitted, with a view to add at the end of the question the words "on this day six months."
 Debate ensued.
 Amendment by leave withdrawn.
 Original question by leave withdrawn.
 Bill, on motion of the Collector of Customs, discharged from the Paper.
15. **Postponement** :—The second reading of the Sydney University Bill postponed, on motion of Mr. Wentworth, until Tuesday next.
16. **Bank of New South Wales Bill** :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and *passed*.
 Mr. Nichols then moved, That the following be the title of the Bill, viz. :—"*An Act to Incorporate the Proprietors of a certain Banking Company called the 'Bank of 'New South Wales,' and for other purposes therein mentioned.*"
 Question put and passed.
17. **Cattle Slaughtering Laws Bill** :—Mr. Martin moved, That this Bill be "now" read a second time.
 Debate ensued.
 Mr. Allen moved, as an amendment, That the word "now" be omitted, with a view to add at the end of the Question the words "this day six months."
 Debate continued.
 Question,—That the word proposed to be omitted stand part of the Question,—put and negatived.
 Question,—That the words proposed to be added at the end of the Question be so added—put and passed.
 Question,—That this Bill be read a second time this day six months,—put and passed.
 Council adjourned at Six o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, SEPTEMBER 10.

NOTICES OF MOTION :—

1. MR. WENTWORTH to move for leave to bring in a Bill to reduce the duty on Spirits distilled in the Colony.
2. MR. ALLEN to move, That the Petition in reference to the Sydney University Bill, presented by him on the 6th instant, be printed.
3. MR. LAMB to move, That the Petition against the resumption of Transportation, presented by him on the 6th instant, be printed.
4. DR. DICKSON to move for leave to introduce a Bill to provide for Public Abattoirs in the Town of Geelong, and for preventing certain nuisances therein.
5. MR. DARVALL to move, That the Petition of the Archbishop and Clergy of the Roman Catholic Church, in reference to the Sydney University Bill, presented by him on the 5th instant, be printed.
6. DR. LANG to move, That the Petition of the Professors of the Australian College in reference to the Sydney University Bill, presented by him on the 30th August, be printed.
7. MR. NICHOLS to move for leave to bring in a Bill to amend, in some respects, an Act, intituled, "*An Act to regulate the sale of spirituous and fermented liquors, and to consolidate the laws for licensing Public Houses.*"
8. MR. NICHOLS to move,—
 (1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving,
 (2.) For leave to bring in a Bill to enable Messrs. Turner to form a Tram Road from a Coal Pit near Hexham, to a certain wharf at Hexham.

ORDERS OF THE DAY :—

1. Public Entertainment Bill ; second reading.
2. Metropolitan Paving Bill ; second reading.
3. Auction Duties' abolition Bill Reported ; Adoption of the Report.
4. Mitchell's Tramway Bill ; to be considered in Committee.
5. Clergymen's disqualifying Bill ; third reading.
6. Geelong Private Streets' Bill ; third reading.
7. Russell's Nepean Bridge Bill ; to be further considered in Committee.
8. Masters' and Servants' Bill ; to be further considered in Committee.
9. Sydney University Bill ; second reading.

WEDNESDAY,

WEDNESDAY, SEPTEMBER 11.

NOTICES OF MOTION :—

Contingent.—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

(1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.

(2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.

(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

Contingent.—Dr. Lang to move (on motion for going into Committee on the Governor's Message relative to Military Expenditure):—

(1.) That the maintenance of a Military Force in this Colony, at the expense of Great Britain, is totally unnecessary for the defence and protection of the Colony, either from foreign aggression, or from internal disturbance, and is therefore a serious injustice and grievous wrong to the overtaxed people of England, who are now endeavouring in every possible way to reduce the Military expenditure of the Empire.

(2.) That even if such a force were necessary in this Colony, the force which it is proposed to maintain is altogether inadequate, and consequently altogether useless for either of the purposes above mentioned.

(3.) That if it is true that a large Military Force, to be maintained by Great Britain, is necessary for the defence and protection of this Colony, and if Great Britain is notwithstanding, either unable or unwilling to afford such a force, she is morally bound to treat us, as British Colonists, in precisely the same manner in which she was herself treated as a Colony of Rome, when the Romans withdrew their troops notwithstanding the earnest remonstrances of the Colonists of Britain, and thereby recognized their entire freedom and independence.

(4.) That it is a serious grievance for the inhabitants of this Colony to have their Ordinary Revenue now saddled for the first time with an item for Military expenditure—an item which, if not checked at the outset, will be found to increase every year, and for which no plea of necessity can be urged.

(5.) That the only conceivable use of a Military Force of the extent proposed is, to strengthen the hands of the Executive in perpetuating a system of bad government and in withholding those political reforms which the Colonists have a right to demand.

(6.) That in these circumstances, this House refuses to vote any amount whatever for Military Expenditure.

(7.) That an Address embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL TREASURER to move for leave to introduce a Bill for applying certain sums arising from the Revenue receivable in New South Wales to the service thereof, for the year one thousand eight hundred and fifty-one, and for further appropriating the said Revenue.

ORDERS OF THE DAY :—

1. Sydney Corporation Bill ; to be further considered in Committee.
2. Sewerage Bill ; to be further considered in Committee.
3. Sydney Public Abattoir Bill ; to be further considered in Committee.
4. Slaughter House Laws extension Bill Reported ; Adoption of the Report.
5. Female Children's Apprenticing Bill ; third reading.
6. Consideration of Governor's Message, No. 34, with Distillation Bill.
7. Estimates for 1850-51, and Messages Nos. 31, 32, and 33 ; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Justices of the Peace Duties' Bill ; to be considered in Committee.
2. Marriage Confirmation Bill ; second reading.

FRIDAY, SEPTEMBER 13.

ORDERS OF THE DAY :—

1. Cruelty to Animals Bill ; second reading.
2. Steam Navigation Bill ; to be further considered in Committee.

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION :—

Contingent.—MR. MARTIN to move, as an amendment, (*on the resumption of the Debate on Mr. Lamb's motion on Transportation*), the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely :— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows :—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions :—

(1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.

(2.) That no female convict be transported to this Colony.

(3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.

(4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.

(5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.

(6.) That there shall be no assignment of convicts to private service.

(7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.

(8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.

(9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.

(10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.

(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by convicts at stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each convict transported hither.

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of convicts in all particulars.

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely :—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON,

Speaker.

254.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 10 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Postponement:—Mr. Wentworth postponed the motion standing in his name first on the Notice Paper for to-day, until Friday next.
2. Sydney University Bill:—Mr. Allen moved, pursuant to notice, That the Petition in reference to the Sydney University Bill, presented by him on the 6th instant, be printed.
Debate ensued.
Question put and passed.
3. Transportation:—Mr. Lamb moved, pursuant to notice, That the Petition against the resumption of Transportation, presented by him on the 6th instant, be printed.
Debate ensued.
Question put and negatived.
4. Sydney University Bill:—Mr. Oakes presented a Petition from certain Inhabitants of the Town and District of Parramatta, praying certain modifications in this Bill.
Petition received.
5. Geelong Public Abattoirs Bill:—Dr. Dickson moved, pursuant to notice, for leave to introduce a Bill to provide for Public Abattoirs in the Town of Geelong, and for preventing certain nuisances therein.
Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
6. Benevolent Society's Bill:—Mr. James Macarthur, on behalf of the Select Committee to whom this Bill was referred on the 31st July last, brought up the Report.
7. Sydney University Bill:—
(1.) Mr. Darvall moved, pursuant to notice, That the Petition of the Archbishop and Clergy of the Roman Catholic Church, in reference to the Sydney University Bill, presented by him on the 5th instant, be printed.
Question put and passed.
(2.) Dr. Lang moved, pursuant to notice, That the Petition of the Professors of the Australian College in reference to the Sydney University Bill, presented by him on the 30th August, be printed.
Debate ensued.
Question put and passed.
8. Geelong Public Abattoirs Bill:—Dr. Dickson having presented this Bill, Bill, intituled, "*A Bill to provide for the establishment of Public Abattoirs in the Town of Geelong, and for preventing certain nuisances therein,*" read a first time; ordered to be printed, and read a second time this day fortnight.
9. Postponement:—Mr. Nichols postponed the motions standing in his name seventh and eighth on the Notice Paper for to-day, until Friday next.
10. Sydney University Bill:—Mr. Martin moved, That the second reading of this Bill take precedence of all Other Orders of the Day.
Debate ensued.
Motion by leave withdrawn.
11. Public Entertainment Bill, having been read a second time, on motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Friday next.
12. Metropolitan Paving Bill:—Mr. Martin moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time; and ordered to be considered in Committee on Friday next.

13. Assent to Bills :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the following Bills :—
- (1.) Tolls and Dues' Leasing Bill.
 - (2.) Carriers and Drivers' Bill.
 - (3.) South Australian Offenders' Apprehension Bill.
 - (4.) Perfumed Spirits Duties' Bill.
 - (5.) Games and Wagers' Bill.
 - (6.) Registry Acts Amendment Bill.
 - (7.) Annuities' Bill.
 - (8.) Corporate Towns Justices' Bill.
 - (9.) Art Unions' Bill.
 - (10.) Cattle Protection Bill.
14. Postponement :—The adoption of the Report from the Committee of the whole Council on the Auction Duties abolition Bill postponed, on motion of Mr. Donaldson, until this day week.
15. Mitchell's Tramway Bill :—On motion of Mr. Donaldson, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Friday next.
16. Clergymen's disqualifying Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill,—
Mr. Wentworth moved, That the Bill be "now" read a third "time."
Mr. Allen moved, That the question be amended, by omitting the word "now" with a view to add after the word "time" at the end thereof, the words "this day six months."
Debate ensued.
Question put,—That the word proposed to be omitted stand part of the Question,—
Council divided.

Ayes, 13.

The Colonial Secretary,
Mr. Darvall,
The Colonial Treasurer,
Mr. Donaldson,
Mr. Wentworth,
Mr. Martin,
Mr. Lamb,
Mr. Dangar,
Dr. Dickson,
Mr. Fitzgerald,
Mr. James Macarthur,
Mr. Parker,
Mr. William Macarthur, (Teller.)

Noes, 6.

Mr. Nichols,
Mr. Byrnes,
Mr. Oakes,
Mr. Allen,
Dr. Lang,
Mr. Cooper, (Teller.)

Original Question put,—That this Bill be now read a third time.
Council divided.

Ayes, 13.

The Colonial Secretary,
Mr. Darvall,
The Colonial Treasurer,
Mr. Donaldson,
Mr. Wentworth,
Mr. Martin,
Mr. Lamb,
Mr. Dangar,
Dr. Dickson,
Mr. Fitzgerald,
Mr. James Macarthur,
Mr. Parker,
Mr. William Macarthur, (Teller.)

Noes, 6.

Mr. Nichols,
Mr. Byrnes,
Mr. Oakes,
Mr. Allen,
Dr. Lang,
Mr. Cooper, (Teller.)

Bill read a third time.

Mr. Wentworth then moved, That the following be the Title of the Bill, viz., "An Act to remove doubts respecting the eligibility of persons in Holy Orders to sit as Members of the Legislative Council; and to disqualify Ministers of Religion from being elected Members of the said Legislative Council, or of any other Legislative Council or Assembly that may hereafter be substituted for the same."

Question put and passed.

17. Geelong Private Streets Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Dr. Dickson, read a third time, and passed.

Dr. Dickson then moved, That the following be the title of the Bill, viz. :—"An Act for regulating the formation, drainage, and repair of Streets, Courts, and Alleys on Private Property within the Town of Geelong."

Question put and passed.

18. Postponements :—

(1.) The further consideration in Committee of Russell's Nepean Bridge Bill postponed, on motion of Mr. Wentworth, until Friday next.

(2.) The further consideration in Committee of the Masters and Servants' Bill postponed, on motion of Mr. Nichols, on behalf of Mr. Murray, until to-morrow.

19. Sydney University Bill :—Mr. Wentworth moved, That this Bill be now read a second time.

Debate ensued.

Mr. Darvall moved, That the Debate be adjourned until to-morrow.

Question on the motion for adjournment—put and passed.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 11.

NOTICES OF MOTION :—

Contingent.—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

(1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.

(2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.

(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

Contingent.—Dr. Lang to move (on motion for going into Committee on the Governor's Message relative to Military Expenditure):—

(1.) That the maintenance of a Military Force in this Colony, at the expense of Great Britain, is totally unnecessary for the defence and protection of the Colony, either from foreign aggression, or from internal disturbance, and is therefore a serious injustice and grievous wrong to the overtaxed people of England, who are now endeavouring in every possible way to reduce the Military expenditure of the Empire.

(2.) That even if such a force were necessary in this Colony, the force which it is proposed to maintain is altogether inadequate, and consequently altogether useless for either of the purposes above mentioned.

(3.) That if it is true that a large Military Force, to be maintained by Great Britain, is necessary for the defence and protection of this Colony, and if Great Britain is notwithstanding, either unable or unwilling to afford such a force, she is morally bound to treat us, as British Colonists, in precisely the same manner in which she was herself treated as a Colony of Rome, when the Romans withdrew their troops notwithstanding the earnest remonstrances of the Colonists of Britain, and thereby recognized their entire freedom and independence.

(4.) That it is a serious grievance for the inhabitants of this Colony to have their Ordinary Revenue now saddled for the first time with an item for Military expenditure—an item which, if not checked at the outset, will be found to increase every year, and for which no plea of necessity can be urged.

(5.) That the only conceivable use of a Military Force of the extent proposed is, to strengthen the hands of the Executive in perpetuating a system of bad government and in withholding those political reforms which the Colonists have a right to demand.

(6.) That in these circumstances, this House refuses to vote any amount whatever for Military Expenditure.

(7.) That an Address embodying these Resolutions, be presented to His Excellency the Governor.

Contingent.—Mr. Nichols to move, (upon the Order of the Day for the further consideration in Committee of the Master and Servants Bill being read), That the Bill be laid aside with a view to move for leave to bring in a Bill to continue the Acts of Council 9 Vict., No. 2, and 11 Vict. No. 9, for the period of two years.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. THE COLONIAL TREASURER to move for leave to introduce a Bill for applying certain sums arising from the Revenue receivable in New South Wales to the service thereof, for the year one thousand eight hundred and fifty-one, and for further appropriating the said Revenue.

ORDERS OF THE DAY :—

1. Sydney Corporation Bill ; to be further considered in Committee.
2. Sewerage Bill ; to be further considered in Committee.
3. Sydney Public Abattoir Bill ; to be further considered in Committee.
4. Slaughter House Laws extension Bill Reported ; Adoption of the Report.
5. Female Children's Apprenticing Bill ; third reading.
6. Consideration of Governor's Message, No. 34, with Distillation Bill.
7. Estimates for 1850-51, and Messages Nos. 31, 32, and 33 ; to be further considered in Committee.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. OAKES to move, That the Petition from Parramatta, in reference to the Sydney University Bill, presented by him yesterday, be printed.

ORDERS OF THE DAY :—

1. Justices of the Peace Duties' Bill ; to be considered in Committee.
2. Marriage Confirmation Bill ; second reading.
3. Masters' and Servants' Bill ; to be further considered in Committee.
4. Resumption of adjourned Debate on motion for second reading of the Sydney University Bill.

FRIDAY, SEPTEMBER 13.

NOTICES OF MOTION :—

1. MR. WENTWORTH to move,—
 - (1.) That in the opinion of this House the augmented scale of remission money now in force under the sanction of the Lords' Commissioners of Her Majesty's Treasury ought to be applied to all Military, Naval, and Medical Officers of Her Majesty's and the Honorable East India Company's services, who left their respective services on or after the 1st of January, 1839, and before this augmented scale of remission money took effect.
 - (2.) That an Address be presented to his Excellency the Governor, embodying this resolution, and praying that he will forward it for the consideration of Her Majesty's Principal Secretary of State for the Colonies.
2. MR. DONALDSON to move,
 - (1.) That this Council having taken into consideration the Report of the Select Committee on Steam Communication with Europe, hereby adopts the recommendations therein contained.
 - (2.) That this Resolution be embodied in an Address to His Excellency the Governor.
3. DR. LANG to move, That the Standing Orders in regard to Private Bills be suspended in so far as that a Bill which has been duly notified in the *Government Gazette* must be submitted to the House within a certain time after the commencement of the Session. And, in the event of that motion being agreed to, to move that leave be given to bring in a Bill for the Incorporation of a Company for the promotion of Immigration, to be designated "The Australian Colonization Company," of which due notice has been given in the *Government Gazette*.
4. MR. WENTWORTH to move for leave to bring in a Bill to reduce the duty on Spirits distilled in the Colony.
5. MR. JAMES MACARTHUR to move, That that the Benevolent Society's Bill be now read a second time.
6. MR. NICHOLS to move for leave to bring in a Bill to amend, in some respects, an Act, intituled, "*An Act to regulate the sale of spirituous and fermented liquors, and to consolidate the laws for licensing Public Houses.*"
7. MR. NICHOLS to move,—
 - (1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving,
 - (2.) For leave to bring in a Bill to enable Messrs. Turner to form a Tram Road from a Coal Pit near Hexham, to a certain wharf at Hexham.

ORDERS OF THE DAY :—

1. Cruelty to Animals Bill ; second reading.
2. Steam Navigation Bill ; to be further considered in Committee.
3. Public Entertainment Bill Reported ; Adoption of the Report.
4. Metropolitan Paving Bill ; to be considered in Committee.
5. Mitchell's Tramway Bill Reported ; Adoption of the Report.
6. Russell's Nepean Bridge Bill ; to be further considered in Committee.

TUESDAY, SEPTEMBER 17.

ORDER OF THE DAY :—

1. Auction Duties abolition Bill Reported ; adoption of the Report.

TUESDAY, SEPTEMBER 24.

ORDER OF THE DAY :—

1. Geelong Public Abattoirs Bill ; second reading.

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION:—

Contingent.—MR. MARTIN to move, as an amendment, (on the resumption of the Debate on Mr. Lamb's motion on Transportation,) the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely:— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows:—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions:—

(1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.

(2.) That no female convict be transported to this Colony.

(3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.

(4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.

(5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.

(6.) That there shall be no assignment of convicts to private service.

(7.) That there shall never be more than three hundred convicts at one time in any barrack, dépôt, or other place in the City of Sydney.

(8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.

(9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.

(10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.

(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely:—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON,

Speaker.

201.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 11 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Appropriation Bill :—The Colonial Secretary, on behalf of the Colonial Treasurer, moved, pursuant to notice standing in the name of the Colonial Treasurer on the Notice Paper of Government Business for to-day, for leave to introduce a Bill for applying certain sums arising from the Revenue receivable in New South Wales to the service thereof, for the year one thousand eight hundred and fifty-one, and for further appropriating the said Revenue.
Question put and passed.
2. Customs' Department, at Eden :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted, on motion of Mr. Nichols, on the 16th ultimo.
Ordered to be printed.
3. Sydney Corporation Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for this day week.
4. Sewerage Bill :—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for to-morrow.
5. Postponement :—The further consideration in Committee of the Sydney Public Abattoir Bill postponed, on motion of the Colonial Secretary, until this day week.
6. Slaughter House Laws extension Bill Reported :—The Colonial Secretary moved, "That" the Report of this Bill from the Committee of the whole Council be now adopted.
The Attorney General moved, That the Question be amended by omitting all the words following the word "That," with a view to insert in their place the words, "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the re-consideration of clauses V. and XV. of this Bill."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the re-consideration of Clauses V. and XV. of this Bill,—put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the Day for to-morrow.
7. Female Children's Apprenticing Bill :—The Speaker having reported That the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, on behalf of the Colonial Treasurer, read a third time, and passed.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—
"An Act to make effectual provision for the apprenticing of female children admitted and to be admitted into the 'Sydney Female School of Industry,' to the Secretary for the time being of the said Society, and to authorize such Secretary to apprentice such children to other persons."
Question put and passed.
8. Distillation Bill :—The Governor's Message No. 34, received with this Bill on the 5th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, "A Bill to amend the Law with respect to the Distillation and Exportation of Spirits distilled in the Colony of New South Wales," read a first time; to be read a second time to-morrow.
9. Postponement :—The further Consideration in Committee of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51, and Messages Nos. 31, 32, and 33, postponed, on motion of the Colonial Secretary, on behalf of the Colonial Treasurer, until to-morrow.

- 10. Sydney University Bill :—Mr. Oakes moved, pursuant to notice standing in his name on the Paper of Other Business for to-day, That the Petition from Parramatta, in reference to the Sydney University Bill, presented by him yesterday, be printed.
Question put and passed.
- 11. Postponements :—
 - (1.) The consideration in Committee of the Justices of the Peace Duties Bill postponed, on motion of the Attorney General, until to-morrow.
 - (2.) The second reading of the Marriage Confirmation Bill postponed, on motion of the Attorney General, until to-morrow.
- 12. Masters' and Servants' Bill :—On the Order of the Day for the further consideration of this Bill in Committee being read, Mr. Nichols moved, pursuant to notice standing in his name on the *Contingent* Paper of to-day, That the Bill be laid aside, with a view to move for leave to bring in a Bill to continue the Acts of Council, 9 Victoria, No. 2, and 11 Victoria, No. 9, for the period of two years.
Debate ensued.
Question put and passed ;—
Whereupon Mr. Nichols moved accordingly, That he have leave to bring in a Bill to continue the Acts of Council, 9 Victoria, No. 2, and 11 Victoria, No. 9, for the period of two years.
Question put and passed ; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
- 13. Sydney University Bill :—The adjourned debate on Mr. Wentworth's motion—" That " this Bill be now read a second time,"—resumed.
Question put and passed.
Bill read a second time,—
Whereupon, on motion of Mr. Wentworth, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Wednesday next.
Council adjourned at Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 12.

NOTICES OF MOTION :—

Contingent.—Dr. Lang to move the following Resolutions (*on the motion for the third reading of the Sewerage Bill for the City of Sydney*):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

Contingent.—Dr. Lang to move (*on motion for going into Committee on the Governor's Message relative to Military Expenditure*):—

- (1.) That the maintenance of a Military Force in this Colony, at the expense of Great Britain, is totally unnecessary for the defence and protection of the Colony, either from foreign aggression, or from internal disturbance, and is therefore a serious injustice and grievous wrong to the overtaxed people of England, who are now endeavouring in every possible way to reduce the Military expenditure of the Empire.
- (2.) That even if such a force were necessary in this Colony, the force which it is proposed to maintain is altogether inadequate, and consequently altogether useless for either of the purposes above mentioned.
- (3.) That if it is true that a large Military Force, to be maintained by Great Britain, is necessary for the defence and protection of this Colony, and if Great Britain is notwithstanding, either unable or unwilling to afford such a force, she is morally bound to treat us, as British Colonists, in precisely the same manner in which she was herself treated as a Colony of Rome, when the Romans withdrew their troops notwithstanding the earnest remonstrances of the Colonists of Britain, and thereby recognized their entire freedom and independence.
- (4.) That it is a serious grievance for the inhabitants of this Colony to have their Ordinary Revenue now saddled for the first time with an item for Military expenditure—an item which, if not checked at the outset, will be found to increase every year, and for which no plea of necessity can be urged.

- (5.) That the only conceivable use of a Military Force of the extent proposed is, to strengthen the hands of the Executive in perpetuating a system of bad government and in withholding those political reforms which the Colonists have a right to demand.
- (6.) That in these circumstances, this House refuses to vote any amount whatever for Military Expenditure.
- (7.) That an Address embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill Reported; Adoption of the Report.
2. Slaughter House Laws extension Bill Reported (2^d); Adoption of the Report.
3. Distillation Bill; second reading.
4. Estimates for 1850-51, and Messages Nos. 31, 32, and 33; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Justices of the Peace Duties' Bill; to be considered in Committee.
2. Marriage Confirmation Bill; second reading.

FRIDAY, SEPTEMBER 13.

NOTICES OF MOTION:—

1. MR. WENTWORTH to move,—
 - (1.) That in the opinion of this House the augmented scale of remission money now in force under the sanction of the Lords' Commissioners of Her Majesty's Treasury ought to be applied to all Military, Naval, and Medical Officers of Her Majesty's and the Honorable East India Company's services, who left their respective services on or after the 1st of January, 1839, and before this augmented scale of remission money took effect.
 - (2.) That an Address be presented to his Excellency the Governor, embodying this resolution, and praying that he will forward it for the consideration of Her Majesty's Principal Secretary of State for the Colonies.
2. MR. DONALDSON to move,
 - (1.) That this Council having taken into consideration the Report of the Select Committee on Steam Communication with Europe, hereby adopts the recommendations therein contained.
 - (2.) That this Resolution be embodied in an Address to His Excellency the Governor.
3. DR. LANG to move, That the Standing Orders in regard to Private Bills be suspended in so far as that a Bill which has been duly notified in the *Government Gazette* must be submitted to the House within a certain time after the commencement of the Session. And, in the event of that motion being agreed to, to move that leave be given to bring in a Bill for the Incorporation of a Company for the promotion of Immigration, to be designated "The Australian Colonization Company," of which due notice has been given in the *Government Gazette*.
4. MR. WENTWORTH to move for leave to bring in a Bill to reduce the duty on Spirits distilled in the Colony.
5. MR. JAMES MACARTHUR to move, That the Benevolent Society's Bill be now read a second time.
6. MR. NICHOLS to move for leave to bring in a Bill to amend, in some respects, an Act, intitled, "*An Act to regulate the sale of spirituous and fermented liquors, and to consolidate the laws for licensing Public Houses.*"
7. MR. NICHOLS to move,—
 - (1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving,
 - (2.) For leave to bring in a Bill to enable Messrs. Turner to form a Tram Road from a Coal Pit near Hexham, to a certain wharf at Hexham.

ORDERS OF THE DAY:—

1. Cruelty to Animals Bill; second reading.
2. Steam Navigation Bill; to be further considered in Committee.
3. Public Entertainment Bill Reported; Adoption of the Report.
4. Metropolitan Paving Bill; to be considered in Committee.
5. Mitchell's Tramway Bill Reported; Adoption of the Report.
6. Russell's Nepean Bridge Bill; to be further considered in Committee.

TUESDAY, SEPTEMBER 17.

ORDER OF THE DAY:—

1. Auction Duties abolition Bill Reported; Adoption of the Report.

WEDNESDAY, SEPTEMBER 18.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sydney Corporation Bill Reported; Adoption of the Report.
2. Sydney Public Abattoir Bill; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Sydney University Bill Reported; Adoption of the Report.

TUESDAY, SEPTEMBER 24.

ORDER OF THE DAY:—

1. Geelong Public Abattoirs Bill; second reading.

FRIDAY,

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION :—

Contingent.—MR. MARTIN to move, as an amendment, (on the resumption of the Debate on Mr. Lamb's motion on Transportation,) the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely:— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows:—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions:—

(1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.

(2.) That no female convict be transported to this Colony.

(3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.

(4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.

(5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.

(6.) That there shall be no assignment of convicts to private service.

(7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.

(8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.

(9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.

(10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.

(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by convicts at Stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each convict transported hither.

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of convicts in all particulars.

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely :—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON,
Speaker.

266

204

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 12 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Banking:—Mr. Lamb, on behalf of the Select Committee on Banking, appointed on the 25th June last, brought up the Report of and laid upon the Table the Evidence taken before the Committee.
Ordered to be printed.
2. Moreton Bay:—The Colonial Secretary laid upon the Table the Return to the Address in reference to this District, adopted on motion of Mr. Donaldson on the 23rd ultimo.
Ordered to be printed.
3. Masters' and Servants' Acts continuation Bill:—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill to continue two Acts passed in the ninth and eleventh years of the reign of Her present Majesty, respectively intituled 'An Act to amend and consolidate the Laws between Masters and Servants in New South Wales,' and 'An Act to amend an Act, intituled, An Act to amend and consolidate the Laws between Masters and Servants in New South Wales,'*" read a first time; ordered to be printed, and read a second time on Tuesday next.
4. Sewerage Bill Reported:—The Colonial Secretary moved, "That" the Report of this Bill from the Committee of the whole Council be now adopted.
The Colonial Treasurer moved, That the Question be amended by omitting all the words following the word "That," with a view to the insertion in their place of the words, "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of this Bill."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of this Bill,—put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Wednesday next.
5. Slaughter House Laws' extension Bill Reported (2^o):—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of the Colonial Secretary, ordered the Bill, as so reported, to be engrossed, and read a third time on Thursday next.
6. Distillation Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the Report, on motion of the Colonial Secretary, and ordered the Bill, as so reported, to be engrossed, and read a third time on Thursday next.
7. Finance 1850-51:—The Colonial Treasurer moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51, and Messages Nos. 31, 32, and 33;—
Dr. Lang then offered to make the motion standing in his name second on the Contingent Paper for to-day;—
But the Speaker,—ruling that the proposed motion involved substantially the same argument and matter as the question upon which the House had pronounced its judgment on motion of Mr. Donaldson, on the 4th instant,—
Put the original Question, which passed in the affirmative;—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman reported progress, and obtained leave to sit again to-morrow, with the understanding that this shall have precedence of all other Orders of the Day.
8. Postponement:—The remaining Orders of the Day postponed, on motion of the Attorney General, until Tuesday next.
Council adjourned at a quarter before Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 13.

NOTICES OF MOTION :—

1. MR. WENTWORTH to move,—
 - (1.) That in the opinion of this House the augmented scale of remission money now in force under the sanction of the Lords' Commissioners of Her Majesty's Treasury ought to be applied to all Military, Naval, and Medical Officers of Her Majesty's and the Honorable East India Company's services, who left their respective services on or after the 1st of January, 1839, and before this augmented scale of remission money took effect.
 - (2.) That an Address be presented to His Excellency the Governor, embodying this resolution, and praying that he will forward it for the consideration of Her Majesty's Principal Secretary of State for the Colonies.
2. MR. DONALDSON to move,
 - (1.) That this Council having taken into consideration the Report of the Select Committee on Steam Communication with Europe, hereby adopts the recommendations therein contained.
 - (2.) That this Resolution be embodied in an Address to His Excellency the Governor.
3. DR. LANG to move, That the Standing Orders in regard to Private Bills be suspended in so far as that a Bill which has been duly notified in the *Government Gazette* must be submitted to the House within a certain time after the commencement of the Session. And, in the event of that motion being agreed to, to move that leave be given to bring in a Bill for the Incorporation of a Company for the promotion of Immigration, to be designated "The Australian Colonization Company," of which due notice has been given in the *Government Gazette*.
4. MR. WENTWORTH to move for leave to bring in a Bill to reduce the duty on Spirits distilled in the Colony.
5. MR. JAMES MACARTHUR to move, That the Benevolent Society's Bill be now read a second time.
6. MR. NICHOLS to move for leave to bring in a Bill to amend, in some respects, an Act, intituled, "*An Act to regulate the sale of spirituous and fermented liquors, and to consolidate the laws for licensing Public Houses.*"
7. MR. NICHOLS to move,—
 - (1.) That the Standing Orders in reference to Private Bills be suspended, in order to his moving,
 - (2.) For leave to bring in a Bill to enable Messrs. Turner to form a Tram Road from a Coal Pit near Hexham, to a certain wharf at Hexham.
8. MR. DONALDSON to move,—

That this House having received a Petition from certain commuted Pensioners, presented by the Member for Durham on the 27th August last, which Petition prays this House to recommend compensation to such commuted Pensioners as arrived in this Colony—having paid their own passages from the Mother Country—without receiving any compensation either in money or in land for the same, Resolves as follows:—

 - (1.) That in the opinion of this House the prayer of that Petition is reasonable, and is such a prayer as deserves the support of this House.
 - (2.) That, in pursuance of the foregoing Resolution, this House recommends that a representation be made to the Home Government by the Head of the Executive Government in this Colony favorable to the prayer of the above named Petition.
 - (3.) That an Address be presented to His Excellency the Governor, embodying a copy of the said Petition, together with these Resolutions.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Estimates for 1850-51, and Messages Nos. 31, 32, and 33; to be further considered in Committee.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Cruelty to Animals Bill; second reading.
2. Steam Navigation Bill; to be further considered in Committee.
3. Public Entertainment Bill Reported; Adoption of the Report.
4. Metropolitan Paving Bill; to be considered in Committee.
5. Mitchell's Tramway Bill Reported; Adoption of the Report.
6. Russell's Nepean Bridge Bill; to be further considered in Committee.

TUESDAY, SEPTEMBER 17.

ORDERS OF THE DAY :—

1. Auction Duties abolition Bill Reported; Adoption of the Report.
2. Masters' and Servants' Acts' continuation Bill; second reading.
3. Justices of the Peace Duties' Bill; to be considered in Committee.
4. Marriage Confirmation Bill; second reading.

WEDNESDAY,

WEDNESDAY, SEPTEMBER 18.

NOTICES OF MOTION :—

Contingent.—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Sydney Corporation Bill Reported ; Adoption of the Report.
2. Sydney Public Abattoir Bill ; to be further considered in Committee.
3. Sewerage Bill Reported (2^d) ; Adoption of the Report.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Sydney University Bill Reported ; Adoption of the Report.

THURSDAY, SEPTEMBER 19.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Slaughter House Laws extension Bill ; third reading.
2. Distillation Bill ; third reading.

TUESDAY, SEPTEMBER 24.

ORDER OF THE DAY :—

1. Geelong Public Abattoirs Bill ; second reading.

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION :—

Contingent.—MR. MARTIN to move, as an amendment, (on the resumption of the Debate on Mr. Lamb's motion on Transportation,) the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely :— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows :—

- (1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions :—
 - (1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.
 - (2.) That no female convict be transported to this Colony.
 - (3.) That no male convict above the age of thirty-five years be transported to this Colony ; nor any convict for a period longer than seven years.
 - (4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.
 - (5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.
 - (6.) That there shall be no assignment of convicts to private service.
 - (7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.
 - (8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.
 - (9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.
 - (10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.

(11.)

270.

(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely:—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON,
Speaker.

288

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 13 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
South Head Road Accounts:—The Colonial Secretary laid upon the Table, pursuant to the requirement of the 6th section of the Act 11 Victoria, No. 49, the Account Current of the Commissioners of the South Head Road, for the half-year ended 30th June last.
Ordered to be printed.
2. Cockatoo Island Offenders:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Donaldson on the 6th instant.
Ordered to be printed.
3. Sydney University Bill:—Mr. Allen presented the following Petitions, praying certain modifications in this Bill:—
 - (1.) From certain inhabitants of Sydney and vicinity.
Petition received.
 - (2.) From certain inhabitants of Appin, Picton, and vicinity.
Petition received.
 - (3.) From certain inhabitants of the Town of Penrith and vicinity.
Petition received.
 - (4.) From certain inhabitants of Camden and vicinity.
Petition received.
 - (5.) From certain inhabitants of Campbell Town and vicinity.
Petition received.
4. Remission Money to Retired Officers:—Mr. Wentworth moved, pursuant to notice,—
 - (1.) That in the opinion of this House the augmented scale of Remission money now in force under the sanction of the Lords Commissioners of Her Majesty's Treasury ought to be applied to all Military, Naval, and Medical Officers of Her Majesty's and the Honorable East India Company's Services, who left their respective Services on or after the 1st of January, 1839, and before this augmented scale of Remission money took effect.
 - (2.) That an Address be presented to His Excellency the Governor, embodying this Resolution, and praying that he will forward it for the consideration of Her Majesty's Principal Secretary of State for the Colonies.
Debate ensued.
Question put and passed; Address to be presented by the Speaker.
5. Steam Communication:—Mr. Donaldson moved, pursuant to notice,—
 - (1.) That this Council having taken into consideration the Report of the Select Committee on Steam Communication with "Europe," hereby adopts the recommendations therein contained.
 - (2.) That this Resolution be embodied in an Address to His Excellency the Governor.
Debate ensued.
Mr. Martin moved, as an amendment, That all the words following the word "Europe" be omitted, with a view to the insertion in their place of the words "Resolves, That though still willing to grant the sum of £6,000 per annum for three years, for the establishment of Steam Communication with England, this House declines to vote any sum for that purpose by any other than the direct route to and from Singapore by way of Torres' Straits."

Question,—

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

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

Question,—That this Council having taken into consideration the Report of the Select Committee on Steam Communication with Europe, Resolves, That, though still willing to grant the sum of £6,000 per annum for three years for the establishment of Steam Communication with England, this House declines to vote any sum for that purpose by any other than the direct route to and from Singapore by way of Torres' Straits,—put and passed.

Mr. Martin then moved, That the foregoing Resolution be communicated to His Excellency the Governor, by Address to be presented by the Speaker.

Question put and passed.

6. Dropped Motion :—The motion standing in the name of Dr. Lang third on the Notice Paper for to-day, not being seconded when moved—dropped.
7. Duty on Colonial Spirits :—Mr. Wentworth moved, pursuant to notice, for leave to bring in a Bill to reduce the duty on Spirits distilled in the Colony.
Debate ensued.
Question put and negatived.
8. Benevolent Society's Bill :—Mr. James Macarthur moved, pursuant to notice, That the Benevolent Society's Bill be now read a second time.
Question put and passed ; Bill read a second time.
Mr. James Macarthur then moved, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the consideration of this Bill.
Debate ensued.
Question put and passed ;—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next.
9. Postponement :—Mr. Nichols postponed the motion standing in his name sixth on the Notice Paper for to-day, until Tuesday next.
10. Proposed Tramway to Hexham :—Mr. Nichols moved, pursuant to notice, That the Standing Orders in reference to Private Bills be suspended, in order to his moving for leave to bring in a Bill to enable Messrs. Turner to form a Tramroad from a coal pit near Hexham, to a certain Wharf at Hexham.
Debate ensued.
Question put and negatived.
11. Commuted Pensioners :—Mr. Donaldson moved, pursuant to notice, That this House having received a Petition from certain commuted Pensioners, presented by the Member for Durham on the 27th August last, which Petition prays this House to recommend compensation to such commuted Pensioners as arrived in this Colony—having paid their own passages from the Mother Country—without receiving any compensation either in money or in land for the same, Resolves as follows :—
(1.) That in the opinion of this House the prayer of that Petition is reasonable, and is such a prayer as deserves the support of this House.
(2.) That, in pursuance of the foregoing Resolution, this House recommends that a representation be made to the Home Government by the Head of the Executive Government in this Colony favorable to the prayer of the above named Petition.
(3.) That an Address be presented to His Excellency the Governor, embodying a copy of the said Petition, together with these Resolutions.
Question put and passed ; Address to be presented by the Major General Commanding and the Speaker.
12. Appropriation Bill :—The Colonial Treasurer having presented this Bill, Bill, intituled, "*A Bill for applying certain sums arising from the Revenue receivable in New South Wales to the service thereof, for the year one thousand eight hundred and fifty-one, and for further appropriating the said Revenue,*" read a first time ; ordered to be printed, and read a second time on Wednesday next.
13. Finance, 1850-51 :—On motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of the Supplementary Estimate and Estimates of Expenditure for the year 1850-51, and Messages Nos. 31, 32, and 33.
The Chairman reported that the Committee had gone through the various items in the Supplementary Estimate for the year 1850, and in the Estimates of Expenditure for the year 1851, and the additions thereto proposed by the Governor's Messages Nos. 31, 32, and 33, and brought up the following Resolutions.
(1.) Estimates of Expenditure, and additions thereto, for the year 1851 :—
(1.) Resolved, that a sum not exceeding £1,285 Gs. 3d., be appropriated to defray the salaries, allowances, and contingencies of His Excellency the Governor's Establishment, for the year 1851.
(2.) Resolved, that a sum not exceeding £3,967 Os. 4d., be appropriated to defray the salaries and contingencies of the Legislative Council Establishment, for the year 1851.

- (3.) Resolved, that a sum not exceeding £7,057 0s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Post Office Establishment in the Sydney District, for the year 1851.
- (4.) Resolved, that a sum not exceeding £3,543, be appropriated to defray the salaries, allowances, and contingencies of the Post Office Establishment at Port Phillip, for the year 1851.
- (5.) Resolved, that a sum not exceeding £942 7s. 6d., be appropriated to defray the salaries and contingencies of the Colonial Storekeeper's Establishment, for the year 1851.
- (6.) Resolved, that a sum not exceeding £1,370 1s. 3d., be appropriated to defray the salaries and contingencies of the Port Master's Establishment, for the year 1851.
- (7.) Resolved, that a sum not exceeding £311, be appropriated to defray the salaries and contingencies of the Telegraph Stations in the Sydney District, for the year 1851.
- (8.) Resolved, that a sum not exceeding £462 5s., be appropriated to defray the salaries and contingencies of the Light House Establishment at the South Head of Port Jackson, for the year 1851.
- (9.) Resolved, that a sum not exceeding £599 5s., be appropriated to defray the salaries and contingencies of the Floating Light Establishment, within the Heads of Port Jackson, for the year 1851.
- (10.) Resolved, that a sum not exceeding £74 15s., be appropriated to defray the salary and contingent expenses of the Establishment of the Pilot in charge of the Basin at Wollongong, for the year 1851.
- (11.) Resolved, that a sum not exceeding £477, be appropriated to defray the salaries, allowances, and contingencies of the Harbour Master's Establishment, at Newcastle, for the year 1851.
- (12.) Resolved, that a sum not exceeding £796 2s. 6d., be appropriated to defray the salaries and contingencies of the Harbour Master's Establishment, at Moreton Bay, for the year 1851.
- (13.) Resolved, that a sum not exceeding £1,915, be appropriated to defray the salaries and contingencies of the Harbour Master's Establishment, at Port Phillip, for the year 1851.
- (14.) Resolved, that a sum not exceeding £413 17s. 6d., be appropriated to defray the salaries and contingencies of the Light House Establishment at Gellibrand's Point, Port Phillip, for the year 1851.
- (15.) Resolved, that a sum not exceeding £704 10s., be appropriated to defray the salaries and contingencies of the Light House Establishment at Shortland's Bluff, Port Phillip, for the year 1851.
- (16.) Resolved, that a sum not exceeding £796 10s., be appropriated to defray the salaries and contingencies of the Light House Establishment at Cape Otway, Port Phillip, for the year 1851.
- (17.) Resolved, that a sum not exceeding £267 2s. 6d., be appropriated to defray the salaries and contingencies of the Telegraph Stations at Port Phillip, for the year 1851.
- (18.) Resolved, that a sum not exceeding £1,881 17s. 6d., be appropriated to defray the salaries and contingencies of the Colonial Architect's Establishment, for the year 1851, with the understanding that the Offices of Second Clerk of Works and Second Foreman of Works, are to continue provisional and temporary.
- (19.) Resolved, that a sum not exceeding £1,006 15s. 10d., be appropriated to defray the salaries, allowances, and contingencies of the Colonial Architect's Establishment at Port Phillip, for the year 1851.
- (20.) Resolved, that a sum not exceeding £635, be appropriated to defray the salaries, allowances, and contingencies of the Establishment of the Superintendent of Bridges at Port Phillip, for the year 1851.
- (21.) Resolved, that a sum not exceeding £916 14s., be appropriated to defray the salaries and contingencies of the Establishment of the Botanic Gardens, Sydney, for the year 1851.
- (22.) Resolved, that a sum not exceeding £617 2s. 6d., be appropriated to defray the salaries and contingencies of the Establishment of the Botanic Gardens, Melbourne, Port Phillip, for the year 1851.
- (23.) Resolved, that a sum not exceeding £161 5s., be appropriated to defray the salaries and contingencies of the Establishment for keeping in order the Outer Government Domain, Sydney, for the year 1851.
- (24.) Resolved, that a sum not exceeding £2,714, be appropriated to defray the salaries, allowances, and contingencies of the Government Printing Establishment, Sydney, for the year 1851.
- (25.) Resolved, that a sum not exceeding £300, be appropriated to defray the salaries and contingencies of the Powder Magazine Establishment at Melbourne, Port Phillip, for the year 1851.
- (26.) Resolved, that a sum not exceeding £763 17s. 6d., be appropriated to defray the salaries of the Establishment of Coroners in the Sydney District, for the year 1851.
- (27.) Resolved, that a sum not exceeding £179 6s. 3d., be appropriated to defray the salaries of the Establishment of Coroners in the Port Phillip District, for the year 1851.
- (28.) Resolved, that a sum not exceeding £594, be appropriated to defray the salaries and contingencies of the Protestant Orphan School at Parramatta, for the year 1851.

- (29.) Resolved, that a sum not exceeding £355, be appropriated to defray the salaries and contingencies of the Roman Catholic Orphan School at Parramatta, for the year 1851.
- (30.) Resolved, that a sum not exceeding £325, be appropriated to defray the salaries of the Health Officer, and Clerk to the Medical Board at Port Jackson, for the year 1851.
- (31.) Resolved, that a sum not exceeding £1,746 17s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Lunatic Asylums at Tarban Creek and Parramatta, for the year 1851.
- (32.) Resolved, that a sum not exceeding £754 17s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Lunatic Asylum at Melbourne, Port Phillip, for the year 1851.
- (33.) Resolved, that a sum not exceeding £348 10s., be appropriated to defray the salaries and contingencies of the Hospital Establishments at Port Phillip, for the year 1851.
- (34.) Resolved, that a sum not exceeding £3,695 12s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Establishment of the Inspector General and Provincial Inspectors of Police, as recommended by the Select Committee on Police, for the year 1851.
- (35.) Resolved, that a sum not exceeding £9,765 17s. 6d., be appropriated to defray the salaries, allowances, and contingencies of the Police Establishment in the City of Sydney, including the increased expenditure of £3,166 5s., recommended by the Select Committee on Police, for the year 1851.
- (36.) Resolved, that a sum not exceeding £4,354, be appropriated to defray the salaries, allowances, and contingencies of the Police Establishment in the City of Melbourne, Port Phillip, for the year 1851.
- (37.) Resolved, that a sum not exceeding £1,359 6s. 3d., be appropriated to defray the salaries, allowances, and contingencies of the Water Police Establishment, Sydney, for the year 1851.
- (38.) Resolved, that a sum not exceeding £358 10s., be appropriated to defray the salaries and contingencies of the Water Police Establishment, Port Phillip, for the year 1851.
- (39.) Resolved, that a sum not exceeding £26,071 1s. 3d., be appropriated to defray the salaries, allowances, and contingencies of the Rural Police Establishments within the Settled Districts of the Colony, including the District of Port Phillip, being £19,442 11s. 3d. for the Sydney District, including the increased expenditure of £1,777 12s. 6d., recommended by the Select Committee on Police, and £6,628 10s. for the Port Phillip District, for the year 1851.
- (40.) Resolved, that a sum not exceeding £13,408 6s. 3d., be appropriated to defray the salaries, allowances, and contingencies of the Police Establishments beyond the Settled Districts of the Colony, including the Police Establishments beyond the Settled Districts in the Port Phillip District, being £9,158 for the Sydney District, and £4,310 6s. 3d. for the Port Phillip District, for the year 1851.
- (41.) Resolved, that a sum not exceeding £764, be appropriated to defray the salaries, allowances, and contingencies of the Native Police Establishment, in the Sydney District, for the year 1851.
- (42.) Resolved, that a sum not exceeding £1,165 8s. 1d., be appropriated to defray the salaries, allowances, and contingencies of the Native Police Establishment in the Port Phillip District, for the year 1851.
- (43.) Resolved, that a sum not exceeding £1,630 7s. 6d., be appropriated to defray the salaries and contingencies of the Sydney Gaol Establishment, for the year 1851.
- (44.) Resolved, that a sum not exceeding £793 3s. 9d., be appropriated to defray the salaries and contingencies of the Parramatta Gaol Establishment, for the year 1851.
- (45.) Resolved, that a sum not exceeding £554 13s. 9d., be appropriated to defray the salaries and contingencies of the Bathurst Gaol Establishment, for the year 1851.
- (46.) Resolved, that a sum not exceeding £673 15s., be appropriated to defray the salaries and contingencies of the Maitland Gaol Establishment, for the year 1851.
- (47.) Resolved, that a sum not exceeding £583 8s. 9d., be appropriated to defray the salaries and contingencies of the Goulburn Gaol Establishment, for the year 1851.
- (48.) Resolved, that a sum not exceeding £603 13s. 9d., be appropriated to defray the salaries and contingencies of the Moreton Bay Gaol Establishment, for the year 1851.
- (49.) Resolved, that a sum not exceeding £1,226 18s. 9d., be appropriated to defray the salaries and contingencies of the Melbourne Gaol Establishment, for the year 1851.
- (50.) Resolved, that a sum not exceeding £639 8s. 9d., be appropriated to defray the salaries and contingencies of the Geelong Gaol Establishment, for the year 1851.
- (51.) Resolved, that a sum not exceeding £1,300 7s. 6d., be appropriated to defray the salaries and contingencies of the Penal Establishment at Cockatoo Island, for the year 1851.
- (52.) Resolved, that a sum not exceeding £463 10s., be appropriated to defray the salaries and contingencies of the Penal Establishment at Port Phillip, for the year 1851.
- (53.) Resolved, that a sum not exceeding £160, be appropriated to defray the salary and contingent expenses of the Colonial Agent General, for the year 1851.
- (54.) Resolved, that a sum not exceeding £400, be appropriated to defray Pensions to the Widows of Sir Francis Forbes and Sir James Dowling, late Chief Justices of New South Wales, being £200 each, for the year 1851.

- (55.) Resolved, that a sum not exceeding £100 be appropriated as an allowance to Mr. John Eyre, retired Teacher of the Church of England School at Parramatta, for the year 1851.
- (56.) Resolved, that a sum not exceeding £1,200, be appropriated to defray the expense of Coroners, exclusive of Establishments, in the Sydney District for the year 1851.
- (57.) Resolved, that a sum not exceeding £365, be appropriated to defray the expense of Coroners, exclusive of Establishments, in the Port Phillip District, for the year 1851.
- (58.) Resolved, that a sum not exceeding £900, be appropriated for the support of free paupers in the Colonial Hospitals in the Sydney District, for the year 1851.
- (59.) Resolved, that a sum not exceeding £760, be appropriated in aid of the Sydney Infirmary and Dispensary, on condition of an equal amount being raised by private subscriptions, for the year 1851.
- (60.) Resolved, that a sum not exceeding 2,500, be appropriated in aid of the Benevolent Society, Sydney, on condition of a sum of £1,000 being raised by private subscriptions, for the year 1851.
- (61.) Resolved, that a sum not exceeding £1,800, be appropriated in aid of Hospitals at Parramatta, Windsor, Bathurst, Newcastle, Maitland, Port Macquarie, Goulburn, Yass, and Brisbane, being £200 each, on condition of sums to an equal amount being raised by private subscriptions, for the year 1851.
- (62.) Resolved, that a sum not exceeding £200, be appropriated for outfit and aid to the new Hospital at Maitland, for the year 1851.
- (63.) Resolved, that a sum not exceeding £200, be appropriated for repairs to the Hospital at Brisbane, for the year 1851.
- (64.) Resolved, that a sum not exceeding £3,400 be appropriated in aid of Charitable Institutions, at Port Phillip, for the year 1851, being £500 towards the erection of the Benevolent Asylum at Melbourne, on condition of an equal amount being raised by private subscriptions—£500 towards the outfit of the said Asylum—and £1,000 towards the maintenance of the same, on condition of an equal amount being raised by private subscriptions; £500 towards the erection of the Benevolent Asylum and Hospital at Geelong, on condition of an equal amount being raised by private subscriptions—and £300 towards the maintenance of the same, on condition of an equal amount being raised by private subscriptions; and £600 in aid of the Hospital at Melbourne, on condition of sums to an equal amount being raised by private subscriptions.
- (65.) Resolved, that a sum not exceeding £2,100, be appropriated to defray the expense of the Protestant Orphan School, at Parramatta, exclusive of the Establishment, for the year 1851.
- (66.) Resolved, that a sum not exceeding £1,145, be appropriated to defray the expense of the Roman Catholic Orphan School at Parramatta, exclusive of the Establishment, for the year 1851.
- (67.) Resolved, that a sum not exceeding £8,350, be appropriated in support of Denominational Schools in the Sydney District, to be expended under the direction of the Board of Inspection, for the year 1851—being £4,020 for Church of England Schools, £1,900 for Presbyterian Schools, £570 for Wesleyan Schools, and £1,860 for Roman Catholic Schools.
- (68.) Resolved, that a sum not exceeding £250, be appropriated to defray the expenses of the Denominational School Board in the Sydney District, for the year 1851.
- (69.) Resolved, that a sum not exceeding £3,056 be appropriated in support of Denominational Schools in the Port Phillip District, to be expended under the direction of the Local Board of Inspection, for the year 1851—being £1,181 for Church of England Schools, £411 for Presbyterian Schools, £88 for Free Church Schools, £366 for Wesleyan Schools, £170 for Independent Schools, and £840 for Roman Catholic Schools.
- (70.) Resolved, that a sum not exceeding £350, be appropriated to defray the expense of the Denominational School Board, at Port Phillip, for the year 1851.
- (71.) Resolved, that a sum not exceeding £3,500, be appropriated towards the support of National Schools within the Settled Districts of the Colony, for the year 1851—being £2,000 for National Schools within the Settled Districts in the Sydney District, and £1,500 for National Schools within the Settled Districts in the Port Phillip District.
- (72.) Resolved, that a sum not exceeding £2,500, be appropriated for the establishment of Schools beyond the Settled Districts of the Colony, for the year 1851,—being £1,500 for the establishment of National Schools beyond the Settled Districts in the Sydney District, and £1,000, for the establishment of National Schools beyond the Settled Districts in the Port Phillip District.
- (73.) Resolved, that a sum not exceeding £100, be appropriated for maintaining the Vaccine Establishment, in the City of Sydney, for the year 1851.
- (74.) Resolved, that a sum not exceeding £3,323 18s. 9d., be appropriated to defray the expense of the Lunatic Asylums at Tarban Creek and Parramatta, exclusive of the Establishments, for the year 1851.
- (75.) Resolved, that a sum not exceeding £1,245, be appropriated to defray the expense of the Lunatic Asylum at Melbourne, exclusive of the Establishment, for the year 1851.
- (76.) Resolved, that a sum not exceeding £130, be appropriated to defray the expense of the Hospitals at Port Phillip, exclusive of the Establishments, for the year 1851.

- (77.) Resolved, that a sum not exceeding £220, be appropriated to defray the expense of Police, exclusive of the Establishment, in the City of Sydney, for the year 1851.
- (78.) Resolved, that a sum not exceeding £194, be appropriated to defray the expense of Police, exclusive of the Establishment, in the City of Melbourne, Port Phillip, for the year 1851.
- (79.) Resolved, that a sum not exceeding £103, be appropriated to defray the expense of the Sydney Water Police, exclusive of the Establishment, for the year 1851.
- (80.) Resolved, that a sum not exceeding £57 10s., be appropriated to defray the expense of the Port Phillip Water Police, exclusive of the Establishment, for the year 1851.
- (81.) Resolved, that a sum not exceeding £1,630, be appropriated to defray the expense of Police within the Settled Districts, exclusive of the Establishments, in the Sydney District, for the year 1851.
- (82.) Resolved, that a sum not exceeding £1,572, be appropriated to defray the expense of Police within the Settled Districts, exclusive of the Establishments, in the Port Phillip District, for the year 1851.
- (83.) Resolved, that a sum not exceeding £2,050, be appropriated to meet the expense of a supply of Clothing from England, for the Police within the Settled Districts of the Colony—being £1,600 for the Police within the Settled Districts, in the Sydney District, and £450 for Police within the Settled Districts, in the Port Phillip District, for the year 1851.
- (84.) Resolved, that a sum not exceeding £300, be appropriated to meet demands on the Police Reward Fund within the Settled Districts of the Colony, being £200 for the Police within the Settled Districts in the Sydney District, and £100 for the Police within the Settled Districts in the Port Phillip District, for the year 1851.
- (85.) Resolved, that a sum not exceeding £1,114, be appropriated to meet the expense of the Police beyond the Settled Districts, exclusive of the Establishments, in the Sydney District, for the year 1851.
- (86.) Resolved, that a sum not exceeding £927, be appropriated to defray the expense of Police, exclusive of Establishments, beyond the Settled Districts in the Port Phillip District, for the year 1851.
- (87.) Resolved, that a sum not exceeding £2,000, be appropriated as a reserve for the maintenance of the Mounted Police, and for other Police purposes, in the Port Phillip District, for the year 1851.
- (88.) Resolved, that a sum not exceeding £1,530, be appropriated to defray the expense of the Native Police, exclusive of the Establishments, in the Sydney District, for the year 1851.
- (89.) Resolved, that a sum not exceeding £2,835, be appropriated to defray the expense of the Native Police, exclusive of the Establishments in the Port Phillip District, for the year 1851.
- (90.) Resolved, that a sum not exceeding £1,975, be appropriated to defray the expense of the Sydney Gaol, exclusive of the Establishment, for the year 1851.
- (91.) Resolved, that a sum not exceeding £497, be appropriated to defray the expense of the Parramatta Gaol, exclusive of the Establishment, for the year 1851.
- (92.) Resolved, that a sum not exceeding £436, be appropriated to defray the expense of the Bathurst Gaol, exclusive of the Establishment, for the year 1851.
- (93.) Resolved, that a sum not exceeding £490, be appropriated to defray the expense of the Maitland Gaol, exclusive of the Establishment, for the year 1851.
- (94.) Resolved, that a sum not exceeding £358 8s., be appropriated to defray the expense of the Goulburn Gaol, exclusive of the Establishment, for the year 1851.
- (95.) Resolved, that a sum not exceeding £430, be appropriated to defray the expense of the Moreton Bay Gaol, exclusive of the Establishment, for the year 1851.
- (96.) Resolved, that a sum not exceeding £1,632, be appropriated to defray the expense of the Melbourne Gaol, exclusive of the Establishment, for the year 1851.
- (97.) Resolved, that a sum not exceeding £717, be appropriated to defray the expense of the Geelong Gaol, exclusive of the Establishment, for the year 1851.
- (98.) Resolved, that a sum not exceeding £2,735 2s. 6d., be appropriated to defray the expense of the Penal Establishment at Cockatoo Island, exclusive of the Establishment, for the year 1851.
- (99.) Resolved, that a sum not exceeding £1,785, be appropriated to defray the expense of the Penal Establishment at Port Phillip, exclusive of the Establishment, for the year 1851.
- (100.) Resolved, that a sum not exceeding £267 10s., be appropriated to meet the rent of buildings temporarily occupied as Colonial Treasury and Audit Office, in the Sydney District, and as Post Office at Geelong, in the Port Phillip District, for the year 1851.
- (101.) Resolved, that a sum not exceeding £329, be appropriated to meet the Rent of Buildings temporarily occupied as Court and Watch Houses, in the Sydney District, for the year 1851.
- (102.) Resolved, that a sum not exceeding £20, be appropriated to meet the Rent of a Building temporarily occupied as Police Office at Belfast, in the Port Phillip District, for the year 1851.
- (103.) Resolved, that a sum not exceeding £50, be appropriated to defray the travelling expenses of the Port Master, for the year 1851.

- (104.) Resolved, that a sum not exceeding £200, be appropriated to defray the Conveyance of Stores, for the year 1851.
- (105.) Resolved, that a sum not exceeding £100, be appropriated to defray the expense of the transport by sea of stores, for the Cape Otway Light House, for the year 1851.
- (106.) Resolved, that a sum not exceeding £200, be appropriated to defray the travelling expenses of the Colonial Architect, and other officers of his department, for the year 1851.
- (107.) Resolved, that a sum not exceeding £200, be appropriated to defray the travelling expenses of the Colonial Architect, and the Superintendent of Bridges at Port Phillip, being £100 each, for the year 1851.
- (108.) Resolved, that a sum not exceeding £30, be appropriated to defray the travelling expenses of the Director of the Botanic Gardens, Sydney, while employed in collecting plants, seeds, and specimens, for the year 1851.
- (109.) Resolved, that a sum not exceeding £30, be appropriated to defray the passage by water, of officers, servants, and others attached to, and the conveyance of stores for the Lunatic Asylums at Tarban Creek and Parramatta, for the year 1851.
- (110.) Resolved, that a sum not exceeding £20, be appropriated to defray the expense of conveyance from the Gaol to the Lunatic Asylum at Melbourne, for the year 1851.
- (111.) Resolved, that a sum not exceeding £200, be appropriated to defray the travelling expenses of Coroners and Surgeons in the Sydney District, for the year 1851.
- (112.) Resolved, that a sum not exceeding £70, be appropriated to defray the travelling expenses of Coroners and Surgeons in the Port Phillip District, for the year 1851.
- (113.) Resolved, that a sum not exceeding £932, be appropriated to defray the carriage of Stores, the escort of Prisoners, and other Transport expenses of Police within the Settled Districts in the Sydney District, for the year 1851.
- (114.) Resolved, That a sum not exceeding £465, be appropriated to defray the carriage of stores, the escort of prisoners, and other transport expenses of Police within the Settled Districts, in the Port Phillip District, for the year 1851.
- (115.) Resolved, that a sum not exceeding £250, be appropriated to defray the passage and escort of prisoners beyond the Settled Districts, in the Sydney District, for the year 1851.
- (116.) Resolved, that a sum not exceeding £200, be appropriated to defray the passage and escort of prisoners beyond the Settled Districts, in the Port Phillip District, for the year 1851.
- (117.) Resolved, that a sum not exceeding £3,575, be appropriated to defray the expense of the conveyance of Mails within the Settled Districts, in the Sydney District, for the year 1851.
- (118.) Resolved, that a sum not exceeding £2,900, be appropriated to defray the expense of the conveyance of Mails beyond the Settled Districts in the Sydney District, for the year 1851.
- (119.) Resolved, that a sum not exceeding £6,625, be appropriated to defray the expense of the conveyance of Mails within the Settled Districts in the Port Phillip District, for the year 1851.
- (120.) Resolved, that a sum not exceeding £1,000, be appropriated to defray the expense of the conveyance of Mails beyond the Settled Districts in the Port Phillip District, for the year 1851.
- (121.) Resolved, that a sum not exceeding £6,000, be appropriated towards defraying the expense of establishing Steam Communication, *via* Torres' Straits, by vessels which shall make Sydney the first Port of arrival and the last of departure, from and to Singapore, for the year 1851.
- (122.) Resolved, that a sum not exceeding £6,475, be appropriated to defray the expense of Public Works in the Sydney District:—being £3,000 towards the construction of the Dry Dock at Cockatoo Island, £1,000 to defray the expense of the employment of the Dredging Machine, £1,000 for upholding and keeping in repair the Breakwater at Newcastle, the further sum of £1,000 towards constructing the works required for supplying Water to the Inhabitants of Parramatta, £225 towards meeting the expense of making the Artesian Well, and £250 towards the improvement of the Public Wharf at Newcastle, for the year 1851.
- (123.) Resolved, that a sum not exceeding £2,300, be appropriated to defray the expense of Public Buildings in the Sydney District, being £1,500 for erecting an Enclosing Wall and Out Offices at the New Colonial Treasury and Audit Office, £300 for erecting Buildings at the Government Printing Office for accommodation of the Accountant and Foreman, and the further sum of £500 for the erection of additional Buildings at the Roman Catholic Orphan School at Parramatta, for the year 1851.
- (124.) Resolved, that a sum not exceeding £1,158 4s. 1d., be appropriated to provide accommodation for the Military Guard to be retained in the Sydney District, for the year 1851.
- (125.) Resolved, that a sum not exceeding £632, be appropriated for Gaol Buildings in the Sydney District, being £200 for repairing and setting up the Machinery of the Treadmill, and providing such new portions as may be necessary, £100 for providing Iron Grating Doors for the Parramatta Gaol, and £132 for lining the Cell Doors of the said Gaol with Sheet Iron, and £200 for erecting Overseers' Quarters and a Store House at Cockatoo Island, for the year 1851.
- (126.) Resolved, that a sum not exceeding £1,921 be appropriated to defray the expense of Police Buildings in the Sydney District, being £400, for erecting a Watch House near the Benevolent Asylum, in the City of Sydney; £400, for erecting a Watch

Watch House at Bathurst; £400, for erecting a Watch House at West Maitland; the further sum of £150, for erecting a Court and Watch House at Cassilis; the further sum of £150, for erecting a Court and Watch House at Queanbeyan; the further sum of £300, for erecting Escort and Station Houses; and £121, for fencing in the Court House Reserve at Bathurst, for the year 1851.

(127.) Resolved, that a sum not exceeding £200, be appropriated to be expended upon the improvement of Hyde Park, under the superintendence of the Committee of Management, for the year 1851.

(128.) Resolved, that a sum not exceeding £300, be appropriated for the improvement of the Outer Government Domain, Sydney, being £150, for the construction of Drains, £100 for the repair of Gates and Fences, and £50 for repairing and widening the Bridge near the Botanic Gardens, for the year 1851.

(129.) Resolved, that a sum not exceeding £95, be appropriated for repairs and alterations in the Botanic Gardens, Sydney,—being £50 for keeping in repair the Gates and Fences, and £45 for converting Sheds in the Gardens into a Room for the delivery of Lectures, for the year 1851.

(130.) Resolved, that a sum not exceeding £1,000, be appropriated to defray the expense of casual repairs to Colonial Public Buildings in the Sydney District, for the year 1851.

(131.) Resolved, that a sum not exceeding £600, be appropriated to defray the expense of casual repairs to Police Buildings within the Settled Districts in the Sydney District, for the year 1851.

(132.) Resolved, that a sum not exceeding £200, be appropriated to defray the expense of casual repairs to Police Buildings beyond the Settled Districts in the Sydney District, for the year 1851.

(133.) Resolved, that a sum not exceeding £400, be appropriated for providing furniture for Colonial Public Offices in the Sydney District, for the year 1851.

(134.) Resolved, that a sum not exceeding £5,380, be appropriated to defray the expense of Public Works in the Port Phillip District,—being £250 for extending the Jetty at Williams' Town; the further sum of £1,000 for constructing a Wharf at Geelong, deepening the basin, and making approaches to the said Wharf; £680 for Buoys, Anchors, and Chains for the East and West Channels, and for Geelong Bay; £100 towards cleaning out a Lagoon near the Botanic Gardens, Melbourne; £2,000 to provide a Diving Bell and Vessel for the improvement of the Yarra River and Corio Bar; £800 for the employment of the Steam Dredge and Punts; and £500 for enclosing, fencing, and laying out the intended New General Cemetery at Melbourne, for the year 1851.

(135.) Resolved, that a sum not exceeding £5,450, be appropriated to defray the expense of Public Buildings in the Port Phillip District—being £1,600 for building an Enclosing Wall to the new Wing of the Lunatic Asylum; £1,000 for building a Store, Laundry, and Bath Rooms at the said Asylum; £300 towards the erection of a Government House; £500 for building Additional Offices to the Supreme Court House at Melbourne; £300 for building a Fire-proof Room for the custody of Documents in the Supreme Court; £600 for building additions to the Custom House at Geelong; £200 for building Quarters for the Customs' Boats Crews at Geelong; £250 for building a Customs' Gauging Shed at Portland; £100 for building Quarters for the Keeper of the Light at Shortland's Bluff; £250 for building Quarters for the Keeper of the Light at Williams' Town; £200 for building a Stamp Room at the Post Office, Melbourne, and £150 for building a Green House in the Botanic Gardens, Melbourne, for the year 1851.

(136.) Resolved, that a sum not exceeding £352 4s. 8d., be appropriated to provide accommodation for the Military Guard to be retained in the Port Phillip District, for the year 1851.

(137.) Resolved, that a sum not exceeding £4,700, be appropriated for Gaol Buildings in the Port Phillip District, being £2,000 towards building a new wing to the Melbourne Gaol, £200 for repairs to the said Gaol; the further sum of £2,000 towards building the Gaol at Geelong, and £500 for building Barracks for Prisoners at the Penal Establishment, for the year 1851.

(138.) Resolved, that a sum not exceeding £2,275, be appropriated for Police Buildings in the Port Phillip District, being £400 for building a Watch House at Richmond, £400 for building a Watch House at Brighton, £400 for building a Watch House at Pentridge, £250 for building a Watch House at Warnambool, £250 for building a Watch House at Port Fairy, £375 for building Court Houses for five Benches beyond the Settled Districts, at £75 each; and the further sum of £200 for erecting Escort Station Houses, for the year 1851.

(139.) Resolved, that a sum not exceeding £1,450, be appropriated to defray the expense of repairs to public works, buildings, and fencing in the Port Phillip District, being £500 for repairs to public works, £600 for repairs and additions to Public Buildings, £250 for repairs and additions to District Police Benches, and £100 for repairs to Government fences, for the year 1851.

(140.) Resolved, that a sum not exceeding £400, be appropriated for furniture for Public Offices at Port Phillip, for the year 1851.

(141.) Resolved, that a sum not exceeding £1,500, be appropriated for constructing, upholding, and repairing the Public roads, bridges, and ferries, on which tolls have been established within the Settled Districts in the Sydney District, for the year 1851.

(142.) Resolved, that a sum not exceeding £3,000, be appropriated for making and repairing Public Roads and Bridges on which Tolls are not collected within the Settled Districts, in the Sydney District, for the year 1851.

(143.)

- (143.) Resolved, that a sum not exceeding £1,500, be appropriated for the formation of Roads and Bridges beyond the Settled Districts, in the Sydney District, for the year 1851.
- (144.) Resolved, that a sum not exceeding £200, be appropriated to defray the expense of Lighting the Government Lamps in the City of Sydney, for the year 1851.
- (145.) Resolved, that a sum not exceeding £300, be appropriated for the erection of a Bridge over the Quacanbeyan River in the Sydney District, for the year 1851.
- (146.) Resolved, that a sum not exceeding £150, be appropriated for erecting a Bridge over the Paterson River, in the Sydney District, for the year 1851.
- (147.) Resolved, that a sum not exceeding £8,950, be appropriated to defray the expense of Roads and Bridges in the Port Phillip District, being £2000 towards constructing a Bridge over the Yarra Yarra River, at Richmond; £250 for constructing a Bridge and for other improvements on the Bush Road, near Little Hill; £200 for erecting a Foot Bridge across the Yarra, near the Botanic Gardens; £5,000 for the formation of Roads and Bridges within the Settled Districts, and £1,500 for the formation of Roads and Bridges beyond the Settled Districts, for the year 1851.
- (148.) Resolved, that a sum not exceeding £2,000, be appropriated for the establishment of a Government Printing Office, at Port Phillip, for the year 1851.
- (149.) Resolved, that a sum not exceeding £1,000, be appropriated for Paper for Printing, for the Public service generally, for the year 1851.
- (150.) Resolved, that a sum not exceeding £150, be appropriated for Newspapers for Record and for the Secretary of State, for the year 1851.
- (151.) Resolved, that a sum not exceeding £330, be appropriated for preparing the Electoral Lists of the Colony, being £180 for the Sydney District, and £150 for the Port Phillip District, for the year 1851.
- (152.) Resolved, that a sum not exceeding £130, be appropriated to defray the expense of compiling the Meteorological Tables, being £100 for the Sydney District, and £30 for the Port Phillip District, for the year 1851.
- (153.) Resolved, that a sum not exceeding £100, be appropriated for the erection of Pounds, and allowances to Poundkeepers within the Settled Districts, in the Sydney and Port Phillip Districts, being £50 each, for the year 1851.
- (154.) Resolved, that a sum not exceeding £100, be appropriated for the erection of Pounds, and allowances to Poundkeepers, beyond the Settled Districts in the Sydney and Port Phillip Districts, being £50 each, for the year 1851.
- (155.) Resolved, that a sum not exceeding £1,800, be appropriated by way of remuneration to Pilots, for the year 1851.
- (156.) Resolved, that a sum not exceeding £30, be appropriated to defray the expense of Provisions to be left at Booby Island, for the relief of shipwrecked persons for the year 1851.
- (157.) Resolved, that a sum not exceeding £300, be appropriated towards the establishment of Public Gardens at Geelong, for the year 1851.
- (158.) Resolved, that a sum not exceeding £2,800, be appropriated to meet the expense of taking the Census, in the year 1851, being—£2,150 for the Sydney District and £650 for the Port Phillip District, for the year 1851.
- (159.) Resolved, that a sum not exceeding £100, be appropriated to provide a Queen's Plate to be run for annually at Homebush, or such other Race Course in the County of Cumberland, and under such rules and regulations as the Australian Jockey Club, with the sanction of His Excellency the Governor shall devise, for the year 1851.
- (160.) Resolved, that a sum not exceeding £50, be appropriated as Premiums for the best Samples of Cotton of not less than 10 lbs. weight, to be grown in the Colony, being £30 for the best and £20 for the second best Samples, to be exhibited in Sydney in the year 1851.
- (161.) Resolved, that a sum not exceeding £2,000, be appropriated to meet unforeseen expenses in cases of emergency, and to be hereafter accounted for, being £1,500 for the Sydney District, and £500 for the Port Phillip District, for the year 1851.
- (162.) Resolved, that a sum not exceeding £2,100, be appropriated to meet Drawbacks—being £1800 for the Sydney District, and £300 for the Port Phillip District, for the year 1851.
- (163.) Resolved, that a sum not exceeding £600, be appropriated to meet refund of Duties—being £550 for the Sydney District, and £50 for the Port Phillip District, for the year 1851.
- (164.) Resolved, that a sum not exceeding £300, be appropriated in aid of the Colonial Museum, Sydney, for the year 1851.
- (165.) Resolved, that a sum not exceeding £200, be appropriated in aid of the Sydney Mechanics' School of Arts, for the year 1851.
- (166.) Resolved, that a sum not exceeding £300, be appropriated as a Donation in aid of the School of Arts at Brisbane, Moreton Bay, for the year 1851.
- (167.) Resolved, that a sum not exceeding £150, be appropriated in aid of the Mechanics' Institution, at Melbourne, Port Phillip, for the year 1851.
- (2.) Supplementary Estimate and additions thereto, for the year 1850.
- (1.) Resolved, that a sum not exceeding £264 12s. 6d., be appropriated to defray the Supplementary charge of the Legislative Council Establishment, for the year 1850.
- (2.) Resolved, that a sum not exceeding £191 8s., be appropriated to defray the Supplementary charge of the Colonial Architect's Establishment in the Sydney District, for the year 1850.
- (3.) Resolved, that a sum not exceeding £61 10s., be appropriated to defray the Supplementary charge of the Lunatic Asylum at Parramatta, for the year 1850.
- (4.) Resolved, that a sum not exceeding £300, be appropriated to defray the Supplementary charge of the Male Orphan School at Liverpool, for the year 1850.

- (5.) Resolved, that a sum not exceeding £50, be appropriated to defray the Supplementary charge for Travelling and other expenses of the Denominational School Board, in the Sydney District, for the year 1850.
- (6.) Resolved, that a sum not exceeding £160, be appropriated to reimburse thirty-two men of the Mounted Police, in the Sydney District, for expenses consequent on their rejoining their Regiments, being five pounds each, for the year 1850.
- (7.) Resolved, that a sum not exceeding £15, be appropriated to defray the expense of ten Silver Medals, at 30s. each, to be bestowed on the most meritorious men of the Mounted Police Corps, in the Sydney District, for the year 1850.
- (8.) Resolved, that a sum not exceeding £130, be appropriated to meet an increase to the pay of the Commandant of the Native Police in the Sydney District, being from £120 to £250, for the year 1850.
- (9.) Resolved, that a sum not exceeding £500, be appropriated to meet deficiency in the amount voted for the establishment of the Native Police in the Sydney District, for the year 1850.
- (10.) Resolved, that a sum not exceeding £1,096 0s. 10d., be appropriated to meet deficiency in the amount voted for the Penal Establishment at Cockatoo Island—the expense of the increased Civil Force required on the reduction of the Military Guard, and the expense of a new Mess House, and of fitting the Prisoners' Dormitories with separate sleeping places—for the year 1850.
- (11.) Resolved, that a sum not exceeding £200, be appropriated to cover the expense of erecting a Toll House and Gate on the Penrith Road, for the year 1850.
- (12.) Resolved, that a sum not exceeding £100, be appropriated to form a Queen's Wharf at Brisbane, for the year 1850.
- (13.) Resolved, that a sum not exceeding £100, be appropriated towards the expense of boring an Artesian Well, for the year 1850.
- (14.) Resolved, that a sum not exceeding the further sum of £500, be appropriated for completing the main building of the New Treasury and Audit Office, Sydney, for the year 1850.
- (15.) Resolved, that a sum not exceeding £500, be appropriated for the erection of Baths and the supply of Water to the different Wards of the Sydney Gaol for the year 1850.
- (16.) Resolved, that a sum not exceeding £974 2s. 10d., be appropriated to meet the expense of Plumbers', Painters', and Glaziers' Work, and the balances due to Contractors employed upon the Sydney Museum, for the year 1850.
- (17.) Resolved, that a sum not exceeding the further sum of £2,500, be appropriated for casual repairs, additions, and alterations to Colonial Public Buildings, in the Sydney District, for the year 1850.
- (18.) Resolved, that a sum not exceeding £1,000, be appropriated to erect a substantial Bridge over the South Creek, at the entrance to the town of Windsor, for the year 1850.
- (19.) Resolved, that a sum not exceeding £100, be appropriated for completing a Survey of, and report upon, the Navigation of the River Brisbane.
- (20.) Resolved, that a sum not exceeding £318 17s. 2d., be appropriated to defray the Rent of the Buildings temporarily occupied as Colonial Treasury and Audit Office, from 27th August, 1849, to 31st December, 1850.
- (21.) Resolved, that a sum not exceeding £120, be appropriated to meet deficiency in the amount voted for Paper for Printing, in the Sydney District, for the year 1850.
- (22.) Resolved, that a sum not exceeding £300, be appropriated to meet deficiency in the amount voted for Postages for Public Departments, in the Sydney District, for the year 1850.
- (23.) Resolved, that a sum not exceeding £490, be appropriated to meet the supplementary expense of the Post Office Establishment at Port Phillip, for the year 1850.
- (24.) Resolved, that a sum not exceeding £35, be appropriated to meet the expense of postage in the Establishment of the Clerk of Works at Port Phillip, for the year 1850.
- (25.) Resolved, that a sum not exceeding £37, be appropriated to defray the cost of a new boat for the Harbour Master at Port Phillip, for the year 1850.
- (26.) Resolved, that a sum not exceeding the further sum of £466, be appropriated for the support of Denominational Schools at Port Phillip, for the year 1850.
- (27.) Resolved, that a sum not exceeding £40, be appropriated to defray the pay of a Night Watchman at the Lunatic Asylum at Port Phillip, for the year 1850.
- (28.) Resolved, that a sum not exceeding £60, be appropriated as an allowance in lieu of forage for two horses to the Superintendent of Police at Melbourne, Port Phillip, for the year 1850.
- (29.) Resolved, that a sum not exceeding £70, be appropriated to reimburse fourteen men of the Mounted Police at Port Phillip, for expenses consequent on their rejoining their Regiments; for the year 1850.
- (30.) Resolved, that a sum not exceeding £191 12s. 6d., be appropriated to defray the pay of three additional Turnkeys at the Gaol at Melbourne, Port Phillip, at 3s. 6d. each per diem, for the year 1850.
- (31.) Resolved, that a sum not exceeding £492 15s., be appropriated to defray the expense of the Gaol Establishment at Geelong, Port Phillip, for the year 1850.
- (32.) Resolved, that a sum not exceeding £350 5s., be appropriated to defray the Supplementary expense of the Police at Geelong, Port Phillip, for the year 1850.
- (33.) Resolved, that a sum not exceeding the further sum of £2,300, be appropriated to defray the Supplementary expense of Public Works and Buildings at Port Phillip, for the year 1850.

(34.) Resolved, that a sum not exceeding the further sum of £4,000, be appropriated to defray the supplementary expense of Roads and Bridges at Port Phillip, for the year 1850.

(35.) Resolved, that a sum not exceeding £900, be appropriated in aid of the Hospital at Melbourne, Port Phillip, for the year 1850.

(36.) Resolved, that a sum not exceeding £589 17s. 6d., be appropriated to meet the deficiency in the amount voted for the support of Free Paupers, in the Colonial Hospitals, in the Sydney District, for the year 1850.

(37.) Resolved, that a sum not exceeding the further sum of £50, be appropriated for the improvement of Hyde Park, and to be expended under the superintendence of the Committee of Management, for the year 1850.

(38.) Resolved, that a sum not exceeding £378, be appropriated to provide accommodation for the Military Guard to be retained in the Colony, from 1st October to 31st December, 1850,—being £290 for the Sydney District, and £88 for the Port Phillip District.

(39.) Resolved, that a sum not exceeding £100, be appropriated for completing certain works at the Botanic Gardens, Melbourne, for the year 1850.

(40.) Resolved, that a sum not exceeding £200, be appropriated in the year 1850, as compensation to Mr. John Moring, for losses sustained by him, in consequence of his having while employed as Collector, unintentionally omitted certain names from the Electoral Lists.

The Colonial Treasurer moved that these several Resolutions be now agreed to.

Question put and passed.

14. Cruelty to Animals Bill, having been read a second time, on motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next.
15. Postponement:—The further consideration in Committee of the Steam Navigation Bill postponed, on motion of Mr. Nichols, until Wednesday next.
16. Public Entertainment Bill Reported:—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of Mr. Nichols, ordered the Bill, as so reported, to be engrossed, and read a third time on Friday next.
17. Postponement:—The consideration in Committee of the Metropolitan Paving Bill, postponed, on motion of Mr. Martin, until Thursday next.
18. Mitchell's Tramway Bill Reported:—The Council having adopted the Report of this Bill from the Committee of the whole Council, ordered the Bill, as so reported, to be read a third time on Friday next.
19. Postponement:—The further consideration in Committee of Russell's Nepean Bridge Bill postponed, on motion of Mr. Wentworth, until Tuesday next.
Council adjourned at a quarter before Eight o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, SEPTEMBER 17.

NOTICES OF MOTION:—

1. MR. ALLEN to move, That the five several Petitions presented by him on the 13th instant, in reference to the Sydney University Bill, be printed.
2. MR. WENTWORTH to move:—
That this House having taken into consideration the Petition of Dr. Henry Grattan Douglass, relative to the undue cancellation of a Grant of two thousand acres of land made to him by Sir Thomas Brisbane in 1825, and having carefully considered the correspondence between the Local Government and the Secretary of State, laid on the Table of this House, by command of His Excellency the Governor, in compliance with an Address from this House touching the matter in said Petition, is of opinion,—
(1.) That a Grant of Land was made by His Excellency Sir Thomas Brisbane to Petitioner, in the usual manner, and according to the custom of the Colony at that time. That the evidence of a due selection and authorised occupation of such Grant is complete—the apparent deficiency of proof being caused by the mistake of entering such proof in a book appropriated for the enrolment of Grants in another County, in place of that book in which the Deeds of Grants were registered appertaining to the County in which Petitioner had selected his land—
(2.) That Petitioner has a well founded claim to compensation for the undue cancellation of his Grant; and this House is of opinion that Dr. Douglass has, under these circumstances, a just right to select an equal portion of Government land in any part of the Colony open to selection.
(3.) That these Resolutions be transmitted to His Excellency the Governor, with a request that he will be pleased to forward the same to Her Majesty's Principal Secretary of State for the Colonies, with his recommendation that justice may be done to Dr. Douglass in the matter complained of in his Petition.

3. Mr. NICHOLS to move, That the Petition of Mr. Singleton Rochfort, in reference to certain proceedings of the Board "for the approval of properly qualified persons to be Barristers of the Supreme Court of New South Wales," presented by him on the 6th instant, be printed.
4. Mr. NICHOLS to move for leave to bring in a Bill to amend, in some respects, an Act, intituled, "An Act to regulate the sale of spirituous and fermented liquors, and to consolidate the laws for licensing Public Houses."

ORDERS OF THE DAY :—

1. Auction Duties abolition Bill Reported ; Adoption of the Report.
2. Masters' and Servants' Acts' continuation Bill ; second reading.
3. Justices of the Peace Duties' Bill ; to be considered in Committee.
4. Marriage Confirmation Bill ; second reading.
5. Benevolent Society's Bill Reported ; Adoption of the Report.
6. Cruelty to Animals Bill Reported ; Adoption of the Report.
7. Russell's Nepean Bridge Bill ; to be further considered in Committee.

WEDNESDAY, SEPTEMBER 18.

NOTICE OF MOTION :—

Contingent.—Dr. Lang to move the following Resolutions (on the motion for the third reading of the Sewerage Bill for the City of Sydney):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Sydney Corporation Bill Reported ; Adoption of the Report.
2. Sydney Public Abattoir Bill ; to be further considered in Committee.
3. Sewerage Bill Reported (2^o) ; Adoption of the Report.
4. Appropriation Bill ; second reading.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Sydney University Bill Reported ; Adoption of the Report.
2. Steam Navigation Bill ; to be further considered in Committee.

THURSDAY, SEPTEMBER 19.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Slaughter House Laws extension Bill ; third reading.
2. Distillation Bill ; third reading.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Metropolitan Paving Bill ; to be considered in Committee.

FRIDAY, SEPTEMBER 20.

ORDERS OF THE DAY :—

1. Public Entertainment Bill ; third reading.
2. Mitchell's Tramway Bill ; third reading.

TUESDAY, SEPTEMBER 24.

ORDER OF THE DAY :—

1. Geelong Public Abattoirs Bill ; second reading.

FRIDAY,

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION :—

Contingent.—MR. MARTIN to move, as an amendment, (on the resumption of the Debate on Mr. Lamb's motion on Transportation,) the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely :— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows :—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions :—

(1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.

(2.) That no female convict be transported to this Colony.

(3.) That no male convict above the age of thirty-five years be transported to this Colony ; nor any convict for a period longer than seven years.

(4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.

(5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.

(6.) That there shall be no assignment of convicts to private service.

(7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.

(8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.

(9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.

(10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.

(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries ; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.

(2.)

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely:—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honourable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 17 SEPTEMBER, 1850.

There being only eight Members present exclusive of the Speaker, namely,—The Colonial Secretary, Dr. Dickson, Mr. Lamb, The Attorney General, Mr. Parker, Mr. Berry, Mr. Bowman, and the Auditor General,—the Speaker took the Chair and adjourned the Council at half-past Three o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 18.

NOTICES OF MOTION :—

Contingent.—Dr. Lang to move the following Resolutions (*on the motion for the third reading of the Sewerage Bill for the City of Sydney*):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Sydney Corporation Bill Reported ; Adoption of the Report.
- 2. Sydney Public Abattoir Bill ; to be further considered in Committee.
- 3. Sewerage Bill Reported (2^d) ; Adoption of the Report.
- 4. Appropriation Bill ; second reading.

OTHER BUSINESS—NOTICES OF MOTION :—

- 1. MR. ALLEN to move, That the five several Petitions presented by him on the 13th instant, in reference to the Sydney University Bill, be printed.
- 2. MR. WENTWORTH to move :—
That this House having taken into consideration the Petition of Dr. Henry Grattan Douglass, relative to the undue cancellation of a Grant of two thousand acres of land made to him by Sir Thomas Brisbane in 1825, and having carefully considered the correspondence between the Local Government and the Secretary of State, laid on the Table of this House, by command of His Excellency the Governor, in compliance with an Address from this House touching the matter in said Petition, is of opinion,—
(1.) That a Grant of Land was made by His Excellency Sir Thomas Brisbane to Petitioner, in the usual manner, and according to the custom of the Colony at that time. That the evidence of a due selection and authorised occupation of such Grant is complete—the apparent deficiency of proof being caused by the mistake of entering such
proof

proof in a book appropriated for the enrolment of Grants in another County, in place of that book in which the Deeds of Grants were registered appertaining to the County in which Petitioner had selected his land—

(2.) That Petitioner has a well founded claim to compensation for the undue cancellation of his Grant; and this House is of opinion that Dr. Douglass has, under these circumstances, a just right to select an equal portion of Government land in any part of the Colony open to selection.

(3.) That these Resolutions be transmitted to His Excellency the Governor, with a request that he will be pleased to forward the same to Her Majesty's Principal Secretary of State for the Colonies, with his recommendation that justice may be done to Dr. Douglass in the matter complained of in his Petition.

- 3. MR. NICHOLS to move, That the Petition of Mr. Singleton Rochfort, in reference to certain proceedings of the Board "for the approval of properly qualified persons to be Barristers of the Supreme Court of New South Wales," presented by him on the 6th instant, be printed.
- 4. MR. NICHOLS to move for leave to bring in a Bill to amend, in some respects, an Act, intituled, "*An Act to regulate the sale of spirituous and fermented liquors, and to consolidate the laws for licensing Public Houses.*"

ORDERS OF THE DAY :—

- 1. Sydney University Bill Reported; Adoption of the Report.
- 2. Steam Navigation Bill; to be further considered in Committee.
- 3. Auction Duties abolition Bill Reported; Adoption of the Report.
- 4. Masters' and Servants' Acts' continuation Bill; second reading.
- 5. Justices of the Peace Duties' Bill; to be considered in Committee.
- 6. Marriage Confirmation Bill; second reading.
- 7. Benevolent Society's Bill Reported; Adoption of the Report.
- 8. Cruelty to Animals Bill Reported; Adoption of the Report.
- 9. Russell's Nepean Bridge Bill; to be further considered in Committee.

THURSDAY, SEPTEMBER 19.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

- 1. Slaughter House Laws extension Bill; third reading.
- 2. Distillation Bill; third reading.

OTHER BUSINESS—ORDER OF THE DAY :—

- 1. Metropolitan Paving Bill; to be considered in Committee.

FRIDAY, SEPTEMBER 20.

ORDERS OF THE DAY :—

- 1. Public Entertainment Bill; third reading.
- 2. Mitchell's Trainway Bill; third reading.

TUESDAY, SEPTEMBER 24.

ORDER OF THE DAY :—

- 1. Geelong Public Abattoirs Bill; second reading.

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION :—

Contingent.—MR. MARTIN to move, as an amendment, (on the resumption of the Debate on Mr. Lamb's motion on Transportation,) the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely :— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows :—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions :—

- (1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.
- (2.) That no female convict be transported to this Colony.
- (3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.
- (4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.
- (5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time

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more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.

(6.) That there shall be no assignment of convicts to private service.

(7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.

(8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.

(9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.

(10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.

(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely:—
 - (1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.
 - (2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.
 - (3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 18 SEPTEMBER, 1850.

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

Messages:—The following Messages from His Excellency the Governor received and read:—

- (1.) Lien on Wool and Mortgages on Stock Bill:—

CH^S. A. FITZ ROY,
Governor.

Message No. 35.

Agreeably to the provisions of the 30th clause of the Act for the Government of New South Wales and Van Diemen's Land, the Governor has to propose the following amendments in the Act which has been passed by the Council and presented to His Excellency, for the Royal Assent, intituled, "A Bill to continue for three years from the thirty first day of December next, and from thence until the end of the next Session of the Legislative Council, an Act, intituled 'An Act to give a preferable Lien on Wool from season to season, and to make mortgages of sheep, cattle and horses, valid without delivery to the mortgagee, and to substitute for a limited time other provisions in lieu thereof.'"

2. The amendments which His Excellency proposes are that in the tenth line of clause III, the following words should be inserted, namely, immediately after the word "registered" the words "at Sydney,"—immediately before the words "Registrar General" the words "the Officers of the Supreme Court appointed to execute the duties of the late office of"—immediately after the words "Registrar General" the words "or at Melbourne in the office of the Deputy Registrar of the Supreme Court for the District of Port Phillip, as the case may require." And also that in lieu of the words "that officer" in the eleventh line of the same clause, the following words may be substituted, "those officers or either of them, as the case may require."

*Government House, Sydney,
18th September, 1850.*

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

- (2.) Police Bill:—

CH^S. A. FITZ ROY,
Governor.

Message No. 36.

In accordance with the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill, intituled, "A Bill for the regulation of the Police Force in New South Wales."

*Government House, Sydney,
18th September, 1850.*

Ordered to be printed, together with the accompanying Bill, and taken into consideration to-morrow.

2. Yass River:—Mr. Nichols presented a Petition from Edward Bernard Green and James Middleton, praying the erection of a Bridge over this River.
Petition received.
3. Sydney University Bill:—Mr. Nichols presented a Petition from certain inhabitants of West Maitland and vicinity, praying certain modifications in this Bill.
Petition received.
4. Sydney University Bill:—Mr. Darvall presented the following Petitions, praying certain modifications in this Bill:—
- (1.) From certain Inhabitants of the Town of Bathurst and vicinity.
Petition received.
 - (2.) From certain Inhabitants of the Town of East Maitland and vicinity.
Petition received.
 - (3.) From certain Inhabitants of the Town of Berrima.
Petition received.
 - (4.) From certain Inhabitants of Newcastle and vicinity.
Petition received.

5. Native Police :—Mr. Donaldson presented a Petition from certain Settlers and residents on the north bank of the Lower Murray and on the Lower Darling Rivers, praying that a Detachment of this Force may be stationed in their District.
Petition received.
6. Sydney Corporation Bill Reported :—The Colonial Secretary moved "That" the Report of this Bill from the Committee of the whole Council be now adopted.
The Attorney General moved, as an amendment, That all the words following the word "That," be omitted, with a view to the insertion in their place of the words "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of Clauses IX, X, XIII, XIV, XVI, XVII, XVIII, XIX, XX, XXII, XXIII, XXIV, XXV, XXVIII, XXIX, XXXI, XXXII, XXXIII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XLVIII, XLIX, LIII, LIV, LV, LXI, LXIII, LXVI, LXX, LXXIV, LXXV, LXXVI, LXXIX, LXXX, LXXXIII, LXXXVIII, XCIV, XCVII, CI, CIV, CXV, CXVI, CXXII, CXXIII, CXXV, CXXVII, CXXXVI, CXLIII, CXLIV, CXLVII, and "Supplemental Clauses C, D, and L, and of Schedules A, F, G, M, and O, of this "Bill."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of Clauses IX, X, XIII, XIV, XVI, XVII, XVIII, XIX, XX, XXII, XXIII, XXIV, XXV, XXVIII, XXIX, XXXI, XXXII, XXXIII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XLVIII, XLIX, LIII, LIV, LV, LXI, LXIII, LXVI, LXX, LXXIV, LXXV, LXXVI, LXXIX, LXXX, LXXXIII, LXXXVIII, XCIV, XCVII, CI, CIV, CXV, CXVI, CXXII, CXXIII, CXXV, CXXVII, CXXXVI, CXLIII, CXLIV, CXLVII, and Supplemental Clauses C, D, and L, and of Schedules A, F, G, M, and O, of this Bill—put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the Day for to-morrow.
7. Postponement :—The further consideration in Committee of the Sydney Public Abattoir Bill postponed, on motion of the Colonial Secretary, until to-morrow.
8. Sewerage Bill Reported, (2^d) :—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of the Colonial Secretary, ordered the Bill, as so reported, to be engrossed, and read a third time on Wednesday next.
9. Appropriation Bill, having been read a second time, on motion of the Colonial Treasurer, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Wednesday next.
10. Postponement :—Mr. Nichols, on behalf of Mr. Allen, postponed the motion standing in the name of Mr. Allen first on the Notice Paper of Other Business for to-day, until Friday next.
11. Dr. Douglass :—Mr. Wentworth moved, pursuant to amended notice, That this House having taken into consideration the Petition of Dr. Henry Grattan Douglass, relative to the undue cancellation of a Grant of two thousand acres of land made to him by Sir Thomas Brisbane in 1825, and having carefully considered the correspondence between the Local Government and the Secretary of State, laid on the Table of this House, by command of His Excellency the Governor, in compliance with an Address from this House touching the matter in said Petition, is of opinion,—
(1.) That a Grant of Land was made by His Excellency Sir Thomas Brisbane to Petitioner, in the usual manner, and according to the custom of the Colony at that time. That the evidence of a due selection and authorised occupation of such Grant is complete—the apparent deficiency of proof being caused by the mistake of entering such proof in a book appropriated for the enrolment of Grants in another County, in place of that book in which the Deeds of Grants were registered appertaining to the County in which Petitioner had selected his land—
(2.) That Petitioner has a well founded claim to compensation for the undue cancellation of his Grant; and as it appears that his original grant has been sold by the Local Government, this House is of opinion that Dr. Douglass should, under these circumstances, be permitted by way of compensation to select an equal portion of Government land in any part of the Colony open to selection.
(3.) That these Resolutions be transmitted to His Excellency the Governor, with a request that he will be pleased to forward the same to Her Majesty's Principal Secretary of State for the Colonies, with his recommendation that justice may in this way be done to Dr. Douglass in the matter complained of in his Petition.
Question put and passed; Address to be presented by the Speaker.
12. Postponement :—Mr. Nichols postponed the motions standing in his name third and fourth on the Notice Paper of Other Business for to-day, until Friday next.
13. Sydney University Bill Reported :—Mr. Wentworth moved, "That" the Report of this Bill from the Committee of the whole Council be now adopted.—
Mr. Martin moved as an amendment, That all the words following the word "That" be omitted, with a view to the insertion in their place of the words, "the Speaker do

"do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of this Bill."

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

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

Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the further consideration of this Bill,—put and passed,—

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

The Chairman having reported the Bill with further amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Friday next.

14. Postponements :—

(1.) The further consideration in Committee of the Steam Navigation Bill postponed, on motion of Mr. Nichols, until Friday next.

(2.) The adoption of the Report of the Auction Duties' abolition Bill from the Committee of the whole Council postponed, on motion of Mr. Donaldson, until to-morrow.

15. Masters' and Servants' Acts continuation Bill, having been read a second time, on motion of Mr. Nichols, the Council ordered the Bill to be considered in Committee on Friday next.

16. Postponement :—The consideration in Committee of the Justices of the Peace Duties Bill and the second reading of the Marriage confirmation Bill postponed, on motion of the Attorney General, until to-morrow, and to be classed as and take precedence of other Government Business.

17. Benevolent Society's Bill Reported :—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of Mr. James Macarthur, ordered the Bill, as so reported, to be engrossed, and read a third time on Wednesday next.

18. Cruelty to Animals Bill Reported :—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of Mr. Nichols, ordered the Bill, as so reported, to be engrossed, and read a third time on Tuesday next.

19. Postponement :—The further consideration in Committee of Russell's Nepean Bridge Bill postponed, on motion of Mr. Wentworth, until Friday next.
Council adjourned at half-past Nine o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 19.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Justices of the Peace Duties' Bill ; to be considered in Committee.
2. Marriage Confirmation Bill ; second reading.
3. Slaughter House Laws extension Bill ; third reading.
4. Distillation Bill ; third reading.
5. Consideration of Governor's Message, No. 35, proposing amendments in Lien on Wool and Mortgages on Stock Bill.
6. Consideration of Governor's Message, No. 36, with Police Bill.
7. Sydney Corporation Bill Reported (2^o) ; Adoption of the Report.
8. Sydney Public Abattoir Bill ; to be further considered in Committee.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Metropolitan Paving Bill ; to be considered in Committee.
2. Auction Duties abolition Bill Reported ; Adoption of the Report.

FRIDAY, SEPTEMBER 20.

NOTICES OF MOTION :—

1. MR. WENTWORTH to move, That the Law of Dower Bill be now read a second time.
2. MR. ALLEN to move, That the five several Petitions presented by him on the 13th instant, in reference to the Sydney University Bill, be printed.
3. MR. NICHOLS to move, That the Petition of Mr. Singleton Rochfort, in reference to certain proceedings of the Board "for the approval of properly qualified persons to be Barristers of the Supreme Court of New South Wales," presented by him on the 6th instant, be printed.
4. MR. NICHOLS to move for leave to bring in a Bill to amend, in some respects, an Act, intituled, "*An Act to regulate the sale of spirituous and fermented liquors, and to consolidate the laws for licensing Public Houses.*"

ORDERS

ORDERS OF THE DAY:—

1. Public Entertainment Bill ; third reading.
2. Mitchell's Tramway Bill ; third reading.
3. Sydney University Bill Reported (2^d) ; Adoption of the Report.
4. Steam Navigation Bill ; to be further considered in Committee.
5. Masters' and Servants' Acts' continuation Bill ; to be considered in Committee
6. Russell's Nepean Bridge Bill ; to be further considered in Committee.

TUESDAY, SEPTEMBER 24.

ORDERS OF THE DAY:—

1. Geelong Public Abattoirs Bill ; second reading.
2. Cruelty to Animals Bill ; third reading.

WEDNESDAY, SEPTEMBER 25.

NOTICE OF MOTION:—

Contingent.—Dr. Lang to move the following Resolutions (*on the motion for the third reading of the Sewerage Bill for the City of Sydney*):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill ; third reading.
2. Appropriation Bill ; third reading.
3. Benevolent Society's Bill ; third reading.

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION:—

Contingent.—MR. MARTIN to move, as an amendment, (*on the resumption of the Debate on Mr. Lamb's motion on Transportation*), the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely:—*This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows:—*

- (1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions:—
 - (1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.
 - (2.) That no female convict be transported to this Colony.
 - (3.) That no male convict above the age of thirty-five years be transported to this Colony ; nor any convict for a period longer than seven years.
 - (4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.
 - (5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.
 - (6.) That there shall be no assignment of convicts to private service.
 - (7.) That there shall never be more than three hundred convicts at one time in any barrack, depot, or other place in the City of Sydney.
 - (8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.
 - (9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.
 - (10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.
 - (11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade

at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely:—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON,
Speaker.

294.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 19 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Sydney University Bill:—Mr. Allen presented the following Petitions praying certain modifications in this Bill:—
 - (1.) From certain Inhabitants of the Town of Hartley and vicinity.
Petition received.
 - (2.) From certain Inhabitants of the Town of Goulburn and vicinity.
Petition received.
2. Cape York:—Mr. Nichols, on behalf of the Select Committee on Cape York, appointed on the 19th July last, brought up the Report of, and laid upon the Table the Evidence taken before, the Committee.
Ordered to be printed.
3. Messages:—The following Messages from His Excellency the Governor received and read:—
 - (1.) Medical Witnesses Bill:—
CH^S. A. FITZ ROY, Message No. 37.
Governor.

Agreeably to the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council the Draft of a Bill, intituled, "*A Bill to reduce the fees now payable to Medical Witnesses at Coroners' Inquests, and Inquiries held by Justices of the Peace.*"

*Government House, Sydney,
19th September, 1850.*

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

- (2.) Sydney Public Abattoir:—

CH^S. A. FITZ ROY,
Governor.

Message No. 38.

The Governor transmits to the Legislative Council a copy of a correspondence with the late and the present Colonial Architect, on the subject of the erection of a public Abattoir for the City of Sydney. In the report of Mr. Blackott, which is accompanied by a plan of the proposed buildings and enclosures, will be found an estimate of the probable cost of their erection. The plan, it will be perceived, is capable of great extension, when the increasing population of the City may render additional accommodation in this respect necessary or expedient, but in the first instance Mr. Blackett proposes to limit the number of the Slaughter Houses to twenty-four, which, with the expense of a bridge over the Orphan School Creek, and a steam engine, he estimates at a cost of £12,000. Towards meeting this expenditure it has been proposed to the Secretary of State that the present Cattle Market shall be sold, and the proceeds applied to this purpose. The value of this land has been variously estimated at from £3,500 to 6,000; the recent grant of the land immediately adjoining it, as a site for the terminus of the Sydney Railway, has no doubt considerably enhanced its value. The income arising from fees for the use of the Slaughter Houses has been roughly estimated at £4,650, and the expenses of management at £2,500, leaving a profit of £2,150 on the outlay of £12,000, or at the rate of about 17½ per cent. per annum.

The object of submitting these documents to the Council is to obtain its sanction to the whole of the project which is therein explained, and in the event of the Bill which was transmitted in His Excellency's Message of 31st July last "for the establishment of a Public Abattoir, or place for the slaughtering of Cattle" being passed into a law during the present Session, that the work might be commenced without waiting until a formal Estimate could be submitted to the Council in the Session of the ensuing year. The Governor desires it to be understood that the proposition which he now makes to the Council is founded on the expectation which he confidently entertains, that no objection will arise to the application of the proceeds of the present Cattle Market to this purpose, and that until this be formally sanctioned

sanctioned by the Secretary of State no proceedings will be taken by the Local Government, which would entail any expense on this account. It is only further necessary to point out that pending the realization of the proceeds of the Cattle Market it will be necessary to obtain advances from the General Revenue, to be repaid of course as the Allotments are sold.

*Government House, Sydney,
19th September, 1850.*

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

4. Dower Bill :—Mr. Wentworth, on behalf of the Select Committee to whom the Real Property and Dower Laws Bills were referred, on the 31st July last, having presented this Bill, Bill, intituled, "*A Bill to amend the Law of Dower in certain respects;*" read a first time, and ordered to be printed.
5. Assent to Bills :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the following Bills :—
 - (1.) Public Wharves Bill.
 - (2.) Acts of Parliament Adoption Bill.
 - (3.) Melbourne Public Abattoirs Bill.
 - (4.) Census Bill.
 - (5.) Melbourne General Cemetery Bill.
 - (6.) Melbourne Private Streets Bill.
 - (7.) Section 70 of Sydney, Melbourne, and Geelong, Incorporation Acts Suspension Bill.
6. Justices of the Peace Duties Bill :—On motion of the Attorney General the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman reported progress, and obtained leave to sit again on Wednesday next.
7. Marriage Confirmation Bill :—The Attorney General moved, That this Bill be now read a second time.
Debate ensued.
Question put and passed.
Bill read a second time,—
Whereupon, on motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for to-morrow.
8. Slaughter House Laws extension Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—
"*An Act to amend the Law relating to the Slaughtering of Sheep, Cattle, and other Animals, within certain Towns in the Colony of New South Wales, and for the prevention and removal of certain nuisances therein.*"
Question put and passed.
9. Postponements :—
 - (1.) The remaining Orders of the Day on the Paper of Government Business, postponed, on motion of the Colonial Secretary, until Wednesday next.
 - (2.) The consideration in Committee of the Metropolitan Paving Bill postponed, on motion of Mr. Martin, until to-morrow.
 - (3.) The adoption of the Report of the Auction Duties abolition Bill from the Committee of the whole Council postponed, on motion of Mr. Wentworth, on behalf of Mr. Donaldson, until to-morrow.
 Council adjourned at Eight o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 20.

NOTICES OF MOTION :—

1. MR. WENTWORTH to move, That the Law of Dower Bill be now read a second time.
2. MR. ALLEN to move, That the five several Petitions presented by him on the 13th instant, in reference to the Sydney University Bill, be printed.
3. MR. NICHOLS to move, That the Petition of Mr. Singleton Rochfort, in reference to certain proceedings of the Board "for the approval of properly qualified persons to be Barristers of the Supreme Court of New South Wales," presented by him on the 6th instant, be printed.
4. MR. NICHOLS to move for leave to bring in a Bill to amend, in some respects, an Act, intituled, "*An Act to regulate the sale of spirituous and fermented liquors, and to consolidate the laws for licensing Public Houses.*"
5. MR. WENTWORTH to move, That this Council having considered the Report of the Select Committee to whom the Hyde Park Bill was referred, do now adopt the same.

ORDERS

297

ORDERS OF THE DAY :—

1. Public Entertainment Bill ; third reading.
2. Mitchell's Tramway Bill ; third reading.
3. Sydney University Bill Reported (2^d) ; Adoption of the Report.
4. Steam Navigation Bill ; to be further considered in Committee.
5. Masters' and Servants' Acts' continuation Bill ; to be considered in Committee.
6. Russell's Nepean Bridge Bill ; to be further considered in Committee.
7. Marriage Confirmation Bill Reported ; Adoption of the Report.
8. Metropolitan Paving Bill ; to be considered in Committee.
9. Auction Duties abolition Bill Reported ; Adoption of the Report.

TUESDAY, SEPTEMBER 24.

NOTICE OF MOTION :—

1. MR. LAMB to move, That this House do meet for the dispatch of business on Saturday, the 28th, and Monday, the 30th instant.

ORDERS OF THE DAY :—

1. Geelong Public Abattoirs Bill ; second reading.
2. Cruelty to Animals Bill ; third reading.

WEDNESDAY, SEPTEMBER 25.

NOTICES OF MOTION :—

Contingent.—Dr. Lang to move the following Resolutions (*on the motion for the third reading of the Sewerage Bill for the City of Sydney*):—

(1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.

(2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.

(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

Contingent.—MR. NICHOLS to move, (*on motion for the adoption of the Report of the Committee of the whole House on the Corporation of Sydney regulation Bill*.) That Clause IX as printed be re-committed, with a view to amend the same by striking out the word "twenty," in line 41 of that Clause, and inserting in lieu thereof the word "ten."

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Sewerage Bill ; third reading.
2. Appropriation Bill ; third reading.
3. Benevolent Society's Bill ; third reading.
4. Consideration of Governor's Message, No. 37, with Medical Witnesses Bill.
5. Consideration of Governor's Message, No. 38, in reference to the Sydney Public Abattoir.
6. Justices of the Peace Duties' Bill ; to be further considered in Committee.
7. Distillation Bill ; third reading.
8. Consideration of Governor's Message, No. 35, proposing amendments in Lien on Wool and Mortgages on Stock Bill.
9. Consideration of Governor's Message, No. 36, with Police Bill.
10. Sydney Corporation Bill Reported (2^d) ; Adoption of the Report.
11. Sydney Public Abattoir Bill ; to be further considered in Committee.

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION :—

Contingent.—MR. MARTIN to move, as an amendment, (*on the resumption of the Debate on Mr. Lamb's motion on Transportation*.) the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely :— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows :—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions :—

(1.)

- (1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.
- (2.) That no female convict be transported to this Colony.
- (3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.
- (4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.
- (5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.
- (6.) That there shall be no assignment of convicts to private service.
- (7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.
- (8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.
- (9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.
- (10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.
- (11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.
- (12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.
- (13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.
- (14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.
- (15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.
- (16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.
- (17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.
- (18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.
- (19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.
- (20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.
- (2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.
- (3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration

in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely :—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON,
Speaker.

300.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 20 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Dower Bill :—Mr. Wentworth moved, pursuant to notice, That this Bill be now read a second time.
Debate ensued.
Question put and passed,—
Bill read a second time; and ordered to be considered in Committee on Tuesday next.
2. Sydney University Bill :—Mr. Allen moved, pursuant to notice, That the five several Petitions presented by him on the 13th instant, in reference to the Sydney University Bill, be printed.
Debate ensued.
Question put and passed.
3. Admission of Barristers :—Mr. Nichols moved, pursuant to notice, That the Petition of Mr. Singleton Rochfort, in reference to certain proceedings of the Board "for the approval of properly qualified persons to be Barristers of the Supreme Court of New South Wales," presented by him on the 6th instant, be printed.
Debate ensued.
Question put and passed.
4. Publicans' Bill :—Mr. Nichols moved, pursuant to notice, for leave to bring in a Bill to amend, in some respects, an Act, intituled, "*An Act to regulate the sale of spirituous and fermented liquors, and to consolidate the laws for licensing Public Houses.*"
Question put and passed;—Ordered, That the Mover and Seconder prepare and bring in the Bill.
5. Hyde Park Bill :—Mr. Wentworth moved, pursuant to notice, That this Council having considered the Report of the Select Committee to whom the Hyde Park Bill was referred, do now adopt the same.
Debate ensued.
Question put and passed.
6. Public Entertainment Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and passed.
Mr. Nichols then moved, That the following be the Title of the Bill, viz.—"*An Act to amend the Law for regulating places of Public Exhibition and Entertainment.*"
Question put and passed.
7. Mitchell's Tramway Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Donaldson, read a third time, and passed.
Mr. Donaldson then moved, That the following be the title of the Bill, viz.:—"*An Act to authorise the continuation of a Tramroad from Burwood to the Wharf at Newcastle.*"
Question put and passed.
8. Sydney University Bill Reported (2^d):—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of Mr. Wentworth, ordered the Bill, as so reported, to be engrossed, and read a third time on Tuesday next.
9. Steam Navigation Bill :—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for Tuesday next.
10. Masters' and Servants' Acts continuation Bill :—On motion of Mr. Nichols, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Tuesday next.

11. Russell's Nepean Bridge Bill :—On motion of Mr. Wentworth, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be read a third time on Wednesday next.
12. Marriage Confirmation Bill Reported :—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of the Attorney General, ordered the Bill, as so reported, to be engrossed, and read a third time on Wednesday next.
13. Metropolitan Paving Bill, on motion of Mr. Martin, discharged from the Paper.
14. Auction Duties abolition Bill Reported :—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of Mr. Donaldson, ordered the Bill, as so reported, to be engrossed, and read a third time on Wednesday next.
Council adjourned at a quarter before Seven o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, SEPTEMBER 24.

NOTICES OF MOTION :—

1. MR. LAMB to move, That this House do meet for the dispatch of business on Saturday, the 28th, and Monday, the 30th instant.
2. MR. LAMB to move, That Abstracts of all Petitions presented, or which may be presented on or before the 27th instant, for or against the Resumption of Transportation to this Colony, be prepared by the Clerk of the Council. Such Abstracts to contain the following particulars, viz. :—
(1.) The persons from whom and the place from which each Petition emanated.
(2.) The numbers of signatures affixed thereto.
(3.) The name of the Member presenting the same ; and
(4.) The date of its presentation and reception.
3. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to represent to Her Most Gracious Majesty the necessity for endowing the Corporation of the City of Sydney with certain Crown Lands, known as Grose Farm, in the vicinity of the City of Sydney, and to urge upon Her Majesty the expediency of authorising such endowment with the least possible delay.

ORDERS OF THE DAY :—

1. Geelong Public Abattoirs Bill ; second reading.
2. Cruelty to Animals Bill ; third reading.
3. Dower Bill ; to be considered in Committee.
4. Sydney University Bill ; third reading.
5. Steam Navigation Bill Reported ; Adoption of the Report.
6. Masters' and Servants' Acts' continuation Bill ; third reading.

WEDNESDAY, SEPTEMBER 25.

NOTICES OF MOTION :—

- Contingent.*—Dr. Lang to move the following Resolutions (*on the motion for the third reading of the Sewerage Bill for the City of Sydney*):—
- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
 - (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
 - (3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.
- Contingent.*—MR. NICHOLS to move, (*on motion for the adoption of the Report of the Committee of the whole House on the Corporation of Sydney regulation Bill*.) That Clause IX as printed be re-committed, with a view to amend the same by striking out the word "twenty," in line 41 of that Clause, and inserting in lieu thereof the word "ten."

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Sewerage Bill; third reading.
2. Appropriation Bill; third reading.
3. Benevolent Society's Bill; third reading.
4. Consideration of Governor's Message, No. 37, with Medical Witnesses Bill.
5. Consideration of Governor's Message, No. 38, in reference to the Sydney Public Abattoir.
6. Justices of the Peace Duties' Bill; to be further considered in Committee.
7. Distillation Bill; third reading.
8. Consideration of Governor's Message, No. 35, proposing amendments in Lien on Wool and Mortgages on Stock Bill.
9. Consideration of Governor's Message, No. 36, with Police Bill.
10. Sydney Corporation Bill Reported (2^d); Adoption of the Report.
11. Sydney Public Abattoir Bill; to be further considered in Committee.
12. Marriage Confirmation Bill; third reading.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Russell's Nepean Bridge Bill; third reading.
2. Auction Duties abolition Bill; third reading.

FRIDAY, SEPTEMBER 27.

NOTICE OF MOTION:—

Contingent.—MR. MARTIN to move, as an amendment, (*on the resumption of the Debate on Mr. Lamb's motion on Transportation,*) the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely:— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows:—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions:—

(1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.

(2.) That no female convict be transported to this Colony.

(3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.

(4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.

(5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.

(6.) That there shall be no assignment of convicts to private service.

(7.) That there shall never be more than three hundred convicts at one time in any barrack, depot, or other place in the City of Sydney.

(8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.

(9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.

(10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.

(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.)

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely :—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No: 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 24 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Transportation:—Mr. Allen presented a Petition from certain Male and Female Teachers of Sunday School Union, comprising the Wesleyan, Independent, and Baptist denominations, in Sydney and its suburbs, against the resumption of Transportation.
Petition received.
2. Stephen Spencer:—Mr. Macintyre presented a Petition from Stephen Spencer, of Comleroy, in the District of Patrick's Plains, in the County of Hunter, praying compensation in the event of Government carrying a line of road through his lands.
Petition received.
3. Glebe Island:—Mr. Nichols presented a Petition from Robert Johnstone, of Annandale, praying that his rights may be saved in event of the establishment of the Abattoir on Glebe Island.
Petition received.
4. Cumberland Road Trusts Accounts:—The Colonial Secretary laid upon the Table the Accounts of six of the Cumberland Road Trusts, for the half-year ended 30th June last, rendered pursuant to the 19th section of the Act 13 Victoria, No. 41.
Ordered to be printed.
5. Newcastle:—Mr. Nichols presented a Petition from certain Inhabitants of the City of Newcastle, and owners and masters of vessels trading to the Port of Newcastle, praying the erection of a Light House near the entrance to the Port.
Petition received.
6. Dr. Fattorini:—Mr. Nichols presented a Petition from Charles Lammonerie Dictus Fattorini, Doctor of Medicine, of Elizabeth-street, Sydney, praying to be placed on an equality with British Medical Practitioners.
Petition received.
7. Publicans' Bill:—Mr. Nichols having presented this Bill, Bill, intituled, "*A Bill to amend in some respects an Act passed in the thirteenth year of the Reign of Her present Majesty Queen Victoria, intituled 'An Act to consolidate and amend the Laws relating to the Licensing of Public Houses, and to regulate the sale of fermented and spirituous liquors in New South Wales,'*" read a first time, and ordered to be printed.
8. Sydney University Bill:—Mr. Darvall presented a Petition from certain inhabitants of the Town of Yass and vicinity, praying certain modifications in this Bill.
Petition received.
9. Transportation:—Mr. James Macarthur presented a Petition from certain electors and other inhabitants of Argyle, for the resumption of Transportation in a modified form.
Petition received.
10. Additional Days for Dispatch of Business:—Mr. Lamb moved, pursuant to notice, That this House do meet for the dispatch of business on Saturday, the 28th, and Monday, the 30th instant.
Debate ensued.
Question put.
Council divided.

Ayes, 14.

The Attorney General,
Mr. Lamb,
The Auditor General,
The Collector of Customs,
Mr. Suttor,
Mr. Cooper,
Dr. Dickson,
Mr. Nichols,
Mr. Macintyre,
Mr. Byrnes,
Mr. Oakes,
Captain King,
Mr. Parker,
Mr. Allen, (Teller.)

Nocs, 5.

The Colonial Treasurer,
Mr. James Macarthur,
Mr. Wentworth,
Mr. Donaldson,
Mr. Martin, (Teller.)

300.

11. Petitions for and against Transportation :—Mr. Lamb moved, pursuant to notice, That Abstracts of all Petitions presented, or which may be presented on or before the 27th instant, for or against the Resumption of Transportation to this Colony, be prepared by the Clerk of the Council. Such Abstracts to contain the following particulars, viz. :—
 - (1.) The persons from whom and the place from which each Petition emanated.
 - (2.) The numbers of signatures affixed thereto.
 - (3.) The name of the Member presenting the same ; and
 - (4.) The date of its presentation and "reception."
 Mr. Donaldson moved, That the Question be amended by adding after the word "reception," at the end, the words "and that it be an instruction to such Clerk to ascertain and report whether or not there be any seditious language in any such Petition."
 Debate ensued.
 Question,—That the words proposed to be added after the said word "reception," be so added—put and negatived.
 Original Question put and passed.
12. Postponement :—Mr. Nichols postponed the motion standing in his name third on the Notice Paper for to-day, until to-morrow.
13. Geelong Public Abattoirs' Bill :—Dr. Dickson moved, That this Bill be now read a second time.
 Debate ensued.
 Question put and negatived.
14. Cruelty to Animals Bill :—The Speaker having reported That the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and passed.
 Mr. Nichols then moved, That the following be the title of the Bill, viz. :—" *An Act for the more effectual prevention of Cruelty to Animals.*"
 Question put and passed.
15. Dower Bill :—On motion of Mr. Wentworth, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration of this Bill. .
 The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Thursday next.
16. Sydney University Bill :—The Speaker having reported That the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Wentworth, read a third time, and passed.
 Mr. Wentworth then moved, That the following be the title of the Bill, viz.—" *An Act to incorporate and endow the University of Sydney.*"
 Question put and passed.
17. Steam Navigation Bill Reported :—Mr. Nichols moved, "That" the Report of this Bill from the Committee of the whole Council be now adopted.
 Mr. Cooper moved as an amendment, That all the words following the word "That" be omitted, with a view to the insertion in their place of the words, "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of Clauses I and II of this Bill."
 Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
 Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
 Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of Clauses I and II this Bill,—put and passed,—
 Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
 The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time on Thursday next.
18. Masters' and Servants' Acts Continuation Bill :—The Speaker having reported That the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and passed.
 Mr. Nichols then moved, That the following be the Title of the Bill, viz.—" *An Act to continue two Acts passed in the ninth and eleventh years of the Reign of Her present Majesty, respectively intituled, 'An Act to amend and consolidate the laws between Masters and Servants in New South Wales,' and 'an Act to amend an Act, ' intituled, 'An Act to amend and consolidate the laws between Masters and Servants in New South Wales.'*"
 Question put and passed.
 Council adjourned at Five o'clock, until to-morrow at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 25.

NOTICES OF MOTION :—

Contingent.—Dr. Lang to move the following Resolutions (*on the motion for the third reading of the Sewerage Bill for the City of Sydney*):—

(1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.

(2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.

(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.

Contingent.—MR. NICHOLS to move, (*on motion for the adoption of the Report of the Committee of the whole House on the Corporation of Sydney regulation Bill*;) That Clause IX as printed be re-committed, with a view to amend the same by striking out the word "twenty," in line 41 of that Clause, and inserting in lieu thereof the word "ten."

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Sewerage Bill; third reading.
2. Appropriation Bill; third reading.
3. Benevolent Society's Bill; third reading.
4. Consideration of Governor's Message, No. 37, with Medical Witnesses Bill.
5. Consideration of Governor's Message, No. 38, in reference to the Sydney Public Abattoir.
6. Justices of the Peace Duties' Bill; to be further considered in Committee.
7. Distillation Bill; third reading.
8. Consideration of Governor's Message, No. 35, proposing amendments in Lien on Wool and Mortgages on Stock Bill.
9. Consideration of Governor's Message, No. 36, with Police Bill.
10. Sydney Corporation Bill Reported (2^d); Adoption of the Report.
11. Sydney Public Abattoir Bill; to be further considered in Committee.
12. Marriage Confirmation Bill; third reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WENTWORTH to move for leave to bring in a Bill declaratory of the right of licensed occupants of Crown Lands to impound cattle, and other animals, trespassing thereon.
2. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to represent to Her Most Gracious Majesty the necessity for endowing the Corporation of the City of Sydney with certain Crown Lands, known as Grose Farm, in the vicinity of the City of Sydney, and to urge upon Her Majesty the expediency of authorising such endowment with the least possible delay.

ORDERS OF THE DAY :—

1. Russell's Nepean Bridge Bill; third reading.
2. Auction Duties abolition Bill; third reading.

THURSDAY, SEPTEMBER 26.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Dower Bill; third reading.
2. Steam Navigation Bill; third reading.

FRIDAY, SEPTEMBER 27.

NOTICES OF MOTION :—

Contingent.—MR. MARTIN to move, as an amendment, (*on the resumption of the Debate on Mr. Lamb's motion on Transportation*;) the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely :— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows :—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions :—

(1.)

- (1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.
- (2.) That no female convict be transported to this Colony.
- (3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.
- (4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.
- (5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.
- (6.) That there shall be no assignment of convicts to private service.
- (7.) That there shall never be more than three hundred convicts at one time in any barrack, depot, or other place in the City of Sydney.
- (8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.
- (9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.
- (10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.
- (11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.
- (12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.
- (13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.
- (14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.
- (15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.
- (16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.
- (17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.
- (18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.
- (19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.
- (20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.
- (21.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.
- (22.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration

in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

Contingent.—MR. JAMES MACARTHUR to move, (as an amendment upon Mr. Lamb's motion, That there be added after the word "delay," at the end, the words following:— That this Council—having had under consideration the Message from His Excellency the Governor, bearing date the 11th June, 1850, together with the Votes and Proceedings of this Council, and the various Despatches and Official Documents, on the subject of the resumption of Transportation, and having maturely deliberated upon the whole question—Resolves—

(4.) That while it is the deliberate opinion of this Council that the best interests of the whole Australian group of Colonies would be promoted by the Cessation of Transportation to any portion of them, this Council sees reason to fear, from recent Debates in Parliament, as well as from a provision introduced into the Bill for the Government of the Australian Colonies, that in the event of this Council adhering to its determination not to admit under any conditions the deported Criminals of United Kingdom, it is contemplated by the Imperial Authorities to dismember the Districts situated north of the thirtieth degree of south latitude, and to continue Transportation to that portion of this Colony, while it will also be continued simultaneously to Van Diemen's Land.

(5.) That any such dismemberment of this Colony would involve a violation of the promise contained in the Despatch No. 174, dated 16th November, 1849, from the Right Honorable Earl Grey to His Excellency Sir Charles Augustus Fitz Roy, not to send Convicts to New South Wales, should the opinion of the Colonists, as expressed by the Legislature, continue adverse to that measure, while the continuation of Transportation to Van Diemen's Land is likewise in violation of the solemn engagements entered into with that Colony, through His Excellency Sir William Denison, in the year 1847.

(6.) That the necessary consequence of such measures, if persisted in by the Imperial Government, would be to subject the whole of the Australian Group, and more especially this Colony, to an influx of Criminals—many of them prematurely manumitted, hardened, and incorrigible—thereby relieving the Imperial Treasury from the cost of their maintenance and coercion, and throwing that cost most unfairly, and without any countervailing advantage or mitigating influence whatever, upon those Colonies; while, as regards New South Wales in particular, the obvious result would be nominally to rescind the Order in Council which now authorises the deportation of Criminals from the United Kingdom to its shores, but in effect to make this Colony, despite its protest, and against its will, the great receptacle for the crime of the empire.

(7.) That this Council, therefore, solemnly protests against any dismemberment of the Northern Districts of this Colony, and against the continuance of a course of policy which it feels to be unjust, pernicious, and in every way indefensible; and declares, as its deliberate opinion, that if the state of society in the Mother Country, and a due regard to her own safety, forbid that she should retain, within her own bosom, the criminals whom her law now subjects to transportation, it is her bounden duty, as a christian nation, to found some City of refuge for these unhappy outcasts from her social system, if on this Continent, so remote from the several Colonies of the Australian group, and under such stringent and salutary regulations, as to preclude their ingress into any of those Colonies without the express concurrence and consent of the several Colonial Legislatures.

(8.) That the foregoing Resolutions be embodied in Addresses to the two Houses of Parliament, and that the Address to the House of Lords be transmitted for presentation by

and that to the House of Commons, by

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely:—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible "delay."

CHARLES NICHOLSON,
Speaker.

310.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 25 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Disputed Boundaries' Fees:—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Donaldson on the 20th August last.
Ordered to be printed.
2. Transportation :—The following Petitions presented against the resumption of Transportation :—
(1.) By Mr. Lamb, from certain Inhabitants of the Town of Wollongong and District of Illawarra.
Petition received.
(2.) By Mr. Cooper, from certain Inhabitants of Shoalhaven River, in the Counties of St. Vincent and Camden.
Petition received.
(3.) By Mr. Bowman, from certain Inhabitants of the Windsor District.
Petition received.
(4.) By Mr. Nichols, from certain Inhabitants of the District of Maitland and neighbourhood, in public meeting assembled.
Petition received.
(5.) By Dr. Lang, from certain Inhabitants of the Town and District of Dungog, in public meeting assembled.
Petition received.
(6.) By Dr. Lang, from certain Inhabitants of the District of Murrurundi.
Petition received.
(7.) By Mr. Suttor, from certain Inhabitants of the Town and District of Mudgee.
Petition received.
(8.) By Mr. Macintyre, from certain Inhabitants of the District of Muswellbrook and Merton.
Petition received.
3. Privileges of the House :—Mr. Wentworth, on behalf of the Select Committee appointed on the 7th June last to inquire into and report upon this subject, brought up the Report, Ordered to be printed.
4. Postponement :—The third reading of the Sewerage Bill postponed, on motion of the Colonial Secretary, until to-morrow.
5. Appropriation Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Treasurer, read a third time, and *passed*.
The Colonial Treasurer then moved, That the following be the title of the Bill, viz. :—
" An Act for applying certain sums arising from the Revenue receivable in New South Wales to the service thereof, for the year one thousand eight hundred and fifty-one, and for further appropriating the said Revenue."
Question put and passed.
6. Benevolent Society's Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. James Macarthur, read a third time, and *passed*.
Mr. James Macarthur then moved, That the following be the title of the Bill, viz. —
" An Act to enable the Trustees of the Benevolent Society at Sydney, to sell and dispose of certain lands, and to apply the proceeds in and towards the erection of additional buildings."
Question put and passed.
7. Medical Witnesses' Bill :—The Governor's Message No. 87, received with this Bill on the 19th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, " A Bill to reduce the fees now payable to Medical Witnesses at Coroner's Inquests and Inquiries held by Justices of the Peace," read a first time, and ordered to be read a second time to-morrow.

8. Sydney Public Abattoir :—The Governor's Message, No. 38, received on this subject, on the 19th instant, having been read, on motion of the Colonial Secretary,—
The Colonial Secretary moved, That this Council having taken into consideration the Message of His Excellency the Governor, dated 19th September, 1850, No. 38, Resolves :—
(1.) That it is expedient to undertake the erection of a Public Abattoir for the City of Sydney, upon the scale and subject to the conditions therein mentioned.
(2.) That pending the sale of the site of the present Cattle Market in Sydney, and the application of the proceeds, under the sanction of Her Majesty's Government, to the purposes of the proposed Abattoir, as explained in His Excellency's Message, there is no objection to advances being made for this purpose from the General Revenue, to the extent of three thousand pounds, in order that no delay may take place in the commencement of the work.
(3.) That the foregoing Resolutions be embodied in an Address to His Excellency the Governor.
Debate ensued.
Question put and passed.
Address to be presented by the Speaker.
9. Justices of the Peace Duties Bill :—On motion of the Attorney General, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.
The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for to-morrow
10. Distillation Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.
The Colonial Secretary then moved, That the following be the title of the Bill, viz.,
" *An Act to amend the Law with respect to the distillation and exportation of spirits distilled in the Colony of New South Wales.*"
Question put and passed.
11. Lien on Wool and Mortgages on Stock Bill :—The Governor's Message No. 35 received on the 18th instant, proposing amendments in this Bill, having been read, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported that the Committee had agreed to the amendments proposed by His Excellency the Governor,—
The Colonial Secretary moved, That this Council do now adopt the amendments so agreed to.
Question put and passed.
The Colonial Secretary then moved, That the Bill, with the amendments so agreed to, be again presented to His Excellency the Governor for the Royal Assent, accompanied by the following Message, to be presented by the Speaker :—
" *Message from the Legislative Council to His Excellency the Governor, in answer to certain amendments proposed by His Excellency to be made in a Bill presented to His Excellency for Her Majesty's Assent, intituled, ' A Bill to continue for three years from the thirty-first day of December next, and from thence until the end of the next Session of the Legislative Council an Act, intituled, ' An Act to give a preferable Lien on Wool from Season to Season, and to make Mortgages of Sheep, Cattle, and Horses, valid without delivery to the Mortgagee, and to substitute for a limited time other provisions in lieu thereof ' "*"
" Agreeably to the provisions of the 30th Clause of the Act for the Government of New South Wales, 5th and 6th Victoria, chap. 76, the Legislative Council have taken into consideration certain amendments proposed to the Council, to be made in the said Bill, by His Excellency the Governor; in his Message No. 35, of the 18th instant, and having agreed to the same beg to present the said Bill to His Excellency for Her Majesty's Assent, with the said amendments so agreed to.
Question put and passed.
12. Police Bill :—The Governor's Message No. 36, received with this Bill on the 18th instant, having been read, on motion of the Colonial Secretary, the accompanying Bill, intituled, " *A Bill for the regulation of the Police Force in New South Wales,*" read a first time, and ordered to be read a second time to-morrow.
13. Sydney Corporation Bill Reported (2) :—The Colonial Secretary moved, " That " the Report of this Bill from the Committee of the whole Council be now adopted.
The Attorney General moved, as an amendment, That all the words following the word " That " be omitted, with a view to the insertion in their place of the words " the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of Clauses XXIII, XLVIII, and LIII of this Bill."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question stated,—That the words proposed to be inserted in place of the words omitted be so inserted,—
Mr. Nichols moved, as an amendment, pursuant to *contingent* notice, That there be inserted before the figures " XXIII " the figures " IX."
Debate ensued.

Question put,—That the proposed amendment be so amended.
Council divided.

Ayes, 3.

Dr. Lang,
Mr. Cooper,
Mr. Nichols, (Teller.)

Noes, 14.

Mr. Berry,
The Colonial Treasurer,
Mr. Donaldson,
Mr. Allen,
Mr. James Macarthur,
The Collector of Customs,
Mr. Bowman,
The Auditor General,
Mr. Suttor,
The Attorney General,
Mr. Parker,
The Colonial Secretary,
Mr. Wentworth,
Mr. Martin, (Teller.)

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

Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of Clauses XXIII, XLVIII, and LIII, of this Bill,—put and passed,—

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

The Chairman having reported the Bill with further amendments, The Colonial Secretary moved, That the Report be "now" adopted.

Mr. Nichols moved as an amendment, That the word "now" be omitted with a view to add at the end of the Question the words "this day six months."

Debate ensued.

Proposed amendment by leave withdrawn.

Original Question put and passed.

The Colonial Secretary then moved, That the Bill be engrossed, and read a third time to-morrow, taking precedence of the Sewerage Bill.

Question put and passed.

- 14. Sydney Public Abattoir Bill:—On motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the further consideration of this Bill.

The Chairman having reported the Bill with amendments, the Council ordered the adoption of the Report to stand an Order of the Day for to-morrow.

- 15. Marriage Confirmation Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill,—The Attorney General moved, That the Bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time.

The Attorney General then moved, That the Bill do now pass.

Question put and passed.

The Attorney General then moved, That the following be the title of the Bill, viz.:—
"An Act for the Confirmation of certain Marriages in the Colony of New South Wales."

Question put and passed.

- 16. Impounding Bill:—Mr. Wentworth moved, pursuant to notice, for leave to bring in a Bill declaratory of the right of licensed occupants of Crown Lands to impound cattle and other animals trespassing thereon.

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

- 17. Postponement:—Mr. Nichols postponed the motion standing in his name second on the Notice Paper of Other Business for to-day, until to-morrow.

- 18. Impounding Bill:—Mr. Wentworth having presented this Bill, Bill, intituled, "A Bill to declare the right of licensed occupants of Crown Lands to impound cattle and other animals trespassing thereon," read a first time; ordered to be printed, and read a second time to-morrow.

- 19. Russell's Nepean Bridge Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Wentworth, read a third time, and passed.

Mr. Wentworth then moved, That the following be the title of the Bill, viz.:—
"An Act to enable William Russell, Esquire, of Regentville, in the County of Cumberland, to erect and maintain a Bridge over the River Nepean, near the Town of Penrith, and to take Toll thereat for a term of years, and for other purposes therein mentioned."

Question put and passed.

- 20. Auction Duties' abolition Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Donaldson, read a third time, and passed.

Mr. Donaldson then moved, That the following be the title of the Bill, viz.:—
"An Act to exempt from Duties all Sales by Auction of Colonial Produce, and Sheep, Cattle, and Horses."

Question put and passed.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 26.

Contingent.—Dr. Lang to move the following Resolutions (*on the motion for the third reading of the Sewerage Bill for the City of Sydney*):—

- (1.) That it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
- (2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
- (3.) That an Address, embodying those Resolutions, be presented to His Excellency the Governor.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to amend, in certain particulars, the Act passed for the better preservation of Intestate Estates.
2. THE COLLECTOR OF CUSTOMS to move, That the outward Pilotage Bill be now read a second time.

ORDERS OF THE DAY :—

1. Sydney Corporation Bill ; third reading.
2. Sewerage Bill ; third reading.
3. Medical Witnesses Bill ; second reading.
4. Justices of the Peace Duties' Bill Reported ; Adoption of the Report.
5. Police Bill ; second reading.
6. Sydney Public Abattoir Bill Reported ; Adoption of the Report.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MARTIN to move, That inasmuch as the proceedings of this House have been continually and systematically misrepresented by the only daily Journal in Sydney, and it is desirable that an accurate report of the Debate on Transportation should be published, this House resolves, that its own Reporters only be admitted to the Reporters' Gallery during that Debate.
2. MR. NICHOLS to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to represent to Her Most Gracious Majesty the necessity for endowing the Corporation of the City of Sydney with certain Crown Lands, known as Grose Farm, in the vicinity of the City of Sydney, and to urge upon Her Majesty the expediency of authorising such endowment with the least possible delay.

ORDERS OF THE DAY :—

1. Dower Bill ; third reading.
2. Steam Navigation Bill ; third reading.
3. Impounding Bill ; second reading.

FRIDAY, SEPTEMBER 27.

NOTICES OF MOTION :—

Contingent.—MR. MARTIN to move, as an amendment, (*on the resumption of the Debate on Mr. Lamb's motion on Transportation*), the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely :— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows :—

- (1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions :—
 - (1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.
 - (2.) That no female convict be transported to this Colony.
 - (3.) That no male convict above the age of thirty-five years be transported to this Colony ; nor any convict for a period longer than seven years.
 - (4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.
 - (5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time

more

more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.

(6.) That there shall be no assignment of convicts to private service.

(7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.

(8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.

(9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.

(10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.

(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

Contingent

Contingent.—MR. JAMES MACARTHUR to move, (as an amendment upon Mr. Lamb's motion, That there be added after the word "delay," at the end, the words following:— That this Council—having had under consideration the Message from His Excellency the Governor, bearing date the 11th June, 1850, together with the Votes and Proceedings of this Council, and the various Despatches and Official Documents, on the subject of the resumption of Transportation, and having maturely deliberated upon the whole question—Resolves—

(4.) That while it is the deliberate opinion of this Council that the best interests of the whole Australian group of Colonies would be promoted by the Cessation of Transportation to any portion of them, this Council sees reason to fear, from recent Debates in Parliament, as well as from a provision introduced into the Bill for the Government of the Australian Colonies, that in the event of this Council adhering to its determination not to admit under any conditions the deported Criminals of United Kingdom, it is contemplated by the Imperial Authorities to dismember the Districts situated north of the thirtieth degree of south latitude, and to continue Transportation to that portion of this Colony, while it will also be continued simultaneously to Van Diemen's Land.

(5.) That any such dismemberment of this Colony would involve a violation of the promise contained in the Despatch No. 174, dated 16th November, 1849, from the Right Honorable Earl Grey to His Excellency Sir Charles Augustus Fitz Roy, not to send Convicts to New South Wales, should the opinion of the Colonists, as expressed by the Legislature, continue adverse to that measure, while the continuation of Transportation to Van Diemen's Land is likewise in violation of the solemn engagements entered into with that Colony, through His Excellency Sir William Denison, in the year 1847.

(6.) That the necessary consequence of such measures, if persisted in by the Imperial Government, would be to subject the whole of the Australian Group, and more especially this Colony, to an influx of Criminals—many of them prematurely manumitted, hardened, and incorrigible—thereby relieving the Imperial Treasury from the cost of their maintenance and coercion, and throwing that cost most unfairly, and without any countervailing advantage or mitigating influence whatever, upon those Colonies; while, as regards New South Wales in particular, the obvious result would be nominally to rescind the Order in Council which now authorises the deportation of Criminals from the United Kingdom to its shores, but in effect to make this Colony, despite its protest, and against its will, the great receptacle for the crime of the empire.

(7.) That this Council, therefore, solemnly protests against any dismemberment of the Northern Districts of this Colony, and against the continuance of a course of policy which it feels to be unjust, pernicious, and in every way indefensible; and declares, as its deliberate opinion, that if the state of society in the Mother Country, and a due regard to her own safety, forbid that she should retain, within her own bosom, the criminals whom her law now subjects to transportation, it is her bounden duty, as a christian nation, to found some City of refuge for these unhappy outcasts from her social system, if on this Continent, so remote from the several Colonies of the Australian group, and under such stringent and salutary regulations, as to preclude their ingress into any of those Colonies without the express concurrence and consent of the several Colonial Legislatures.

(8.) That the foregoing Resolutions be embodied in Addresses to the two Houses of Parliament, and that the Address to the House of Lords be transmitted for presentation by
and that to the House of Commons, by

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely:—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible "delay."

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 26 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Transportation :—The following Petitions presented against the resumption of Transportation :—
 - (1.) By Mr. Lamb, from certain Inhabitants of the Town and District of Goulburn.
Petition received.
 - (2.) By Mr. Lamb, from certain Magistrates, Landowners, and others residing in the District of Hartley.
Petition received.
 - (3.) By Mr. Lamb, from certain Inhabitants of the Town and neighbourhood of Kiama, in the District of Illawarra.
Petition received.
 - (4.) By Mr. Lamb, from certain large employers of labour in the City of Sydney and vicinity.
Petition received.
 - (5.) By Dr. Lang, from the Minister, Elders, and other members of the Congregation of the Scots Church, Goulburn.
Petition received.
 - (6.) By Dr. Lang, from the Minister, Members, and Congregation, worshipping at the Baptist Chapel, Bathurst-street, Sydney.
Petition received.
 - (7.) By Mr. Suttor, from certain Inhabitants of the Township and District of Bathurst.
Petition received.
 - (8.) By Mr. Suttor, from certain Inhabitants of the Township and District of Carcoar.
Petition received.
 - (9.) By Mr. Macintyre, from certain Inhabitants of Scone and the surrounding neighbourhood, in public meeting assembled.
Petition received.
 - (10.) By Mr. Nichols, from certain Inhabitants of the Town of Singleton, and District of Patrick's Plains.
Petition received.
 - (11.) By Mr. Lamb, from certain Inhabitants of the Town of Balmain, in the County of Cumberland.
Petition received.
 - (12.) By Mr. Lamb, from certain Inhabitants of the Town of Canterbury, at Cook's River, in the County of Cumberland.
Petition received.
 - (13.) By Dr. Lang, from certain Inhabitants of the Colony.
Petition received.
 - (14.) By Mr. Lamb, from certain Female Inhabitants of the City of Sydney.
Petition received.
 - (15.) By Mr. Cooper, from certain Inhabitants of the District of Braidwood.
Petition received.
2. Transportation :—The following Petitions presented in favor of the resumption of Transportation in a modified form :—
 - (1.) By Mr. Suttor, from certain Inhabitants of the Counties of Roxburgh and Wellington.
Petition received.
 - (2.) By Mr. Darvall, from certain Inhabitants of the Town and District of Parramatta.
Petition received.
 - (3.) By Mr. Darvall, from certain Inhabitants of the District of Bathurst.
Petition received.
3. Medical Witnesses' Bill :—Mr. Nichols presented a Petition from certain legally qualified Medical Practitioners, residing in Sydney, praying that while provision be made for the public benefit, impartial justice may be done to the profession of which Petitioners are members, in the progress of this Bill through the House.
Petition received.

4. Sydney Public Abattoir Bill :—Mr. Wentworth presented a Petition from Moses Joseph, of George-street, Sydney, praying the re-committal of this Bill, with a view to the introduction of a clause for protection of Petitioner from certain injuries which he will otherwise sustain by the operation of this Bill.
Petition received.
5. Pilots' Duties :—Mr. Nichols, as Chairman, brought up the Report, and laid upon the Table the Evidence taken before the Select Committee appointed to inquire into and report upon this subject on the 13th June last.
Ordered to be printed.
6. Intestate Estates Bill :—The Attorney General moved, pursuant to notice, for leave to bring in a Bill to amend, in certain particulars, the Act passed for the better preservation of Intestate Estates.
Question put and passed;— *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
7. Outward Pilotage Bill, having been read a second time, on motion of the Collector of Customs, pursuant to notice, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for the consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time to-morrow.
8. Sydney Corporation Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, That the following be the title of the Bill, viz., "*An Act to provide for the regulation of the Corporation of the City of Sydney.*"
Question put and passed.
9. Sewerage Bill :—On the Order of the Day for the third reading of this Bill being read,—
Dr. Lang moved, pursuant to *contingent* notice,—
(1.) "That" it is neither just nor necessary to subject the Citizens of Sydney to additional taxation of any description for the construction of such Public Works as may be indispensably necessary for the health and comfort of the Inhabitants generally, until a comparatively large amount shall have been expended previously for that purpose from the Land Fund of the Colony—partly in consideration of the large sums that have been contributed to that fund from the sale of Town Allotments and Suburban Allotments in Sydney and its vicinity, and partly from the serious burdens that Immigration into the Colony generally, has hitherto entailed on the Citizens of Sydney in particular.
(2.) That in such circumstances it is just and necessary that Debentures should be issued from time to time by the Executive, on the security of the Land Fund, to raise the requisite amount for the construction of such Public Works in the City of Sydney, to the extent of, at least, one hundred thousand pounds, previous to the imposition of any additional taxation for such purposes on the Inhabitants.
(3.) That an Address, embodying these Resolutions, be presented to His Excellency the Governor.
Debate ensued.
Mr. Nichols moved, as an amendment, That all the words following the word "That" be omitted, with a view to the insertion in their place of the words "an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to represent to Her most Gracious Majesty, the necessity for endowing the Corporation of the City of Sydney with certain Crown Lands to the value of £100,000, and to urge upon Her Majesty the expediency of authorising such endowment with the least possible delay."
Question—That the words proposed to be omitted stand part of the Question—put and negatived.
Question put,—That the words proposed to be inserted in place of the words omitted be so inserted,—
Council divided.

Ayes, 8.

- Mr. Cooper,
- Mr. Wentworth,
- Mr. Nichols,
- Mr. Martin,
- Mr. Suttor,
- Dr. Dickson,
- Dr. Lang,
- Mr. Allen, (Teller.)

Noes, 10.

- Captain King,
- Mr. Donaldson,
- The Auditor General,
- Mr. Bowman,
- The Colonial Secretary,
- The Attorney General,
- Mr. Parker,
- Mr. Dangar,
- The Collector of Customs,
- The Colonial Treasurer, (Teller.)

The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—"*An Act for the better sewerage, cleansing, and draining of the City of Sydney, and to promote the health of the Inhabitants thereof.*"
Question put and passed.

10. Medical Witnesses Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill without amendment, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time to-morrow.
 11. *Justices of the Peace Duties Bill Reported*:—The Council having adopted the Report of this Bill from the Committee of the whole Council, on motion of the Attorney General, ordered the Bill, as so reported, to be engrossed, and read a third time to-morrow.
 12. Police Bill, having been read a second time, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time to-morrow.
 13. Sydney Public Abattoir Bill Reported:—The Colonial Secretary moved, "That" the Council do now adopt the Report of this Bill from the Committee of the whole Council.
Mr. Nichols moved, as an amendment, That all the words following the word "That" be omitted, with a view to insert in their place the words "the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of Clause I of this Bill."
Question,—That the words proposed to be omitted stand part of the Question,—put and negatived.
Question,—That the words proposed to be inserted in place of the words omitted be so inserted,—put and passed.
Question,—That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole for the further consideration of Clause I of this Bill,—put and passed,—
Whereupon the Speaker left the Chair, and the Council resolved itself into a Committee of the whole accordingly.
The Chairman having reported the Bill with further amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time to-morrow.
 14. Reporting the Debates:—Mr. Martin moved, pursuant to notice, That inasmuch as the proceedings of this House have been continually and systematically misrepresented by the only daily Journal in Sydney, and it is desirable that an accurate report of the Debate on Transportation should be published, this House resolves, that its own Reporters only be admitted to the Reporters' Gallery during that Debate.
Debate ensued.
Motion by leave withdrawn.
 15. Motion withdrawn:—Mr. Nichols withdraw the motion standing in his name second on the Notice Paper of Other Business for to-day, as having been already disposed of.
 16. Dower Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Wentworth read a third time, and passed.
Mr. Wentworth then moved, That the following be the title of the Bill, viz:—"An Act to amend the Law of Dower in certain respects."
Question put and passed.
 17. Steam Navigation Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of Mr. Nichols, read a third time, and passed.
Mr. Nichols then moved, That the following be the title of the Bill, viz., "An Act to extend the provisions of an Act passed in the eleventh year of the reign of Her present Majesty, intituled, 'An Act for the regulation of Steam Navigation, and for requiring sea-going vessels to carry boats, to all Steam Vessels.'
Question put and passed.
 18. Impounding Bill, having been read a second time, on motion of Mr. Wentworth, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with amendments, the Council adopted the same, and ordered the Bill, as so reported, to be engrossed, and read a third time to-morrow.
Council adjourned at a quarter before Ten o'clock, until to-morrow at Three o'clock.
- MEMO.—An understanding was come to that the third readings of Bills should take precedence of the Resumption of the adjourned Debate on Mr. Lamb's motion against the Resumption of Transportation to-morrow.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 27.

NOTICES OF MOTION :—

Contingent.—MR. MARTIN to move, as an amendment, (*on the resumption of the Debate on Mr. Lamb's motion on Transportation*), the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely:— This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows:—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions:—

(1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.

(2.) That no female convict be transported to this Colony.

(3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.

(4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.

(5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.

(6.) That there shall be no assignment of convicts to private service.

(7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.

(8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.

(9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.

(10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.

(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be Convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by Convicts at Stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.)

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disentitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies; through His Excellency the Governor.

Contingent.—MR. JAMES MACARTHUR to move, (as an amendment upon Mr. Lamb's motion, That there be added after the word "delay," at the end, the words following:— That this Council—having had under consideration the Message from His Excellency the Governor, bearing date the 11th June, 1850, together with the Votes and Proceedings of this Council, and the various Despatches and Official Documents, on the subject of the resumption of Transportation, and having maturely deliberated upon the whole question—Resolves—

(4.) That while it is the deliberate opinion of this Council that the best interests of the whole Australian group of Colonies would be promoted by the Cessation of Transportation to any portion of them, this Council sees reason to fear, from recent Debates in Parliament, as well as from a provision introduced into the Bill for the Government of the Australian Colonies, that in the event of this Council adhering to its determination not to admit under any conditions the deported Criminals of United Kingdom, it is contemplated by the Imperial Authorities to dismember the Districts situated north of the thirtieth degree of south latitude, and to continue Transportation to that portion of this Colony, while it will also be continued simultaneously to Van Diemen's Land.

(5.) That any such dismemberment of this Colony would involve a violation of the promise contained in the Despatch No. 174, dated 10th November, 1849, from the Right Honorable Earl Grey to His Excellency Sir Charles Augustus Fitz Roy, not to send Convicts to New South Wales, should the opinion of the Colonists, as expressed by the Legislature, continue adverse to that measure, while the continuation of Transportation to Van Diemen's Land is likewise in violation of the solemn engagements entered into with that Colony, through His Excellency Sir William Denison, in the year 1847.

(6.) That the necessary consequence of such measures, if persisted in by the Imperial Government; would be to subject the whole of the Australian Group, and more especially this Colony, to an influx of Criminals—many of them prematurely manumitted, hardened, and incorrigible—thereby relieving the Imperial Treasury from the cost of their maintenance and coercion, and throwing that cost most unfairly, and without any countervailing advantage or mitigating influence whatever, upon those Colonies; while, as regards New South Wales in particular, the obvious result would be nominally to rescind the Order in Council which now authorises the deportation of Criminals from the United Kingdom to its shores, but in effect to make this Colony, despite its protest, and against its will, the great receptacle for the crime of the empire.

(7.) That this Council, therefore; solemnly protests against any dismemberment of the Northern Districts of this Colony, and against the continuance of a course of policy which it feels to be unjust, pernicious, and in every way indefensible; and declares, as its deliberate opinion, that if the state of society in the Mother Country, and a due regard to her own safety, forbid that she should retain, within her own bosom, the criminals whom her law now subjects to transportation, it is her bounden duty, as a christian nation, to found some City of refuge for these unhappy outcasts from her social system, if on this Continent, so remote from the several Colonies of the Australian group, and under such stringent and salutary regulations, as to preclude their ingress into any of those Colonies without the express concurrence and consent of the several Colonial Legislatures.

(8.) That the foregoing Resolutions be embodied in Addresses to the two Houses of Parliament, and that the Address to the House of Lords be transmitted for presentation by
and that to the House of Commons, by

Contingent—

Contingent—MR. PARKER to move, (on the resumption of the adjourned Debate on Mr. Lamb's motion against the resumption of Transportation,) that there be interposed between Mr. Lamb's second and third Resolutions, the following :—

(3.) That this Council solemnly protests against the adoption of any measure for the dismemberment of any part of New South Wales Proper, lying between the 26th degree of south latitude, and the boundary of the Port Phillip District, (as defined in the present Constitution Act, 5th and 6th Victoria, c. 76,) for the formation of a Penal Settlement, or for any other purpose.

(4.) That the apparently contemplated separation from this Colony of the Districts of Moreton Bay and the Clarence River, for the purpose of their annexation to a new Colony, to be founded to the northward, would be a grievous injustice on the inhabitants of New South Wales, who have founded and established these districts, by large drafts from the population, capital, and stock of that Colony,—thus giving value to the waste lands of those districts, upon the security of which, in common with the lands of other parts of New South Wales, a considerable debt has been contracted for the purposes of Immigration, in the benefits of which, the northern districts have largely participated.

(5.) That the formation of these Districts into a Penal Settlement, for the reception of British criminals, would be a violation of the pledge given by Earl Grey, that none would be sent to *any part* of New South Wales, contrary to the wishes of the Colonists, as expressed by the Legislature.

(6.) That if the exigencies of the Parent State should require that a Penal Settlement be formed in the unoccupied portions of this Territory, beyond the boundaries of New South Wales Proper, it is only just that sufficient Civil and Military Establishments should be maintained at the expense of the British Treasury, for the proper management, coercion, and control, of the convicts transported thither, so as to prevent them from becoming in any way injurious to the neighbouring Colonies.

(7.) That the result of all former experience shews it to be absolutely necessary, in order to render a Penal Establishment conducive to the reformation of the criminals sent thither, and to prevent the demoralization of the general population, that there should be conveyed, at the same time with such criminals, double the number, at least, of free persons, in equal proportions of the sexes; and that if this be necessary in a country already occupied by free Colonists, it will become doubly so in one where the free population will form in the first instance so small a proportion to the bond.

(8.) That it is only just, that all persons originally transported from the United Kingdom, who may be convicted of any transportable offence in any Colony other than that in which they have served their sentences, and which may thus have benefitted by their labor, should be transported to some Penal Settlement of the British Crown, and maintained there during their servitude, at the expense of the British Treasury.

1. THE ATTORNEY GENERAL to move for leave to bring in a Bill to amend an Act to consolidate and amend the laws relative to Jurors and Juries in New South Wales.

ORDERS OF THE DAY :—

1. Outward Pilotage Bill; third reading.
2. Medical Witnesses Bill; third reading.
3. Justices of the Peace Duties' Bill; third reading.
4. Police Bill; third reading.
5. Sydney Public Abattoir Bill; third reading.
6. Impounding Bill; third reading.
7. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely :—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible "delay."

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 27 SEPTEMBER, 1850.

- 1. Council met pursuant to adjournment; the Spcaker took the Chair.
Cruclyty to Animals Bill :—The following Message from His Excellency the Governor received and read :—

CH^s. A. FITZ ROY,
Governor.

Message No. 39.

Agrecably to the provisions of the 30th clause of the Act for the Government of New South Wales and Van Diemen's Land, the Governor has to propose the following amendments in the Act which has been passed by the Council, and presented to His Excellency for the Royal Assent, intituled "*A Bill for the more effectual prevention of Cruelty to Animals.*"

2. The amendments which His Excellency proposes are, that in the sixth line of Clause IV the word "subsequent" should be omitted, and that in the seventh line of Clause IX the words "and of such tender of expenses" should be inserted immediately after the word "witness."

Government House, Sydney,
27th September, 1850.

Ordered to be printed, and taken into consideration on Tuesday next.

- 2. Medical Witnesses Bill :—The Attorney General presented a Petition from certain legally qualified Medical Practitioners of the Colony of New South Wales, praying that this Bill may be postponed until next Session, with a view that the opinions of the Medical Body may be made known to the House.
Petition received.

- 3. Sydney Town and Suburban Lands :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Dr. Lang on the 13th August last.

Ordered to be printed.

- 4. Campbelltown Road Trust :—The Colonial Secretary laid upon the Table the Accounts of this Trust for the half-year ended 30th June, 1850.

Ordered to be printed.

- 5. Boundary Commissioners :—The Colonial Secretary laid upon the Table the Return to the Address in reference to these officers, adopted on motion of Mr. Wentworth on the 16th July last.

Ordered to be printed.

- 6. Transportation :—The following Petitions presented against the resumption of Transportation :—

(1.) By Mr. Lamb, from certain Clergymen of the United Church of England and Ireland.
Petition received.

(2.) By Mr. Bowman, from certain Inhabitants of the District of Windsor.
Petition received.

(3.) By Mr. Lamb, from certain Clergymen of the United Church of England and Ireland.
Petition received.

(4.) By Dr. Dickson, from certain Colonists of Port Phillip in public meeting assembled.
Petition received.

(5.) By Mr. Lamb, from certain Female Inhabitants of the City of Sydney.
Petition received.

(6.) By Mr. Byrnes, from certain Inhabitants of the Borough and Police District of Liverpool.
Petition received.

(7.) By Mr. Oakes, from certain Inhabitants of the Town and District of Parramatta.
Petition received.

Petition received.

- (8.) By Mr. Murray, from certain Freeholders and other Inhabitants of the Queanbeyan District in public meeting assembled.
Petition received.
- (9.) By Dr. Lang, from certain Inhabitants of Brisbane and Ipswich, and Districts adjacent thereto, commonly known as the District of Moreton Bay.
Petition received.
- (10.) By Dr. Lang, from certain Inhabitants of the Colony.
Petition received.
7. Transportation :—The following Petitions presented in favor of the resumption of Transportation in a modified form :—
- (1.) By Mr. James Macarthur, from certain landed proprietors and other residents of the District of Illawarra.
Petition received.
- (2.) By Mr. Dangar, from certain Landholders and others of Singleton, and vicinity.
Petition received.
8. Sydney Public Abattoir Bill :—The following Petitions presented in reference to this Bill.
- (1.) By Mr. Nichols, from John Inches, of Annandale, gentleman, praying compensation in event of this Bill passing.
Petition received.
- (2.) By Mr. Nichols, from Thomas May, John Neale, and J. K. Cleeve, with a like prayer.
Petition received.
9. Assent to Bill :—The Speaker reported, That His Excellency the Governor had been pleased to give the Royal Assent to the following Bill, viz. :—
- (1.) Bank of New South Wales Bill.
10. Proposed Suspension of Standing Orders :—Mr. Suttor moved, That the first and forty-fifth sections of the Standing Orders be suspended during the continuance of the Debate on Mr. Lamb's motion against the resumption of Transportation.
Debate ensued.
Motion by leave withdrawn.
11. Motion withdrawn :—The Attorney General withdrew the motion standing in his name on the Notice Paper for to-day.
12. Outward Pilotage Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and *passed*.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—
" *An Act for regulating payments to be made to Pilots on account of the detention of " Outward-bound Ships or Vessels.*"
Question put and passed.
13. Postponement :—The third reading of the Medical Witnesses Bill postponed, on motion of the Colonial Secretary, until Tuesday next.
14. Justice of the Peace Duties Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Attorney General, read a third time, and *passed*.
The Attorney General then moved, That the following be the title of the Bill, viz. :—
" *An Act to adopt and apply certain Acts of Parliament passed for facilitating the " performance of the Duties of Justices of the Peace, and for protecting them from " vexatious actions, and to prevent persons convicted of offences from taking undue " advantage of mere defects or errors in form.*"
Question put and passed.
15. Postponement :—The third reading of the Police Bill postponed, on motion of the Colonial Secretary, until Tuesday next.
16. Sydney Public Abattoir Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill,—
The Colonial Secretary moved, That the Bill be now read a third time.
Debate ensued.
Question put and passed.
Bill read a third time.
The Colonial Secretary then moved, That the Bill do now pass.
Debate ensued.
Question put and passed.
The Colonial Secretary then moved, That the following be the title of the Bill, viz. :—
" *An Act for the establishment of a Public Abattoir, or place for the Slaughtering of Cattle, for the City of Sydney.*"
Question put and passed.
17. Impounding Bill :—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill,
Mr. Wentworth moved, That the Bill be now read a third time.
Debate ensued.
Question put and passed.
Bill read a third time.
Mr. Wentworth then moved, That the Bill do now pass.
Question put and passed.
Mr. Wentworth then moved, That the following be the title of the Bill, viz. :—
" *An " Act declaratory of the right of Occupants of Crown Lands to impound cattle and " other animals found trespassing thereon.*"
Question put and passed.

18. Transportation :—The adjourned Debate on the motion of Mr. Lamb,—

- (1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts at its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.
- (2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June, 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.
- (3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible "delay"—resumed.

Mr. Martin moved, as an amendment, pursuant to *Contingent* Notice, That all the words following the word "That" be omitted, with a view to the insertion in their place of the words "this Council having duly considered the subject of the resumption of "Transportation from the Mother Country, deliberately and finally resolves as " follows :—

- " (1.) That this House is of opinion that such Transportation may be resumed with " great material and moral benefit, and no countervailing injury or disadvantage, if " conducted in the following manner, and subject to the following conditions :—
- " (1.) That no convict be transported to this Colony from any part of the British " Empire except the United Kingdom of Great Britain and Ireland.
- " (2.) That no female convict be transported to this Colony.
- " (3.) That no male convict above the age of thirty-five years be transported to " this Colony ; nor any convict for a period longer than seven years.
- " (4.) That no convict who has ever been found guilty of murder, manslaughter, " cutting and maiming, wounding or assaulting with intent to kill, wounding or " assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, " or any unnatural offence, shall be transported to this Colony.
- " (5.) That within three months from the resumption of such Transportation, one " entire regiment of the line at the least shall be stationed in this Colony, and that " during the continuance of such Transportation, if there should ever be at one " time more than five thousand convicts in the Colony, then there shall be stationed " in the Colony an additional military force, in the proportion of one entire regi- " ment of the line for each five thousand convicts, and that for ten years after the " discontinuance of Transportation, one entire regiment of the line shall be kept in " this Colony—all such military force to be maintained entirely by Imperial funds.
- " (6.) That there shall be no assignment of convicts to private service.
- " (7.) That there shall never be more than three hundred convicts at one time in " any barrack, depot, or other place in the City of Sydney.
- " (8.) That for two years at least all convicts shall be kept at work upon the public " roads and bridges, or other public works, in parties not exceeding two hundred in " number at any one place.
- " (9.) That at each such place there shall be erected a substantial stockade, with " separate and well secured cells, in which each convict shall be separately con- " fined at night.
- " (10.) That each stockade shall be under the charge of one Commissioned Officer " and a competent military guard, for whom proper quarters shall be provided.
- " (11.) That independently of such Commissioned Officer, whose duty it shall be " merely to look to the safe custody of the convicts, there shall be at each stockade " at least one respectable and educated man, of known humanity and character, " who shall have the direction and control of such convicts, and be called the " Superintendent.
- " (12.) That if at the expiration of two years after any convict shall have been " sent to any stockade, he obtain a certificate of good conduct from the Superin- " tendent, he shall be entitled to a ticket of leave, authorizing him to hire himself " anywhere beyond the boundaries of location.
- " (13.) That if any such ticket of leave holder, during the continuance of his " sentence, come within the boundaries, or misconduct himself in any way, in " violation of any local or Imperial Act, he shall be immediately sent to some " stockade, to be there retained for another twelve months, and until he get such " certificate as aforesaid, or until the expiration of his sentence, unless his offence " render him liable to some other punishment.
- " (14.) That no convict receive a free pardon remitting any portion of his sentence, " except on condition of his immediately leaving the Colony.
- " (15.) That for every five hundred convicts sent to this Colony, there shall be " maintained in the Colony, so long as there shall be convicts in the Colony, out of " Imperial Funds, at least two chaplains, with sufficient salaries ; and that it shall " be the duty of such chaplains to impart religious instruction to, and perform divine " service for the convicts at stockades.
- " (16.) That there shall be maintained out of Imperial Funds so long as there shall " be convicts in this Colony, at least three competent Civil Engineers to have the " general direction of the public works performed by Convicts at Stockades.

" (17.)

" (17.) That during the continuance of Transportation, and for ten years after its
 " discontinuance, there shall be paid out of Imperial Funds into the Colonial Treas-
 " sury, to be placed at the disposal of this House, or of any Legislative Body which
 " may hereafter be substituted for it, the sum of fifty thousand pounds, as a com-
 " pensation to this Colony for its increased Police and Gaol and other expenditure
 " consequent on the resumption of Transportation.

" (18.) That the cost of erecting Stockades, feeding, lodging, and clothing Convicts,
 " and all other expenses connected with their management or control, shall be borne
 " entirely by Imperial Funds.

" (19.) That at least two free statute adults in equal proportion as nearly as may be
 " as to sexes shall be sent to this Colony at the cost of Imperial Funds, for
 " each Convict transported hither.

" (20.) That the Local Legislature of this Colony shall have power to make such
 " regulations as it may deem expedient for the control and management of Convicts
 " in all particulars.

" (2.) That this House is of opinion, that although the foregoing conditions would
 " undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that bur-
 " then would be trifling compared with the saving which would accrue by the perma-
 " nent removal to a distant country of great numbers of persons who, if retained
 " in the United Kingdom, would all their lives be a constant source of anxiety and
 " expense to the nation.

" (3.) That in expressing the foregoing opinions, this House desires it to be distinctly
 " understood, that it cannot sanction with its approval the resumption of Transporta-
 " tion on any terms other than those above specified, in their entirety and without
 " alteration in any particular; and that such resumption of Transportation is in no
 " respect to be held as disentitling this Colony to the fullest possible amount of self-
 " government which any British Colony may rightfully and constitutionally demand.

" (4.) That inasmuch as the general opinion of the people of the District of Port
 " Phillip appears to be decidedly adverse to the resumption of Transportation in
 " any shape or under any terms, this House is of opinion that the Order in Council
 " declaring this Colony to be a place to which Convicts may be transported, should
 " be at once rescinded so far as that district is concerned.

" (5.) That a copy of these Resolutions be transmitted to the Secretary of State for
 " the Colonies, through His Excellency the Governor."

Debate continued.

Mr. James Macarthur moved that the Debate be adjourned until to-morrow.

Question put and passed.

Council adjourned at a quarter before Eleven o'clock, until to-morrow at Three
 o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

SATURDAY, SEPTEMBER 28.

Contingent.—MR. JAMES MACARTHUR to move, (as an amendment upon Mr. Lamb's motion,
 That there be added after the word "delay," at the end, the words following:—
 That this Council—having had under consideration the Message from His Excellency
 the Governor, bearing date the 11th June, 1850, together with the Votes and Pro-
 ceedings of this Council, and the various Despatches and Official Documents, on the
 subject of the resumption of Transportation, and having maturely deliberated upon
 the whole question—Resolves—

(4.) That while it is the deliberate opinion of this Council that the best interests of the
 whole Australian group of Colonies would be promoted by the Cessation of Transportation
 to any portion of them, this Council sees reason to fear, from recent Debates in Parlia-
 ment, as well as from a provision introduced into the Bill for the Government of the
 Australian Colonies, that in the event of this Council adhering to its determination
 not to admit under any conditions the deported Criminals of United Kingdom, it is
 contemplated by the Imperial Authorities to dismember the Districts situated north
 of the thirtieth degree of south latitude, and to continue Transportation to that portion
 of this Colony, while it will also be continued simultaneously to Van Diemen's Land.

(5.) That any such dismemberment of this Colony would involve a violation of the
 promise contained in the Despatch No. 174, dated 16th November, 1849, from the
 Right Honorable Earl Grey to His Excellency Sir Charles Augustus Fitz Roy, not to
 send Convicts to New South Wales, should the opinion of the Colonists, as expressed
 by the Legislature, continue adverse to that measure, while the continuation of Trans-
 portation to Van Diemen's Land is likewise in violation of the solemn engagements
 entered into with that Colony, through His Excellency Sir William Denison, in the
 year 1847.

(6.)

(6.) That the necessary consequence of such measures, if persisted in by the Imperial Government, would be to subject the whole of the Australian Group, and more especially this Colony, to an influx of Criminals—many of them prematurely manumitted, hardened, and incorrigible—thereby relieving the Imperial Treasury from the cost of their maintenance and coercion, and throwing that cost most unfairly, and without any countervailing advantage or mitigating influence whatever, upon those Colonies; while, as regards New South Wales in particular, the obvious result would be nominally to rescind the Order in Council which now authorises the deportation of Criminals from the United Kingdom to its shores, but in effect to make this Colony, despite its protest, and against its will, the great receptacle for the crime of the empire.

(7.) That this Council, therefore, solemnly protests against any dismemberment of the Northern Districts of this Colony, and against the continuance of a course of policy which it feels to be unjust, pernicious, and in every way indefensible; and declares, as its deliberate opinion, that if the state of society in the Mother Country, and a due regard to her own safety, forbid that she should retain, within her own bosom, the criminals whom her law now subjects to transportation, it is her bounden duty, as a christian nation, to found some City of refuge for these unhappy outcasts from her social system, if on this Continent, so remote from the several Colonies of the Australian group, and under such stringent and salutary regulations, as to preclude their ingress into any of those Colonies without the express concurrence and consent of the several Colonial Legislatures.

(8.) That the foregoing Resolutions be embodied in Addresses to the two Houses of Parliament, and that the Address to the House of Lords be transmitted for presentation by

and that to the House of Commons, by

Contingent—MR. PARKER to move, (on the resumption of the adjourned Debate on Mr. Lamb's motion against the resumption of Transportation,) that there be interposed between Mr. Lamb's second and third Resolutions, the following:—

(3.) That this Council solemnly protests against the adoption of any measure for the dismemberment of any part of New South Wales Proper, lying between the 26th degree of south latitude, and the boundary of the Port Phillip District, (as defined in the present Constitution Act, 5th and 6th Victoria, c. 76,) for the formation of a Penal Settlement, or for any other purpose.

(4.) That the apparently contemplated separation from this Colony of the Districts of Moreton Bay and the Clarence River, for the purpose of their annexation to a new Colony, to be founded to the northward, would be a grievous injustice on the inhabitants of New South Wales, who have founded and established these districts, by large drafts from the population, capital, and stock of that Colony,—thus giving value to the waste lands of those districts, upon the security of which, in common with the lands of other parts of New South Wales, a considerable debt has been contracted for the purposes of Immigration, in the benefits of which, the northern districts have largely participated.

(5.) That the formation of these Districts into a Penal Settlement, for the reception of British criminals, would be a violation of the pledge given by Earl Grey, that none would be sent to *any part* of New South Wales, contrary to the wishes of the Colonists, as expressed by the Legislature.

(6.) That if the exigencies of the Parent State should require that a Penal Settlement be formed in the unoccupied portions of this Territory, beyond the boundaries of New South Wales Proper, it is only just that sufficient Civil and Military Establishments should be maintained at the expense of the British Treasury, for the proper management, coercion, and control, of the convicts transported thither, so as to prevent them from becoming in any way injurious to the neighbouring Colonies.

(7.) That the result of all former experience shews it to be absolutely necessary, in order to render a Penal Establishment conducive to the reformation of the criminals sent thither, and to prevent the demoralization of the general population, that there should be conveyed, at the same time with such criminals, double the number, at least, of free persons, in equal proportions of the sexes; and that if this be necessary in a country already occupied by free Colonists, it will become doubly so in one where the free population will form in the first instance so small a proportion to the bond.

(8.) That it is only just, that all persons originally transported from the United Kingdom, who may be convicted of any transportable offence in any Colony other than that in which they have served their sentences, and which may thus have benefitted by their labor, should be transported to some Penal Settlement of the British Crown, and maintained there during their servitude, at the expense of the British Treasury.

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation; namely:—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.)

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible "delay."

Upon which Mr. Martin had moved as an amendment the omission of all the words following the word "That," with a view to the insertion in their place of the words following, namely:—

This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows:—

(1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions:—

(1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.

(2.) That no female convict be transported to this Colony.

(3.) That no male convict above the age of thirty-five years be transported to this Colony; nor any convict for a period longer than seven years.

(4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.

(5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial Funds.

(6.) That there shall be no assignment of convicts to private service.

(7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.

(8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.

(9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.

(10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.

(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.

(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.

(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.

(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.

(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial funds, at least two chaplains, with sufficient salaries; and that it shall be the duty of such chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.

(16.) That there shall be maintained out of Imperial Funds so long as there shall be convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by convicts at stockades.

(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.

(18.) That the cost of erecting Stockades, feeding, lodging, and clothing convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.

(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each Convict transported hither.

(20.)

(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of Convicts in all particulars.

(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons, who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.

(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular, and that such resumption of Transportation is in no respect to be held as disintitling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.

(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which Convicts may be transported, should be at once rescinded so far as that district is concerned.

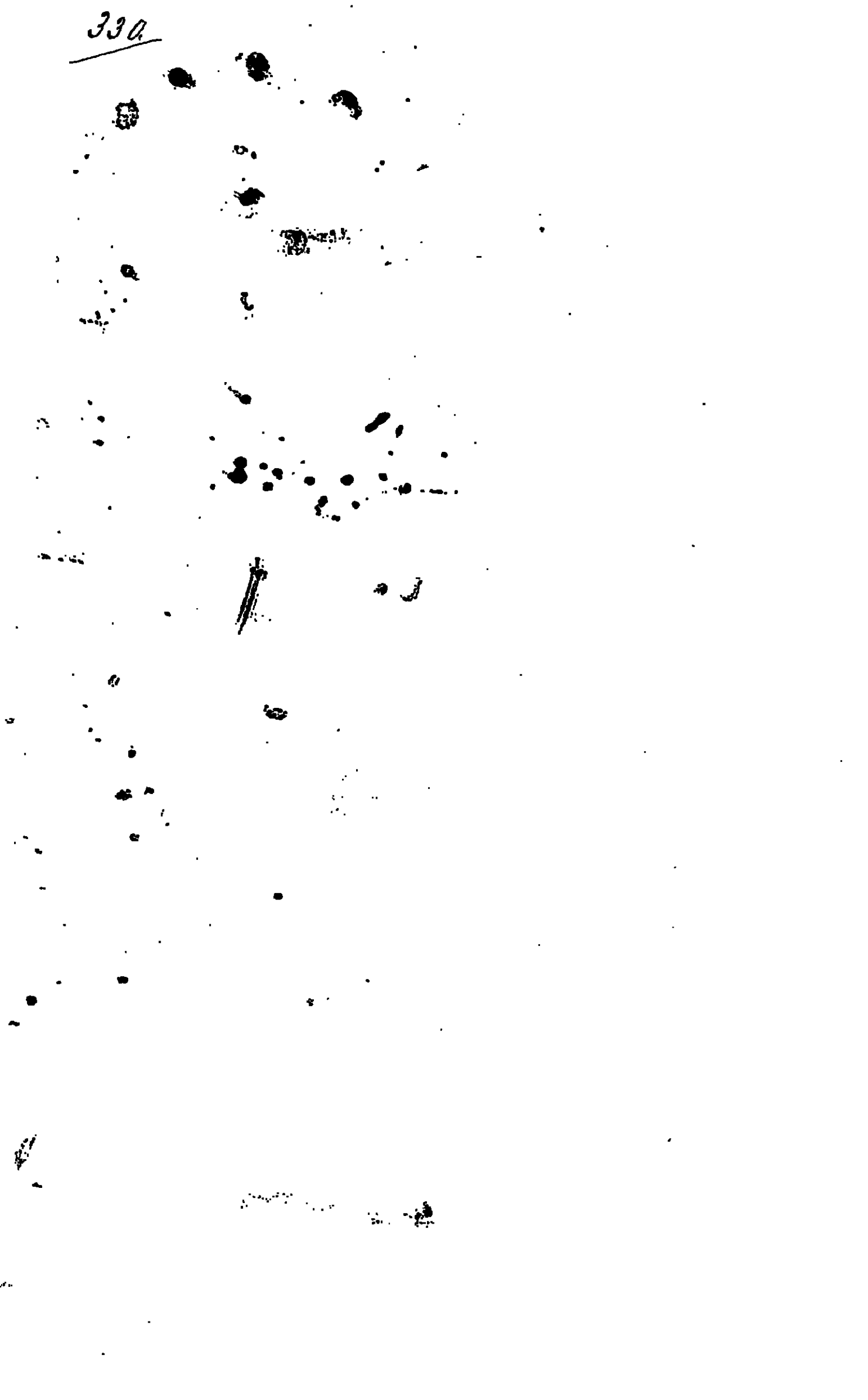
(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.

TUESDAY, OCTOBER

ORDERS OF THE DAY:—

1. Consideration of Governor's Message, No. 39, proposing amendments in Cruelty to Animals' Bill.
2. Medical Witnesses Bill; third reading.
3. Police Bill; third reading.

CHARLES NICHOLSON,
Speaker.



VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

SATURDAY, 28 SEPTEMBER, 1850.

1. Council met pursuant to adjournment ; the Speaker took the Chair.
 Transportation :—The following Petitions presented against the resumption of Transportation :—
 (1.) By Mr. Moor from certain Colonists of Port Phillip, in public meeting assembled.
 Petition received.
 (2.) By Mr. Lamb, from certain Clergymen of the United Church of England and Ireland.
 Petition received.
 (3.) By Mr. Lamb, from certain Inhabitants of the District of Paterson.
 Petition received.
2. Transportation :—On the Order of the Day for the resumption of the adjourned Debate on the motion of Mr. Lamb—
 (1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.
 (2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June, 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be "transported."
 (3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay
 Upon which Mr. Martin had moved, as an amendment, That all the words following the word "That," be omitted, with a view to the insertion in their place of the words following, namely :—
 "This Council having duly considered the subject of the resumption of Transportation from the Mother Country, deliberately and finally resolves as follows :—
 " (1.) That this House is of opinion that such Transportation may be resumed with great material and moral benefit, and no countervailing injury or disadvantage, if conducted in the following manner, and subject to the following conditions :—
 " (1.) That no convict be transported to this Colony from any part of the British Empire except the United Kingdom of Great Britain and Ireland.
 " (2.) That no female convict be transported to this Colony.
 " (3.) That no male convict above the age of thirty-five years be transported to this Colony ; nor any convict for a period longer than seven years.
 " (4.) That no convict who has ever been found guilty of murder, manslaughter, cutting and maiming, wounding or assaulting with intent to kill, wounding or assaulting with intent to do some grievous bodily harm, or of riot, sedition, rape, or any unnatural offence, shall be transported to this Colony.
 " (5.) That within three months from the resumption of such Transportation, one entire regiment of the line at the least shall be stationed in this Colony, and that during the continuance of such Transportation, if there should ever be at one time more than five thousand convicts in the Colony, then there shall be stationed in the Colony an additional military force, in the proportion of one entire regiment of the line for each five thousand convicts, and that for ten years after the discontinuance of Transportation, one entire regiment of the line shall be kept in this Colony—all such military force to be maintained entirely by Imperial funds.
 " (6.) That there shall be no assignment of convicts to private service.
 " (7.) That there shall never be more than three hundred convicts at one time in any barrack, depôt, or other place in the City of Sydney.

" (8.)

- “(8.) That for two years at least all convicts shall be kept at work upon the public roads and bridges, or other public works, in parties not exceeding two hundred in number at any one place.
- “(9.) That at each such place there shall be erected a substantial stockade, with separate and well secured cells, in which each convict shall be separately confined at night.
- “(10.) That each stockade shall be under the charge of one Commissioned Officer and a competent military guard, for whom proper quarters shall be provided.
- “(11.) That independently of such Commissioned Officer, whose duty it shall be merely to look to the safe custody of the convicts, there shall be at each stockade at least one respectable and educated man, of known humanity and character, who shall have the direction and control of such convicts, and be called the Superintendent.
- “(12.) That if at the expiration of two years after any convict shall have been sent to any stockade, he obtain a certificate of good conduct from the Superintendent, he shall be entitled to a ticket of leave, authorizing him to hire himself anywhere beyond the boundaries of location.
- “(13.) That if any such ticket of leave holder, during the continuance of his sentence, come within the boundaries, or misconduct himself in any way, in violation of any local or Imperial Act, he shall be immediately sent to some stockade, to be there retained for another twelve months, and until he get such certificate as aforesaid, or until the expiration of his sentence, unless his offence render him liable to some other punishment.
- “(14.) That no convict receive a free pardon remitting any portion of his sentence, except on condition of his immediately leaving the Colony.
- “(15.) That for every five hundred convicts sent to this Colony, there shall be maintained in the Colony, so long as there shall be convicts in the Colony, out of Imperial Funds, at least two Chaplains, with sufficient salaries; and that it shall be the duty of such Chaplains to impart religious instruction to, and perform divine service for the convicts at stockades.
- “(16.) That there shall be maintained out of Imperial Funds so long as there shall be convicts in this Colony, at least three competent Civil Engineers to have the general direction of the public works performed by convicts at Stockades.
- “(17.) That during the continuance of Transportation, and for ten years after its discontinuance, there shall be paid out of Imperial Funds into the Colonial Treasury, to be placed at the disposal of this House, or of any Legislative Body which may hereafter be substituted for it, the sum of fifty thousand pounds, as a compensation to this Colony for its increased Police and Gaol and other expenditure consequent on the resumption of Transportation.
- “(18.) That the cost of erecting Stockades, feeding, lodging, and clothing convicts, and all other expenses connected with their management or control, shall be borne entirely by Imperial Funds.
- “(19.) That at least two free statute adults in equal proportion as nearly as may be as to sexes shall be sent to this Colony at the cost of Imperial Funds, for each convict transported hither.
- “(20.) That the Local Legislature of this Colony shall have power to make such regulations as it may deem expedient for the control and management of convicts in all particulars.
- “(2.) That this House is of opinion, that although the foregoing conditions would undoubtedly impose a heavy annual burthen on the Imperial Exchequer, that burthen would be trifling compared with the saving which would accrue by the permanent removal to a distant country of great numbers of persons who, if retained in the United Kingdom, would all their lives be a constant source of anxiety and expense to the nation.
- “(3.) That in expressing the foregoing opinions, this House desires it to be distinctly understood, that it cannot sanction with its approval the resumption of Transportation on any terms other than those above specified, in their entirety and without alteration in any particular; and that such resumption of Transportation is in no respect to be held as disenthling this Colony to the fullest possible amount of self-government which any British Colony may rightfully and constitutionally demand.
- “(4.) That inasmuch as the general opinion of the people of the District of Port Phillip appears to be decidedly adverse to the resumption of Transportation in any shape or under any terms, this House is of opinion that the Order in Council declaring this Colony to be a place to which convicts may be transported, should be at once rescinded so far as that district is concerned.
- “(5.) That a copy of these Resolutions be transmitted to the Secretary of State for the Colonies, through His Excellency the Governor.”—being read,—
- Mr. Martin by leave withdrew his proposed amendment,—
- Whereupon Debate of the Original Question resumed.
- Mr. James Macarthur then moved, as an amendment, pursuant to amended contingent notice, That all the words following the word “That” at the commencement of the first Resolution, to and inclusive of the word “transported” at the end of the second Resolution, be omitted, with a view to the insertion in their place of the words “this Council—” having had under consideration the Message from His Excellency the Governor bearing date the 11th June, 1850, together with the Votes and Proceedings of this Council, and the various Despatches and Official Documents on the subject of the resumption of Transportation, and having maturely deliberated upon the whole
- “Question—Resolves—

“That”

" That while this Council is of opinion that the best interests of the whole
 " Australian group of Colonies would be promoted by the Cessation of Transportation
 " to any portion of them, and renews its entreaty that Her Majesty will be gra-
 " ciously pleased to rescind the Order in Council by which New South Wales is
 " declared a place to which convicts may be transported, this Council sees reason to
 " fear, as well from recent Debates in Parliament as well as from a provision introduced
 " into the Bill for the Government of the Australian Colonies, that should this Council
 " adhere to its determination not to admit under any conditions the deported Crimi-
 " nals of the United Kingdom, it is contemplated by the Imperial Authorities to
 " dismember the Districts situated north of the thirtieth degree of south latitude
 " and to continue Transportation to that portion of this Colony, while it will also
 " be continued simultaneously to Van Diemen's Land.
 " That any such dismemberment of this Colony would involve a departure from the
 " promise contained in the Despatch No. 174, dated 16th November, 1849, from the
 " Right Honorable Earl Grey to His Excellency Sir Charles Augustus Fitz Roy, not
 " to send convicts to New South Wales, should the opinion of the Colonists, as ex-
 " pressed by the Legislature, continue adverse to that measure.
 " That the necessary consequence of such a course, if persisted in by the Im-
 " perial Government, would be to subject the whole of the Australian group, and
 " more especially this Colony, to an influx of Criminals—many of them prematurely
 " manumitted, hardened, and incorrigible—thereby relieving the Imperial Treasury
 " from the cost of their maintenance and coercion, and throwing that cost most
 " unfairly, and without any countervailing advantage or mitigating influence what-
 " ever, upon these Colonies; while, as regards New South Wales in particular, the
 " obvious result would be nominally to rescind the Order in Council which now
 " authorises the deportation of Criminals from the United Kingdom to its shores,
 " but in effect to make this Colony, despite its protest, and against its will, the
 " great receptacle for the Criminals of the Empire.
 " That this Council, therefore, solemnly protests against any change in the
 " northern boundary of this Colony as now defined, and against the continuance of a
 " course of policy which it feels to be unjust, and in every way indefensible; and
 " declares, as its deliberate opinion, that if the state of society in the Mother Country,
 " and a due regard to her own safety, forbid that she should retain, within her own
 " bosom, those irreclaimable and dangerous Criminals whom her law now subjects to
 " transportation, it is her bounden duty, as a Christian Nation, to found some City
 " of refuge for these unhappy outcasts from her Social system, if on this Continent,
 " so remote from the several Colonies of the Australian group, and under such safe-
 " guards and salutary regulations, as to preclude their ingress into any of those
 " Colonies without the express concurrence and consent of the several Colonial
 " Legislatures.
 " That while making this protest and earnest appeal to Her Majesty and the Impe-
 " rial Parliament, against any system of Transportation, of which the effect would
 " be to subject this and the other Colonies of the Australian group to the continued
 " influx of dangerous and irreclaimable criminals, this Council is willing to co-
 " operate with the Home Government in carrying out, within the limits of New
 " South Wales Proper, exclusive of the Province of Victoria, a great national expe-
 " rimental reformatory system, under the operation of which there should be intro-
 " duced into this Colony, as Exiles, persons having undergone such punishment and
 " reformatory discipline in the penal establishments of the United Kingdom, as the
 " Imperial Government may consider adequate to their respective offences; such
 " persons holding Conditional Pardons for such of the more remote Districts of this
 " Colony as may be assigned to them by the local Executive.
 " That in order to secure to this community those safeguards which it is entitled to
 " demand as necessary accompaniments of any such reformatory system, and at
 " the same time to maintain that moral ascendancy arising from a large preponder-
 " ance of the free population, which is essential to its success, (both of which im-
 " portant considerations were insufficiently, if at all, provided for in the proposal
 " agreed to by this Council on the 7th of April, 1848, and now under reconsidera-
 " tion,) this Council requires the assent of the Home Government to the following
 " conditions, which this Council holds to be a *sine qua non* to the reception of Exiles.
 " That simultaneously with such Exiles, there be introduced into the Colony, at
 " the expense of the Home Government, free Emigrants at the rate of three statute
 " adults to each Exile, as nearly as may be in equal proportions of the sexes; the
 " wives and families of such Exiles to be included in such free emigration.
 " That no Female Exiles be sent to the Colony.
 " That any penal establishments within this Colony which may hereafter be-
 " come necessary in consequence of the relapse into crime of any such Exiles shall
 " be maintained at the expense of Imperial Funds.
 " That all offenders deported heretofore, or hereafter to be deported from the
 " United Kingdom, to any of the Australian Colonies, who may be convicted in the
 " Courts of this Colony of any capital or other felonies, subjecting them to trans-
 " portation, be transported to Norfolk Island, or some other remote penal settle-
 " ment, at the expense also of Imperial Funds.
 " That adequate Military protection, to consist of not less than one Regiment on
 " its full establishment be kept up also from Imperial Funds.
 " That the appropriation and control of all Revenues arising from the Waste Lands
 " of the Colony, (subject to any debt now chargeable thereon,) be surrendered to the
 " Colonial Legislature.

" That

" That the Northern boundary of this Colony as at present defined by the Constitutional Act, be maintained.

" That the foregoing Resolutions be embodied in Addresses to Her Majesty and the two Houses of Parliament; that His Excellency the Governor be respectfully requested to transmit the Address to Her Majesty for presentation by the Right Honorable the Secretary of State for the Colonies; and that the Address to the House of Lords be transmitted to the Right Honorable Earl Grey, and that to the House of Commons to the Right Honorable Lord John Russell, with the request of this Council that they will undertake their presentation to Parliament."

Debate continued.

Mr. Bowman moved, That the Debate be adjourned until Monday next.

Question put on the motion for adjournment.

Council divided.

Ayes, 13.

Mr. Allen,
The Attorney General,
Mr. Nichols,
Mr. Lamb,
Mr. Bowman,
Mr. Fitzgerald,
Mr. Suttor,
Mr. Macintyre,
Dr. Lang,
Mr. Byrnes,
Captain King,
Mr. Parker,
Mr. Cooper, (Teller.)

Noes, 12.

Mr. William Macarthur,
Mr. Murray,
Mr. Dangar,
Mr. Donaldson,
Mr. Moor,
Mr. Wentworth,
Major Mercer,
Mr. Oakes,
Dr. Dickson,
Mr. Ebdon,
Mr. James Macarthur,
Mr. Martin, (Teller.)

Council adjourned at Ten o'clock, until Monday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

MONDAY, SEPTEMBER 30.

Contingent—MR. PARKER to move, (on the resumption of the adjourned Debate on Mr. Lamb's motion against the resumption of Transportation,) that there be interposed between Mr. Lamb's second and third Resolutions, the following:—

(3.) That this Council solemnly protests against the adoption of any measure for the dismemberment of any part of New South Wales Proper, lying between the 26th degree of south latitude, and the boundary of the Port Phillip District, (as defined in the present Constitution Act, 5th and 6th Victoria, c. 76,) for the formation of a Penal Settlement, or for any other purpose.

(4.) That the apparently contemplated separation from this Colony of the Districts of Moreton Bay and the Clarence River, for the purpose of their annexation to a new Colony, to be founded to the northward, would be a grievous injustice on the inhabitants of New South Wales, who have founded and established these districts, by large drafts from the population, capital, and stock of that Colony,—thus giving value to the waste lands of those districts, upon the security of which, in common with the lands of other parts of New South Wales, a considerable debt has been contracted for the purposes of Immigration, in the benefits of which, the northern districts have largely participated.

(5.) That the formation of these Districts into a Penal Settlement, for the reception of British criminals, would be a violation of the pledge given by Earl Grey, that none would be sent to any part of New South Wales, contrary to the wishes of the Colonists, as expressed by the Legislature.

(6.) That if the exigencies of the Parent State should require that a Penal Settlement be formed in the unoccupied portions of this Territory, beyond the boundaries of New South Wales Proper, it is only just that sufficient Civil and Military Establishments should be maintained at the expense of the British Treasury, for the proper management, coercion, and control, of the convicts transported thither, so as to prevent them from becoming in any way injurious to the neighbouring Colonies.

(7.) That the result of all former experience shews it to be absolutely necessary, in order to render a Penal Establishment conducive to the reformation of the criminals sent thither, and to prevent the demoralization of the general population, that there should be conveyed, at the same time with such criminals, double the number, at least, of free persons, in equal proportions of the sexes; and that if this be necessary in a country already occupied by free Colonists, it will become doubly so in one where the free population will form in the first instance so small a proportion to the bond.

(8.) That it is only just, that all persons originally transported from the United Kingdom, who may be convicted of any transportable offence in any Colony other than that in which they have served their sentences, and which may thus have benefited by their labor, should be transported to some Penal Settlement of the British Crown, and maintained there during their servitude, at the expense of the British Treasury.

ORDER

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely :—
 - (1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.
 - (2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be "transported."
 - (3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

Upon which Mr. James Macarthur had moved as an amendment, That all the words following the word "That," at the commencement of the first Resolution, to and inclusive of the word "transported" at the end of the second Resolution, be omitted, with a view to the insertion in their place of the words following, namely :—
 this Council—having had under consideration the Message from His Excellency the Governor, bearing date the 11th June, 1850, together with the Votes and Proceedings of this Council, and the various Despatches and Official Documents on the subject of the resumption of Transportation, and having maturely deliberated upon the whole Question—Resolves—

That while this Council is of opinion that the best interests of the whole Australian group of Colonies would be promoted by the cessation of Transportation to any portion of them, and renews its entreaty that Her Majesty will be graciously pleased to rescind the Order in Council by which New South Wales is declared a place to which Convicts may be transported, this Council sees reason to fear, as well from recent Debates in Parliament as well as from a provision introduced into the Bill for the Government of the Australian Colonies, that should this Council adhere to its determination not to admit under any conditions the deported Criminals of the United Kingdom, it is contemplated by the Imperial Authorities to dismember the Districts situated north of the thirtieth degree of south latitude, and to continue Transportation to that portion of this Colony, while it will also be continued simultaneously to Van Diemen's Land. That any such dismemberment of this Colony would involve a departure from the promise contained in the Despatch No. 174, dated 16th November, 1849, from the Right Honorable Earl Grey to His Excellency Sir Charles Augustus Fitz Roy, not to send Convicts to New South Wales, should the opinion of the Colonists, as expressed by the Legislature, continue adverse to that measure.

That the necessary consequence of such a course, if persisted in by the Imperial Government, would be to subject the whole of the Australian group, and more especially this Colony, to an influx of Criminals—many of them prematurely manumitted, hardened, and incorrigible—thereby relieving the Imperial Treasury from the cost of their maintenance and coercion, and throwing that cost most unfairly, and without any countervailing advantage or mitigating influence whatever, upon these Colonies; while, as regards New South Wales in particular, the obvious result would be nominally to rescind the Order in Council which now authorises the deportation of Criminals from the United Kingdom to its shores, but in effect to make this Colony, despite its protest, and against its will, the great receptacle for the Criminals of the empire.

That this Council, therefore, solemnly protests against any change in the northern boundary of this Colony as now defined, and against the continuance of a course of policy which it feels to be unjust, and in every way indefensible; and declares, as its deliberate opinion, that if the state of society in the Mother Country, and a due regard to her own safety, forbid that she should retain, within her own bosom, those irreclaimable and dangerous Criminals whom her law now subjects to transportation, it is her bounden duty, as a Christian Nation, to found some City of refuge for these unhappy outcasts from her Social system, if on this Continent, so remote from the several Colonies of the Australian group, and under such safeguards and salutary regulations, as to preclude their ingress into any of those Colonies without the express concurrence and consent of the several Colonial Legislatures.

That while making this protest and earnest appeal to Her Majesty and the Imperial Parliament against any system of Transportation, of which the effect would be to subject this and the other Colonies of the Australian group to the continued influx of dangerous and irreclaimable criminals, this Council is willing to co-operate with the Home Government in carrying out, within the limits of New South Wales Proper, exclusive of the Province of Victoria, a great national experimental reformatory system, under the operation of which there should be introduced into this Colony, as Exiles, persons having undergone such punishment and reformatory discipline in the penal establishments of the United Kingdom, as the Imperial Government may consider adequate to their respective offences; such persons holding Conditional Pardons for such of the more remote Districts of this Colony as may be assigned to them by the local Executive

That

That in order to secure to this community those safeguards which it is entitled to demand as necessary accompaniments of any such reformatory system, and at the same time to maintain that moral ascendancy arising from a large preponderance of the free population, which is essential to its success, (both of which important considerations were insufficiently, if at all, provided for in the proposal agreed to by this Council on the 7th of April 1848, and now under reconsideration,) this Council requires the assent of the Home Government to the following conditions, which this Council holds to be a *sine qua non* to the reception of Exiles.

That simultaneously with such Exiles, there be introduced into the Colony, at the expense of the Home Government, free Emigrants at the rate of three statute adults to each Exile, as nearly as may be in equal proportions of the sexes; the wives and families of such Exiles to be included in such free emigration.

That no Female Exiles be sent to the Colony.

That any penal establishments within this Colony which may hereafter become necessary in consequence of the relapse into crime of any such Exiles shall be maintained at the expense of Imperial Funds.

That all offenders deported heretofore, or hereafter to be deported from the United Kingdom, to any of the Australian Colonies, who may be convicted in the Courts of this Colony of any capital or other felonies, subjecting them to transportation, be transported to Norfolk Island, or some other remote penal settlement, at the expense also of Imperial Funds.

That adequate Military protection, to consist of not less than one Regiment on its full establishment be kept up also from Imperial Funds.

That the appropriation and control of all Revenues arising from the Waste Lands of the Colony, (subject to any debt now chargeable thereon,) be surrendered to the Colonial Legislature.

That the Northern boundary of this Colony as at present defined by the Constitutional Act, be maintained.

That the foregoing Resolutions be embodied in Addresses to Her Majesty and the two Houses of Parliament; that His Excellency the Governor be respectfully requested to transmit the Address to Her Majesty for presentation by the Right Honorable the Secretary of State for the Colonies; and that the Address to the House of Lords be transmitted to the Right Honorable Earl Grey, and that to the House of Commons to the Right Honorable Lord John Russell, with the request of this Council that they will undertake their presentation to Parliament.

TUESDAY, OCTOBER 1.

ORDERS OF THE DAY:—

1. Consideration of Governor's Message, No. 39, proposing amendments in Cruelty to Animals' Bill.
2. Medical Witnesses Bill; third reading.
3. Police Bill; third reading.

CHARLES NICHOLSON,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

MONDAY, 30 SEPTEMBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Impounded Cattle Sales :—The Colonial Secretary laid upon the Table the Return to the Address on this subject, adopted on motion of Mr. Nichols, on the 26th July last.
2. Messages :—The following Messages from His Excellency the Governor received and read :—

(1.) Mitchell's Tramway Bill.

CH^s. A. FITZ ROY,

Message No. 40.

Governor.

Agreeably to the provisions of 30th clause of the Act for the Government of New South Wales and Van Diemen's Land, the Governor has to propose the following amendment in the Act which has been passed by the Council, and presented to His Excellency for the Royal Assent, intituled, "*A Bill to authorize the continuation of a Tramroad from Burwood to the Wharf at Newcastle.*"

2. The amendment which His Excellency proposes is that after the words "level of the said Road" in the first proviso to clause I, the following words be inserted, "unless the same shall be so far raised above the said level as to pass over the existing Staith or Tramway of the said Australian Agricultural Company, now crossing over the said public road, in which case the Tramway of the said James Mitchell shall be so raised as to pass ten feet at the least in the clear above the Tramway of the said Company, and shall be constructed in a secure and proper manner, so as to ensure the safety of the traffic of the said Company, and of the public below or adjacent to (as the case may be) the Tramway of the said James Mitchell."

Government House, Sydney,
30th September, 1850.

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

(2.) Benevolent Society's Bill.

CH^s. A. FITZ ROY,

Message No. 41.

Governor.

Agreeably to the provisions of the 30th clause of the Act for the Government of New South Wales and Van Diemen's Land, the Governor has to propose the following amendments in the Act which has been passed by the Council, and presented to His Excellency for the Royal Assent, intituled "*A Bill to enable the Trustees of the Benevolent Society at Sydney to sell and dispose of certain lands, and to apply the proceeds in and towards the erection of additional buildings.*"

2. The amendments which His Excellency proposes are that in the seventh line page 2 the words "or Trustee" be inserted immediately after the word "Trustees"; that in the tenth line of page 2 the words "and the said several pieces or parcels of land shall or may be so sold and disposed of" be inserted immediately after the word "land"; that in the fourteenth line of page 2, the words "and thereupon the same respectively shall vest absolutely in the said purchasers or purchaser, their or his heirs and assigns" be inserted immediately after the words "purchasers thereof"; that in the sixteenth line of page 2, the words "or of the said Richard Jones, as the case may be" be added immediately after the word "Trustees"; and that in the nineteenth line of page 2, the words "pieces or parcels of land or either of them, or any part or parts thereof" be substituted for the words "piece or parcel of land."

Government House, Sydney,
30th September, 1850.

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

3. Transportation :—The adjourned Debate on the motion of Mr. Lamb—

(1.) "That" an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June, 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be "transported."

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay

Upon which Mr. James Macarthur had moved, as an amendment, That all the words following the word "That" at the commencement of the first Resolution, to and inclusive of the word "transported" at the end of the second Resolution, be omitted, with a view to the insertion in their place of the words "this Council—" having had under consideration the Message from His Excellency the Governor "bearing date the 11th June, 1850, together with the Votes and Proceedings of this " Council, and the various Despatches and Official Documents on the subject of the " resumption of Transportation, and having maturely deliberated upon the whole " Question—Resolves—

" That while this Council is of opinion that the best interests of the whole " Australian group of Colonies would be promoted by the Cessation of Transportation " to any portion of them, and renews its entreaty that Her Majesty will be gra- " ciously pleased to rescind the Order in Council by which New South Wales is " declared a place to which convicts may be transported, this Council sees reason to " fear, as well from recent Debates in Parliament as well as from a provision introduced " into the Bill for the Government of the Australian Colonies, that should this Council " adhere to its determination not to admit under any conditions the deported Cri- " minals of the United Kingdom, it is contemplated by the Imperial Authorities to " dismember the Districts situated north of the thirtieth degree of south latitude " and to continue Transportation to that portion of this Colony, while it will also " be continued simultaneously to Van Diemen's Land.

" That any such dismemberment of this Colony would involve a departure from the " promise contained in the Despatch No. 174, dated 16th November, 1849, from the " Right Honorable Earl Grey to His Excellency Sir Charles Augustus Fitz Roy, not " to send convicts to New South Wales, should the opinion of the Colonists, as ex- " pressed by the Legislature, continue adverse to that measure.

" That the necessary consequence of such a course, if persisted in by the Im- " perial Government, would be to subject the whole of the Australian group, and " more especially this Colony, to an influx of Criminals—many of them prematurely " manumitted, hardened, and incorrigible—thereby relieving the Imperial Treasury " from the cost of their maintenance and coercion, and throwing that cost most " unfairly, and without any countervailing advantage or mitigating influence what- " ever, upon these Colonies; while, as regards New South Wales in particular, the " obvious result would be nominally to rescind the Order in Council which now " authorises the deportation of Criminals from the United Kingdom to its shores, " but in effect to make this Colony, despite its protest, and against its will, the great " receptacle for the Criminals of the empire.

" That this Council, therefore, solemnly protests against any change in the " northern boundary of this Colony as now defined, and against the continuance of a " course of policy which it feels to be unjust, and in every way indefensible; and " declares, as its deliberate opinion, that if the state of society in the Mother Country, " and a due regard to her own safety, forbid that she should retain, within her own " bosom, those irreclaimable and dangerous Criminals whom her law now subjects to " transportation, it is her bounden duty, as a Christian Nation, to found some City " of refuge for these unhappy outcasts from her Social system, if on this Continent, " so remote from the several Colonies of the Australian group, and under such safe- " guards and salutary regulations, as to preclude their ingress into any of those " Colonies without the express concurrence and consent of the several Colonial " Legislatures.

" That while making this protest and earnest appeal to Her Majesty and the Impe- " rial Parliament, against any system of Transportation, of which the effect would " be to subject this and the other Colonies of the Australian group to the continued " influx of dangerous and irreclaimable criminals, this Council is willing to co- " operate with the Home Government in carrying out, within the limits of New " South Wales Proper, exclusive of the Province of Victoria, a great national expe- " rimental reformatory system, under the operation of which there should be intro- " duced into this Colony, as Exiles, persons having undergone such punishment and " reformatory discipline in the penal establishments of the United Kingdom, as the " Imperial Government may consider adequate to their respective offences; such " persons holding Conditional Pardons for such of the more remote Districts of this " Colony as may be assigned to them by the local Executive.

" That

“ That in order to secure to this community those safeguards which it is entitled to demand as necessary accompaniments of any such reformatory system, and at the same time to maintain that moral ascendancy arising from a large preponderance of the free population, which is essential to its success, (both of which important considerations were insufficiently, if at all, provided for in the proposal agreed to by this Council on the 7th of April, 1848, and now under reconsideration,) this Council requires the assent of the Home Government to the following conditions, which this Council holds to be a *sine qua non* to the reception of Exiles. That simultaneously with such Exiles, there be introduced into the Colony, at the expense of the Home Government, free Emigrants at the rate of three statute adults to each Exile, as nearly as may be in equal proportions of the sexes; the wives and families of such Exiles to be included in such free emigration. That no Female Exiles be sent to the Colony. That any penal establishments within this Colony which may hereafter become necessary in consequence of the relapse into crime of any such Exiles shall be maintained at the expense of Imperial Funds. That all offenders deported heretofore, or hereafter to be deported from the United Kingdom, to any of the Australian Colonies, who may be convicted in the Courts of this Colony of any capital or other felonies, subjecting them to transportation, be transported to Norfolk Island, or some other remote penal settlement, at the expense also of Imperial Funds. That adequate Military protection, to consist of not less than one Regiment on its full establishment be kept up also from Imperial Funds. That the appropriation and control of all Revenues arising from the Waste Lands of the Colony, (subject to any debt now chargeable thereon,) be surrendered to the Colonial Legislature. That the Northern boundary of this Colony as at present defined by the Constitutional Act, be maintained. That the foregoing Resolutions be embodied in Addresses to Her Majesty and the two Houses of Parliament; that His Excellency the Governor be respectfully requested to transmit the Address to Her Majesty for presentation by the Right Honorable the Secretary of State for the Colonies; and that the Address to the House of Lords be transmitted to the Right Honorable Earl Grey, and that to the House of Commons to the Right Honorable Lord John Russell, with the request of this Council that they will undertake their presentation to Parliament.”—resumed,—Mr. Wentworth moved, That the Debate be adjourned until to-morrow. Question put on the motion for adjournment. Council divided.

Ayes, 7.

- Mr. James Macarthur,
- Mr. Wentworth,
- Mr. Dangar,
- Mr. Icely,
- Captain King,
- Mr. William Macarthur,
- Mr. Parker, (Teller.)

Noes, 17.

- Mr. Suttor,
- Mr. Macintyre,
- Mr. Ebdon,
- Dr. Dickson,
- Mr. Murray,
- Mr. Moor,
- Mr. Fitzgerald,
- Mr. Bowman,
- Major Mercer,
- Mr. Byrnes,
- Mr. Lamb,
- Mr. Oakes,
- The Attorney General,
- Mr. Nichols,
- Mr. Allen,
- Dr. Lang,
- Mr. Cooper, (Teller.)

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

Question stated,—

(1.) That an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June, 1849, viz:—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay.

Mr.

Mr. Parker moved, That the Debate be adjourned until Twelve o'clock to-day.
Question put on the motion for adjournment.
Council divided.

Ayes, 20.

Mr. Nichols,
Mr. James Macarthur,
Mr. Byrnes,
Mr. Allen,
The Attorney General,
Mr. Moor,
Mr. Wentworth,
Mr. Lamb,
Mr. Cooper,
Mr. Bowman,
Mr. Macintyre,
Mr. Dangar,
Dr. Dickson,
Major Mercer,
Mr. Oakes,
Mr. Suttor,
Mr. Ieely,
Captain King,
Mr. William Macarthur,
Mr. Parker, (Teller.)

Noes, 6.

Dr. Lang,
Mr. Ebden,
Mr. Murray,
Mr. Fitzgerald,
Mr. Martin,
Mr. Donaldson, (Teller.)

Council adjourned on Tuesday, at Two o'clock, a.m., until Twelve o'clock of the same day.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, OCTOBER 1.

Contingent—MR. PARKER to move, (on the resumption of the adjourned Debate on Mr. Lamb's motion against the resumption of Transportation,) that there be interposed between Mr. Lamb's second and third Resolutions, the following:—

(3.) That this Council solemnly protests against the adoption of any measure for the dismemberment of any part of New South Wales Proper, lying between the 26th degree of south latitude, and the boundary of the Port Phillip District, (as defined in the present Constitution Act, 5th and 6th Victoria, c. 76,) for the formation of a Penal Settlement, or for any other purpose.

(4.) That the apparently contemplated separation from this Colony of the Districts of Moreton Bay and the Clarence River, for the purpose of their annexation to a new Colony, to be founded to the northward, would be a grievous injustice on the inhabitants of New South Wales, who have founded and established these districts, by large drafts from the population, capital, and stock of that Colony,—thus giving value to the waste lands of those districts, upon the security of which, in common with the lands of other parts of New South Wales, a considerable debt has been contracted for the purposes of Immigration, in the benefits of which, the northern districts have largely participated.

(5.) That the formation of these Districts into a Penal Settlement, for the reception of British criminals, would be a violation of the pledge given by Earl Grey, that none would be sent to any part of New South Wales, contrary to the wishes of the Colonists, as expressed by the Legislature.

(6.) That if the exigencies of the Parent State should require that a Penal Settlement be formed in the unoccupied portions of this Territory, beyond the boundaries of New South Wales Proper, it is only just that sufficient Civil and Military Establishments should be maintained at the expense of the British Treasury, for the proper management, coercion, and control, of the convicts transported thither, so as to prevent them from becoming in any way injurious to the neighbouring Colonies.

(7.) That the result of all former experience shews it to be absolutely necessary, in order to render a Penal Establishment conducive to the reformation of the criminals sent thither, and to prevent the demoralization of the general population, that there should be conveyed, at the same time with such criminals, double the number, at least, of free persons, in equal proportions of the sexes; and that if this be necessary in a country already occupied by free Colonists, it will become doubly so in one where the free population will form in the first instance so small a proportion to the bond.

(8.) That it is only just, that all persons originally transported from the United Kingdom, who may be convicted of any transportable offence in any Colony other than that in which they have served their sentences, and which may thus have benefited by their labor, should be transported to some Penal Settlement of the British Crown, and maintained there during their servitude, at the expense of the British Treasury.

Contingent—

Contingent—MR. DONALDSON to move, as an amendment (in event of the amendment proposed by Mr. James Macarthur and the amendment to be proposed by Mr. Parker being negatived, and of Mr. Lamb's motion being put.)—That there be added after the word "delay," at the end of the third Resolution, the words following, namely :—

(4.) And further, That while it is the deliberate opinion of this Council that the best interests of the whole Australian group of Colonies would be promoted by the cessation of Transportation to any portion of them, this Council sees reason to fear, from recent Debates in Parliament, as well as from a provision introduced into the Bill for the Government of the Australian Colonies, that in the event of this Council adhering to its determination not to admit under any conditions the deported Criminals of the United Kingdom, it is contemplated by the Imperial Authorities to dismember the Districts situated north of the thirtieth degree of south latitude, and to continue Transportation to that portion of this Colony, while it will also be continued simultaneously to Van Diemen's Land.

(5.) That any such dismemberment of this Colony would involve a violation of the promise contained in the Despatch No. 174, dated 16th November, 1849, from the Right Honorable Earl Grey to His Excellency Sir Charles Augustus Fitz Roy, not to send Convicts to New South Wales, should the opinion of the Colonists, as expressed by the Legislature, continue adverse to that measure, while the continuation of Transportation to Van Diemen's Land is likewise in violation of the solemn engagements entered into with that Colony, through His Excellency Sir William Denison, in the year 1847.

(6.) That the necessary consequence of such measures, if persisted in by the Imperial Government, would be to subject the whole of the Australian group, and more especially this Colony, to an influx of Criminals—many of them prematurely manumitted,—thereby relieving the Imperial Treasury from the cost of their maintenance and coercion, and throwing that cost most unfairly, and without any countervailing advantage or mitigating influence whatever, upon those Colonies; while, as regards New South Wales in particular, the obvious result would be nominally to rescind the Order in Council which now authorises the deportation of Criminals from the United Kingdom to its shores, but in effect to make this Colony, despite its protest, and against its will, the great receptacle for the crime of the Empire.

(7.) That this Council, therefore, solemnly protest against any dismemberment of the Northern Districts of this Colony, and against the continuance of a course of policy which it feels to be unjust, pernicious, and in every way indefensible; and declares, as its deliberate opinion, that if the state of society in the Mother Country, and a due regard to her own safety, forbid that she should retain, within her own bosom, the criminals whom her law now subjects to transportation, it is her bounden duty, as a christian nation, to found some place for the reception of these unhappy outcasts from her social system, if on this Continent, so remote from the several Colonies of the Australian group, and under such stringent and salutary regulations, as to preclude their ingress into any of those Colonies without the express concurrence and consent of the several Colonial Legislatures.

(8.) That the four last Resolutions be embodied in Addresses to the two Houses of Parliament, and that the Address to the House of Lords be transmitted for presentation by Lord Monteaule, and that to the House of Commons by the Honorable Francis Scott.

ORDERS OF THE DAY :—

1. Resumption of the adjourned Debate on Mr. Lamb's Motion against the resumption of Transportation, namely :—

(1.) That an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible "delay."

- 2. Consideration of Governor's Message, No. 39, proposing amendments in Cruelty to Animals' Bill.
- 3. Medical Witnesses Bill; third reading.
- 4. Police Bill; third reading.
- 5. Consideration of Governor's Message, No. 40, proposing an amendment in Mitchell's Tramway Bill.
- 6. Consideration of Governor's Message, No. 41, proposing amendments in the Benevolent Society's Bill.

CHARLES NICHOLSON,
Speaker.

342.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 1 OCTOBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Edward Crooke:—Mr. Donaldson presented a Petition from Edward Crooke, of Gipps Land, praying inquiry into certain circumstances in connexion with an application made by Petitioner for a Lease of Crown Lands.
Petition received.

2. Business Precedence:—The Colonial Secretary moved, That the Orders of the Day in reference to Bills take precedence of the Order of the Day for the resumption of the Debate on Mr. Lamb's motion against the resumption of Transportation.
Question put and passed.

3. Cruelty to Animals Bill:—The Governor's Message No. 39, received on the 27th ultimo, proposing amendments in this Bill, having been read, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported that the Committee had agreed to the amendments proposed by His Excellency the Governor,—
The Colonial Secretary moved, That this Council do now adopt the amendments so agreed to.

Question put and passed.
The Colonial Secretary then moved, That the Bill, with the amendments so agreed to, be again presented to His Excellency the Governor for the Royal Assent, accompanied by the following Message, to be presented by the Speaker:—

" Message from the Legislative Council to His Excellency the Governor, in answer to
" certain amendments proposed by His Excellency to be made in a Bill presented
" to His Excellency for Her Majesty's Assent, intituled, ' An Act for the more
" effectual prevention of cruelty to animals.' "

" Agreeably to the provisions of the 30th clause of the Act for the Govern-
" ment of New South Wales, 5th and 6th Victoria, chap. 76, the Legislative Council,
" having taken into consideration certain amendments proposed to the Council to be
" made in the said Bill by His Excellency the Governor, in His Message No. 39, of
" the 27th ultimo, and having agreed to the same, beg to present the said Bill to
" His Excellency for Her Majesty's Assent, with the said amendments so agreed to."

Legislative Council Chamber,
Sydney, 1st October, 1850.

Question put and passed.

4. Medical Witnesses Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill,—
The Colonial Secretary moved, That the Bill be now read a third time.
Debate ensued.

Mr. Allen moved the previous Question,—
Previous Question—" Shall this Question be now put?"—put and negatived.

5. Police Bill:—The Speaker having reported that the Chairman of Committees had certified to the engrossment of this Bill, Bill, on motion of the Colonial Secretary, read a third time, and passed.

The Colonial Secretary then moved, That the following be the title of the Bill, viz.:—" An Act for the regulation of the Police Force in New South Wales."
Question put and passed.

6. Mitchell's Tramway Bill:—The Governor's Message No. 40, received on the 30th ultimo, proposing an amendment in this Bill, having been read, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.

The Chairman having reported that the Committee had agreed to the amendment proposed by His Excellency the Governor,—

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

Question put and passed.

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

*" Message from the Legislative Council to His Excellency the Governor, in answer to
" an amendment proposed by His Excellency, to be made in a Bill presented to His
" Excellency for Her Majesty's Assent, intituled, ' A Bill to authorise the continua-
" ' tion of a Tramroad from Burwood to the Wharf at Newcastle.' "*

*" Agreeably to the provisions of the 30th Clause of the Act for the Government
" of New South Wales, 5th and 6th Victoria, chap. 76, the Legislative Council
" having taken into consideration an amendment proposed to the Council to be made
" in the said Bill by His Excellency's Message, No. 40, of the 30th ultimo, and
" having agreed to the same beg to present the said Bill to His Excellency, for Her
" Majesty's Assent, with the said amendment so agreed to."*

*Legislative Council Chamber,
Sydney, 1st October, 1850.*

Question put and passed.

7. Benevolent Society's Bill:—The Governor's Message No. 41, received on the 30th ultimo, proposing amendments in this Bill, having been read, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.

The Chairman having reported that the Committee had agreed to the amendments proposed by His Excellency the Governor,—

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

Question put and passed.

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

*" Message from the Legislative Council to His Excellency the Governor, in answer to
" certain amendments proposed by His Excellency to be made in a Bill presented
" ' to His Excellency for Her Majesty's Assent, intituled, ' A Bill to enable the
" ' Trustees of the Benevolent Society at Sydney, to sell and dispose of certain lands,
" ' and to apply the proceeds in and towards the erection of additional buildings.' "*

*" Agreeably to the provisions of the 30th Clause of the Act for the Government
" of New South Wales, 5th and 6th Victoria, chap. 76, the Legislative Council
" having taken into consideration certain amendments proposed to the Council to
" be made in the said Bill by His Excellency the Governor in His Message No.
" 41, of the 30th ultimo, and having agreed to the same, beg to present the said
" Bill to His Excellency for Her Majesty's Assent, with the said amendments so
" agreed to."*

*Legislative Council Chamber,
Sydney, 1st October, 1850.*

Question put and passed.

8. Impounding Bill:—The following Message from His Excellency the Governor received and read:—

CH^s. A. FITZ ROY,
Governor.

Message No. 42.

Agreeably to the provisions of the 30th Clause of the Act for the Government of New South Wales and Van Diemen's Land, the Governor has to propose the following amendments in the Act which has been passed by the Council, and presented to His Excellency for the Royal Assent, intituled, " A Bill declaratory of the right
" of Occupants of Crown Lands to impound Cattle, and other animals, found tres-
" passing thereon."

2. The amendments which His Excellency proposes are, that the first two lines, and the words " in Council " in the third line be expunged and the following words be substituted " Whereas doubts have arisen whether persons who now or may
" hereafter occupy Waste Lands of the Crown, under lease, license, or other authority
" granted by or on behalf of the Crown," and that the words between the words
" occupation

"occupation by" in the sixth line and the word "expired" inclusively in the eighth line be expunged, and the following words be substituted "lease, license, or other authority granted by or on behalf of the Crown."

Government House,
Sydney, 1st October, 1850.

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

9. Transportation :—The adjourned Debate on the motion of Mr. Lamb—
- (1.) That an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.
 - (2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repents the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June, 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.
 - (3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay—resumed,—
Mr. Parker moved, pursuant to contingent notice, That there be interposed between Mr. Lamb's second and third Resolutions, the following :—
 - "(3.) That this Council solemnly protests against the adoption of any measure for the dismemberment of any part of New South Wales Proper, lying between the 26th degree of south latitude, and the boundary of the Port Phillip District, (as defined in the present Constitution Act, 5th and 6th Victoria, c. 76,) for the formation of a Penal Settlement, or for any other purpose.
 - "(4.) That the apparently contemplated separation from this Colony of the District of Moreton Bay and the Clarence River, for the purpose of their annexation to a new Colony, to be founded to the northward, would be a grievous injustice on the inhabitants of New South Wales, who have founded and established these districts, by large drafts from the population, capital, and stock of that Colony,—thus giving value to the waste lands of those districts, upon the security of which, in common with the lands of other parts of New South Wales, a considerable debt has been contracted for the purposes of Immigration, in the benefits of which, the northern districts have largely participated.
 - "(5.) That the formation of these Districts into a Penal Settlement, for the reception of British criminals, would be a violation of the pledge given by Earl Grey, that none would be sent to any part of New South Wales, contrary to the wishes of the Colonists, as expressed by the Legislature.
 - "(6.) That if the exigencies of the Parent State should require that a Penal Settlement be formed in the unoccupied portions of this Territory, beyond the boundaries of New South Wales Proper, it is only just that sufficient Civil and Military Establishments should be maintained at the expense of the British Treasury, for the proper management, coercion, and control, of the convicts transported thither, so as to prevent them from becoming in any way injurious to the neighbouring Colonies.
 - "(7.) That the result of all former experience shews it to be absolutely necessary, in order to render a Penal Establishment conducive to the reformation of the criminals sent thither, and to prevent the demoralization of the general population, that there should be conveyed, at the same time with such criminals, double the number, at least, of free persons, in equal proportions of the sexes; and that if this be necessary in a country already occupied by free Colonists, it will become doubly so in one where the free population will form in the first instance so small a proportion to the bond.
 - "(8.) That it is only just, that all persons originally transported from the United Kingdom, who may be convicted of any transportable offence in any Colony other than that in which they have served their sentences, and which may thus have benefited by their labor, should be transported to some Penal Settlement of the British Crown, and maintained there during their servitude, at the expense of the British Treasury,"
- (with the understanding that the Debate be taken upon the proposed amendment in its entirety, but that the Resolutions comprised in it be put *seriatim*.)
Debate continued.

10. Sydney Corporation Bill :—The following Message from His Excellency the Governor received and read :—

CHS. A. FITZ ROY, Message No. 43.
Governor.

Agreeably to the provisions of the 30th clause of the Act for the government of New South Wales and Van Diemen's Land, the Governor has to propose the following amendments in the Act which has been passed by the Council, and presented to His Excellency for the Royal Assent, intituled, "A Bill to provide for the regulation of the Corporation of the City of Sydney."

2. The amendments which His Excellency proposes are that the word "Mayor" be inserted before the word "Aldermen" in line 48 of page 2; that the words "of the Mayor or" be inserted at the end of line 16, page 12; that the words "Mayor or" be expunged from the next following line; that the word "Mayor" be inserted before the word "Aldermen" in line 27 of page 12; that the word "whether" be substituted for the word "when" in line 56 of page 16; and that the words "and the corporate and common seal of the Mayor, Aldermen, and Councillors" and "Citizens of the said City," and the letters "L. S.," be expunged from the form of Warrant given in page 43.

Government House, Sydney,
1st October, 1850.

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

11. Transportation :—The Debate interrupted by the above Message resumed,—
Question put,—That the first of the Resolutions proposed to be interposed between Mr. Lamb's first and second Resolutions be so interposed.
Council divided.

Ayes, 8.
Mr. Nichols,
Mr. Allen,
Mr. Icely,
Captain King,
Mr. Murray,
Mr. Lamb,
The Attorney General,
Mr. Parker, (Teller.)

Noes, 12.
Mr. Byrnes,
Mr. Macintyre,
Mr. Suttor,
Mr. Donaldson,
Mr. Moor,
Mr. Ebden,
Major Mercer,
Dr. Dickson,
Mr. Bowman,
Mr. Oakes,
Dr. Lang,
Mr. Cooper, (Teller.)

Question,—That the second of the Resolutions proposed to be interposed between Mr. Lamb's first and second Resolutions be so interposed,—put and negatived.

Question,—That the third of the Resolutions proposed to be interposed between Mr. Lamb's first and second Resolutions be so interposed,—put and negatived.

Question,—That the fourth of the Resolutions proposed to be interposed between Mr. Lamb's first and second Resolutions be so interposed,—put and negatived.

Question,—That the fifth of the Resolutions proposed to be interposed between Mr. Lamb's first and second Resolutions be so interposed,—put and negatived.

Question,—That the sixth of the Resolutions proposed to be interposed between Mr. Lamb's first and second Resolutions be so interposed,—put and negatived.

Original Question,—

(1.) That an humble Address be presented to Her Majesty, respectfully setting forth (with reference to the Despatch of the Right Honorable the Secretary of State for the Colonies, to His Excellency Sir Charles Augustus Fitz Roy, No. 174, dated 16th November, 1849,) that this Council adopts as its final conclusion, that no more Convicts ought, under any conditions, to be sent to any part of this Colony.

(2.) That as there can be no security for the social and political tranquillity of the Colony until the Convict question is set at rest, this Council humbly repeats the prayer which was contained in an Address to Her Majesty from this Council, dated 1st June, 1849, viz.—That Her Majesty will be graciously pleased to revoke the Order in Council by which this Colony has been again made a place to which British offenders may be transported.

(3.) That the foregoing Address to Her Majesty be transmitted to His Excellency the Governor, with a respectful request that His Excellency will be pleased to forward the same to Her Majesty, with his recommendation that the prayer of this Council may be acceded to with the least possible delay,—put and passed.

Address to be presented by the Speaker, the Colonial Secretary, and the Attorney General.

12. Assent to Bills :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the following Bills :—

- (1.) Distillation Bill.
- (2.) Public Entertainment Bill.
- (3.) Lien on Wool and Mortgages on Stock Bill.
- (4.) Masters and Servants' Act Continuation Bill.
- (5.) Appropriation Bill.
- (6.) Dower Bill.
- (7.) Marriage Confirmation Bill.
- (8.) Female Children's Apprenticing Bill.
- (9.) Slaughter House Laws extension Bill.
- (10.) Sydney University Bill.
- (11.) Steam Navigation Bill.
- (12.) Sewerage Bill.
- (13.) Auction Duties Abolition Bill.
- (14.) Geelong Private Streets Bill.
- (15.) Russell's Nepean Bridge Bill.

13. Reserved Bill :—The Speaker reported that His Excellency the Governor had been pleased to reserve the following Bill for the signification of Her Majesty's pleasure thereon :—

- (1.) Clergymen's disqualifying Bill.

14. Short Hand Writers' Notes :—Mr. Wentworth moved, That the Notes of the Transportation Debate taken at the Table by the Short Hand Writers of the House be printed under direction of the Standing Orders Committee.

Debate ensued.

Question put.

Council divided.

Ayes, 4.

Mr. James Macarthur,
Mr. Wentworth,
Mr. Dangar,
Mr. Martin, (Teller.)

Noes, 11.

Mr. Parker,
Mr. Allen,
Mr. Suttor,
Captain King,
Mr. Murray,
Major Mercer,
Mr. Moor,
The Attorney General,
Mr. Bowman,
Mr. Lamb,
Mr. Nichols, (Teller.)

Council adjourned at Six o'clock, until to-morrow at Twelve o'clock.

ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 2.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message, No. 42, proposing amendments in the Impounding Bill.
2. Consideration of Governor's Message, No. 43, proposing amendments in the Sydney Corporation Bill.

CHARLES NICHOLSON,
Speaker.

3/48.

349

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 2 OCTOBER, 1850.

1. Council met pursuant to adjournment; the Speaker took the Chair.
Transportation:—Mr. Lamb moved, That the Abstract of Petitions for and against the Resumption of Transportation, prepared by the Clerk by order of the House, be printed.
Debate ensued.
Question put and passed.
2. Prothonotary and Registrar:—Mr. Darvall presented a Petition from George Phillips Foster Gregory, Esquire, the Prothonotary and Registrar of the Supreme Court, and Primary Officer for the Registration of Grant Deeds and other Documents, praying that provision be made for increased clerical assistance in his Department.
Petition received.
3. Laws of Real Property and of Dower Bills:—Mr. Wentworth brought up a progress Report from, and laid upon the Table the Evidence taken before the Select Committee to whom these Bills were referred on the 31st July last.
Ordered to be printed.
4. Van Diemen's Land Convicts:—The Colonial Secretary laid upon the Table an Extract from a Note from Sir William Denison, the Lieutenant Governor of Van Diemen's Land, accompanied by certain Returns having reference to the Convict Population of that Colony.
Ordered to be printed.
5. Impounding Bill:—The Governor's Message No. 42, received on the 1st instant, proposing amendments in this Bill, having been read, on motion of the Colonial Secretary, the Speaker left the Chair, and the Council resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported that the Committee had agreed to the amendments proposed by His Excellency the Governor,—
The Colonial Secretary moved, That this Council do now adopt the amendments so agreed to.
Question put and passed.
The Colonial Secretary then moved, That the Bill, with the amendments so agreed to, be again presented to His Excellency the Governor for the Royal Assent, accompanied by the following Message:—

*" Message from the Legislative Council to His Excellency the Governor, in answer to
" certain amendments proposed by His Excellency to be made in a Bill presented to His
" Excellency for Her Majesty's Assent, intituled, ' A Bill declaratory of the right
" of Occupants of Crown Lands to impound cattle and other animals found
" trespassing thereon.' "*

*" Agreeably to the provisions of the 30th Clause of the Act for the Government
" of New South Wales, 5th and 6th Victoria, chap. 76, the Legislative Council
" having taken into consideration certain amendments proposed to the Council to be
" made in the said Bill by His Excellency the Governor in His Message, No. 42,
" of the 1st instant, and having agreed to the same beg to present the said Bill to
" His Excellency, for Her Majesty's Assent, with the said amendments so agreed to."*

*Legislative Council Chamber,
Sydney, 2nd October, 1850.*

The

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

*" Message from the Legislative Council to His Excellency the Governor, in answer to
 " certain amendments proposed by His Excellency to be made in a Bill presented
 " to His Excellency for Her Majesty's Assent, intituled, ' A Bill to provide
 " ' for the regulation of the Corporation of the City of Sydney.' "*

*" Agreeably to the provisions of the 30th clause of the Act for the Govern-
 " ment of New South Wales, 5th and 6th Victoria, chap. 76, the Legislative Council,
 " having taken into consideration certain amendments proposed to the Council to be
 " made in the said Bill by His Excellency the Governor, in His Message No. 43, of
 " the 1st instant, and having agreed to the same, beg to present the said Bill to
 " His Excellency for Her Majesty's Assent, with the said amendments so agreed to."*

*Legislative Council Chamber,
 Sydney, 2nd October, 1850.*

Question put and passed.

Mr. Wentworth then moved, That the Message be presented by the Colonial Secretary.

Question put and passed.

7. Assent to Bills:—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the following Bills:—

- (1.) Sydney Public Abattoir Bill.
- (2.) Outward Pilgrage Bill.
- (3.) Police Bill.
- (4.) Benevolent Society's Bill.
- (5.) Mitchell's Tramway Bill.
- (6.) Cruelty to Animals Bill.
- (7.) Sydney Corporation Bill.
- (8.) Impounding Bill.
- (9.) Justices of the Peace Duties Bill.

8. Business of the Session:—The Speaker reported, That of sixty-eight Bills initiated during the Session forty-seven had passed, of which forty-six had been assented to, and one had been reserved for the signification of Her Majesty's pleasure thereon; that seven had been discharged from the Paper, three had been disposed of by the Question of that day six months, three had been negatived on motion for second reading, two had not been presented, one had been laid aside, two had lapsed in the House, two had lapsed in Select Committee, and one had been disposed of by the previous Question.

9. Prorogation:—His Excellency the Governor having arrived at the Chamber, was conducted by the Speaker to an elevated Seat provided for him near the Speaker's Chair, and read the following Speech:—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,

1. I am happy that the state of the public business enables me to release you from further attendance on your Legislative duties.

2. I have had much pleasure in granting my assent on behalf of Her Majesty to several of the measures passed during the present Session, believing them to be well calculated to promote the best interests of this community. Amongst the most important of these is the Act for establishing and endowing the University of Sydney. I will take an early opportunity of adopting the necessary proceedings for giving effect to this measure, and with an anxious desire to see the favorable influence which it may be expected to exercise on the youth of the Colony as fully and speedily realized as circumstances will permit.

3. I anticipate great advantage from the measures adopted for the improvement of the constitution and organization of the Police. You may rely on my zealous co-operation in carrying out the important objects contemplated in the Report from the Select Committee on this subject, as well as in the provisions of the Act for the regulation of the Constabulary Force.

4. I trust that the Act for the regulation of the Corporation of Sydney may be attended with beneficial results, not only as regards the general management of the affairs of this large and rapidly increasing City, but in reference to the improvement of its sanitary condition. The enlarged powers granted to the Corporation by the Sewerage Act will also, I hope, under a judicious administration of its provisions, tend materially to promote the health of the inhabitants.

5. The Act for the confirmation of certain Presbyterian Marriages will, I trust, have the effect of removing the apprehensions entertained by many respectable persons, who, from the neglect of the laws, have been unconsciously placed in circumstances of great difficulty and embarrassment. It is very essential, however that the dangerous precedent afforded by this measure should not be relied on in future, as I should hesitate again to lend my assistance in curing a defect which, it is obvious, may be avoided by a due observance of the law.

6. It will be my duty to transmit without delay to Her Majesty's Government, a copy of your Address, containing the important decision at which you have arrived relative to the renewal of Transportation to this Colony.

7. I will lose no time in forwarding your Address to Her Majesty, on the subject of appointments to the Colonial Service.

8. I will also take care to forward to the Secretary of State, a copy of your Address to me on the subject of Steam Communication with England, in order that Her Majesty's Government may be fully apprised of the terms on which you have consented to make provision for this purpose.

9. Your several Addresses to me relative to—the Lien on Wool Act,—the increased remission in the purchase of land to retired Naval and Military Officers who have settled in the Colony since the year 1839,—compensation to the commuted Pensioners for the passage money paid by them for the conveyance of themselves and families to the Colony,—the discontinuance of Orphan Immigration,—and the reduction of the Military Establishments in the Colony,—shall be forwarded by an early opportunity for the consideration and decision of Her Majesty's Government. The other Addresses which you have presented to me during the present Session shall also receive due attention, with a view to carry out, as far as possible, the objects to which they refer.

10. I have to thank you for the liberality with which you have made provision for the Public Service. In availing myself of the supplies which you have placed at my disposal for this purpose, I will endeavour to use them with the strictest regard to economy.

11. The recent accounts received from England leave now but little doubt that the Bill before Parliament for the separation of Port Phillip and the better Government of the Australian Colonies will have been passed into a law before the end of its Session. In such case it will be my duty to call you together again as soon as the proper measures can be devised and matured for giving effect to the provisions of the Imperial Act.

I now declare this Council to be prorogued to Tuesday, the 12th day of November next.

CH^s. A. FITZ ROY.

*Legislative Council Chamber,
2 October, 1850.*

His Excellency then retired, being conducted to the door by the Speaker, and the Council stood prorogued accordingly, to Tuesday, the 12th day of November next.

CHARLES NICHOLSON,
Speaker.

352,