

Votes

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 8 DECEMBER, 1858.

1. Opening the Session ;—The House met at Twelve o'clock, at noon, pursuant to Proclamation of His Excellency the Governor General, bearing date the 27th day of November last, of which the following is a copy :—

“ PROCLAMATION.

“ *By His Excellency SIR WILLIAM THOMAS DENISON, Knight Commander of the Most Honorable Order of the Bath, Governor General in and over all Her Majesty's Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and Captain General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.*

“ Whereas the Parliament of New South Wales now stands prorogued to Tuesday, the seventh day of December : Now, I, SIR WILLIAM THOMAS DENISON, in pursuance of the power and authority in me vested, as Governor of the said Colony, do hereby further prorogue the said Parliament to Wednesday, the eighth day of December next ensuing ; and I do hereby further announce and proclaim, that the said Parliament shall assemble for the dispatch of business on the aforesaid eighth day of December next, at Twelve o'clock at noon, in the Buildings known as the Council Chambers, situate in Macquarie-street, in the City of Sydney, and the Members of the Legislative Council and Legislative Assembly, respectively, are hereby required to give their attendance at the said time and place accordingly.

“ Given under my Hand and Seal, at Government House, Sydney, this twenty-seventh day of November, in the year of our Lord one thousand eight hundred and fifty-eight, and in the twenty-second year of Her Majesty's Reign.

“ (L.S.)

W. DENISON,

“ *By His Excellency's Command,*

“ CHARLES COWPER.

“ GOD SAVE THE QUEEN ! ”

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

The House went, and, having returned,—

2. Member sworn :—James Hart, Esquire, having taken the Oath and subscribed the Roll, took his seat as a Member for the Electoral District of the United Pastoral Districts of New England and Macleay, in room of Abram Orpen Moriarty, Esquire, resigned. The House then adjourned, on motion of Mr. Cowper, until Three o'clock, to-day,—And there not re-assembling twenty Members, exclusive of the Speaker, the Speaker adjourned the House, at half-past Three o'clock, until to-morrow, at Three o'clock.

DANIEL COOPER,
Speaker.

No. 2.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 9 DECEMBER, 1858.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers:—Mr. Cowper laid upon the Table the undermentioned Papers:—
(1.) Immigration Agent's Report on Immigration for the years 1856 and 1857.
(2.) Correspondence relating to the appointment of a Board of Visitors for the Observatory.
Ordered to be printed.
2. Crown Lands Alienation in certain cases Bill:—Mr. Robertson having presented this Bill, moved, *pro forma*, that this Bill be now read a first time.
Debate ensued.
And the Speaker explaining that the motion was one which is made, unopposed, on like occasions in the House of Commons, in assertion of its right to deliberate without reference to the immediate causes of Summons,—
Question put and passed;—
And Bill, intituled, " *A Bill to authorise the granting of Crown Lands for public purposes and the alienation and sale in certain cases of Crown Lands otherwise than at Auction, and also to prevent the unauthorized occupation of Crown Lands, and to alter in certain respects the regulations relating thereto,*"—read a first time.
Mr. Robertson then moved, That the Bill be printed; and that its second reading stand an Order of the Day for to-morrow.
Debate ensued,—
And the Speaker explaining that the motion was one of form merely,—
Question put and passed.
3. Question of Privilege:—Mr. Forster advertng to the interruption given, on the day of the last prorogation, to his motion in reference to the Crown Law Officers as Cabinet Ministers, by the Speaker's immediate compliance with the summons, delivered by the Usher of the Black Rod, to attend the Governor General in the Legislative Council Chamber,—and advertng also to the Speaker's Speech in that Chamber, upon presenting to the Governor General, for the Royal Assent, the Appropriation Bill for 1857-8, in which speech, he said, opinions were expressed which this House had no opportunity of questioning, supposing them to be questionable,—
The Speaker said that if Honorable Members would look into the practice of Parliament, they would find, that when the Usher of the Black Rod knocks at the door of the House of Commons he is immediately let in, without any notice given by the Sergeant-at-Arms to the House, or any question put for his admission, and as soon as he knocks *all other business, of what kind soever*, immediately ceases, the doors are opened, and when he has delivered his message, the *Speaker and the House go, without debate or delay*, to attend the Queen in the House of Lords,—
And as the first section of the Standing Orders binds this House, in otherwise unprovided cases, to the observance of the rules, forms, and usages of the Imperial Parliament, so far as they can be applied to its proceedings,—he had simply complied with this Standing Order, as it had been complied with by him on all previous occasions of a like nature;—
And as regarded his speech on presenting to the Governor General, for the Royal Assent, the Appropriation Bill for 1857-8, he had, in like manner, merely conformed to a practice of the Imperial Parliament, and enumerated the chief measures of the Session, but if it should be found he had given expression to opinions, contrary to his intention, and those opinions had not the concurrence of the House, then he was responsible for them to the House in the present Session.
4. The Governor General's Opening Speech:—The Speaker reported that this House had yesterday attended His Excellency the Governor General in the Legislative C

Chamber, where His Excellency delivered an Opening Speech to both Houses of Parliament, of which, for greater accuracy, he had obtained a copy, which he then read to the House at length, as follows:—

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, AND
GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

I am sensible that your attendance upon Parliamentary duties at the present time must seriously interfere with the attention which you desire to give to your private business, and the recreation which you require after a Session of unprecedented duration and labour, and I therefore regret that the exigencies of the Public Service compel me after so short an interval again to call you together. It is, however, of paramount importance that the Supplies for the year 1859 should be voted previously to its commencement, in order that the expenditure of the Public Revenues may be made according to Constitutional principles.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

The Estimates of Expenditure for 1859 shall be laid before you forthwith. The time allowed for their preparation has been very limited, and any measure of general departmental reform was, under the circumstances, impossible; I trust, however, you will find that economy has not been overlooked. Some reductions have been made, and wherever additions are proposed, with a view to increase the efficiency of the Public Service, the expenditure is estimated at the lowest possible rate.

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, AND
GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

Conceiving it to be expedient and right that all further Legislation should be confided to the Parliament which will be convened under the Electoral Act recently passed, it is not my intention to submit to you any measure whatever which shall in the least degree interfere with the great Constitutional object for which I have called you together, and the accomplishment of which I now confidently commit to your discretion.

Mr. Hart then moved, and Mr. Rotton seconded the motion,—

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

(2.) That such Committee consist of the following Members, viz.:—Mr. Jones, Mr. Flood, Mr. Byrnes, Mr. Piddington, Mr. Arnold, Mr. Owen, and the Mover and Seconder,—

And Mr. Plunkett having required that the Committee be appointed by Ballot,—

Question (1)—That a Select Committee be appointed to prepare an Address in reply to the Speech delivered by His Excellency the Governor General on opening the present Session of the Parliament of New South Wales,—put and passed;—

Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz.:—Mr. Piddington, Mr. Jones, Mr. Byrnes, Mr. Flood, Mr. Owen, Mr. Arnold, and Mr. Rotton.

The Committee then retired to prepare the Address,—

And Mr. Hart having brought up the Address prepared by the Committee, the same was read by the Clerk, on motion of Mr. Hart, as follows:—

“ To His Excellency SIR WILLIAM THOMAS DENISON, Knight Commander of the
“ Most Honorable Order of the Bath, Governor General in and over all Her
“ Majesty's Colonies of New South Wales, Tasmania, Victoria, South
“ Australia, and Western Australia, and Captain-General and Governor-in
“ Chief of the Territory of New South Wales and its Dependencies, and Vice-
“ Admiral of the same.

“ MAY IT PLEASE YOUR EXCELLENCY:—

“ We, Her Majesty's loyal and dutiful Subjects, the Members of the
“ Legislative Assembly of New South Wales, in Parliament assembled, desire to
“ express to Your Excellency our affection and loyalty to the Person and Govern-
“ ment of our Most Gracious Sovereign; and to offer our respectful thanks for Your
“ Excellency's Speech to this Assembly.

“ We agree with your Excellency that it is a matter of deep importance that
“ the Public Revenues should not be expended without the sanction of Parliament,
“ and we are therefore prepared cheerfully to undertake the duty of considering
“ the Estimates for 1859, notwithstanding the personal inconvenience which must
“ arise from attendance at this particular period of the year, and after so arduous
“ a Session.

“ In considering the Estimates, we shall be influenced by a due regard to
“ economy on the one hand, and to the efficiency of the public service on the
“ other.

“ We cordially concur with your Excellency in the opinion that, as the law
“ for introducing Electoral Reform is now in force, it will be desirable that all
“ further legislation, should, so far as practicable, be entrusted to the Parliament to
“ be called together under that Act.”

Mr. Hart then moved, That the Address in reply to the Governor General's opening Speech, as read by the Clerk, be now adopted by this House.
Debate ensued.

Question

Question put and passed;—

Whereupon Mr. Cowper acquainted the House that he had ascertained it to be the pleasure of the Governor General to receive their Address at Government House to-morrow, at three o'clock.

5. Committee of Elections and Qualifications :—The Speaker, pursuant to the requirement of the Electoral Act of 1851, laid upon the Table his Warrant appointing the Committee of Elections and Qualifications for the present Session, of which the following is a copy :—

“ LEGISLATIVE ASSEMBLY.

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

“ Pursuant to the power in that behalf vested in me, as Speaker of the Legislative
“ Assembly of New South Wales, by the Electoral Act of 1851, I do hereby appoint

“ Richard Jones, Esquire,
“ The Honorable John Hay, Esquire,
“ Robert Thomas Jamison, Esquire,
“ Elias Carpenter Weekes, Esquire,
“ Alexander Walker Scott, Esquire,
“ Samuel Deane Gordon, Esquire, and
“ Robert Owen, Esquire,

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

“ Given under my Hand, at the Legislative Assembly
“ Chamber, Macquarie-street, Sydney, this ninth day of
“ December, in the year of our Lord one thousand
“ eight hundred and fifty-eight.

“ DANIEL COOPER,
“ Speaker.”

6. Leave of Absence :—

(1.) Granted to Mr. Donaldson for ten days, on motion of Mr. Hay.

(2.) Granted to Mr. Taylor for ten days, on motion of Mr. Wild.

The House, on motion of Mr. Cowper, adjourned, at ten minutes before Seven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDER OF THE DAY.

FRIDAY, DECEMBER 10.

MEMO. :—The House meet this day, at Three o'clock, P.M., to proceed to Government House, there to present to the Governor General their Address in reply to His Excellency's opening Speech.

NOTICES OF MOTION :—

1. MR. COWPER to move, That William Munnings Arnold, Esquire, be Chairman of Committees of the whole House, during the present Session.
2. MR. COWPER to move, That the Standing Orders Committee for the present Session consist of the following Members, viz. :—The Speaker, Mr. Arnold, Mr. Cowper, Mr. Donaldson, Mr. Faucett, Mr. Jones, Mr. Macarthur, Mr. Martin, Mr. Owen, and Mr. Piddington; with leave to sit during any adjournment, and authority to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
3. MR. COWPER to move, That the Library Committee for the present Session consist of the following Members, viz. :—The Speaker, Mr. Arnold, Mr. Cowper, Mr. Denichy, Mr. Donaldson, Mr. Hay, Mr. Jones, Mr. Macarthur, Mr. Martin, and Mr. Scott, with leave to sit during any adjournment, and authority to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
4. MR. COWPER, to move, That, unless otherwise ordered, this House will meet for Dispatch of Business at Three o'clock P.M. on Tuesday, Wednesday, Thursday, and Friday, in each week.
5. MR. COWPER to move, That on Tuesday, Wednesday, and Thursday in each week, Government Business take precedence of all other Business.
6. MR. COWPER to move, That the Order respecting the transmission of Messages, agreed to by the two Houses during the Session of 1856-7, stand as a Sessional Order of this House for the present Session.
7. MR. COWPER to move, That it be an Order of this House for the present Session, that if at any time after the commencement of the Business of the day, notice be taken that there is not a Quorum of Members present, the Sergeant-at-Arms, by direction of the Speaker, shall ring the Division Bell before the Speaker proceed to count the House.

ORDER OF THE DAY :—

1. Crown Lands Alienation in Certain Cases Bill; second reading.

Questions :—

Questions—

1. MR. OWEN *to ask* THE HONORABLE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) Whether he has received any report from the Engineer who has surveyed the Harbours of Wollongong and Bellambi; and whether he is prepared to lay the plans, if ready, before the House?
 - (2.) Whether the Engineer has been yet instructed to survey the Harbour of Kiama, with a view to such improvement as will ensure the safety of the public and shipping frequenting that port?
2. MR. FAUCETT *to ask* THE HONORABLE THE SOLICITOR GENERAL,—Whether the Government intend to bring in during the present Session, any measure for the purpose of clearing off the heavy arrears, and facilitating the dispatch of business in the Supreme Court?

TUESDAY, DECEMBER 14.

NOTICE OF MOTION:—

1. MR. PLUNKETT to move, That there be a Call of this House on the 5th day of January next.

Question:—

1. MR. WEEKES *to ask* THE HONORABLE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) Whether the Steam Dredge for the Hunter is so near completion as to enable a reliable calculation to be made of her draught of water when in working order and with her coals on board, and, if so, what that draught of water will be?
 - (2.) What is the estimated draught of water of the punts recently built for the service of that Dredge, when fully loaded?

DANIEL COOPER,
Speaker.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 10 DECEMBER, 1858.

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

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,

I acknowledge thankfully the expression of your loyalty and affection for Her Majesty's person and Government, and the assurance that, notwithstanding the inconvenience to which you will be subjected, you will cheerfully undertake the duty of considering the Estimates for the forthcoming year.

Government House,

Sydney, 10 December, 1858.

W. DENISON.

- 2. Estimates for 1858-9 :—The following Message from His Excellency the Governor General received and read,—

W. DENISON,

Governor General.

Message No. 1.

In accordance with the provisions contained in the 54th clause of the Constitution Act, the Governor General herewith submits for the consideration of the Legislative Assembly, Estimates of Expenditure for the year 1859.

The Governor General also submits for consideration, a further Supplementary Estimate of Expenditure for the present year.

Government House,

Sydney, 10 December, 1858.

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

- 3. Chairman of Committees :—Mr. Cowper moved, pursuant to notice, That William Munnings Arnold, Esquire, be Chairman of Committees of the whole House, during the present Session.

Question put and passed ;—

Whereupon Mr. Arnold made his acknowledgments to the House.

- 4. Paper :—Mr. Robertson laid upon the Table, a correspondence relative to the occupation of Fort Macquarie and Garden Island by the Naval Authorities.

Ordered to be printed.

- 5. Standing Orders Committee :—Mr. Cowper moved, pursuant to notice, That the Standing Orders Committee for the present Session consist of the following Members, viz. :—The Speaker, Mr. Arnold, Mr. Cowper, Mr. Donaldson, Mr. Faucett, Mr. Jones, Mr. Macarthur, Mr. Martin, Mr. Owen, and Mr. Piddington ; with leave to sit during any adjournment, and authority to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.

Question put and passed.

- 6. Library Committee :—Mr. Cowper moved, pursuant to notice, That the Library Committee for the present Session consist of the following Members, viz. :—The Speaker, Mr. Arnold, Mr. Cowper, Mr. Deniehy, Mr. Donaldson, Mr. Hay, Mr. Jones, Mr. Macarthur, Mr. Martin, and Mr. Scott, with leave to sit during any adjournment, and authority to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.

Question put and passed.

- 7. Days for Dispatch of General Business :—Mr. Cowper moved, pursuant to notice, That, unless otherwise ordered, this House will meet for Dispatch of Business at Three o'clock P.M. on Tuesday, Wednesday, Thursday, and Friday, in each week.

Question put and passed.

8. Days for Dispatch of Government Business :—Mr. Cowper moved, pursuant to notice, That on "Tuesday," Wednesday, and Thursday in each week, Government Business take precedence of all other Business.
Mr. Hay moved, That the Question be amended by the omission of the word "Tuesday," at the commencement.
Debate ensued.
Question put,—That the word proposed to be omitted stand part of the Question.
The House divided.

Ayes, 20.

Mr. Cowper,
Mr. Robertson,
Mr. Gordon,
Mr. Dentchy,
Mr. Dalley,
Mr. Owen,
Mr. Rotton,
Mr. Jones,
Mr. Forster,
Mr. Flood,
Mr. Richardson,
Mr. Hodgson,
Mr. Williamson,
Mr. Piddington,
Mr. Hart,
Mr. Dickson,
Mr. J. Campbell,
Mr. Oakes,
Mr. Byrnes, } Tellers.
Mr. Arnold, }

Noes, 7.

Mr. W. Macleay,
Mr. Plunkett,
Mr. Paterson,
Mr. Will,
Mr. Jenkins,
Mr. Hay, } Tellers.
Mr. Faucett, }

- Whereupon Original Question put and passed.
9. Transmission of Messages between the two Houses :—Mr. Cowper moved, pursuant to notice, That the Order respecting the transmission of Messages, agreed to by the two Houses during the Session of 1856-7, stand as a Sessional Order of this House for the present Session.
Question put and passed.
10. Counting the House :—Mr. Cowper moved, pursuant to notice, That it be an Order of this House for the present Session, that if at any time after the commencement of the Business of the day, notice be taken that there is not a Quorum of Members present, the Sergeant-at-Arms, by direction of the Speaker, shall ring the Division Bell before the Speaker proceed to count the House.
Question put and passed.
11. Crown Lands Alienation in certain Cases Bill, on motion of Mr. Robertson, discharged from the Paper.
The House adjourned at a quarter before Five o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDER OF THE DAY.

TUESDAY, DECEMBER 14.

Contingent Notice of Motion :—

1. MR. PIDDINGTON to move, (upon the motion of Mr. Plunkett for a Call of the House being proposed), the addition of the following words :—And on every following Business Day for one calendar month thereafter, and that the names of such Members who do not answer when called, be published daily in the Votes and Proceedings of this House.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move, That, unless otherwise ordered, the resumption of the Committee of Supply stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.

ORDER OF THE DAY :—

1. Consideration of Governor General's Message No. 1, with Estimates of Expenditure for 1858-9.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PLUNKETT to move, That there be a Call of this House on the 5th day of January next.
2. MR. FLOOD to move, That there be laid upon the Table of this House, a Return of all moneys voted or appropriated to repair or improve the Road leading from Appin to Wollongong, from the 1st January, 1851, to 31st December, 1857; also, a Return, shewing, in detail, all moneys expended during the same period.
3. MR. FAUCETT to move, That the answer of the Solicitor-General, in reply to the question put to him on Friday, the 10th instant, viz., whether the Government intend to bring in during the present Session any measure for the purpose of clearing off the arrears and facilitating the dispatch of business in the Supreme Court, is unsatisfactory.

Questions :—

Questions :—

1. MR. WEEKES *to ask* THE HONORABLE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) Whether the Steam Dredge for the Hunter is so near completion as to enable a reliable calculation to be made of her draught of water when in working order and with her coals on board, and, if so, what that draught of water will be?
 - (2.) What is the estimated draught of water of the punts recently built for the service of that Dredge, when fully loaded?
2. MR. FORSTER *to ask* THE HONORABLE THE SOLICITOR GENERAL,—What localities, if any, have been determined on as places for holding District Courts in the Northern, Southern, and Western Districts respectively?
3. MR. ROTTON *to ask* THE HONORABLE THE SOLICITOR GENERAL,—Whether it is the intention of the Government to take any steps for the purpose of publishing, in a compendious form, the Acts of the Local Legislature, from the earliest date up to the present time?
4. MR. ROTTON *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) Are the Electric Telegraphs to Maitland and Bathurst, authorized by vote of this House on the 10th November last, yet commenced?
 - (2.) If not, why not?
 - (3.) If commenced, how far have they progressed?
5. MR. PIDDINGTON *to ask* THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) In what mode the twenty-second section of the Royal Instructions to the Governor of New South Wales is carried out, so far as relates to the appointment to such Spiritual Cures as may, from time to time, become vacant in the Church of England and Ireland?
 - (2.) Is the patronage to vacant Cures within the Colony exercised by the Governor, upon his sole personal responsibility, or with the advice of the Executive Council, for the time being?
 - (3.) Is any similar right of patronage assumed in reference to the other sections of Christians receiving pecuniary grants out of the Consolidated Fund?
 - (4.) If the Governor appoints to vacant Cures, without the advice of the Executive Council, how long is a system so inconsistent with the spirit of Responsible Government to be continued?
6. MR. HAY *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the plans and sections of the lines of Railway, of which notice has been given by the Railway Commissioners, but which have not yet been proclaimed, are to be laid before Parliament during the present Session?
7. MR. HAY *to ask* THE COLONIAL SECRETARY—Whether the necessary arrangements are being made for the Elections by Ballot under the New Electoral Act; and whether it is likely that those arrangements will be complete before the completion of the lists on the 12th April?

 WEDNESDAY, DECEMBER 15.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. THORNTON *to move* :—
 - (1.) That the Petition of certain Citizens of Sydney, complaining of the statements made by the Immigration Agent in regard to Irish female immigrants, be referred to a Select Committee, to investigate and report upon the allegations contained in the said Petition, and that all Proceedings of the Committee of last Session upon this subject be referred to such Committee.
 - (2.) That such Committee consist of the following Members, viz., Mr. Deniely, Mr. Donaldson, Mr. Faucett, Mr. Owen, Mr. Jenkins, Mr. Murray, Mr. Williamson, Mr. Rotton, and the Mover.

Questions—

1. MR. JENKINS *to ask* THE SECRETARY FOR LANDS AND PUBLIC WORKS,—What steps, if any, have been taken towards the building of the contemplated bridge over the River Peel, at Tamworth?
2. MR. THORNTON *to ask* THE HONORABLE THE COLONIAL TREASURER,—Whether it is the intention of the Government to amend or modify, during the present Session, the Pilotage Act of 1858.

 FRIDAY, DECEMBER 17.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FLOOD *to move*, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence that may have taken place between the Executive Government and the late Colonial Architect, Mr. William Weaver, relating to a Report and the Evidence taken before a Select Committee of the Legislature appointed on the 7th August, 1855, "to inquire into and report upon the present state of the Colonial "Architect's Department;" also Copies of all Correspondence touching the resignation of Mr. Weaver, as Colonial Architect.
2. MR. FORSTER *to move*,—
 - (1.) That the Public Service would benefit by separation of the duties of Crown Law Officers from those of Cabinet Ministers.
 - (2.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to give, as early as possible, effect to the foregoing Resolution.

DANIEL COOPER,
Speaker.

No. 4.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 14 DECEMBER, 1858.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers :—
(1.) Mr. Cowper, on behalf of Mr. R. Campbell, laid upon the Table the Return to the Address in reference to the portion of the Circular Quay set apart for use of Ocean Postal Steamers, adopted, on the 5th November last, on motion of Mr. Donaldson.
Ordered to be printed.
(2.) Mr. Robertson laid upon the Table Copies of the Contracts entered into for the proclaimed portion of the Great Western Railway ;—
And Mr. Robertson stating, that, for certain obvious reasons, it was not his intention to move that these Papers be printed ;—
And a Debate arising thereupon ;—
And the Speaker stating, in reply to a question by Mr. Forster, That a private Member could not, without previous notice, move for the printing of these Papers ;—
Mr. Forster gave notice of his intention to move, on Friday next, That they be printed ;—
And the discussion dropped.
2. Days for Committee of Supply :—Mr. Cowper moved, pursuant to notice, That, unless otherwise ordered, the resumption of the Committee of Supply stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.
Question put and passed.
3. Estimates for 1858-9 :—The Order of the Day for the consideration of the Governor General's Message No. 1 with the Estimates of Expenditure for the year 1858-9 being read,—
The Clerk, on motion of Mr. Cowper, read the Governor General's Message No. 1,—
Whereupon Mr. Cowper moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole to consider the Supply to be granted to Her Majesty for the service of the year 1858-9, and that the Estimates accompanying the Governor General's Message No. 1 be referred to such Committee.
Question put and passed ;—
Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of Supply accordingly.
The Chairman obtained leave to sit again on Thursday next, and reported the following Resolutions :—

Estimates for 1859.

I.—SCHEDULES.

- (1.) Resolved, that there be granted to Her Majesty, a sum not exceeding £100, in the year 1859, to meet necessary additional Expenditure under Schedule (A) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., Cap. 54.
- (2.) Resolved, that there be granted to Her Majesty, a sum not exceeding £733 6s. 8d., in the year 1859, to defray Pensions not provided for by Schedule (B) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., Cap. 54,—being £200 to Lady Forbes, widow of Sir Francis Forbes, formerly Chief Justice; £200 to Lady Dowling, widow of Sir James Dowling, late Chief Justice; £100 to Mrs. Anne Kinchela, widow of the late Mr. Justice Kinchela; £100 to Mrs. Anne Petric, the daughter of the late Captain Flinders, R. N.; and £133 6s. 8d., to Mr. Edward Robert Stack, late Master of the Benevolent Asylum, at Sydney.
- (3.) Resolved, that there be granted to Her Majesty, a sum not exceeding one shilling, in the year 1859, to meet necessary additional expenditure under Schedule (C) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., Cap. 54.

II.

II.—EXECUTIVE AND LEGISLATIVE.

(4.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,523, to defray the salaries and contingencies of His Excellency the Governor General's Establishment, for the year 1859.

(5.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,162, to defray the salaries and contingencies of the Executive Council Establishment, for the year 1859.

Adoption of the Resolutions, on motion of Mr. Cowper, ordered to stand an Order of the Day for to-morrow, and have precedence over all other business on the Paper for that day.

4. Postponement :—Mr. Plunkett, *by consent*, postponed the motion standing in his name first on the Notice Paper of Other Business for to-day, until the Resolutions from the Committee of Supply shall have been disposed of to-morrow.
5. Road from Appin to Wollongong :—Mr. Flood moved, pursuant to notice, That there be laid upon the Table of this House, a Return of all moneys voted or appropriated to repair or improve the Road leading from Appin to Wollongong, from the 1st January, 1851, to 31st December, 1857; also, a Return, shewing, in detail, all moneys expended during the same period.
Question put and passed.
6. Postponement :—Mr. Plunkett, on behalf of Mr. Faucett, postponed the motion standing in the name of Mr. Faucett third on the Notice Paper of Other Business for to-day, until Friday next.

The House adjourned at Eleven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 15.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply :—Adoption of the following Resolutions :—

“ *Estimates for 1859.*

“ I.—SCHEDULES.

“ (1.) Resolved, that there be granted to Her Majesty, a sum not exceeding £100, in the year 1859, to meet necessary additional Expenditure under Schedule (A) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., Cap. 54.

“ (2.) Resolved, that there be granted to Her Majesty, a sum not exceeding £733 6s. 8d., in the year 1859, to defray Pensions not provided for by Schedule (B) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., Cap. 54,—being £200

“ to Lady Forbes, widow of Sir Francis Forbes, formerly Chief Justice; £200 to Lady Dowling, widow of Sir James Dowling, late Chief Justice; £100 to Mrs. Anne Kinchela, widow of the late Mr. Justice Kinchela; £100 to Mrs. Anne Petrie, the daughter of the late Captain Flinders, R.N.; and £133 6s. 8d., to Mr. Edward Robert Stack, late Master of the Benevolent Asylum at Sydney.

“ (3.) Resolved, that there be granted to Her Majesty, a sum not exceeding one shilling, in the year 1859, to meet necessary additional expenditure under Schedule (C) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., Cap. 54.

“ II.—EXECUTIVE AND LEGISLATIVE.

“ (4.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,523, to defray the salaries and contingencies of His Excellency the Governor General's Establishment, for the year 1859.

“ (5.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,162, to defray the salaries and contingencies of the Executive Council Establishment, for the year 1859.”

OTHER BUSINESS—*Contingent Notice of Motion* :—

1. MR. PIDDINGTON to move, (upon the motion of Mr. Plunkett for a Call of the House being proposed), the addition of the following words :—And on every following Business Day for one calendar month thereafter, and that the names of such Members who do not answer when called, be published daily in the Votes and Proceedings of this House.

NOTICE OF MOTION :—

1. MR. PLUNKETT to move, That there be a Call of this House on the 5th day of January next.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move, That this House do now resolve itself into a Committee of the whole, to consider of the Ways and Means to meet the Supply granted to Her Majesty for the service of the year 1858–9.

OTHER

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. THORNTON to move :—
 - (1.) That the Petition of certain Citizens of Sydney, complaining of the statements made by the Immigration Agent in regard to Irish female immigrants, be referred to a Select Committee, to investigate and report upon the allegations contained in the said Petition, and that all Proceedings of the Committee of last Session upon this subject be referred to such Committee.
 - (2.) That such Committee consist of the following Members, viz., Mr. Deniehy, Mr. Donaldson, Mr. Faucett, Mr. Owen, Mr. Jenkins, Mr. Murray, Mr. Williamson, Mr. Rotton, and the Mover.

Questions—

1. MR. JENKINS to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—What steps, if any, have been taken towards the building of the contemplated bridge over the River Peel, at Tamworth?
2. MR. THORNTON to ask THE HONORABLE THE COLONIAL TREASURER,—Whether it is the intention of the Government to amend or modify, during the present Session, the Pilotage Act of 1858.
3. MR. HAY to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the plans and sections of the lines of Railway, of which notice has been given by the Railway Commissioners, but which have not yet been proclaimed, are to be laid before Parliament during the present Session?
4. MR. HAY to ask THE COLONIAL SECRETARY—Whether the necessary arrangements are being made for the Elections by Ballot under the New Electoral Act; and whether it is likely that those arrangements will be complete before the completion of the lists on the 12th April?

THURSDAY, DECEMBER 16.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply; resumption of the Committee.

FRIDAY, DECEMBER 17.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence that may have taken place between the Executive Government and the late Colonial Architect, Mr. William Weaver, relating to a Report and the Evidence taken before a Select Committee of the Legislature appointed on the 7th August, 1855, "to inquire into and report upon the present state of the Colonial "Architect's Department;" also Copies of all Correspondence touching the resignation of Mr. Weaver, as Colonial Architect.
2. MR. FORSTER to move,—
 - (1.) That the Public Service would benefit by separation of the duties of Crown Law Officers from those of Cabinet Ministers.
 - (2.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to give, as early as possible, effect to the foregoing Resolution.
3. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 - (1.) A Return shewing the amount paid from the public Revenues of this Colony for Public Worship during the years 1857 and 1858 respectively, specifying in tables, under the head of each religious denomination respectively—the aggregate amount paid to each—the number of Ministers of religion in each receiving support thereby—the sums paid to each of such Ministers in each year—the names of all such Ministers—the locality or localities to which each Minister was officially attached during the period referred to—and from what special funds, if any, such sums were paid.
 - (2.) A Return shewing respectively the sums paid for Public Worship during the same period in the City of Sydney—in the Sydney Hamlets—and in all other towns containing, by the last census not fewer than 300 souls—specifying in tables the same particulars as above so far as applicable—as also the population of each town—and distinguishing the aggregate amount expended in such towns from the aggregate amount expended in the remainder of the Colony.
 - (3.) A Return shewing the number of acres gratuitously granted by the Crown at any time to the several religious denominations—in aid of either churches or schools—specifying in tables under the head of each of such denominations respectively—the number of acres so granted to each—and in each case, to what person or persons the legal interest was conveyed—the ostensible purpose or purposes of the grant—the date when possession was given—the locality in which such lands are situated—the probable present value thereof—and by whom they are at present occupied.
4. MR. FORSTER to move, That the Copies of Contracts for the proclaimed portion of the Great Western Railway, laid upon the Table on the 14th instant, be printed.
5. MR. FAUCETT to move, That the answer of the Solicitor-General, in reply to the question put to him on Friday, the 10th instant, viz., whether the Government intend to bring in during the present Session any measure for the purpose of clearing off the arrears and facilitating the dispatch of business in the Supreme Court, is unsatisfactory.

TUESDAY,

TUESDAY, DECEMBER 21.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. GORDON to move,—
 - (1.) That a Select Committee be appointed to consider and report upon the expediency of making a Railway to Morpeth, diverging from the most convenient point on the present line from Newcastle to Maitland, with power to call for persons and papers.
 - (2.) That such Committee consist of Mr. Jones, Mr. Weekes, Mr. Arnold, Mr. Piddington, Mr. Robertson, Mr. Scott, Mr. White, Mr. Dickson, and the Mover.

Questions :—

1. MR. THORNTON to ask THE HONORABLE THE COLONIAL TREASURER,—
 - (1.) If it is a fact that manufactured goods have been, and are being, imported by the Government for the Public Service; and if so, of what particular descriptions?
 - (2.) Are manufactured goods imported which might be produced here of equal, if not superior qualities; if so, for what reason, and under what circumstances, are they so imported, and by whose orders?
 - (3.) And whether it is a fact that Tenders have been accepted for supplying the Public Service for the year 1859, with imported manufactures of a description hitherto supplied of Colonial manufacture; if so, what particular descriptions of goods are so supplied, and for what reasons?
2. MR. HART to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Why tenders have not been called for the erection of a Court House at Armidale, for which the sum of £2000 was voted last Session?
3. MR. WILLIAMSON to ask THE PRINCIPAL SECRETARY,—
 - (1.) What are the duties of the Colonial Astronomer?
 - (2.) What are the duties of the Computer or Assistant to the Astronomer?

DANIEL COOPER,
Speaker.

No. 5.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 15 DECEMBER, 1858.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Leave of Absence, for three weeks, granted to Mr. Macarthur, on motion of Mr. Wild.
2. Supply:—Upon the Order of the Day being read for the adoption of the following Resolutions, reported from the Committee of Supply yesterday,—

Estimates for 1859.

I.—SCHEDULES.

- (1.) Resolved, that there be granted to Her Majesty, a sum not exceeding £100, in the year 1859, to meet necessary additional Expenditure under Schedule (A) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., Cap. 54.
- (2.) Resolved, that there be granted to Her Majesty, a sum not exceeding £733 Gs. 8d., in the year 1859, to defray Pensions not provided for by Schedule (B) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., Cap. 54,—being £200 to Lady Forbes, widow of Sir Francis Forbes, formerly Chief Justice; £200 to Lady Dowling, widow of Sir James Dowling, late Chief Justice; £100 to Mrs. Anne Kinchela, widow of the late Mr. Justice Kinchela; £100 to Mrs. Anne Petrie, the daughter of the late Captain Flinders, R.N.; and £133 Gs. 8d., to Mr. Edward Robert Stack, late Master of the Benevolent Asylum at Sydney.
- (3.) Resolved, that there be granted to Her Majesty, a sum not exceeding one shilling, in the year 1859, to meet necessary additional expenditure under Schedule (C) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., Cap. 54.

II.—EXECUTIVE AND LEGISLATIVE.

- (4.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,523, to defray the salaries and contingencies of His Excellency the Governor General's Establishment, for the year 1859.
- (5.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,162, to defray the salaries and contingencies of the Executive Council Establishment, for the year 1859,—

Mr. Cowper moved, "That" this House do now adopt these Resolutions.
Debate ensued.

Mr. Plunkett moved that the Question be amended, by the omission of all the words following the word "That," with a view to the insertion in their place of the words "these Resolutions be recommitted to the Committee of Supply, for further consideration."

Debate continued.

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

Ayes, 17.

Mr. Cowper,
Mr. Robertson,
Mr. Dalley,
Mr. Gordon,
Mr. Marks,
Mr. Owen,
Mr. Weekes,
Mr. Richardson,
Mr. Piddington,
Mr. Forster,
Mr. Rottou,
Mr. Flood,
Mr. Oakes,
Mr. Dickson,
Mr. J. Campbell,
Mr. Jones, } Tellers.
Mr. Arnold, }

Noes, 15.

Mr. Faucett,
Mr. Smith,
Mr. W. B. Tooth,
Mr. Jamison,
Mr. Hart,
Mr. Thornton,
Mr. Egan,
Mr. Paterson,
Mr. Wild,
Mr. Lloyd,
Mr. Hodgson,
Mr. Jenkins,
Mr. Plunkett,
Mr. W. Macleay, } Tellers.
Mr. Hay, }

Whereupon

Whereupon Original Question put.
The House divided.

Ayes, 17.

Mr. Cowper,
Mr. Robertson,
Mr. Dalley,
Mr. Gordon,
Mr. Marks,
Mr. Owen,
Mr. Weekes,
Mr. Richardson,
Mr. Piddington,
Mr. Forster,
Mr. Rotton,
Mr. Flood,
Mr. Oakes,
Mr. Dickson,
Mr. J. Campbell,
Mr. Jones, } Tellers.
Mr. Arnold, }

Noes, 15.

Mr. Smith,
Mr. Thornton,
Mr. Faucett,
Mr. Hart,
Mr. Jamison,
Mr. W. B. Tooth,
Mr. Egan,
Mr. Paterson,
Mr. Wild,
Mr. Lloyd,
Mr. Hodgson,
Mr. Jenkins,
Mr. Plunkett,
Mr. W. Macleay, } Tellers.
Mr. Hay, }

3. Moreton Bay Judge's Appointment Bill :—The Speaker reported, that whilst the House was in debate of the Question last before it, the following Message was received from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having this day passed a Resolution that the Legislative Assembly be requested to transmit to the Council, a copy of the Report of, and Evidence taken before the Select Committee of the Assembly, upon the Moreton Bay Judge's Appointment Bill, requests that the Legislative Assembly will communicate the same accordingly.

Legislative Council Chamber,
Sydney, 9 December, 1858.

W. W. BURTON,
President.

Ordered, on motion of Mr. Cowper, to be taken into consideration to-morrow.

4. Proposed Call of the House :—Mr. Plunkett moved, pursuant to notice, That there be a Call of this House on the 5th day of January next.

Debate ensued,—

And Mr. Piddington offering the Amendment standing in his name on the *Contingent Notice Paper* for to-day, namely,—That there be added to the Question the words, “ and on every following Business Day for one calendar month thereafter, and that “ the names of such Members who do not answer when called, be published daily in “ the Votes and Proceedings of this House,”—

And the Speaker ruling the proposed Amendment to be out of order, as in contravention of the fifth Section of the Standing Orders, and of the Practice of Parliament, which is to have a Call of the House for *one* day carried out through all its stages, as well as to have the intervention of a new Question, before any motion for a Call of the House for another day will be entertained.

Debate continued.

Question put.

The House divided.

Ayes, 15.

Mr. Wild,
Mr. Hay,
Mr. Thornton,
Mr. Piddington,
Mr. Smith,
Mr. Jenkins,
Mr. W. B. Tooth,
Mr. Weekes,
Mr. Plunkett,
Mr. Hart,
Mr. Forster,
Mr. W. Macleay,
Mr. Flood,
Mr. Egan, } Tellers.
Mr. Faucett, }

Noes, 16.

Mr. Cowper,
Mr. Robertson,
Dr. Aldcorn,
Mr. Paterson,
Mr. Gordon,
Mr. Marks,
Mr. Jamison,
Mr. Richardson,
Mr. Jones,
Mr. Dickson,
Mr. J. Campbell,
Mr. Deniehy,
Mr. Owen,
Mr. Dalley,
Mr. Rotton, } Tellers.
Mr. Arnold, }

5. Postponement :—Mr. Cowper postponed the motion standing in his name on the Notice Paper of Government Business for to-day, until to-morrow.

6. Irish Female Immigrants :—Mr. Thornton moved, pursuant to notice,—

(1.) That the Petition of certain Citizens of Sydney, complaining of the statements made by the Immigration Agent in regard to Irish female immigrants, be referred to a Select Committee, to investigate and report upon the allegations contained in the said Petition, and that all Proceedings of the Committee of last Session upon this subject be referred to such Committee.

(2.) That such Committee consist of the following Members, viz., Mr. Deniehy, Mr. Donaldson, Mr. Faucett, Mr. Owen, Mr. Jenkins, Mr. Murray, Mr. Williamson, Mr. Rotton, and the Mover.

Question put and passed.

The House adjourned at eight minutes after seven o'clock, until to-morrow, at three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 16.

Contingent Notice of Motion :—

1. MR. HAY to move, (*on the motion for the House resolving itself into a Committee of Supply*) That it be an instruction to the Committee, to limit the Supply to the amounts demanded for the service of the half-year ending 30th Junc.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move, That this House do now resolve itself into a Committee of the whole, to consider of the Ways and Means to meet the Supply granted to Her Majesty for the service of the year 1858–9.

ORDER OF THE DAY :—

1. Supply ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SMITH to move :—
 - (1.) That a Select Committee be appointed to consider and report upon the expediency of making a Railway to Windsor, diverging from the proposed Parramatta and Penrith line, with power to call for persons and papers, and that all the Proceedings of the Committee of last Session upon this subject be referred to such Committee.
 - (2.) That such Committee consist of Mr. Dalley, Mr. Scott, Mr. Oakes, Mr. Robertson, Mr. Suttor, Mr. Thornton, Mr. White, Mr. R. Tooth, Mr. Plunkett, and the mover.
2. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Tabular Return, shewing the number of causes, motions, and petitions, now set down for hearing on the Equity side of the Supreme Court, specifying the nature of each cause, matter, or petition, when the same was set down, and whether postponed by consent or otherwise ; also, a Return shewing the number of causes or matters remaining undisposed of on the Common Law side of the Court, and when set down.

ORDER OF THE DAY :—

1. Moreton Bay Judge's Appointment Bill ; consideration of Message from Legislative Council, for copy of Report and Evidence on this Bill.

FRIDAY, DECEMBER 17.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence that may have taken place between the Executive Government and the late Colonial Architect, Mr. William Weaver, relating to a Report and the Evidence taken before a Select Committee of the Legislature appointed on the 7th August, 1855, "to inquire into and report upon the present state of the Colonial "Architect's Department ;" also Copies of all Correspondence touching the resignation of Mr. Weaver, as Colonial Architect.
2. MR. FORSTER to move,—
 - (1.) That the Public Service would benefit by separation of the duties of Crown Law Officers from those of Cabinet Ministers.
 - (2.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to give, as early as possible, effect to the foregoing Resolution.
3. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 - (1.) A Return shewing the amount paid from the public Revenues of this Colony for Public Worship during the years 1857 and 1858 respectively, specifying in tables, under the head of each religious denomination respectively—the aggregate amount paid to each—the number of Ministers of religion in each receiving support thereby—the sums paid to each of such Ministers in each year—the names of all such Ministers—the locality or localities to which each Minister was officially attached during the period referred to—and from what special funds, if any, such sums were paid.
 - (2.) A Return shewing respectively the sums paid for Public Worship during the same period in the City of Sydney—in the Sydney Hamlets—and in all other towns containing, by the last census not fewer than 300 souls—specifying in tables the same particulars as above so far as applicable—as also the population of each town—and distinguishing the aggregate amount expended in such towns from the aggregate amount expended in the remainder of the Colony.
 - (3.) A Return showing the number of acres gratuitously granted by the Crown at any time to the several religious denominations—in aid of either churches or schools—specifying in tables under the head of each of such denominations respectively—the number of acres so granted to each—and in each case, to what person or persons the legal interest was conveyed—the ostensible purpose or purposes of the grant—the date when possession was given—the locality in which such lands are situated—the probable present value thereof—and by whom they are at present occupied.
4. MR. FORSTER to move, That the Copies of Contracts for the proclaimed portion of the Great Western Railway, laid upon the Table on the 14th instant, be printed.

5.

5. MR. FAUCETT to move, That the answer of the Solicitor-General, in reply to the question put to him on Friday, the 10th instant, viz., whether the Government intend to bring in during the present Session any measure for the purpose of clearing off the arrears and facilitating the dispatch of business in the Supreme Court, is unsatisfactory.
6. MR. PLUNKETT to move for leave to bring in a Bill to empower the Governor, from time to time, to appoint a Barrister to act temporarily as Judge of the District Court of Moreton Bay, and to amend an Act, intituled, "*An Act to provide for the better Administration of Justice in the District of Moreton Bay.*"

Question:—

1. MR. GORDON to ask THE HONORABLE THE COLONIAL SECRETARY,—When it is probable the papers moved for by him will be laid upon the Table of this House, relative to the Deed of Grant of certain Lands from the Government to the Senate of the University?

TUESDAY, DECEMBER 21.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. GORDON to move,—
 - (1.) That a Select Committee be appointed to consider and report upon the expediency of making a Railway to Morpeth, diverging from the most convenient point on the present line from Newcastle to Maitland, with power to call for persons and papers.
 - (2.) That such Committee consist of Mr. Jones, Mr. Weekes, Mr. Arnold, Mr. Piddington, Mr. Robertson, Mr. Scott, Mr. White, Mr. Dickson, and the Mover.

Questions:—

1. MR. THORNTON to ask THE HONORABLE THE COLONIAL TREASURER,—
 - (1.) If it is a fact that manufactured goods have been, and are being, imported by the Government for the Public Service; and if so, of what particular descriptions?
 - (2.) Are manufactured goods imported which might be produced here of equal, if not superior qualities; if so, for what reason, and under what circumstances, are they so imported, and by whose orders?
 - (3.) And whether it is a fact that Tenders have been accepted for supplying the Public Service for the year 1859, with imported manufactures of a description hitherto supplied of Colonial manufacture; if so, what particular descriptions of goods are so supplied, and for what reasons?
2. MR. WILLIAMSON to ask THE PRINCIPAL SECRETARY,—
 - (1.) What are the duties of the Colonial Astronomer?
 - (2.) What are the duties of the Computer or Assistant to the Astronomer?
3. MR. THORNTON to ask THE HONORABLE THE COLONIAL TREASURER,—Whether it is the intention of the Government to amend or modify, during the present Session, the Pilotage Act of 1858.

DANIEL COOPER,
Speaker

No. 6.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 16 DECEMBER, 1858.

1. There being only sixteen Members present, exclusive of the Speaker, namely:—Mr. Arnold, Mr. Cowper, Mr. Dalley, Mr. Flood, Mr. Forster, Mr. Jamison, Mr. Jenkins, Mr. Jones, Mr. Lord, Mr. Wm. Macleay, Mr. Marks, Mr. Piddington, Mr. Plunkett, Mr. Robertson, Mr. Rotton, and Mr. Weekes, the Speaker took the Chair, and adjourned the House at half-past Three o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, DECEMBER 17.

Contingent Notice of Motion:—

1. MR. HAY to move, (*on the motion for the House resolving itself into a Committee of Supply*) That it be an instruction to the Committee, to limit the Supply to the amounts demanded for the service of the half-year ending 30th June.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence that may have taken place between the Executive Government and the late Colonial Architect, Mr. William Weaver, relating to a Report and the Evidence taken before a Select Committee of the Legislature appointed on the 7th August, 1855, "to inquire into and report upon the present state of the Colonial "Architect's Department;" also Copies of all Correspondence touching the resignation of Mr. Weaver, as Colonial Architect.
2. MR. FORSTER to move,—
 - (1.) That the Public Service would benefit by separation of the duties of Crown Law Officers from those of Cabinet Ministers.
 - (2.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to give, as early as possible, effect to the foregoing Resolution.
3. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 - (1.) A Return shewing the amount paid from the public Revenues of this Colony for Public Worship during the years 1857 and 1858 respectively, specifying in tables, under the head of each religious denomination respectively—the aggregate amount paid to each—the number of Ministers of religion in each receiving support thereby—the sums paid to each of such Ministers in each year—the names of all such Ministers—the locality or localities to which each Minister was officially attached during the period referred to—and from what special funds, if any, such sums were paid.
 - (2.) A Return shewing respectively the sums paid for Public Worship during the same period in the City of Sydney—in the Sydney Hamlets—and in all other towns containing, by the last census not fewer than 300 souls—specifying in tables the same particulars as above so far as applicable—as also the population of each town—and distinguishing the aggregate amount expended in such towns from the aggregate amount expended in the remainder of the Colony.
 - (3.) A Return shewing the number of acres gratuitously granted by the Crown at any time to the several religious denominations—in aid of either churches or schools—specifying in tables under the head of each of such denominations respectively—the number of acres so granted to each—and in each case, to what person or persons the legal interest was conveyed—the ostensible purpose or purposes of the grant—the date when possession was given—the locality in which such lands are situated—the probable present value thereof—and by whom they are at present occupied.

4. MR. FORSTER to move, That the Copies of Contracts for the proclaimed portion of the Great Western Railway, laid upon the Table on the 14th instant, be printed.
5. MR. FAUCETT to move, That the answer of the Solicitor-General, in reply to the question put to him on Friday, the 10th instant, viz, whether the Government intend to bring in during the present Session any measure for the purpose of clearing off the arrears and facilitating the dispatch of business in the Supreme Court, is unsatisfactory.
6. MR. PLUNKETT to move for leave to bring in a Bill to empower the Governor, from time to time, to appoint a Barrister to act temporarily as Judge of the District Court of Moreton Bay, and to amend an Act, intituled, "*An Act to provide for the better Administration of Justice in the District of Moreton Bay.*"
7. MR. SMITH to move :—
 - (1.) That a Select Committee be appointed to consider and report upon the expediency of making a Railway to Windsor, diverging from the proposed Parramatta and Penrith line, with power to call for persons and papers, and that all the Proceedings of the Committee of last Session upon this subject be referred to such Committee.
 - (2.) That such Committee consist of Mr. Dalley, Mr. Scott, Mr. Oakes, Mr. Robertson, Mr. Sutor, Mr. Thornton, Mr. White, Mr. R. Tooth, Mr. Plunkett, and the mover.
8. MR. HART to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Tabular Return, shewing the number of causes, motions, and petitions, now set down for hearing on the Equity side of the Supreme Court, specifying the nature of each cause, matter, or petition, when the same was set down, and whether postponed by consent or otherwise; also, a Return shewing the number of causes or matters remaining undisposed of on the Common Law side of the Court, and when set down.

ORDER OF THE DAY :—

1. Moreton Bay Judge's Appointment Bill; consideration of Message from Legislative Council, for copy of Report and Evidence on this Bill.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move, That this House do now resolve itself into a Committee of the whole, to consider of the Ways and Means to meet the Supply granted to Her Majesty for the service of the year 1858-9.

ORDER OF THE DAY :—

1. Supply; resumption of the Committee.

Question :—

1. MR. GORDON to ask THE HONORABLE THE COLONIAL SECRETARY,—When it is probable the papers moved for by him will be laid upon the Table of this House, relative to the Deed of Grant of certain Lands from the Government to the Senate of the University?

TUESDAY, DECEMBER 21.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. GORDON to move,—
 - (1.) That a Select Committee be appointed to consider and report upon the expediency of making a Railway to Morpeth, diverging from the most convenient point on the present line from Newcastle to Maitland, with power to call for persons and papers.
 - (2.) That such Committee consist of Mr. Jones, Mr. Weckes, Mr. Arnold, Mr. Piddington, Mr. Robertson, Mr. Scott, Mr. White, Mr. Dickson, and the Mover.

Questions :—

1. MR. THORNTON to ask THE HONORABLE THE COLONIAL TREASURER,—
 - (1.) If it is a fact that manufactured goods have been, and are being, imported by the Government for the Public Service; and if so, of what particular descriptions?
 - (2.) Are manufactured goods imported which might be produced here of equal, if not superior qualities; if so, for what reason, and under what circumstances, are they so imported, and by whose orders?
 - (3.) And whether it is a fact that Tenders have been accepted for supplying the Public Service for the year 1859, with imported manufactures of a description hitherto supplied of Colonial manufacture; if so, what particular descriptions of goods are so supplied, and for what reasons?
2. MR. WILLIAMSON to ask THE PRINCIPAL SECRETARY,—
 - (1.) What are the duties of the Colonial Astronomer?
 - (2.) What are the duties of the Computer or Assistant to the Astronomer?
3. MR. THORNTON to ask THE HONORABLE THE COLONIAL TREASURER,—Whether it is the intention of the Government to amend or modify, during the present Session, the Pilotage Act of 1858.

DANIEL COOPER,
Speaker

No. 7.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 17 DECEMBER, 1858.

1. The House met pursuant to adjournment; the Speaker took the Chair.
 State Aid to Religion:—Mr. Plunkett having presented a Petition from certain Members of the Hebrew Faith, praying the House to favorably reconsider its Vote on the Resolution for Supplementing Schedule C to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., Cap. 54,—
 And moved, That the Petition be received.—
 And the Speaker stating his opinion, that the Petition was in the nature of a Petition for a grant of Public Money, and ought not to be received if the twenty-fourth Section of the Standing Orders was to be observed,—
 And a Debate arising thereupon,—
 And several Members desiring the Speaker to rule authoritatively in the matter,—
 The Speaker said, that as the case was both new and important, and as it was argued that this was a Petition, not for a grant of money, but for a revision of a Vote, and as his decision would probably be appealed against by those Members who so argued, he would rather the House should decide, and so establish a precedent for all similar cases in future; but he would warn the House that, if this Petition were received, it would open the door to Petitions from all persons interested in the Votes on the Estimates for all time coming, or until a new precedent be established,—
 And the Debate continuing,—
 Mr. Arnold moved, That a Point of Order having arisen as to the reception of this Petition, the Speaker be called upon to decide whether the Question for its reception is or is not in Order,—
 And the Speaker stating that he had already given his opinion, and that it remained for the House itself, if not satisfied with that opinion, to declare what shall be the practice in like cases in future—put the Question, That this Petition be received.
 The House divided,—
 And Mr. Donaldson taking his place with the Ayes,—
 Mr. Jones claimed to have the Vote of Mr. Donaldson reckoned with the Noes, on the ground that when the Speaker declared his opinion that the Ayes had it, Mr. Donaldson called out "Divide," and had thus, by disputing the Speaker's opinion, virtually given his voice with the Noes,—
 And Mr. Donaldson admitting that he had called out "Divide,"—
 The Speaker, referring to Hatsells' Precedents, in which it is said to be a very unparliamentary proceeding to divide the House for the sake of a division, ordered the vote of Mr. Donaldson to be counted with the Noes,—
 Whereupon the Tellers reported the numbers as follows:—

Ayes, 18.

Mr. Jones,	
Mr. Gordon,	
Mr. Thornton,	
Mr. Weekes,	
Mr. Fancett,	
Mr. Denichy,	
Mr. Jenkins,	
Mr. Plunkett,	
Mr. Wild,	
Mr. Flood,	
Mr. Marks,	
Mr. Forster,	
Mr. Hart,	
Mr. W. Macleay,	
Mr. Egan,	
Mr. Oakes,	
Mr. Arnold,	
Mr. Robertson,	} Tellers.

Noes, 7.

Mr. Cowper,	
Mr. Dalley,	
Dr. Alcorn,	
Mr. J. Campbell,	
Mr. Donaldson,	
Mr. Piddington,	} Tellers.
Mr. Rotton,	

2. Mr. William Weaver:—Mr. Flood moved pursuant to notice, That an Address be presented to the Governor General, praying, that His Excellency will be pleased to cause to be laid upon the Table of this House Copies of all Correspondence that may have taken place between the Executive Government and the late Colonial Architect, Mr. William Weaver, relating to a Report and the Evidence taken before a Select Committee of the Legislature appointed on the 7th August, 1855, "to inquire

"inquire into and report upon the present state of the Colonial Architect's Department;" also Copies of all Correspondence touching the resignation of Mr. Weaver, as Colonial Architect.

Debate ensued.

Question put and passed.

3. State Aid to Religion:—Mr. Donaldson presented a Petition from certain Presbyterian Ministers, referring to the recent Vote on the Resolution for Supplementing Schedule C to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., cap. 54, and praying the House to take such steps as may seem to the House best calculated to remedy the evils set forth in the Petition as likely to result therefrom.
Petition received.
4. Crown Law Officers as Cabinet Ministers:—Mr. Forster moved, pursuant to notice,—
(1.) That the Public Service would benefit by separation of the duties of Crown Law Officers from those of Cabinet Ministers.
(2.) That an Address be presented to the Governor General, praying that His Excellency will be pleased to give, as early as possible, effect to the foregoing Resolution.
Debate ensued.
Question put and passed.
5. Postponement:—Mr. Forster postponed the motion standing in his name third on the Notice Paper of Other Business for to-day, until Tuesday next.
6. Contracts for Proclaimed portion of Great Western Railway:—Mr. Forster moved, pursuant to notice, That the Copies of Contracts for the proclaimed portion of the Great Western Railway, laid upon the Table on the 14th instant, be printed.
Debate ensued.
Question put and passed.
Ordered to be printed.
7. Question and Answer:—Mr. Faucett offering to make the motion standing in his name fifth on the Notice Paper of other Business for to-day, the Speaker ruled that as the Answer complained of was not upon the Records of the House, nor contained in the Notice, the proposed motion could not be entertained, as it would involve the House in a Debate on a matter in no way before it.
8. Moreton Bay Assistant District Judge's Appointment Bill:—Mr. Plunkett moved, pursuant to notice, for leave to bring in a Bill to empower the Governor, from time to time, to appoint a Barrister to act temporarily as Judge of the District Court of Moreton Bay, and to amend an Act, intituled, "*An Act to provide for the better Administration of Justice in the District of Moreton Bay.*"
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
9. Extension of Railway to Windsor:—Mr. Smith moved, pursuant to notice,—
(1.) That a Select Committee be appointed to consider and report upon the expediency of making a Railway to Windsor, diverging from the proposed Parramatta and Penrith line, with power to call for persons and papers;—and that all the Proceedings of the Committee of last Session upon this subject be referred to such Committee.
(2.) That such Committee consist of Mr. Dalley, Mr. Scott, Mr. Oakes, Mr. Robertson, Mr. Suttor, Mr. Thornton, Mr. White, Mr. R. Tooth, Mr. Plunkett, and the mover.
Question put and passed.
10. Moreton Bay Assistant District Judge's Appointment Bill:—Mr. Plunkett having presented this Bill, intituled, "*A Bill to enable the Governor from time to time to appoint a Barrister to act temporarily as Assistant District Judge at Moreton Bay, and for other purposes therein mentioned,*" read a first time; ordered to be printed, and read a second time on Tuesday next.
11. Business of the Supreme Court:—Mr. Hart moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Tabular Return, shewing the number of causes, motions, and petitions, now set down for hearing on the Equity side of the Supreme Court, specifying the nature of each cause, matter, or petition, when the same was set down, and whether postponed by consent or otherwise; also, a Return shewing the number of causes or matters remaining undisposed of on the Common Law side of the Court, and when set down.
Question put and passed.
12. Moreton Bay Judge's Appointment Bill:—Upon the Order of the Day being read for consideration of the Legislative Council's Message requesting Copy of Report and Evidence on this Bill,—
Mr. Dalley moved, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

As requested in the Legislative Council's Message of the 9th instant, received on the 15th, the Legislative Assembly hereby communicates to the Legislative Council a Copy of the Report from, and Evidence taken before its Select Committee on the Moreton Bay Judge's Appointment Bill in the last Session.

Legislative Assembly Chamber,
Sydney, 17 December, 1858.

Speaker.

Question put and passed.

13. Postponements:—

(1.) Mr. Dalley, on behalf of Mr. Cowper, postponed the motion standing in the name of Mr. Cowper first on the Notice Paper of Government Business for to-day, until Tuesday next.

(2.) The resumption of the Committee of Supply postponed, on motion of Mr. Dalley, until Tuesday next.

The House adjourned at a quarter after Eleven o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, DECEMBER 21.

Contingent Notice of Motion:—

1. MR. HAY to move, (*on the motion for the House resolving itself into a Committee of Supply*) That it be an instruction to the Committee, to limit the Supply to the amounts demanded for the service of the half-year ending 30th June.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. COWPER to move, That this House do now resolve itself into a Committee of the whole, to consider of the Ways and Means to meet the Supply granted to Her Majesty for the service of the year 1858-9.

ORDER OF THE DAY:—

1. Supply; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. GORDON to move,—
 - (1.) That a Select Committee be appointed to consider and report upon the expediency of making a Railway to Morpeth, diverging from the most convenient point, on the present line from Newcastle to Maitland, with power to call for persons and papers.
 - (2.) That such Committee consist of Mr. Jones, Mr. Weekes, Mr. Arnold, Mr. Piddington, Mr. Robertson, Mr. Scott, Mr. White, Mr. Dickson, and the Mover.
2. MR. FORSTER to move, That the Returns laid upon the Table on August 31, in answer to an Address of this House, having reference to the matter of R. V. Gale, teacher, of Redfern, in this Colony, be printed.
3. MR. PLUNKETT to move, That the Petition from the Members of the Hebrew persuasion, presented by him on the 17th instant, be printed.
4. MR. DONALDSON to move, That the Petition of certain Presbyterian Clergymen, presented by him on the 17th instant, be printed.
5. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 - (1.) A Return shewing the amount paid from the public Revenues of this Colony for Public Worship during the years 1857 and 1858 respectively, specifying in tables, under the head of each religious denomination respectively—the aggregate amount paid to each—the number of Ministers of religion in each receiving support thereby—the sums paid to each of such Ministers in each year—the names of all such Ministers—the locality or localities to which each Minister was officially attached during the period referred to—and from what special funds, if any, such sums were paid.
 - (2.) A Return shewing respectively the sums paid for Public Worship during the same period in the City of Sydney—in the Sydney Hamlets—and in all other towns containing, by the last census not fewer than 300 souls—specifying in tables the same particulars as above so far as applicable—as also the population of each town—and distinguishing the aggregate amount expended in such towns from the aggregate amount expended in the remainder of the Colony.
 - (3.) A Return shewing the number of acres gratuitously granted by the Crown at any time to the several religious denominations—in aid of either churches or schools—specifying in tables under the head of each of such denominations respectively—the number of acres so granted to each—and in each case, to what person or persons the legal interest was conveyed—the ostensible purpose or purposes of the grant—the date when possession was given—the locality in which such lands are situated—the probable present value thereof—and by whom they are at present occupied.

ORDER OF THE DAY:—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Questions:—

1. MR. THORNTON to ask THE HONORABLE THE COLONIAL TREASURER,—
 - (1.) If it is a fact that manufactured goods have been, and are being, imported by the Government for the Public Service; and if so, of what particular descriptions?
 - (2.) Are manufactured goods imported which might be produced here of equal, if not superior qualities; if so, for what reason, and under what circumstances, are they so imported, and by whose orders?
 - (3.) And whether it is a fact that Tenders have been accepted for supplying the Public Service for the year 1859, with imported manufactures of a description hitherto supplied of Colonial manufacture; if so, what particular descriptions of goods are so supplied, and for what reasons?

2. MR. WILLIAMSON *to ask* THE PRINCIPAL SECRETARY,—
 - (1.) What are the duties of the Colonial Astronomer?
 - (2.) What are the duties of the Computer or Assistant to the Astronomer?
3. MR. THORNTON *to ask* THE HONORABLE THE COLONIAL TREASURER,—Whether it is the intention of the Government to amend or modify, during the present Session, the Pilotage Act of 1858?
4. MR. PIDDINGTON *to ask* THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Whether the Government doubt the right of the Hebrew community in New South Wales to receive State Aid under Schedule C of the Constitution Act, 18 and 19 Victoria, Cap. 54?
 - (2.) So long as Schedule C of the Constitution Act appropriates the sum of £28,000 for the purpose of providing for Public Worship, can the Government refuse the usual stipend to the Minister of Religion professing the Hebrew Faith in the City of Sydney?
5. MR. PIDDINGTON *to ask* THE HONORABLE THE COLONIAL SECRETARY,—Should the present Government hold office when the new Parliament assembles, will the Honorable Colonial Secretary undertake to bring in a Bill for the purpose of abolishing all State aid for Religious purposes, having due regard to the acknowledged rights of existing incumbents?
6. MR. FORSTER *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) Whether the present Government have any distinct and definite views upon the Land question, and if so, whether it is their intention, by the introduction of a draft bill, or by resolutions, to place the leading features and principles of their policy upon that question before this House and before the Country?
 - (2.) Is the Government prepared to take any early steps for discontinuing the present system of granting leases of Crown Lands for longer periods than from year to year?
7. MR. DENIEHY *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) In what stage the operations connected with the erection of a Bridge over Thorn's Waterhole, in the County of Argyle, now are?
 - (2.) If any proceedings have yet been taken for the erection of a Bridge over the Wollondilly, in the County of Argyle, petitioned for some time since by the inhabitants of the County, and promised by the Government?

DANIEL COOPER,
Speaker

No. 8.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 21 DECEMBER, 1858.

1. The House met pursuant to adjournment; the Speaker took the Chair.
James French:—Mr. John Campbell presented a Petition from James French, of the Parish of Willoughby, complaining of the abolition, without notice, of his office of Ranger of Crown Lands for the County of Cumberland, and praying the House to take the premises into consideration.
Petition received.
2. The Rev. Dr. Lang:—
(1.) Mr. Richardson presented a Petition from certain Presbyterians and others resident in the Town and District of Brisbane, Moreton Bay, praying the appointment of a Select Committee to inquire into and report upon the proceedings of the Synod of Australia towards the Rev. Dr. Lang, in the year 1842.
Petition received.
(2.) Mr. Richardson presented a Petition from certain Presbyterians and others resident in the Town and District of Ipswich, Moreton Bay, with a similar prayer.
Petition received.
3. Paper:—Mr. Cowper laid upon the Table a Report from the Astronomer, on the subject of an Equatorial Instrument for the Observatory.
Ordered to be printed.
4. State Aid to Religion:—Mr. John Campbell presented a Petition from the Bishop of Sydney, and certain Licensed Clergymen in the Diocese of Sydney, representing that the Vote in reference to the proposed Supplement to Schedule C, will subject to the most serious inconvenience the Clergy on the Gold Fields and elsewhere, and is fraught with very great hardship, and praying the House to adopt such measures with reference thereto as to the House shall seem fit.
Petition received.
5. Leave of Absence for ten days granted to Mr. Lloyd, on motion of Mr. Jenkins.
6. Papers:—
(1.) Mr. Dalley laid upon the Table the Return to the Address, in reference to the Business of the Supreme Court, adopted, on motion of Mr. Hart, on the 17th instant.
Ordered to be printed.
(2.) Mr. Robertson laid upon the Table a tabular classification of Roads in New South Wales, for the year 1859, with proposed expenditure.
Ordered to be printed.
7. Ways and Means:—Mr. Cowper moved, pursuant to notice, That this House do now resolve itself into a Committee of the whole, to consider of the Ways and Means to meet the Supply granted to Her Majesty for the service of the year 1858-9.
Question put and passed;—
Whereupon the Speaker left the Chair, and the House resolved itself into a Committee of Ways and Means accordingly.
The Chairman obtained leave to sit again this day week, and reported the following Resolution:—
(1.) Resolved, that towards making good the Supply granted to Her Majesty for the service of the year 1859, the sum of £3,518 7s. 8d. be granted out of the Consolidated Revenue Fund of New South Wales.
Mr. Cowper moved, That this House do now adopt this Resolution.
Question put and passed.
8. Paper:—Mr. Cowper laid upon the Table a statement of the Ways and Means of the Government of New South Wales, for the year 1858-9.
Ordered to be printed.

9.

9. Supply :—Upon the Order of the Day being read for the resumption of the Committee of Supply,—

Mr. Hay moved, pursuant to *Contingent Notice*, That it be an instruction to the Committee, to limit the Supply to the amounts demanded for the service of the half-year ending 30th June.

Debate ensued.

Question put.

The House divided.

Ayes, 12.

Mr. Paterson,
Mr. Donaldson,
Mr. Fancett,
Mr. Will,
Mr. W. Macleay,
Mr. Suttor,
Mr. R. Tooth,
Mr. Smith,
Mr. W. B. Tooth,
Mr. Plunkett,
Mr. Hay,
Mr. G. Macleay, } Tellers.

Noes, 19.

Mr. Cowper,
Mr. Robertson,
Mr. Dalley,
Mr. Owen,
Mr. Flood,
Mr. Williamson,
Mr. Rotton,
Mr. Gordon,
Mr. Marks,
Mr. Forster,
Mr. Hart,
Mr. Deniby,
Mr. Junison,
Mr. Richardson,
Mr. Piddington,
Mr. Byrnes,
Mr. J. Campbell,
Mr. Dickson, } Tellers.
Mr. Arnold, }

Mr. Cowper then moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858-9.

Question put and passed ;—

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

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

10. Railway to Morpeth :—Mr. Gordon moved, pursuant to notice,—

(1.) That a Select Committee be appointed to consider and report upon the expediency of making a Railway to Morpeth, diverging from the most convenient point on the present line from Newcastle to Maitland, with power to call for persons and papers.

(2.) That such Committee consist of Mr. Jones, Mr. Weekes, Mr. Arnold, Mr. Piddington, Mr. Robertson, Mr. Scott, Mr. White, Mr. Dickson, and the Mover.

Debate ensued.

And Mr. Hodgson requiring that the proposed Committee, if granted, be appointed by Ballot.

Question—(1.) That a Select Committee be appointed to consider and report upon the expediency of making a Railway to Morpeth, diverging from the most convenient point on the present line from Newcastle to Maitland, with power to call for persons and papers,—put and passed ;—

Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz., Mr. Hodgson, Mr. Jones, Mr. Arnold, Mr. Piddington, Mr. Robertson, Mr. Scott, Mr. Weekes, Mr. Dickson, and Mr. White.

11. Mr. Robert Vining Gale :—Mr. Forster moved, pursuant to notice, That the Returns laid upon the Table on August 31, in answer to an Address of this House, having reference to the matter of R. V. Gale, teacher, of Redfern, in this Colony, be printed.

Question put and passed.

Ordered to be printed.

12. State aid to Religion :—

1. Mr. Plunkett moved, pursuant to notice, That the Petition from the Members of the Hebrew persuasion, presented by him on the 17th instant, be printed.

Question put and passed.

Ordered to be printed.

2. Mr. Donaldson moved, pursuant to notice, That the Petition of certain Presbyterian Clergymen, presented by him on the 17th instant, be printed.

Debate ensued.

Question put and passed.

Ordered to be printed.

3. Mr. Forster moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—

(1.) A Return shewing the amount paid from the public Revenues of this Colony for Public Worship during the years 1857 and 1858 respectively, specifying in tables, under the head of each religious denomination respectively—the aggregate amount paid to each—the number of Ministers of religion in each receiving support thereby—the sums paid to each of such Ministers in each year—the names of all such Ministers—the locality or localities to which each Minister was officially attached during the period referred to—and from what special funds, if any, such sums were paid.

(2.) A Return shewing respectively the sums paid for Public Worship during the same period in the City of Sydney—in the Sydney Hamlets—and in all other towns containing, by the last census not fewer than 300 souls—specifying in tables the same particulars as above so far as applicable—as also the population of each town—and distinguishing the aggregate amount expended in such towns from the aggregate amount expended in the remainder of the Colony.

(3.) A Return shewing the number of acres gratuitously granted by the Crown at any time to the several religious denominations—in aid of either churches or schools—specifying in tables under the head of each of such denominations respectively—the number of acres so granted to each—and in each case, to what person or persons the legal interest was conveyed—the ostensible purpose or purposes of the grant—the date when possession was given—the locality in which such lands are situated—the probable present value thereof—and by whom they are at present occupied.

Question put and passed.

13. Postponement:—The second reading of the Moreton Bay Assistant District Judge's Appointment Bill, postponed, on motion of Mr. Plunkett, until to-morrow. The House adjourned at a quarter before Twelve o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, DECEMBER 22.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Supply; resumption of the Committee.

OTHER BUSINESS—ORDER OF THE DAY:—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Questions:—

1. MR. TAYLOR to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—If it be the intention of the Government to increase the number of Mail Guards on the Northern Road, and to allow them travelling expenses?
2. MR. THORNTON to ask THE HONORABLE THE COLONIAL TREASURER,—
 - (1.) If it is a fact that manufactured goods have been, and are being, imported by the Government for the Public Service; and if so, of what particular descriptions?
 - (2.) Are manufactured goods imported which might be produced here of equal, if not superior qualities; if so, for what reason, and under what circumstances, are they so imported, and by whose orders?
 - (3.) And whether it is a fact that Tenders have been accepted for supplying the Public Service for the year 1859, with imported manufactures of a description hitherto supplied of Colonial manufacture; if so, what particular descriptions of goods are so supplied, and for what reasons?
3. MR. THORNTON to ask THE HONORABLE THE COLONIAL TREASURER,—Whether it is the intention of the Government to amend or modify, during the present Session, the Pilotage Act of 1858?
4. MR. HODGSON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—What steps have been taken, and what progress has been made, in the extension of the Great Northern Railway beyond West Maitland; and whether it is true that the works had been commenced, and subsequently abandoned?
5. MR. HODGSON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) Whether a Commissioner of Crown Lands has been appointed for the District of Darling Downs, agreeably with a statement made by the Secretary for Lands and Public Works in his place in this House, on November 5th, that such appointment would probably take place within two or three days?
 - (2.) Whether such Commissioner (if appointed) has reached his District?

FRIDAY, DECEMBER 24.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. J. CAMPBELL to move, That the Petition of James French, presented by him on the 21st instant, be printed.
2. MR. J. CAMPBELL to move, That the Petition of the Bishop and Clergy of the Church of England, presented by him on the 21st instant, be printed.
3. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
4. MR. WILLIAMSON to move, That the Reports forwarded by the Pilot Board to the Government, in 1857 and 1858, relative to the improvement of the Pilot Service, be laid on the Table of this House.

Question—

1. MR. LORD to ask THE HONORABLE THE COLONIAL SECRETARY,—If he is aware that a mistake has been made, in including Wellington in the Northern Districts, and if such mistake will be rectified, by placing Wellington in the Western Districts, and declaring it one of the places at which District Courts will be held?

TUESDAY, DECEMBER 28.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Ways and Means; resumption of the Committee.

DANIEL COOPER,
Speaker.

No. 9.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 22 DECEMBER, 1858.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Railway Charges and Management:—Mr. Hodgson presented a Petition from certain Merchants, Traders, and other Inhabitants of the Hunter District, praying a revision of the Railway Charges and a change in the Railway Management.
Petition received.
2. The Revd. Dr. Lang:—
(1.) Mr. Robertson presented a Petition from certain Presbyterians and others at Scone and its neighbourhood, praying the appointment of a Select Committee to inquire into the proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842.
Petition received.
(2.) Mr. Robertson presented a Petition from certain Presbyterians and others at Murrurundi, praying the abolition of Religious Endowments, and the passage of a measure to enable the Government to inquire into and control the proceedings of Religious Bodies endowed by the State, so long as such endowment shall be continued.
Petition received.
3. Paper:—Mr. Cowper laid upon the Table a Despatch, dated Downing-street, 16 October, 1858, respecting a new arrangement in regard to Steam Postal Communication with the Colony.
Ordered to be printed.
4. Supply:—On motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858-9.
The Chairman reported progress, and obtained leave to sit again to-morrow.
5. Postponement:—The second reading of the Moreton Bay Assistant District Judge's Appointment Bill postponed, on motion of Mr. Plunkett, until to-morrow.
The House adjourned at ten minutes after Eleven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, DECEMBER 23.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. COWPER to move, That this House, at its rising to-day, do adjourn until Tuesday next, at 3 o'clock p.m.

ORDER OF THE DAY:—

1. Supply; resumption of the Committee.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. JENKINS to move for leave to bring in a Bill to make Vaccination compulsory in this Colony.

ORDER OF THE DAY:—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Questions:—

1. MR. GEO. MACLEAY to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—What course the Government propose to adopt with respect to the claim of Messrs. Biss and Maltby, late Railway Carriers?
2. MR. TAYLOR to ask THE HONORABLE THE COLONIAL SECRETARY,—If it be the intention of the Government to appoint a Police Magistrate at Tenterfield, and Commissioner of the Gold Fields at Boonoooonoo, Fairfield, and M'Leod's Creek?
3. MR. HODGSON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—What is the name of the present Commissioner of Crown Lands for the District of Darling Downs?

FRIDAY,

FRIDAY, DECEMBER 24.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. J. CAMPBELL to move, That the Petition of James French, presented by him on the 21st instant, be printed.
2. MR. J. CAMPBELL to move, That the Petition of the Bishop and Clergy of the Church of England, presented by him on the 21st instant, be printed.
3. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
4. MR. WILLIAMSON to move, That the Reports forwarded by the Pilot Board to the Government, in 1857 and 1858, relative to the improvement of the Pilot Service, be laid on the Table of this House.
5. MR. HODGSON to move, That the Petition for change in the railway charges and management, presented by him on the 22nd instant, be printed.

Question—

1. MR. LORD to ask THE HONORABLE THE COLONIAL SECRETARY,—If he is aware that a mistake has been made, in including Wellington in the Northern Districts, and if such mistake will be rectified, by placing Wellington in the Western Districts, and declaring it one of the places at which District Courts will be held?

TUESDAY, DECEMBER 28.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Ways and Means; resumption of the Committee.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.

WEDNESDAY, DECEMBER 29.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. ROBERTSON to move, That the Petitions, from Scone and Murrurundi, respectively relative to the proceedings of the Synod of Australia towards the Revd. Dr. Lang in the year 1842, presented by him on the 22nd instant, be printed.

FRIDAY, DECEMBER 31.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. PIDDINGTON to move the following resolutions:—
 - (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made.
 - (2.) That appropriations for Public Worship ought to be allotted to all denominations, in proportion to their population according to the last Census.
 - (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 - (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.

Question:—

1. MR. FORSTER to ask THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Is the notice dated from the Registrar General's Office on January 21, 1858, and issued in apparent conformity with the 14th clause of the Registration Act, 19 Vict., No. 34, intended to recognize the legal validity of all Marriages solemnized by any of the Ministers of Religion therein specified?
 - (2.) Has every Clergyman of the Church of England therein specified, been duly licensed, in accordance with the 19th clause of the Church Temporalities Act, 8 William IV, No. 5?
 - (3.) In the event of any such Clergyman not having been so licensed, in what capacity and by what authority has he been registered?
 - (4.) Have any Marriages solemnized by any such Clergyman not so licensed been registered as valid Marriages, and, if so, by what authority?

DANIEL COOPER,
Speaker.

No. 10.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 23 DECEMBER, 1858.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Paper:—Mr. Dalley laid upon the Table, a Return, shewing the Amount involved in the Causes now set down for Trial in the Supreme Court.
Ordered to be printed.
2. Michael Golden:—Mr. Plunkett presented a Petition from Michael Golden of St. Leonard's, North Shore, near Sydney, complaining of his summary dismissal from the Police Force, and praying inquiry, with a view to his reinstatement, in case no offence should be proved against him.
Petition received.
3. Adjournment for Christmas Holidays:—Mr. Cowper moved, pursuant to notice, That this House, at its rising to-day, do adjourn until "Tuesday" next, at Three o'clock p.m. Mr. Donaldson moved, That the Question be amended by the omission of the word "Tuesday," with a view to the insertion of the word "Wednesday" in lieu thereof.
Debate ensued.
Question put,—That the word proposed to be omitted stand part of the Question.
The House divided.

Ayes, 8.

Mr. Cowper,
Mr. Dalley,
Mr. Robertson,
Mr. Rotton,
Mr. J. Campbell,
Mr. Dickson,
Mr. Forster, } Tellers.
Mr. Jenkins, }

Noes, 23.

Dr. Aldcorn,
Mr. W. MacLeay,
Mr. W. B. Tooth,
Mr. Williamson,
Mr. Donaldson,
Mr. Hodgson,
Mr. Thornton,
Mr. Hart,
Mr. Taylor,
Mr. Martin,
Mr. White,
Mr. Egan,
Mr. Jones,
Mr. Weekes,
Mr. Oakes,
Mr. Piddington,
Mr. Richardson,
Mr. Wild,
Mr. Hay,
Mr. Faucett,
Mr. Plunkett,
Mr. Byrnes, } Tellers.
Mr. Arnold, }

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

The House divided.

Ayes, 13.

Mr. Cowper,
Mr. Dalley,
Mr. Robertson,
Mr. Rotton,
Mr. Donaldson,
Mr. Taylor,
Mr. Byrnes,
Mr. Dickson,
Mr. J. Campbell,
Mr. Arnold,
Mr. Oakes,
Mr. Jenkins, } Tellers.
Mr. Forster, }

Noes, 19.

Dr. Aldcorn,
Mr. Williamson,
Mr. Hart,
Mr. White,
Mr. Martin,
Mr. Jones,
Mr. Weekes,
Mr. Thornton,
Mr. Hodgson,
Mr. Plunkett,
Mr. Faucett,
Mr. Hay,
Mr. Piddington,
Mr. Denichy,
Mr. Wild,
Mr. Richardson,
Mr. Egan,
Mr. W. B. Tooth, } Tellers.
Mr. W. Macleay, }

Mr.

Mr. Weckes then moved, That there be inserted after the word *next* the words "Tuesday week."

Debate ensued.

Question,—That the words proposed to be inserted after the word *next*, be so inserted,—put and passed ;

Whereupon Question,—That this House, at its rising to-day, do adjourn until next Tuesday week, at three o'clock, p.m.,—put and passed.

4. **Insolvencies** :—Mr. Denichy presented a Petition from John Nicholas Beit, of Sydney, Merchant, praying that an Inquiry be instituted for the discovery of abuses in the Insolvency Jurisdiction of the Supreme Court.
Petition received.
5. **Supply** :—On motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the supply to be granted to Her Majesty for the Service of the year 1858-9.
The Chairman reported progress, and obtained leave to sit again on next Tuesday week.
6. **Postponements** :—
(1.) Mr. Forster, on behalf of Mr. Jenkins, postponed the motion standing in the name of Mr. Jenkins on the Notice Paper of Other Business for to-day, until next Tuesday week.
(2.) The second reading of the Moreton Bay Assistant District Judge's Appointment Bill postponed, on motion of Mr. Plunkett, until next Tuesday week.
The House adjourned at five minutes after Seven o'clock, until next Tuesday week at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JANUARY 4.

Contingent Notice of Motion :—

MR. MARTIN to move (*on the Order of the Day being read for the House resolving itself into a Committee of Supply*),—

(1.) That the Resolution adopted by this House on the 15th of December last, to the effect that there be granted to Her Majesty a sum not exceeding one shilling in the year 1859, to meet necessary additional expenditure under Schedule C of the Act of the Imperial Parliament 18 and 19 Vic., cap. 54, be rescinded.

(2.) That it be an instruction to the Committee to re-consider, before proceeding to any other business, that portion of the Message of His Excellency the Governor-General, by which the House was recommended to provide the sum of £14,000 to meet such additional expenditure.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Supply ; resumption of the Committee.
 2. Ways and Means ; resumption of the Committee.
- OTHER BUSINESS—NOTICES OF MOTION :—
1. MR. DENIEHY to move, That the Petition of Mr. J. N. Beit, praying inquiry into the Insolvency Jurisdiction of the Supreme Court, presented by him on the 23rd ultimo, be printed.
 2. MR. JENKINS to move for leave to bring in a Bill to make Vaccination compulsory in this Colony.
 3. MR. J. CAMPBELL to move, That the Petition of James French, presented by him on the 21st ultimo, be printed.
 4. MR. J. CAMPBELL to move, That the Petition of the Bishop and Clergy of the Church of England, presented by him on the 21st ultimo, be printed.
 5. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
 6. MR. WILLIAMSON to move, That the Reports forwarded by the Pilot Board to the Government, in 1857 and 1858, relative to the improvement of the Pilot Service, be laid on the Table of this House.
 7. MR. HODGSON to move, That the Petition for a change in the railway charges and management, presented by him on the 22nd ultimo, be printed.
 8. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
 9. MR. ROBERTSON to move, That the Petitions, from Scone and Murrurundi, respectively relative to the proceedings of the Synod of Australia towards the Revd. Dr. Lang in the year 1842, presented by him on the 22nd ultimo, be printed.
 10. MR. HART to move, That this House will on Friday next resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Armidale.

11. MR. PIDDINGTON to move the following resolutions:—
- (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made.
 - (2.) That appropriations for Public Worship ought to be allotted to all denominations, in proportion to their population according to the last Census.
 - (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 - (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
12. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
13. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act; on condition that *an equal amount be contributed by private subscription*, and further, that the expenditure be limited to the Gold Fields and other Unsettled Districts, where there may be no fixed places of Public Worship.
14. MR. FORSTER to move,—
- (1.) That a Select Committee, with leave to send for persons and papers, be appointed to consider and report upon the allegations contained in the Petition of Charles Wentworth Bucknell, received by this House on September 30th, and that such inquiry have *special reference* to the alleged employment of Detectives by the Police Authorities of this Colony, for the discovery of actual or supposititious offences.
 - (2.) That such Committee consist of Mr. Jones, Mr. Hay, Mr. Plunkett, Mr. Dalley, Mr. Deniehy, Mr. Donaldson, Mr. Williamson, Mr. Piddington, and Mr. Flood.

ORDER OF THE DAY:—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Questions:—

1. MR. LORD to ask THE HONORABLE THE COLONIAL SECRETARY,—If he is aware that a mistake has been made, in including Wellington in the Northern Districts, and if such mistake will be rectified, by placing Wellington in the Western Districts, and declaring it one of the places at which District Courts will be held?
2. MR. FORSTER to ask THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Is the notice dated from the Registrar General's Office on January 21, 1858, and issued in apparent conformity with the 14th clause of the Registration Act, 19 Vict., No. 34, intended to recognize the legal validity of all Marriages solemnized by any of the Ministers of Religion therein specified?
 - (2.) Has every Clergyman of the Church of England therein specified, been duly licensed, in accordance with the 19th clause of the Church Temporalities Act, 8 William IV, No. 5?
 - (3.) In the event of any such Clergyman not having been so licensed, in what capacity and by what authority has he been registered?
 - (4.) Have any Marriages solemnized by any such Clergyman not so licensed been registered as valid Marriages, and, if so, by what authority?

DANIEL COOPER,
Speaker

No. 11.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 4 JANUARY, 1859.

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

State Aid to Religion :—

(1.) Mr. Piddington presented a Petition from the Members of the Church and Congregation meeting for Worship in the Bathurst-street Baptist Chapel, Sydney, expressing Petitioners gratification at the recent decision of this House in reference to the proposed Supplement to Schedule C, and praying the speedy and entire abolition of State Aid to Religion.

Petition received.

(2.) Mr. Piddington presented a Petition from certain Citizens of Sydney, in Public Meeting assembled, praying that the recent Vote of this House, in reference to the proposed Supplement to Schedule C, may not be rescinded, and that steps may be taken for the speedy and entire abolition of State Endowments for religious purposes in this Colony,—

And moved, That this Petition be received.

Debate ensued.

Question put and passed.

2. Supply :—Upon the Order of the Day being read for the resumption of the Committee of Supply,—

Mr. Martin moved, pursuant to *amended Contingent Notice* :—

(1.) That the Resolution adopted by this House on the 15th of December last, to the effect that there be granted to Her Majesty a sum not exceeding one shilling in the year 1859, to meet necessary additional expenditure under Schedule C of the Act of the Imperial Parliament 18 and 19 Vic., cap. 54, be rescinded.

(2.) That it be an instruction to the Committee to re-consider, before proceeding to any other business, that portion of the Message of His Excellency the Governor General, by which the House was recommended to provide the sum of £14,025 to meet such additional expenditure.

Debate ensued.

Mr. Plunkett moved, That the Question be amended by the addition of the section following,—

(3.) And that it be a further instruction to the Committee to consider separately, and on its own peculiar circumstances, the Item of £200 for the salary of a Jewish Minister.

Debate continued.

Question put,—That the Section proposed to be added at the end of the Question, be so added.

The House divided.

Ayes, 20.

Mr. Donaldson,
Mr. G. Macleay,
Mr. Jenkins,
Mr. R. Tooth,
Mr. Smith,
Mr. Wild,
Mr. Paterson,
Mr. Faucett,
Mr. Lord,
Mr. Lloyd,
Mr. Taylor,
Mr. W. B. Tooth,
Mr. Egan,
Mr. Plunkett,
Mr. W. Macleay,
Mr. Hodgson,
Mr. Macarthur,
Mr. Hay,
Mr. Thornton, } Tellers.
Mr. Martin, }

Noes, 20.

Mr. Cowper,
Mr. Robertson,
Mr. Owen,
Mr. Dalley,
Mr. Denichy,
Mr. Jones,
Mr. Hart,
Mr. Weckes,
Mr. Williamson,
Mr. Byrnes,
Mr. Flood,
Mr. Scott,
Mr. Richardson,
Mr. Rotton,
Mr. Forster,
Mr. Arnold,
Mr. Piddington,
Mr. J. Campbell,
Mr. Gordon, } Tellers.
Mr. Dickson, }

And the numbers being equal, the Speaker, in order that the Question might go to the House in its entirety, gave his casting vote with the *Ayes*, and declared the Question to have passed in the *affirmative*;—

Whereupon

Whereupon Question put *as so amended*.
The House divided.

Ayes, 20.

Mr. Jenkins,
Mr. R. Tooth,
Mr. Smith,
Mr. Wild,
Mr. Paterson,
Mr. Faucett,
Mr. Martin,
Mr. Thornton,
Mr. W. B. Tooth,
Mr. Lord,
Mr. Lloyd,
Mr. Taylor,
Mr. Egan,
Mr. Plunkett,
Mr. W. Macleay,
Mr. Hodgson,
Mr. Macarthur,
Mr. Hay,
Mr. Donaldson,
Mr. G. Macleay, } Tellers.

Noes, 20.

Mr. Cowper,
Mr. Robertson,
Mr. Dalley,
Mr. Denichy,
Mr. Hart,
Mr. Weekes,
Mr. Williamson,
Mr. Byrnes,
Mr. Flood,
Mr. Scott,
Mr. Richardson,
Mr. Rotton,
Mr. Forster,
Mr. Arnold,
Mr. Piddington,
Mr. J. Campbell,
Mr. Gordon,
Mr. Dickson,
Mr. Owen, } Tellers.
Mr. Jones, }

And the numbers being equal, the Speaker, to afford the House an opportunity of further considering the Question in Committee, gave his casting vote with the *Ayes*, and declared the Question, *as amended*, to have passed in the *affirmative*.

Mr. Cowper then moved, That this House do adjourn until to-morrow, at three o'clock.

Debate ensued.

Question put.

The House divided.

Ayes, 20.

Mr. Cowper,
Mr. Robertson,
Mr. Dalley,
Mr. Owen,
Mr. Hart,
Mr. Denichy,
Mr. Rotton,
Mr. Williamson,
Mr. Richardson,
Mr. Gordon,
Mr. Weekes,
Mr. Dickson,
Mr. Flood,
Mr. Piddington,
Mr. Scott,
Mr. Arnold,
Mr. Jones,
Mr. J. Campbell,
Mr. Forster, } Tellers.
Mr. Byrnes, }

Noes, 20.

Mr. Faucett,
Mr. Jenkins,
Mr. Macarthur,
Mr. Martin,
Mr. Hodgson,
Mr. Lord,
Mr. Taylor,
Mr. Thornton,
Mr. Paterson,
Mr. W. B. Tooth,
Mr. Wild,
Mr. Lloyd,
Mr. Egan,
Mr. W. Macleay,
Mr. Hay,
Mr. R. Tooth,
Mr. Smith,
Mr. Plunkett,
Mr. Donaldson, } Tellers.
Mr. G. Macleay, }

And the numbers being equal, the Speaker, in order to proceed with business, gave his casting vote with the *Noes*, and declared the Question to have passed in the *negative*.

Whereupon Mr. Cowper moved, That the resumption of the Committee of Supply stand an Order of the Day for to-morrow.

Debate ensued.

Question put.

The House divided.

Ayes, 20.

Mr. Cowper,
Mr. Robertson,
Mr. Dalley,
Mr. Owen,
Mr. Forster,
Mr. Williamson,
Mr. Hart,
Mr. Denichy,
Mr. Rotton,
Mr. Richardson,
Mr. J. Campbell,
Mr. Jones,
Mr. Scott,
Mr. Piddington,
Mr. Weekes,
Mr. Flood,
Mr. Dickson,
Mr. Gordon,
Mr. Byrnes, } Tellers.
Mr. Arnold, }

Noes, 20.

Mr. Faucett,
Mr. Jenkins,
Mr. Macarthur,
Mr. Martin,
Mr. Hodgson,
Mr. Lord,
Mr. Taylor,
Mr. Thornton,
Mr. Paterson,
Mr. W. B. Tooth,
Mr. Wild,
Mr. Lloyd,
Mr. Egan,
Mr. W. Macleay,
Mr. Hay,
Mr. R. Tooth,
Mr. Smith,
Mr. Plunkett,
Mr. G. Macleay, } Tellers.
Mr. Donaldson, }

And the numbers being equal, the Speaker, in order to proceed with business, gave his casting vote with the *Noes*, and declared the Question to have passed in the *negative*.

Mr. Cowper then moved, That this House do adjourn until to-morrow, at Three o'clock.

Debate ensued.

And

And the House having continued to sit till after Midnight,—

WEDNESDAY, 5 JANUARY, 1859.

Debate continued.
Question put.
The House divided.

Ayes, 20.

Mr. Cowper,
Mr. Robertson,
Mr. Williamson,
Mr. Rotton,
Mr. Dalley,
Mr. Hart,
Mr. Flood,
Mr. Piddington,
Mr. Deniehy,
Mr. Richardson,
Mr. Scott,
Mr. Owen,
Mr. Gordon,
Mr. Jones,
Mr. Dickson,
Mr. J. Campbell,
Mr. Byrnes,
Mr. Arnold,
Mr. Weekes, } Tellers.
Mr. Forster, }

Noes, 20.

Mr. Faucett,
Mr. Paterson,
Mr. W. Macleay,
Mr. Smith,
Mr. Wild,
Mr. G. Macleay,
Mr. Thornton,
Mr. Martin,
Mr. Lord,
Mr. Taylor,
Mr. Lloyd,
Mr. R. Tooth,
Mr. W. B. Tooth,
Mr. Egan,
Mr. Macarthur,
Mr. Hay,
Mr. Hodgson,
Mr. Plunkett,
Mr. Jenkins, } Tellers.
Mr. Donaldson, }

And the numbers being equal, the Speaker, to afford further time for consideration, gave his casting vote with the *Ayes*, and declared the Question to have passed in the affirmative.

The House adjourned accordingly at a quarter before Two o'clock, A.M., until Three o'clock, P.M., to-day.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JANUARY 5.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. COWPER to move (*in Committee of Supply*), That there be appropriated a sum not exceeding £78,000, to defray the expenses of the various Departments and Services of the Colony for the month of January, 1859, at the rates sanctioned for the year 1858; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings, during the same month.

ORDERS OF THE DAY:—

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

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DENIEHY to move,—
(1.) That a Select Committee be appointed to inquire into and report upon the manner of the expenditure of the funds granted by the Legislature for purposes connected with the University of Sydney, and also as to the way in which that Institution has hitherto fulfilled the purpose for which it was instituted.
(2.) That such Committee consist of Mr. Dalley, Mr. Flood, Mr. Hodgson, Mr. Owen, Mr. Murray, Mr. Piddington, Mr. Smith, and the Mover.
2. MR. DENIEHY to move, That the Petition of Mr. J. N. Beit, praying inquiry into the Insolvency Jurisdiction of the Supreme Court, presented by him on the 23rd ultimo, be printed.
3. MR. JENKINS to move for leave to bring in a Bill to make Vaccination compulsory in this Colony.
4. MR. J. CAMPBELL to move, That the Petition of James French, presented by him on the 21st ultimo, be printed.
5. MR. J. CAMPBELL to move, That the Petition of the Bishop and Clergy of the Church of England, presented by him on the 21st ultimo, be printed.
6. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
7. MR. WILLIAMSON to move, That the Reports forwarded by the Pilot Board to the Government, in 1857 and 1858, relative to the improvement of the Pilot Service, be laid on the Table of this House.
8. MR. HODGSON to move, That the Petition for a change in the railway charges and management, presented by him on the 22nd ultimo, be printed.
9. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.

10. MR. ROBERTSON to move, That the Petitions, from Scone and Murrurundi, respectively relative to the proceedings of the Synod of Australia towards the Revd. Dr. Lang in the year 1842, presented by him on the 22nd ultimo, be printed.
11. MR. HART to move, That this House will on Friday next resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Armidale.
12. MR. PIDDINGTON to move the following resolutions:—
 - (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made.
 - (2.) That appropriations for Public Worship ought to be allotted to all denominations, in proportion to their population according to the last Census.
 - (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 - (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
13. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
14. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act; on condition that *an equal amount be contributed by private subscription*, and further, that the expenditure be limited to the Gold Fields and other Unsettled Districts, where there may be no fixed places of Public Worship.
15. MR. FORSTER to move,—
 - (1.) That a Select Committee, with leave to send for persons and papers, be appointed to consider and report upon the allegations contained in the Petition of Charles Wentworth Bucknell, received by this House on September 30th, and that such inquiry have *special* reference to the alleged employment of Detectives by the Police Authorities of this Colony, for the discovery of actual or supposititious offences.
 - (2.) That such Committee consist of Mr. Jones, Mr. Hay, Mr. Plunkett, Mr. Dalley, Mr. Deniehy, Mr. Donaldson, Mr. Williamson, Mr. Piddington, and Mr. Flood.

ORDER OF THE DAY:—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Questions:—

1. MR. DONALDSON to ask THE COLONIAL SECRETARY,—
 - (1.) If the Government have decided upon any, and if any, upon what course to take with reference to the New Postal Contract entered into between the Home Government and the P. and O. Company, with a subsidy of £180,000 per annum?
 - (2.) Do the Government consider this Colony bound to contribute its share to the said subsidy, considering the Resolution of this House agreed to upon the 6th August, 1858, and the Vote of £50,000 per annum agreed to for the Mail Service *via* Panama?
2. MR. DONALDSON to ask THE COLONIAL SECRETARY,—If the Government have decided upon any, and if any, what steps are to be taken with reference to the late extensive frauds upon the Customs' Revenue of the Colony?
3. MR. DONALDSON to ask THE COLONIAL SECRETARY,—If it be the intention of the Government, before the departure of the next Mail for Europe, to elicit the opinion of Parliament in reference to the general question of Postal Communication with Great Britain, whether by way of the East or the West Indies?
4. MR. HODGSON to ask THE COLONIAL SECRETARY,—Whether there is any intention on the part of the Government, to place on the Supplementary Estimate for 1859, a sum of money sufficient to provide Pensions for worn out and superannuated officers of the Government?
5. MR. HODGSON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether Mr. Lowe, who has been appointed Assistant Gold Commissioner for the Fairfield Diggings, had, at the latest advices, reached his District?

THURSDAY, JANUARY 6.

Question:—

1. MR. LORD to ask THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—If it be the intention of the Government to appoint a Commissioner of Crown Lands for the District of Wellington; and, if so, at what period is the appointment likely to be made?
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FRIDAY,

FRIDAY, JANUARY 7.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DONALDSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copy of all Instructions handed to Edward C. McCreweher, Esq., upon the subject of his mission to Europe, on the business of the proposed Postal Service between Australia and Great Britain *via* Panama.
2. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House the following Papers :—
 - (1.) All Correspondence with the Government respecting the removal of E. J. C. North, Esq., from the Commission of the Peace, together with all voluntary and solemn declarations, and all other documents relating thereto.
 - (2.) All Petitions or Memorials, with the names of the Petitioners or Memorialists attached thereto, respecting the same subject.
3. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth all amounts paid during the last three months to Mr. Deniehy, a member of this House, for professional assistance rendered to the Government; and all Correspondence between Mr. Deniehy, the Attorney General, and Mr. Zouch; and all Minutes of the Attorney General or Criminal Crown Solicitor, in reference thereto.

TUESDAY, JANUARY 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. THORNTON to move,—
 - (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.

DANIEL COOPER,
Speaker.

No. 12.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 5 JANUARY, 1859.

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

Extension of Railway to Windsor:—Mr. Smith, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before the Select Committee appointed, on the 17th ultimo, to consider and report upon the expediency of making a Railway to Windsor, diverging from the proposed Parramatta and Penrith Line, with power to call for persons and papers.

Ordered to be printed, together with the Appendix and Minutes of Proceedings.

2. Supply:—Mr. Cowper moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858-9.

Debate ensued.

Question put.

The House divided.

Ayes, 20.

Noes, 12.

Mr. Cowper,
Mr. Robertson,
Mr. Jenkins,
Mr. Smith,
Mr. Faucett,
Mr. Wild,
Mr. G. Macleay,
Mr. Lloyd,
Mr. Egan,
Mr. Martin,
Mr. Paterson,
Mr. Lord,
Mr. Hodgson,
Mr. Hay,
Mr. W. Macleay,
Mr. Donaldson,
Mr. J. Macarthur,
Mr. Taylor,
Mr. Plunkett, } Tellers.
Mr. Dalley, }

Mr. Owen,
Mr. Weekes,
Mr. Williamson,
Mr. Rotton,
Mr. Forster,
Mr. Scott,
Mr. Richardson,
Mr. Piddington,
Mr. Dickson,
Mr. J. Campbell,
Mr. Jones, } Tellers.
Mr. Denichy, }

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

The Chairman reported that a point of Order had arisen in the Committee, and obtained leave to sit again so soon as the point of Order should be decided by the House,—

The Chairman then stated the point of Order, as follows:—

On going into Committee under certain Instructions, the Colonial Secretary moved, That the Item to which those Instructions referred be withdrawn.

Mr. Martin moved, as an Amendment, the Item as found in the Estimates;—

Upon which the Chairman ruled that the proposed Amendment could not be entertained until the motion for withdrawal of the Item should be first disposed of, and gave it as his opinion further, that it was not competent for a private Member to make the proposed motion, as the recommendation of the Crown acquired vitality by motion only of a Responsible Minister of the Crown,—

And a Debate arising thereupon,—

The Speaker ruled that the Chairman's view of the matter was the correct one.

The motion for withdrawal must be decided before any other, because its object was the discontinuance of a burden on the people, whilst the Item on the Estimates recommended by the Crown could only be moved by a Minister of the Crown, responsible to this House and to the country, and with whom the House would know how to deal should the course he took be contrary to the wishes of the majority.

The Committee then resumed.

The Chairman reported that a point of Order had arisen in the Committee, and obtained leave to sit again so soon as the point of Order should be decided by the House.

The Chairman then stated the Point of Order, as follows:—

A motion for the withdrawal of so much of the £14,025 referred to in the instruction to the Committee as did not refer to the stipend of a Jewish Minister, having been negatived upon Division, and a subsequent motion for £200 as stipend for a Jewish Minister having been carried,—and the Colonial Secretary then proceeding to move, pursuant to notice on the Paper for to-day, the Vote of Credit to defray the Public Expenditure for the current month of January,—the Chairman gave it as his opinion that the motion so offered would not be in order until the Committee had first re-considered that portion of the Governor General's Message recommending the appropriation of £14,025, in Supplement to Schedule C. Whereupon the point of Order arose, whether the decision of the Question for withdrawal of the Item of £14,025, less £200, was a reconsideration of that portion of the Governor General's Message in the sense in which the instruction for such reconsideration was conveyed to the Committee,—The Speaker ruled that the discussion and decision of the question for withdrawal of the £14,025, less £200, was a reconsideration of the portion of the Governor General's Message referred to in the instruction to the Committee, and added, that if any doubt were entertained, the circumstance that the Committee had afterwards, unchallenged, proceeded to and passed the Item of £200 as stipend for a Jewish minister, put the matter beyond doubt in his own mind.

And debate arising,—

Mr. Plunkett moved, That in the opinion of this House, the refusal by the Committee of the whole House, to consent to a withdrawal, by the Colonial Secretary, of the sum of £14,025, proposed in the Message of His Excellency the Governor General to be voted in aid of Schedule C, is not a reconsideration of such Message.

Debate ensued.

Question put.

The House divided.

Ayes, 20.

Mr. G. Macleay,
Mr. Jenkins,
Mr. Egan,
Mr. Faucett,
Mr. R. Tooth,
Mr. Macarthur,
Mr. Martin,
Mr. Taylor,
Mr. Paterson,
Mr. Lord,
Mr. Lloyd,
Mr. W. B. Tooth,
Mr. Wild,
Mr. W. Macleay,
Mr. Hay,
Mr. Plunkett,
Mr. J. Campbell,
Mr. Hodgson,
Mr. Donaldson, } Tellers.
Mr. Smith, }

Noes, 18.

Mr. Cowper,
Mr. Dalley,
Mr. Robertson,
Mr. Hart,
Mr. Owen,
Mr. Scott,
Mr. Rotton,
Mr. Weekes,
Mr. Jones,
Mr. Flood,
Mr. Richardson,
Mr. Forster,
Mr. Williamson,
Mr. Deniely,
Mr. Piddington,
Mr. Arnold,
Mr. Gordon, } Tellers.
Mr. Dickson, }

The Committee then resumed.

And the Committee having continued to sit till after midnight,—

THURSDAY, 6 JANUARY, 1859.

The Chairman reported that the Committee had agreed to the following Resolution:—That the Chairman leave the Chair, and report to the Speaker that notwithstanding the instruction received by this Committee from the whole House to reconsider, before proceeding to any other business, that portion of the Message of His Excellency the Governor General by which the House was recommended to provide the sum of £14,025 to meet Additional Expenditure under Schedule (C), and in the face of the decision of the Speaker that the Government alone can make the necessary motion before this Committee, the Honorable the Colonial Secretary has declined to propose to this Committee the sum in question, and ask leave to sit again at a later hour of the evening.

Question,—That the Committee have leave to sit again at a later hour of the evening—put and passed.

Mr. Cowper then moved, That this House do now adjourn until Three o'clock P.M. to-day.

Question put and passed.

The House adjourned accordingly, at five minutes before One o'clock A.M., until Three o'clock P.M. to-day.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JANUARY 6.

Contingent Notices of Motion :—

1. MR. PIDDINGTON to move (*on the Order of the Day being read for the House resolving itself into a Committee of Supply*), That the Resolutions adopted by this House on the 4th of January instant, namely,—
 - (1) That the Resolution adopted by this House on the 15th of December last, to the effect that there be granted to Her Majesty a sum not exceeding one shilling in the year 1859, to meet necessary additional expenditure under Schedule C of the Act of the Imperial Parliament 18 and 19 Vic., cap. 54, be rescinded.
 - (2.) That it be an instruction to the Committee to re-consider, before proceeding to any other business, that portion of the Message of His Excellency the Governor General, by which the House was recommended to provide the sum of £14,025, to meet such additional expenditure.
 - (3.) And that it be a further instruction to the Committee to consider separately, and on its own peculiar circumstances, the Item of £200 for the salary of a Jewish Minister, be rescinded.
2. MR. FORSTER to move as an amendment on Mr. Piddington's motion for to-day, No. 13, That the following Section be added after Section (3).
 - (4.) That inasmuch as the Executive Government in this Colony can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move (*in Committee of Supply*), That there be appropriated a sum not exceeding £78,000, to defray the expenses of the various Departments and Services of the Colony for the month of January, 1859, at the rates sanctioned for the year 1858 ; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings, during the same month.

ORDERS OF THE DAY :—

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

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PIDDINGTON to move, That the Petition of the Congregation of the Bathurst-street Baptist Chapel, relative to State Aid to Religion ; and also that of certain citizens of Sydney, upon the same subject, respectively presented by him on the 4th instant, be printed.
2. MR. DENIEHY to move,—
 - (1.) That a Select Committee be appointed to inquire into and report upon the manner of the expenditure of the funds granted by the Legislature for purposes connected with the University of Sydney, and also as to the way in which that Institution has hitherto fulfilled the purpose for which it was instituted.
 - (2.) That such Committee consist of Mr. Dalley, Mr. Flood, Mr. Hodgson, Mr. Owen, Mr. Murray, Mr. Piddington, Mr. Smith, and the Mover.
3. MR. DENIEHY to move, That the Petition of Mr. J. N. Beit, praying inquiry into the Insolvency Jurisdiction of the Supreme Court, presented by him on the 23rd ultimo, be printed.
4. MR. JENKINS to move for leave to bring in a Bill to make Vaccination compulsory in this Colony.
5. MR. J. CAMPBELL to move, That the Petition of James French, presented by him on the 21st ultimo, be printed.
6. MR. J. CAMPBELL to move, That the Petition of the Bishop and Clergy of the Church of England, presented by him on the 21st ultimo, be printed.
7. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
8. MR. WILLIAMSON to move, That the Reports forwarded by the Pilot Board to the Government, in 1857 and 1858, relative to the improvement of the Pilot Service, be laid on the Table of this House.
9. MR. HODGSON to move, That the Petition for a change in the railway charges and management, presented by him on the 22nd ultimo, be printed.
10. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
11. MR. ROBERTSON to move, That the Petitions, from Scone and Murrurundi, respectively relative to the proceedings of the Synod of Australia towards the Revd. Dr. Lang in the year 1842, presented by him on the 22nd ultimo, be printed.
12. MR. HART to move, That this House will on Friday next resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Armidale.

13. Mr. PIDDINGTON to move the following resolutions:—
- (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made.
 - (2.) That appropriations for Public Worship ought to be allotted to all denominations, in proportion to their population according to the last Census.
 - (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 - (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
14. Mr. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
15. Mr. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act; on condition that an equal amount be contributed by private subscription, and further, that the expenditure be limited to the Gold Fields and other Unsettled Districts, where there may be no fixed places of Public Worship.
16. Mr. FORSTER to move,—
- (1.) That a Select Committee, with leave to send for persons and papers, be appointed to consider and report upon the allegations contained in the Petition of Charles Wentworth Bucknell, received by this House on September 30th, and that such inquiry have special reference to the alleged employment of Detectives by the Police Authorities of this Colony, for the discovery of actual or supposititious offences.
 - (2.) That such Committee consist of Mr. Jones, Mr. Hay, Mr. Plunkett, Mr. Dalley, Mr. Deniehy, Mr. Donaldson, Mr. Williamson, Mr. Piddington, and Mr. Flood.

ORDER OF THE DAY:—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Question:—

1. Mr. LORD to ask THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—If it be the intention of the Government to appoint a Commissioner of Crown Lands for the District of Wellington; and, if so, at what period is the appointment likely to be made?

FRIDAY, JANUARY 7.

OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. DONALDSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copy of all Instructions handed to Edward C. Merewether, Esq., upon the subject of his mission to Europe, on the business of the proposed Postal Service between Australia and Great Britain *via* Panama.
2. Mr. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House the following Papers:—
 - (1.) All Correspondence with the Government respecting the removal of E. J. C. North, Esq., from the Commission of the Peace, together with all voluntary and solemn declarations, and all other documents relating thereto.
 - (2.) All Petitions or Memorials, with the names of the Petitioners or Memorialists attached thereto, respecting the same subject.
3. Mr. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth all amounts paid during the last three months to Mr. Deniehy, a member of this House, for professional assistance rendered to the Government; and all Correspondence between Mr. Deniehy, the Attorney General, and Mr. Zouch; and all Minutes of the Attorney General or Criminal Crown Solicitor, in reference thereto.
4. Mr. HODGSON to move—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate, at Drayton.
5. Mr. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Warwick.
6. Mr. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.

7. MR. LLOYD to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Tamworth.
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TUESDAY, JANUARY 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. THORNTON to move,—

(1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.

(2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.

DANIEL COOPER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 6 JANUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Supply:—Upon the Order of the Day being read for the resumption of the Committee of Supply,—
Mr. Piddington moved, pursuant to *Contingent Notice*, That the Resolutions adopted by this House on the 4th of January instant, namely,—
(1.) That the Resolution adopted by this House on the 15th of December last, to the effect that there be granted to Her Majesty a sum not exceeding one shilling in the year 1859, to meet necessary additional expenditure under Schedule C of the Act of the Imperial Parliament 18 and 19 Vic., cap. 54, be rescinded.
(2.) That it be an instruction to the Committee to re-consider, before proceeding to any other business, that portion of the Message of His Excellency the Governor General, by which the House was recommended to provide the sum of £14,025, to meet such additional expenditure.
(3.) And that it be a further instruction to the Committee to consider separately, and on its own peculiar circumstances, the Item of £200 for the salary of a Jewish Minister,—
be rescinded.
And a Debate arising out of the Point of Order, whether the Question now before the House was entertained consistently with the Rule of Parliament, that the same Question may not be twice offered in the same Session,—
And the Speaker ruling that the Question was regularly before the House, inasmuch as the same Question had not previously been submitted to the decision of the House,—
Debate of the Question ensued,—
And exception being taken to certain words used by the Honorable Member for Cook and Westmoreland, Mr. Martin, in reference to an observation made by the Honorable Member for the Northumberland Boroughs, Mr. Dickson,—
And it being moved, That the said words be taken down, the Clerk, by direction of the Speaker, took down the said words, as follows:—
“ I do not know whether I am to submit to sit here and listen to this impertinence,”—
And Mr. Martin having been heard in his place, and withdrawn,—
Mr. Robertson moved, That the expressions of the Honorable Member for Cook and Westmoreland, Mr. Martin, as taken down by the Clerk, are unparliamentary and disorderly, and ought to be retracted.
Debate ensued.
Question,—That the expressions of the Honorable Member for Cook and Westmoreland, Mr. Martin, as taken down by the Clerk, are unparliamentary and disorderly, and ought to be retracted,—put and passed,—
And Mr. Martin being recalled to his place,—
And the Speaker having acquainted the Honorable Member with the Resolution come to by the House,—
And the Honorable Member having retracted the expressions excepted to,—
Debate of the Question upon Mr. Piddington's motion resumed,—
Question put.
The House divided.
- | Ayes, 22. | Noes, 17. |
|-----------------------------|--------------------------|
| Mr. Cowper, | Mr. Donaldson, |
| Mr. Robertson, | Mr. J. Macarthur, |
| Mr. Dalley, | Mr. Hodgson, |
| Mr. R. Campbell, | Mr. W. Macleay, |
| Mr. Byrnes, | Mr. Egan, |
| Mr. Deniehy, | Mr. Martin, |
| Mr. Rotton, | Mr. Lloyd, |
| Mr. Gordon, | Mr. Paterson, |
| Mr. Jones, | Mr. Taylor, |
| Mr. Weekes, | Mr. W. B. Tooth, |
| Mr. Arnold, | Mr. Hart, |
| Mr. Williamson, | Mr. Hay, |
| Mr. Piddington, | Mr. Jenkins, |
| Mr. Forster, | Mr. Wild, |
| Mr. Flood, | Mr. Smith, |
| Mr. Scott, | Mr. Plunkett, } Tellers. |
| Mr. Owen, | Mr. Faucett, } |
| Mr. Richardson, | |
| Mr. Dickson, | |
| Dr. Aldcorn, | |
| Mr. J. Campbell, } Tellers. | |
| Mr. Marks, | |

Whereupon

Whereupon Mr. Cowper moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858-9,—

And Mr. Macarthur offering a motion by way of Amendment,—

And the Speaker ruling, that the House having already entertained one such motion, it would be against the practice of Parliament upon the same occasion to entertain another,—

Question put and passed ;—

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

The Chairman obtained leave to sit again to-morrow, and reported the following Resolution :—

(6). Resolved, That there be appropriated a sum not exceeding £78,000, to defray the expenses of the various Departments and Services of the Colony for the month of January, 1859, at the rates sanctioned for the year 1858; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings, during the same month.

Mr. Cowper moved, That this House do now adopt this Resolution.

Question put and passed.

Mr. Cowper moved, That this House do now adjourn until Three o'clock to-morrow.

Question put and passed.

The House adjourned accordingly at a quarter after Eleven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JANUARY 7.

Contingent Notice of Motion :—

1. MR. FORSTER to move as an amendment on Mr. Piddington's motion for to-day, No. 20, That the following Section be added after Section (3).

(4). That inasmuch as the Executive Government in this Colony can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DONALDSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copy of all Instructions handed to Edward C. Merewether, Esq., upon the subject of his mission to Europe, on the business of the proposed Postal Service between Australia and Great Britain *via* Panama.
2. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House the following Papers :—
 - (1.) All Correspondence with the Government respecting the removal of E. J. C. North, Esq., from the Commission of the Peace, together with all voluntary and solemn declarations, and all other documents relating thereto.
 - (2.) All Petitions or Memorials, with the names of the Petitioners or Memorialists attached thereto, respecting the same subject.
3. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth all amounts paid during the last three months to Mr. Deniehy, a member of this House, for professional assistance rendered to the Government; and all Correspondence between Mr. Deniehy, the Attorney General, and Mr. Zouch; and all Minutes of the Attorney General or Criminal Crown Solicitor, in reference thereto.
4. MR. HODGSON to move—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate, at Drayton.
5. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Warwick.
6. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
7. MR. LLOYD to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Tamworth.

8. MR. PIDDINGTON to move, That the Petition of the Congregation of the Bathurst-street Baptist Chapel, relative to State Aid to Religion; and also that of certain citizens of Sydney, upon the same subject, respectively presented by him on the 4th instant, be printed.
9. MR. DENIEHY to move,—
 (1.) That a Select Committee be appointed to inquire into and report upon the manner of the expenditure of the funds granted by the Legislature for purposes connected with the University of Sydney, and also as to the way in which that Institution has hitherto fulfilled the purpose for which it was instituted.
 (2.) That such Committee consist of Mr. Dalley, Mr. Flood, Mr. Hodgson, Mr. Owen, Mr. Murray, Mr. Piddington, Mr. Smith, and the Mover.
10. MR. DENIEHY to move, That the Petition of Mr. J. N. Beit, praying inquiry into the Insolvency Jurisdiction of the Supreme Court, presented by him on the 23rd ultimo, be printed.
11. MR. JENKINS to move for leave to bring in a Bill to make Vaccination compulsory in this Colony.
12. MR. J. CAMPBELL to move, That the Petition of James French, presented by him on the 21st ultimo, be printed.
13. MR. J. CAMPBELL to move, That the Petition of the Bishop and Clergy of the Church of England, presented by him on the 21st ultimo, be printed.
14. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
15. MR. WILLIAMSON to move, That the Reports forwarded by the Pilot Board to the Government, in 1857 and 1858, relative to the improvement of the Pilot Service, be laid on the Table of this House.
16. MR. HODGSON to move, That the Petition for a change in the railway charges and management, presented by him on the 22nd ultimo, be printed.
17. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
18. MR. ROBERTSON to move, That the Petitions, from Scone and Murrurundi, respectively relative to the proceedings of the Synod of Australia towards the Revd. Dr. Lang in the year 1842, presented by him on the 22nd ultimo, be printed.
19. MR. HART to move, That this House will on Friday next resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Armidale.
20. MR. PIDDINGTON to move the following resolutions:—
 (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made.
 (2.) That appropriations for Public Worship ought to be allotted to all denominations, in proportion to their population according to the last Census.
 (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
21. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
22. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act; on condition that an equal amount be contributed by private subscription, and further, that the expenditure be limited to the Gold Fields and other Unsettled Districts, where there may be no fixed places of Public Worship.
23. MR. FORSTER to move,—
 (1.) That a Select Committee, with leave to send for persons and papers, be appointed to consider and report upon the allegations contained in the Petition of Charles Wentworth Bucknell, received by this House on September 30th, 1858, and that such inquiry have special reference to the alleged employment of Detectives by the Police Authorities of this Colony, for the discovery of actual or supposititious offences.
 (2.) That such Committee consist of Mr. Jones, Mr. Hay, Mr. Plunkett, Mr. Dalley, Mr. Deniehy, Mr. Donaldson, Mr. Williamson, Mr. Piddington, and Mr. Flood.

ORDER OF THE DAY:—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

GOVERNMENT

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

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

Questions:—

1. MR. FLOOD *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Were the Railway Works between Parramatta and Penrith submitted to public competition previous to any contract being entered into ; if so, in what manner ?
2. MR. JONES *to ask* THE HONORABLE THE COLONIAL SECRETARY,—Whether the Government intend, by the next Mail, to instruct their Agent, in England, to delay entering into or proceeding with negotiations with the Imperial Government for establishing Steam Postal Communication between the United Kingdom and New South Wales, *via* Panama, until he receives further instructions on the subject ?

TUESDAY, JANUARY 11.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. THORNTON *to move*,—
 - (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.
2. MR. DONALDSON *to move*, That the Committee of Supply having been instructed to re-consider, before proceeding to any other business, that portion of the Message of His Excellency the Governor General by which the House was recommended to provide the sum of £14,025, to meet necessary additional expenditure under Schedule C of the Act of the Imperial Parliament, 18 & 19, Vict., cap. 54, and to consider separately the item of £200 for the salary of a Jewish Minister, and the Government having moved the withdrawal of the item in question, and on such motion being negatived, the Government having moved that the sum of £200 be granted as the salary of a Jewish Minister, and having abstained from moving any further, this House is of opinion that the conduct of the Government, in so abstaining, does not entitle them to the further confidence of this House.

DANIEL COOPER,
Speaker

No. 14.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 7 JANUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Paper:—Mr. Robertson laid upon the Table, the Return to the Address in reference to land granted to the University of Sydney, for Affiliated Colleges, adopted, on motion of Mr. Gordon, on 12th November last.
Ordered to be printed.
2. Instructions to Mr. Merewether in reference to Steam Postal Service:—Mr. Donaldson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copy of all Instructions handed to Edward C. Merewether, Esq., upon the subject of his mission to Europe, on the business of the proposed Postal Service between Australia and Great Britain *via* Panama.
Debate ensued.
Question put and passed.
3. Removal of E. J. C. North, Esquire, from the Commission of the Peace:—Mr. Plunkett moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House the following Papers:—
(1.) All Correspondence with the Government respecting the removal of E. J. C. North, Esq., from the Commission of the Peace, together with all voluntary and solemn declarations, and all other documents relating thereto.
(2.) All Petitions or Memorials, with the names of the Petitioners or Memorialists attached thereto, respecting the same subject.
Question put and passed.
4. Motion Dropped:—Mr. Martin not moving the motion standing in his name third on the Notice Paper for to-day, it dropped,—Mr. Owen giving notice of the same motion for Tuesday next.
5. Police Magistrate for Darling Downs:—Mr. Hodgson,—withdrawing the motion standing in his name fifth on the Notice Paper for to-day,—moved, pursuant to *amended* notice, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate, for the District of Darling Downs,—
And notice being taken that there was not a Quorum present, the House was counted, and there not being twenty members present, exclusive of the Speaker, the Speaker adjourned the House at ten minutes before Six o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JANUARY 11.

Contingent Notice of Motion:—

1. MR. FORSTER to move as an amendment on Mr. Piddington's motion for to-day, No. 20, That the following Section be added after Section (3).
(4). That inasmuch as the Executive Government in this Colony can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

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

OTHER

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. THORNTON to move,—
 (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 (2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.
2. MR. DONALDSON to move, That the Committee of Supply having been instructed to re-consider, before proceeding to any other business, that portion of the Message of His Excellency the Governor General by which the House was recommended to provide the sum of £14,025, to meet necessary additional expenditure under Schedule C of the Act of the Imperial Parliament, 18 & 19, Vict., cap. 54, and to consider separately the item of £200 for the salary of a Jewish Minister, and the Government having moved the withdrawal of the item in question, and on such motion being negatived, the Government having moved that the sum of £200 be granted as the salary of a Jewish Minister, and having abstained from moving any further, this House is of opinion that the conduct of the Government, in so abstaining, does not entitle them to the further confidence of this House.
3. MR. RICHARDSON to move, that the Petitions from Brisbane and Ipswich, respectively, relative to the proceedings of the Synod of Australia, towards the Rev. Dr. Lang, in the year 1842, presented by him on the 21st of December, be printed.
4. MR. OWEN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth all amounts paid during the last three months to Mr. Deniehy, a member of this House, for professional assistance rendered to the Government; and all Correspondence between Mr. Deniehy, the Attorney General, and Mr. Zouch; and all Minutes of the Attorney General or Criminal Crown Solicitor, in reference thereto.
5. MR. WILLIAMSON to move, That there be laid on the Table of this House, a Return of all vessels that have entered and cleared at the Custom House, Newcastle, since the "Pilotage Amendment Act of 1858" came into operation, to 1 January instant, specifying the name, tonnage, and inward and outward amount of pilotage paid on each vessel, and likewise specifying those vessels exempted by Clause 3 of said Act.
6. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
7. MR. LLOYD to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Tamworth.
8. MR. PIDDINGTON to move, That the Petition of the Congregation of the Bathurst-street Baptist Chapel, relative to State Aid to Religion; and also that of certain citizens of Sydney, upon the same subject, respectively presented by him on the 4th instant, be printed.
9. MR. DENIEHY to move,—
 (1.) That a Select Committee be appointed to inquire into and report upon the manner of the expenditure of the funds granted by the Legislature for purposes connected with the University of Sydney, and also as to the way in which that Institution has hitherto fulfilled the purpose for which it was instituted.
 (2.) That such Committee consist of Mr. Dalley, Mr. Flood, Mr. Hodgson, Mr. Owen, Mr. Murray, Mr. Piddington, Mr. Smith, and the Mover.
10. MR. DENIEHY to move, That the Petition of Mr. J. N. Beit, praying inquiry into the Insolvency Jurisdiction of the Supreme Court, presented by him on the 23rd ultimo, be printed.
11. MR. JENKINS to move for leave to bring in a Bill to make Vaccination compulsory in this Colony.
12. MR. J. CAMPBELL to move, That the Petition of James French, presented by him on the 21st ultimo, be printed.
13. MR. J. CAMPBELL to move, That the Petition of the Bishop and Clergy of the Church of England, presented by him on the 21st ultimo, be printed.
14. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
15. MR. WILLIAMSON to move, That the Reports forwarded by the Pilot Board to the Government, in 1857 and 1858, relative to the improvement of the Pilot Service, be laid upon the Table of this House.
16. MR. HODGSON to move, That the Petition for a change in the railway charges and management, presented by him on the 22nd ultimo, be printed.
17. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
18. MR. ROBERTSON to move, That the Petitions, from Scone and Murrurundi, respectively relative to the proceedings of the Synod of Australia towards the Revd. Dr. Lang in the year 1842, presented by him on the 22nd ultimo, be printed.

- 19. MR. HART to move, That this House will on Friday next resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Armidale.
- 20. MR. PIDDINGTON to move the following resolutions:—
 - (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made.
 - (2.) That appropriations for Public Worship ought to be allotted to all denominations, in proportion to their population according to the last Census.
 - (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 - (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
- 21. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act.
- 22. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act; on condition that an equal amount be contributed by private subscription, and further, that the expenditure be limited to the Gold Fields and other Unsettled Districts, where there may be no fixed places of Public Worship.
- 23. MR. FORSTER to move,—
 - (1.) That a Select Committee, with leave to send for persons and papers, be appointed to consider and report upon the allegations contained in the Petition of Charles Wentworth Bucknell, received by this House on September 30th, 1858, and that such inquiry have special reference to the alleged employment of Detectives by the Police Authorities of this Colony, for the discovery of actual or supposititious offences.
 - (2.) That such Committee consist of Mr. Jones, Mr. Hay, Mr. Plunkett, Mr. Dalley, Mr. Denieby, Mr. Donaldson, Mr. Williamson, Mr. Piddington, and Mr. Flood.

ORDER OF THE DAY:—

- 1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Questions:—

- 1. MR. FORSTER to ask THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—
 - (1.) What course will the Government pursue towards those Lessees of Crown Lands in the Intermediate Districts, whose Leases will expire at the end of the year 1859, in the event of the present Ministry remaining in Office until then, and of no Bill to regulate the management and permissive occupation of Crown Lands having been in the meantime passed by the Legislature?
 - (2.) Is the Government prepared to recognize any right of renewal of Leases of Crown Lands, as accruing under the Orders in Council, dated March 9, 1847, in the cases above referred to—and, if so, to what extent?
- 2. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
 - (1.) What steps have been taken to carry out the resolution of this House, passed on 24th day of November last, respecting the conduct of Dr. Harris?
 - (2.) In what position does the matter stand up to the present time?
- 3. MR. ROTTON to ask THE HONORABLE THE COLONIAL SECRETARY,—

Has the Government any intention, at an early period, to take any steps towards the establishment of Grammar Schools in the towns of Maitland, Bathurst, and Goulburn?
- 4. MR. HART to ask THE HONORABLE THE COLONIAL SECRETARY,—

What steps have been taken by the Government with respect to a Petition, lately presented to His Excellency the Governor General, from certain inhabitants of Armidale, praying for inquiry into the conduct of the Clerk of the Bench for that District?
- 5. MR. WILD to ask THE HONORABLE THE COLONIAL SECRETARY,—

Whether he is aware that a very large and populous district, comprising the Oaks, Burragorang, and a considerable portion of the Counties of Cook and Westmoreland, is entirely destitute of Police protection?

DANIEL COOPER,
Speaker.

No. 15.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 11 JANUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers:—
 - (1.) Mr. Cowper laid upon the Table a Return of Receipts and Expenditure on account of Building the University of Sydney.
Ordered to be printed.
 - (2.) Mr. Robertson laid upon the Table the Road Trust Accounts for the undermentioned places and periods:—

Parramatta,	from 1 January to 30 June, 1858.		
Windsor	Do.	Do.	
Richmond	Do.	Do.	
Penrith	Do.	Do.	
Ditto	from 1 July to 6 August, 1858.		
Liverpool,	from 1 January to 30 June, 1858.		
Campbelltown	Do.	Do.	
Narellan	Do.	Do.	
Ditto	from 1 July to 7 August, 1858.		
- Ordered to be printed.
2. Supply:—On motion of Mr. Cowper the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858-9.
The Chairman reported progress, and obtained leave to sit again to-morrow.
 3. Postponements:—
 - (1.) The resumption of the Committee of Ways and Means, postponed, on motion of Mr. R. Campbell, until this day week.
 - (2.) Mr. Thornton postponed the motion standing in his name first on the Notice Paper for to-day, until next Friday week.
 4. Motion withdrawn:—Mr. Donaldson withdrew the motion standing in his name second on the Notice Paper for to-day.
 5. Motions dropped:—
 - (1.) Mr. Richardson not moving the motion standing in his name third on the Notice Paper for to-day, it dropped.
 - (2.) Mr. Owen not moving the motion standing in his name fourth on the Notice Paper for to-day, it dropped.

And the House having continued to sit till after Midnight,—

WEDNESDAY, 12 JANUARY, 1859.

6. Pilotage Rates Amendment Act of 1858:—Mr. Williamson moved, pursuant to notice, That there be laid on the Table of this House, a Return of all vessels that have entered and cleared at the Custom House, Newcastle, since the "Pilotage Amendment Act of 1858" came into operation, to 1 January instant, specifying the name, tonnage, and inward and outward amount of pilotage paid on each vessel, and likewise specifying those vessels exempted by Clause 3 of said Act.
Debate ensued.
Question put and passed.
7. Postponements:—
 - (1.) Mr. Hodgson postponed the motion standing in his name sixth on the Notice Paper for to-day, until to-morrow.
 - (2.) Mr. Taylor, on behalf of Mr. Lloyd, postponed the motion standing in the name of Mr. Lloyd seventh on the Notice Paper for to-day, until to-morrow.

8. Motions dropped :—
 (1.) Mr. Piddington not moving the motion standing in his name eighth on the Notice Paper for to-day, it dropped.
 (2.) Mr. Deniehy not moving the motions standing in his name ninth and tenth on the Notice Paper for to-day, they severally dropped.
9. Postponement :—Mr. Taylor postponed the motion standing in the name of Mr. Jenkins, eleventh on the Notice Paper for to-day, until to-morrow.
10. James French :—Mr. J. Campbell moved, pursuant to notice, That the Petition of James French, presented by him on the 21st ultimo, be printed.
 Question put and passed.
 Ordered to be printed.
11. State Aid to Religion :—Mr. J. Campbell moved, pursuant to notice, That the Petition of the Bishop and Clergy of the Church of England, presented by him on the 21st ultimo, be printed.
 Question put and passed.
 Ordered to be printed.
12. Motion Withdrawn :—Mr. Donaldson withdrew the motion standing in his name, fourteenth on the Notice Paper for to-day.
13. Pilot Service :—Mr. Williamson moved, pursuant to notice, That the Reports forwarded by the Pilot Board to the Government, in 1857 and 1858, relative to the improvement of the Pilot Service, be laid upon the Table of this House.
 Question put and passed.
14. Railway Charges and Management :—Mr. Hodgson moved, pursuant to notice, That the Petition for a change in the Railway Charges and Management, presented by him on the 22nd ultimo, be printed.
 Question put and passed.
 Ordered to be printed.
15. Postponement :—Mr. Hay postponed the motion standing in the name of Mr. George Macleay seventeenth on the Notice Paper for to-day, until Tuesday next.
16. The Revd. Dr. Lang :—Mr. Robertson moved, pursuant to notice, That the Petitions from Seone and Murrurundi, respectively relative to the proceedings of the Synod of Australia towards the Revd. Dr. Lang in the year 1842, presented by him on the 22nd ultimo, be printed.
 Question put and passed.
 Ordered to be printed.
17. Postponement :—Mr. Taylor postponed the motion standing in the name of Mr. Hart nineteenth on the Notice Paper for to-day, until to-morrow.
18. Motion Dropped :—Mr. Piddington not moving the motion standing in his name twentieth on the Notice Paper for to-day, it dropped.
19. Motion Withdrawn :—Mr. Donaldson withdrew the motion standing in his name twenty-first on the Notice Paper for to-day.
20. Postponements :—
 (1.) Mr. Donaldson amended and postponed the motion standing in his name twenty-second on the Notice Paper for to-day, until Friday next.
 (2.) Mr. Rotton, on behalf of Mr. Forster, postponed the motion standing in the name of Mr. Forster, twenty-third on the Notice Paper for to-day, until Friday next.
 (3.) The second reading of the Moreton Bay Assistant District Judges' Appointment Bill postponed, on motion of Mr. Plunkett, until to-morrow.
- The House adjourned at a Quarter after Twelve o'clock, A.M., until Three o'clock, P.M., to-day.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JANUARY 12.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th instant, be now resumed.
2. Mr. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
3. Mr. LLOYD to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Tamworth.
4. Mr. JENKINS to move for leave to bring in a Bill to make Vaccination compulsory in this Colony.

5. MR. HART to move, That this House will on Friday next resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Armidale.
6. MR. OWEN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth all amounts paid during the last three months to Mr. Deniehy, a member of this House, for professional assistance rendered to the Government; and all Correspondence between Mr. Deniehy, the Attorney General, and Mr. Zouch; and all Minutes of the Attorney General or Criminal Crown Solicitor, in reference thereto.

ORDER OF THE DAY:—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Questions:—

1. MR. JENKINS to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether it is the intention of the Government—
 - (1.) To proclaim the Ports belonging to the Cape of Good Hope as infected places, within the meaning of the Act 3 William IV, No. 1?
 - (2.) To direct that all ships and vessels arriving from, or having touched at any of the said Ports, be placed in Quarantine?
2. MR. JENKINS to ask THE HONORABLE THE COLONIAL SECRETARY,—If it is the intention of the Government to place on the Supplementary Estimate, a sum of money, by way of compensation to those Ministers of Religion who have been either in part or wholly deprived of their salaries, in consequence of the House having so suddenly refused to continue the supplementary grant of £14,025 in aid of Public Worship?
3. MR. JENKINS to ask THE HONORABLE THE MINISTER FOR LANDS AND PUBLIC WORKS,—When the Government will be prepared with Regulations to enable persons who may be so desirous to work Mineral Lands other than auriferous?
4. MR. DONALDSON to ask THE COLONIAL SECRETARY,—
 - (1.) If any arrangements have been proposed to any party to rent the Cockatoo Island Dry Dock?
 - (2.) If so, to whom, and at what rate?
 - (3.) Have any instructions or authority been given to Mr. Merewether to treat with the Home Government, or with any Company or other party in England, upon the subject of the said Dry Dock; if so, on what terms?
 - (4.) If the Dry Dock be at any time let, will not the public be afforded an opportunity of competing for the same (as in the case of the Circular Quay) by public auction?
5. MR. DENIEHY to ask THE HONORABLE THE COLONIAL SECRETARY,—If the Government have any prospect of making arrangements for the transmission of mails from Yass to Albury in the usual way, and the relief thereupon of troopers of the Southern Mounted Patrol from the function of mail-carriers?

FRIDAY, JANUARY 14.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DONALDSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence which may have taken place between the Colonial Government and the Oriental Bank since the last correspondence laid upon the Table of this House, dated 23 April, 1857.
2. MR. FLOOD to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £100, to increase the salary of the Librarian of Parliament from £300 to £400 per annum.
3. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider of an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act; on condition that an equal amount be contributed by private subscription.
4. MR. FORSTER to move,—
 - (1.) That a Select Committee, with leave to send for persons and papers, be appointed to consider and report upon the allegations contained in the Petition of Charles Wentworth Bucknell, received by this House on September 30th, 1858, and that such inquiry have special reference to the alleged employment of Detectives by the Police Authorities of this Colony, for the discovery of actual or supposititious offences.
 - (2.) That such Committee consist of Mr. Jones, Mr. Hay, Mr. Plunkett, Mr. Dalley, Mr. Deniehy, Mr. Donaldson, Mr. Williamson, Mr. Piddington, and Mr. Flood.

TUESDAY, JANUARY 18.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Ways and Means; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DENIEHY to move,—
 - (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
2. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.

FRIDAY, JANUARY 21.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. THORNTON to move,—
 - (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.

DANIEL COOPER,
Speaker

No. 16.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 12 JANUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Pre-emptive Right; Port Curtis:—Mr. W. B. Tooth presented a Petition from certain occupants of Crown Lands, within the Settled Counties of the District of Port Curtis, praying the extension to them of the same right of pre-emption which protects the improvements made by Squatters in the Intermediate and Unsettled Districts.
Petition received.
2. Papers:—
 - (1.) Mr. Cowper laid upon the Table, the Return to the Address for copy of instructions to Mr. Merewether, in reference to Steam Postal Service, adopted, on motion of Mr. Donaldson, on the 7th instant.
Ordered to be printed.
 - (2.) Mr. Dalley laid upon the Table, the Return to the Address in reference to the removal of E. J. C. North, Esquire, from the Commission of the Peace, adopted, on motion of Mr. Plunkett, on the 7th instant.
Ordered to be printed.
3. Supply:—On motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858-9.
The Chairman reported progress, and moved for leave to sit again to-morrow.

And the House having continued to sit till after midnight,—

THURSDAY, 13 JANUARY, 1859.

And notice being taken that there was not a Quorum present, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at a Quarter after Twelve o'clock, A.M., until Three o'clock, P.M., to-day.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JANUARY 13.

Contingent Notices of Motion:—

1. Mr. PIDDINGTON to move (*upon the Order of the Day being read for the resumption of the Committee of Supply*) the following resolutions:—
 - (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap. 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made.
 - (2.) That appropriations for Public Worship ought to be allotted to all denominations, in proportion to their population, according to the last Census.
 - (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 - (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
2. Mr. FORSTER to move, as an amendment on Mr. Piddington's *contingent* motion, That the following Section be added after Section (3.)
 - (4.) That inasmuch as the Executive Government in this Colony can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.

GOVERNMENT

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DENIEHY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the manner of the expenditure of the funds granted by the Legislature for purposes connected with the University of Sydney, and also as to the way in which that institution has hitherto fulfilled the purpose for which it was instituted.
 - (2.) That such Committee consist of Mr. Dalley, Mr. Flood, Mr. Hodgson, Mr. Owen, Mr. Murray, Mr. Piddington, Mr. Smith, and the Mover.
2. MR. DENIEHY to move, That the Petition of John Nicholas Beit, presented by him on the 10th instant, be printed.
3. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th instant, be now resumed.
4. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
5. MR. LLOYD to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Tamworth.
6. MR. JENKINS to move for leave to bring in a Bill to make Vaccination compulsory in this Colony.
7. MR. HART to move, That this House will on Friday next resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Armidale.
8. MR. OWEN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth all amounts paid during the last three months to Mr. Deniehy, a member of this House, for professional assistance rendered to the Government ; and all Correspondence between Mr. Deniehy, the Attorney General, and Mr. Vouch ; and all Minutes of the Attorney General or Criminal Crown Solicitor, in reference thereto.

ORDER OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.

Question :—

1. MR. DONALDSON to ask THE MINISTER FOR LANDS AND PUBLIC WORKS,—Whether it be the intention of the Government to build a new Post Office on the site in Wynyard Square, indicated as a reserve for this purpose ; if so, when ?

FRIDAY, JANUARY 14.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DONALDSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence which may have taken place between the Colonial Government and the Oriental Bank since the last correspondence laid upon the Table of this House, dated 23 April, 1857.
2. MR. FLOOD to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £100, to increase the salary of the Librarian of Parliament from £300 to £400 per annum.
3. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider of an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act ; on condition that an equal amount be contributed by private subscription.
4. MR. FORSTER to move,—
 - (1.) That a Select Committee, with leave to send for persons and papers, be appointed to consider and report upon the allegations contained in the Petition of Charles Wentworth Bucknell, received by this House on September 30th, 1858, and that such inquiry have special reference to the alleged employment of Detectives by the Police Authorities of this Colony, for the discovery of actual or supposititious offences.
 - (2.) That such Committee consist of Mr. Jones, Mr. Hay, Mr. Plunkett, Mr. Dalley, Mr. Deniehy, Mr. Donaldson, Mr. Williamson, Mr. Piddington, and Mr. Flood.

- 5. MR. PIDDINGTON to move, That the Petition of the Congregation of the Bathurst-street Baptist Chapel, relative to State Aid to Religion; and also that of certain Citizens of Sydney, upon the same subject, respectively, presented by him on the 4th instant, be printed.
- 6. MR. W. B. TOOTH to move, That the Petition of certain occupants of Crown Lands in the District of Port Curtis, presented by him on the 12th instant, be printed.

TUESDAY, JANUARY 18.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

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

OTHER BUSINESS—NOTICES OF MOTION :—

- 1. MR. DENIHY to move,—
 - (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
- 2. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.

FRIDAY, JANUARY 21.

OTHER BUSINESS—NOTICE OF MOTION :—

- 1. MR. THORNTON to move,—
 - (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.

DANIEL COOPER,
Speaker.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 13 JANUARY, 1859.

There being only nineteen Members present, exclusive of the Speaker, namely:—Mr. Arnold, Mr. R. Campbell, Mr. Cowper, Mr. Dalley, Mr. Denchey, Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Jones, Mr. Marks, Mr. Owen, Mr. Piddington, Mr. Richardson, Mr. Robertson, Mr. Rotton, Mr. Scott, Mr. Taylor, Mr. Thornton, and Mr. Wild, the Speaker took the Chair, and adjourned the House at half-past Three o'clock, until To-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JANUARY 14.

Contingent Notices of Motion:—

- 1. MR. PIDDINGTON to move (upon the Order of the Day being read for the resumption of the Committee of Supply) the following resolutions:—
 - (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap. 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made.
 - (2.) That appropriations for Public Worship ought to be allotted to all denominations, in proportion to their population, according to the last Census.
 - (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 - (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
- 2. MR. FORSTER to move, as an amendment on Mr. Piddington's contingent motion, That the following Section be added after Section (3.)
 - (4.) That inasmuch as the Executive Government in this Colony can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.

OTHER BUSINESS—NOTICES OF MOTION:—

- 1. MR. DONALDSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence which may have taken place between the Colonial Government and the Oriental Bank since the last correspondence laid upon the Table of this House, dated 23 April, 1857.
- 2. MR. FLOOD to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £100, to increase the salary of the Librarian of Parliament from £300 to £400 per annum.
- 3. MR. DONALDSON to move, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider of an Address to the Governor General, to the effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act; on condition that an equal amount be contributed by private subscription.
- 4. MR. FORSTER to move,—
 - (1.) That a Select Committee, with leave to send for persons and papers, be appointed to consider and report upon the allegations contained in the Petition of Charles Wentworth Bucknell, received by this House on September 30th, 1858, and that such inquiry have special reference to the alleged employment of Detectives by the Police Authorities of this Colony, for the discovery of actual or supposititious offences.
 - (2.) That such Committee consist of Mr. Jones, Mr. Hay, Mr. Plunkett, Mr. Dalley, Mr. Denchey, Mr. Donaldson, Mr. Williamson, Mr. Piddington, and Mr. Flood.
- 5. MR. PIDDINGTON to move, That the Petition of the Congregation of the Bathurst-street Baptist Chapel, relative to State Aid to Religion; and also that of certain Citizens of Sydney, upon the same subject, respectively, presented by him on the 4th instant, be printed.

6. MR. W. B. TOOTH to move, That the Petition of certain occupants of Crown Lands in the District of Port Curtis, presented by him on the 12th instant, be printed.
7. MR. DENIEHY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the manner of the expenditure of the funds granted by the Legislature for purposes connected with the University of Sydney, and also as to the way in which that institution has hitherto fulfilled the purpose for which it was instituted.
 - (2.) That such Committee consist of Mr. Dalley, Mr. Flood, Mr. Hodgson, Mr. Owen, Mr. Murray, Mr. Piddington, Mr. Smith, and the Mover.
8. MR. DENIEHY to move, That the Petition of John Nicholas Beit, presented by him on the 10th instant, be printed.
9. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th instant, be now resumed.
10. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
11. MR. LLOYD to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Tamworth.
12. MR. JENKINS to move for leave to bring in a Bill to make Vaccination compulsory in this Colony.
13. MR. HART to move, That this House will on Friday next resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Armidale.
14. MR. OWEN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth all amounts paid during the last three months to Mr. Deniehy, a member of this House, for professional assistance rendered to the Government; and all Correspondence between Mr. Deniehy, the Attorney General, and Mr. Zouch; and all Minutes of the Attorney General or Criminal Crown Solicitor, in reference thereto.

ORDER OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
- GOVERNMENT BUSINESS—ORDER OF THE DAY :—
1. Supply; resumption of the Committee.

Question :—

1. MR. DONALDSON to ask THE MINISTER FOR LANDS AND PUBLIC WORKS,—Whether it be the intention of the Government to build a new Post Office on the site in Wynyard Square, indicated as a reserve for this purpose; if so, when?

TUESDAY, JANUARY 18.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DENIEHY to move,—
 - (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
2. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.

FRIDAY, JANUARY 21.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. THORNTON to move,—
 - (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.

DANIEL COOPER,
Speaker.

No. 18.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 14 JANUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Graduates of British Universities Bill:—The Speaker reported that the following Message was received on the 12th instant from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to extend to Graduates of other British Universities certain privileges enjoyed by Graduates of the University of Sydney,*" presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,
Sydney, 6 January, 1859.

W. W. BURTON,
President.

Bill, on motion of Mr. Dalley, read a first time; ordered to be printed, and read a second time on Tuesday next.

2. English Banking Agency:—Mr. Donaldson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence which may have taken place between the Colonial Government and the Oriental Bank since the last correspondence laid upon the Table of this House, dated 23 April, 1857.
Debate ensued.
Question put and passed.
3. Increase to Librarian's Salary:—Mr. Flood moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £100, to increase the salary of the Librarian of Parliament from £300 to £400 per annum.
Debate ensued.
Question put.
The House divided.

Ayes, 21.

Mr. Dalley,
Mr. Deniehy,
Mr. Jones,
Mr. Owen,
Mr. Hart,
Mr. Scott,
Mr. Piddington,
Mr. Taylor,
Mr. Jenkins,
Mr. Donaldson,
Mr. Faucett,
Mr. Marks,
Mr. W. Macleay,
Mr. W. B. Tooth,
Mr. Plunkett,
Mr. Hay,
Mr. Wild,
Mr. Thornton,
Mr. Flood,
Mr. Richardson, } Tellers.
Mr. Weekes, }

Noes, 8.

Mr. Cowper,
Mr. R. Campbell,
Mr. Robertson,
Mr. Williamson,
Mr. Forster,
Mr. Rotton,
Mr. J. Campbell, } Tellers.
Mr. Arnold, }

4. Proposed Supplemental Vote for Public Worship:—Mr. Donaldson moved, pursuant to amended notice, That on the next sitting day, this House do resolve itself into a Committee of the whole, to consider of an Address to the Governor General, to the effect

effect that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £14,000 for Public Worship throughout the Colony, in addition to the sum of £28,000 provided by the Constitution Act; on condition that an equal amount be contributed by private subscription, in each case.

Debate ensued.

Question put.

The House divided.

Ayes, 8.

Mr. Donaldson,
Mr. Faucett,
Mr. Hay,
Mr. W. B. Tooth,
Mr. Jenkins,
Mr. Plunkett,
Mr. Wild, } Tellers.
Mr. Hart, }

Noes, 14.

Mr. Cowper,
Mr. R. Campbell,
Mr. Robertson,
Mr. Dalley,
Mr. Owen,
Mr. Forster,
Mr. Arnold,
Mr. Piddington,
Mr. Weckes,
Mr. Marks,
Mr. Richardson,
Mr. Flood,
Mr. Jones, } Tellers.
Mr. J. Campbell, }

5. Motion Withdrawn :—Mr. Forster withdrew the motion standing in his name fourth on the Notice Paper for to-day.
6. State Aid to Religion :—Mr. Piddington moved, pursuant to notice, That the Petition of the Congregation of the Bathurst-street Baptist Chapel, relative to State Aid to Religion; and also that of certain Citizens of Sydney, upon the same subject, respectively presented by him on the 4th instant, be printed.
Question put and passed.
Ordered to be printed.
7. Pre-emptive Right ;—Port Curtis :—Mr. W. B. Tooth moved, pursuant to notice, That the Petition of certain occupants of Crown Lands in the District of Port Curtis, presented by him on the 12th instant, be printed.
Question put and passed.
Ordered to be printed.
8. Postponements :—
 - (1.) Mr. Jones postponed the motions standing in the name of Mr. Deniehy seventh and eighth on the Notice Paper for to-day, until the motion standing fourteenth on the same Paper shall have been disposed of.
 - (2.) Mr. Forster postponed the motions standing in the name of Mr. Hodgson ninth and tenth on the Notice Paper for to-day, until Friday next.
9. Motion dropped :—Mr. Lloyd not moving the motion standing in his name eleventh on the Notice Paper for to-day, it dropped.
10. Compulsory Vaccination Bill :—Mr. Jenkins moved, pursuant to notice, for leave to bring in a Bill to make Vaccination compulsory in this Colony.
Debate ensued.

Question put.

The House divided.

Ayes, 18.

Mr. Deniehy,
Mr. Williamson,
Mr. Flood,
Mr. Taylor,
Mr. Plunkett,
Mr. W. B. Tooth,
Mr. Hart,
Mr. Owen,
Mr. Gordon,
Mr. Richardson,
Mr. Hay,
Mr. Jones,
Mr. Forster,
Mr. Weckes,
Mr. Egan,
Mr. Piddington,
Mr. Thornton, } Tellers.
Mr. Jenkins, }

Noes, 5.

Mr. Cowper,
Mr. R. Campbell,
Mr. Robertson,
Mr. J. Campbell, } Tellers.
Mr. Arnold, }

Ordered, That the Mover and Seconder prepare and bring in the Bill.

11. Postponement :—Mr. Hart postponed the motion standing in his name thirteenth on the Notice Paper for to-day, until the motion standing fourteenth on the same Paper shall have been disposed of.
12. Compulsory Vaccination Bill :—Mr. Jenkins having presented this Bill, Bill intituled, "*A Bill to render Vaccination compulsory throughout New South Wales*," read a first time; ordered to be printed, and read a second time on Wednesday next.
13. D. H. Deniehy, Esquire, M. P. :—Mr. Owen moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return setting forth all amounts paid during the last three months to Mr. Deniehy, a member of this House, for professional assistance rendered to the Government; and all Correspondence between Mr. Deniehy, the Attorney General, and Mr. Zouch; and all Minutes of the Attorney General or Criminal Crown Solicitor, in reference thereto.
Question put and passed.

14. University of Sydney:—Mr. Deniehy moved, pursuant to notice,—
 (1.) That a Select Committee be appointed to inquire into, and report upon, the manner of the expenditure of the funds granted by the Legislature for purposes connected with the University of Sydney, and also as to the way in which that institution has hitherto fulfilled the purpose for which it was instituted.
 (2.) That such Committee consist of Mr. Dalley, Mr. Flood, Mr. Hodgson, Mr. Owen, Mr. Murray, Mr. Piddington, Mr. Smith, and the Mover.
 Debate ensued.
 Question put and passed.
15. Paper:—Mr. Dalley laid upon the Table the Return to the Address in reference to payments to Mr. Deniehy, adopted this day, on motion of Mr. Owen.
16. Insolvencies:—Mr. Deniehy moved, pursuant to notice, That the Petition of John Nicholas Beit, presented by him on the 10th instant, be printed.
 Question put and passed.
 Ordered to be printed.
17. Police Magistrate for Armidale:—Mr. Hart moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Armidale.
 Debate ensued.
 And notice being taken that there was not a Quorum present, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at ten minutes after Nine o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JANUARY 18.

Contingent Notices of Motion:—

1. MR. PIDDINGTON to move (*upon the Order of the Day being read for the resumption of the Committee of Supply*) the following resolutions:—
 (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap. 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made.
 (2.) That appropriations for Public Worship ought to be allotted to all denominations, in proportion to their population, according to the last Census.
 (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
2. MR. FORSTER to move, as an amendment on Mr. Piddington's *contingent* motion, That the following Section be added after Section (3.)
 (4.) That inasmuch as the Executive Government in this Colony can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.

GOVERNMENT BUSINESS—NOTICE OF MOTION.

1. MR. DALLEY to move, That the Return to the Address with reference to amounts paid to Mr. Deniehy, adopted on Friday, the 14th January, 1859, on motion of Mr. Owen, be printed.

ORDERS OF THE DAY:—

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

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DENIEHY to move,—
 (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
2. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
3. MR. RICHARDSON to move, That the Petitions from Brisbane and Ipswich, respectively relative to the proceedings of the Synod of Australia towards the Rev. Dr. Lang, in the year 1842, presented by him, on the 21st ultimo, be printed.
4. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.

5. MR. ARNOLD to move, That there be laid upon the Table of this House,—
 - (1.) A Return of the sums expended on the Great Northern Railway from Newcastle to East Maitland, and from East Maitland to West Maitland, respectively, and shewing under different heads the purposes for which such expenditure has been incurred.
 - (2.) The amounts received from traffic on the said Railway in the various months since the opening of the said Railway to 1st January instant, and distinguishing the amounts received from the passenger and goods traffic.
 - (3.) The amount of current expenses, including repairs and replacements, during same periods.
6. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
7. MR. DALLEY to move for leave to bring in a Bill for the better prevention of the offence of Cattle Stealing.

ORDERS OF THE DAY :—

1. Graduates of British Universities Bill ; second reading.
2. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.

Questions :—

1. MR. FLOOD to ask THE COLONIAL SECRETARY,—
 - (1.) The name of the Engineer and Surveyor to the Harbour, Light House, and Pilot Department ; the amount of salary received by that officer, together with travelling expenses, and other contingencies during 1858 ?
 - (2.) The name of the Engineer-in-Chief under the Head of Harbour and River Navigation ; the amount of salary received by that officer, together with travelling expenses, and other contingencies, during 1858 ?
 - (3.) Is he allowed to practice as an Engineer or otherwise ?
 - (4.) The name of the Civil Engineer to the Fitz Roy Dock, Cockatoo Island ; the amount of salary received by that officer ?
2. MR. FLOOD to ask THE MINISTER FOR LANDS AND PUBLIC WORKS,—Whether more than one Tender was submitted to Government before the Contract was entered into for the construction of a Railroad between Parramatta and Penrith ; if so, state the name or names of those Tendering ; also, state how the present Contractor became aware the Government required the work to be performed ?
3. MR. HAY to ask THE COLONIAL SECRETARY,—Whether he is aware of the irregularity in the delivery of the Mails between Wagga Wagga and Deniliquin during the past year, and whether the stipulated fines have been imposed ?

WEDNESDAY, JANUARY 19.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Compulsory Vaccination Bill ; second reading.

FRIDAY, JANUARY 21.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. THORNTON to move,—
 - (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.
2. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House “ will, on Friday next, resolve itself into a Committee of the whole, to consider of an “ Address to the Governor General, praying that His Excellency will cause to be placed “ upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the “ expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th instant, be now resumed.
3. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
4. MR. ARNOLD to move for leave to introduce a Bill to amend the Impounding Law.

ORDER OF THE DAY :—

1. Librarian's Salary ; consideration in Committee of an Address for increase.

DANIEL COOPER,
Speaker.

No. 19.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 18 JANUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Paper :—Mr. Cowper laid upon the Table a Return, shewing the cost of provisioning the Immigration Depôts, maintaining Immigrants in Quarantine, and demurrage of Ships, from the year 1853 to 1858.
Ordered to be printed.
2. D. H. Denichy, Esq., M.P. :—Mr. Dalley moved, pursuant to notice, That the Return to the Address with reference to amounts paid to Mr. Denichy, adopted on Friday, the 14th January, 1859, on motion of Mr. Owen, be printed.
Debate ensued,—
And exception being taken to certain words used by the Honorable Member for the County of Argyle, Mr. Denichy, in reference to an observation made by the Honorable Member for Cook and Westmoreland, Mr. Martin,—
And it being moved, That the said words be taken down, the Clerk, by direction of the Speaker, took down the said words, as follows,—
“ Mr Speaker, I believe what the Honorable gentleman is stating is thoroughly and absolutely false,”—
And Mr. Denichy having been heard in his place, and withdrawn,—
Mr. Martin moved, That the words used by the Honorable Member for the County of Argyle are highly disorderly and unparliamentary, and that he be requested to withdraw them.
Debate ensued.
Question put and passed.
And Mr. Denichy being recalled to his place,—
And the Speaker having acquainted the Honorable Member with the Resolution come to by the House,—
And the Honorable Member having withdrawn the words excepted to,—
Debate of the Question upon Mr. Dalley’s motion resumed,—
And exception being taken to certain words used by the Honorable Member for the County of Argyle whilst speaking to the Question,—
And it being moved, That the said words be taken down, the Clerk, by direction of the Speaker, took down the said words as follows :—
“ The very equivocal words in which the notice of motion was couched were calculated to gain the end, but the equivocal character of the gentleman who gave the notice was still more calculated to gain the end,”—
And Mr. Denichy having been heard in his place, and withdrawn the words excepted to,—
Debate of the Question upon Mr. Dalley’s motion resumed,—
And exception being taken to certain words used by the Honorable Member for the County of Argyle, whilst still speaking to the Question,—
And it being moved, That the said words be taken down, the Clerk by direction of the Speaker, took down the said words, as follows,—“ there is my answer to the false impression the Honorable and Learned Member attempted to create, by the form in which he couched his notice of motion,”—
And Mr. Denichy having been heard in his place, and withdrawn,—
Mr. Martin moved, That the words used by the Honorable Member for the County of Argyle are disorderly and unparliamentary, and ought to be withdrawn.

Question.

Question put.
The House divided.

Ayes, 4.
Mr. Hay,
Mr. Forster,
Mr. Martin, } Tellers.
Mr. Faucett, }

Noes, 17.
Mr. Cowper,
Mr. Robertson,
Mr. Dalley,
Mr. R. Campbell,
Mr. Wild,
Mr. Hart,
Mr. Thornton,
Mr. Flood,
Mr. Rotton,
Mr. Weekes,
Mr. Richardson,
Mr. Jones,
Mr. Piddington,
Mr. J. Campbell,
Mr. Jamison,
Mr. Byrnes, } Tellers.
Mr. Arnold, }

And Mr. Martin having called the Speaker's attention to the circumstance that he thereupon withdrew from the House,—

And Mr. Deniehy being recalled to his place, and acquainted by the Speaker with the determination of the Question put to the House,—

Debate of the Question upon Mr. Dalley's motion resumed,—

Question put and passed.

Ordered to be printed, together with a Memo. of this date by the Attorney General, laid upon the Table in course of his address, by the Solicitor General, Mr. Dalley.

3. Postponement:—The resumption of the Committee of Ways and Means postponed, on motion of Mr. R. Campbell, until this day week.
4. Supply:—The Order of the Day being read for the resumption of the Committee of Supply,—

And Mr. Piddington proceeding to make the *contingent* motion standing in his name on the Paper for to-day,—

And notice being taken that there was not a Quorum present, the House was counted, and there not being twenty members present, exclusive of the Speaker, the Speaker adjourned the House at seventeen minutes before Nine o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JANUARY 19.

Contingent Notices of Motion :—

1. MR. PIDDINGTON to move (*upon the Order of the Day being read for the resumption of the Committee of Supply*) the following resolutions :—
 - (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap. 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made,
 - (2.) That appropriations for Public Worship ought to be allotted to all denominations in proportion to their population, according to the last Census.
 - (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 - (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
2. MR. FORSTER to move, as an amendment on Mr. Piddington's *contingent* motion, That the following Section be added after Section (3.)
 - (4.) That inasmuch as the Executive Government in this Colony can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DENIEHY to move,—
 - (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
2. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
3. MR. RICHARDSON to move, That the Petitions from Brisbane and Ipswich, respectively relative to the proceedings of the Synod of Australia towards the Rev. Dr. Lang, in the year 1842, presented by him, on the 21st ultimo, be printed.

4. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
5. MR. ARNOLD to move, That there be laid upon the Table of this House,—
 - (1.) A Return of the sums expended on the Great Northern Railway from Newcastle to East Maitland, and from East Maitland to West Maitland, respectively, and shewing under different heads the purposes for which such expenditure has been incurred.
 - (2.) The amounts received from traffic on the said Railway in the various months since the opening of the said Railway to 1st January instant, and distinguishing the amounts received from the passenger and goods traffic.
 - (3.) The amount of current expenses, including repairs and replacements, during same periods.
6. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
7. MR. DALLEY to move for leave to bring in a Bill for the better prevention of the offence of Cattle Stealing.

ORDERS OF THE DAY :—

1. Compulsory Vaccination Bill; second reading.
2. Graduates of British Universities Bill; second reading.
3. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Questions :—

1. MR. FLOOD to ask THE COLONIAL SECRETARY,—
 - (1.) The name of the Engineer and Surveyor to the Harbour, Light House, and Pilot Department; the amount of salary received by that officer, together with travelling expenses, and other contingencies during 1858?
 - (2.) The name of the Engineer-in-Chief under the Head of Harbour and River Navigation; the amount of salary received by that officer, together with travelling expenses, and other contingencies, during 1858?
 - (3.) Is he allowed to practice as an Engineer or otherwise?
2. MR. FORSTER to ask THE HONORABLE THE SOLICITOR GENERAL,—What course is it intended to pursue, and what is the nature of the arrangement contemplated by the Government in consequence of the Resolution of this House of Friday, December 17, having reference to the separation of the duties of Crown Law Officers from those of Cabinet Ministers?

FRIDAY, JANUARY 21.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. THORNTON to move,—
 - (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.
2. MR. HODGSON to move, That the Debate of his amended motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th instant, be now resumed.
3. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
4. MR. ARNOLD to move for leave to introduce a Bill to amend the Impounding Law.
5. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th instant, be now resumed.

ORDER OF THE DAY :—

1. Librarian's Salary; consideration in Committee of an Address for increase.

TUESDAY, JANUARY 25.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means; resumption of the Committee.

DANIEL COOPER,
Speaker.

No. 20.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 19 JANUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers :—Mr. Robertson laid upon the Table the undermentioned Papers :—
 - (1.) Return to the Order, in reference to expenditure of appropriations for Roads and Bridges, made by this House, on motion of Mr. Gordon, on the 1st October last. Ordered to be printed.
 - (2.) A Letter from Captain Martindale, of date the 6th instant, reporting to the Secretary for Lands and Public Works certain over-payments for Excavation on the line of Railway from Sydney to Parramatta,—
And the Clerk, by direction of the Speaker, having read the letter at length,—
Mr. Robertson moved, That the said Letter be printed.
Debate ensued.
Question put and passed.
Ordered to be printed.
2. State Aid to Religion :—
 - (1.) Mr. Hay presented a Petition from certain Members of the Church of England, Church of Rome, Presbyterians, and Wesleyans, resident on the Turon Gold Field, deploring the recent decision of the House in reference to the proposed Supplement to Schedule C, and praying relief.
Petition received.
 - (2.) Mr. R. Campbell presented a similar Petition from certain Magistrates, Clergy, and other Inhabitants of Braidwood, including the Gold Fields, with a like prayer.
Petition received.
3. Supply :—The Order of the Day being read for the resumption of the Committee of Supply,—
And Mr. Piddington proceeding to make the *contingent* motion standing in his name on the Paper for to-day,—
And notice being taken that there was not a Quorum present, the House was counted, and there not being twenty members present, exclusive of the Speaker, the Speaker adjourned the House at four minutes before Five o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JANUARY 20.

Contingent Notices of Motion :—

1. MR. PIDDINGTON to move (*upon the Order of the Day being read for the resumption of the Committee of Supply*) the following resolutions :—
 - (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap. 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made,
 - (2.) That appropriations for Public Worship ought to be allotted to all denominations in proportion to their population, according to the last Census.
 - (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 - (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
2. MR. FORSTER to move, as an amendment on Mr. Piddington's *contingent* motion, That the following Section be added after Section (3.)
 - (4.) That inasmuch as the Executive Government in this Colony can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply; resumption of the Committee.

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. **MR. DENIEHY** to move,—
 - (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
2. **MR. GEORGE MACLEAY** to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
3. **MR. RICHARDSON** to move, That the Petitions from Brisbane and Ipswich, respectively relative to the proceedings of the Synod of Australia towards the Rev. Dr. Lang, in the year 1842, presented by him, on the 21st ultimo, be printed.
4. **MR. FORSTER** to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
5. **MR. ARNOLD** to move, That there be laid upon the Table of this House,—
 - (1.) A Return of the sums expended on the Great Northern Railway from Newcastle to East Maitland, and from East Maitland to West Maitland, respectively, and shewing under different heads the purposes for which such expenditure has been incurred.
 - (2.) The amounts received from traffic on the said Railway in the various months since the opening of the said Railway to 1st January instant, and distinguishing the amounts received from the passenger and goods traffic.
 - (3.) The amount of current expenses, including repairs and replacements, during same periods.
6. **MR. JENKINS** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
7. **MR. DALLEY** to move for leave to bring in a Bill for the better prevention of the offence of Cattle Stealing.

ORDERS OF THE DAY :—

1. Compulsory Vaccination Bill ; second reading.
2. Graduates of British Universities Bill ; second reading.
3. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.

FRIDAY, JANUARY 21.

OTHER BUSINESS—NOTICES OF MOTION :—

1. **MR. THORNTON** to move,—
 - (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.
2. **MR. HODGSON** to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th instant, be now resumed.
3. **MR. HODGSON** to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
4. **MR. ARNOLD** to move for leave to introduce a Bill to amend the Impounding Law.
5. **MR. HART** to move, That the debate of his motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th instant, be now resumed.
6. **MR. PLUNKETT** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct the following Returns to be laid on the Table of this House,—
 - (1.) A list of all properties in land belonging to the several Religious bodies in this Colony, obtained from the Crown by grant or otherwise.
 - (2.) A list of lands originally intended for Glebes, stating the use to which they are now applied, the income derived therefrom, and for whose benefit.
 - (3.) An account of sales or other disposition of those lands originally intended for the Bishop's maintenance, now known as Bishopsthorpe, near the Sydney University ; the quantity still unsold, and the income derivable from the whole of said property, under the Act of Council passed in November, 1855.

7. MR. HAY to move, That the Petition from the Turon with reference to State Aid to Religion, presented by him on the 19th instant, be printed.
8. MR. R. CAMPBELL to move, That the Petition from Braidwood, relative to State Aid to Religion, presented by him on the 19th instant, be printed.

ORDER OF THE DAY :—

1. Librarian's Salary ; consideration in Committee of an Address for increase.

Questions :—

1. MR. DENIEHY to ask THE HONORABLE THE COLONIAL SECRETARY,—If appointments to the Legislative Council have been hitherto made by the Government upon a specific rule of any kind, or solely upon their own discretion ?
2. MR. DENIEHY to ask THE HONORABLE THE SOLICITOR GENERAL,—Whether it is in the intention of the Government, to make provision forthwith for the introduction of a system of Grand Juries into the judicature of the Territory ?

TUESDAY, JANUARY 25.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means ; resumption of the Committee.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. DENIEHY to move, That an Address be presented to the Governor General, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 - (1.) A Return shewing the following particulars in reference to Assisted Immigration to Moreton Bay.
 1. The number of persons who came or were brought out under that system at their own expense, or at that of their friends at Moreton Bay.
 2. The number of those persons who were landed at Moreton Bay at the first expense represented by the Deposit Receipts.
 3. The number of those persons who were landed at Sydney, and for whom their friends or themselves had to incur the additional expense of their passage from Sydney to Moreton Bay.
 4. The number of persons of the latter class, the expense of whose passage from Sydney to Moreton Bay was reimbursed by Government to their friends or themselves.
 - (2.) Also, the triplicate Deposit Receipts for the passage of all such persons lodged in the Immigration Office or elsewhere, with the Immigration Agent's endorsement thereon.
 - (3.) And, finally, similar particulars in regard to Assisted Immigration to the several other seaports in New South Wales.

FRIDAY, JANUARY 28.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. FLOOD to move,—
 - (1.) That, in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed (as far as practicable) by contract.
 - (2.) That all supplies required for the Public Service should be furnished in a similar manner.
 - (3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.

-DANIEL COOPER,
Speaker.

No. 21.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 20 JANUARY, 1859.

There being only sixteen Members present, exclusive of the Speaker, namely, Mr. Byrnes, Mr. R. Campbell, Mr. John Campbell, Mr. Cowper, Mr. Dalley, Mr. Deniehy, Mr. Dickson, Mr. Forster, Mr. Hart, Mr. Jenkins, Mr. Plunkett, Mr. Richardson, Mr. Robertson, Mr. Rotton, Mr. Thornton, and Mr. W. B. Tooth, the Speaker took the Chair, and adjourned the House at half-past Three o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JANUARY 21.

Contingent Notices of Motion :—

1. MR. PIDDINGTON to move (*upon the Order of the Day being read for the resumption of the Committee of Supply*) the following resolutions :—
 - (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap. 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made.
 - (2.) That appropriations for Public Worship ought to be allotted to all denominations in proportion to their population, according to the last Census.
 - (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 - (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
2. MR. FORSTER to move, as an amendment on Mr. Piddington's *contingent motion*, That the following Section be added after Section (3.)
 - (4.) That inasmuch as the Executive Government in this Colony can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. THORNTON to move,—
 - (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.
2. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th instant, be now resumed.

3. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
4. MR. ARNOLD to move for leave to introduce a Bill to amend the Impounding Law.
5. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th instant, be now resumed.
6. MR. PRUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct the following Returns to be laid on the Table of this House,—
 - (1.) A list of all properties in land belonging to the several Religious bodies in this Colony, obtained from the Crown by grant or otherwise.
 - (2.) A list of lands originally intended for Glebes, stating the use to which they are now applied, the income derived therefrom, and for whose benefit.
 - (3.) An account of sales or other disposition of those lands originally intended for the Bishop's maintenance, now known as Bishopsthorpe, near the Sydney University; the quantity still unsold, and the income derivable from the whole of said property, under the Act of Council passed in November, 1855.
7. MR. HAY to move, That the Petition from the Turon with reference to State Aid to Religion, presented by him on the 19th instant, be printed.
8. MR. R. CAMPBELL to move, That the Petition from Braidwood, relative to State Aid to Religion, presented by him on the 19th instant, be printed.
9. MR. DENIEHY to move,—
 - (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
10. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
11. MR. RICHARDSON to move, That the Petitions from Brisbane and Ipswich, respectively relative to the proceedings of the Synod of Australia towards the Rev. Dr. Lang, in the year 1842, presented by him, on the 21st ultimo, be printed.
12. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
13. MR. ARNOLD to move, That there be laid upon the Table of this House,—
 - (1.) A Return of the sums expended on the Great Northern Railway from Newcastle to East Maitland, and from East Maitland to West Maitland, respectively, and shewing under different heads the purposes for which such expenditure has been incurred.
 - (2.) The amounts received from traffic on the said Railway in the various months since the opening of the said Railway to 1st January instant, and distinguishing the amounts received from the passenger and goods traffic.
 - (3.) The amount of current expenses, including repairs and replacements, during same periods.
14. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
15. MR. DALLEY to move for leave to bring in a Bill for the better prevention of the offence of Cattle Stealing.

ORDERS OF THE DAY :—

1. Librarian's Salary; consideration in Committee of an Address for increase.
2. Compulsory Vaccination Bill; second reading.
3. Graduates of British Universities Bill; second reading.
4. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply; resumption of the Committee.

Questions :—

1. MR. DENIEHY to ask THE HONORABLE THE COLONIAL SECRETARY,—If appointments to the Legislative Council have been hitherto made by the Government upon a specific rule of any kind, or solely upon their own discretion?
2. MR. DENIEHY to ask THE HONORABLE THE SOLICITOR GENERAL,—Whether it is in the intention of the Government, to make provision forthwith for the introduction of a system of Grand Juries into the judicature of the Territory?

TUESDAY, JANUARY 25.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

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

OTHER BUSINESS—NOTICE OF MOTION :—

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

(1.) A Return shewing the following particulars in reference to Assisted Immigration to Moreton Bay.

- 1. The number of persons who came or were brought out under that system at their own expense, or at that of their friends at Moreton Bay.
- 2. The number of those persons who were landed at Moreton Bay at the first expense represented by the Deposit Receipts.
- 3. The number of those persons who were landed at Sydney, and for whom their friends or themselves had to incur the additional expense of their passage from Sydney to Moreton Bay.
- 4. The number of persons of the latter class, the expense of whose passage from Sydney to Moreton Bay was reimbursed by Government to their friends or themselves.

(2.) Also, the triplicate Deposit Receipts for the passage of all such persons lodged in the Immigration Office or elsewhere, with the Immigration Agent's endorsement thereon.

(3.) And, finally, similar particulars in regard to Assisted Immigration to the several other seaports in New South Wales.

FRIDAY, JANUARY 28.

OTHER BUSINESS—NOTICE OF MOTION :—

- 1. Mr. FLOOD to move,—

(1.) That, in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed (as far as practicable) by contract.

(2.) That all supplies required for the Public Service should be furnished in a similar manner.

(3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.

DANIEL COOPER,
Speaker.

No. 22.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 21 JANUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Adjournment:—Mr. Piddington moved, That this House do now adjourn until Three o'clock p.m., on Thursday next.
Debate ensued.
Question put.
The House divided.

Ayes, 15.

Mr. Deniehy,
Mr. Jamison,
Mr. Arnold,
Mr. Gordon,
Mr. Weekes,
Mr. Piddington,
Mr. Taylor,
Mr. Hay,
Mr. Marks,
Mr. Plunkett,
Mr. Wild,
Mr. Williamson,
Mr. J. Campbell,
Mr. Egan,
Mr. Faucett, } Tellers.

Noes, 8.

Mr. Cowper,
Mr. Robertson,
Mr. Dalley,
Mr. Jenkins,
Mr. Murray,
Mr. R. Campbell,
Mr. Rotton, } Tellers.
Mr. Forster, }

The House adjourned accordingly at ten minutes before Four o'clock, until Three o'clock, p.m., on Thursday next.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JANUARY 27.

Contingent Notices of Motion:—

1. MR. PIDDINGTON to move (*upon the Order of the Day being read for the resumption of the Committee of Supply*) the following resolutions:—
 - (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap. 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made,
 - (2.) That appropriations for Public Worship ought to be allotted to all denominations in proportion to their population, according to the last Census.
 - (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 - (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
2. MR. FORSTER to move, as an amendment on Mr. Piddington's *contingent* motion, That the following Section be added after Section (3.)
 - (4.) That inasmuch as the Executive Government in this Colony can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.

GOVERNMENT

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

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

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DENIEHY to move, That an Address be presented to the Governor General, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 - (1.) A Return shewing the following particulars in reference to Assisted Immigration to Moreton Bay.
 1. The number of persons who came or were brought out under that system at their own expense, or at that of their friends at Moreton Bay.
 2. The number of those persons who were landed at Moreton Bay at the first expense represented by the Deposit Receipts.
 3. The number of those persons who were landed at Sydney, and for whom their friends or themselves had to incur the additional expense of their passage from Sydney to Moreton Bay.
 4. The number of persons of the latter class, the expense of whose passage from Sydney to Moreton Bay was reimbursed by Government to their friends or themselves.
 - 2.) Also, the triplicate Deposit Receipts for the passage of all such persons lodged in the Immigration Office or elsewhere, with the Immigration Agent's endorsement thereon.
 - (3.) And, finally, similar particulars in regard to Assisted Immigration to the several other seaports in New South Wales.
- MR. THORNTON to move,—
 - (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period after the meeting of the new Parliament, to introduce measures for the amendment of the present Insolvent Law.
3. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th instant, be now resumed.
4. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
5. MR. ARNOLD to move for leave to introduce a Bill to amend the Impounding Law.
6. MR. HART to move, That the debate of his motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th instant, be now resumed.
7. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct the following Returns to be laid on the Table of this House,—
 - (1.) A list of all properties in land belonging to the several Religious bodies in this Colony, obtained from the Crown by grant or otherwise.
 - (2.) A list of lands originally intended for Glebes, stating the use to which they are now applied, the income derived therefrom, and for whose benefit.
 - (3.) An account of sales or other disposition of those lands originally intended for the Bishop's maintenance, now known as Bishopsthorpe, near the Sydney University; the quantity still unsold, and the income derivable from the whole of said property, under the Act of Council passed in November, 1855.
8. MR. HAY to move, That the Petition from the Turon with reference to State Aid to Religion, presented by him on the 19th instant, be printed.
9. MR. R. CAMPBELL to move, That the Petition from Braidwood, relative to State Aid to Religion, presented by him on the 19th instant, be printed.
10. MR. DENIEHY to move,—
 - (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
11. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
12. MR. RICHARDSON to move, That the Petitions from Brisbane and Ipswich, respectively relative to the proceedings of the Synod of Australia towards the Rev. Dr. Lang, in the year 1842, presented by him, on the 21st ultimo, be printed.

13. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
14. MR. ARNOLD to move, That there be laid upon the Table of this House,—
 - (1.) A Return of the sums expended on the Great Northern Railway from Newcastle to East Maitland, and from East Maitland to West Maitland, respectively, and shewing under different heads the purposes for which such expenditure has been incurred.
 - (2.) The amounts received from traffic on the said Railway in the various months since the opening of the said Railway to 1st January instant, and distinguishing the amounts received from the passenger and goods traffic.
 - (3.) The amount of current expenses, including repairs and replacements, during same periods.
15. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
16. MR. DALLEY to move for leave to bring in a Bill for the better prevention of the offence of Cattle Stealing.

ORDERS OF THE DAY :—

1. Librarian's Salary; consideration in Committee of an Address for increase.
2. Compulsory Vaccination Bill; second reading.
3. Graduates of British Universities Bill; second reading.
4. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Questions :—

1. MR. DENIEHY to ask THE HONORABLE THE COLONIAL SECRETARY,—If appointments to the Legislative Council have been hitherto made by the Government upon a specific rule of any kind, or solely upon their own discretion?
2. MR. DENIEHY to ask THE HONORABLE THE SOLICITOR GENERAL,—Whether it is in the intention of the Government, to make provision forthwith for the introduction of a system of Grand Juries into the judicature of the Territory?

FRIDAY, JANUARY 28.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. FLOOD to move,—
 - (1.) That, in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed (as far as practicable) by contract.
 - (2.) That all supplies required for the Public Service should be furnished in a similar manner.
 - (3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.

DANIEL COOPER,
Speaker.

No. 23.

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VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 27 JANUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
 Paper:—Mr. Cowper laid upon the Table certain Despatches (with Enclosures) relative to Steam Postal Communication,—
 And the Clerk, by direction of the Speaker, having read the same at length,—
 Mr. Cowper moved, That the said Despatches, together with the Enclosures, be printed.
 Debate ensued.
 Question put and passed.
 Ordered to be printed.
2. State Aid to Religion:—Mr. Donaldson presented a Petition from Henry Andrew Palmer, Clerk in Holy Orders, Minister of the Church of England at Sofala, representing that the recent decision of this House in reference to the proposed Supplement to Schedule C, entirely deprives Petitioner of all means of livelihood, and praying relief.
 Petition received.
3. Papers:—
 (1.) Mr. R. Campbell laid upon the Table the Return to the Order relative to the Pilot Service, made by this House, on the motion of Mr. Williamson, on the 12th instant.
 Ordered to be printed.
 (2.) Mr. Robertson laid upon the Table certain Correspondence between the Government and the Chief Commissioner of Railways and between the latter and Sir Samuel Morton Peto, and his Agent, Mr. Gabrielli, respecting the construction of Railways in this Colony.
 Ordered to be printed.
4. Business of Soap Boiling in Sydney:—Mr. Dalley presented a Petition from Mr. W. B. Allen and other Soap Boilers in the City of Sydney, praying the repeal of the existing Law prohibitory of the exercise of their occupation in that City.
 Petition received.
5. Postponement:—The resumption of the Committee of Ways and Means postponed, on motion of Mr. R. Campbell, until to-morrow.
6. Supply:—The Order of the Day being read for the resumption of the Committee of Supply,—
 Mr. Piddington moved, pursuant to *Contingent Notice*,—
 (1.) That Schedule C of the Constitution Act, 18 and 19 Victoria, cap. 54, reserves the annual sum of £28,000 for the purpose of providing for Public Worship, but the Constitution Act does not limit the appropriation of the above sum to any particular religious denomination, nor specify the sects between which the distribution is to be made.
 (2.) That appropriations for Public Worship ought to be allotted to all denominations, in proportion to their population, according to the last Census.
 (3.) That the professors of the Hebrew Faith in New South Wales are, therefore, entitled to the same consideration as any other religious denomination in the Colony.
 (4.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
 Debate ensued,—
 And Mr. Forster proceeding to move the amendment of which he had given notice, the Speaker ruled the same out of order, on the ground that the Question itself being an Amendment, no second Amendment can be entertained on the Motion for the Speaker to leave the Chair for the House to go into Committee of Supply.

Question

Question then put.
The House divided.

Ayes, 14.
Mr. Dalley,
Mr. Owen,
Mr. Robertson,
Mr. Deniely,
Mr. Arnold,
Mr. Weckes,
Mr. Forster,
Mr. Thornton,
Mr. Flood,
Mr. Rotton,
Mr. Richardson,
Mr. Dickson,
Mr. Gordon,
Mr. Piddington, } Tellers.

Noes, 17.
Mr. Cowper,
Mr. R. Campbell,
Mr. Hart,
Mr. Egan,
Mr. Faucett,
Mr. Hay,
Mr. Donaldson,
Mr. W. B. Tooth,
Mr. Hodgson,
Mr. Taylor,
Mr. Jenkins,
Mr. Murray,
Mr. Byrnes,
Mr. J. Campbell,
Mr. Plunkett,
Mr. Marks, } Tellers.
Mr. Jones, }

Whereupon, on motion of Mr. Dalley, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the service of the year 1858-9.
The Chairman obtained leave to sit again to-morrow, and reported the following Resolutions:—

Estimates for 1859—continued.

II.—EXECUTIVE AND LEGISLATIVE—*continued.*

- (7.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,450, to defray the salaries and contingencies of the Legislative Council Establishment, for the year 1859.
(8.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,511, to defray the salaries and contingencies of the Legislative Assembly Establishment, for the year 1859.
(9.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,843 to defray the salaries and contingencies of the Joint-Establishment of the Legislative Council and Assembly, for the year 1859.

III.—THE PRINCIPAL SECRETARY.

- (10.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,903, to defray the salaries and contingencies of the Principal Secretary's Establishment, for the year 1859.
(11.) Resolved, that there be granted to Her Majesty, a sum not exceeding £915, to defray the salaries and contingencies of the Establishment of the Government Resident at Moreton Bay, for the year 1859.
(12.) Resolved, that there be granted to Her Majesty, a sum not exceeding £730, to defray the salary and contingencies of the Establishment of the Government Resident at Port Curtis, for the year 1859.
(13.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,775, to defray the salaries and contingencies of the Registrar General's Establishment, for the year 1859.
(14.) Resolved, that there be granted to Her Majesty, a sum not exceeding £23,227, to defray the salaries and contingencies of the Post Office Establishment, for the year 1859.
(15.) Resolved, that there be granted to Her Majesty, a sum not exceeding £49,050, to defray the expense of Conveyance of Mails, for the year 1859.
(16.) Resolved, that there be granted to Her Majesty, for the year 1859, a sum not exceeding £20,000, for the support of National Schools and Incidental Expenses of the Board of Management of such Schools, including the allowances to the Teachers.
(17.) Resolved, that there be granted to Her Majesty, for the year 1859, a sum not exceeding £20,000, for the support of Denominational Schools and Incidental Expenses of the Board of Management of such Schools, including the allowances to the Teachers.
(18.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,515, to defray the salaries and contingencies of the Protestant Orphan School, for the year 1859. (*Being in accordance with the Estimate as voted for 1858.*)
(19.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,138, to defray the salaries and contingencies of the Roman Catholic Orphan School, for the year 1859. (*Being in accordance with the Estimate as voted for 1858.*)
(20.) Resolved, that there be granted to Her Majesty, a sum not exceeding £75,000, to defray the expenses of Emigration from the United Kingdom, for the year 1859.
(21.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,041, to defray the salaries and contingencies of Immigration Establishments, for the year 1859.
(22.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,893, to defray the salaries and contingencies of the Quarantine Establishment, for the year 1859.
(23.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,045, to defray the salaries and contingencies of the Judicial Department of the Sydney Police, for the year 1859, being £2,890 for the Central Police Office Establishment; and £2,155 for the Department of Water Police and Shipping Masters.

(24.)

- (24.) Resolved, that there be granted to Her Majesty, a sum not exceeding £28,022, to defray the salaries and contingencies of the Executive Department of the Sydney Police for the year 1859, being £22,140 for the Inspector General and Metropolitan Police; £2,442 for the Water Police; and £3,440 for the Horse Patrol.
- (25.) Resolved, that there be granted to Her Majesty, a sum not exceeding £22,179, to defray the salaries and contingencies of the Judicial Department of Police in Country Districts, for the year 1859, being £4,425 for Police Magistrates; £3,575 for Police Magistrates acting as Clerks of Petty Sessions; £12,075 for Clerks of Petty Sessions; and £2,104 for General Contingencies.
- (26.) Resolved, that there be granted to Her Majesty, a sum not exceeding £64,878, to defray the salaries and contingencies of the Executive Department of Police in Country Districts, for the year 1859, being £5,425 for First Class Chief Constables; £4,620 for Second Class Chief Constables; £5,536 for District Constables; £39,257 for Ordinary Constables; and £9,990 for General Contingencies.
- (27.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,123, to defray the salaries of Detective Police throughout the Colony, for the year 1859.
- (28.) Resolved, that there be granted to Her Majesty, a sum not exceeding £32,374, to defray the salaries and contingencies of Horse Patrol and Gold Police, for the year 1859.
- (29.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,250, as a Gold Contingent for the year 1859, to meet unforeseen Expenses in cases of emergency at the Gold Fields.
- (30.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,500, in the year 1859, for the general service of the Police, to meet claims for length of service and good conduct.
- (31.) Resolved, that there be granted to Her Majesty, a sum not exceeding £13,574, to defray the salaries and contingencies of the Native Police, for the year 1859.
- (32.) Resolved, that there be granted to Her Majesty, a sum not exceeding £7,155, to defray the salaries and contingencies of the Sydney Gaol Establishment, for the year 1859.
- (33.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,224, to defray the salaries and contingencies of the Parramatta Gaol Establishment, for the year 1859.
- (34.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,890, to defray the salaries and contingencies of the Bathurst Gaol Establishment, for the year 1859.
- (35.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,636, to defray the salaries and contingencies of the Maitland Gaol Establishment, for the year 1859.
- (36.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,711, to defray the salaries and contingencies of the Goulburn Gaol Establishment, for the year 1859.
- (37.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,119, to defray the salaries and contingencies of the Brisbane Gaol Establishment, for the year 1859.
- (38.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,245, to defray the salaries and contingencies of the Penal Establishment at Cockatoo Island, for the year 1859.
- (39.) Resolved, that there be granted to Her Majesty, a sum not exceeding £14,058, to defray the salaries, wages, and contingencies of the Printing, Postage Stamps, Lithographing, and Book Binding Establishment, for the year 1859.
- (40.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,290, to defray the salaries and contingencies of the Observatory Establishment, for the year 1859.
- (41.) Resolved, that there be granted to Her Majesty, a sum not exceeding £724, to defray the salaries of the Establishment of Health Officers and Medical Board, for the year 1859.
- (42.) Resolved, that there be granted to Her Majesty, a sum not exceeding £480, to defray the salaries and contingencies of the Vaccine Institution, for the year 1859.
- (43.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,970, to defray the salaries and contingencies of the Lunatic Asylum at Tarban, for the year 1859.
- (44.) Resolved, that there be granted to Her Majesty, a sum not exceeding £11,208, to defray the salaries and contingencies of the Lunatic Asylum at Parramatta, for the year 1859.
- (45.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,000, to defray the Naval Allowance, for the year 1859.
- (46.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,179, to defray the Military Allowance, for the year 1859.
- (47.) Resolved, that there be granted to Her Majesty, a sum not exceeding 7,398, to defray the expense of the Royal Artillery, for the year 1859.
- (48.) Resolved, that there be granted to Her Majesty, a sum not exceeding £14,050, to defray Charitable Allowances, for the year 1859, being—£2,000 for the support of Paupers in the Colonial Hospitals; £700 in aid of the Sydney Infirmary and Dispensary, on condition of an equal amount being raised by Private Subscriptions; £5,000 in support of the Establishment of the Benevolent Society, Sydney, on condition of £1,000 being raised by Private Subscriptions; £1,500 in aid of the Asylum

Asylum for Destitute Children, Sydney, on condition of an equal amount being raised by Private Contributions; £1,200 in aid of Hospitals at Windsor, Newcastle, Wagga Wagga, Port Macquarie, Yass, and Ipswich, at £200 each, on condition of sums to an equal amount being raised by Private Subscriptions; £900 in aid of the Hospitals, Parramatta, Goulburn, and Brisbane, at £300 each, on same condition; £500 in aid of the Hospital, Bathurst, on same condition; £100 in aid of the Hospital, Mudgee, on same condition; £200 in aid of the Armidale and New England Hospital, on same condition; £100 in aid of the Benevolent Society, Parramatta, on same condition; £100 in aid of the Benevolent Society, Singleton and Patrick's Plains, on same condition; £150 in aid of the Benevolent Society, Tamworth, on same condition; £200 in aid of the Wide Bay and Burnett District Hospital, on same condition; £300 in aid of the erection of an Hospital at Murrurundi, on same condition; £1,000 in aid of the erection of an Hospital at Albury, on same condition; and £300 in aid of the Hospital at Maitland, on same condition.

(49.) Resolved, that there be granted to Her Majesty, a sum not exceeding £11,800, in aid of Public Institutions, for the year 1859, being—£200 in aid of the Sydney Mechanics' School of Arts; £200 to supplement the present Annual Endowment of £1,000 to the Australian Museum; £100 in aid of the Goulburn School of Arts, on condition of an equal amount being raised by private subscriptions, until a Building be erected; £100 in aid of the Bathurst School of Arts, on same condition, until a Building be erected; £100 in aid of the Brisbane School of Arts, on same condition; £600 in aid of the erection of the Windsor School of Arts, on same condition; £400 in aid of the erection of the Richmond School of Arts, on same condition; £100 in aid of the erection of a School of Arts, Toowoomba, in the District of Darling Downs, on same condition; and £10,000 in aid of the Building Fund of the Sydney University.

(50.) Resolved, that there be granted to Her Majesty, a sum not exceeding £200 for the Aborigines, during the year 1859,—being for Medicines and Medical Attendance.

(51.) Resolved, that there be granted to Her Majesty, a sum not exceeding £17,100, to defray Miscellaneous Services, for the year 1859,—being £10,000 for the Municipal Council of Sydney, in aid of the City Funds; £5,000 for expenses attending the preparation of the Electoral Lists; £100 for erecting Pounds, and allowances to Poundkeepers; and £2,000 to meet Unforeseen Expenses, to be hereafter accounted for.

TO BE PROVIDED FOR BY LOAN.

(52.) Resolved, that there be granted to Her Majesty in the year 1859, to be provided for by Loan, a sum not exceeding £80,000, to pay off Immigration Debentures falling due.

Mr. Cowper moved, That this House do now adopt these Resolutions.

Question put and passed.

7. Supreme Court Additional Judge Appointment Bill:—The Speaker reported that while the House was in Committee of Supply, the following Message was received from the Legislative Council:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to authorise the Appointment of an additional Judge of the Supreme Court of New South Wales*," presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,
Sydney, 20th January, 1859.

W. W. BURTON,
President.

8. Postponements:—

(1.) Mr. Hart postponed the motion standing in the name of Mr. Doniehy first on the Notice Paper for to-day, until to-morrow.

(2.) Mr. Thornton *amended* and postponed the motion standing in his name second on the Notice Paper for to-day, until to-morrow.

(3.) Mr. Hodgson postponed the motions standing in his name third and fourth on the Notice Paper for to day, until to-morrow.

9. Proposed Adjournment:—Mr. Rotton moved, That this House do now adjourn till Three o'clock to-morrow.

Question put and negatived.

10. Motion Dropped:—Mr. Arnold not moving the motion standing in his name fifth on the Notice Paper for to-day, it dropped.

11. Postponements:—

(1.) Mr. Hart postponed the motion standing in his name sixth on the Notice Paper for to-day, until to-morrow.

(2.) Mr. Plunkett postponed the motion standing in his name seventh on the Notice Paper for to-day, until to-morrow.

12. State Aid to Religion:—

(1.) Mr. Hay moved, pursuant to notice, That the Petition from the Turon, with reference to State Aid to Religion, presented by him on the 19th instant, be printed. Question put and passed.

Ordered to be printed.

(2.) Mr. R. Campbell moved, pursuant to notice, That the Petition from Braidwood, relative to State Aid to Religion, presented by him on the 19th instant, be printed.

Question put and passed.

Ordered to be printed.

13. Postponements :—
 (1.) Mr. Hart postponed the motion standing in the name of Mr. Deniehy tenth on the Notice Paper for to-day, until to-morrow.
 (2.) Mr. Hay postponed the motion standing in the name of Mr. G. Macleay eleventh on the Notice Paper for to-day, until to-morrow.
14. Reverend Dr. Lang :—Mr. Richardson moved, pursuant to notice, That the Petitions from Brisbane and Ipswich, respectively, relative to the proceedings of the Synod of Australia towards the Rev. Dr. Lang, in the year 1842, presented by him, on the 21st ultimo, be printed.
 Question put and passed.
 Ordered to be printed.
15. Postponement.—Mr. Robertson postponed the motion standing in the name of Mr. Forster thirteenth on the Notice Paper for to-day, until to-morrow.
16. Great Northern Railway :—Mr. Arnold moved, pursuant to notice, That there be laid upon the Table of this House,—
 (1.) A Return of the sums expended on the Great Northern Railway from Newcastle to East Maitland, and from East Maitland to West Maitland, respectively, and shewing under different heads the purposes for which such expenditure has been incurred.
 (2.) The amounts received from traffic on the said Railway in the various months since the opening of the said Railway to 1st January instant, and distinguishing the amounts received from the passenger and goods traffic.
 (3.) The amount of current expenses, including repairs and replacements, during same periods.
 Question put and passed.
17. Postponements :—
 (1.) Mr. Jenkins postponed the motion standing in his name fifteenth on the Notice Paper for to-day, until to-morrow.
 (2.) Mr. Cowper postponed the motion standing in the name of Mr. Dalley sixteenth on the Notice Paper for to-day, until to-morrow.
 (3.) The consideration in Committee of an Address for Increase to the Librarian's Salary postponed, on motion of Mr. Cowper, on behalf of Mr. Flood, until to-morrow.
 (4.) The second reading of the Compulsory Vaccination Bill postponed, on motion of Mr. Jenkins, until to-morrow.
 (5.) The second reading of the Graduates of British Universities Bill postponed, on motion of Mr. Cowper, on behalf of Mr. Dalley, until to-morrow.
 (6.) The second reading of the Moreton Bay Assistant District Judge's Appointment Bill postponed, on motion of Mr. Plunkett, until to-morrow.
 The House adjourned at twenty-five minutes before Eleven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JANUARY 28.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FLOOD to move,—
 (1.) That, in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed (as far as practicable) by contract.
 (2.) That all supplies required for the Public Service should be furnished in a similar manner.
 (3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.
2. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause the following Returns to be laid upon the Table of this House, viz. :—
 (1.) All Correspondence between the Government and those gentlemen who have been lately appointed as Judges, Chairmen, Crown Prosecutors, Clerks of the Peace, and Registrars, in the District Courts and Courts of General and Quarter Sessions, respectively.
 (2.) Copies of all Commissions or appointments issued to those Officers respectively.
 (3.) All Instructions or directions given by the Attorney General to the above-mentioned Officers, or to any of them.
3. MR. FLOOD to move, That there be laid upon the Table of this House, a Statement of all Money expended each year up to the 31st December, 1858, out of the £40,000 appropriated by 19 Vic., No. 40, for making improvements to the navigation of the River Hunter, and to the Ports of Newcastle and Morpeth, distinguishing payments for Salaries and Allowances, and specifying the names of the Principal Officer so paid, and the amount received each year up to 31st December, 1858.
4. MR. DALLEY to move, That the Petition of Mr. W. B. Allen, and others, Soap-boilers in the City of Sydney, presented by him on the 27th instant, be printed.
5. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.

6. MR. DENISBY to move, That an Address be presented to the Governor General, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A Return showing the following particulars in reference to Assisted Immigration to Moreton Bay.
1. The number of persons who came or were brought out under that system at their own expense, or at that of their friends at Moreton Bay.
 2. The number of those persons who were landed at Moreton Bay at the first expense represented by the Deposit Receipts.
 3. The number of those persons who were landed at Sydney, and for whom their friends or themselves had to incur the additional expense of their passage from Sydney to Moreton Bay.
 4. The number of persons of the latter class, the expense of whose passage from Sydney to Moreton Bay was reimbursed by Government to their friends or themselves.
- (2.) Also, the triplicate Deposit Receipts for the passage of all such persons lodged in the Immigration Office or elsewhere, with the Immigration Agent's endorsement thereon.
- (3.) And, finally, similar particulars in regard to Assisted Immigration to the several other seaports in New South Wales.
7. MR. THORNTON to move,—
- (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
- (2.) That it will become a duty of the Executive Government, at the earliest possible period to introduce measures for the amendment of the present Insolvent Law.
8. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th instant, be now resumed.
9. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
10. MR. HART to move, That the debate of his motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th instant, be now resumed.
11. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct the following Returns to be laid on the Table of this House,—
- (1.) A list of all properties in land belonging to the several Religious bodies in this Colony, obtained from the Crown by grant or otherwise.
 - (2.) A list of lands originally intended for Glebes, stating the use to which they are now applied, the income derived therefrom, and for whose benefit.
 - (3.) An account of sales or other disposition of those lands originally intended for the Bishop's maintenance, now known as Bishopsthorpe, near the Sydney University; the quantity still unsold, and the income derivable from the whole of said property, under the Act of Council passed in November, 1855.
12. MR. DENISBY to move,—
- (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
- (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
13. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
14. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
15. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
16. MR. DALLEY to move for leave to bring in a Bill for the better prevention of the offence of Cattle Stealing.

ORDERS OF THE DAY :—

1. Librarian's Salary; consideration in Committee of an Address for increase.
2. Compulsory Vaccination Bill; second reading.
3. Graduates of British Universities Bill; second reading.
4. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

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

Questions:—

1. MR. HODGSON *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) What amount has been expended up to December 31st, 1858, in clearing the Seventeen Mile Rocks in the River Brisbane, and how expended?
 - (2.) The number of square yards of rock removed?
 - (3.) When it is probable that the work will be completed?
 - (4.) Whether Mr. Surveyor Roberts has reported on an impediment forming at the junction of the Rivers Brisbane and Bremer; and, if so, what steps have been taken for its removal?
2. MR. HODGSON *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—What may be the intention of the Government relative to the mode in which the Tolls will be collected at the Drayton Turnpike in 1859: whether there is any intention on the part of the Government to let such Tolls by Tender; and if so, when?
3. MR. OWEN *to ask* THE MINISTER FOR LANDS AND PUBLIC WORKS,—Whether, having regard to the urgent necessity of the public works at the Harbours of Wollongong, Kiama, and Bellambi, it will be in the power of the Government to place any Money for such purposes on the Supplementary Estimates during the present Session, and thus enabling the inhabitants of the District of Illawarra to participate equally with the other parts of the Colony in the application of the public funds to the means of enlargement of their exports, which are much repressed by the present inadequacy of the Harbours there, and want of safety of the shipping frequenting them?
4. MR. PLUNKETT *to ask* THE SOLICITOR GENERAL,—
 - (1.) What was the nature of "the Directions" from the Attorney General to Mr. Dowling in reference to his acting as Crown Prosecutor at the late Quarter Sessions at Goulburn, subsequent to his appointment as District Judge?
 - (2.) Whether any new Commission was issued to Mr. Dowling to act on that occasion as Crown Prosecutor; and, if not, whether the Crown Law Officers have considered the legality of the convictions obtained by the Crown upon the informations filed by Mr. Dowling under such circumstances; and whether Mr. Dowling made any remonstrance against being placed in such a position?
5. MR. WEEKES *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether there is any objection on the part of the Government to lay upon the Table of the House all the Correspondence connected with an alleged encroachment upon the High-street of West Maitland?
6. MR. WEEKES *to ask* THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Whether, with reference to Mr. Montefiore's letter, which recently appeared in a public journal, upon the subject of raising in England a Loan of several millions for constructing Railways in this Colony, that gentleman had authority to negotiate for such Loan?
 - (2.) Whether any Correspondence has taken place between the Government and Mr. Montefiore on the subject since his return to the Colony; and, if so, whether, from the great importance of the subject, there is any objection to lay the same before the Assembly?
7. MR. FORSTER *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—Were any Salaries paid in the Department of the Electric Telegraph, for the years 1857 and 1858; and, if so, to what amount and by what authority?

DANIEL COOPER,
Speaker.

No. 24.

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VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 23 JANUARY, 1859.

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

Papers:—

(1.) Mr. Robertson laid upon the Table a Scheduled Statement of the Distribution of the Road Vote for 1858.

Ordered to be printed.

(2.) Mr. Cowper, in replying to the Question of Mr. Weekes, sixth on the Notice Paper for this day, laid upon the Table certain Correspondence between himself and the Honorable J. L. Montefiore, Esq., with accompanying papers, relative to a project for extensive Railway construction.

Ordered to be printed.

2. Public Works and Supplies by Public Competition and Contract:—Mr. Flood moved, pursuant to notice,—

(1.) That, in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed (as far as practicable) by contract.

(2.) That all supplies required for the Public Service should be furnished in a similar manner.

(3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.

Mr. Robertson moved, That the Question be Amended by the addition, at the end of section (1), of the words, "except where specially authorized by this House."

Debate ensued.

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

The House divided.

And the Tellers reporting the numbers as follows:—

Ayes, 6.

Mr. Cowper,
Mr. Robertson,
Mr. R. Campbell,
Mr. Dalley,
Mr. Thornton, } Tellers.
Mr. Hart,

Noes, 13.

Mr. Forster,
Mr. Donaldson,
Mr. Jenkins,
Mr. Piddington,
Mr. Plunkett,
Mr. Wild,
Mr. Jones,
Mr. Taylor,
Mr. W. B. Tooth,
Mr. Murray,
Mr. Arnold,
Mr. Flood, } Tellers.
Mr. Faucett,

And it appearing by the said Report that there was not a Quorum present, the Speaker adjourned the House at half-past Six o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, FEBRUARY 1.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

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

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Statement of the Receipts and Expenditure upon the Great Southern and Great Northern Railways, in each quarter of each year, and in each year since the Railways opened; the Receipts and Expenditure per mile open; proportion of Expenditure to Receipts; the number of miles of Railway open in each year; the Net Receipts in each year; the amount of Capital invested in each year; and the rate of Annual Interest on Capital invested in each year, to 31st December, 1858.
2. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Statement shewing the number of passengers, and class of passengers, travelling from Sydney, Parramatta, Liverpool, and Campbelltown, upon the Southern Railway, for the various months of the years 1857 and 1858.
3. MR. DENIEHY to move the following Resolutions,—
 - (1.) That in the opinion of this House, no appointment as a Minister of the Crown, or to any important public office of trust and power, should be conferred upon any individual unless in the case of an individual returned to Parliament by popular election, whose residence in the Territory has not been of sufficient length to afford to the Country satisfactory guarantees for the fitness and propriety of the appointment.
 - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
4. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause the following Returns to be laid upon the Table of this House, viz.:—
 - (1.) All Correspondence between the Government and those gentlemen who have been lately appointed as Judges, Chairmen, Crown Prosecutors, Clerks of the Peace, and Registrars, in the District Courts and Courts of General and Quarter Sessions, respectively.
 - (2.) Copies of all Commissions or appointments issued to those Officers respectively.
 - (3.) All Instructions or directions given by the Attorney General to the above-mentioned Officers, or to any of them.
5. MR. FLOOD to move, That there be laid upon the Table of this House, a Statement of all Money expended each year up to the 31st December, 1858, out of the £40,000 appropriated by 19 Vic., No. 40, for making improvements to the navigation of the River Hunter, and to the Ports of Newcastle and Morpeth, distinguishing payments for Salaries and Allowances, and specifying the names of the Principal Officer so paid, and the amount received each year up to 31st December, 1858.
6. MR. DALRY to move, That the Petition of Mr. W. B. Allen, and others, Soap-boilers in the City of Sydney, presented by him on the 27th instant, be printed.
7. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
8. MR. DENIEHY to move, That an Address be presented to the Governor General, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 - (1.) A Return shewing the following particulars in reference to Assisted Immigration to Moreton Bay.
 1. The number of persons who came or were brought out under that system at their own expense, or at that of their friends at Moreton Bay.
 2. The number of those persons who were landed at Moreton Bay at the first expense represented by the Deposit Receipts.
 3. The number of those persons who were landed at Sydney, and for whom their friends or themselves had to incur the additional expense of their passage from Sydney to Moreton Bay.
 4. The number of persons of the latter class, the expense of whose passage from Sydney to Moreton Bay was reimbursed by Government to their friends or themselves.
 - (2.) Also, the triplicate Deposit Receipts for the passage of all such persons lodged in the Immigration Office or elsewhere, with the Immigration Agent's endorsement thereon.
 - (3.) And, finally, similar particulars in regard to Assisted Immigration to the several other seaports in New South Wales.
9. MR. THORNTON to move,—
 - (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period to introduce measures for the amendment of the present Insolvent Law.

10. MR. HODGSON to move, That the Debate of his amended motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
11. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
12. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
13. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct the following Returns to be laid on the Table of this House,—
 - (1.) A list of all properties in land belonging to the several Religious bodies in this Colony, obtained from the Crown by grant or otherwise.
 - (2.) A list of lands originally intended for Glebes, stating the use to which they are now applied, the income derived therefrom, and for whose benefit.
 - (3.) An account of sales or other disposition of those lands originally intended for the Bishop's maintenance, now known as Bishopsthorpe, near the Sydney University; the quantity still unsold, and the income derivable from the whole of said property, under the Act of Council passed in November, 1855.
14. MR. DENIEHY to move,—
 - (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
15. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
16. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
17. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
18. MR. DALLEY to move for leave to bring in a Bill for the better prevention of the offence of Cattle Stealing.

ORDERS OF THE DAY :—

1. Librarian's Salary; consideration in Committee of an Address for increase.
2. Compulsory Vaccination Bill; second reading.
3. Graduates of British Universities Bill; second reading.
4. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Questions :—

1. MR. WEEKES to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—What the Government intend doing with the Public Reserves adjoining the Town of Maitland; and whether, in the event of the inhabitants applying, to have the Municipal Act put in force and applied to this Town, the Government will hand over those Reserves to the Corporation for the use and benefit of the Municipality?
2. MR. HODGSON to ask THE HONORABLE THE SOLICITOR GENERAL,—Is it the intention of the Government to take advantage of the provisions of the 17th and 18th sections of the Moreton Bay District Courts Act, so as to require the Resident Judge at Moreton Bay to act as Chairman of Quarter Sessions, and try, without a jury, certain actions in which the sum in dispute shall be between £20 and £50.

FRIDAY, FEBRUARY 4.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. DONALDSON to move, That the Petition of the Rev. Henry Andrew Palmer, presented by him on the 27th ultimo, be printed.

DANIEL COOPER,
Speaker.

No. 25.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 1 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers :—
(1.) Mr. Cowper laid upon the Table a Correspondence with the Governments of the neighbouring Colonies on the subject of Steam Postal Communication,—
And moved that the same be printed.
Debate ensued.
Question put and passed.
Ordered to be printed.
(2.) Mr. Robertson laid upon the Table Reports from Messrs. Meston and Moore on Diseases in Sheep and Cattle in New South Wales.
Ordered to be printed.
2. Postponement :—The resumption of the Committee of Ways and Means postponed, on motion of Mr. Cowper, until Friday next.
3. Supply :—On motion of Mr. Dalley, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858-9.
The Chairman having reported that upon a Division in the Committee it was discovered that there was not a Quorum present, the House was counted, and there being twenty Members present, exclusive of the Speaker,—
The Committee resumed.
The Chairman reported that upon a Division in the Committee it was discovered that there was not a Quorum present, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at ten minutes before Seven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, FEBRUARY 2.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Statement of the Receipts and Expenditure upon the Great Southern and Great Northern Railways, in each quarter of each year, and in each year since the Railways opened; the Receipts and Expenditure per mile open; proportion of Expenditure to Receipts; the number of miles of Railway open in each year; the Net Receipts in each year; the amount of Capital invested in each year; and the rate of Annual Interest on Capital invested in each year, to 31st December, 1858.
2. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Statement showing the number of passengers, and class of passengers, travelling from Sydney, Parramatta, Liverpool, and Campbelltown, upon the Southern Railway, for the various months of the years 1857 and 1858.
3. MR. DENIEHY to move the following Resolutions,—
(1.) That in the opinion of this House, no appointment as a Minister of the Crown, or to any important public office of trust and power, should be conferred upon any individual unless in the case of an individual returned to Parliament by popular election, whose residence in the Territory has not been of sufficient length to afford to the Country satisfactory guarantees for the fitness and propriety of the appointment.
(2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.

4. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause the following Returns to be laid upon the Table of this House, viz:—
- (1.) All Correspondence between the Government and those gentlemen who have been lately appointed as Judges, Chairmen, Crown Prosecutors, Clerks of the Peace, and Registrars, in the District Courts and Courts of General and Quarter Sessions, respectively.
 - (2.) Copies of all Commissions or appointments issued to those Officers respectively.
 - (3.) All Instructions or directions given by the Attorney General to the above-mentioned Officers, or to any of them.
5. MR. FLOOD to move, That there be laid upon the Table of this House, a Statement of all Money expended each year up to the 31st December, 1858, out of the £40,000 appropriated by 19 Vic., No. 40, for making improvements to the navigation of the River Hunter, and to the Ports of Newcastle and Morpeth, distinguishing payments for Salaries and Allowances, and specifying the names of the Principal Officer so paid, and the amount received each year up to 31st December, 1858.
6. MR. DALLEY to move, That the Petition of Mr. W. B. Allen, and others, Soap-boilers in the City of Sydney, presented by him on the 27th ultimo, be printed.
7. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
8. MR. DENIEHY to move, That an Address be presented to the Governor General, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A Return shewing the following particulars in reference to Assisted Immigration to Moreton Bay.
 1. The number of persons who came or were brought out under that system at their own expense, or at that of their friends at Moreton Bay.
 2. The number of those persons who were landed at Moreton Bay at the first expense represented by the Deposit Receipts.
 3. The number of those persons who were landed at Sydney, and for whom their friends or themselves had to incur the additional expense of their passage from Sydney to Moreton Bay.
 4. The number of persons of the latter class, the expense of whose passage from Sydney to Moreton Bay was reimbursed by Government to their friends or themselves.
 - (2.) Also, the triplicate Deposit Receipts for the passage of all such persons lodged in the Immigration Office or elsewhere, with the Immigration Agent's endorsement thereon.
 - (3.) And, finally, similar particulars in regard to Assisted Immigration to the several other seaports in New South Wales.
9. MR. THORNTON to move,—
- (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period to introduce measures for the amendment of the present Insolvent Law.
10. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
11. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
12. MR. HART to move, That the debate of his motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
13. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct the following Returns to be laid on the Table of this House,—
- (1.) A list of all properties in land belonging to the several Religious bodies in this Colony, obtained from the Crown by grant or otherwise.
 - (2.) A list of lands originally intended for Glebes, stating the use to which they are now applied, the income derived therefrom, and for whose benefit.
 - (3.) An account of sales or other disposition of those lands originally intended for the Bishop's maintenance, now known as Bishopsthorpe, near the Sydney University; the quantity still unsold, and the income derivable from the whole of said property, under the Act of Council passed in November, 1855.
14. MR. DENIEHY to move,—
- (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.

15. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
16. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
17. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
18. MR. DALLEY to move for leave to bring in a Bill for the better prevention of the offence of Cattle Stealing.

ORDERS OF THE DAY :—

1. Librarian's Salary ; consideration in Committee of an Address for increase.
2. Compulsory Vaccination Bill ; second reading.
3. Graduates of British Universities Bill ; second reading.
4. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.

Questions :—

1. MR. WILLIAM MACLEAY to ask THE COLONIAL SECRETARY,—Whether any Tenders were received for the Conveyance of a Weekly Mail from Condobolin, on the Lachlan, to Lang's Crossing Place, on the Murrumbidgee ; and, if so, why no one was accepted ?
2. MR. WILLIAM MACLEAY to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) When the long promised Reserve and Township at Lang's Crossing Place, on the Murrumbidgee, are to be proclaimed ?
 - (2.) When the first sale of town allotments is likely to take place ?
3. MR. WILD to ask THE COLONIAL SECRETARY,—
 - (1.) With reference to the "Increased Assessment and Rent Act of 1858,"—what does the Government consider to be an equivalent in cattle to 1000 sheep ?
 - (2.) Will the Colonial Secretary state by what means or under what authority they have estimated such equivalent ?
4. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
 - (1.) Whether the Government have decided on making any alteration in the Houses of Parliament previous to the next Session ?
 - (2.) If so, what is the plan in contemplation ?
5. MR. DONALDSON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS (with reference to a Question asked by him last Session as to the period within which a settlement could be made with those parties whose land has been taken upon the Liverpool and Campbelltown Railway),—Whether any, and, if any, what steps have been taken to effect such settlement ; seeing that some of the parties interested complain that they have not yet received any payment for the lands so taken ?
6. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—Has the investigation in the case of Dr. Harris been brought to a conclusion ; and when will the papers connected with the proceedings of Mr. Hargraves in the case, be laid on the Table of the House ?

THURSDAY, FEBRUARY 3.

Question :—

1. MR. FLOOD to ask THE SOLICITOR GENERAL,—Whether it is the opinion of the Crown Law Officers that the Government can enter into Contracts for the construction of Railroads with Sir Morton Peto, or other persons, until the provisions of the 9th section of the 22nd Vict, No. 19, have been fully complied with ?

FRIDAY, FEBRUARY 4.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DONALDSON to move, That the Petition of the Rev. Henry Andrew Palmer, presented by him on the 27th ultimo, be printed.
2. MR. FLOOD to move, That there be laid upon the Table of this House, a Statement of all Money expended each year up to the 31st December, 1858, out of the £40,000 appropriated by 19 Vict., No. 40, for making improvements to the navigation of the River Hunter, and to the Ports of Newcastle and Morpeth, distinguishing payments for Salaries and Allowances, and specifying the names of the Principal Officers so paid, and the amount received each year up to 31st December, 1858.
3. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government and the Surveyor or Surveyors employed in laying out towns at Currawong or Nelligan, on the Clyde River.
4. MR. JENKINS to move, That so much of the Sessional Order agreed to on the 10th December last, which provides that Tuesday shall be one of the days for Government Business to take precedence of all other business, be rescinded.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means ; resumption of the Committee.

DANIEL COOPER,
Speaker.

No. 26.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 2 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Irish Female Immigrants:—Mr. Thornton, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee to whom was referred, on the 15th December last, the Petition of certain Citizens of Sydney, complaining of the statements made by the Immigration Agent in regard to Irish Female Immigrants, with an instruction to investigate and report upon the allegations contained in the said Petition,—
And moved, That the same, together with the Appendix and Minutes of Proceedings, be printed.
Debate ensued.
Question put and passed.
Ordered to be printed.
2. Supply:—On motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858–9.
The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at a quarter before Eight o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, FEBRUARY 3.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Supply; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a quorum for the dispatch of business.
2. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Statement of the Receipts and Expenditure upon the Great Southern and Great Northern Railways, in each quarter of each year, and in each year since the Railways opened; the Receipts and Expenditure per mile open; proportion of Expenditure to Receipts; the number of miles of Railway open in each year; the Net Receipts in each year; the amount of Capital invested in each year; and the rate of Annual Interest on Capital invested in each year, to 31st December, 1858.
3. MR. PIDDINGTON to move, That there be laid upon the Table of this House, a Statement showing the number of passengers, and class of passengers, travelling from Sydney, Parramatta, Liverpool, and Campbelltown, upon the Southern Railway, for the various months of the years 1857 and 1858.
4. MR. DENIBY to move the following Resolutions,—
(1.) That in the opinion of this House, no appointment as a Minister of the Crown, or to any important public office of trust and power, should be conferred upon any individual unless in the case of an individual returned to Parliament by popular election, whose residence in the Territory has not been of sufficient length to afford to the Country satisfactory guarantees for the fitness and propriety of the appointment.
(2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.

5. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause the following Returns to be laid upon the Table of this House, viz. :—
- (1.) All Correspondence between the Government and those gentlemen who have been lately appointed as Judges, Chairmen, Crown Prosecutors, Clerks of the Peace, and Registrars, in the District Courts and Courts of General and Quarter Sessions, respectively.
 - (2.) Copies of all Commissions or appointments issued to those Officers respectively.
 - (3.) All Instructions or directions given by the Attorney General to the above-mentioned Officers, or to any of them.
6. MR. FLOOD to move, That there be laid upon the Table of this House, a Statement of all Money expended each year up to the 31st December, 1858, out of the £40,000 appropriated by 19 Vic., No. 40, for making improvements to the navigation of the River Hunter, and to the Ports of Newcastle and Morpeth, distinguishing payments for Salaries and Allowances, and specifying the names of the Principal Officer so paid, and the amount received each year up to 31st December, 1858.
7. MR. DALLEY to move, That the Petition of Mr. W. B. Allen, and others, Soap-boilers in the City of Sydney, presented by him on the 27th ultimo, be printed.
8. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
9. MR. DENIEHY to move, That an Address be presented to the Governor General, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A Return shewing the following particulars in reference to Assisted Immigration to Moreton Bay.
 1. The number of persons who came or were brought out under that system at their own expense, or at that of their friends at Moreton Bay.
 2. The number of those persons who were landed at Moreton Bay at the first expense represented by the Deposit Receipts.
 3. The number of those persons who were landed at Sydney, and for whom their friends or themselves had to incur the additional expense of their passage from Sydney to Moreton Bay.
 4. The number of persons of the latter class, the expense of whose passage from Sydney to Moreton Bay was reimbursed by Government to their friends or themselves.
 - (2.) Also, the triplicate Deposit Receipts for the passage of all such persons lodged in the Immigration Office or elsewhere, with the Immigration Agent's endorsement thereon.
 - (3.) And, finally, similar particulars in regard to Assisted Immigration to the several other seaports in New South Wales.
10. MR. THORNTON to move,—
- (1.) That, in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address, dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period to introduce measures for the amendment of the present Insolvent Law.
11. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
12. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate, at Grafton.
13. MR. HART to move, That the debate of his motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
14. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct the following Returns to be laid on the Table of this House,—
- (1.) A list of all properties in land belonging to the several Religious bodies in this Colony, obtained from the Crown by grant or otherwise.
 - (2.) A list of lands originally intended for Glebes, stating the use to which they are now applied, the income derived therefrom, and for whose benefit.
 - (3.) An account of sales or other disposition of those lands originally intended for the Bishop's maintenance, now known as Bishopsthorpe, near the Sydney University; the quantity still unsold, and the income derivable from the whole of said property, under the Act of Council passed in November, 1855.
15. MR. DENIEHY to move,—
- (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
- 16.

16. MR. GEORGE MACLEAY to move, That the Report of the Murray River Navigation Committee, laid upon the Table of this House on the 29th October last, be now adopted.
17. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
18. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
19. MR. DALLEY to move for leave to bring in a Bill for the better prevention of the offence of Cattle Stealing.

ORDERS OF THE DAY :—

1. Librarian's Salary; consideration in Committee of an Address for increase.
2. Compulsory Vaccination Bill; second reading.
3. Graduates of British Universities Bill; second reading.
4. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

Questions :—

1. MR. FLOOD to ask THE SOLICITOR GENERAL,—Whether it is the opinion of the Crown Law Officers that the Government can enter into Contracts for the construction of Railroads with Sir Morton Peto, or other persons, until the provisions of the 9th section of the 22nd Viet., No. 19, have been fully complied with?
2. MR. PIDDINGTON to ask THE HONORABLE THE COLONIAL TREASURER,—Whether there is any objection to lay upon the Table of this House, a Statement shewing the balances in the Treasury on the 31st day of December, 1858, distinguishing the various balances at the credit of the Public Revenue Accounts and the Lodgment Accounts, with Total Balance; and also the distribution of the Balances?
3. MR. PLUNKETT to ask THE HONORABLE THE SOLICITOR GENERAL,—
 - (1.) Whether the Correspondence published in the last page of the *Sydney Morning Herald*, of Wednesday, (February 2nd instant,) purporting to be letters between Norton, Son, and Barker, and W. E. Plunkett, Secretary to the Law Department, and also a letter addressed by Alexander Berry to the Honorable the Attorney General, all of which are respecting a prosecution pending against the Revd. Dr. Lang and Mr. Fussell, for libel, are genuine and correct copies?
 - (2.) Whether it is true that the present Attorney General intends to carry on the prosecution in question at the public expense, and on his own responsibility?
 - (3.) Whether it is true that the present Attorney General has declined to allow the private prosecutor (Mr. Berry,) to conduct the case by his own counsel and at his own expense, such refusal being contrary to the practice which has been followed in this Colony since the foundation of the Supreme Court to the present time?
 - (4.) And, if so, whether the Attorney General has taken into consideration, not only the long existing practice in this Colony, but the ordinary course of practice in England, in such cases, and also, the Act of Council, 11 Viet., No. 13, (known as the Libel Act,) which, by the 12th section, entitles the "*Private Prosecutor*" to costs against the Defendant, and *vice versa*, according to the issue?

FRIDAY, FEBRUARY 4.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DONALDSON to move, That the Petition of the Rev. Henry Andrew Palmer, presented by him on the 27th ultimo, be printed.
2. MR. FLOOD to move, That there be laid upon the Table of this House, a Statement of all Money expended each year up to the 31st December, 1858, out of the £40,000 appropriated by 19 Viet., No. 40, for making improvements to the navigation of the River Hunter, and to the Ports of Newcastle and Morpeth, distinguishing payments for Salaries and Allowances, and specifying the names of the Principal Officers so paid, and the amount received each year up to 31st December, 1858.
3. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government and the Surveyor or Surveyors employed in laying out towns at Currawong or Nelligan, on the Clyde River.
4. MR. JENKINS to move, That so much of the Sessional Order agreed to on the 10th December last, which provides that Tuesday shall be one of the days for Government Business to take precedence of all other business, be rescinded.
5. MR. FORSTER to move,—
 - (1.) That this House has an undoubted right to exercise supervision and control over, and to be consulted in, the payment of Salaries to all Public Officers, except such as have been by special enactment expressly reserved therefrom.
 - (2.) That it is the duty of the Executive Government annually to submit all such Salaries to the consideration of this House, or in cases of emergency, to account, as early as possible, for every deviation from constitutional practice.
 - (3.) That this House, therefore, feels itself bound to express its disapproval of the practice that has prevailed during the two past years, of apportioning and paying the Salaries of certain Officers in the Department of the Electric Telegraph without the sanction and authority of this House, as being in contravention of the rights of this House, and at variance with the true principles of representative Government.

6. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, an Account of the Receipts of the Consolidated Revenue Fund of the Colony of New South Wales, (exclusive of the proceeds of Loans and Advances on account of Debentures), and also, an account of the Disbursements, including all sums paid under the authority of Schedules A, B, and C, of the Constitution Act, and of other Acts of the Legislature, from 1st day of January, 1857, to 31st day of December, 1857; and from 1st day of January, 1858, to 31st December, 1858.
7. MR. FORSTER to move, That, inasmuch as the Executive Government in this Colony, can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.
8. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Ways and Means; resumption of the Committee.

Question:—

1. MR. MURRAY to ask THE SOLICITOR GENERAL,—When the District Courts are to be brought into active operation?

DANIEL COOPER,
Speaker

No. 27.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 3 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
District Courts Act Amendment Bill:—The Speaker reported that whilst the House was in Committee of Supply yesterday, the following Message was received from the Legislative Council:—
MR. SPEAKER,
The Legislative Council having this day passed a Bill, intituled, "*An Act to amend the District Courts Act of 1858,*" presents the same to the Legislative Assembly for its concurrence.
Legislative Council Chamber,
Sydney, 2 February, 1859.
W. W. BURTON,
President.
Bill, on motion of Mr. Dalley, read a first time; ordered to be printed, and read a second time on Tuesday next.
2. Mr. Charles Frederick Gorton:—Mr. Wild presented a petition from Charles Frederick Gorton, late a Clerk of the Third Class in the Surveyor General's Department, complaining of his dismissal from Office on account of evidence given by him before a Select Committee of this House, and praying relief.
Petition received.
3. Supply:—On the motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the Service of the year 1858-9.
The Chairman reported progress, and obtained leave to sit again on Tuesday next.
4. Postponement:—Mr. Forster postponed the motion standing in his name first on the Notice Paper for to-day, until to-morrow.
5. Railway Receipts and Expenditure:—Mr. Piddington moved, pursuant to notice, That there be laid upon the Table of this House, a Statement of the Receipts and Expenditure upon the Great Southern and Great Northern Railways, in each quarter of each year, and in each year since the Railways opened; the Receipts and Expenditure per mile open; proportion of Expenditure to Receipts; the number of miles of Railway open in each year; the Net Receipts in each year; the amount of Capital invested in each year; and the rate of Annual Interest on Capital invested in each year, to 31st December, 1858.
Question put and passed.
6. Passenger Traffic on Southern Railway:—Mr. Piddington moved, pursuant to notice, That there be laid upon the Table of this House, a Statement shewing the number of passengers, and class of passengers, travelling from Sydney, Parramatta, Liverpool, and Campbelltown, upon the Southern Railway, for the various months of the years 1857 and 1858.
Question put and passed.
7. Motion Withdrawn:—Mr. Deniehy withdrew the motion standing in his name fourth on the Notice Paper for to-day.
8. Motions Dropped:—
(1.) Mr. Plunkett not moving the motion standing in his name fifth on the Notice Paper for to-day, it dropped.
(2.) Mr. Flood not moving the motion standing in his name sixth on the Notice Paper for to-day, it dropped.
9. Business of Soap-boiling in Sydney:—Mr. Cowper moved, pursuant to notice given by Mr. Dalley, That the Petition of Mr. W. B. Allen, and others, Soap-boilers in the City of Sydney, presented by Mr. Dalley on the 27th ultimo, be printed.
Question put and passed.
Ordered to be printed.
10. Postponement:—Mr. Murray postponed the motion standing in his name eighth on the Notice Paper for to-day, until to-morrow.

11. Assisted Immigration :—Mr. Deniehy moved, pursuant to notice, That an Address be presented to the Governor General, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House,—
- (1.) A Return shewing the following particulars in reference to Assisted Immigration to Moreton Bay.
1. The number of persons who came or were brought out under that system at their own expense, or at that of their friends at Moreton Bay.
 2. The number of those persons who were landed at Moreton Bay at the first expense represented by the Deposit Receipts.
 3. The number of those persons who were landed at Sydney, and for whom their friends or themselves had to incur the additional expense of their passage from Sydney to Moreton Bay.
 4. The number of persons of the latter class, the expense of whose passage from Sydney to Moreton Bay was reimbursed by Government to their friends or themselves.
- (2.) Also, the triplicate Deposit Receipts for the passage of all such persons lodged in the Immigration Office or elsewhere, with the Immigration Agent's endorsement thereon.
- (3.) And, finally, similar particulars in regard to Assisted Immigration to the several other seaports in New South Wales.
- Question put and passed.
12. Motions Dropped :—
- (1.) Mr. Thornton not moving the motion standing in his name tenth on the Notice Paper for to-day, it dropped.
 - (2.) Mr. Hodgson not moving the motions standing in his name eleventh and twelfth on the Notice Paper for to-day, they dropped
13. Postponement :—Mr. Deniehy postponed the motion standing in the name of Mr. Hart thirteenth on the Notice Paper for to-day, until to-morrow.
14. Motion Dropped :—Mr. Plunkett not moving the motion standing in his name fourteenth on the Notice Paper for to-day, it dropped.
15. Postponement :—Mr. Deniehy postponed the motion standing in his name fifteenth on the Notice Paper for to-day, until to-morrow.
16. Motion dropped :—Mr. G. Macleay not moving the motion standing in his name sixteenth on the Notice Paper for to-day, it dropped.
17. Postponement :—Mr. Ferster postponed the motion standing in his name seventeenth on the Notice Paper for to-day, until to-morrow week.
18. Motion dropped :—Mr. Jenkins not moving the motion standing in his name eighteenth on the Notice Paper for to-day, it dropped.
19. Postponements :—
- (1.) Mr. Robertson postponed the motion standing in the name of Mr. Dalley nineteenth on the Notice Paper for to-day, until to-morrow.
 - (2.) The consideration in Committee of an Address for increase to the Librarian's salary postponed, on motion of Mr. Deniehy, until to-morrow.
20. Order dropped :—No Member moving the second reading of the Compulsory Vaccination Bill, it dropped.
21. Postponements :—
- (1.) The second reading of the Graduates of British Universities Bill postponed, on motion of Mr. Cowper, until to-morrow.
 - (2.) The second reading of the Moreton Bay Assistant District Judge's Appointment Bill postponed, on motion of Mr. Faucett, until to-morrow.
- The House adjourned at five minutes after Ten o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, FEBRUARY 4.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DONALDSON to move, That the Petition of the Rev. Henry Andrew Palmer, presented by him on the 27th ultimo, be printed.
2. MR. FLOOD to move, That there be laid upon the Table of this House, a Statement of all Money expended each year up to the 31st December, 1858, out of the £40,000 appropriated by 19 Viet, No. 40, for making improvements to the navigation of the River Hunter, and to the Ports of Newcastle and Morpeth, distinguishing payments for Salaries and Allowances, and specifying the names of the Principal Officers so paid, and the amount received each year up to 31st December, 1858.
3. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government and the Surveyor or Surveyors employed in laying out towns at Currawong or Nelligan, on the Clyde River.
4. MR. JENKINS to move, That so much of the Sessional Order agreed to on the 10th December last, which provides that Tuesday shall be one of the days for Government Business to take precedence of all other business, be rescinded.

5. MR. FORSTER to move,—
- (1.) That this House has an undoubted right to exercise supervision and control over, and to be consulted in, the payment of Salaries to all Public Officers, except such as have been by special enactment expressly reserved therefrom.
 - (2.) That it is the duty of the Executive Government annually to submit all such Salaries to the consideration of this House, or in cases of emergency, to account, as early as possible, for every deviation from constitutional practice.
 - (3.) That this House, therefore, feels itself bound to express its disapproval of the practice that has prevailed during the two past years, of apportioning and paying the Salaries of certain Officers in the Department of the Electric Telegraph without the sanction and authority of this House, as being in contravention of the rights of this House, and at variance with the true principles of representative Government.
6. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, an Account of the Receipts of the Consolidated Revenue Fund of the Colony of New South Wales, (exclusive of the proceeds of Loans and Advances on account of Debentures), and also, an account of the Disbursements, including all sums paid under the authority of Schedules A, B, and C, of the Constitution Act, and of other Acts of the Legislature, from 1st day of January, 1857, to 31st day of December, 1857; and from 1st day of January, 1858, to 31st December, 1858.
7. MR. FORSTER to move, That, inasmuch as the Executive Government in this Colony, can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.
8. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
9. MR. DENIEHY to move the following Resolutions,—
- (1.) That in the opinion of this House, no appointment as a Minister of the Crown, or to any important public office of trust and power, should be conferred upon any individual unless in the case of an individual returned to Parliament by popular election, whose residence in the Territory has not been of sufficient length to afford to the Country satisfactory guarantees for the fitness and propriety of the appointment.
 - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
10. MR. WILD to move, That the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, be printed.
11. MR. PLUNKETT to move; That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
- (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
12. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.
13. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
14. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
15. MR. DENIEHY to move,—
- (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.
16. MR. DALLEY to move for leave to bring in a Bill for the better prevention of the offence of Cattle Stealing.

ORDERS OF THE DAY :—

1. Librarian's Salary; consideration in Committee of an Address for increase.
2. Graduates of British Universities Bill; second reading.
3. Moreton Bay Assistant District Judge's Appointment Bill; second reading.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means; resumption of the Committee.

Question :—

1. MR. MURRAY to ask THE SOLICITOR GENERAL,—When the District Courts are to be brought into active operation?

TUESDAY, FEBRUARY 8.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill; second reading.
 2. Supply; resumption of the Committee.
-

FRIDAY, FEBRUARY 11.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FLOOD to move,—
 - (1.) That in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed as far as practicable, by contract.
 - (2.) That all Supplies required for the Public Service should be furnished in a similar manner.
 - (3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.
2. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.

DANIEL COOPER,
Speaker.

No. 28.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 4 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Walter Rotton and Frederick Williams:—Mr. Faucett presented a Petition from Walter Rotton and Frederick Williams, representing that, on the 22nd March last, Petitioners became Bail for the appearance of one Gaggin, at the Police Office, Sydney, on the 29th day of the same month,—that they were informed when this Bail was taken at the Police Office, Singleton, “that it was only a matter of course,” whilst they were not informed of the offence of the said Gaggin,—that in obedience to a Warrant, Petitioners paid, under protest, to the Sheriff’s Bailiff, the sum of one hundred pounds,—that upon the hearing of Petitioners’ Appeal against the enforcement of such Warrant, the Sheriff’s Bailiff stated that the money had been paid into the Colonial Treasury, whereupon the Chairman of the Court declined to entertain Petitioners’ Appeal, on the ground that the money had left the Sheriff’s hands,—that the Government have declined to refund the money,—and praying the House to take the premises into consideration, and to cause such proceedings to be taken as to them shall seem fit.
Petition received.
2. Papers:—
 1. Mr. Robertson laid upon the Table the undermentioned Paper:—
(1.) A Statement of the names of the persons employed in the superintendence of the construction of the Electric Telegraph, and in working the same, with the amount of salary paid to each, from its commencement to 31 December, 1858.
Ordered to be printed.
 2. Mr. R. Campbell laid upon the Table the undermentioned Papers:—
(2.) Statement shewing the Balances in the Treasury, on 31 December, 1858, distinguishing the various Balances at the credit of the Public Revenue Account, and the various Lodgment Accounts, with Total Balance, and also the distribution of the Balances.
Ordered to be printed.
(3.) Report on the Customs Business of the Port of Rockhampton, for the Quarter ended 31 December, 1858.
Ordered to be printed.
3. State Aid to Religion:—Mr. Donaldson moved, pursuant to notice, That the Petition of the Rev. Henry Andrew Palmer, presented by him on the 27th ultimo, be printed.
Question put and passed.
Ordered to be printed.
4. Expenditure in improving the Navigation of the River Hunter:—Mr. Flood moved, pursuant to notice, That there be laid upon the Table of this House, a Statement of all Money expended each year up to the 31st December, 1858, out of the £40,000 appropriated by 19 Viet., No. 40, for making improvements to the navigation of the River Hunter, and to the Ports of Newcastle and Morpeth, distinguishing payments for Salaries and Allowances, and specifying the names of the Principal Officers so paid, and the amount received each year up to 31st December, 1858.
Question put and passed.
5. Laying out Townships at Currawong or Nelligan:—Mr. Murray moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Government and the Surveyor or Surveyors employed in laying out towns at Currawong or Nelligan, on the Clyde River.
Debate ensued.
Question put and passed.
6. Days for Dispatch of Government Business:—Mr. Jenkins moved, pursuant to notice, That so much of the Sessional Order agreed to on the 10th December last, which provides that Tuesday shall be one of the days for Government Business to take precedence of all other business, be rescinded.
Debate ensued.
Question put.

The

The House divided.

Ayes, 23.	Noes, 5.
Mr. Cowper,	Mr. J. Campbell,
Mr. Robertson,	Mr. Arnold,
Mr. R. Campbell,	Mr. Richardson,
Mr. Byrnes,	Mr. Rotton,
Mr. Plunkett,	Mr. Dickson, } Tellers.
Mr. Egan,	
Mr. G. Macleay,	
Mr. R. Tooth,	
Mr. Forster,	
Mr. Taylor,	
Mr. Denichy,	
Mr. Murray,	
Mr. Piddington,	
Mr. Donaldson,	
Mr. W. Macleay,	
Mr. Hodgson,	
Mr. Wild,	
Mr. W. B. Tooth,	
Mr. Flood,	
Mr. Jones,	
Mr. Dalley,	
Mr. Jenkins, } Tellers.	
Mr. Faucett, }	

7. Payment of Salaries without Parliamentary sanction :—Mr. Forster moved, pursuant to notice—

(1.) That this House has an undoubted right to exercise supervision and control over, and to be consulted in, the payment of Salaries to all Public Officers, except such as have been by special enactment expressly reserved therefrom.

(2.) That it is the duty of the Executive Government annually to submit all such Salaries to the consideration of this House, or in cases of emergency, to account, as early as possible, for every deviation from constitutional practice.

(3.) That this House, therefore, feels itself bound to express its disapproval of the practice that has prevailed during the two past years, of apportioning and paying the Salaries of certain Officers in the Department of the Electric Telegraph without the sanction and authority of this House, as being in contravention of the rights of this House, and at variance with the true principles of representative Government.

Debate ensued.

And exception being taken to certain words used by the Honorable Member for the South Riding of Cumberland, Mr. Donaldson, in referring to the speech of the Honorable Member for Philip, Brisbane, and Bligh, Mr. Robertson,—

And it being moved, That the said words be taken down, the Clerk, by direction of the Speaker took down the said words as follows :—

“ The flourish of trumpets—the bombast—what Mr. D'Israeli would call the “ pernicious perversion of truth, which characterised the Honorable Gentleman's “ speech,”—

And Mr. Donaldson having been heard in his place, and withdrawn,—

Mr. Robertson moved, That the words of the Honorable Member are highly unparliamentary and disorderly, and ought to be withdrawn.

Debate ensued.

And Mr. Robertson having by leave withdrawn his motion,—

And Mr. Donaldson having been recalled to his place,—

And the Speaker having acquainted the Honorable Member with the withdrawal of the motion, and with the desire of the House to leave the matter in his hands, and having intimated to the Honorable Member his opinion that the words excepted to are unparliamentary and ought to be withdrawn,—

And the Honorable Member having thereupon withdrawn the said words,—

Debate of Mr. Forster's motion resumed.

Mr. Jones moved, That the Question be amended by the omission of section (3).

Debate continued.

Question put,—That section (3) stand part of the Question.

The House divided.

Ayes, 15.	Noes, 15.
Mr. Donaldson,	Mr. Cowper,
Mr. Forster,	Mr. R. Campbell,
Mr. Hart,	Mr. Robertson,
Mr. Denichy,	Mr. Dalley,
Mr. G. Macleay,	Mr. Jones,
Mr. Murray,	Mr. Gordon,
Mr. R. Tooth,	Mr. Weekes,
Mr. Jenkins,	Mr. Byrnes,
Mr. Taylor,	Mr. Flood,
Mr. W. B. Tooth,	Mr. Hodgson,
Mr. Piddington,	Mr. Richardson,
Mr. Plunkett,	Mr. Rotton,
Mr. W. Macleay,	Mr. Arnold,
Mr. Wild, } Tellers.	Mr. J. Campbell, } Tellers.
Mr. Faucett, }	Mr. Dickson, }

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

Mr.

Mr. Flood then moved, That in place of the section omitted, the section following be inserted:—

“(3.) That this House, therefore, feels itself bound to express its disapproval of the practice that has prevailed for some years past, of apportioning and paying the salaries of certain Officers and money for other public services, without the sanction and authority of this House, as being in contravention of the rights of this House, and at variance with the true principles of representative Government.”

Debate continued.

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

The House divided.

Ayes, 7.	Noes, 22.
Mr. Byrnes,	Mr. Cowper,
Mr. Gordon,	Mr. R. Campbell,
Mr. Piddington,	Mr. Robertson,
Mr. Jones,	Mr. Murray,
Mr. Dalley,	Mr. Wild,
Mr. Flood,	Mr. G. Macleay,
Mr. Weekes, } Tellers.	Mr. Plunkett,
	Mr. Hart,
	Mr. Faucett,
	Mr. Jenkins,
	Mr. Taylor,
	Mr. R. Tooth,
	Mr. Denichy,
	Mr. Hodgson,
	Mr. W. B. Tooth,
	Mr. Forster,
	Mr. W. Macleay,
	Mr. Donaldson,
	Mr. Rotton,
	Mr. Richardson,
	Mr. J. Campbell, } Tellers.
	Mr. Dickson,

Whereupon Mr. Piddington moved, That in place of the section omitted there be inserted the section following:—

“(3.) That the practice adopted by the present *Government* is a violation of the rights of this House.”

Mr. Faucett moved, That the proposed section be amended by the insertion after the word *Government* of the words, “has not been in accordance with the two foregoing Resolutions, and”—

Debate continued.

Mr. Gordon moved, That the proposed section be amended by the insertion after the word *Government* of the words, “as well as preceding Governments since October, 1855.”

And the House having continued to sit till after Midnight,—

SATURDAY, 5 FEBRUARY, 1859.

Debate continued.

Question put,—That after the word *Government* in the proposed section there be inserted the words and figures, “as well as preceding Governments since October, 1855.”

The House divided.

Ayes, 16.	Noes, 8.
Mr. Cowper,	Mr. Plunkett,
Mr. Robertson,	Mr. Forster,
Mr. Byrnes,	Mr. Denichy,
Mr. Gordon,	Mr. Faucett,
Mr. Rotton,	Mr. Jenkins,
Mr. Hart,	Mr. G. Macleay,
Mr. Murray,	Mr. Wild, } Tellers.
Mr. Egan,	Mr. W. Macleay,
Mr. Piddington,	
Mr. Flood,	
Mr. Dickson,	
Mr. J. Campbell,	
Mr. Arnold,	
Mr. Dalley,	
Mr. Jones, } Tellers.	
Mr. Weekes,	

Question,—That there be inserted after the figures “1855” in the proposed section, as amended, the words, “has not been in accordance with the two foregoing Resolutions and,”—put and passed.

Question put,—That in place of the section omitted, there be inserted the proposed section (3) as so amended.

The

The House divided.

Ayes, 20.

Mr. Cowper,
Mr. Robertson,
Mr. Byrnes,
Mr. Gordon,
Mr. Rotton,
Mr. Faucett,
Mr. Hart,
Mr. Deniehy,
Mr. Murray,
Mr. Egan,
Mr. Plunkett,
Mr. Piddington,
Mr. Flood,
Mr. Jenkins,
Mr. Dickson,
Mr. J. Campbell,
Mr. Arnold,
Mr. Dalley,
Mr. Jones,
Mr. Weekes, } Tellers.

Noes, 4.

Mr. G. Macleay,
Mr. Forster,
Mr. Wild,
Mr. W. Macleay, } Tellers.

Whereupon Original Question, as so amended,—

- (1.) That this House has an undoubted right to exercise supervision and control over, and to be consulted in, the payment of Salaries to all Public Officers, except such as have been by special enactment expressly reserved therefrom.
 - (2.) That it is the duty of the Executive Government annually to submit all such Salaries to the consideration of this House, or in cases of emergency, to account, as early as possible, for every deviation from constitutional practice.
 - (3.) That the practice adopted by the present, as well as preceding Governments, since October, 1855, has not been in accordance with the two foregoing Resolutions, and is a violation of the rights of this House,—put and passed.
8. Postponements :—
 - (1.) Mr. Piddington postponed the motion standing in his name sixth on the Notice Paper for to-day, until Tuesday next.
 - (2.) Mr. Forster postponed the motion standing in his name seventh on the Notice Paper for to-day, until Tuesday next.
 - (3.) Mr. Jenkins postponed the motion standing in the name of Mr. Thornton eighth on the Notice Paper for to-day, until Tuesday next.
 9. Motion Dropped :—Mr. Deniehy not moving the motion standing in his name ninth on the Notice Paper for to-day, it dropped.
 10. Mr. Charles Frederick Gorton :—Mr. Wild moved, pursuant to notice, That the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, be printed.
Question put and passed.
Ordered to be printed.
 11. Postponements :—
 - (1.) Mr. Plunkett postponed the motion standing in his name eleventh on the Notice Paper for to-day, until Tuesday next.
 - (2.) Mr. Forster postponed the motion standing in his name twelfth on the Notice Paper for to-day, until Tuesday next.
 - (3.) Mr. Murray postponed the motion standing in his name thirteenth on the Notice Paper for to-day, until Friday next.
 - (4.) Mr. Hart postponed the motion standing in his name fourteenth on the Notice Paper for to-day, until Tuesday next.
 - (5.) Mr. Deniehy postponed the motion standing in his name fifteenth on the Notice Paper for to-day, until Tuesday next.
 12. Motion withdrawn :—Mr. Dalley withdrew the motion standing in his name sixteenth on the Notice Paper for to-day.
 13. Order discharged :—The Order of the Day for the consideration in Committee of an Address for increase to the Librarian's Salary, discharged from the Paper, on motion of Mr. Flood.
 14. Postponements :—
 - (1.) The second reading of the Moreton Bay Assistant District Judge's Appointment Bill postponed, on motion of Mr. Plunkett, until Friday next.
 - (2.) The resumption of the Committee of Ways and Means postponed, on motion of Mr. Cowper, until Tuesday next.
 15. Graduates of British Universities Bill having been read a second time, on motion of Mr. Dalley, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill with Amendments, the House adopted the same, and ordered the Bill, as so reported, to be read a third time on Tuesday next.
The House adjourned at a quarter before One o'clock, a.m., until Tuesday next, at Three o'clock, p.m.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, FEBRUARY 8.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct the following Returns to be laid on the Table of this House,—
 - (1.) A list of all properties in land belonging to the several Religious bodies in this Colony, obtained from the Crown by grant or otherwise.
 - (2.) A list of lands originally intended for Globes, stating the use to which they are now applied, the income derived therefrom, and for whose benefit.
 - (3.) An account of sales or other disposition of those lands originally intended for the Bishop's maintenance, now known as Bishopsthorpe, near the Sydney University; the quantity still unsold, and the income derivable from the whole of said property, under the Act of Council passed in November, 1855.
2. MR. JENKINS to move, That the Order of the Day for the second reading of the Compulsory Vaccination Bill be restored to the Paper for Friday next.
3. MR. FAUCETT to move, That the Petition of Walter Rotton and Frederick Williams, presented by him on the 4th instant, be printed.
4. MR. DENIEHY to move the following Resolutions,—
 - (1.) That in the opinion of this House, no appointment as a Minister of the Crown, or to any important public office of trust and power, should be conferred upon any individual unless in the case of an individual returned to Parliament by popular election, whose residence in the Territory has not been of sufficient length to afford to the Country satisfactory guarantees for the fitness and propriety of the appointment.
 - (2.) That the foregoing Resolution be embodied in an Address, and presented to His Excellency the Governor General.
5. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, an Account of the Receipts of the Consolidated Revenue Fund of the Colony of New South Wales, (exclusive of the proceeds of Loans and Advances on account of Debentures), and also, an account of the Disbursements, including all sums paid under the authority of Schedules A, B, and C, of the Constitution Act, and of other Acts of the Legislature, from 1st day of January, 1857, to 31st day of December, 1857; and from 1st day of January, 1858, to 31st December, 1858.
6. MR. FORSTER to move, That, inasmuch as the Executive Government in this Colony, can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.
7. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
8. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
9. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.
10. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
11. MR. DENIEHY to move,—
 - (1.) That a Committee, with authority to send for persons and papers, be appointed to inquire into and report upon the operation of the Insolvent Laws of New South Wales, particularly with reference to the nature and working of the office of Official Assignee.
 - (2.) That such Committee consist of Mr. Donaldson, Mr. Flood, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Jones, Mr. Thornton, and the Mover.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill; second reading.
2. Supply; resumption of the Committee.
3. Ways and Means; resumption of the Committee.
4. Graduates of British Universities Bill; third reading.

Questions :—

1. MR. JENKINS to ask THE HONORABLE THE SOLICITOR GENERAL,—If it is intended to hold Quarter Sessions at Tamworth, during the present year—If not, would The Honorable the Solicitor General be good enough to state any reasons which may exist why Quarter Sessions should not be held this year at Tamworth as well as at Armidale?
2. MR. FAUCETT to ask THE SOLICITOR GENERAL,—Whether the Government intend to subdivide the Districts that are at present appointed under the District Courts Act?

3. MR. ARNOLD to ask THE COLONIAL SECRETARY,—
 (1.) Whether Margaret Harding (who was, on Wednesday last, convicted at the Police Court, of gross misbehaviour in her hired service, and adjudged to forfeit her wages and have her agreement cancelled therefor) has since been received into the Immigration Dépôt at Hyde Park, and is there again afforded the assistance of that institution in procuring service; If so, by whose order was she so admitted?
 (2.) By what rules, and upon what conditions, is admittance to that institution obtained by females requiring service, not being newly-arrived Emigrants before their first hiring?
4. MR. HART to ask THE COLONIAL SECRETARY,—Whether the Government have had under their consideration the establishment of a Free Public Library; and, if not, whether they would be disposed favorably to consider a measure for that purpose?
5. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—Whether any Despatch or Despatches have been sent by His Excellency the Governor General to the Imperial Government, relative to the "Act to incorporate St. John's College," since the receipt of the Despatch of the Secretary of State, which was laid on the Table of this House, relative to the amendment or disallowance of that Act; and, if so, whether there is any objection to lay the same before this House?

WEDNESDAY, FEBRUARY 9.

OTHER BUSINESS—NOTICE OF MOTION :—

1. Mr. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause the following Returns to be laid upon the Table of this House, viz. :—
 (1.) All Correspondence between the Government and those gentlemen who have been lately appointed as Judges, Chairmen, Crown Prosecutors, Clerks of the Peace, and Registrars, in the District Courts and Courts of General and Quarter Sessions, respectively.
 (2.) Copies of all Commissions or appointments issued to those Officers respectively.
 (3.) All Instructions or directions given by the Attorney General to the above-mentioned Officers, or to any of them.

FRIDAY, FEBRUARY 11.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FLOOD to move,—
 (1.) That in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed as far as practicable, by contract.
 (2.) That all Supplies required for the Public Service should be furnished in a similar manner.
 (3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.
2. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
3. MR. GEO. MACLEAY to move, That the Report of the Murray River Navigation Committee, laid on the Table of this House on the 19th of October last, be now adopted.
4. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
5. MR. HODGSON to move, That the Debate of his amended motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
6. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
7. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.

8. MR. THORNTON to move,—
(1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
(2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
9. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.

ORDER OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.

DANIEL COOPER,
Speaker.

No. 29.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 8 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers:—Mr. Cowper laid upon the Table the undermentioned Papers,—
(1.) Report of the Board of Inquiry into charges against certain Officers of the Customs Department, together with Minutes of Evidence and Appendix.
(2.) Report from the Commissioner appointed to inquire into the conduct of Richard Harris, Esq., J.P., William Browne, Esq., J.P., and Archibald Bell Cox, Esq., J.P., with Minutes of Evidence and Appendix.
Ordered to be printed.
2. Estimate for improving the Main North Line of Road:—Mr. Piddington presented a Petition from certain inhabitants of the town of Singleton, the village of Camberwell, and others interested in the extension of Railways to the North-western interior, praying that the House will not pass the sum of £6,650 placed on the Estimates for this year, for the purpose of building bridges at Balbrook and elsewhere on that line of Road, which will be thoroughly useless to the Country when Railway extension reaches the several points in the Petition referred to.
Petition received.
3. Lands Granted to the Several Religious Denominations:—Mr. Plunkett moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to direct the following Returns to be laid on the Table of this House,—
(1.) A list of all properties in land belonging to the several Religious bodies in this Colony, obtained from the Crown by grant or otherwise.
(2.) A list of lands originally intended for Glebes, stating the use to which they are now applied, the income derived therefrom, and for whose benefit.
(3.) An account of sales or other disposition of those lands originally intended for the Bishop's maintenance, now known as Bishopsthorpe, near the Sydney University; the quantity still unsold, and the income derivable from the whole of said property, under the Act of Council passed in November, 1855.
Question put and passed.
4. Compulsory Vaccination Bill:—Mr. Jenkins moved, pursuant to notice, That the Order of the Day for the second reading of the Compulsory Vaccination Bill be restored to the Paper for Friday next.
Question put and passed.
5. Walter Rotton and Frederick Williams:—Mr. Faucett moved, pursuant to notice, That the Petition of Walter Rotton and Frederick Williams, presented by him on the 4th instant, be printed.
Question put and passed.
Ordered to be printed.
6. Ministerial Appointments conferred on Newly Arrived Persons:—Mr. Denichy moved, pursuant to amended notice, the following Resolutions,—
(1.) That in the opinion of this House, no appointment as a Minister of the Crown, or to any important public office of trust and power, should be conferred upon any individual unless in the case of an individual returned to Parliament by popular election, whose residence in the Territory has not been of sufficient length to afford to the Country satisfactory guarantees for the fitness and propriety of the appointment.
(2.) That therefore the designation of Mr. Lyttleton Holyoake Bayley, as Attorney General, is one unsatisfactory to this House.
(3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
Debate ensued.
Mr. Piddington moved that the Question be amended by the omission of all the words in sections (1) and (2) following the word "That" in section (1), in order to the insertion in their place of the words following,—
"it is the opinion of this House that the appointment of any individual as a Minister of the Crown, or as a Member of the Legislative Council, who has not resided in the Colony for a reasonable period, is inexpedient and ought to be avoided."
Debate continued.

Question

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

Ayes, 29.

Mr. Cowper,
Mr. Rotton,
Mr. Arnold,
Mr. Robertson,
Mr. R. Campbell,
Mr. Owen,
Mr. Gordon,
Mr. Scott,
Mr. Hart,
Mr. Thornton,
Mr. Faucett,
Mr. W. B. Tooth,
Mr. Hodgson,
Mr. Hay,
Mr. Weekes,
Mr. Jones,
Mr. Donaldson,
Mr. Dickson,
Mr. Wild,
Mr. Murray,
Mr. Plunkett,
Mr. W. Macleay,
Mr. Richardson,
Mr. Oakes,
Mr. J. Campbell,
Mr. Byrnes,
Mr. Dalley,
Mr. Jamison, } Tellers.
Mr. Deniehy, }

Noes, 4.

Mr. Williamson,
Mr. Egan,
Mr. Piddington, } Tellers.
Mr. Forster, }

Whereupon original Question put.
The House divided.

Ayes, 12.

Mr. Egan,
Mr. Hart,
Mr. Deniehy,
Mr. Hodgson,
Mr. W. B. Tooth,
Mr. Hay,
Mr. Donaldson,
Mr. Murray,
Mr. Plunkett,
Mr. W. Macleay,
Mr. Wild, } Tellers.
Mr. Faucett, }

Noes, 19.

Mr. Cowper,
Mr. R. Campbell,
Mr. Robertson,
Mr. Scott,
Mr. Gordon,
Mr. Thornton,
Mr. Weekes,
Mr. Jones,
Mr. Forster,
Mr. Richardson,
Mr. Jamison,
Mr. Dickson,
Mr. J. Campbell,
Mr. Byrnes,
Mr. Arnold,
Mr. Oakes,
Mr. Dalley,
Mr. Rotton, } Tellers.
Mr. Owen, }

7. Consolidated Revenue Receipts and Disbursements :—Mr. Piddington moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, an Account of the Receipts of the Consolidated Revenue Fund of the Colony of New South Wales, (exclusive of the proceeds of Loans and Advances on account of Debentures), and also, an account of the Disbursements, including all sums paid under the authority of Schedules A, B, and C, of the Constitution Act, and of other Acts of the Legislature, from 1st day of January, 1857, to 31st day of December, 1857; and from 1st day of January, 1858, to 31st December, 1858.
Question put and passed.
8. Postponements :—
(1.) Mr. Forster postponed the motion standing in his name sixth on the Notice Paper for to-day, until Tuesday next.
(2.) Mr. Thornton postponed the motion standing in his name seventh on the Notice Paper for to-day, until Friday next.
(3.) Mr. Plunkett postponed the motion standing in his name eighth on the Notice Paper for to-day, until Friday next.
(4.) Mr. Plunkett postponed the motion standing in the name of Mr. Forster ninth on the Notice Paper for to-day, until Friday next.
9. Motion dropped :—Mr. Hart not moving the motion standing in his name tenth on the Notice Paper for to-day, it dropped.
10. Motion withdrawn :—Mr. Deniehy withdrew the motion standing in his name eleventh on the Notice Paper for to-day.
On motion of Mr. Cowper the House adjourned at a quarter after Eleven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, FEBRUARY 9.

Contingent Notices of Motion :—

1. MR. FORSTER to move, (*on the Order of the Day being read for the resumption of the Committee of Supply*), That the Order of the Day be postponed until the Government shall have accounted for their share in the various acts of unauthorized appropriation included in the vote of censure passed by this House on February 4.
2. MR. MURRAY to move (*on the Order of the Day being read for resumption of the Committee of Supply*), That on the Estimates for the Surveyor General's Department being taken into consideration, the Surveyor General, and Deputy Surveyor General, be examined at the Bar of this House.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move (in Committee of Supply), That there be appropriated a sum not exceeding £78,000, to defray the expenses of the various Departments and Services of the Colony for the month of February, 1859, at the rates sanctioned for the year 1858; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings, during the same month.

ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill; second reading.
2. Supply; resumption of the Committee.
3. Ways and Means; resumption of the Committee.
4. Graduates of British Universities Bill; third reading.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause the following Returns to be laid upon the Table of this House, viz. :—
 - (1.) All Correspondence between the Government and those gentlemen who have been lately appointed as Judges, Chairmen, Crown Prosecutors, Clerks of the Peace, and Registrars, in the District Courts and Courts of General and Quarter Sessions, respectively.
 - (2.) Copies of all Commissions or appointments issued to those Officers respectively.
 - (3.) All Instructions or directions given by the Attorney General to the above-mentioned Officers, or to any of them.

Questions :—

1. MR. FORSTER to ask THE HONORABLE THE SOLICITOR GENERAL,—What is the precise nature of the difficulties which have prevented the Government from carrying out the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and which have led to the apparent disrespect shewn to this House, in permitting the Address to His Excellency the Governor General, agreed to on the same occasion, to remain unanswered?
2. MR. DONALDSON to ask THE HONORABLE THE COLONIAL SECRETARY, with reference to the Resolution of this House, agreed to on Friday last,—How long the Government intend to proceed in the expenditure of Public Money without Parliamentary sanction, seeing that the Vote of Credit granted to the Government expired on the 31st January last?
3. MR. JENKINS to ask THE HONORABLE THE SOLICITOR GENERAL,—If it is intended to hold Quarter Sessions at Tamworth, during the present year—If not, would The Honorable the Solicitor General be good enough to state any reasons which may exist why Quarter Sessions should not be held this year at Tamworth as well as at Armidale?
4. MR. FLOOD to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) The name of the contractor alluded to in the Report from Captain Martindale, Chief Commissioner of Railways, who appears to have been paid £9,097 6s. for 48,519 cubic yards of excavation not actually performed, in four cuts, between Sydney and Parramatta?
 - (2.) When were these discrepancies first discovered, and did the Government inform the contractor; if so, state in what manner?
 - (3.) Has the Government ordered a further inquiry and survey, for the purpose of ascertaining whether other discrepancies exist, and was the contractor informed previous to commencing such inquiry and survey?
5. MR. HODGSON to ask THE HONORABLE THE SOLICITOR GENERAL,—By what authority the Resident Judge at Moreton Bay has left his District, and what provisions have been made to enable any person resident within the jurisdiction of the Resident Judge at Moreton Bay, to avail himself of the *Habeas Corpus* Act, in case of illegal imprisonment?
6. MR. WILLIAMSON to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether the Government intend taking any steps, previous to shipping the February Mails by the "Salsette," to prevent such shipment being taken as an approval by them of the Contract lately made by the Imperial Government with the Peninsular and Oriental Company, and consequently binding on this Government?

7. MR. HAY to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,— Whether the Government have taken any steps to bring the construction of Dams on the Billibong Creek, and on Crown Lands, under the protection of the law?
8. MR. HAY to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,— Whether any application has reached the Office of Lands and Works for the establishment of a Local Court at the Adelong Diggings, and whether any answer has been returned to such application?

THURSDAY, FEBRUARY 10.

Question:—

1. MR. BYRNES to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,— Whether any valuation has been made of the Lands and Buildings in Parramatta, through which the Western Railway is to pass; and, if so, when it is likely the claims of the proprietors of such lands, &c., are likely to be settled?

FRIDAY, FEBRUARY 11.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. FLOOD to move,—
 - (1.) That in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed as far as practicable, by contract.
 - (2.) That all Supplies required for the Public Service should be furnished in a similar manner.
 - (3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.
2. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
3. MR. GEO. MACLEAY to move, That the Report of the Murray River Navigation Committee, laid on the Table of this House on the 19th of October last, be now adopted.
4. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
5. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House “ will, on Friday next, resolve itself into a Committee of the whole, to consider of an “ Address to the Governor General, praying that His Excellency will cause to be placed “ upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the “ expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
6. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
7. MR. HART to move, That the debate of his motion,—“ That this House will, on Friday “ next, resolve itself into a Committee of the whole to consider of an Address to the “ Governor General, praying that His Excellency will cause to be placed upon the “ Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense “ of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
8. MR. THORNTON to move,—
 - (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
9. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
10. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
11. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
12. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.

13. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
- (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
- (2.) Also all Depositions and other Papers connected with these cases, respectively.
14. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
2. Compulsory Vaccination Bill; second reading.

TUESDAY, FEBRUARY 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all the Correspondence of the Crown Law Officers, relative to the case of Douglas v. Wisdom.
2. MR. FORSTER to move, That, inasmuch as the Executive Government in this Colony, can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.

DANIEL COOPER,
Speaker.

No. 30.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 9 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Paper:—Mr. Cowper laid upon the Table part Return to the Address in reference to State Aid to Religion, adopted, on motion of Mr. Forster, on the 21st December last.
Ordered to be printed.
2. Postponement:—The second reading of the District Courts Act Amendment Bill postponed, on motion of Mr. Cowper, until to-morrow.
3. Supply:—The Order of the Day for the resumption of the Committee of Supply being read,—
And Mr. Forster proceeding to move the motion standing in his name first on the *Contingent Notice Paper* for to-day,—
And notice being taken that there was not a Quorum present,—
The House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at twenty-five minutes before Five o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, FEBRUARY 10.

Contingent Notices of Motion:—

1. MR. FORSTER to move, (*on the Order of the Day being read for the resumption of the Committee of Supply*), That the Order of the Day be postponed until this day month, in order that the Government may account for their share in the various acts of unauthorized appropriation included in the vote of censure passed by this House on February 4.
2. MR. MURRAY to move (*in Committee of Supply*), That on the Estimates for the Surveyor General's Department being taken into consideration, the Surveyor General, and Deputy Surveyor General, be examined at the Bar of this House.
3. MR. COWPER to move (*in Committee of Supply*), That there be appropriated a sum not exceeding £78,000, to defray the expenses of the various Departments and Services of the Colony for the month of February, 1859, at the rates sanctioned for the year 1858; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings, during the same month.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.
2. Supply; resumption of the Committee.
3. Ways and Means; resumption of the Committee.
4. Graduates of British Universities Bill; third reading.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause the following Returns to be laid upon the Table of this House, viz. :—
(1.) All Correspondence between the Government and those gentlemen who have been lately appointed as Judges, Chairmen, Crown Prosecutors, Clerks of the Peace, and Registrars, in the District Courts and Courts of General and Quarter Sessions, respectively.
(2.) Copies of all Commissions or appointments issued to those Officers respectively.
(3.) All Instructions or directions given by the Attorney General to the above-mentioned Officers, or to any of them.

Questions:—

Questions :—

1. MR. BYRNES to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether any valuation has been made of the Lands and Buildings in Parramatta, through which the Western Railway is to pass; and, if so, when it is likely the claims of the proprietors of such lands, &c., are likely to be settled?
2. MR. ROTTON to ask THE SOLICITOR GENERAL,—Have the Crown Law Officers yet given their opinions of the cases relating to Mr. Smith, the Police Magistrate of Carcoar, which the Honorable the Colonial Secretary stated had been submitted to them: If so, what is the opinion, and what course do the Government propose to adopt with reference to that gentleman?
3. MR. FLOOD to ask THE HONORABLE THE COLONIAL TREASURER,—What steps have, or do the Government intend to take in reference to the following paragraph in the Report laid upon the Table of the House on the 8th instant, on the Department of Customs, viz. :—

“In submitting this Report, we desire to state that we have confined our investigations to matters connected with the ‘Louisa,’ and to those irregularities which have been brought to light during our inquiry. We have not considered it within our instructions to inquire into the general arrangements of the Department, which we have strong grounds for believing to be defective.”

FRIDAY, FEBRUARY 11.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FLOOD to move,—
 - (1.) That in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed as far as practicable, by contract.
 - (2.) That all Supplies required for the Public Service should be furnished in a similar manner.
 - (3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.
2. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
3. MR. GEO. MACLEAY to move, That the Report of the Murray River Navigation Committee, laid on the Table of this House on the 19th of October last, be now adopted.
4. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
5. MR. HODGSON to move, That the Debate of his amended motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
6. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
7. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
8. MR. THORNTON to move,—
 - (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
9. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
10. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
11. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.

12. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
13. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
14. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
2. Compulsory Vaccination Bill ; second reading.

TUESDAY, FEBRUARY 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all the Correspondence of the Crown Law Officers, relative to the case of Douglas v. Wisdom.
2. MR. FORSTER to move, That, inasmuch as the Executive Government in this Colony, can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.
3. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move,—
 - (1.) That, with a view to the more effectual administration of Responsible Government, a new arrangement of the Ministerial Departments, as fixed by the Resolution of the Assembly passed on the 8th August, 1856, ought to be made.
 - (2.) That the Department of the Attorney General and Solicitor General be abolished.
 - (3.) That the Department of the Secretary for Lands and Public Works be divided, and that a new Department be created, to be called the Department of Public Works.
 - (4.) That a Department be created, to be called the Department of Trade and Customs.
 - (5.) That the Attorney General and the Solicitor General shall not in future be Responsible Ministers, but shall be Political Officers, retiring from office with the Ministry.

DANIEL COOPER,
Speaker.

No. 31.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 10 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Paper:—Mr. Robertson laid upon the Table the undermentioned Papers:—
(1.) Letter from Sir S. Morton Peto to Captain Martindale, of 12th December, 1858, respecting the construction of Railways in this Colony.
(2.) Letter from A. Gabrielli, Esquire, to the Secretary for Lands and Public Works, on the same subject,—
And the Clerk having read the same at length, by direction of the Speaker,—
Mr. Robertson moved, That these Letters be printed.
Question put and passed.
Ordered to be printed.
2. Supplementary Estimate for 1859:—The following Message from His Excellency the Governor General received and read:—
W. DENISON. *Message No. 2.*
Governor General.
In accordance with the provisions contained in the 54th Clause of the Constitution Act, and in reference to Message No. 1, of the 10th December last, the Governor General herewith submits, for the consideration of the Legislative Assembly, a Supplementary Estimate of Expenditure for the present year.
Government House,
Sydney, 10th February, 1859.
Ordered to be printed, together with the accompanying Estimate, and taken into consideration in Committee of Supply.
3. Postponement:—The second reading of the District Courts Act Amendment Bill postponed, on motion of Mr. Dalley, until Tuesday next.
4. Supply:—The Order of the Day being read for the resumption of the Committee of Supply, Mr. Forster moved, pursuant to *Contingent Notice*, That the Order of the Day be postponed until this day month, in order that the Government may account for their share in the various acts of unauthorized appropriation included in the vote of censure passed by this House on February 4.
Debate ensued.
Question put.
The House divided.

Ayes, 7.
Mr. Plunkett,
Mr. Deniehy,
Mr. Flood,
Mr. W. Macleay,
Mr. Wild,
Mr. Forster, } Tellers.
Mr. Murray, }

Noes, 18.
Mr. Robertson,
Mr. Dickson,
Mr. Hart,
Mr. Rotton,
Mr. Thornton,
Mr. Piddington,
Mr. Weckes,
Mr. Egan,
Mr. Richardson,
Mr. Scott,
Mr. Jones,
Mr. Byrnes,
Mr. J. Campbell,
Mr. Oakes,
Mr. Owen,
Mr. Dalley,
Mr. Gordon, } Tellers.
Mr. Arnold, }

Whereupon, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858–9.
The Chairman having reported, that upon a Division in the Committee, it was discovered that there was not a Quorum present, the House was counted, and there being twenty Members present, exclusive of the Speaker,—
The Committee resumed.

The

The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there being twenty Members present, exclusive of the Speaker,—

The Committee resumed.

The Chairman obtained leave to sit again to-morrow, and reported the following Resolution :—

53. Resolved That there be appropriated a sum not exceeding £78,000, to defray the expenses of the various Departments and Services of the Colony for the month of February, 1859, at the rates sanctioned for the year 1858; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings, during the same month.

Mr. Cowper moved, That this House do now adopt this Resolution.

Question put and passed.

5. Postponements :—

(1.) Orders Nos. 2 and 3 on the Paper of Government Business for to-day, postponed, on motion of Mr. Cowper, until to-morrow.

(2.) Mr. Plunkett postponed the motion standing in his name on the Notice Paper of Other Business for to-day, until Tuesday next.

The House adjourned at five minutes before Nine o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, FEBRUARY 11.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FLOOD to move,—
 - (1.) That in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed as far as practicable, by contract.
 - (2.) That all Supplies required for the Public Service should be furnished in a similar manner.
 - (3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.
2. MR. FORSTER to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
3. MR. GEO. MACLEAY to move, That the Report of the Murray River Navigation Committee, laid on the Table of this House on the 19th of October last, be now adopted.
4. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
5. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
6. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
7. MR. HART to move, That the debate of his motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
8. MR. THORNTON to move,—
 - (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
9. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.

10. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
11. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
12. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
13. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of *Regina v. Lang*, and *Regina v. Fussel*, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
14. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.
15. MR. DENIEHY to move the following resolutions,—
 - (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 - (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 - (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
16. MR. DENIEHY to move the following Resolutions,—
 - (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct department.
 - (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 - (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
2. Compulsory Vaccination Bill; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Supply; resumption of the Committee.
2. Ways and Means; resumption of the Committee.
3. Graduates of British Universities Bill; third reading.

Questions :—

1. MR. PLUNKETT to ask THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Whether the Government have received any certain intelligence of the speedy separation of the District of Moreton Bay from the Colony of New South Wales?
 - (2.) Whether the Ministers have taken into consideration the legal effect such separation will have on the first meeting, and on the powers, of the New House of Assembly, under the Electoral Act of 1858?
 - (3.) Whether they have taken into consideration the necessity of amending the Electoral Act in order to provide against the contingency of such separation, and also to provide for the Return of the entire number of Members specified in the 3rd section of the Electoral Act?
2. MR. PLUNKETT to ask THE SOLICITOR GENERAL,—
 - (1.) At what time the District Courts, or any of them, will be brought actually into operation; and what particular Courts will be first opened?
 - (2.) Is it true that the Judges of those Courts, or any of them, remonstrated against the publication of the first rules, which appeared in the *Government Gazette* of the 6th January; and is it true that those rules are now to be superseded by others, which do not require the approval of the Judges of the Supreme Court?
 - (3.) Have any, and what steps been taken for making out Jury Lists for District Courts in the newly created Districts?
3. MR. WILLIAMSON to ask THE HONORABLE THE MINISTER FOR LANDS AND WORKS,—
 Whether the attention of the Engineer for Harbors and Rivers has been called to the effect the Sydney Sewerage has on the navigable capabilities of Port Jackson?

TUESDAY, FEBRUARY 15.

Contingent Notice of Motion :—

1. MR. PIDDINGTON to move the following additional Resolution, *should the third and fourth Resolutions to be moved to-day by Mr. Cowper creating two new Offices to be held by Members of the Executive Council receive the assent of the Legislative Assembly :—*
(5.) That it is the opinion of this House that neither of the Offices of Secretary for Public Works nor Secretary for Trade and Customs ought to be held by any Member of the Legislative Council.
And, in event of the foregoing Resolution receiving the assent of the House, That the following stand as Resolution (7) :—
(7.) That the foregoing Resolutions be embodied in an Address and presented to His Excellency the Governor General.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all the Correspondence of the Crown Law Officers, relative to the case of *Douglas v. Wisdom*.
2. MR. FORSTER to move, That, inasmuch as the Executive Government in this Colony, can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.
3. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.
4. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,— A copy of the schedule of prices and all other documents alluded to in the P. S. to Captain Martindale's letter to Sir S. M. Peto, and dated 11th August, 1858.
5. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,— Copies of all Correspondence of the Government with the Bench of Magistrates at Wollongong and Robert Owen, Esquire, and also with Mr. W. Meares (if any), connected with the application of the Clerk of Petty Sessions, at Wollongong, to be allowed to practise as a certificated conveyancer.
6. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause the following Returns to be laid upon the Table of this House, viz. :—
(1.) All Correspondence between the Government and those gentlemen who have been lately appointed as Judges, Chairmen, Crown Prosecutors, Clerks of the Peace, and Registrars, in the District Courts and Courts of General and Quarter Sessions, respectively.
(2.) Copies of all Commissions or appointments issued to those Officers respectively.
(3.) All Instructions or directions given by the Attorney General to the above-mentioned Officers, or to any of them.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move,—
(1.) That, with a view to the more effectual administration of Responsible Government, a new arrangement of the Ministerial Departments, as fixed by the Resolution of the Assembly passed on the 8th August, 1856, ought to be made.
(2.) That the Department of the Attorney General and Solicitor General be abolished.
(3.) That the Department of the Secretary for Lands and Public Works be divided, and that a new Department be created, to be called the Department of Public Works.
(4.) That a Department be created, to be called the Department of Trade and Customs.
(5.) That the Attorney General and the Solicitor General shall not in future be Responsible Ministers, but shall be Political Officers, retiring from office with the Ministry.

ORDER OF THE DAY :—

1. District Courts Act Amendment Bill; second reading.

Question :—

1. MR. ROTTON to ask THE SOLICITOR GENERAL,—Have the Crown Law Officers yet given their opinions of the cases relating to Mr. Smith, the Police Magistrate of Carcoar, which the Honorable the Colonial Secretary stated had been submitted to them : If so, what is the opinion, and what course do the Government propose to adopt with reference to that gentleman ?

DANIEL COOPER,
Speaker.

No. 32.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 11 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers:—
(1.) Mr. Robertson laid upon the Table a Copy of the Rules framed by the Local Court at Upper Araluen, and approved by the Governor General and Executive Council.
Ordered to be printed.
(2.) Mr R. Campbell laid upon the Table certain Appendices to the Report of the Board of Inquiry into charges against certain Officers of the Customs Department.
Ordered to be printed.
2. Postponement:—Mr. Flood *amended* and postponed the motion standing in his name first on the Notice Paper of Other Business for to-day, until Tuesday next.
3. Mr. Licensed Surveyor Sanderson:—Mr. Forster moved, pursuant to notice, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Papers and Correspondence between the Government and Mr. Licensed Surveyor Henry Sanderson relative to that Officer's removal from the Public Service, and his recent re-appointment as a Licensed Surveyor, but without employment.
Debate ensued.
Question put and passed.
4. Navigation of the Murray, &c.:—Mr. George Macleay moved, pursuant to notice, That the Report of the Murray River Navigation Committee, laid on the Table of this House on the 19th of October last, be now adopted.
Debate ensued.
Question put and passed.
5. Loans to the Corporation of the City of Sydney:—Mr. Jenkins proceeding to move the motion standing in his name fourth on the Notice Paper for to-day,—
And notice being taken that there was not a Quorum present,—
The House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at ten minutes after Five o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, FEBRUARY 15.

Contingent Notices of Motion:—

1. Mr. PIDDINGTON to move the following additional Resolution, *should the third and fourth Resolutions to be moved to-day by Mr. Cowper creating two new Offices to be held by Members of the Executive Council receive the assent of the Legislative Assembly:—*
(5.) That it is the opinion of this House that neither of the Offices of Secretary for Public Works nor Secretary for Trade and Customs ought to be held by any Member of the Legislative Council.
And, in event of the foregoing Resolution receiving the assent of the House, That the following stand as Resolution (7):—
(7.) That the foregoing Resolutions be embodied in an Address and presented to His Excellency the Governor General.
2. Mr. FORSTER to move, by way of Amendment upon Mr. Cowper's Resolutions, to be moved to-day,—
Resolution (1.) That the words and figures, "As fixed by the Resolution of the Assembly passed on the 8th August, 1856," be omitted.
Resolution (4.) That the words "Trade and Customs" be omitted, with a view to the insertion in their place of the words "Public Order."
Resolution (5.) That all the words following the word "Ministers" be omitted.

3. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, "That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation that it is the opinion of this House, that it would be inexpedient again to resort to " 'Orphan Immigration.' "

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all the Correspondence of the Crown Law Officers, relative to the case of Douglas v. Wisdom.
2. MR. FORSTER to move, That, inasmuch as the Executive Government in this Colony, can take no cognizance of Ecclesiastical ranks or dignities, every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.
3. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.
4. MR. FLOOD to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,— A copy of the schedule of prices and all other documents alluded to in the P. S. to Captain Martindale's letter to Sir S. M. Peto, and dated 11th August, 1858.
5. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,— Copies of all Correspondence of the Government with the Bench of Magistrates at Wollongong and Robert Owen, Esquire, and also with Mr. W. Meares (if any), connected with the application of the Clerk of Petty Sessions, at Wollongong, to be allowed to practise as a certificated conveyancer.
6. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause the following Returns to be laid upon the Table of this House, viz. :—
 (1.) All Correspondence between the Government and those gentlemen who have been lately appointed as Judges, Chairmen, Crown Prosecutors, Clerks of the Peace, and Registrars, in the District Courts and Courts of General and Quarter Sessions, respectively.
 (2.) Copies of all Commissions or appointments issued to those Officers respectively.
 (3.) All Instructions or directions given by the Attorney General to the above-mentioned Officers, or to any of them.
7. MR. SCOTT to move,—
 (1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.
 (2.) That an Address be presented to the Governor General embodying this Resolution.
8. MR. FLOOD to move,—That the Debate of his motion, which lapsed by the House being counted out on the 28th January last,—
 (1.) That in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed as far as practicable, by contract.
 (2.) That all Supplies required for the Public Service should be furnished in a similar manner.
 (3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.
 Upon which Mr. Robertson had moved, by way of Amendment, "That there be added " at the end of section (1) the words, 'except where specially authorized by this " 'House,' " be now resumed.
9. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
10. MR. HODGSON to move, That the Debate of his amended motion,— "That this House " will, on Friday next, resolve itself into a Committee of the whole, to consider of an " Address to the Governor General, praying that His Excellency will cause to be placed " upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the " expense of a Police Magistrate for the District of Darling Downs,"—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
11. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
12. MR. HART to move, That the debate of his motion,— "That this House will, on Friday " next, resolve itself into a Committee of the whole to consider of an Address to the " Governor General, praying that His Excellency will cause to be placed upon the " Supplementary

“ Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.

13. MR. THORNTON to move,—
 (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
14. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
15. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
16. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
17. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
18. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 (2.) Also all Depositions and other Papers connected with these cases, respectively.
19. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.
20. MR. DENIEHY to move the following resolutions,—
 (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 (4.) That the foregoing Resolutions be embodied in an Address; and presented to His Excellency the Governor General.
21. MR. DENIEHY to move the following Resolutions,—
 (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct department.
 (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
2. Compulsory Vaccination Bill; second reading.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move,—
 (1.) That, with a view to the more effectual administration of Responsible Government, a new arrangement of the Ministerial Departments, as fixed by the Resolution of the Assembly passed on the 8th August, 1856, ought to be made.
 (2.) That the Department of the Attorney General and Solicitor General be abolished.
 (3.) That the Department of the Secretary for Lands and Public Works be divided, and that a new Department be created, to be called the Department of Public Works.
 (4.) That a Department be created, to be called the Department of Trade and Customs.
 (5.) That the Attorney General and the Solicitor General shall not in future be Responsible Ministers, but shall be Political Officers, retiring from office with the Ministry.

ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill; second reading.
2. Supply; resumption of the Committee.
3. Ways and Means; resumption of the Committee.
4. Graduates of British Universities Bill; third reading.

Questions :—

Questions:—

1. MR. ROTTON *to ask* THE SOLICITOR GENERAL,—Have the Crown Law Officers yet given their opinions of the cases relating to Mr. Smith, the Police Magistrate of Carcoar, which the Honorable the Colonial Secretary stated had been submitted to them: If so, what is the opinion, and what course do the Government propose to adopt with reference to that gentleman?
2. MR. JENKINS *to ask* THE HONORABLE THE COLONIAL SECRETARY,—If it is intended to hold Quarter Sessions at Tamworth, during the present year—If not, would the Honorable the Colonial Secretary be good enough to state any reasons which may exist why Quarter Sessions should not be held this year at Tamworth as well as at Armidale?
3. MR. PLUNKETT *to ask* THE SOLICITOR GENERAL,—
 - (1.) At what time the District Courts, or any of them, will be brought actually into operation; and what particular Courts will be first opened?
 - (2.) Is it true that the Judges of those Courts, or any of them, remonstrated against the publication of the first rules, which appeared in the *Government Gazette* of the 6th January; and is it true that those rules are now to be superseded by others, which do not require the approval of the Judges of the Supreme Court?
 - (3.) Have any, and what steps been taken for making out Jury Lists for District Courts in the newly created Districts?
4. MR. EGAN *to ask* THE MINISTER FOR FINANCE AND TRADE,—What number of Pilots and men are to be employed, and at what rate each per annum, for the Port of Sydney during the year 1859?

DANIEL COOPER,
Speaker.

No. 33.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 15 FEBRUARY, 1859.

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

Papers:—

1. Mr. Cowper laid upon the Table the undermentioned papers,—
 - (1.) The Third Annual Report from the Postmaster General.
 - (2.) Copy of By-Laws of St. Paul's College within the University of Sydney.
Ordered to be printed.
2. Mr. Robertson laid upon the Table the undermentioned papers,—
 - (3.) Correspondence and Minutes relating to the re-measurement of the earthwork on the Sydney and Parramatta Railway.
 - (4.) Return to the Order, in reference to Expenditure in improving the Navigation of the River Hunter, made by this House, on motion of Mr. Flood, on the 4th instant.
 - (5.) Return to the Order, in reference to the Road from Appin to Wollongong, made by this House, on motion of Mr. Flood, on the 14th December last.
Ordered to be printed.
2. Douglas v. Wisdom:—Mr. Murray moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all the Correspondence of the Crown Law Officers, relative to the case of Douglas v. Wisdom.
Question put and passed.
3. Equal Stipends to all Ministers of Religion:—Mr. Forster moved, pursuant to *amended* notice, That every minister of religion receiving support from Schedule C, is entitled to an equal share thereof, without reference to his rank or dignity in the denomination to which he may belong.
Debate ensued.
Question put.
The House divided.

Ayes, 6.

Mr. Richardson,
Mr. Piddington,
Mr. Flood,
Mr. Gordon,
Mr. Denichy, } Tellers.
Mr. Forster, }

Noes, 15.

Mr. Cowper,
Mr. R. Campbell,
Mr. Scott,
Mr. Jenkins,
Mr. Thornton,
Mr. Weekes,
Mr. Oakes,
Mr. Taylor,
Mr. Wild,
Mr. Faucett,
Mr. Hay,
Mr. Hodgson,
Mr. Plunkett,
Mr. Jones, } Tellers.
Mr. Arnold, }

4. Postponement:—Mr. Forster postponed the motion standing in his name third on the Notice Paper of Other Business for to-day, until this day week.
5. Schedule of Prices in proposed Contract for Construction of Railways:—Mr. Flood moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—A copy of the schedule of prices and all other documents alluded to in the P. S. to Captain Martindale's letter to Sir S. M. Peto, and dated 11th August, 1858.
Question put and passed.
6. Clerk of Petty Sessions at Kiama practising professionally:—Mr. Denichy moved, pursuant to *amended* notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence of the Government with the Bench of Magistrates at Kiama and Robert Owen, Esquire, and also with Mr. W. Mearns (if any), connected with the application of the Clerk of Petty Sessions at Kiama to be allowed to practice as a certificated conveyancer.
Debate ensued.
Question put and passed.

7.

7. Appointments under the District Courts Act:—Mr. Plunkett moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause the following Returns to be laid upon the Table of this House, viz. :—

(1) All Correspondence between the Government and those gentlemen who have been lately appointed as Judges, Chairmen, Crown Prosecutors, Clerks of the Peace, and Registrars, in the District Courts and Courts of General and Quarter Sessions, respectively.

(2) Copies of all Commissions or appointments issued to those Officers respectively.

(3) All Instructions or directions given by the Attorney General to the above-mentioned Officers, or to any of them.

Debate ensued.

Question put and passed.

8. Proposed Inquiry into the relative value of Australian Coal:—Mr. Scott moved, pursuant to notice, That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.

(2). That an Address be presented to the Governor General embodying this Resolution.

Debate ensued.

Mr. Forster moved the Previous Question.

Previous Question put—That this Question be now put.

The House divided.

Ayes, 10.

Mr. Cowper,
Mr. Robertson,
Mr. R. Campbell,
Mr. Taylor,
Mr. Weekes,
Mr. Jamison,
Mr. Thornton,
Dr. Bowker,
Mr. Gordon, } Tellers.
Mr. Scott,

Noes, 12.

Mr. Plunkett,
Mr. Murray,
Mr. Hay,
Mr. Flood,
Mr. Forster,
Mr. Jenkins,
Mr. Piddington,
Mr. Denichy,
Mr. Rotton,
Mr. Dickson,
Mr. Egan, } Tellers.
Mr. Williamson,

9. Public Works and Supplies by Public Competition and Contract:—The Debate on the motion which lapsed by the House being counted out on the 28th January last,—

(1) That in the opinion of this House, it is expedient and necessary that all Public Works should be submitted to public competition, and performed as far as practicable, by contract.

(2.) That all Supplies required for the Public Service should be furnished in a similar manner.

(3.) That these Resolutions be communicated, by Address, to His Excellency the Governor General.

Upon which Mr. Robertson had moved, by way of Amendment, "That there be added "at the end of section (1) the words, 'except where specially authorized by this "House,' " having been resumed, on motion of Mr. Flood,—

Question put,—That the words proposed to be added at the end of Section (1), be there added.

The House divided.

And the Tellers reporting the numbers as follows;—

Ayes, 14.

Mr. Cowper,
Mr. Robertson,
Mr. R. Campbell,
Mr. Taylor,
Mr. Williamson,
Mr. Flood,
Mr. Egan,
Mr. Denichy,
Mr. Murray,
Mr. Thornton,
Dr. Bowker,
Mr. Plunkett,
Mr. Jenkins, } Tellers.
Mr. Scott,

Noes, 2.

Mr. Piddington, } Tellers.
Mr. Forster,

And it appearing by the said report that there was not a Quorum present, the Speaker adjourned the House at half-past Nine o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, FEBRUARY 16.

Contingent Notices of Motion:—

1. MR. PIDDINGTON to move the following additional Resolution, *should the third and fourth Resolutions to be moved to-day by Mr. Cowper creating two new Offices to be held by Members of the Executive Council receive the assent of the Legislative Assembly:—*
 (5.) That it is the opinion of this House that neither of the Offices of Secretary for Public Works nor Secretary for Trade and Customs ought to be held by any Member of the Legislative Council.
And, in event of the foregoing Resolution receiving the assent of the House, That the following stand as Resolution (7):—
 (7.) That the foregoing Resolutions be embodied in an Address and presented to His Excellency the Governor General.
2. MR. FORSTER to move, by way of Amendment upon Mr. Cowper's Resolutions, to be moved to-day,—
 Resolution (1.) That the words and figures, "*As fixed by the Resolution of the Assembly passed on the 8th August, 1856,*" be omitted.
 Resolution (4.) That the words "*Trade and Customs*" be omitted, with a view to the insertion in their place of the words "Public Order, comprehending the subordinate or kindred branches of law, justice, police, and public instruction."
 Resolution (5) That all the words following the word "*Ministers*" be omitted.
3. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, "That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation that it is the opinion of this House, that it would be inexpedient again to resort to "*Orphan Immigration.*"
4. MR. MURRAY to move (*in Committee of Supply*), That on the Estimates for the Surveyor General's Department being taken into consideration, the Surveyor General, and Deputy Surveyor General, be examined at the Bar of this House.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. COWPER to move,—
 (1.) That, with a view to the more effectual administration of Responsible Government, a new arrangement of the Ministerial Departments, *as fixed by the Resolution of the Assembly passed on the 8th August, 1856,* ought to be made.
 (2.) That the Department of the Attorney General and Solicitor General be abolished.
 (3.) That the Department of the Secretary for Lands and Public Works be divided, and that a new Department be created, to be called the Department of Public Works.
 (4.) That a Department be created, to be called the Department of *Trade and Customs*.
 (5.) That the Attorney General and the Solicitor General shall not in future be Responsible *Ministers*, but shall be Political Officers, retiring from office with the Ministry.

ORDERS OF THE DAY:—

1. District Courts Act Amendment Bill; second reading.
2. Supply; resumption of the Committee.
3. Ways and Means; resumption of the Committee.
4. Graduates of British Universities Bill; third reading.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr. Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.
2. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
3. MR. HODGSON to move, That the Debate of his amended motion,—"*That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,*"—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
4. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
5. MR. HART to move, That the debate of his motion,—"*That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the*"
 "Supplementary

"Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,"—which lapsed by the House being counted out on the 14th ultimo, be now resumed.

6. MR. THORNTON to move,—
- (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
7. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
8. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
9. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
10. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
11. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
- (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
12. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.
13. MR. DENIEHY to move the following resolutions,—
- (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 - (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 - (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
14. MR. DENIEHY to move the following Resolutions,—
- (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct department.
 - (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 - (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
2. Compulsory Vaccination Bill; second reading.

Questions :—

1. MR. FORSTER to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) Is the Colonial Architect, or any of his Officers, allowed to practice his profession privately?
 - (2.) Is it true, or is the Government aware, that the Clerk of Works in the Colonial Architect's Department, resident at Newcastle, has a considerable private practice to which the greater part of his time is devoted?
 - (3.) What are the duties of the above-mentioned Clerk of Works, and on what public works has he been engaged during the past year?
2. MR. ROTTON to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether the present Attorney General concurred in the opinion held by the late Attorney General, Mr. Martin, of the illegality and impropriety of the conduct of Mr. E. C. North, of Carcoar, in the noted "turkey case," which led to that gentleman being dismissed from the Magistracy?

FRIDAY, FEBRUARY 18.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 - (1.) A Return of all Ministers of Religion for whom the Government intend providing compensation, in terms of the item in page 3 of the Supplementary Estimate for 1859, under the heading "No. 1 Public Worship," entitled, "Compensation for the loss of "the addition to the Stipends of the Ministers of Religion provided for under Schedule C," distinguishing the several denominations under separate heads, and specifying in each case the Minister's name and place of residence; the locality or localities where he usually officiates; the number of years he has been employed as a Minister of Religion in this Colony; the total amount of income he has received in each year from the Public Funds in any shape whatsoever, whether as Stipend, Temporary Increase, Travelling Allowance, Allowance in lieu of Forage or Rent, or as Chaplain for any special place or purpose; the fund or funds out of which the same has been paid; the total amount of which he has been deprived by the recent refusal of this House to vote any addition to the sum reserved by Schedule C of the Constitution Act; and the total amount claimed, or which it is intended to bestow upon such Minister by way of compensation for his alleged individual loss or deprivation.
 - (2.) A Return of all Ministers of Religion for whom the Government intend providing compensation, in terms of the next item to that above specified in the same page of the aforesaid Estimate, under the same heading, entitled "Compensation for the loss of stipends to the Ministers of Religion not provided for under Schedule C," distinguishing the several denominations, and specifying in each case the same particulars as above.
 - (3.) Copies of all Correspondence between the Executive Government and any person or persons on the subject of the proposed compensation under either of the above categories.
2. MR. FORSTER to move, That there be laid upon the Table of this House,—
 - (1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
 - (2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
3. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.

Question :—

1. MR. JENKINS to ask THE HONORABLE THE COLONIAL SECRETARY,—If it is intended to hold Quarter Sessions at Tamworth, during the present year—If not, would the Honorable the Colonial Secretary be good enough to state any reasons which may exist why Quarter Sessions should not be held this year at Tamworth as well as at Armidale?

TUESDAY, FEBRUARY 22.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HART to move,—
 - (1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.
 - (2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.
2. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.
3. MR. MURRAY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 - (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Deniehy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.

DANIEL COOPER,
Speaker.

No. 34.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 16 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers:—Mr. Robertson laid upon the Table the undermentioned Papers:—
(1.) Return to the Address, in reference to Mr. William Weaver, adopted, on motion of Mr. Flood, on the 17th December last.
(2.) A Report and Estimate from the Engineer-in-Chief for Harbours, in reference to the improvements necessary to the Harbour of Wollongong.
Ordered to be printed.
2. Postponement:—Mr. Cowper postponed the motion standing in his name on the Notice Paper of Government Business for to-day, until to-morrow.
3. District Courts Act Amendment Bill, having been read a second time, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for consideration thereof.
The Chairman reported that Mr. Faucett had said, with reference to a statement made by Mr. Weekes,—“I tell the Honorable Gentleman that what he is stating is “untrue,”—
Whereupon Mr. Weekes moved, “That” the words used by the Honorable Member for King and Georgiana, Mr. Faucett, are highly disorderly and unparliamentary, and ought to be retracted,—
And Mr. Faucett having been heard in his place and withdrawn,—
Mr. Plunkett moved, That the Question be amended by the omission of all the words following the word “That,” with a view to the insertion in their place of the words “the Committee do now resume.”
Debate ensued.
Question put—That the words proposed to be omitted stand part of the Question.
The House divided.

Ayes, 18.

Mr. Cowper,
Mr. Robertson,
Mr. Arnold,
Mr. R. Campbell,
Mr. Richardson,
Mr. Rotton,
Mr. Dickson,
Mr. Weekes,
Mr. Taylor,
Mr. Williamson,
Mr. Scott,
Dr. Bowker,
Mr. Oakes,
Mr. Jones,
Mr. Dalley,
Mr. J. Campbell,
Mr. Gordon, } Tellers.
Mr. Byrnes, }

Noes, 8.

Mr. Plunkett,
Mr. Wild,
Mr. Forster,
Mr. W. Macleay,
Mr. Murray,
Mr. Piddington,
Mr. Hay, } Tellers.
Mr. Denichy, }

Whereupon, Original Question put.
The House divided.

Ayes, 17.

Mr. Cowper,
Mr. Robertson,
Mr. R. Campbell,
Mr. Gordon,
Mr. Dickson,
Mr. Weekes,
Mr. Taylor,
Mr. Williamson,
Mr. Scott,
Mr. Richardson,
Dr. Bowker,
Mr. Oakes,
Mr. Jones,
Mr. Dalley,
Mr. J. Campbell,
Mr. Rotton, } Tellers.
Mr. Byrnes, }

Noes, 8.

Mr. Plunkett,
Mr. Wild,
Mr. Forster,
Mr. W. Macleay,
Mr. Murray,
Mr. Egan,
Mr. Hay, } Tellers.
Mr. Denichy, }

The Speaker then directed the Sergeant-at-Arms to request the attendance, in his place, of the Honorable Member for King and Georgiana.

And the Honorable Member for King and Georgiana not attending,—

The Speaker again directed the Sergeant-at-Arms to request the attendance, in his place, of the Honorable Member for King and Georgiana,—

And the Honorable Member for King and Georgiana not attending,—

Mr. Arnold moved, That the conduct of the Honorable Member for King and Georgiana, Mr. Faucett, in refusing to comply with the summons of the Speaker, is in contempt of the privileges of this House.

Debate ensued.

Dr. Bowker moved, That the Debate be adjourned until to-morrow.

Debate continued.

And notice being taken that there was not a Quorum present, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at twenty-five minutes before Twelve o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, FEBRUARY 17.

Contingent Notices of Motion :—

1. MR. PIDDINGTON to move the following additional Resolution, *should the third and fourth Resolutions to be moved to-day by Mr. Cowper creating two new Offices to be held by Members of the Executive Council receive the assent of the Legislative Assembly* :—
 (5.) That it is the opinion of this House that neither of the Offices of Secretary for Public Works nor Secretary for Trade and Customs ought to be held by any Member of the Legislative Council.
And, in event of the foregoing Resolution receiving the assent of the House, That the following stand as Resolution (7) :—
 (7.) That the foregoing Resolutions be embodied in an Address and presented to His Excellency the Governor General.
2. MR. FORSTER to move, by way of Amendment upon Mr. Cowper's Resolutions, to be moved to-day,—
 Resolution (1.) That the words and figures, "*As fixed by the Resolution of the Assembly passed on the 8th August, 1856,*" be omitted.
 Resolution (4.) That the words "*Trade and Customs*" be omitted, with a view to the insertion in their place of the words "*Public Order, comprehending the subordinate or kindred branches of law, justice, police, and public instruction.*"
 Resolution (5.) That all the words following the word "*Ministers*" be omitted.
3. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, "That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation that it is the opinion of this House, that it would be inexpedient again to resort to "*Orphan Immigration.*"
4. MR. MURRAY to move (*in Committee of Supply*), That on the Estimates for the Surveyor General's Department being taken into consideration, the Surveyor General, and Deputy Surveyor General, be examined at the Bar of this House.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move,—
 (1.) That, with a view to the more effectual administration of Responsible Government, a new arrangement of the Ministerial Departments, *as fixed by the Resolution of the Assembly passed on the 8th August, 1856,* ought to be made.
 (2.) That the Department of the Attorney General and Solicitor General be abolished.
 (3.) That the Department of the Secretary for Lands and Public Works be divided, and that a new Department be created, to be called the Department of Public Works.
 (4.) That a Department be created, to be called the Department of *Trade and Customs.*
 (5.) That the Attorney General and the Solicitor General shall not in future be Responsible *Ministers*, but shall be Political Officers, retiring from office with the Ministry.

ORDERS OF THE DAY :—

1. Supply; resumption of the Committee.
2. Ways and Means; resumption of the Committee.
3. Graduates of British Universities Bill; third reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule I of the Act of the Imperial Parliament, 18 and 19 Victoria, cap. 54.

2. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.
3. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
4. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
5. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
6. MR. HART to move, That the debate of his motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
7. MR. THORNTON to move,—
 - (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
8. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
9. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
10. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
11. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
12. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
13. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.
14. MR. DENIBHY to move the following resolutions,—
 - (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 - (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 - (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
15. MR. DENIBHY to move the following Resolutions,—
 - (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct department.
 - (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 - (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
2. Compulsory Vaccination Bill ; second reading.

Questions :—

1. MR. FLOOD to ask THE COLONIAL SECRETARY,—Whether it is the opinion of the Crown Law Officers that the Aboriginal Natives of this Colony, who are not qualified to give evidence in a Court of Justice, are entitled to have their names inserted in any Electoral List, and to vote for "Members of Parliament?"
2. MR. ROTTON to ask THE HONORABLE THE COLONIAL SECRETARY—
 - (1.) Whether any investigation or inquiry was made, in compliance with the prayer of the petition of certain inhabitants of Carcoar, into the conduct of C. E. Smith, Esq., Police Magistrate of Carcoar, and E. C. North, Esq., late a Magistrate of the Carcoar Bench, with reference to a case of larceny against Henry Snowden (other than the perusal of the papers relating thereto), previous to the dismissal of Mr. North from the Magistracy?
 - (2.) Whether any such investigation or inquiry has since been made concerning the conduct of C. E. Smith, Esq., with reference to the same case and the cases of Myers v. O'Brien for assault (other than a perusal of the papers relating thereto), previous to the opinion arrived at by the Honorable the Attorney General, as stated to the House by the Honorable the Colonial Secretary, on Tuesday last?
 - (3.) If not, do the Government intend to cause any such investigation or inquiry to be made, before finally deciding what course they will adopt with reference to Mr. Smith?
 - (4.) If the Government are of opinion that a sufficient inquiry has been made by the mere perusal of the papers, and decline to make any further investigation, as the opinion of the Honorable the Attorney General is favorable to the retention of Mr. Smith in office, will they give Mr. North the benefit of the same opinion, and re-instate that gentleman in the Commission of the Peace?

FRIDAY, FEBRUARY 18.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 - (1.) A Return of all Ministers of Religion for whom the Government intend providing compensation, in terms of the item in page 3 of the Supplementary Estimate for 1859, under the heading "No. 1 Public Worship," entitled, "Compensation for the loss of "the addition to the Stipends of the Ministers of Religion provided for under Schedule C," distinguishing the several denominations under separate heads, and specifying in each case the Minister's name and place of residence; the locality or localities where he usually officiates; the number of years he has been employed as a Minister of Religion in this Colony; the total amount of income he has received in each year from the Public Funds in any shape whatsoever, whether as Stipend, Temporary Increase, Travelling Allowance, Allowance in lieu of Forage or Rent, or as Chaplain for any special place or purpose; the fund or funds out of which the same has been paid; the total amount of which he has been deprived by the recent refusal of this House to vote any addition to the sum reserved by Schedule C of the Constitution Act; and the total amount claimed, or which it is intended to bestow upon such Minister by way of compensation for his alleged individual loss or deprivation.
 - (2.) A Return of all Ministers of Religion for whom the Government intend providing compensation, in terms of the next item to that above specified in the same page of the aforesaid Estimate, under the same heading, entitled "Compensation for the loss of stipends to the Ministers of Religion not provided for under Schedule C," distinguishing the several denominations, and specifying in each case the same particulars as above.
 - (3.) Copies of all Correspondence between the Executive Government and any person or persons on the subject of the proposed compensation under either of the above categories.
2. MR. FORSTER to move, That there be laid upon the Table of this House,—
 - (1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
 - (2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
3. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.

Question :—

Question:—

1. MR. JENKINS to ask THE HONORABLE THE COLONIAL SECRETARY,—If it is intended to hold Quarter Sessions at Tamworth, during the present year—If not, would the Honorable the Colonial Secretary be good enough to state any reasons which may exist why Quarter Sessions should not be held this year at Tamworth as well as at Armidale?

TUESDAY, FEBRUARY 22.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HART to move,—
 - (1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.
 - (2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.
2. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.
3. MR. MURRAY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 - (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Deniehy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.
4. MR. SCOTT to move,—
 - (1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.
 - (2.) That an Address be presented to the Governor General embodying this Resolution.

DANIEL COOPER,
Speaker.

No. 35.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 17 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
 Question of Order:—Mr. Faucett having assured the Speaker that by leaving the precincts of the House when summoned to attend in his place last night, he did not intend the least disrespect to him, either personally, or as Speaker,—
 The Speaker acquainted Mr. Faucett with the Resolution come to by the House, in reference to the words used by him yesterday whilst the House was in Committee on the District Courts Act Amendment Bill, and expressed a hope that the Honorable Member would see how desirable it was that he should now take the course indicated to him by that Resolution,—
 And Mr. Faucett inquiring whether there had been any retraction of the contradictions which he said had provoked the use of the words excepted to,—
 Mr. Weekes, by leave of the House, and adverting to a statement he had made yesterday, repeated that on reflection he felt he was not warranted in the interruption he had given to the Honorable Gentleman, and admitted that it was calculated to irritate.
2. Retiring Debentures due in 1860:—The following Message from His Excellency the Governor General received and read:—

W. DENISON, Message No. 3.
Governor General.

The Governor General recommends to the Legislative Assembly, the appropriation of a sum of £418,600, to pay off certain Debentures which will fall due in the year 1860.

*Government House,
 Sydney, 17th February, 1859.*

 Ordered to be printed and taken into consideration in Committee of Supply.
3. Question of Order:—The proceedings on the Question of Order, interrupted by the foregoing Message, resumed,—
 And Mr. Faucett having gone into a statement of all the surrounding circumstances, and concluded by stating that he could not consent to withdraw the words unless some statement were put on the records of the House of the withdrawal of the contradictions which had led to the use of them,—
 And several Members addressing the House thereupon,—
 The Speaker ruled that the Debate which had arisen was altogether irregular, and again recommended the Honorable Member for King and Georgiana to comply unconditionally with the requirement of the Resolution come to by the House,—
 Whereupon Mr. Faucett read to the House, and then handed to the Speaker, the following retraction of the words excepted to,—“The Honorable Member for the Northumberland Boroughs having stated that he had given provocation to me, and having withdrawn his contradiction of my statement, I beg to withdraw the words used by me, and pronounced by the House to be unparliamentary,”—upon which the matter dropped.
4. Postponement:—Mr. Cowper postponed the motion standing in his name on the Notice Paper of Government Business for to-day, until to-morrow.
5. Supply:—On motion of Mr. R. Campbell, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the supply to be granted to Her Majesty, for the service of the year 1858-9.
 The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there being twenty Members present, exclusive of the Speaker, the Committee resumed.
 The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at ten minutes after Eleven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, FEBRUARY 18.

Contingent Notices of Motion :—

1. MR. PIDDINGTON to move the following additional Resolution, *should the third and fourth Resolutions to be moved to-day by Mr. Cowper creating two new Offices to be held by Members of the Executive Council receive the assent of the Legislative Assembly :—*
 (5.) That it is the opinion of this House that neither of the Offices of Secretary for Public Works nor Secretary for Trade and Customs ought to be held by any Member of the Legislative Council.
And, in event of the foregoing Resolution receiving the assent of the House, That the following stand as Resolution (7) :—
 (7.) That the foregoing Resolutions be embodied in an Address and presented to His Excellency the Governor General.
2. MR. FORSTER to move, by way of Amendment upon Mr. Cowper's Resolutions, to be moved to-day,—
 Resolution (1.) That the words and figures, "*As fixed by the Resolution of the Assembly passed on the 8th August, 1856,*" be omitted.
 Resolution (4.) That the words "*Trade and Customs*" be omitted, with a view to the insertion in their place of the words "*Public Order, comprehending the subordinate or kindred branches of law, justice, police, and public instruction.*"
 Resolution (5.) That all the words following the word "*Ministers*" be omitted.
3. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, "That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation that it is the opinion of this House, that it would be inexpedient again to resort to '*Orphan Immigration.*'"

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 (1.) A Return of all Ministers of Religion for whom the Government intend providing compensation, in terms of the item in page 3 of the Supplementary Estimate for 1859, under the heading "No. 1 Public Worship," entitled, "Compensation for the loss of "the addition to the Stipends of the Ministers of Religion provided for under Schedule C," distinguishing the several denominations under separate heads, and specifying in each case the Minister's name and place of residence; the locality or localities where he usually officiates; the number of years he has been employed as a Minister of Religion in this Colony; the total amount of income he has received in each year from the Public Funds in any shape whatsoever, whether as Stipend, Temporary Increase, Travelling Allowance, Allowance in lieu of Forage or Rent, or as Chaplain for any special place or purpose; the fund or funds out of which the same has been paid; the total amount of which he has been deprived by the recent refusal of this House to vote any addition to the sum reserved by Schedule C of the Constitution Act; and the total amount claimed, or which it is intended to bestow upon such Minister by way of compensation for his alleged individual loss or deprivation.
 (2.) A Return of all Ministers of Religion for whom the Government intend providing compensation, in terms of the next item to that above specified in the same page of the aforesaid Estimate, under the same heading, entitled "Compensation for the loss of stipends to the Ministers of Religion not provided for under Schedule C," distinguishing the several denominations, and specifying in each case the same particulars as above.
 (3.) Copies of all Correspondence between the Executive Government and any person or persons on the subject of the proposed compensation under either of the above categories.
2. MR. FORSTER to move, That there be laid upon the Table of this House,—
 (1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
 (2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
3. MR. HART to move, That the debate of his motion,—"*That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,*"—which lapsed by the House being counted out on the 14th ultimo, be now resumed.

4. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule I of the Act of the Imperial Parliament, 18 and 19 Victoria, cap. 54.
5. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr. Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.
6. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
7. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
8. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
9. MR. HART to move, That the debate of his motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
10. MR. THORNTON to move,—
 - (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
11. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
12. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
13. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
14. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
15. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
16. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.
17. MR. DENIEHY to move the following resolutions,—
 - (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 - (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 - (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
18. MR. DENIEHY to move the following Resolutions,—
 - (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct department.

(2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.

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

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
2. Compulsory Vaccination Bill ; second reading.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move, That the consideration in Committee of the District Courts Act Amendment Bill, which lapsed by the House being counted out on the 16th instant, be restored to the Paper, and stand an Order of the Day for Tuesday next.

2. MR. COWPER to move,—

(1.) That, with a view to the more effectual administration of Responsible Government, a new arrangement of the Ministerial Departments, as fixed by the Resolution of the Assembly passed on the 8th August, 1856, ought to be made.

(2.) That the Department of the Attorney General and Solicitor General be abolished.

(3.) That the Department of the Secretary for Lands and Public Works be divided, and that a new Department be created, to be called the Department of Public Works.

(4.) That a Department be created, to be called the Department of Trade and Customs.

(5.) That the Attorney General and the Solicitor General shall not in future be Responsible Ministers, but shall be Political Officers, retiring from office with the Ministry.

ORDERS OF THE DAY :—

1. Ways and Means ; resumption of the Committee.
2. Graduates of British Universities Bill ; third reading.

Questions :—

1. MR. JENKINS to ask THE HONORABLE THE COLONIAL SECRETARY,—If it is intended to hold Quarter Sessions at Tamworth, during the present year—If not, would the Honorable the Colonial Secretary be good enough to state any reasons which may exist why Quarter Sessions should not be held this year at Tamworth as well as at Armidale ?

2. MR. WEEKES to ask THE HONORABLE THE COLONIAL SECRETARY,—

(1.) Whether the Government have been enabled to have any correct estimate made of the time which the necessary alterations to this Chamber will occupy, to fit it for the reception of the new Assembly ?

(2.) At what period it is contemplated that the new Assembly will be called together ?

TUESDAY, FEBRUARY 22.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HART to move,—

(1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.

(2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.

2. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.

3. MR. MURRAY to move,—

(1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.

(2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Deniehy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.

4. MR. SCOTT to move,—

(1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.

(2.) That an Address be presented to the Governor General embodying this Resolution.

WEDNESDAY, FEBRUARY 23.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. R. CAMPBELL to move for leave to introduce a Bill to repeal the Treasury Bills Act of 1857.

ORDER OF THE DAY :—

1. Supply ; resumption of the Committee.

DANIEL COOPER,
Speaker.

No. 36.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 18 FEBRUARY, 1859.

There being only Fourteen Members present, exclusive of the Speaker, namely:—Mr. Cowper, Mr. Forster, Mr. Gordon, Mr. Hart, Mr. Hay, Mr. Jenkins, Mr. Murray, Mr. Piddington, Mr. Plunkett, Mr. Robertson, Mr. Scott, Mr. Taylor, Mr. Thornton, and Mr. Weekes, the Speaker took the Chair, and adjourned the House, at half-past Three o'clock, until Tuesday next at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, FEBRUARY 22.

Contingent Notices of Motion:—

1. MR. PIDDINGTON to move the following additional Resolution, *should the third and fourth Resolutions to be moved to-day by Mr. Cowper creating two new Offices to be held by Members of the Executive Council receive the assent of the Legislative Assembly:—*
 (5.) That it is the opinion of this House that neither of the Offices of Secretary for Public Works nor Secretary for Trade and Customs ought to be held by any Member of the Legislative Council.
And, in event of the foregoing Resolution receiving the assent of the House, That the following stand as Resolution (7):—
 (7.) That the foregoing Resolutions be embodied in an Address and presented to His Excellency the Governor General.
2. MR. FORSTER to move, by way of Amendment upon Mr. Cowper's Resolutions, to be moved to-day,—
 Resolution (1.) That the words and figures, "*As fixed by the Resolution of the Assembly passed on the 8th August, 1856,*" be omitted.
 Resolution (4.) That the words "*Trade and Customs*" be omitted, with a view to the insertion in their place of the words "*Public Order, comprehending the subordinate or kindred branches of law, justice, police, and public instruction.*"
 Resolution (5.) That all the words following the word "*Ministers*" be omitted.
3. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, "That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation that it is the opinion of this House, that it would be inexpedient again to resort to "*'Orphan Immigration.'*"

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HART to move,—
 (1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.
 (2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.
2. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.

3. MR. MURRAY to move,—
 (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Deniehy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.
4. MR. SCOTT to move,—
 (1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.
 (2.) That an Address be presented to the Governor General embodying this Resolution.
5. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 (1.) A Return of all Ministers of Religion for whom the Government intend providing compensation, in terms of the item in page 3 of the Supplementary Estimate for 1859, under the heading "No. 1 Public Worship," entitled, "Compensation for the loss of the addition to the Stipends of the Ministers of Religion provided for under Schedule C," distinguishing the several denominations under separate heads, and specifying in each case the Minister's name and place of residence; the locality or localities where he usually officiates; the number of years he has been employed as a Minister of Religion in this Colony; the total amount of income he has received in each year from the Public Funds in any shape whatsoever, whether as Stipend, Temporary Increase, Travelling Allowance, Allowance in lieu of Forage or Rent, or as Chaplain for any special place or purpose; the fund or funds out of which the same has been paid; the total amount of which he has been deprived by the recent refusal of this House to vote any addition to the sum reserved by Schedule C of the Constitution Act; and the total amount claimed, or which it is intended to bestow upon such Minister by way of compensation for his alleged individual loss or deprivation.
 (2.) A Return of all Ministers of Religion for whom the Government intend providing compensation, in terms of the next item to that above specified in the same page of the aforesaid Estimate, under the same heading, entitled "Compensation for the loss of stipends to the Ministers of Religion not provided for under Schedule C," distinguishing the several denominations, and specifying in each case the same particulars as above.
 (3.) Copies of all Correspondence between the Executive Government and any person or persons on the subject of the proposed compensation under either of the above categories.
6. MR. FORSTER to move, That there be laid upon the Table of this House,—
 (1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
 (2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
7. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
8. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule I of the Act of the Imperial Parliament, 18 and 19 Victoria, cap. 54.
9. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr. Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.
10. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
11. MR. HODGSON to move, That the Debate of his amended motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
12. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.

13. MR. THORNTON to move,—
 (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
14. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
15. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
16. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
17. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
18. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of *Regina v. Lang*, and *Regina v. Fussel*, respectively.
 (2.) Also all Depositions and other Papers connected with these cases, respectively.
19. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.
20. MR. DENIEHY to move the following resolutions,—
 (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
21. MR. DENIEHY to move the following Resolutions,—
 (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct department.
 (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

ORDERS OF THE DAY:—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
2. Compulsory Vaccination Bill; second reading.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. COWPER to move, That the consideration in Committee of the District Courts Act Amendment Bill, which lapsed by the House being counted out on the 16th instant, be restored to the Paper, and stand an Order of the Day for to-morrow.
2. MR. COWPER to move,—
 (1.) That, with a view to the more effectual administration of Responsible Government, a new arrangement of the Ministerial Departments, as fixed by the Resolution of the Assembly passed on the 8th August, 1856, ought to be made.
 (2.) That the Department of the Attorney General and Solicitor General be abolished.
 (3.) That the Department of the Secretary for Lands and Public Works be divided, and that a new Department be created, to be called the Department of Public Works.
 (4.) That a Department be created, to be called the Department of *Trade and Customs*.
 (5.) That the Attorney General and the Solicitor General shall not in future be Responsible Ministers, but shall be Political Officers, retiring from office with the Ministry.

ORDERS OF THE DAY:—

1. Ways and Means; resumption of the Committee.
2. Graduates of British Universities Bill; third reading.

Questions:—

Questions :—

1. MR. JENKINS *to ask* THE HONORABLE THE COLONIAL SECRETARY,—If it is intended to hold Quarter Sessions at Tamworth, during the present year—If not, would the Honorable the Colonial Secretary be good enough to state any reasons which may exist why Quarter Sessions should not be held this year at Tamworth as well as at Armidale?
2. MR. WEEKES *to ask* THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Whether the Government have been enabled to have any correct estimate made of the time which the necessary alterations to this Chamber will occupy, to fit it for the reception of the new Assembly?
 - (2.) At what period it is contemplated that the new Assembly will be called together?

WEDNESDAY, FEBRUARY 23.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. R. CAMPBELL to move for leave to introduce a Bill to repeal the Treasury Bills Act of 1857.

ORDER OF THE DAY :—

1. Supply; resumption of the Committee.

DANIEL COOPER,
Speaker.

No. 37.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 22 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
T. G. Rusden, Esquire:—Mr. Piddington presented a Petition from Thomas George Rusden, Esquire, representing that Petitioner paid two separate sums as deposits upon two Petitions in relation to the return of a Member for New England at the late General Election;—alleging that the House did receive, and now has power over, those deposits; and praying that the House will cause his own money to be returned to him unconditionally,—
And the Speaker having acquainted the House that the deposits referred to were made in two several Banks to the Credit of the Speaker, and had never come into the possession, nor under the control of the House; and that he had informed Mr. Rusden personally, and otherwise, that he might have this money at any time he thought proper to call for it personally; and that if Mr. Rusden had not yet received it, it was only because he had not yet called for it,—
Petition received.
2. Postponements:—
 - (1.) Mr. Denichy postponed the motion standing in the name of Mr. Hart first on the Notice Paper of Other Business for to-day, until Friday next.
 - (2.) Mr. Forster postponed the motion standing in his name second on the Notice Paper of Other Business for to-day, until Friday next.
 - (3.) Mr. Murray postponed the motion standing in his name third on the Notice Paper of Other Business for to-day, until Friday next.
 - (4.) Mr. Weekes postponed the motion standing in the name of Mr. Scott fourth on the Notice Paper of Other Business for to-day, until Tuesday next.
3. Intended Compensation to Ministers of Religion:—Mr. Forster moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,—
 - (1.) A Return of all Ministers of Religion for whom the Government intend providing compensation, in terms of the item in page 3 of the Supplementary Estimate for 1859, under the heading "No. 1 Public Worship," entitled, "Compensation for the loss of the addition to the Stipends of the Ministers of Religion provided for under Schedule C," distinguishing the several denominations under separate heads, and specifying in each case the Minister's name and place of residence; the locality or localities where he usually officiates; the number of years he has been employed as a Minister of Religion in this Colony; the total amount of income he has received in each year from the Public Funds in any shape whatsoever, whether as Stipend, Temporary Increase, Travelling Allowance, Allowance in lieu of Forage or Rent, or as Chaplain for any special place or purpose; the fund or funds out of which the same has been paid; the total amount of which he has been deprived by the recent refusal of this House to vote any addition to the sum reserved by Schedule C of the Constitution Act; and the total amount claimed, or which it is intended to bestow upon such Minister by way of compensation for his alleged individual loss or deprivation.
 - (2.) A Return of all Ministers of Religion for whom the Government intend providing compensation, in terms of the next item to that above specified in the same page of the aforesaid Estimate, under the same heading, entitled "Compensation for the loss of stipends to the Ministers of Religion not provided for under Schedule C.," distinguishing the several denominations, and specifying in each case the same particulars as above.
 - (3.) Copies of all Correspondence between the Executive Government and any person or persons on the subject of the proposed compensation under either of the above categories.

Question put and passed.
And notice being taken that there was not a Quorum present, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at ten minutes after Four o'clock, until to-morrow, at Three o'clock.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, FEBRUARY 23.

Contingent Notices of Motion :—

1. MR. PIDDINGTON to move the following additional Resolution, *should the third and fourth Resolutions to be moved to-day by Mr. Cowper creating two new Offices to be held by Members of the Executive Council receive the assent of the Legislative Assembly :—*
 (5.) That it is the opinion of this House that neither of the Offices of Secretary for Public Works nor Secretary for Trade and Customs ought to be held by any Member of the Legislative Council.
And, in event of the foregoing Resolution receiving the assent of the House, That the following stand as Resolution (7) :—
 (7.) That the foregoing Resolutions be embodied in an Address and presented to His Excellency the Governor General.
2. MR. FORSTER to move, by way of Amendment upon Mr. Cowper's Resolutions, to be moved to-day,—
 Resolution (1.) That the words and figures, "*As fixed by the Resolution of the Assembly passed on the 8th August, 1856,*" be omitted.
 Resolution (4.) That the words "*Trade and Customs*" be omitted, with a view to the insertion in their place of the words "*Public Order, comprehending the subordinate or kindred branches of law, justice, police, and public instruction.*"
 Resolution (5.) That all the words following the word "*Ministers*" be omitted.
3. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, "That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation that it is the opinion of this House, that it would be inexpedient again to resort to "*Orphan Immigration.*"

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. R. CAMPBELL to move for leave to introduce a Bill to repeal the Treasury Bills Act of 1857.
2. MR. COWPER to move, That the consideration in Committee of the District Courts Act Amendment Bill, which lapsed by the House being counted out on the 16th instant, be restored to the Paper, and stand an Order of the Day for to-morrow.
3. MR. COWPER to move,—
 (1.) That, with a view to the more effectual administration of Responsible Government, a new arrangement of the Ministerial Departments, *as fixed by the Resolution of the Assembly passed on the 8th August, 1856,* ought to be made.
 (2.) That the Department of the Attorney General and Solicitor General be abolished.
 (3.) That the Department of the Secretary for Lands and Public Works be divided, and that a new Department be created, to be called the Department of Public Works.
 (4.) That a Department be created, to be called the Department of *Trade and Customs.*
 (5.) That the Attorney General and the Solicitor General shall not in future be Responsible *Ministers,* but shall be Political Officers, retiring from office with the Ministry.

ORDERS OF THE DAY :—

1. Supply; resumption of the Committee.
2. Ways and Means; resumption of the Committee.
3. Graduates of British Universities Bill; third reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. FORSTER to move, That there be laid upon the Table of this House,—
 (1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
 (2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
2. MR. HART to move, That the debate of his motion,—"*That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,*"—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
3. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule I of the Act of the Imperial Parliament, 18 and 19 Victoria, cap. 54.

4. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr. Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.
5. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
6. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House “ will, on Friday next, resolve itself into a Committee of the whole, to consider of an “ Address to the Governor General, praying that His Excellency will cause to be placed “ upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the “ expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
7. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
8. MR. THORNTON to move,—
 - (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
9. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
10. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
11. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
12. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
13. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
14. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.
15. MR. DENIEHY to move the following resolutions,—
 - (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 - (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 - (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
16. MR. DENIEHY to move the following Resolutions,—
 - (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct department.
 - (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 - (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
2. Compulsory Vaccination Bill ; second reading.

Questions :—

Questions :—

1. MR. THORNTON *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—
Whether application has been made, or is intended to be made, to any private person, for land in the district of Shoalhaven, upon which they wish to erect a Court House; and if so, why?—taking into consideration the usual reservation by Government of lands for public purposes?
2. MR. HODGSON *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—
(1.) Whether any Report from Mr. Assistant Gold Commissioner Buchanan has reached the Government to the effect that gold to the amount of £10,000 is detained on the Fairfield Diggings?
(2.) Whether such detention is owing to the absence of any Escort; and, if so, whether it is the intention of the Government to establish an Escort without delay from the Fairfield Diggings to Grafton?
3. MR. MURRAY *to ask* THE COLONIAL SECRETARY,—When certain Returns relative to the Expenditure of this Colony, moved for by Mr. Parkes on the 28th of May, 1858, will be laid on the Table of this House, in accordance with the Order of this House made on that day?

FRIDAY, FEBRUARY, 25.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HART *to move*,—
(1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.
(2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.
2. MR. FORSTER *to move*, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.
3. MR. MURRAY *to move*,—
(1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
(2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Denichy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.

TUESDAY, MARCH 1.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. SCOTT *to move*,—
(1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.
(2.) That an Address be presented to the Governor General embodying this Resolution.

DANIEL COOPER,
Speaker.

No. 38.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 23 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Paper:—Mr. Robertson laid upon the Table Return to the Address, in reference to the Schedule of Prices in proposed Contract for construction of Railways, adopted, on motion of Mr. Flood, on the 15th instant.
Ordered to be printed.
2. The Revd. Dr. Lang:—Mr. Piddington presented a Petition from certain Presbyterians and other friends of religious liberty, at Newcastle and its vicinity, praying the appointment of a Select Committee to inquire into and report upon the Proceedings of the Synod of Australia towards the Revd. Dr. Lang, in the year 1842.
Petition received.
3. Treasury Bills Act Repeal Bill:—Mr. R. Campbell moved, pursuant to notice, for leave to introduce a Bill to repeal the Treasury Bills Act of 1857.
Question put and passed; *Ordered*, that the Mover and Seconder prepare and bring in the Bill.
4. District Courts Act Amendment Bill:—Mr. Cowper moved, pursuant to notice, That the consideration in Committee of the District Courts Act Amendment Bill, which lapsed by the House being counted out on the 16th instant, be restored to the Paper, and stand an Order of the Day for to-morrow.
Debate ensued.
Question put and passed.
5. Treasury Bills Act Repeal Bill:—Mr. R. Campbell having *presented* this Bill, Bill intituled, "*A Bill to Repeal the Treasury Bills Act of 1857*," read a first time; ordered to be printed, and read a second time on Wednesday next.
6. Papers:—Mr. R. Campbell laid upon the Table General Abstracts of Bank Liabilities and Assets for the several Quarters ended 31 March, 30 June, 30 September, and 31 December, 1858.
Ordered to be printed.
7. New Arrangement of Ministerial Departments:—Mr. Cowper moved, pursuant to notice,—
 - (1.) That, with a view to the more effectual administration of Responsible Government, a new arrangement of the Ministerial Departments, as fixed by the Resolution of the Assembly passed on the 8th August, 1856, ought to be made.
 - (2.) That the Department of the Attorney General and Solicitor General be abolished.
 - (3.) That the Department of the Secretary for Lands and Public Works be divided, and that a new Department be created, to be called the Department of Public Works.
 - (4.) That a Department be created, to be called the Department of *Trade and Customs*.
 - (5.) That the Attorney General and the Solicitor General shall not in future be Responsible *Ministers*, but shall be Political Officers, retiring from office with the Ministry.
 Debate ensued.
Mr. Forster moved, That this Debate be now adjourned until to-morrow.
Debate continued.
Question put—That this Debate be now adjourned until to-morrow.
The House divided.

Ayes, 8.

Mr. Murray,		
Mr. Plunkett,		
Mr. Forster,		
Mr. W. Macleay,		
Mr. Hodgson,		
Mr. Flood,		
Mr. Deniehy,		
Mr. Wild,		

} Tellers.

Noes, 18.

Mr. Cowper,		
Mr. R. Campbell,		
Mr. Robertson,		
Mr. Gordon,		
Mr. Dickson,		
Mr. Jenkins,		
Mr. Oakes,		
Mr. Jones,		
Mr. Piddington,		
Mr. Jamison,		
Mr. Weekes,		
Mr. Dalley,		
Mr. Byrnes,		
Mr. J. Campbell,		
Mr. Thornton,		
Dr. Aldeorn,		
Mr. Owen,		
Mr. Arnold,		

} Tellers.

Debate

Debate continued.

Mr. Hart moved, That the Question be amended by the omission in section (4) of the words "*Trade and Customs*," with a view to the insertion in their place of the word "*Justice*."

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

Ayes, 15.
Mr. Cowper,
Mr. R. Campbell,
Mr. Robertson,
Mr. Gordon,
Mr. Dickson,
Mr. Weekes,
Mr. Thornton,
Mr. Scott,
Mr. Jamison,
Mr. Byrnes,
Mr. Arnold,
Dr. Aldcorn,
Mr. J. Campbell,
Mr. Oakes, } Tellers.
Mr. Owen, }

Noes, 14.
Mr. Faucett,
Mr. Egan,
Mr. Piddington,
Mr. Jenkins,
Mr. Hart,
Mr. Wild,
Mr. Flood,
Mr. Deniehy,
Mr. Forster,
Mr. W. Macleay,
Mr. Plunkett,
Mr. Murray,
Mr. Dalley, } Tellers.
Mr. Hay, }

Mr. Hart then moved, That the Question be amended by the omission in section (5) of all the words following the word "*Ministers*."

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

Ayes, 23.
Mr. Cowper,
Mr. R. Campbell,
Mr. Robertson,
Mr. Gordon,
Mr. Dickson,
Mr. Weekes,
Mr. Byrnes,
Mr. Jenkins,
Mr. W. Macleay,
Mr. Faucett,
Mr. Thornton,
Mr. Scott,
Mr. Jamison,
Mr. Flood,
Mr. Egan,
Mr. Plunkett,
Mr. Wild,
Mr. Arnold,
Dr. Aldcorn,
Mr. J. Campbell,
Mr. Oakes,
Mr. Owen, } Tellers.
Mr. Dalley, }

Noes, 6.
Mr. Hart,
Mr. Forster,
Mr. Hay,
Mr. Murray,
Mr. Piddington, } Tellers.
Mr. Deniehy, }

Upon which Mr. Plunkett moved the Previous Question.

Previous Question put,—That this Question be now put.
The House divided.

Ayes, 17.
Mr. Cowper,
Mr. R. Campbell,
Mr. Robertson,
Mr. Gordon,
Mr. Byrnes,
Mr. Weekes,
Mr. Thornton,
Mr. Piddington,
Mr. Deniehy,
Mr. Jamison,
Mr. Scott,
Dr. Aldcorn,
Mr. J. Campbell,
Mr. Oakes,
Mr. Forster,
Mr. Dalley, } Tellers.
Mr. Weekes, }

Noes, 12.
Mr. Hay,
Mr. Plunkett,
Mr. W. Macleay,
Mr. Jenkins,
Mr. Hart,
Mr. Flood,
Mr. Murray,
Mr. Dickson,
Mr. Egan,
Mr. Arnold,
Mr. Wild, } Tellers.
Mr. Faucett, }

Whereupon Original Question put,—
The House divided.

Ayes, 15.
Mr. Cowper,
Mr. R. Campbell,
Mr. Robertson,
Mr. Gordon,
Mr. Thornton,
Mr. Piddington,
Mr. Byrnes,
Mr. Jamison,
Mr. Scott,
Mr. Arnold,
Dr. Aldcorn,
Mr. J. Campbell,
Mr. Oakes,
Mr. Dalley, } Tellers.
Mr. Owen, }

Noes, 14.
Mr. Hay,
Mr. Plunkett,
Mr. W. Macleay,
Mr. Forster,
Mr. Jenkins,
Mr. Hart,
Mr. Deniehy,
Mr. Dickson,
Mr. Egan,
Mr. Flood,
Mr. Gordon,
Mr. Murray,
Mr. Wild, } Tellers.
Mr. Faucett, }

8. Supply :—Mr. R. Campbell moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858-9
 Mr. Flood moved, That this House do now adjourn until Three o'clock to-morrow.
 Debate ensued.
 Motion made by Mr. Flood, and Question put, That he have leave to withdraw his motion for adjournment of the House until Three o'clock to-morrow.
 The House divided.

Ayes 20.

Mr. Cowper,
 Mr. R. Campbell,
 Mr. Robertson,
 Mr. Byrnes,
 Mr. Owen,
 Mr. Gordon,
 Mr. Wild,
 Mr. Thornton,
 Mr. Weecks,
 Mr. Flood,
 Mr. Egan,
 Mr. Plunkett,
 Mr. Jamison,
 Mr. Piddington,
 Mr. Deniehy,
 Mr. Hart,
 Mr. Arnold,
 Mr. J. Campbell,
 Mr. Oakes, } Tellers.
 Mr. Dalley, }

Noes, 5.

Mr. Forster,
 Mr. W. Macleay,
 Mr. Murray,
 Mr. Hay, } Tellers.
 Mr. Faucett, }

Motion withdrawn accordingly.

Original Motion by leave withdrawn, and the resumption of the Committee ordered, on motion of Mr. R. Campbell, to stand an Order of the Day for to-morrow.

9. Postponement :—The resumption of the Committee of Ways and Means postponed, on motion of Mr. R. Campbell, until to-morrow.
 10. Graduates of British Universities Bill :—Mr. Cowper moved, That this Bill be "now" read a third time.

Mr. Deniehy moved, That the Question be amended by the omission of all the words following the word "now," in order to the insertion in their place of the words "re-committed, with a view to the further consideration of the Preamble and " Clause 1."

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 this Bill be now re-committed with a view to the further consideration of the Preamble and Clause 1—put and passed ;—

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

The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at twenty minutes before Eleven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, FEBRUARY 24.

Contingent Notice of Motion :—

1. Mr. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, " That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation that it is the opinion of this House, that it would be inexpedient again to resort to " Orphan Immigration."

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill ; to be considered in Committee.
2. Supply ; resumption of the Committee.
3. Ways and Means ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. FORSTER to move, That there be laid upon the Table of this House,—
 (L.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading " No. 5, Treasurer and Secretary for Finance and Trade," entitled, " To provide compensation to Public Officers whose situations are abolished " ; specifying in each case the individual's name ; the number of years he has continued in Public Service without intermission ; the office held by him which has been abolished, or which

it is intended to abolish ; the annual emoluments thereof ; the amount of compensation claimed, or which it is intended to bestow ; and whether the claimant be willing and competent to enter the Public Service in any other capacity.

(2.) Copies of all Correspondence on the above subject between the Government and any person or persons.

2. MR. HART to move, That the debate of his motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
3. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule I of the Act of the Imperial Parliament, 18 and 19 Victoria, cap. 54.
4. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr. Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.
5. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
6. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
7. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
8. MR. THORNTON to move,—
 - (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
9. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
10. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
11. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
12. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted
13. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
14. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.
15. MR. DENIEHY to move the following resolutions,—
 - (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 - (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 - (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

16. MR. DENIEHY to move the following Resolutions,—

- (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct department.
- (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
- (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.

ORDERS OF THE DAY:—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
2. Compulsory Vaccination Bill; second reading.

Questions:—

1. MR. PIDDINGTON to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether the Government intend to prepare for the consideration of the new Parliament, next Session, a Bill to carry out the Resolutions passed by the late Legislative Assembly, (February 24th, 1857,) and the present Legislative Assembly, (August 17th, 1858,) to the effect that both Houses of our Legislature ought to be elected by the people?
2. MR. FLOOD to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government will furnish dates to the Documents laid upon the Table of the House yesterday, in reference to the Schedule of Prices for the proposed Railway Contract?
3. MR. FORSTER to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether, and in what way, any action has been, or is intended to be, taken by the Government, in accordance with the first Progress Report from the Select Committee of last Session on the "Management of the Survey Department," adopted by this House on the 16th October last, expressing disapprobation of an irregular interference on the part of the Surveyor General with two Witnesses examined before that Committee; such interference having arisen in consequence of certain evidence given by the Witnesses aforesaid?
4. MR. FLOOD to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government intend to lay upon the Table of this House, Copies of Plans, Sections, and Books of Reference of the Railways proposed to be constructed by Sir Morton Peto, as required by the 9th section of 22 Vict., No. 19; if so, when?
5. MR. HAY to ask THE COLONIAL SECRETARY,—Whether a Supplementary Estimate will be brought down providing for the establishment of the proposed new Departments of Public Works and Trade and Customs?

FRIDAY, FEBRUARY 25.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HART to move,—
 - (1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.
 - (2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.
2. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has convinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.
3. MR. MURRAY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 - (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Deniehy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Magistrates of Berrima, or any of them, or between the Clerk of the Bench at Berrima, and the Government, or Mr. Gordon, or C. H. Walsh, Esq., his Solicitor, or between the latter gentleman and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh in their Court in his professional capacity.
5. MR. PIDDINGTON to move, That the Petition of certain Presbyterians at Newcastle, relative to the proceedings of the Synod of Australia in 1842 towards the Revd. Dr. Lang, presented by him on the 23rd instant, be printed.
6. MR. DENIEHY to move, That it is the opinion of this House, that neither the office of Secretary for Lands nor the office of Secretary for Public Works ought to be held by any Member of the Legislative Council, until that Branch of the Legislature shall be elected by the People.

TUESDAY,

TUESDAY, MARCH 1.

OTHER BUSINESS—NOTICE OF MOTION :—

1. Mr. SCOTT to move,—
 - (1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.
 - (2.) That an Address be presented to the Governor General embodying this Resolution.
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WEDNESDAY, MARCH 2.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Treasury Bills Act Repeal Bill ; second reading.

DANIEL COOPER,
Speaker.

No. 39.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 24 FEBRUARY, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers:—
 - (1.) Mr. Cowper laid upon the Table two Ordnance Returns, made under the provisions of the Act of Council, 4 Victoria, No. 2.
Ordered to be printed.
 - (2.) Mr. Robertson laid upon the Table certain Local Court Rules for the Nundle Gold Fields.
Ordered to be printed.
2. District Courts Act Amendment Bill:—Upon the Order of the Day being read, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, to resume the consideration of this Bill at the point of interruption.
The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at half-past Five o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, FEBRUARY 25.

Contingent Notice of Motion:—

1. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, "That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation that it is the opinion of this House, that it would be inexpedient again to resort to 'Orphan Immigration.'"

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HART to move,—
 - (1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.
 - (2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.
2. MR. FOSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.
3. MR. MURRAY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 - (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Denichy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.

4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Magistrates of Berrima, or any of them, or between the Clerk of the Bench at Berrima, and the Government, or Mr. Gordou, or C. H. Walsh, Esq., his Solicitor, or between the latter gentleman and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh in their Court in his professional capacity.
5. MR. PIDDINGTON to move, That the Petition of certain Presbyterians at Newcastle, relative to the proceedings of the Synod of Australia in 1842 towards the Revd. Dr Lang, presented by him on the 23rd instant, be printed.
6. MR. DENIEHY to move, That it is the opinion of this House, that neither the office of Secretary for Lands nor the office of Secretary for Public Works ought to be held by any Member of the Legislative Council, until that Branch of the Legislature shall be elected by the People.
7. MR. MURRAY to move, That the evidence of the Surveyor and Deputy Surveyor General, taken in Committee of Supply, at the Bar of this House, on the 17th instant, be printed.
8. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, copies of all correspondence between the Government and the Most Reverend Archbishop Polding, the Right Reverend Abbot Gregory, or the Roman Catholic Church Authorities usually acting in matters connected with the Roman Catholic Orphan School, in the matter of the appointment to a seat or seats at the Board for the management of that Institution, in the room of Mr. Plaukett or of any other member or members of such Board recently resigned.
9. MR. DENIEHY to move the following resolutions,—
 - (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 - (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 - (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
10. MR. DENIEHY to move the following Resolutions,—
 - (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct Department.
 - (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 - (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
11. MR. FORSTER to move, That there be laid upon the Table of this House,—
 - (1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
 - (2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
12. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, re-olve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
13. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule I of the Act of the Imperial Parliament, 18 and 19 Victoria, cap 54.
14. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.

15. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
16. MR. HODGSON to move, That the Debate of his amended motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
17. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
18. MR. THORNTON to move,—
 - (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
19. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
20. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
21. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
22. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
23. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
24. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
2. Compulsory Vaccination Bill ; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

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

Questions :—

1. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
 - (1.) Has the Government come to any decision respecting the case of Dr. Harris, and his counter charges against his brother Magistrates ?
 - (2.) Have any, and what steps, been taken by the Government in reference thereto, since the investigation and report of Mr. Hargrave ; or, are any, and what steps, intended to be taken ?
2. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
 - (1.) Has the Government re considered the circumstances connected with the removal of B. J. C. North, Esq., from the Commission of the Peace ?
 - (2.) If so, what is the result ?
3. MR. HAY to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) Whether the Government have had any further communication with the Government of Victoria, concerning the Bridge at Albury ; and whether, in the event of the Victorian Government declining to take part in the erection of the said Bridge, the Government have decided upon proceeding with that work ?
 - (2.) Whether arrangements have been made for the immediate construction of the approach to the new Ferry and site of proposed Bridge ?
4. MR. HAY to ask THE SECRETARY FOR FINANCE,—Whether the lease of the Ferry at Albury precludes the Government or Bench of Magistrates revising the present excessive fares ; and when the existing lease will expire ?

5. MR. DENIEHY to ask THE COLONIAL SECRETARY,—
 (1). Whether, in the appointment of Magistrates of this Territory, the provisions are acted upon of the Statute 18 George II. c. 20, s. 1., securing that individuals only shall be appointed Justices of Peace who are of sufficient estate to enable aggrieved persons in cases of clear Magisterial wrong-doing, to sue for damages with a fair probability of obtaining satisfaction?
 (2). If so, in the declaration made under the provisions of the above-named Statute, what amount of value of clear yearly landed estate, over and above debts and incumbrances, is demanded for and set forth in the declaration?
6. MR. DENIEHY to ask THE COLONIAL SECRETARY,—If, by virtue of any special arrangement with the General Post Office Department, the proprietors of the *Sydney Morning Herald* newspaper, post free, as a supplement, the yearly Almanac they present their subscribers with, while proprietors of other newspapers are obliged to pay postage on the newspaper almanacs printed and forwarded by them as donatives to their subscribers?

TUESDAY, MARCH 1.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SCOTT to move,—
 (1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.
 (2.) That an Address be presented to the Governor General embodying this Resolution.
2. MR. MURRAY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1859, the sum of £1,500, to be awarded to Thomas Woore, Esquire, in consideration of his Railway Services, and in accordance with the Report of a Select Committee of this House during its last Session.

Question :—

1. MR. FLOOD to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government intend to lay upon the Table of this House, Copies of Plans, Sections, and Books of Reference of the Railways proposed to be constructed by Sir Morton Peto, as required by the 9th section of 22 Vict., No. 19; if so, when?

WEDNESDAY, MARCH 2.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Treasury Bills Act Repeal Bill; second reading.

DANIEL COOPER,
 Speaker.

No. 40.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 25 FEBRUARY, 1859.

1. There being only sixteen Members present, exclusive of the Speaker,—namely, Mr. Cowper, Mr. Egan, Mr. Flood, Mr. Forster, Mr. Hodgson, Mr. Jamison, Mr. Jenkins, Mr. W. Macleay, Mr. Murray, Mr. Piddington, Mr. Plunkett, Mr. Robertson, Mr. Taylor, Mr. Thornton, Mr. Weekes, and Mr. Wild,—the Speaker took the Chair, and adjourned the House at half-past Three o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MARCH 1.

Contingent Notice of Motion :—

1. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, " That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation " that it is the opinion of this House, that it would be inexpedient again to resort to " ' Orphan Immigration.' "

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SCOTT to move,—
 - (1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.
 - (2.) That an Address be presented to the Governor General embodying this Resolution.
2. MR. MURRAY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1859, the sum of £1,500, to be awarded to Thomas Woore, Esquire, in consideration of his Railway Services, and in accordance with the Report of a Select Committee of this House during its last Session.
3. MR. HART to move,—
 - (1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.
 - (2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.
4. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.
5. MR. MURRAY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 - (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Deniehy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.

6.

6. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Magistrates of Berrima, or any of them, or between the Clerk of the Bench at Berrima, and the Government, or Mr. Gordon, or C. H. Walsh, Esq., his Solicitor, or between the latter gentleman and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh in their Court in his professional capacity.
7. MR. PIDDINGTON to move, That the Petition of certain Presbyterians at Newcastle, relative to the proceedings of the Synod of Australia in 1842 towards the Revd. Dr. Lang, presented by him on the 23rd instant, be printed.
8. MR. DENIEHY to move, That it is the opinion of this House, that neither the office of Secretary for Lands nor the office of Secretary for Public Works ought to be held by any Member of the Legislative Council, until that Branch of the Legislature shall be elected by the People.
9. MR. MURRAY to move, That the evidence of the Surveyor and Deputy Surveyor General, taken in Committee of Supply, at the Bar of this House, on the 17th instant, be printed.
10. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, copies of all correspondence between the Government and the Most Reverend Archbishop Polding, the Right Reverend Abbot Gregory, or the Roman Catholic Church Authorities usually acting in matters connected with the Roman Catholic Orphan School, in the matter of the appointment to a seat or seats at the Board for the management of that Institution, in the room of Mr. Plunkett or of any other member or members of such Board recently resigned.
11. MR. DENIEHY to move the following resolutions,—
 - (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 - (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 - (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
12. MR. DENIEHY to move the following Resolutions,—
 - (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct Department.
 - (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 - (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
13. MR. FORSTER to move, That there be laid upon the Table of this House,—
 - (1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
 - (2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
14. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
15. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule 1 of the Act of the Imperial Parliament, 18 and 19 Victoria, cap. 54.
16. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr. Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.

17. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
18. MR. HODGSON to move, That the Debate of his amended motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
19. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
20. MR. THORNTON to move,—
 - (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
21. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
22. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
23. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
24. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
25. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
26. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
2. Compulsory Vaccination Bill ; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

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

Questions :—

1. MR. FLOOD to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government intend to lay upon the Table of this House, Copies of Plans, Sections, and Books of Reference of the Railways proposed to be constructed by Sir Morton Peto, as required by the 9th section of 22 Vict., No. 19 ; if so, when ?
2. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
 - (1.) Has the Government come to any decision respecting the case of Dr. Harris, and his counter charges against his brother Magistrates ?
 - (2.) Have any, and what steps, been taken by the Government in reference thereto, since the investigation and report of Mr. Hargrave ; or, are any, and what steps, intended to be taken ?
3. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
 - (1.) Has the Government re-considered the circumstances connected with the removal of E. J. C. North, Esq., from the Commission of the Peace ?
 - (2.) If so, what is the result ?
4. MR. HAY to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) Whether the Government have had any further communication with the Government of Victoria, concerning the Bridge at Albury ; and whether, in the event of the Victorian Government declining to take part in the erection of the said Bridge, the Government have decided upon proceeding with that work ?
 - (2.) Whether arrangements have been made for the immediate construction of the approach to the new Ferry and site of proposed Bridge ?

5. MR. HAY to ask THE SECRETARY FOR FINANCE,—Whether the lease of the Ferry at Albury precludes the Government or Bench of Magistrates revising the present excessive fares; and when the existing lease will expire?
6. MR. DENIEHY to ask THE COLONIAL SECRETARY,—
 - (1). Whether, in the appointment of Magistrates of this Territory, the provisions are acted upon of the Statute 18 George II. c. 20, s. 1., securing that individuals only shall be appointed Justices of Peace who are of sufficient estate to enable aggrieved persons in cases of clear Magisterial wrong-doing, to sue for damages with a fair probability of obtaining satisfaction?
 - (2). If so, in the declaration made under the provisions of the above-named Statute, what amount of value of clear yearly landed estate, over and above debts and incumbrances, is demanded for and set forth in the declaration?
7. MR. DENIEHY to ask THE COLONIAL SECRETARY,—If, by virtue of any special arrangement with the General Post Office Department, the proprietors of the *Sydney Morning Herald* newspaper, post free, as a supplement, the yearly Almanac they present their subscribers with, while proprietors of other newspapers are obliged to pay postage on the newspaper almanacs printed and forwarded by them as donatives to their subscribers?

WEDNESDAY, MARCH 2.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Treasury Bills Act Repeal Bill; second reading.

DANIEL COOPER,
Speaker.

No. 41.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 1 MARCH, 1859.

1. There being only seventeen Members present, exclusive of the Speaker,—namely, Mr. Cowper, Mr. Dalley, Mr. Flood, Mr. Forster, Mr. Hay, Mr. Jenkins, Mr. Lord, Mr. W. Macleay, Mr. Murray, Mr. Piddington, Mr. Plunkett, Mr. Robertson, Mr. Scott, Mr. Suttor, Mr. Taylor, Mr. W. B. Tooth, and Mr. Wild,—the Speaker took the Chair, and adjourned the House at half-past Three o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MARCH 2.

Contingent Notice of Motion :—

1. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, " That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation " that it is the opinion of this House, that it would be inexpedient again to resort to " ' Orphan Immigration.' "

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Treasury Bills Act Repeal Bill ; second reading.
2. Supply ; resumption of the Committee.
3. Ways and Means ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. SCOTT to move,—
 - (1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.
 - (2.) That an Address be presented to the Governor General embodying this Resolution.
2. MR. MURRAY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1859, the sum of £1,500, to be awarded to Thomas Woore, Esquire, in consideration of his Railway Services, and in accordance with the Report of a Select Committee of this House during its last Session.
3. MR. HART to move,—
 - (1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.
 - (2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.
4. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.
5. MR. MURRAY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 - (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Denichy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.

6. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Magistrates of Berrima, or any of them, or between the Clerk of the Bench at Berrima, and the Government, or Mr. Gordon, or C. H. Walsh, Esq., his Solicitor, or between the latter gentleman and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh in their Court in his professional capacity.
7. MR. PIDDINGTON to move, That the Petition of certain Presbyterians at Newcastle, relative to the proceedings of the Synod of Australia in 1842 towards the Revd. Dr. Lang, presented by him on the 23rd instant, be printed.
8. MR. DENIHY to move, That it is the opinion of this House, that neither the office of Secretary for Lands nor the office of Secretary for Public Works ought to be held by any Member of the Legislative Council, until that Branch of the Legislature shall be elected by the People.
9. MR. MURRAY to move, That the evidence of the Surveyor and Deputy Surveyor General, taken in Committee of Supply, at the Bar of this House, on the 17th instant, be printed.
10. MR. DENIHY to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, copies of all correspondence between the Government and the Most Reverend Archbishop Polding, the Right Reverend Abbot Gregory, or the Roman Catholic Church Authorities usually acting in matters connected with the Roman Catholic Orphan School, in the matter of the appointment to a seat or seats at the Board for the management of that Institution, in the room of Mr. Plunkett or of any other member or members of such Board recently resigned.
11. MR. DENIHY to move the following resolutions,—
 - (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 - (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 - (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
12. MR. DENIHY to move the following Resolutions,—
 - (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct Department.
 - (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 - (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
13. MR. FORSTER to move, That there be laid upon the Table of this House,—
 - (1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
 - (2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
14. MR. HARR to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
15. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule I of the Act of the Imperial Parliament, 18 and 19 Victoria, cap. 54.
16. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr. Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.

17. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
18. MR. HODGSON to move, That the Debate of his amended motion,—“ That this House “ will, on Friday next, resolve itself into a Committee of the whole, to consider of an “ Address to the Governor General, praying that His Excellency will cause to be placed “ upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the “ expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
19. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
20. MR. THORNTON to move,—
(1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
(2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
21. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
22. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
23. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
24. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
25. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
(1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
(2.) Also all Depositions and other Papers connected with these cases, respectively.
26. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
2. Compulsory Vaccination Bill ; second reading.

Questions :—

1. MR. FLOOD to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government intend to lay upon the Table of this House, Copies of Plans, Sections, and Books of Reference of the Railways proposed to be constructed by Sir Morton Peto, as required by the 9th section of 22 Vict., No. 19 ; if so, when ?
2. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
(1.) Has the Government come to any decision respecting the case of Dr. Harris, and his counter charges against his brother Magistrates ?
(2.) Have any, and what steps, been taken by the Government in reference thereto, since the investigation and report of Mr. Hargrave ; or, are any, and what steps, intended to be taken ?
3. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
(1.) Has the Government re-considered the circumstances connected with the removal of E. J. C. North, Esq., from the Commission of the Peace ?
(2.) If so, what is the result ?
4. MR. HAY to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
(1.) Whether the Government have had any further communication with the Government of Victoria, concerning the Bridge at Albury ; and whether, in the event of the Victorian Government declining to take part in the erection of the said Bridge, the Government have decided upon proceeding with that work ?
(2.) Whether arrangements have been made for the immediate construction of the approach to the new Ferry and site of proposed Bridge ?
5. MR. HAY to ask THE SECRETARY FOR FINANCE,—Whether the lease of the Ferry at Albury precludes the Government or Bench of Magistrates revising the present excessive fares ; and when the existing lease will expire ?

6. MR. DENIEHY *to ask* THE COLONIAL SECRETARY,—
- (1). Whether, in the appointment of Magistrates of this Territory, the provisions are acted upon of the Statute 18 George II. c. 20, s. 1., securing that individuals only shall be appointed Justices of Peace who are of sufficient estate to enable aggrieved persons in cases of clear Magisterial wrong-doing, to sue for damages with a fair probability of obtaining satisfaction?
 - (2). If so, in the declaration made under the provisions of the above-named Statute, what amount of value of clear yearly landed estate, over and above debts and incumbrances, is demanded for and set forth in the declaration?
7. MR. DENIEHY *to ask* THE COLONIAL SECRETARY,—If, by virtue of any special arrangement with the General Post Office Department, the proprietors of the *Sydney Morning Herald* newspaper, post free, as a supplement, the yearly Almanac they present their subscribers with, while proprietors of other newspapers are obliged to pay postage on the newspaper almanacs printed and forwarded by them as donatives to their subscribers?

DANIEL COOPER,
Speaker.

No. 42.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 2 MARCH, 1859.

1. There being only fourteen Members present, exclusive of the Speaker,—namely, Mr. Arnold, Mr. J. Campbell, Mr. Cowper, Mr. Dalley, Mr. Deniehy, Mr. Dickson, Mr. Forster, Mr. Hay, Mr. Lord, Mr. Macarthur, Mr. Plunkett, Mr. Robertson, Mr. Sattor, and Mr. Thornton,—the Speaker took the Chair, and adjourned the House at half-past Three o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MARCH 3.

Contingent Notice of Motion :—

1. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, " That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation " that it is the opinion of this House, that it would be inexpedient again to resort to " ' Orphan Immigration.' "

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Treasury Bills Act Repeal Bill ; second reading.
2. Supply ; resumption of the Committee.
3. Ways and Means ; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION :—

MR. SCOTT to move,—

- (1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.
- (2.) That an Address be presented to the Governor General embodying this Resolution.
2. MR. MURRAY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1859, the sum of £1,500, to be awarded to Thomas Woore, Esquire, in consideration of his Railway Services, and in accordance with the Report of a Select Committee of this House during its last Session.
3. MR. HART to move,—
 - (1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.
 - (2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.
4. MR. FORSTER to move, That the conduct of the Government considered with referenee to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.
5. MR. MURRAY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 - (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Deniehy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.

6.

6. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Magistrates of Berrima, or any of them, or between the Clerk of the Bench at Berrima, and the Government, or Mr. Gordon, or C. H. Walsh, Esq., his Solicitor, or between the latter gentleman and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh in their Court in his professional capacity.
7. MR. PIDDINGTON to move, That the Petition of certain Presbyterians at Newcastle, relative to the proceedings of the Synod of Australia in 1842 towards the Revd. Dr. Lang, presented by him on the 23rd instant, be printed.
8. MR. DENIEHY to move, That it is the opinion of this House, that neither the office of Secretary for Lands nor the office of Secretary for Public Works ought to be held by any Member of the Legislative Council, until that Branch of the Legislature shall be elected by the People.
9. MR. MURRAY to move, That the evidence of the Surveyor and Deputy Surveyor General, taken in Committee of Supply, at the Bar of this House, on the 17th instant, be printed.
10. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, copies of all correspondence between the Government and the Most Reverend Archbishop Polding, the Right Reverend Abbot Gregory, or the Roman Catholic Church Authorities usually acting in matters connected with the Roman Catholic Orphan School, in the matter of the appointment to a seat or seats at the Board for the management of that Institution, in the room of Mr. Plunkett or of any other member or members of such Board recently resigned.
11. MR. DENIEHY to move the following resolutions,—
- (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 - (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 - (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
12. MR. DENIEHY to move the following Resolutions,—
- (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct Department.
 - (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 - (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
13. MR. FORSTER to move, That there be laid upon the Table of this House,—
- (1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
 - (2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
14. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
15. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule 1 of the Act of the Imperial Parliament, 18 and 19 Victoria, cap. 54.
16. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr. Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.

17. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
18. MR. HODGSON to move, That the Debate of his amended motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
19. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
20. MR. THORNTON to move,—
 - (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
21. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
22. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
23. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
24. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
25. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
26. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
2. Compulsory Vaccination Bill ; second reading.

Questions :—

1. MR. FLOOD to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government intend to lay upon the Table of this House, Copies of Plans, Sections, and Books of Reference of the Railways proposed to be constructed by Sir Morton Peto, as required by the 9th section of 22 Vict., No. 19 ; if so, when ?
2. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
 - (1.) Has the Government come to any decision respecting the case of Dr. Harris, and his counter charges against his brother Magistrates ?
 - (2.) Have any, and what steps, been taken by the Government in reference thereto, since the investigation and report of Mr. Hargrave ; or, are any, and what steps, intended to be taken ?
3. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
 - (1.) Has the Government re-considered the circumstances connected with the removal of E. J. C. North, Esq., from the Commission of the Peace ?
 - (2.) If so, what is the result ?
4. MR. HAY to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) Whether the Government have had any further communication with the Government of Victoria, concerning the Bridge at Albury ; and whether, in the event of the Victorian Government declining to take part in the erection of the said Bridge, the Government have decided upon proceeding with that work ?
 - (2.) Whether arrangements have been made for the immediate construction of the approach to the new Ferry and site of proposed Bridge ?
5. MR. HAY to ask THE SECRETARY FOR FINANCE,—Whether the lease of the Ferry at Albury precludes the Government or Bench of Magistrates revising the present excessive fares ; and when the existing lease will expire ?

6. MR. DENIEHY *to ask* THE COLONIAL SECRETARY,—
- (1). Whether, in the appointment of Magistrates of this Territory, the provisions are acted upon of the Statute 18 George II. c. 20, s. 1., securing that individuals only shall be appointed Justices of Peace who are of sufficient estate to enable aggrieved persons in cases of clear Magisterial wrong-doing, to sue for damages with a fair probability of obtaining satisfaction?
 - (2). If so, in the declaration made under the provisions of the above-named Statute, what amount of value of clear yearly landed estate, over and above debts and incumbrances, is demanded for and set forth in the declaration?
7. MR. DENIEHY *to ask* THE COLONIAL SECRETARY,—If, by virtue of any special arrangement with the General Post Office Department, the proprietors of the *Sydney Morning Herald* newspaper, post free, as a supplement, the yearly Almanac they present their subscribers with, while proprietors of other newspapers are obliged to pay postage on the newspaper almanacs printed and forwarded by them as donatives to their subscribers?

DANIEL COOPER,
Speaker.

No. 43.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 3 MARCH, 1859.

- The House met pursuant to adjournment; the Speaker took the Chair.
Vacant Seat :—Question of Privilege :—Mr. Cowper moved, That the Seat of Robert Owen, Esquire, hath become and is now vacant, by reason of his acceptance of Office as a Judge under the District Courts Act of 1858, since his election and return to serve in this House, as a Member for the Electoral District of East Camden.
Debate ensued.

Question put and passed ;—

Whereupon Mr. Plunkett moved, as a Question of Privilege,—

(1.) That a Select Committee be appointed to inquire into and report upon the circumstances relating to the acceptance of the Office of District Judge, by Robert Owen, Esquire, Member for East Camden, in so far as they affect his Votes on the 23rd February, in reference to the proposed new arrangements of the Ministerial Departments of the Government.

(2.) That such Committee consist of Mr. Jones, Mr. Murray, Mr. Hay, Mr. Forster, Mr. Flood, Mr. Faucett, Mr. Piddington, and the Mover.

Debate ensued.

And Mr. Weekes having required that the proposed Committee be appointed by Ballot,—

Question put,—That a Select Committee be appointed to inquire into and report upon the circumstances relating to the acceptance of the Office of District Judge, by Robert Owen, Esquire, Member for East Camden, in so far as they affect his votes on the 23rd February, in reference to the proposed new arrangements of the Ministerial Departments of the Government.

The House divided

Ayes, 18.

Mr. Jones,
Mr. Oakes,
Mr. Flood,
Mr. Richardson,
Mr. Hart,
Mr. Faucett,
Mr. Martin,
Mr. Suttor,
Mr. Piddington,
Mr. Taylor,
Mr. W. Macleay,
Mr. Forster,
Mr. W. B. Tooth,
Mr. Hay,
Mr. Plunkett,
Mr. Denichy,
Mr. Egan, } Tellers.
Mr. Weekes, }

Noes, 8.

Mr. Cowper,
Mr. Robertson,
Mr. Byrnes,
Mr. Wild,
Mr. Jamison,
Mr. J. Campbell,
Mr. Gordon, } Tellers.
Mr. Arnold, }

Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed ;—namely, Mr. Jones, Mr. Forster, Mr. Faucett, Mr. Flood, Mr. Hay, Mr. Murray, and Mr. Piddington.

- Paper :—Mr. Robertson laid upon the Table, a Memo. of the dates to the Accounts connected with the Schedule of Prices referred to in the proposed Contract for construction of Railways by Sir Morton Peto and Co.

Ordered to be printed and appended to the Papers to which they refer.

- Postponement :—The second reading of the Treasury Bills Act Repeal Bill postponed, on motion of Mr. Cowper, until to-morrow.

- Supply :—On motion of Mr. Cowper the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the Service of the year 1858–9.

The Chairman having reported, that upon a Division in the Committee it was discovered that there was not a Quorum present, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at twenty-five minutes before Eleven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, MARCH 4.

Contingent Notices of Motion :—

1. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, " That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation that it is the opinion of this House, that it would be inexpedient again to resort to " ' Orphan Immigration.' "

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the proceedings at the Inquest, held by the Coroner, on the 26th and 28th ultimo, on the body of the late Percival Hindmarsh, Esquire.
2. MR. FORSTER to move, for leave to introduce a Bill, to provide, in certain respects, for the better regulation of proceedings at Elections of Members of the Legislative Assembly.
3. MR. SCOTT to move,—
 - (1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.
 - (2.) That an Address be presented to the Governor General embodying this Resolution.
4. MR. MURRAY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1859, the sum of £1,500, to be awarded to Thomas Woore, Esquire, in consideration of his Railway Services, and in accordance with the Report of a Select Committee of this House during its last Session.
5. MR. HART to move,—
 - (1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.
 - (2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.
6. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.
7. MR. MURRAY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 - (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Deniehy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.
8. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Magistrates of Berrima, or any of them, or between the Clerk of the Bench at Berrima, and the Government, or Mr. Gordon, or C. H. Walsh, Esq., his Solicitor, or between the latter gentleman and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh in their Court in his professional capacity.
9. MR. PIDDINGTON to move, That the Petition of certain Presbyterians at Newcastle, relative to the proceedings of the Synod of Australia in 1842 towards the Revd. Dr. Lang, presented by him on the 23rd instant, be printed.
10. MR. DENIEHY to move, That it is the opinion of this House, that neither the office of Secretary for Lands nor the office of Secretary for Public Works ought to be held by any Member of the Legislative Council, until that Branch of the Legislature shall be elected by the People.
11. MR. MURRAY to move, That the evidence of the Surveyor and Deputy Surveyor General, taken in Committee of Supply, at the Bar of this House, on the 17th instant, be printed.
12. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, copies of all correspondence between the Government and the Most Reverend Archbishop Polding, the Right Reverend Abbot Gregory, or the Roman Catholic Church Authorities usually acting in matters connected with the Roman Catholic Orphan School, in the matter of the appointment to a seat or seats at the Board for the management of that Institution, in the room of Mr. Plunkett or of any other member or members of such Board recently resigned.

13. MR. DENIEHY to move the following resolutions,—
- (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 - (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 - (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 - (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
14. MR. DENIEHY to move the following Resolutions,—
- (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct Department.
 - (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 - (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
15. MR. FORSTER to move, That there be laid upon the Table of this House,—
- (1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
 - (2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
16. MR. HART to move, That the debate of his motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
17. MR. PIDDINGTON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule 1 of the Act of the Imperial Parliament, 18 and 19 Victoria, cap. 54.
18. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr. Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.
19. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
20. MR. HODGSON to move, That the Debate of his amended motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
21. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
22. MR. THORNTON to move,—
- (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 - (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
23. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.

24. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
25. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
26. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted
27. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
28. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
2. Compulsory Vaccination Bill ; second reading.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move, That the consideration in Committee, of the District Courts Act Amendment Bill, which lapsed by the House being counted out on the 24th ultimo, be restored to the Paper, and stand an Order of the Day for Tuesday next.
2. MR. COWPER to move, That the re-committal of the Graduates of British Universities Bill, which lapsed by the House being counted out on the 23rd ultimo, be restored to the Paper, and stand an Order of the Day for Tuesday next.

ORDERS OF THE DAY :—

1. Treasury Bills Act Repeal Bill ; second reading.
2. Ways and Means ; resumption of the Committee.

Questions :—

1. MR. FOSTER to ask THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—
 - (1.) In the measurement of the "Cuttings" referred to in the Parliamentary Paper, headed "Sydney and Parramatta Railway," and entitled "Account of over-payments "to Contractor," ordered by the Legislative Assembly, on January 19, 1859, to be printed,—Did the quantities of earth-work measured include, in gross, the earth-work removed both *inside* and *back* cuttings?
 - (2.) Have the quantities of earth-work, *inside* and *back* cuttings, been taken into account in the statements that have been made by the Government with reference to the letter of the Chief Commissioner for Railways, dated January 6th, 1859, and included in the Parliamentary Paper above specified?
2. MR. FORSTER to ask THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—
 - (1.) Did the Honorable gentleman, in the course of the Debate in this House, upon Friday, February 11, on Mr. Forster's motion for the production of papers, having reference to the conduct of Mr. Licensed Surveyor Henry Sanderson, state, or intend to convey, that Mr. Sanderson was removed from the Public Service for criminal or dishonest practices?
 - (2.) If so, upon what grounds was such an accusation made?
3. MR. PIDDINGTON to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether the Bill the Colonial Secretary stated that the Government intended to introduce next Session, in compliance with Resolutions passed by the late Legislative Assembly, (February 24th, 1857,) and the present Legislative Assembly, (August 17th, 1858,) will be based upon the principle of two Houses of Parliament, both elected by the people?
4. MR. PIDDINGTON to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—When the Address agreed to by the Legislative Assembly, December 2nd, 1857, praying that His Excellency the Governor General will cause to be laid upon the Table of this House, a Return of all Crown Lands under lease or license beyond the Settled Districts, will be complied with?
5. MR. WILD to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether it is the intention of the Government, that Criminal Sessions shall be held at Camden, Picton, and Berrima, when the District Courts Act comes into operation?
6. MR. PLUNKETT to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether there is any objection on the part of the Government, to lay on the Table of this House, the Decisions of the Executive Council in the cases of Dr. Harris and the Mudjee Bench of Magistrates, and that of E. J. C. North, Esq., respectively, with the view of being printed for the information of this House and the parties concerned?

TUESDAY, MARCH 8.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move the following Resolutions :—
 - (1.) That all Officers who have received or may receive less than three months notice of the abolition of their offices should be paid salary for three months after they have been released from duty by the Head of their Department, unless in the mean time, an opportunity should occur of re-employing them in the Public Service, such salary to be computed according to the rates proposed for their respective offices.
 - (2.) That at the expiration of the three months the option should be afforded to those for whom it may have been found impossible to provide employment, of either accepting compensation, computed in accordance with existing regulations, *i. e.*, at the rate of one month's pay for each year of service, or of waiting until some other situation in the Public Service should present itself.
 - (3.) That in cases where the service of the officer to be compensated is less than three years, the three months salary should be regarded as full compensation ; and in cases where the service exceeds three years, that the three months salary should be deducted from the amount of compensation to which the Officer would be entitled from his length of service.
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WEDNESDAY, MARCH 9.

Contingent Notice of Motion :—

1. MR. COWPER to move, (*In Committee of Supply*), That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony for the month of March, 1859, at the rates sanctioned for the year 1858 ; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings, during the same month.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply ; resumption of the Committee.
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FRIDAY, MARCH 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MURRAY to move, That the Resolution adopted by this House on the 23rd day of February last, affirming " that a Department be created, to be called the Department of Trade and Customs," be rescinded.

DANIEL COOPER,
Speaker.

No. 44.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 4 MARCH, 1859.

1. There being only fifteen Members present, exclusive of the Speaker,—namely, Mr. Arnold, Mr. Cowper, Mr. Deniehy, Mr. Egan, Mr. Forster, Mr. Hart, Mr. Jones, Mr. W. Macleay, Mr. Piddington, Mr. Plunkett, Mr. Robertson, Mr. Taylor, Mr. W. B. Tooth, Mr. Weekes, and Mr. Wild,—the Speaker took the Chair, and adjourned the House at half-past Three o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MARCH 8.

Contingent Notice of Motion:—

1. MR. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, "That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation that it is the opinion of this House, that it would be inexpedient again to resort to 'Orphan Immigration.'"

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the proceedings at the Inquest, held by the Coroner, on the 26th and 28th ultimo, on the body of the late Percival Hindmarsh, Esquire.
2. MR. FORSTER to move, for leave to introduce a Bill, to provide, in certain respects, for the better regulation of proceedings at Elections of Members of the Legislative Assembly.
3. MR. SCOTT to move,—
 - (1.) That in order to a due appreciation and more extensive development of the Coal Mining interests of the Colony, a scientific investigation should be made of the relative values (for the purposes to which they may be most extensively applicable) of the various Colonial coals, as compared with those of the Mother Country.
 - (2.) That an Address be presented to the Governor General embodying this Resolution.
4. MR. MURRAY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1859, the sum of £1,500, to be awarded to Thomas Woore, Esquire, in consideration of his Railway Services, and in accordance with the Report of a Select Committee of this House during its last Session.
5. MR. HART to move,—
 - (1.) That in the opinion of this House a Free Public Library is an essential portion of adequate provision for any system of public general education.
 - (2.) That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Estimates for 1860, a sum not exceeding £10,000 for the establishment of a Free Public Library in the City of Sydney.
6. MR. FORSTER to move, That the conduct of the Government considered with reference to the Resolutions passed by this House on December 17, affirming the propriety of an early separation of the duties of Crown Law Officers from those of Cabinet Ministers, and in connection with recent appointments in the Departments of Law and Justice, has evinced a disregard of the wishes and opinions of this House, and is calculated to prejudice the Public Service.

7. **MR. MURRAY** to move,—
 (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Deniehy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.
8. **MR. MURRAY** to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Magistrates of Berrima, or any of them, or between the Clerk of the Bench at Berrima, and the Government, or Mr. Gordon, or C. H. Walsh, Esq., his Solicitor, or between the latter gentleman and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh in their Court in his professional capacity.
9. **MR. PIDDINGTON** to move, That the Petition of certain Presbyterians at Newcastle, relative to the proceedings of the Synod of Australia in 1842 towards the Revd. Dr Lang, presented by him on the 23rd instant, be printed.
10. **MR. DENIEHY** to move, That it is the opinion of this House, that neither the office of Secretary for Lands nor the office of Secretary for Public Works ought to be held by any Member of the Legislative Council, until that Branch of the Legislature shall be elected by the People.
11. **MR. MURRAY** to move, That the evidence of the Surveyor and Deputy Surveyor General, taken in Committee of Supply, at the Bar of this House, on the 17th instant, be printed.
12. **MR. DENIEHY** to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, copies of all correspondence between the Government and the Most Reverend Archbishop Polding, the Right Reverend Abbot Gregory, or the Roman Catholic Church Authorities usually acting in matters connected with the Roman Catholic Orphan School, in the matter of the appointment to a seat or seats at the Board for the management of that Institution, in the room of Mr. Plunkett or of any other member or members of such Board recently resigned.
13. **MR. DENIEHY** to move the following resolutions,—
 (1.) That in the opinion of this House, the practice of elevating individuals to the offices of Judges of the Superior Courts of the Territory, on the grounds of having rendered political services in or to the Government of the day, is one that should be in future discontinued, as fraught with danger to the due administration of Justice.
 (2.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
 (3.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
 (4.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
14. **MR. DENIEHY** to move the following Resolutions,—
 (1.) That a distinct Ministerial Department for the Administration of Justice in the Territory is absolutely necessary, and that therefore no plan for the re-arrangement of the Departments at present existing, or the creation of new Departments, will be satisfactory to this House, in which provision is not made for such distinct Department.
 (2.) That in the opinion of this House, no purely professional qualifications are needed for the due fulfilment of the duties of the Minister to be placed at the head of such Department, but that all Members of the Legislature shall be competent to hold office as such Minister.
 (3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
15. **MR. FORSTER** to move, That there be laid upon the Table of this House,—
 (1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
 (2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
16. **MR. HART** to move, That the debate of his motion,—“That this House will, on Friday next, re-olve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th ultimo, be now resumed.
17. **MR. PIDDINGTON** to move, That an Address, be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule 1 of the Act of the Imperial Parliament, 18 and 19 Victoria, cap. 54.

18. MR. WILD to move, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd instant, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr. Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.
19. MR. JENKINS to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
20. MR. HODGSON to move, That the Debate of his amended motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,”—which lapsed by the House being counted out on the 7th ultimo, be now resumed.
21. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
22. MR. THORNTON to move,—
 (1.) That in the opinion of this House, the state of affairs exposed by the Returns laid upon the Table, in answer to an Address dated the 30th March, 1858, upon the subject of the Official Assignees, demands the early attention of the Legislature.
 (2.) That it will become a duty of the Executive Government, at the earliest possible period, to introduce measures for the amendment of the present Insolvent law.
23. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
24. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
25. MR. PIDDINGTON to move, That the Petition from Singleton, presented by him on the 8th instant, be printed.
26. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd instant, be now adopted.
27. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 (2.) Also all Depositions and other Papers connected with these cases, respectively.
28. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.

ORDERS OF THE DAY :—

1. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
2. Compulsory Vaccination Bill ; second reading.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move the following Resolutions :—
 (1.) That all Officers who have received or may receive less than three months notice of the abolition of their offices should be paid salary for three months after they have been released from duty by the Head of their Department, unless in the mean time, an opportunity should occur of re-employing them in the Public Service, such salary to be computed according to the rates proposed for their respective offices.
 (2.) That at the expiration of the three months the option should be afforded to those for whom it may have been found impossible to provide employment, of either accepting compensation, computed in accordance with existing regulations, *i. e.*, at the rate of one month's pay for each year of service, or of waiting until some other situation in the Public Service should present itself.
 (3.) That in cases where the service of the officer to be compensated is less than three years, the three months salary should be regarded as full compensation ; and in cases where the service exceeds three years, that the three months salary should be deducted from the amount of compensation to which the Officer would be entitled from his length of service.
2. MR. COWPER to move, That the consideration in Committee, of the District Courts Act Amendment Bill, which lapsed by the House being counted out on the 24th ultimo, be restored to the Paper, and stand an Order of the Day for Tuesday next.
3. MR. COWPER to move, That the re-committal of the Graduates of British Universities Bill, which lapsed by the House being counted out on the 23rd ultimo, be restored to the Paper, and stand an Order of the Day for Tuesday next.

ORDERS OF THE DAY :—

1. Treasury Bills Act Repeal Bill; second reading.
2. Ways and Means; resumption of the Committee.

Questions :—

1. MR. FORSTER to ask THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—
(1) In the measurement of the "Cuttings" referred to in the Parliamentary Paper, headed "Sydney and Parramatta Railway," and entitled "Account of over-payments "to Contractor," ordered by the Legislative Assembly, on January 19, 1859, to be printed,—Did the quantities of earth-work measured include, in gross, the earth-work removed both *inside* and *back* cuttings?
(2.) Have the quantities of earth-work, *inside* and *back* cuttings, been taken into account in the statements that have been made by the Government with reference to the letter of the Chief Commissioner for Railways, dated January 6th, 1859, and included in the Parliamentary Paper above specified?
2. MR. FORSTER to ask THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—
(1.) Did the Honorable gentleman, in the course of the Debate in this House, upon Friday, February 11, on Mr. Forster's motion for the production of papers, having reference to the conduct of Mr. Licensed Surveyor Henry Sanderson, state, or intend to convey, that Mr. Sanderson was removed from the Public Service for criminal or dishonest practices?
(2.) If so, upon what grounds was such an accusation made?
3. MR. PIDDINGTON to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether the Bill the Colonial Secretary stated that the Government intended to introduce next Session, in compliance with Resolutions passed by the late Legislative Assembly, (February 24th, 1857,) and the present Legislative Assembly, (August 17th, 1858,) will be based upon the principle of two Houses of Parliament, both elected by the people?
4. MR. PIDDINGTON to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—When the Address agreed to by the Legislative Assembly, December 2nd, 1857, praying that His Excellency the Governor General will cause to be laid upon the Table of this House, a Return of all Crown Lands under lease or license beyond the Settled Districts, will be complied with?
5. MR. WILD to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether it is the intention of the Government, that Criminal Sessions shall be held at Camden, Picton, and Berrima, when the District Courts Act comes into operation?
6. MR. PLUNKETT to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether there is any objection on the part of the Government, to lay on the Table of this House, the Decisions of the Executive Council in the cases of Dr. Harris and the Mudgee Bench of Magistrates, and that of E. J. C. North, Esq., respectively, with the view of being printed for the information of this House and the parties concerned?

WEDNESDAY, MARCH 9.

Contingent Notice of Motion :—

1. MR. COWPER to move, (*In Committee of Supply*), That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony for the month of March, 1859, at the rates sanctioned for the year 1858; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings, during the same month.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Supply; resumption of the Committee.

FRIDAY, MARCH 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MURRAY to move, That the Resolution adopted by this House on the 23rd day of February last, affirming "that a Department be created, to be called the Department of Trade and Customs," be rescinded.

DANIEL COOPER,
Speaker.

No. 45.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 8 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers:—Mr. Cowper laid upon the Table the undermentioned Papers:—
(1.) Return to the Address, in reference to the case of *Douglass v. Wisdom*, adopted, on motion of Mr. Murray, on the 15th ultimo.
(2.) Rules of Court promulgated by their Honors the Judges on the 5th February, 1859.
Ordered to be printed.
2. Mr. EweBank Lough:—Mr. Deniehy presented a Petition from EweBank Lough, late Clerk and Steward of the Lunatic Asylum, complaining of his dismissal from that Office, and praying inquiry into the cause thereof.
Petition received.
3. Inquest on the late Percival Hindmarsh, Esq.:—Mr. Deniehy moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of the proceedings at the Inquest, held by the Coroner, on the 26th and 28th ultimo, on the body of the late Percival Hindmarsh, Esquire.
Question put and passed.
4. Undue Expenses at Elections Prevention Bill:—Mr. Forster moved, pursuant to notice, for leave to introduce a Bill, to provide, in certain respects, for the better regulation of proceedings at Elections of Members of the Legislative Assembly.
Question put and passed;—*Ordered*, That the Mover and Seconder prepare and bring in the Bill.
5. Motion dropped:—Mr. Scott not moving the motion standing in his name third on the Notice Paper of Other Business for to-day, it dropped.
6. Postponement:—Mr. Deniehy postponed the motion standing in the name of Mr. Murray fourth on the Notice Paper of Other Business for to-day, until Friday next.
7. Motions withdrawn:—
(1.) Mr. Hart withdrew the motion standing in his name fifth on the Notice Paper of Other Business for to-day.
(2.) Mr. Forster withdrew the motion standing in his name sixth on the Notice Paper of Other Business for to-day.
8. Postponements:—Mr. Deniehy postponed the motions standing in the name of Mr. Murray seventh and eighth on the Notice Paper of Other Business for to-day, until Friday next.
9. The Revd. Dr. Lang:—Mr. Piddington moved, pursuant to *amended* notice, That the Petition of certain Presbyterians at Newcastle, relative to the proceedings of the Synod of Australia in 1842 towards the Revd. Dr. Lang, presented by him on the 23rd ultimo, be printed.
Debate ensued.
Question put and passed.
Ordered to be printed.
10. Undue Expenses at Elections Prevention Bill:—Mr. Forster having *presented* this Bill, Bill intituled, "*A Bill to provide in certain respects for the better regulation of proceedings at Elections of Members of the Legislative Assembly,*" read a first time; ordered to be printed, and read a second time on Friday next.
11. Motion withdrawn:—Mr. Deniehy withdrew the motion standing in his name tenth on the Notice Paper of Other Business for to-day.
12. Evidence given at the Bar by the Surveyor General and Deputy Surveyor General:—Mr. Deniehy, on behalf of Mr. Murray, moved, pursuant to notice given by Mr. Murray, That the evidence of the Surveyor and Deputy Surveyor General, taken in Committee of Supply, at the Bar of this House, on the 17th ultimo, be printed.
Question put and passed.
Ordered to be printed.

13. Roman Catholic Orphan School Board:—Mr. Deniehy moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, copies of all correspondence between the Government and the Most Reverend Archbishop Polding, the Right Reverend Abbot Gregory, or the Roman Catholic Church Authorities usually acting in matters connected with the Roman Catholic Orphan School, in the matter of the appointment to a seat or seats at the Board for the management of that Institution, in the room of Mr. Plunkett or of any other member or members of such Board recently resigned.
Question put and passed.
14. Promotion to Judicial Offices:—Mr. Deniehy moved, pursuant to *amended* notice, the following resolutions:—
(1.) That in the opinion of this House, there should be hereafter acknowledged by the Executive no priority of right in the Attorney or Solicitor General, for the time being, in relation to the Bar generally, to promotion to Judicial offices that may become vacant.
(2.) That appointments to the office of Judge should be uniformly, as far as practicable, made by the Government, on a principle of selection from the Bar at large.
(3.) That the foregoing Resolutions be embodied in an Address, and presented to His Excellency the Governor General.
Debate ensued.
Question put and passed.
15. Attendance of Member of Legislative Council:—Mr. Plunkett moved, without previous notice, That the following Message be carried to the Legislative Council:—
MR. PRESIDENT,
The Legislative Assembly having appointed a Select Committee to inquire into a "Question of Privilege," arising out of Mr. Robert Owen's vacation of his seat, as a member for the Electoral District of East Camden, on his acceptance of office as a Judge under the District Courts Act of 1858, and that Committee being desirous to examine the Honorable George Allen, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day or days as shall be arranged between him and the said Committee.
*Legislative Assembly Chamber,
Sydney, 8th March, 1859.* Speaker.
Question put and passed.
16. Police Protection for Districts of Albert and Lower Darling:—Mr. W. Macleay presented a Petition from certain Stockholders, Magistrates, and others resident in the District of Albert, praying Police Protection for the Districts of Albert and Lower Darling.
Petition received.
17. Motion withdrawn:—Mr. Deniehy withdrew the motion standing in his name fourteenth on the Notice Paper of Other Business for to-day.
18. Compensation to Government Officers:—Mr. Forster moved, pursuant to notice, That there be laid upon the Table of this House,—
(1.) A Return of all Government Officers for whom the Government intend providing compensation in terms of the item in page 5 of the Supplementary Estimate for 1859, under the heading "No. 5, Treasurer and Secretary for Finance and Trade," entitled, "To provide compensation to Public Officers whose situations are abolished"; specifying in each case the individual's name; the number of years he has continued in Public Service without intermission; the office held by him which has been abolished, or which it is intended to abolish; the annual emoluments thereof; the amount of compensation claimed, or which it is intended to bestow; and whether the claimant be willing and competent to enter the Public Service in any other capacity.
(2.) Copies of all Correspondence on the above subject between the Government and any person or persons.
Question put and passed.
19. Police Magistrate for Armidale:—The debate on the motion,—“That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed on the Supplementary Estimate for 1859, a sum not exceeding £500 to defray the expense of a Police Magistrate for Armidale,”—which lapsed by the House being counted out on the 14th January last, being resumed, on motion of Mr. Hart,—
Question put and passed.
20. Instructions and Despatches in reference to Schedule for Public Worship:—Mr. Piddington moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Royal instructions, or of any despatches from Secretaries of State, relating to the appropriation or distribution of the sum of £28,000, reserved by Schedule C, to Schedule 1 of the Act of the Imperial Parliament, 18 and 19 Victoria, cap. 54.
Question put and passed.
21. Mr. Charles Frederick Gorton:—Mr. Wild moved, pursuant to notice, (with reference to the Petition of Mr. Charles Frederick Gorton, presented by him on the 3rd ultimo, and since ordered to be printed,) That there be laid upon the Table of this House, Copies of all Correspondence between the Surveyor General and Mr. Gorton, and between the Surveyor General and the Government, with reference to Mr. Gorton's dismissal from office.
Question put and passed.

22. Loans to the Corporation of the City of Sydney:—Mr. Jenkins moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof on the credit of the Colony.
Question put and passed.
23. Motions dropped:—Mr. Hodgson, not moving the motions standing in his name, twentieth and twenty-first on the Notice Paper of Other Business for to-day, they severally dropped.
24. Motion withdrawn:—Mr. Thornton withdrew the motion standing in his name twenty-second on the Notice Paper of Other Business for to-day.
25. Sir Alfred Stephen's resignation of his seat in the Legislative Council:—Mr. Deniely, on behalf of Mr. Murray, moved, pursuant to notice given by Mr. Murray, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Government and Sir Alfred Stephen relative to his resignation of his Seat as a Member of the Legislative Council.
Question put and passed.
26. Postponement:—Mr. Deniely postponed the motion standing in the name of Mr. Murray twenty-fourth on the Notice Paper of Other Business for to-day, until Friday next.
27. Estimate for improving the Main North Line of Road:—Mr. Piddington moved, pursuant to notice, That the Petition from Singleton, presented by him on the 8th ultimo, be printed.
Question put and passed.
Ordered to be printed.
And notice being taken that there was not a Quorum present, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at half-past Seven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MARCH 9.

Contingent Notices of Motion:—

1. Mr. COWPER to move, (*In Committee of Supply*), That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony for the month of March, 1859, at the rates sanctioned for the year 1858; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings, during the same month.
2. Mr. JENKINS to move, by way of Amendment upon Mr. Thornton's motion for adoption of the Report from the Select Committee on Irish Female Immigration, That there be added at the end of the Question, the words, "That a copy of the said Report be transmitted by Address to His Excellency the Governor General, with an intimation that it is the opinion of this House, that it would be inexpedient again to resort to "Orphan Immigration."

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. Mr. COWPER to move the following Resolutions:—
 - (1.) That all Officers who have received or may receive less than three months notice of the abolition of their offices should be paid salary for three months after they have been released from duty by the Head of their Department, unless in the mean time, an opportunity should occur of re-employing them in the Public Service, such salary to be computed according to the rates proposed for their respective offices.
 - (2.) That at the expiration of the three months the option should be afforded to those for whom it may have been found impossible to provide employment, of either accepting compensation, computed in accordance with existing regulations, *i. e.*, at the rate of one month's pay for each year of service, or of waiting until some other situation in the Public Service should present itself.
 - (3.) That in cases where the service of the officer to be compensated is less than three years, the three months salary should be regarded as full compensation; and in cases where the service exceeds three years, that the three months salary should be deducted from the amount of compensation to which the Officer would be entitled from his length of service.
2. Mr. COWPER to move, That the consideration in Committee, of the District Courts Act Amendment Bill, which lapsed by the House being counted out on the 24th ultimo, be restored to the Paper, and stand an Order of the Day for Tuesday next.
3. Mr. COWPER to move, That the re-committal of the Graduates of British Universities Bill, which lapsed by the House being counted out on the 23rd ultimo, be restored to the Paper, and stand an Order of the Day for Tuesday next.

ORDERS

ORDERS OF THE DAY:—

1. Supply; resumption of the Committee.
2. Treasury Bills Act Repeal Bill; second reading.
3. Ways and Means; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DENIEHY to move, That the Petition of Mr. EweBank Lough, presented by him on the 8th instant, be printed.
2. MR. THORNTON to move, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd February last, be now adopted.
3. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz.:—
 - (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of Regina v. Lang, and Regina v. Fussel, respectively.
 - (2.) Also all Depositions and other Papers connected with these cases, respectively.
4. MR. FORSTER to move for leave to introduce a Bill to enable the Legislative Council, and Legislative Assembly, respectively, to appoint a Quorum for the dispatch of business.

ORDERS OF THE DAY:—

1. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
2. Compulsory Vaccination Bill; second reading.

Questions:—

1. MR. PIDDINGTON to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 - (1.) Whether the Government is aware that a considerable portion of the low land adjacent to Wallis' Creek and Fishery Creek, Maitland, has been flooded in consequence of the alterations at the mouth of Wallis' Creek?
 - (2.) Whether the Government intend to adopt immediate and effectual means for the purpose of removing any obstructions at the mouth of Wallis' Creek, in order to save many small settlers, who have been seriously injured, from entire ruin?
2. MR. DENIEHY to ask THE HONORABLE THE COLONIAL SECRETARY,—If it is the intention of the Government to take any steps forthwith concerning the Clerk of Petty Sessions at Armidale, in connection with the Report of the Commission of Inquiry on that Officer's conduct?
3. MR. EGAN to ask THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—When the Surveyor of Rivers and Harbours will proceed to the Moruya for the purpose of surveying and reporting on the Harbour and Rivers in that district?
4. MR. WILLIAMSON to ask THE HONORABLE THE SECRETARY FOR LANDS AND WORKS,—Whether the Engineer for Ports and Harbours has been instructed to visit and report upon the state of the entrances to the Manning River, Port Macquarie, and M'Leay Rivers?
5. MR. PIDDINGTON to ask THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) When the Government intend to propose an estimate providing salaries for the Secretary of Public Works and the Secretary of Trade and Customs?
 - (2.) How they intend to carry out the 5th Resolution, namely, "That the Attorney General and Solicitor General shall not in future be responsible Ministers, but shall be Political Officers retiring from Office with the Ministry"?
6. MR. DENIEHY to ask THE COLONIAL SECRETARY,—
 - (1.) What day of the month and week was the nomination of Dr. Bassett to a seat at the Board for the management of the Roman Catholic Orphan School, made to the Government?
 - (2.) On what day of the month and week was it modified—and by whom, and
 - (3.) On what day of the month and week was it finally withdrawn, if it have been so withdrawn—and by whom?

FRIDAY, MARCH 11.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MURRAY to move, That the Resolution adopted by this House on the 23rd day of February last, affirming "that a Department be created, to be called the Department of Trade and Customs," be rescinded.
2. MR. MURRAY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1859, the sum of £1,500, to be awarded to Thomas Woore, Esquire, in consideration of his Railway Services, and in accordance with the Report of a Select Committee of this House during its last Session.

3. MR. MURRAY to move,—
 (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Deniehy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Magistrates of Berrima, or any of them, or between the Clerk of the Bench at Berrima, and the Government, or Mr. Gordon, or C. H. Walsh, Esq., his Solicitor, or between the latter gentleman and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh in their Court in his professional capacity.
5. MR. W. MACLEAY to move, That the Petition from the Districts of Albert and Lower Darling, praying for Police protection, presented by him on the 8th instant, be printed.
6. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
7. MR. JENKINS to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the year 1859, for the salary of a Police Magistrate at Tamworth.

ORDERS OF THE DAY :—

1. Undue Expenses at Elections Prevention Bill ; second reading.
2. Police Magistrate for Arncliffe ; consideration in Committee of an Address for Salary.

Question :—

1. MR. WILLIAM MACLEAY to ask THE SECRETARY FOR LANDS AND WORKS,—What the Government intend to do in the case of Mrs. Hanley, of Cooloo, who has been compelled to pay a considerable sum as rent for land, of which the Government had previously deprived her ?

DANIEL COOPER,
 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 outlines the various methods used to collect and analyze the data. This includes both primary and secondary data collection techniques. The analysis focuses on identifying trends and patterns over time, which is crucial for making informed decisions.

The third part of the document provides a detailed breakdown of the results. It shows that there has been a significant increase in sales volume, particularly in the middle and lower income brackets. This suggests that the current marketing strategy is effective in reaching a wider audience.

Finally, the document concludes with several key recommendations. It suggests that the company should continue to invest in research and development to stay ahead of the competition. Additionally, it recommends a more targeted marketing approach to further optimize the return on investment.

No. 46.

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VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

—

WEDNESDAY, 9 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Postponement:—Mr. Cowper postponed the motion standing in his name first on the Notice Paper of Government Business for to-day, until to-morrow.
2. District Courts Act Amendment Bill:—Mr. Cowper moved, pursuant to *amended* notice, That the consideration in Committee, of the District Courts Act Amendment Bill, which lapsed by the House being counted out on the 24th ultimo, be restored to the Paper, and stand an Order of the Day for to-morrow.
Question put and passed.
3. Graduates of British Universities Bill:—Mr. Cowper moved, pursuant to *amended* notice, That the re-committal of the Graduates of British Universities Bill, which lapsed by the House being counted out on the 23rd ultimo, be restored to the Paper, and stand an Order of the Day for to-morrow.
Question put and passed.
4. Supply:—On motion of Mr. Cowper the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858-9.
The Chairman obtained leave to sit again to-morrow, and reported the following Resolution:—
(54.) Resolved, That there be appropriated a sum not exceeding £78,000 to defray the expenses of the various Departments and Services of the Colony for the month of March, 1859, at the rates sanctioned for the year 1858; and a sum not exceeding £14,000 for the construction of Roads and Bridges, and Works and Buildings, during the same month.
Mr. Cowper then moved, That this House do now adopt this Resolution.
Question put and passed.
5. Attendance of Member of Legislative Council:—The Speaker reported that whilst the House was in Committee of Supply, the following Message was received from the Legislative Council:—
MR. SPEAKER,
In answer to the Message from the Legislative Assembly, dated the 8th instant, requesting leave for the Honorable George Allen, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly, appointed to inquire into a "Question of Privilege," arising out of Mr. Robert Owen's vacation of his Seat, as a Member for the Electoral District of East Camden, on his acceptance of Office as a Judge under the District Courts Act "of 1858," the Council acquaints the Legislative Assembly that leave has been granted to Mr. Allen to attend and be examined by the said Committee, if he think fit.
Legislative Council Chamber,
Sydney, 9 March, 1859.
W. W. BURTON,
President.
6. Postponements:—The remaining Orders on the Paper of Government Business for to-day postponed, on motion of Mr. Cowper, until to-morrow.
7. Mr. Ewelbank Lough:—Mr. Plunkett, on behalf of Mr. Deniehy, moved, pursuant to notice given by Mr. Deniehy, That the Petition of Mr. Ewelbank Lough, presented by Mr. Deniehy on the 8th instant, be printed.
Question put and passed.
Ordered to be printed.
8. Irish Female Immigrants:—Mr. Thornton moved, pursuant to notice, That the Report of the Select Committee on Irish Female Immigration, laid upon the Table of this House on the 2nd February last, be now adopted.
Question put and passed.

9. *Regina v. Lang, &c* :—Mr. Plunkett moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, the following Papers, viz. :—
 (1.) All Correspondence between the Honorable Alexander Berry, and his Solicitors, Norton, Son, and Barker, with the Attorney General, or the Secretary to the Law Officers, respecting the cases of *Regina v. Lang*, and *Regina v. Fussel*, respectively.
 (2.) Also all Depositions and other Papers connected with these cases, respectively.
 Question put and passed.
10. Motion dropped :—Mr. Forster not moving the motion standing in his name fourth on the Notice Paper of Other Business for to-day, it dropped.
- 11 Postponements :—
 (1.) The second reading of the Moreton Bay Assistant District Judge's Appointment Bill postponed, on motion of Mr. Plunkett, until Friday next.
 (2.) The second reading of the Compulsory Vaccination Bill postponed, on motion of Mr. Jenkins, until Friday next.
- The House adjourned at ten minutes before Twelve o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MARCH 10.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move the following Resolutions :—
 (1.) That all Officers who have received or may receive less than three months notice of the abolition of their offices should be paid salary for three months after they have been released from duty by the Head of their Department, unless in the mean time, an opportunity should occur of re-employing them in the Public Service, such salary to be computed according to the rates proposed for their respective offices.
 (2.) That at the expiration of the three months the option should be afforded to those for whom it may have been found impossible to provide employment, of either accepting compensation, computed in accordance with existing regulations, *i. e.*, at the rate of one month's pay for each year of service, or of waiting until some other situation in the Public Service should present itself.
 (3.) That in cases where the service of the officer to be compensated is less than three years, the three months salary should be regarded as full compensation; and in cases where the service exceeds three years, that the three months salary should be deducted from the amount of compensation to which the Officer would be entitled from his length of service.

ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill; resumption of consideration in Committee.
2. Graduates of British Universities Bill; resumption of further consideration in Committee.
3. Supply; resumption of the Committee.
4. Treasury Bills Act Repeal Bill; second reading.
5. Ways and Means; resumption of the Committee.

Questions :—

1. MR. WILLIAM MACLEAY to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 When the Chief Commissioner of Roads and Railways is to inspect and report upon the state of the Southern Road between Yass and Albury?
2. MR. FORSTER to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
 (1.) Has naturalization been refused to the following persons, natives of China, Deian, Leong, and Pangsee, now residents at Wide Bay, alleged to have been eight years in the Colony, to have borne an unblemished character throughout the period in question, and to have become purchasers of land to the several amounts respectively, of £42, £32, £67?
 (2.) If such a course has been, on what grounds has it been, adopted?
 (3.) Is it intended to refuse the abovenamed persons Deeds of Grant for the land alleged to have been purchased by them, or to exact from them any terms not imposed upon any other class of purchasers?
 (4.) Have the Government determined on refusing naturalization to Uhinamen in all cases whatsoever, no matter what the character of the applicants, or how long may have been their residence in the Colony?
3. MR. GORDON to ask THE MINISTER FOR LANDS AND PUBLIC WORKS,—When the Government will be prepared with any plan of arrangement or compensation to claimants of water frontage in Woolloomooloo Bay?
4. MR. PLUNKETT to ask THE HONORABLE THE COLONIAL SECRETARY,—
 (1.) As the 6th February (the day on which the House was informed by the late Solicitor General the District Courts would be brought into operation) is now more than a month passed over, and the District Courts, or any of them, are not yet in operation, I beg to ask when those Courts, or any of them, will be brought into actual operation—
 I confine this question to the Civil Jurisdiction of those Courts?
 (2.) Also at what time will Courts of Quarter Sessions be held in places beyond Goulburn, Bathurst, and Maitland; and in what places will such Courts be held?

5. MR. DENIEHY to ask THE HONORABLE THE COLONIAL SECRETARY,—If it is the intention of the Government to take any steps forthwith concerning the Clerk of Petty Sessions at Armidale, in connection with the Report of the Commission of Inquiry on that Officer's conduct?
6. MR. DENIEHY to ask THE COLONIAL SECRETARY,—
 - (1.) What day of the month and week was the nomination of Dr. Bassett to a seat at the Board for the management of the Roman Catholic Orphan School, made to the Government?
 - (2.) On what day of the month and week was it modified—and by whom, and
 - (3.) On what day of the month and week was it finally withdrawn, if it have been so withdrawn—and by whom?

FRIDAY, MARCH 11.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. MURRAY to move, That the Resolution adopted by this House on the 23rd day of February last, affirming "that a Department be created, to be called the Department of Trade and Customs," be rescinded.
2. MR. MURRAY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1859, the sum of £1,500, to be awarded to Thomas Woore, Esquire, in consideration of his Railway Services, and in accordance with the Report of a Select Committee of this House during its last Session.
3. MR. MURRAY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 - (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Denichy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Magistrates of Berrima, or any of them, or between the Clerk of the Bench at Berrima, and the Government, or Mr. Gordon, or C. H. Walsh, Esq., his Solicitor, or between the latter gentleman and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh in their Court in his professional capacity.
5. MR. W. MACLEAY to move, That the Petition from the Districts of Albert and Lower Darling, praying for Police protection, presented by him on the 8th instant, be printed.
6. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
7. MR. JENKINS to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the year 1859, for the salary of a Police Magistrate at Tamworth.

ORDERS OF THE DAY :—

1. Undue Expenses at Elections Prevention Bill; second reading.
2. Police Magistrate for Armidale; consideration in Committee of an Address for Salary.
3. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
4. Compulsory Vaccination Bill; second reading.

Question :—

1. MR. WILLIAM MACLEAY to ask THE SECRETARY FOR LANDS AND WORKS,—What the Government intend to do in the case of Mrs. Hanley, of Coolooe, who has been compelled to pay a considerable sum as rent for laud, of which the Government had previously deprived her?

DANIEL COOPER,
Speaker.

No. 47.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 10 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Paper:—Mr Cowper laid upon the Table the Return to the Address in reference to Sir Alfred Stephen's resignation of his seat in the Legislative Council, adopted, on motion of Mr. Murray, on the 8th instant.
Ordered to be printed.
2. Postponements:—
(1.) Mr. Cowper postponed the motion standing in his name on the Notice Paper for to-day, until to-morrow.
(2.) The resumption of the consideration in Committee of the District Courts Act Amendment Bill postponed, on motion of Mr. Cowper, until to-morrow.
3. Graduates of British Universities Bill:—Upon the Order of the Day being read, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for the resumption of the further consideration of this Bill.
The Chairman having reported the Bill with further Amendments, and with the Title amended to read thus—"An Act to extend to Graduates of other Universities certain privileges enjoyed by Graduates of the University of Sydney"—the House adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.
4. Supply:—On motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the Service of the year 1858-9.
The Chairman obtained leave to sit again to-morrow, and reported the following Resolutions:—

Estimates for 1859—continued.

IV.—ADMINISTRATION OF JUSTICE.

- (55.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,817, to defray the salaries and contingencies of the Establishment of the Law Officers of the Crown, for the year 1859.
- (56.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,497, to defray the salaries and contingencies of the Establishment of Supreme and Circuit Courts, for the year 1859.
- (57.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,917, to defray the salaries and contingencies of the Moreton Bay Court Establishment, for the year 1859.
- (58.) Resolved, that there be granted to Her Majesty, a sum not exceeding £14,125, to defray the salaries and contingencies of the District Courts Establishment, for the year 1859.
- (59.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,222, to defray the salaries and contingencies of the Sheriff's Establishment, for the year 1859.
- (60.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,283, to defray the salaries and contingencies of the Insolvent Court Establishment, for the year 1859.
- (61.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,124, to defray the salaries and contingencies of the Quarter Sessions Establishment, for the year 1859.
- (62.) Resolved, that there be granted to Her Majesty, a sum not exceeding £260, to defray the salaries and contingencies of the Courts of Requests Establishment, for the year 1859. (*Being for the month of January only*).
- (63.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,189, to defray the salaries and contingencies of the Establishment of Coroners, for the year 1859.
- (64.) Resolved, that there be granted to Her Majesty, a sum not exceeding £295, to defray the expenses of the Court of Claims, for the year 1859.

V.

V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

- (65.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,302, to defray the salaries and contingencies of the Treasury Establishment, for the year 1859.
- (66.) Resolved, that there be granted to Her Majesty, a sum not exceeding £24,334, to defray the salaries and contingencies of the Customs' Establishment, for the year 1859.
- (67.) Resolved, that there be granted to Her Majesty, a sum not exceeding £20,000, to defray Drawbacks and Refund of Duties for the year 1859.
- (68.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,579, to defray the salaries and contingencies of the Establishment of Colonial Distilleries, for the year 1859.
- (69.) Resolved, that there be granted to Her Majesty, a sum not exceeding £12,372, to defray the salaries and contingencies of the Sydney Branch of the Royal Mint, for the year 1859.
- (70.) Resolved, that there be granted to Her Majesty, a sum not exceeding £250, to defray the salaries of Gold Receivers, for the year 1859.
- (71.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,405, to defray the salaries and contingencies of the Colonial Storekeeper's Establishment, for the year 1859.
- (72.) Resolved, that there be granted to Her Majesty, in the year 1859, a sum not exceeding £37,330, to defray Stationery and Stores. (*Being in accordance with the amount voted for 1858.*)
- (73.) Resolved, that there be granted to Her Majesty, a sum not exceeding £511, to defray the salary and contingencies of the Gunpowder Magazine Establishment for the year 1859.
- (74.) Resolved, that there be granted to Her Majesty, in the year 1859, a sum not exceeding £27,540, to defray the expenses of the Harbors Light Houses and Pilot Department, being—£3,102 for Board and Harbor Masters; £4,041 for Light Houses; £7,974 for Sea and River Pilots; £6,968 for Boatmen; £855 for Contingencies; and £4,600 for Steam Dredge.
- (75.) Resolved, that there be granted to Her Majesty, a sum not exceeding £30, to defray Miscellaneous Services for the year 1859, being for Provisions to be left at Booby Island for the relief of Shipwrecked Persons.

VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

- (76.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,995, to defray the salaries and contingencies of the Establishment of the Secretary for Lands and Public works, for the year 1859.
- (77.) Resolved, that there be granted to Her Majesty, a sum not exceeding £72,177 to defray the salaries and contingencies of the Establishment for the Survey and Management of Crown Lands, for the year 1859.
- (78.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,000, to defray Commission on Sales of Land, and Advertisements, for the year 1859.
- (79.) Resolved, that there be granted to Her Majesty, a sum not exceeding £8,115, to defray the salaries and contingencies of the Gold Fields Establishment, for the year 1859.
- (80.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,250, to defray the Gold Contingent, for the year 1859, to meet unforeseen expenses in cases of emergency.
- (81.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,053, to defray the salaries and contingencies of Botanic Gardens Establishments for the year 1859,—being £2,503 for such Establishment at Sydney, and £550 for such Establishment at Brisbane.
- (82.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,323, to defray the salaries and contingencies of the Establishment of the Government Domains and Hyde Park, for the year 1859.
- (83.) Resolved, that there be granted to Her Majesty, a sum not exceeding £655 to defray the expenses of the Establishment of the Examiner of Coal Mines and Coal Fields, for the year 1859.
- (84.) Resolved, that there be granted to Her Majesty, a sum not exceeding £11,170, to defray the salaries and contingencies of the Establishment of Railways for the year 1859.
- (85.) Resolved, that there be granted to Her Majesty, a sum not exceeding £62,525, to defray the Working Expenses of 54 miles of Railway, for the year 1859.
- (86.) Resolved, that there be granted to Her Majesty, a sum not exceeding £12,810, to defray the Expenses of Railway Trial Surveys, for the year 1859.
- (87.) Resolved, that there be granted to Her Majesty, a sum not exceeding £121,030, to defray the expenses of Roads, for the year 1859,—being £5,250 for the salaries and contingencies of the Department of Roads; and £115,780, for the Construction and Maintenance

Maintenance of Roads, as follows:—£22,850 for the Main Northern Road; £22,050 for the Main Western Road; £5,400 for the Mudgee Road; £20,500 for the Main Southern Road; £4,600 for Roads, Moreton Bay; £38,600 for Roads other than Main Roads; and £1,780 for Bridges on other than Main Roads, and Ferries.

(88.) Resolved, that there be granted to Her Majesty, in the year 1859, a sum not exceeding £12,549, to defray the salaries, allowances, contingencies, and working expenses of the Electric Telegraph Establishment.

(89.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,124, to defray the salaries and contingencies of the Colonial Architect's Establishment, for the year 1859.

(90.) Resolved, that there be granted to Her Majesty, a sum not exceeding £58,450, to defray the expense of Public Works and Buildings, for the year 1859, being—£10,000 for ordinary repairs, alterations, and additions to Public Buildings generally; £1,500 for repairs to Military Barracks and other Buildings; £250 for lighting Lamps and sweeping Chimneys, Victoria Barracks; £3,000 to provide Furniture and Fittings for the Public Offices generally; £500 for the erection of a Cottage for the Superintendent of the Botanic Garden, Brisbane; £2,000 for providing Materials and Implements for employment of Prisoners at Darlinghurst Gaol; £1,500 for same, at Parramatta Gaol; £500 for same, at Goulburn Gaol; £500 for same, at Maitland Gaol; £500 for same, at Bathurst Gaol; £2,000 for the erection of a Gaol at Wollongong; £1,000 for additions to the Surveyor General's Office; £500 for additions at Protestant Orphan School; £1,500 for additions at Roman Catholic Orphan School; £6,000 for repairs, alterations, and additions to the Lunatic Asylum, Tarban Creek; £1,000 for same, at Lunatic Asylum, Parramatta; £600 to complete the Observatory; £1,500 for repairs to Government House and Out-offices; £6,000 for erection of a Registry Office, Sydney; £970 for fencing in the Necropolis, Sydney; £5,000 for erection of a Court House, at Albury; the further sum of £4,000 for same, at Armidale; £2,000 for same, at Tamworth; £450 for same, at Tenterfield; £800 for same, at Burrowa; £500 for same, at Casino; £800 for same, at Rockhampton; £150 for the erection of a Watch House, at Nelligan; £400 for same, at Coonabarabran; £450 for same, at Little Ipswich; £450 for same, at the Three Rivers; £450 for same, at North Gundagai; the further sum of £200 for same, at Muswellbrook; £500 for same, at Rockhampton; £380 for repairs to the Residence of the Police Magistrate, Maitland; £200 for Quarters and Stables for Gold Commissioner, Tumut; and £100 for fencing Police Paddock, Deniliquin.

(91.) Resolved, that there be granted to Her Majesty in the year 1859, a further sum not exceeding £16,600, to defray the Expenses of Public Works and Buildings, being—the further sum of £6,600 towards the erection of the new Gaol at Brisbane; £5,000 for the erection of a Light House at Cape St. George; and £5,000 for the repair of the Circular Quay at Sydney.

(92.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,400, to defray the salaries and contingencies of the Department of Harbours and River Navigation, for the year 1859.

(93.) Resolved, that there be granted to Her Majesty, in the year 1859, a sum not exceeding £9,436, to defray the expenses of the Fitz Roy Dock Establishment,—being £7,804 for the extension of the Dock and for the employment of Convicts there; and £1,632 to meet excess of Expenditure for 1856, on account of machinery for the Dock.

VII.—THE AUDITOR GENERAL.

(94.) Resolved, that there be granted to Her Majesty, a sum not exceeding £5,092, to defray the salaries and contingencies of the Auditor General's Establishment, for the year 1859.

Mr. Cowper then moved, That this House do now adopt these Resolutions.
Question put and passed.

5. Treasury Bills Act Repeal Bill:—Mr. Cowper moved, That this Bill be now read a second time.

Debate ensued.

Question put and passed,—

And Bill read a second time,—

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

The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.

6. Attendance of Member of Legislative Council:—Mr. Plunkett moved, without previous notice, That the following Message be carried to the Legislative Council,—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee to inquire into a Question of Privilege, arising out of Mr. Robert Owen's vacatiou of his Seat as a Member for the Electoral District of East Camden, on his acceptance of office as a Judge under the District Courts Act of 1853, and that Committee being desirous to examine

examine the Honorable Robert M'Intosh Isaacs, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,
Sydney, 10 March, 1859.*

Speaker.

Question put and passed.

7. Postponement:—The resumption of the Committee of Ways and Means postponed, on motion of Mr. Cowper, until Tuesday next.
- The House adjourned at half-past Ten o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, MARCH 11.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MURRAY to move, That the Resolution adopted by this House on the 23rd day of February last, affirming "that a Department be created, to be called the Department of Trade and Customs," be rescinded.
2. MR. MURRAY to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1859, the sum of £1,500, to be awarded to Thomas Woore, Esquire, in consideration of his Railway Services, and in accordance with the Report of a Select Committee of this House during its last Session.
3. MR. MURRAY to move,—
 - (1.) That a Select Committee be appointed to inquire into, and report upon, the recent appointment of a Judge at Moreton Bay.
 - (2.) That such Committee consist of Mr. Plunkett, Mr. Hay, Mr. Denichy, Mr. Egan, Mr. W. B. Tooth, Mr. Jenkins, Mr. Piddington, Mr. Hodgson, and the Mover.
4. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Magistrates of Berrima, or any of them, or between the Clerk of the Bench at Berrima, and the Government, or Mr. Gordon, or C. H. Walsh, Esq., his Solicitor, or between the latter gentleman and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh in their Court in his professional capacity.
5. MR. W. MACLEAY to move, That the Petition from the Districts of Albert and Lower Darling, praying for Police protection, presented by him on the 8th instant, be printed.
6. MR. MURRAY to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all correspondence between the Magistrates of Berrima, or any of them, and C. H. Walsh, Esq., between this latter gentleman and the Government, and between the Magistrates, or any of them, and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh, in their Court, in his professional capacity.
7. MR. JENKINS to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the year 1859, for the salary of a Police Magistrate at Tamworth.

ORDERS OF THE DAY:—

1. Undue Expenses at Elections Prevention Bill; second reading.
2. Police Magistrate for Armidale; consideration in Committee of an Address for Salary.
3. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
4. Compulsory Vaccination Bill; second reading.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. COWPER to move the following Resolutions:—
 - (1.) That all Officers who have received or may receive less than three months notice of the abolition of their offices should be paid salary for three months after they have been released from duty by the Head of their Department, unless in the mean time, an opportunity should occur of re-employing them in the Public Service, such salary to be computed according to the rates proposed for their respective offices.
 - (2.) That at the expiration of the three months the option should be afforded to those for whom it may have been found impossible to provide employment, of either accepting compensation, computed in accordance with existing regulations, *i. e.*, at the rate of one month's pay for each year of service, or of waiting until some other situation in the Public Service should present itself.
 - (3.) That in cases where the service of the officer to be compensated is less than three years, the three months salary should be regarded as full compensation; and in cases where the service exceeds three years, that the three months salary should be deducted from the amount of compensation to which the Officer would be entitled from his length of service.

ORDERS

ORDERS OF THE DAY :—

1. District Courts Act Amendment Bill ; resumption of consideration in Committee.
2. Graduates of British Universities Bill ; third reading.
3. Supply ; resumption of the Committee.
4. Treasury Bills Act Repeal Bill ; third reading.

Questions :—

1. MR. WILLIAM MACLEAY *to ask* THE SECRETARY FOR LANDS AND WORKS,—What the Government intend to do in the case of Mrs. Hanley, of Cooloooc, who has been compelled to pay a considerable sum as rent for land, of which the Government had previously deprived her ?
2. MR. W. B. TOOTH *to ask* THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether Mr. Haley, of the Burnett District, has proved to the satisfaction of the Government that he is entitled to remission of money under the second clause of the Assessment Act of 1858 ; and, if so, when and to whom may he apply for the same ?
3. MR. WILD *to ask* THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Is it probable that the Revision Courts under the new Electoral Bill will be held as soon as practicable after the dissolution of the present Parliament ?
 - (2.) Is it the intention of the Government that these Courts shall be held contemporaneously throughout the Colony ?

TUESDAY, MARCH 15.

GOVERNMENT BUSINESS—ORDER OF THE DAY :—

1. Ways and Means ; resumption of the Committee.

DANIEL COOPER,
Speaker.

No. 48.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 11 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Motion withdrawn:—Mr. Murray withdrew the motion standing in his name first on the Notice Paper of Other Business for to-day.
2. Railway Services of Thomas Woore, Esq.:—Mr. Murray moved, pursuant to *amended* notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1859, the sum of £1,500, to be awarded to Thomas Woore, Esquire, in consideration of his Railway Services, and in accordance with the Report of a Select Committee of this House during its last Session.
Debate ensued.
Question put.
The House divided.

Ayes, 18.	Nocs, 2.
Mr. Cowper, Mr. Robertson, Mr. Murray, Mr. W. B. Tooth, Mr. Hart, Mr. Taylor, Mr. Egan, Mr. Jenkins, Mr. Scott, Mr. Jones, Mr. Flood, Mr. Plunkett, Mr. Suttor, Mr. W. Macleay, Mr. Hay, Mr. Wild, Mr. Byrnes, } Tellers. Mr. Forster, }	Mr. Arnold, Mr. J. Campbell, } Tellers.
3. Motion withdrawn:—Mr. Murray withdrew the Motion standing in his name third on the Notice Paper of Other Business for to-day.
4. Mr. Walsh and the Magistrates of Berrima:—Mr. Murray moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, all Correspondence between the Magistrates of Berrima, or any of them, or between the Clerk of the Bench at Berrima, and the Government, or Mr. Gordon, or C. H. Walsh, Esq., his Solicitor, or between the latter gentleman and the Government, relative to the refusal of the said Magistrates to hear Mr. Walsh in their Court in his professional capacity.
Debate ensued.
Question put and passed.
5. Police Protection for Districts of Albert and Lower Darling:—Mr. W. Macleay moved, pursuant to notice, That the Petition from the Districts of Albert and Lower Darling, praying for Police protection, presented by him on the 8th instant, be printed.
Question put and passed.
Ordered to be printed.
6. Motion Dropped:—Mr. Murray not moving the motion standing in his name sixth on the Notice Paper of Other Business for to-day, it dropped.
7. Police Magistrate for Tamworth:—Mr. Jenkins moved, pursuant to *amended* notice, That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the year 1859, for the salary of a Police Magistrate at Tamworth.
Debate ensued.
And notice being taken that there was not a Quorum present, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at twenty-five minutes after Six o'clock, until Tuesday next, at Three o'clock.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MARCH 15.

OTHER BUSINESS—ORDERS OF THE DAY:—

1. Railway Services of Thomas Woore, Esq.; consideration in Committee of an Address for Compensation.
2. Undue Expenses at Elections Prevention Bill; second reading.
3. Police Magistrate for Armidale; consideration in Committee of an Address for Salary.
4. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
5. Compulsory Vaccination Bill; second reading.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. COWPER to move, That it be referred to the Standing Orders Committee to inquire into and report upon the nature of the arrangements which it will be desirable to make for the accommodation of the increased number of Members of the Legislative Assembly to be elected under the Electoral Act of 1858.
2. MR. COWPER to move the following Resolutions:—
 - (1.) That all Officers who have received or may receive less than three months notice of the abolition of their offices should be paid salary for three months after they have been released from duty by the Head of their Department, unless in the mean time, an opportunity should occur of re-employing them in the Public Service, such salary to be computed according to the rates proposed for their respective offices.
 - (2.) That at the expiration of the three months the option should be afforded to those for whom it may have been found impossible to provide employment, of either accepting compensation, computed in accordance with existing regulations, *i. e.*, at the rate of one month's pay for each year of service, or of waiting until some other situation in the Public Service should present itself.
 - (3.) That in cases where the service of the officer to be compensated is less than three years, the three months salary should be regarded as full compensation; and in cases where the service exceeds three years, that the three months salary should be deducted from the amount of compensation to which the Officer would be entitled from his length of service.

ORDERS OF THE DAY:—

1. Ways and Means; resumption of the Committee.
2. District Courts Act Amendment Bill; resumption of consideration in Committee.
3. Graduates of British Universities Bill; third reading.
4. Supply; resumption of the Committee.
5. Treasury Bills Act Repeal Bill; third reading.

Questions:—

1. MR. FORSTER to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—With reference to the following persons, namely, Deian, Leong, and Pangsee, natives of China, and residents in the District of Wide Bay, and to their alleged purchase of Land from the Government, to the several amounts respectively, of £42, £32, £67;—
 - (1.) Have the persons above specified, or any of them, purchased land from the Government?
 - (2.) If so, are the amounts above correctly stated, or otherwise to what amount respectively?
 - (3.) In such case, is it intended to refuse the persons above specified, or any of them, Deeds of Grant for the land so purchased, or to exact from them any terms not imposed upon any other class of purchasers?
2. MR. WILLIAM MACLEAY to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—When the Government intend to order the re-assessment of Mrs. Hauley's Station, near Gundagai?
3. MR. HAY to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government propose to take immediate steps to complete the Telegraph line between Sydney and Albury, by the addition of a wire to be used exclusively for intercolonial messages?

DANIEL COOPER,
Speaker.

No. 49.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 15 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
 Dr. Muller:—Mr. Denichy presented a Petition from Dr. Charles Muller, of Philip-street, Sydney, complaining of certain circumstances in connection with an Inquest held upon the body of one John Maloney, in the month of February or March last year, and praying relief.
 Petition received.
2. Question of Privilege:—Mr. Forster—adverting to the Petition of Mr. Licensed Surveyor Sanderson, presented by him and received by the House on Friday, the 11th instant, and to the notice of motion he had given for printing that Petition,—requested the attention of the Speaker and the House to the circumstance that no record appeared on the Votes of the presentation and reception of that Petition, or of the notice of motion subsequently given; and declared it to be his opinion that if there was any irregularity in the Petition, objection ought to have been taken to it before its reception, when the ruling of the Speaker might have been reviewed and sustained or reversed by the House; and added that as that course was not taken, and as the Petition was received on motion made, and question regularly put, it was not, as he thought, competent for the Speaker to direct the omission of the record of its presentation and reception; it was rather for the House, if it saw fit, subsequently to rescind the vote for its reception.
 Whereupon the Speaker informed the Honorable Member and the House, and cited several passages from Parliamentary authorities to show, that it was the practice of Parliament, whenever informality in the proceedings was discovered before the record was made, to omit all mention of such proceedings in the Votes, and this practice he had followed on the present occasion. The Question for the reception of the Petition had passed, no doubt; but before the House had proceeded to another Question the irregularity was discovered, and, as would be recollected, he had stated to the House upon the discovery that no record of the irregularity would appear on the Votes, and it was at this time that the Honorable Member ought to have objected if he thought his ruling wrong. He would add, however, that if the irregularity had not been discovered until after the record had been made, it would not have been competent for him to have directed its omission;—it would then have been for the House to rescind the Vote for the reception of the Petition, if it saw fit.
 The matter then dropped.
3. Railway Services of Thomas Woore, Esquire:—On motion of Mr. Murray, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, to consider an Address to the Governor General, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1859, the sum of £1,500, to be awarded to Thomas Woore, Esquire, in consideration of his Railway Services, and in accordance with the Report of a Select Committee of this House during its last Session.
 The Chairman having reported that it was discovered upon a Division that there was not a Quorum present in the Committee, the House was counted, and there being twenty Members present, exclusive of the Speaker,—
 The Committee resumed.
 The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House, at twenty minutes after Seven o'clock, until to-morrow, at Three o'clock.

NOTICES

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MARCH 16.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. COWPER to move for leave to bring in a Bill to appropriate and apply, out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the service of the year 1858-9.
2. MR. COWPER to move, That it be referred to the Standing Orders Committee to inquire into and report upon the nature of the arrangements which it will be desirable to make for the accommodation of the increased number of Members of the Legislative Assembly to be elected under the Electoral Act of 1858.
3. MR. COWPER to move the following Resolutions:—
 - (1.) That all Officers who have received or may receive less than three months notice of the abolition of their offices should be paid salary for three months after they have been released from duty by the Head of their Department, unless in the mean time, an opportunity should occur of re-employing them in the Public Service, such salary to be computed according to the rates proposed for their respective offices.
 - (2.) That at the expiration of the three months the option should be afforded to those for whom it may have been found impossible to provide employment, of either accepting compensation, computed in accordance with existing regulations, *i. e.*, at the rate of one month's pay for each year of service, or of waiting until some other situation in the Public Service should present itself.
 - (3.) That in cases where the service of the officer to be compensated is less than three years, the three months salary should be regarded as full compensation; and in cases where the service exceeds three years, that the three months salary should be deducted from the amount of compensation to which the Officer would be entitled from his length of service.

ORDERS OF THE DAY:—

1. Ways and Means; resumption of the Committee.
2. District Courts Act Amendment Bill; resumption of consideration in Committee.
3. Graduates of British Universities Bill; third reading.
4. Supply; resumption of the Committee.
5. Treasury Bills Act Repeal Bill; third reading.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HODGSON to move, That the Debate of his amended motion,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,—which lapsed by the House being counted out on the 7th January last, be restored to the Paper for Thursday next.
2. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.

ORDERS OF THE DAY:—

1. Undue Expenses at Elections Prevention Bill; second reading.
2. Police Magistrate for Armidale; consideration in Committee of an Address for Salary.
3. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
4. Compulsory Vaccination Bill; second reading.

Questions:—

1. MR. PIDDINGTON to ask THE HONORABLE THE COLONIAL SECRETARY, (As there is no reason to doubt that the Imperial Government has completed a new Postal Contract with the P. and O. Company without any previous reference to this Colony, by which the objectionable plan making Sydney the last port of arrival and the first of departure, has been continued; and also containing the following new and objectionable provisions:—Change of Terminus of the line of Steamers from Sydney to Melbourne; the provision of a branch Steamer to Sydney; the discontinuance of our communication with the Eastern Settlements):—
 - (1.) Has the Government forwarded any protest to the Imperial Authorities on behalf of this Colony, withholding their approval of the new Contract?
 - (2.) If the Executive has not already protested, does the Government intend to protest?
 - (3.) If the Ministry has no intention to make any protest, will the Colonial Secretary enumerate any advantages to be derived by this Colony under the new Contract?
2. MR. PIDDINGTON to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Should the Government enter into a special agreement with Sir Morton Peto to construct the extensions of Railways now sanctioned by Parliament, what will be the conditions of the contract in the following particulars:—
 - (1.) Will the Government sanction the payment of a higher rate of prices to Sir M. Peto for Railway works than may be demanded by local contractors for similar work?
 - (2.) Will the agreement with Sir M. Peto be based upon the prices for which Railway works can be performed at the time when the special contract is finally concluded?
 - (3.) Is the schedule of prices, when agreed upon, to be subject to variation during the time necessary for the completion of the Railway extensions?
 - (4.) What is the period that the Government will fix for the speedy completion of the extensions to Singleton, Penrith, and Picton?

3. MR. PLUNKETT *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government to have Lithograph Plans of the New Electoral Districts struck off and distributed for the general information of the different Electorates, and to make them accessible to all persons interested?
4. MR. HODGSON *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it has come to the knowledge of the Government that Mr. Newcomen, Overseer of roads and men from Scone to Warland's Range, is permitted to keep a store, sell rations, and contract with his own teams for the cartage of stone and timber on the Northern Road?
5. MR. HODGSON *to ask* THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the cutting over Liverpool Range, near Murrurundi, for which a sum of £1500 has been voted, is to be let by public tender?
6. MR. THORNTON *to ask* THE HONORABLE THE COLONIAL SECRETARY,—Whether the Government intend to adopt the lately compiled "Electoral Roll" for the District of Sydney, in the state it is now printed and exhibited; and whether the necessary division of the Wards of the City, in the Electoral Roll for Civic Elections, has been duly provided for?

THURSDAY, MARCH 17.

Question:—

1. MR. HART *to ask* THE HONORABLE THE COLONIAL SECRETARY,—Whether the Government have taken any and what steps towards the consolidation into one department of the offices of Civil Crown Solicitor and Criminal Crown Solicitor, in fulfilment of their undertaking to that effect upon taking the last vote for those offices in Committee of Supply; or whether there is any and what obstacle to the proposed arrangement being carried out?

FRIDAY, MARCH 18.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PLUNKETT to move, That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Browne, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
 - (1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only "*indiscreet and injudicious*," (as Mr. Hargrave reports,) but highly censurable.
 - (2.) That, taken in connection with the last mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates, (which are reported to be wholly unfounded,) is considerably aggravated, and is deserving of the most severe reprobation.
 - (3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
 - (4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House.
2. MR. WILLIAMSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,
 - (1.) Copies of all Correspondence between the Bench of Magistrates of Port Macquarie and the Postmaster General, relative to a letter addressed to Captain Johnson, and R. S. Ross, Esquire, J.P., by J. Warne, Esquire, J.P., of Kempsey.
 - (2.) Copies of all Correspondence between the Postmaster General and the Bench of Magistrates at Kempsey, relative to such letter.
 - (3.) Copies of the Depositions taken in the case of Johnson and Ross v. Isaacs, Postmaster, Kempsey.
3. MR. HAY to move, That an Address be presented to His Excellency the Governor General, requesting that he will cause to be laid upon the Table of this House, Copies of any Despatches which he may have received from Her Majesty's Government, on the subject of Electric Communication between Australia and Europe, and of the answers returned to the same; also, of any Correspondence on the same subject between the Government of this Colony and the Governments of the other Australian Colonies.
4. MR. JENKINS to move, That the Debate on his motion,—“That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the year 1859, for the salary of a Police Magistrate at Tamworth,”—which lapsed by the House being counted out on the 11th instant, be now resumed.

DANIEL COOPER,
Speaker.

No. 50.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 16 MARCH, 1859.

There being only sixteen Members present, exclusive of the Speaker,—namely, Mr. Arnold, Mr. J. Campbell, Mr. Cowper, Mr. Flood, Mr. Forster, Mr. Hart, Mr. Hodgson, Mr. Jenkins, Mr. Oakes, Mr. Piddington, Mr. Plunkett, Mr. Robertson, Mr. Scott, Mr. Thornton, Mr. W. B. Tooth, and Mr. Weekes,—the Speaker took the Chair, and adjourned the House, at half-past Three o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MARCH 17.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. COWPER to move for leave to bring in a Bill to appropriate and apply, out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the service of the year 1858-9.
2. MR. COWPER to move, That it be referred to the Standing Orders Committee to inquire into and report upon the nature of the arrangements which it will be desirable to make for the accommodation of the increased number of Members of the Legislative Assembly to be elected under the Electoral Act of 1858.
3. MR. COWPER to move the following Resolutions :—
 - (1.) That all Officers who have received or may receive less than three months notice of the abolition of their offices should be paid salary for three months after they have been released from duty by the Head of their Department, unless in the mean time, an opportunity should occur of re-employing them in the Public Service, such salary to be computed according to the rates proposed for their respective offices.
 - (2.) That at the expiration of the three months the option should be afforded to those for whom it may have been found impossible to provide employment, of either accepting compensation, computed in accordance with existing regulations, *i. e.*, at the rate of one month's pay for each year of service, or of waiting until some other situation in the Public Service should present itself.
 - (3.) That in cases where the service of the officer to be compensated is less than three years, the three months salary should be regarded as full compensation; and in cases where the service exceeds three years, that the three months salary should be deducted from the amount of compensation to which the Officer would be entitled from his length of service.

ORDERS OF THE DAY :—

1. Ways and Means; resumption of the Committee.
2. District Courts Act Amendment Bill; resumption of consideration in Committee.
3. Graduates of British Universities Bill; third reading.
4. Supply; resumption of the Committee.
5. Treasury Bills Act Repeal Bill; third reading.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. HODGSON to move, That the Debate of his amended motion,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,—which lapsed by the House being counted out on the 7th January last, be restored to the Paper for Thursday next.

2.

2. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.

ORDERS OF THE DAY:—

1. Undue Expenses at Elections Prevention Bill; second reading.
2. Police Magistrate for Armidale; consideration in Committee of an Address for Salary.
3. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
4. Compulsory Vaccination Bill; second reading.

Questions:—

1. MR. HART to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether the Government have taken any and what steps towards the consolidation into one department of the offices of Civil Crown Solicitor and Criminal Crown Solicitor, in fulfilment of their undertaking to that effect upon taking the last vote for those offices in Committee of Supply; or whether there is any and what obstacle to the proposed arrangement being carried out?
2. MR. PIDDINGTON to ask THE HONORABLE THE COLONIAL SECRETARY, (As there is no reason to doubt that the Imperial Government has completed a new Postal Contract with the P. and O. Company without any previous reference to this Colony, by which the objectionable plan making Sydney the last port of arrival and the first of departure, has been continued; and also containing the following new and objectionable provisions:—Change of Terminus of the line of Steamers from Sydney to Melbourne; the provision of a branch Steamer to Sydney; the discontinuance of our communication with the Eastern Settlements):—
 - (1) Has the Government forwarded any protest to the Imperial Authorities on behalf of this Colony, withholding their approval of the new Contract?
 - (2) If the Executive has not already protested, does the Government intend to protest?
 - (3) If the Ministry has no intention to make any protest, will the Colonial Secretary enumerate any advantages to be derived by this Colony under the new Contract?
3. MR. PIDDINGTON to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Should the Government enter into a special agreement with Sir Morton Peto to construct the extensions of Railways now sanctioned by Parliament, what will be the conditions of the contract in the following particulars:—
 - (1) Will the Government sanction the payment of a higher rate of prices to Sir M. Peto for Railway works than may be demanded by local contractors for similar work?
 - (2) Will the agreement with Sir M. Peto be based upon the prices for which Railway works can be performed at the time when the special contract is finally concluded?
 - (3) Is the schedule of prices, when agreed upon, to be subject to variation during the time necessary for the completion of the Railway extensions?
 - (4) What is the period that the Government will fix for the speedy completion of the extensions to Singleton, Penrith, and Picton?
4. MR. PLUNKETT to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government to have Lithograph Plans of the New Electoral Districts struck off and distributed for the general information of the different Electorates, and to make them accessible to all persons interested?
5. MR. HODGSON to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it has come to the knowledge of the Government that Mr. Newcomen, Overseer of roads and men from Scone to Warland's Range, is permitted to keep a store, sell rations, and contract with his own teams for the cartage of stone and timber on the Northern Road?
6. MR. HODGSON to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the cutting over Liverpool Range, near Murrurundi, for which a sum of £1500 has been voted, is to be let by public tender?
7. MR. THORNTON to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether the Government intend to adopt the lately compiled "Electoral Roll" for the District of Sydney, in the state it is now printed and exhibited; and whether the necessary division of the Wards of the City, in the Electoral Roll for Civic Elections, has been duly provided for?

FRIDAY, MARCH 18.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PLUNKETT to move, That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Browne, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
 - (1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only "*indiscreet and injudicious*," (as Mr. Hargrave reports,) but highly censurable.
 - (2.) That, taken in connection with the last mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates, (which are reported to be wholly unfounded,) is considerably aggravated, and is deserving of the most severe reprehension.
 - (3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
 - (4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House.

2. MR. WILLIAMSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,
 - (1.) Copies of all Correspondence between the Bench of Magistrates of Port Macquarie and the Postmaster General, relative to a letter addressed to Captain Johnson, and R. S. Ross, Esquire, J.P., by J. Warne, Esquire, J.P., of Kempsey.
 - (2.) Copies of all Correspondence between the Postmaster General and the Bench of Magistrates at Kempsey, relative to such letter.
 - (3.) Copies of the Depositions taken in the case of Johnson and Ross v. Isaacs, Postmaster, Kempsey.
3. MR. HAY to move, That an Address be presented to His Excellency the Governor General, requesting that he will cause to be laid upon the Table of this House, Copies of any Despatches which he may have received from Her Majesty's Government, on the subject of Electric Communication between Australia and Europe, and of the answers returned to the same; also, of any Correspondence on the same subject between the Government of this Colony and the Governments of the other Australian Colonies.
4. MR. JENKINS to move, That the Debate on his motion,—“ That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the year 1859, for the salary of a Police Magistrate at Tamworth;”—which lapsed by the House being counted out on the 11th instant, be now resumed.

DANIEL COOPER,
Speaker.

No. 51.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 17 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Additional Supplementary Estimate for 1859:—The following Message from His Excellency the Governor General received and read:—
W. DENISON, *Message No. 4.*
Governor General.
In accordance with the provision contained in the 54th clause of the Constitution Act, and with reference to Message No. 2, dated 10th February, 1859, the Governor General herewith submits, for the consideration of the Legislative Assembly, an Additional Supplementary Estimate of Expenditure for the present year.
*Government House,
Sydney, 17th March, 1859.*
Ordered to be printed, together with the accompanying Estimate, and taken into consideration in Committee of Supply.
2. Paper:—Mr. Cowper laid upon the Table the Return to the Address, in reference to the Clerk of Petty Sessions at Kiama practising professionally, adopted, on motion of Mr. Deniehy, on the 15th February last.
Ordered to be printed.
3. Appropriation Bill for 1858-9:—Mr. Cowper moved, pursuant to notice, for leave to bring in a Bill to appropriate and apply, out of the Consolidated Revenue Fund of New South Wales, certain sums to make good the Supplies granted for the service of the year 1858-9.
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
4. Parliamentary Accommodation:—Mr. Cowper moved, pursuant to *amended* notice, That it be referred to a Select Committee to inquire into and report upon the nature of the arrangements which it will be desirable to make for the accommodation of the increased number of Members of the Legislative Assembly to be elected under the Electoral Act of 1858,—
And Mr. Plunkett requiring that the proposed Committee be appointed by Ballot,—
Question,—That it be referred to a Select Committee to inquire into and report upon the nature of the arrangements which it will be desirable to make for the accommodation of the increased number of Members of the Legislative Assembly to be elected under the Electoral Act of 1858,—put and passed;—
Whereupon the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, namely:—Mr. Jones, The Speaker, Mr. Flood, Mr. Hay, Mr. Plunkett, Mr. Arnold, Mr. Gordon, Mr. Piddington, and Mr. Murray.
5. Compensation to Public Officers:—Mr. Cowper, pursuant to notice, moved the following Resolutions:—
(1.) That all Officers who have received or may receive less than three months notice of the abolition of their offices should be paid salary for three months after they have been released from duty by the Head of their Department, unless in the mean time, an opportunity should occur of re-employing them in the Public Service, such salary to be computed according to the rates proposed for their respective offices.
(2.) That at the expiration of the three months the option should be afforded to those for whom it may have been found impossible to provide employment, of either accepting compensation, computed in accordance with existing regulations, *i. e.*, at the rate of one month's pay for each year of service, or of waiting until some other situation in the Public Service should present itself.
(3.) That in cases where the service of the officer to be compensated is less than three years, the three months salary should be regarded as full compensation; and in cases where the service exceeds three years, that the three months salary should be deducted from the amount of compensation to which the Officer would be entitled from his length of service.

Mr.

Mr. Murray moved, That the Question be amended, by adding as a fourth section the words, "That in assenting to the foregoing Resolutions, this House by no means repudiates any claims such Officers may have for Pensions, or Superannuation Allowances, under the regulations of, or guaranteed by, former Governments."

Debate ensued.

Mr. Forster moved, That the Question be amended by the omission of all the words thereof contained in sections (2) and (3).

Debate continued.

Proposed amendments, by leave withdrawn.

Original Question by leave withdrawn.

6. Postponements:—Orders 1 and 2 postponed, on motion of Mr. Cowper, until Order 5 shall have been disposed of.

7. Graduates of British Universities Bill:—Mr. Cowper moved, That this Bill be now "read a third time."

Mr. Jones moved, That the Question be amended by the omission of the words "read a third time," with a view to the insertion in their place of the word "re-committed."

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

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

Question,—That this Bill be now re-committed,—put and passed;—

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

The Chairman having reported the Bill with a further amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.

8. Postponement:—The resumption of the Committee of Supply postponed, on motion of Mr. Cowper, until the Order for the resumption of the consideration in Committee of the District Courts Act Amendment Bill shall have been disposed of.

9. Treasury Bills Act Repeal Bill, on motion of Mr. Cowper, read a third time, and *passed*.

Mr. Cowper then moved, That the Title of this Bill be, "*An Act to Repeal the Treasury Bills Act of 1857.*"

Question put and passed;—

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

MR. PRESIDENT,

The Legislative Assembly having this day passed a Bill, intituled, "*An Act to repeal the Treasury Bills Act of 1857,*" begs to present the same to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

Sydney, 17th March, 1859.

Speaker.

Question put and passed.

10. Ways and Means:—On motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Ways and Means to meet the Supply granted to Her Majesty for the service of the year 1858-9.

The Chairman obtained leave to sit again to-morrow, and reported the following Resolutions:—

2. Resolved, That towards making good the Supply granted to Her Majesty for the service of the year 1859, the further sum of £1,123,909, be granted out of the Consolidated Revenue Fund of New South Wales.

3. Resolved, That towards making good the Supply granted to Her Majesty during the present Session, a sum or sums not exceeding £91,600 be raised by the sale of Debentures secured upon the Consolidated Revenue Fund of New South Wales, and bearing interest at a rate not exceeding five per centum per annum; being £80,000 to pay off Immigration Debentures falling due; and £11,600 for certain Public Works and Buildings; that is to say, the further sum of £6,600 towards the erection of the new Gaol at Brisbane; and £5,000 for the erection of a Light House at Cape St. George.

Mr. Cowper then moved, That this House do now adopt these Resolutions.

Question put and passed.

11. District Courts Act Amendment Bill:—Upon the Order of the Day being read, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, to resume the consideration of this Bill.

The Chairman having reported the Bill with amendments, the House ordered the adoption of the Report to stand an Order of the Day for to-morrow.

12. Supply:—On motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the service of the year 1858-9.

The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there being twenty Members present, exclusive of the Speaker,—

The Committee resumed.

The Chairman having reported that there was not a Quorum present in the Committee, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House at twenty minutes after Eleven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, MARCH 18.

Contingent Notices of Motion:—

1. MR. FORSTER to move, in Committee, That the following Clauses be added] to the District Courts Act Amendment Bill:—

6. The third Section of the District Courts Act of 1858, 22 Victoria, No. 18, is hereby repealed.

7. For the purposes of the aforesaid Act the Colony shall be divided into Court Districts in the manner specified below, and such Court Districts shall severally comprise the Electoral Districts more particularly described in Schedule A to the Electoral Act of 1858, 22 Victoria, No. 20, and of which the names are next hereinafter set against the names of such Court Districts respectively namely:—

Argyle	{ Argyle
Balranald.....	{ Goulburn
The Bogan	{ Balranald
Braidwood	{ The Bogan
The Burnett	{ Braidwood
Camden	{ The Burnett
Carcoar.....	{ Camden
The Clarence	{ Narellan
	{ Carcoar
	{ The Clarence
	{ Canterbury
	{ Central Cumberland
	{ The Glebe
	{ The Hawkesbury
	{ The Nepean
Cumberland	{ Newtown
	{ Puddington
	{ Parramatta
	{ St. Leonard's
	{ East Sydney.
	{ West Sydney
	{ Windsor
Darling Downs.....	{ Darling Downs
Eden.....	{ Eden
The Gwydir	{ The Gwydir
The Hastings	{ The Hastings
The Hume	{ The Hume
	{ The Hunter
	{ The Lower Hunter
	{ East Maitland
	{ West Maitland
Hunter.....	{ Morpeth
	{ Newcastle
	{ Northumberland
	{ The Paterson
	{ Patrick's Plains
	{ The Williams
Upper Hunter	{ The Upper Hunter
Illawarra	{ Illawarra
	{ Kiama
Lachlan	{ The Lachlan
Leichhardt	{ Leichhardt
Liverpool Plains	{ Liverpool Plains
	{ Bathurst
	{ East Macquarie
Macquarie	{ West Macquarie
	{ Orange
Monaro	{ Monaro
	{ Brisbane
	{ Ipswich
Moreton	{ East Moreton
	{ West Moreton
	{ Mudgee
Mudgee	{ Hartley
The Murray.....	{ The Murray
Murrumbidgee.....	{ The Murrumbidgee
New England	{ New England
Queanbeyan	{ Queanbeyan
Shoalhaven	{ Shoalhaven
Tenterfield	{ Tenterfield
Tumut	{ The Tumut
Wellington	{ Wellington
Wollombi.....	{ Wollombi
Yass Plains.....	{ Yass Plains

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PLUNKETT to move, That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Browne, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
 - (1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only "*indiscreet and injudicious*," (as Mr. Hargrave reports,) but highly censurable.
 - (2.) That, taken in connection with the last mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates, (which are reported to be wholly unfounded,) is considerably aggravated, and is deserving of the most severe reprehension.
 - (3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
 - (4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House.
2. MR. WILLIAMSON to move, That an Address be presented to the Governor General praying that His Excellency will be pleased to cause to be laid upon the Table of this House,
 - (1.) Copies of all Correspondence between the Bench of Magistrates of Port Macquarie and the Postmaster General, relative to a letter addressed to Captain Johnson, and R. S. Ross, Esquire, J.P., by J. Warne, Esquire, J.P., of Kempsey.
 - (2.) Copies of all Correspondence between the Postmaster General and the Bench of Magistrates at Kempsey, relative to such letter.
 - (3.) Copies of the Depositions taken in the case of Johnson and Ross v. Isaacs, Postmaster, Kempsey.
3. MR. HAY to move, That an Address be presented to His Excellency the Governor General, requesting that he will cause to be laid upon the Table of this House, Copies of any Despatches which he may have received from Her Majesty's Government, on the subject of Electric Communication between Australia and Europe, and of the answers returned to the same; also, of any Correspondence on the same subject between the Government of this Colony and the Governments of the other Australian Colonies.
4. MR. JENKINS to move, That the Debate on his motion,—“ That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the year 1859, for the salary of a Police Magistrate at Tamworth,”—which lapsed by the House being counted out on the 11th instant, be now resumed.
5. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Executive Government and any person or persons, having reference to the recent appointment of Mr. Colin Mackenzie, to the office of Chief Registrar of the District Court of the Cumberland and Coast District, or his subsequent removal therefrom; also, of all letters and applications for the aforesaid Office, whether or not acknowledged by the Executive Government.
6. MR. MURRAY to move, That the consideration in Committee of an Address for compensation to Thomas Woore, Esq., for Railway Services, which lapsed by the House being counted out on the 15th instant, be restored to the Paper, and stand an Order of the Day for Tuesday next.
7. MR. JENKINS to move,—
 - (1.) That a Select Committee be appointed to inquire into and report upon the Management, past and present, of the Survey Department of the Colony, with power to send for persons and papers; and that all proceedings before the Select Committee of last Session be referred to this Committee.
 - (2.) That such Committee consist of the following Members:—Mr. Hodgson, Mr. Murray, Mr. Jones, Mr. Piddington, Mr. Scott, Mr. Robertson, Mr. Suttor, and the Mover.
8. MR. HODGSON to move, That the Debate of his amended motion,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,—which lapsed by the House being counted out on the 7th January last, be restored to the Paper for Tuesday next.
9. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.

ORDERS OF THE DAY:—

1. Undue Expenses at Elections Prevention Bill ; second reading.
2. Police Magistrate for Armidale ; consideration in Committee of an Address for Salary.
3. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
4. Compulsory Vaccination Bill ; second reading.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. COWPER to move for leave to bring in a Bill to enable the Government to raise a certain Loan for 1859.

ORDERS OF THE DAY:—

1. Graduates of British Universities Bill ; third reading.
2. Ways and Means ; resumption of the Committee.
3. District Courts Act Amendment Bill Reported ; adoption of the Report.

WEDNESDAY, MARCH 23.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Supply ; resumption of the Committee.

DANIEL COOPER,
Speaker.

No. 52.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 18 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Paper:—Mr. Cowper laid upon the Table the Second Yearly Report of the Municipal Council of the City of Sydney, on the City Sewerage and Water Supply.
Ordered to be printed.
2. Dr. Harris:—Mr. Plunkett moved, pursuant to notice, That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Browne, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
 - (1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only "*indiscreet and injudicious*," (as Mr. Hargrave reports,) but highly censurable.
 - (2.) That, taken in connection with the last mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates, (which are reported to be wholly unfounded,) is considerably aggravated, and is deserving of the most severe reprehension.
 - (3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
 - (4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House.
 Debate ensued.
And notice being taken that there was not a Quorum present, the House was counted, and there not being twenty Members present, exclusive of the Speaker, the Speaker adjourned the House, at twenty-five minutes after Five o'clock, until Tuesday next, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MARCH 22.

Contingent Notice of Motion:—

1. MR. FORSTER to move, in Committee, That the following Clauses be added to the District Courts Act Amendment Bill:—
 6. The third Section of the District Courts Act of 1858, 22 Victoria, No. 18, is hereby repealed.
 7. For the purposes of the aforesaid Act the Colony shall be divided into Court Districts in the manner specified below, and such Court Districts shall severally comprise the Electoral Districts more particularly described in Schedule A to the Electoral Act of 1858, 22 Victoria, No. 20, and of which the names are next hereinafter set against the names of such Court Districts respectively namely:—

Argyle	{ Argyle
Balranald	{ Goulburn
The Bogan	Balranald
Braidwood	The Bogan
The Burnett	Braidwood
Camden	The Burnett
	{ Camden
	{ Narellan

Carcoar

Carcoar.....	Carcoar
The Clarence	The Clarence
	{ Canterbury
	{ Central Cumberland
	{ The Glebe
	{ The Hawkesbury
	{ The Nepean
	{ Newtown
Cumberland	{ Paddington
	{ Parramatta
	{ St. Leonard's
	{ East Sydney
	{ West Sydney
	{ Windsor
Darling Downs.....	Darling Downs
Eden.....	Eden
The Gwydir.....	The Gwydir
The Hastings	The Hastings
The Hume	The Hume
	{ The Hunter
	{ The Lower Hunter
	{ East Maitland
	{ West Maitland
	{ Morpeth
Hunter.....	{ Newcastle
	{ Northumberland
	{ The Paterson
	{ Patrick's Plains
	{ The Williams
Upper Hunter	The Upper Hunter
Illawarra	{ Illawarra
	{ Kiama
Lachlan	The Lachlan
Leichhardt	Leichhardt
Liverpool Plains	Liverpool Plains
	{ Bathurst
	{ East Macquarie
Macquarie	{ West Macquarie
	{ Orange
Monaro	Monaro
	{ Brisbane
	{ Ipswich
Moreton	{ East Moreton
	{ West Moreton
	{ Mudgee
Mudgee	{ Hartley
The Murray.....	The Murray
Murrumbidgee.....	The Murrumbidgee
New England	New England
Queanbeyan	Queanbeyan
Shoalhaven	Shoalhaven
Tenterfield	Tenterfield
Tumut	The Tumut
Wellington	Wellington
Wollombi.....	Wollombi
Yass Plains.....	Yass Plains

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. WILLIAMSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,
 - (1.) Copies of all Correspondence between the Bench of Magistrates of Port Macquarie and the Postmaster General, relative to a letter addressed to Captain Johnson, and R. S. Ross, Esquire, J.P., by J. Warne, Esquire, J.P., of Kempsey.
 - (2.) Copies of all Correspondence between the Postmaster General and the Bench of Magistrates at Kempsey, relative to such letter.
 - (3.) Copies of the Depositions taken in the case of Johnson and Ross v. Isaacs, Postmaster, Kempsey.
2. MR. ILLY to move, That an Address be presented to the Governor General, requesting that His Excellency will cause to be laid upon the Table of this House, Copies of any Despatches which he may have received from Her Majesty's Government, on the subject of Electric Communication between Australia and Europe, and of the answers returned to the same; also, of any Correspondence on the same subject between the Government of this Colony and the Governments of the other Australian Colonies.
3. MR. JENKINS to move, That the Debate on his motion,—“ That this House will, on “ Tuesday next, resolve itself into a Committee of the whole, to consider of an Address “ to the Governor General, requesting that His Excellency will be pleased to cause a “ sum of money to be placed upon the Supplementary Estimates for the year 1859, for “ the salary of a Police Magistrate at Tamworth,”—which lapsed by the House being counted out on the 11th instant, be now resumed.

4. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Executive Government and any person or persons, having reference to the recent appointment of Mr. Colin Mackenzie, to the office of Chief Registrar of the District Court of the Cumberland and Coast District, or his subsequent removal therefrom; also, of all letters and applications for the aforesaid Office, whether or not acknowledged by the Executive Government.
5. MR. MURRAY to move, That the consideration in Committee of an Address for compensation to Thomas Woore, Esq., for Railway Services, which lapsed by the House being counted out on the 15th instant, be restored to the Paper, and stand an Order of the Day for Tuesday next.
6. MR. JENKINS to move,—
 - (1.) That a Select Committee be appointed to inquire into and report upon the Management, past and present, of the Survey Department of the Colony, with power to send for persons and papers; and that all proceedings before the Select Committee of last Session be referred to this Committee.
 - (2.) That such Committee consist of the following Members:—Mr. Hodgson, Mr. Murray, Mr. Jones, Mr. Piddington, Mr. Scott, Mr. Robertson, Mr. Sutor, and the Mover.
7. MR. HODGSON to move, That the Debate of his amended motion,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,—which lapsed by the House being counted out on the 7th January last, be now resumed.
8. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.

ORDERS OF THE DAY:—

1. Undue Expenses at Elections Prevention Bill; second reading.
2. Police Magistrate for Armidale; consideration in Committee of an Address for Salary.
3. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
4. Compulsory Vaccination Bill; second reading.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. COWPER to move for leave to bring in a Bill to enable the Government to raise a certain Loan for 1859.

ORDERS OF THE DAY:—

1. Graduates of British Universities Bill; third reading.
2. Ways and Means; resumption of the Committee.
3. District Courts Act Amendment Bill Reported; adoption of the Report.

Questions:—

1. MR. PIDDINGTON to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the contracts for the supply of a steam engine and water service pipes and plumber's work, at the Abattoirs, Glebe Island, have been advertised for, and if not, why the usual rule has been departed from?
2. MR. W. B. TOOTH to ask THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) At which of the three Ports,—Maryborough, Port Curtis, or Rockhampton,—does the Inspector of Sheep under the provisions of the Scab Act of 1858, reside?
 - (2.) Whether such Inspector may reside at whichever Port he pleases?
3. MR. DENIEHY to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether it is the intention of the Government to supersede the Magistrates at Armidale who were parties to advising the recent Clerk of Petty Sessions there to resist the late inquiry into his conduct?

WEDNESDAY, MARCH 23.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Supply; resumption of the Committee.

DANIEL COOPER,
Speaker.

No. 53.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 22 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers :—Mr. Cowper laid upon the Table the undermentioned Papers :—
 (1.) Correspondence respecting the Liabilities of the Sydney Grammar School on account of the Building Fund.
 (2.) Report from the Medical Adviser to Government on the number of persons vaccinated at the different Government Vaccine Institutions during the year 1858.
 (3.) Errata in the Report of the Agent for Immigration for the year 1856-7.
 Ordered to be printed.
2. Mr. Joseph Rowsell :—Mr. Williamson presented a Petition from Mr. Joseph Rowsell, of the Upper Wilson River, in the District of Port Macquarie, complaining of encroachment upon the right of road in the neighbourhood of his leasehold, and praying abatement of such encroachment.
 Petition received.
3. Case of Johnson and Ross v. Isaacs, Postmaster, Kempsey :—Mr. Williamson moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House,
 (1.) Copies of all Correspondence between the Bench of Magistrates of Port Macquarie and the Postmaster General, relative to a letter addressed to Captain Johnson, and R. S. Ross, Esquire, J.P., by J. Warne, Esquire, J.P., of Kempsey.
 (2.) Copies of all Correspondence between the Postmaster General and the Bench of Magistrates at Kempsey, relative to such letter.
 (3.) Copies of the Depositions taken in the case of Johnson and Ross v. Isaacs, Postmaster, Kempsey.
 Question put and passed.
4. Electric Communication between Australia and Europe :—Mr. Hay moved, pursuant to notice, That an Address be presented to the Governor General, requesting that His Excellency will cause to be laid upon the Table of this House, Copies of any Despatches which he may have received from Her Majesty's Government, on the subject of Electric Communication between Australia and Europe, and of the answers returned to the same; also, of any Correspondence on the same subject between the Government of this Colony and the Governments of the other Australian Colonies.
 Question put and passed.
5. Police Magistrate for Tamworth :—Mr. Jenkins moved, pursuant to notice, That the Debate on his motion,—“ That this House will, on Tuesday next, resolve itself into “ a Committee of the whole, to consider of an Address to the Governor General, “ requesting that His Excellency will be pleased to cause a sum of money to be placed “ upon the Supplementary Estimates for the year 1859, for the salary of a Police “ Magistrate at Tamworth,”—which lapsed by the House being counted out on the 11th instant, be “ now ” resumed.
 Debate ensued.
 Mr. Flood moved, That the Question be amended by the omission of the word “ now,” in the last line, with a view to add at the end the words, “ this day six months.”
 Debate continued.
 Proposed amendment by leave withdrawn.
 Debate continued.

Question .

Question put.
The House divided.

Ayes, 14.	Noes, 10.
Mr. Hay,	Mr. Cowper,
Mr. W. Macleay,	Mr. Robertson,
Mr. Forster,	Mr. Jones,
Mr. Williamson,	Mr. Arnold,
Mr. Plunkett,	Mr. Rotton,
Mr. Taylor,	Mr. Flood,
Mr. Hart,	Mr. Richardson,
Mr. Piddington,	Mr. J. Campbell,
Mr. Murray,	Mr. Egan,
Mr. Denichy,	Mr. Dickson,
Mr. Suttor,	} Tellers.
Mr. W. B. Tooth,	
Mr. Hodgson,	
Mr. Jenkins,	

Whereupon Debate of the motion resumed.

Question put,—That this House will, on Tuesday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the year 1859, for the salary of a Police Magistrate at Tamworth.
The House divided.

Ayes, 13.	Noes, 9.
Mr. Hodgson,	Mr. Cowper,
Mr. Murray,	Mr. Robertson,
Mr. W. Macleay,	Mr. Jones,
Mr. Hay,	Mr. Richardson,
Mr. Williamson,	Mr. Rotton,
Mr. Taylor,	Mr. Flood,
Mr. Piddington,	Mr. J. Campbell,
Mr. Hart,	Mr. Egan,
Mr. Plunkett,	Mr. Arnold,
Mr. Suttor,	} Tellers.
Mr. Denichy,	
Mr. Forster,	
Mr. Jenkins,	

6. Mr. Colin Mackenzie's Appointment as Chief Registrar of a District Court:—Mr. Forster moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Executive Government and any person or persons, having reference to the recent appointment of Mr. Colin Mackenzie, to the office of Chief Registrar of the District Court of the Cumberland and Coast District, or his subsequent removal therefrom; also, of all letters and applications for the aforesaid Office, whether or not acknowledged by the Executive Government.

Debate ensued.

Question put and passed.

7. Railway Services of Thomas Woore, Esquire:—Mr. Murray moved, pursuant to amended notice, That the consideration in Committee of an Address for compensation to Thomas Woore, Esq., for Railway Services, which lapsed by the House being counted out on the 15th instant, be restored to the Paper, and stand an Order of the Day for Friday next.

Question put.

The House divided.

And the Tellers reporting the numbers as follows,—

Ayes, 12.	Noes, 6.
Mr. Jenkins,	Mr. Cowper,
Mr. Denichy,	Mr. Robertson,
Mr. Williamson,	Mr. Jones,
Mr. Taylor,	Mr. Richardson,
Mr. Thornton,	Mr. J. Campbell,
Mr. Piddington,	Mr. Rotton,
Mr. Weekes,	} Tellers.
Mr. Forster,	
Mr. Murray,	
Mr. Plunkett,	
Mr. Arnold,	
Mr. Hodgson,	

And it appearing by the said report that there was not a Quorum present, the Speaker adjourned the House at a quarter before Eight o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MARCH 23.

Contingent Notices of Motion:—

1. MR. WEEKES to move, (*upon the Order of the Day for going into Committee of Supply being called*), That it be an instruction to the Committee, in considering the item of £8,000 for compensation, &c., to vote that the amount granted be appropriated upon the principle laid down in the following Resolution proposed to this House on the 17th March, instant, viz,—(1.) That all Officers who have received or may receive less than three months notice of the abolition of their offices should be paid salary for three months after they have been released from duty by the Head of their Department, unless in the mean time, an opportunity should occur of re-employing them in the Public Service, such salary to be computed according to the rates proposed for their respective offices,—leaving the general question of pensions and compensations to the ensuing Parliament.
2. MR. PLUNKETT to move, (*on the Order of the Day being called to go into Supply*), That the Debate on his motion,—“ That this House having considered the Report of “ Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Brown, and A. B. Cox, “ Esqrs, and the Evidence taken by him in those cases respectively, resolves,— “ (1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, “ and in which he was personally interested, was not only ‘ *indiscreet and injudicious* ’ “ (as Mr. Hargrave reports), but highly censurable. “ (2.) That, taken in connection with the last-mentioned case, the conduct of Dr. “ Harris, in making grave charges against his brother Magistrates (which are reported “ to be wholly unfounded), is considerably aggravated, and is deserving of the most “ severe reprobation. “ (3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a “ mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous “ in effect, unsuited to the circumstances of the case, and calculated to weaken the “ administration of justice. “ (4.) That the conduct of the Government, on a review of the whole case, merits the “ marked disapproval of this House,”—which lapsed by the House being counted out on the 18th instant, be now resumed.
3. MR. FORSTER to move, in Committee, That the following Clauses be added to the District Courts Act Amendment Bill:—
 6. The third Section of the District Courts Act of 1858, 22 Victoria, No. 18, is hereby repealed.
 7. For the purposes of the aforesaid Act the Colony shall be divided into Court Districts in the manner specified below, and such Court Districts shall severally comprise the Electoral Districts more particularly described in Schedule A to the Electoral Act of 1858, 22 Victoria, No. 20, and of which the names are next hereinafter set against the names of such Court Districts respectively namely:—

Argyle	{ Argyle
Balranald.....	{ Goulburn
The Bogan	{ Balranald
Braidwood	{ The Bogan
The Burnett	{ Braidwood
Camden	{ The Burnett
Carcoar.....	{ Camden
The Clarence	{ Narellan
	{ Carcoar
	{ The Clarence
	{ Canterbury
	{ Central Cumberland
	{ The Glebe
	{ The Hawkesbury
	{ The Nepean
	{ Newtown
Cumberland	{ Paddington
	{ Parramatta
	{ St. Leonard's
	{ East Sydney
	{ West Sydney
	{ Windsor
Darling Downs.....	{ Darling Downs
Eden.....	{ Eden
The Gwydir	{ The Gwydir
The Hastings	{ The Hastings
The Hume	{ The Hume
	{ The Hunter
	{ The Lower Hunter
	{ East Maitland
	{ West Maitland
	{ Morpeth
Hunter.....	{ Newcastle
	{ Northumberland
	{ The Paterson
	{ Patrick's Plains
	{ The Williams

Upper

Upper Hunter	The Upper Hunter
Illawarra	{ Illawarra
	{ Kiama
Lachlan	The Lachlan
Leichhardt	Leichhardt
Liverpool Plains	Liverpool Plains
	{ Bathurst
Macquarie	{ East Macquarie
	{ West Macquarie
	{ Orange
Monaro	Monaro
	{ Brisbane
Moreton	{ Ipswich
	{ East Moreton
	{ West Moreton
Mudgee	{ Mudgee
	{ Hartley
The Murray.....	The Murray
Murrumbidgee.....	The Murrumbidgee
New England	New England
Queanbeyan.....	Queanbeyan
Shoalhaven	Shoalhaven
Tenterfield	Tenterfield
Tumut	The Tumut
Wellington	Wellington
Wollombi.....	Wollombi
Yass Plains.....	Yass Plains

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move for leave to bring in a Bill to enable the Government to raise a certain Loan for 1859.

ORDERS OF THE DAY :—

1. Supply ; resumption of the Committee.
2. Graduates of British Universities Bill ; third reading.
3. Ways and Means ; resumption of the Committee.
4. District Courts Act Amendment Bill Reported ; adoption of the Report.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. JENKINS to move,—
(1.) That a Select Committee be appointed to inquire into and report upon the Management, past and present, of the Survey Department of the Colony, with power to send for persons and papers ; and that all proceedings before the Select Committee of last Session be referred to this Committee.
(2.) That such Committee consist of the following Members :—Mr. Hodgson, Mr. Murray, Mr. Jones, Mr. Piddington, Mr. Scott, Mr. Robertson, Mr. Suttor, and the Mover.
2. MR. HODGSON to move, That the Debate of his amended motion,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,—which lapsed by the House being counted out on the 7th January last, be now resumed.
3. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.

ORDERS OF THE DAY :—

1. Undue Expenses at Elections Prevention Bill ; second reading.
2. Police Magistrate for Armidale ; consideration in Committee of an Address for Salary.
3. Moreton Bay Assistant District Judge's Appointment Bill ; second reading.
4. Compulsory Vaccination Bill ; second reading.

Question :—

1. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—Why the decisions of the Executive Council in the cases of Dr. Harris and the Mudgee Bench, and that of E. J. C. North, Esq., respectively, and which the Colonial Secretary, (in reply to a question put to him on the 8th instant), promised to lay on the Table, have not been so produced, for the information of this House, and when they will be produced ?

THURSDAY, MARCH 24.

Question :—

1. MR. BYRNES to ask THE COLONIAL SECRETARY,—
(1.) Whether the Government are aware that Insolvency Schedules, Affidavits, and other Documents are prepared by the Chief Clerk in the Insolvency Department ?
(2.) Whether the fees derived therefrom are retained by the Chief Clerk for his own use or paid into the Treasury ?

FRIDAY,

FRIDAY, MARCH 25.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PLUNKETT to move,—
 - (1.) That a Return be prepared enumerating the number of days on which this House has been adjourned for want of a Quorum during the present Session.
 - (2.) Also the number of times the House has been counted out during the same period.
 - (3.) The number of times on which it was so counted out at the instance of the member for the Sydney Hamlets (Mr. John Campbell) and of any other members of this House.
2. MR. WILLIAMSON to move,—That the Petition of Joseph Rowsell, relative to a right of road through certain land on the Upper Wilson River, in the District of Port Macquarie, presented by him on the 22nd instant, be printed.
3. MR. WILLIAMSON to move, That there be laid upon the Table of this House,—
 - (1.) A Return, shewing what amount of public money has been expended in the present uncompleted continuation of the Railway, between the present Terminus at Cleveland, and that originally contemplated at Pymont—whether in the cost of work thereon, or in the acquisition of land for the continued line and intended Terminus;—and if the purchase money of any such land has been reduced, in consideration of the estimated improvement in value to be conferred on adjacent property by the proposed works, specifying the amount of any such reduction.
 - (2.) Copies of any Petitions or other applications to the Government, urging completion of the continued line to Pymont and Terminus, and of any answers thereto.
4. MR. WILLIAMSON to move,—
 - (1.) That in the opinion of this House, it would be advantageous to the commerce of this Colony, and a safeguard to the lives and property of Her Majesty's subjects, if one of Her Majesty's ships of war on this station was directed to make periodical visits to the different islands of the Pacific, connected by trade with the Australian Colonies.
 - (2.) That the officers and crews of Her Majesty's ships so employed are entitled to receive the Colonial allowance now paid to the officers and crews lying in Port.
 - (3.) That an Address embodying the above resolutions be presented to His Excellency the Governor.

Question :—

1. MR. WILLIAMSON to ask THE HONORABLE FINANCE MINISTER,—
 - (1.) If it is the case that the coxswains and crews of the Pilot Boats stationed at Watson's Bay recently appointed under the new system of Pilotage introduced by the Government on the 1st instant, are without residence, although residence is to be provided for them under the 30th section of the Regulations of the 27th of January?
 - (2.) What is the reason that the iron house belonging to the Government and situated at Watson's Bay, which was intended to be used as a barrack for those men, has not been placed at the disposal of the Harbour Master for their use?

TUESDAY, MARCH 29.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Police Magistrate for Tamworth ; consideration in Committee of an Address for Salary.

DANIEL COOPER,
Speaker.

No. 54.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 23 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Member Sworn:—John Fletcher Hargrave, Esquire, having taken the Oath, and subscribed the Roll, took his Seat as a Member for the Electoral District of the Eastern Division of the County of Camden, in room of Robert Owen, Esquire, who vacated his Seat by acceptance of Office.
2. Motions withdrawn:—Mr. Hodgson withdrew the motions standing in his name second and third on the Notice Paper of Other Business for to-day,—giving fresh notice of the same motions for Tuesday next.
3. Vacant Seat—Question of Privilege:—Mr. Plunkett, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before the Select Committee appointed on the 3rd March instant to inquire into and report upon the circumstances relating to the acceptance of the office of District Judge by Robert Owen, Esquire, Member for East Camden, in so far as they affect his votes on the 23rd February, in reference to the proposed new arrangements of the Ministerial Departments of the Government.
Ordered to be printed, together with the Minutes of Proceedings.
4. Papers:—
 1. Mr. Robertson laid upon the Table a Correspondence respecting the Billabong Dams.
Ordered to be printed.
 2. Mr. Cowper, in answer to a Question put to him by Mr. Plunkett, laid upon the Table,—
 - (1.) Copies of the Minutes of the Executive Council conveying the decision of the Government in the case of the charges against Mr. Smith, Mr. North, and Mr. Connolly, Magistrates of the Carcoar Bench.
 - (2.) Proceedings of the Executive Council with respect to the Report of J. Fletcher Hargrave, Esq., B.L., in the case of Richard Harris, Esq., J.P.
Ordered to be printed.
5. Loan Bill for 1859:—Mr. Cowper moved, pursuant to notice, for leave to bring in a Bill to enable the Government to raise a certain Loan for 1859.
Question put and passed; *Ordered*, That the Mover and Seconder prepare and bring in the Bill.
6. Motion withdrawn:—Mr. Plunkett withdrew the motion standing in his name second on the *Contingent* Notice Paper for to-day, giving ordinary notice of the same motion for Friday next.
7. Postponement:—The resumption of the Committee of Supply postponed, on motion of Mr. Cowper, until the fourth order on the Paper of Government Business for to day, shall have been disposed of.
8. Graduates of British Universities Bill:—Mr. Cowper moved, That this Bill be “now” read a third time.
Debate ensued.
Mr. Piddington moved, That the Question be amended by the omission of the word “now,” with a view to add at the end, the words “this day three months.”
Debate continued.
Question put,—That the word proposed to be omitted stand part of the Question.
The House divided.

Ayes, 18.

Mr. Cowper,
Mr. Hargrave,
Mr. Dickson,
Mr. Jones,
Mr. Weekes,
Mr. Robertson,
Mr. Forster,
Mr. Taylor,
Mr. Hodgson,
Mr. Plunkett,
Mr. Suttor,
Mr. Rotton,
Mr. Oakes,
Mr. J. Campbell,
Mr. Byrnes,
Mr. Arnold,
Mr. Gordon,
Mr. Jenkins, } Tellers.

Noes, 6.

Mr. Piddington,
Mr. Hart,
Mr. Denichy,
Mr. Williamson,
Mr. Hay, } Tellers.
Mr. Murray, }

Original

Original Question put and passed;—

Whereupon Bill read a third time, and passed.

Mr. Cowper then moved, That the Title of this Bill be, "An Act to extend to Graduates of other Universities certain privileges enjoyed by Graduates of the University of Sydney."

Question put and passed;—

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

MR. PRESIDENT,

The Legislative Assembly has this day agreed to the Bill, intituled, "An Act to extend to Graduates of other British Universities certain privileges enjoyed by Graduates of the University of Sydney," with the following Amendments, in which it desires the concurrence of the Legislative Council, viz:—

Title:—omit "British."

Preamble, line 5:—omit "British."

Clause 1, line 11, after "Law":—insert "or in Medicine in the University of Oxford or of Cambridge or" and omit "British."

Legislative Assembly Chamber,
Sydney, 23 March, 1859.

Speaker.

Question put and passed.

9. Attendance of Member of Legislative Council:—The Speaker reported that whilst the House was in debate of the Question last before it, the following Message was received from the Legislative Council:—

MR. SPEAKER,

In answer to the Message from the Legislative Assembly, dated the 10th instant, requesting leave for the Honorable Robert McIntosh Isaacs, a Member of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly, appointed to inquire into a "Question of Privilege, arising out of Mr. Robert Owen's vacation of his seat as a Member for the Electoral District of East Camden, on his acceptance of office as a Judge under the District Courts Act of 1858," the Council acquaints the Legislative Assembly that leave has been granted to Mr. Isaacs to attend and be examined by the said Committee, if he think fit.

Legislative Council Chamber,
Sydney, 23 March, 1859.

W. W. BURTON,
President.

10. Postponement:—The resumption of the Committee of Ways and Means postponed, on motion of Mr. Cowper, until to-morrow.

11. District Courts Act Amendment Bill Reported:—Mr. Robertson moved, "That" the Report of this Bill from the Committee of the whole House be now adopted.

Mr. Cowper moved, That the Question be amended by the omission of all the words following the word "That" at the commencement, in order to the insertion in their place of the words "this Bill be now 're-committed,' with a view to the further consideration of Clause 3."

Debate ensued.

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. Forster moved, That the proposed amendment be amended by the omission of all the words following the word "re-committed."

Debate continued.

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

The House divided.

Ayes, 19.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Gordon,
Mr. Weckes,
Mr. Dickson,
Mr. Egan,
Mr. Jones,
Mr. Taylor,
Mr. Thornton,
Mr. Jenkins,
Mr. Flood,
Mr. Fiddington,
Mr. Rotton,
Mr. Williamson,
Mr. Suttor,
Mr. Oakes,
Mr. J. Campbell, } Tellers.
Mr. Byrnes, }

Noes, 6.

Mr. Phunkett,
Mr. Forster,
Mr. Deniely,
Mr. Hart,
Mr. Hay, } Tellers.
Mr. Murray, }

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 re-committed, with a view to the further consideration of Clause 3,—put and passed;—

Whereupon

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

The Chairman having reported the Bill with a further amendment,—

Mr. Cowper moved, That this Report be now adopted.

Debate ensued.

Question put and passed;—

Whereupon, on motion of Mr. Cowper, Bill, as so reported, ordered to be read a third time to-morrow.

12. Supply:—Upon the Order of the Day being read for the resumption of the Committee of Supply,—

Mr. Weekes moved, pursuant to *Contingent Notice*, That it be an instruction to the Committee, in considering the item of £8,000 for compensation, &c., to vote that the amount granted be appropriated upon the principle laid down in the following Resolution proposed to this House on the 17th March, instant, viz,—(1.) That all Officers who have received or may receive less than three months notice of the abolition of their offices should be paid salary for three months after they have been released from duty by the Head of their Department, unless in the mean time, an opportunity should occur of re-employing them in the Public Service, such salary to be computed according to the rates proposed for their respective offices,—leaving the general question of pensions and compensations to the ensuing Parliament. Debate ensued.

Motion by leave withdrawn;—

Whereupon, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858–9.

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

13. Postponements:—

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

(2.) The Orders on the Paper of Other Business for to-day postponed, on motion of Mr. Cowper, until to-morrow.

The House adjourned at twenty-five minutes before Twelve o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MARCH 24.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Ways and Means; resumption of the Committee.
2. District Courts Act Amendment Bill; third reading.
3. Supply; resumption of the Committee.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DENIEHY to move, That copies of all Correspondence between the Government and the Bench of Magistrates at Armidale, in connection with the inquiry into the conduct of Mr. Bligh, Clerk of Petty Sessions at Armidale, be laid upon the Table of this House.
2. MR. JENKINS to move,—
 - (1.) That a Select Committee be appointed to inquire into and report upon the Management, past and present, of the Survey Department of the Colony, with power to send for persons and papers; and that all proceedings before the Select Committee of last Session be referred to this Committee.
 - (2.) That such Committee consist of the following Members:—Mr. Hodgson, Mr. Murray, Mr. Jones, Mr. Piddington, Mr. Scott, Mr. Robertson, Mr. Suttor, and the Mover.

ORDERS OF THE DAY:—

1. Undue Expenses at Elections Prevention Bill; second reading.
2. Police Magistrate for Armidale; consideration in Committee of an Address for Salary.
3. Moreton Bay Assistant District Judge's Appointment Bill; second reading.
4. Compulsory Vaccination Bill; second reading.

Questions:—

1. MR. BYRNES to ask THE COLONIAL SECRETARY,—
 - (1.) Whether the Government are aware that Insolvency Schedules, Affidavits, and other Documents are prepared by the Chief Clerk in the Insolvency Department?
 - (2.) Whether the fees derived therefrom are retained by the Chief Clerk for his own use or paid into the Treasury?
2. MR. HODGSON to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of the Government to authorize the expenditure of a sum of money on that portion of the Road leading from Warwick (District of Darling Downs) to Spicer's Peak, in the District of Moreton Bay; and, if so, what will be the probable amount?

8. MR. EGAN to ask THE HONORABLE THE COLONIAL SECRETARY,—
- (1.) Whether the removal of the silt from the Dredge to Farm Cove by steam was performed by Contract during last year or the present?
 - (2.) If performed by Contract, who are the Contractors?
 - (3.) Are the terms of Contract the same this year as they were last; what are the conditions, and what amount has been paid for that service up to this date?
 - (4.) Have Tenders been called for this year; if so, how many were received?
 - (5.) If no Tender has been accepted, by what arrangement is the work performed; what vessel is employed, and by whom?

FRIDAY, MARCH 25.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PLUNKETT to move,—
 - (1.) That a Return be prepared enumerating the number of days on which this House has been adjourned for want of a Quorum during the present Session.
 - (2.) Also the number of times the House has been counted out during the same period.
 - (3.) The number of times on which it was so counted out at the instance of the member for the Sydney Hamlets (Mr. John Campbell) and of any other members of this House.
2. MR. WILLIAMSON to move,—That the Petition of Joseph Rowsell, relative to a right of road through certain land on the Upper Wilson River, in the District of Port Macquarie, presented by him on the 22nd instant, be printed.
3. MR. WILLIAMSON to move, That there be laid upon the Table of this House,—
 - (1.) A Return, shewing what amount of public money has been expended in the present uncompleted continuation of the Railway, between the present Terminus at Cleveland, and that originally contemplated at Pymont—whether in the cost of work thereon, or in the acquisition of land for the continued line and intended Terminus;—and if the purchase money of any such land has been reduced, in consideration of the estimated improvement in value to be conferred on adjacent property by the proposed works, specifying the amount of any such reduction.
 - (2.) Copies of any Petitions or other applications to the Government, urging completion of the continued line to Pymont and Terminus, and of any answers thereto.
4. MR. WILLIAMSON to move,—
 - (1.) That in the opinion of this House, it would be advantageous to the commerce of this Colony, and a safeguard to the lives and property of Her Majesty's subjects, if one of Her Majesty's ships of war on this station was directed to make periodical visits to the different islands of the Pacific, connected by trade with the Australian Colonies.
 - (2.) That the officers and crews of Her Majesty's ships so employed are entitled to receive the Colonial allowance now paid to the officers and crews lying in Port.
 - (3.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
5. MR. DENIEHY to move, That in the opinion of this House the conduct of the Attorney General in leaving the recent criminal prosecutions at Maitland in the hands of a Mr. Somerville, and thereby bringing the administration of justice, even in the superior Courts of Law, into ridicule and contempt, deserves the censure of this House.
6. MR. LORD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £1,500, to defray the expense of Police Magistrates for Molong, Wellington, and Dubbo.
7. MR. PLUNKETT to move, That the Debate on his motion,—“That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, “W. Brown, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
 - “ (1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, “ and in which he was personally interested, was not only ‘*indiscreet and injudicious*’ “ (as Mr. Hargrave reports), but highly censurable.
 - “ (2.) That, taken in connection with the last-mentioned case, the conduct of Dr. “ Harris, in making grave charges against his brother Magistrates (which are reported “ to be wholly unfounded), is considerably aggravated, and is deserving of the most “ severe reprehension.
 - “ (3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a “ mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous “ in effect, unsuited to the circumstances of the case, and calculated to weaken the “ administration of justice.
 - “ (4.) That the conduct of the Government, on a review of the whole case, merits the “ marked disapproval of this House,”—which lapsed by the House being counted out on the 18th instant, be now resumed.

Question:—

1. MR. WILLIAMSON to ask THE HONORABLE FINANCE MINISTER,—
 - (1.) If it is the case that the coxswains and crews of the Pilot Boats stationed at Watson's Bay recently appointed under the new system of Pilotage introduced by the Government on the 1st instant, are without residence, although residence is to be provided for them under the 30th section of the Regulations of the 27th of January?
 - (2.) What is the reason that the iron house belonging to the Government and situated at Watson's Bay, which was intended to be used as a barrack for those men, has not been placed at the disposal of the Harbour Master for their use?

TUESDAY,

TUESDAY, MARCH 29.

OTHER BUSINESS—NOTICES OF MOTION :—

1. Mr. HODGSON to move, That the Debate of his amended motion,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,—which lapsed by the House being counted out on the 7th January last, be now resumed.
2. Mr. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.

ORDER OF THE DAY :—

1. Police Magistrate for Tamworth ; consideration in Committee of an Address for Salary.

DANIEL COOPER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 24 MARCH, 1859.

- 1. The House met pursuant to adjournment; the Speaker took the Chair.
Wynyard Square:—Mr. Thornton presented a Petition from certain Landed Proprietors, and Residents in the vicinity of Wynyard Square, in the City of Sydney, complaining of street sweepings being deposited in the Square, and praying relief.
Petition received.
- 2. Postponement:—The resumption of the Committee of Ways and Means postponed, on motion of Mr. Cowper, until the third Order on the Paper of Government Business for to-day shall have been disposed of.
- 3. District Courts Act Amendment Bill, on motion of Mr. Cowper, read a third time, and passed.
Mr. Cowper then moved, That the Title of this Bill be "*An Act to amend the District Courts Act of 1858.*"
Question put and passed;—
Whereupon Mr. Cowper moved, That this Bill be carried to the Legislative Council with the following Message:—

MR. PRESIDENT,
The Legislative Assembly has this day agreed to the Bill, intituled, "*An Act to amend the District Courts Act of 1858,*" with the following Amendments, in which it desires the concurrence of the Legislative Council, viz. :—

Page 1.—Omit Clause 3; insert the following to stand Clause 3 :—
(*Vesting in Judges of District Courts the jurisdiction heretofore vested in Courts of General or Quarter Sessions.*)

" Section 25 of the said Act is hereby repealed and the following shall stand in lieu thereof viz.—The Act of Council 10 George IV. number seven and all Acts regulating or in any way relative to Courts of General and Quarter Sessions within the Territory of New South Wales are hereby repealed and all Courts of General and Quarter Sessions of the Peace are hereby abolished and all the jurisdiction power and authority thereof or heretofore belonging thereto within the limits of the respective districts for which such Courts of General and Quarter Sessions have been established are hereby transferred to the District Courts for and within the corresponding limits and all the same and the like jurisdiction may and shall be exercised by the respective Judges of such District Courts and all Judges of District Courts shall and may have and exercise within their respective districts whether there shall or not already have been therein any Court of General or Quarter Sessions all the same and the like jurisdiction power and authority in all matters heretofore cognizable by Courts of General and Quarter Sessions."

Page 2.—Omit Clause 4; insert the following to stand Clauses 4, 5, 6, and 7 :—
(*Vesting in Judges of District Courts the same jurisdiction in criminal matters as the Judges of the Supreme Court possess except only as to offences punishable by death.*)

" 4. All Judges of District Courts shall in all criminal matters within their respective districts have and exercise the same and the like jurisdiction power and authority as the Judges of the Supreme Court now have and exercise throughout the Colony excepting only as to offences punishable with death anything in any law or statute to the contrary notwithstanding."

(*District Court Judge not to practise as a Crown Prosecutor.*)
" 5. No Judge of a District Court shall practise as a Crown Prosecutor."

(*Fines how to be enforced and accounted for.*)

" 6. Payment of any fine imposed by any Court under the authority of the District Courts Act of 1858 may be enforced upon the order of any District Court Judge in like manner as payment of any debt adjudged in such Court and shall be accounted for as in the said Act directed."

(*Jurors.*)

(Jurors' lists in newly proclaimed districts.)

" 7. It shall be lawful for the Governor with the advice of the Executive Council from time to time to order by Proclamation in the *Gazette* that the provisions of the Act of Council eleventh Victoria number twenty shall extend and apply to such Districts as shall from time to time have been proclaimed as Districts under the provisions of the 'District Courts Act of 1858' and thereupon jurors' lists shall be prepared published and corrected for the several towns and places in such districts respectively at which District Courts shall have been ordered to be holden and all the other provisions contained in the said Act of Council which are applicable to the Districts already proclaimed shall extend and apply *mutatis mutandis* to such newly proclaimed districts and the towns and places therein."

Legislative Assembly Chamber,
Sydney, 24th March, 1859.

Speaker.

Question put and passed.

4. Supply:—On motion of Mr. Cowper the Speaker left the Chair, and the House resolved itself into a Committee of the whole further to consider the Supply to be granted to Her Majesty for the service of the year 1858-9.
The Chairman reported progress and obtained leave to sit again at a later hour of the evening.
5. Supply:—On motion of Mr. Cowper the Speaker left the Chair, and the House resolved itself into a Committee of the whole further to consider the Supply to be granted to Her Majesty for the service of the year 1858-9.
The Chairman obtained leave to sit again to-morrow, and reported the following Resolutions:—

FURTHER SUPPLEMENTARY ESTIMATE FOR 1858.

(95.) Resolved, that there be granted to Her Majesty, a sum not exceeding £37 15s. 9d., to defray the further Supplementary Charge of the Joint Establishment of the Legislative Council and Assembly, for the year 1858, to reimburse the Steward for deficiency in receipts on account of the Refreshment Room in the Session of 1856-7.

(96.) Resolved, that there be granted to Her Majesty, a sum not exceeding £355 1s. 1d., to defray the further Supplementary Charge of Charitable Allowances, for the year 1858, being—£255 1s. 1d., to meet deficiency in amount voted for the support of Paupers in the Colonial Hospitals, for 1857; and a further sum of £100, in aid of the Hospital at Bathurst, on condition of an equal amount being raised by private contributions.

(97.) Resolved, that there be granted to Her Majesty, a sum not exceeding £4,000, to defray the further Supplementary Charge of Grants in aid of Public Institutions, for the year 1858, to enable the Trustees of the Sydney Grammar School to pay the debt incurred by them in the erection of the building.

(98.) Resolved, that there be granted to Her Majesty, a sum not exceeding £6,325 16s. 8d., to defray the further Supplementary Charge of Miscellaneous Services, for the year 1858,—being £1,750, as aid to the "Diggers' Employment Committee," to enable them to remove unemployed Diggers to the interior on condition of their raising an equal amount; a further sum of £575 16s. 8d., to restore to the individuals from whom it was taken, that portion of the proceeds of the Gold remaining in possession of the Government, which had been seized on board the "Ethereal" and "Mary Nicholson;" and a further sum of £4,000, towards meeting expenses consequent upon the discovery of Gold at the Fitz Roy River.

(99.) Resolved, that there be granted to Her Majesty, a sum not exceeding £50, to defray the further Supplementary Charge of the Moreton Bay Court Establishment, for the year 1858.

(100.) Resolved, that there be granted to Her Majesty, a sum not exceeding £300, as a further Supplementary Charge for the year 1858, to defray Repairs to the Punts at Wiseman's Ferry, on the Hawkesbury River.

(101.) Resolved, that there be granted to Her Majesty, a sum not exceeding £47 16s. 9d., to defray the further Supplementary Charge of the Floating Light Establishment at Moreton Bay, for the year 1858.

(102.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,000 to defray the further Supplementary Charge of Public Buildings, for the year 1858 being—£800 for general alterations and repairs to the Court House at Campbelltown, in lieu of the like sum voted for the erection of a new Court House; and £200 for the erection of a cottage at Garden Island, for Naval Working Parties.

Mr. Cowper then moved, That this House do now adopt these Resolutions.

Question put and passed.

6. Messages from the Legislative Council:—The Speaker reported that whilst the House was in Committee of Supply the following Messages were received from the Legislative Council:—

(1.) Prosecutions for Libel Amendment Bill:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, "*An Act to amend the Law with regard to prosecutions for Libel*," presents the same to the Legislative Assembly for its concurrence,

Legislative Council Chamber,
Sydney, 24th March, 1859.

W. W. BURTON,
President.

(3.)

(2.) Graduates of British Universities Bill :—

MR. SPEAKER,

The Legislative Council has this day agreed to the Amendments made by the Legislative Assembly in the Bill intituled, "*An Act to extend to Graduates of other Universities certain privileges enjoyed by Graduates of the University of Sydney.*"

Legislative Council Chamber,
Sydney, 24 March, 1859.

W. W. BURTON,
President.

7. Postponements :—
- (1.) The resumption of the Committee of Ways and Means postponed, on motion of Mr. Cowper, until Tuesday next.
 - (2.) Mr. Denichy postponed the motion standing in his name first on the Notice Paper for to-day, until to-morrow.
8. Management of the Survey Department :—Mr. Jenkins moved, pursuant to *amended* notice, That the Proceedings of, and the Evidence taken before the Select Committee on "Management of the Survey Department," during last Session, be laid upon the Table.
- Question put and passed ;—
Whereupon the Clerk of Select Committees presented the same accordingly.
Mr. Jenkins then moved, That the said Proceedings and Evidence be printed.
Question put and passed.
Ordered to be printed.
9. Postponement :—The second reading of the Undue Expenses at Elections Prevention Bill postponed, on motion of Mr. Forster, until to-morrow.
10. Order Dropped :—No Member moving the Order for the consideration in Committee of an Address for Salary for a Police Magistrate at Armidale, it dropped.
11. Order withdrawn :—Mr. Plunkett, by leave, withdrew the Order for the second reading of the Moreton Bay Assistant District Judge's Appointment Bill.
12. Postponement :—The second reading of the Compulsory Vaccination Bill postponed, on motion of Mr. Jenkins, until to-morrow.
The House adjourned at twenty-five minutes after Eleven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, MARCH 25.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. PLUNKETT to move,—
 - (1.) That a Return be prepared enumerating the number of days on which this House has been adjourned for want of a Quorum during the present Session.
 - (2.) Also the number of times the House has been counted out during the same period.
 - (3.) The number of times on which it was so counted out at the instance of the member for the Sydney Hamlets (Mr. John Campbell) and of any other members of this House.
2. MR. WILLIAMSON to move,—That the Petition of Joseph Rowsell, relative to a right of road through certain land on the Upper Wilson River, in the District of Port Macquarie, presented by him on the 22nd instant, be printed.
3. MR. WILLIAMSON to move, That there be laid upon the Table of this House,—
 - (1.) A Return, shewing what amount of public money has been expended in the present uncompleted continuation of the Railway, between the present Terminus at Cleveland, and that originally contemplated at Pymont—whether in the cost of work thereon, or in the acquisition of land for the continued line and intended Terminus ;—and if the purchase money of any such land has been reduced, in consideration of the estimated improvement in value to be conferred on adjacent property by the proposed works, specifying the amount of any such reduction.
 - (2.) Copies of any Petitions or other applications to the Government, urging completion of the continued line to Pymont and Terminus, and of any answers thereto.
4. MR. WILLIAMSON to move,—
 - (1.) That in the opinion of this House, it would be advantageous to the commerce of this Colony, and a safeguard to the lives and property of Her Majesty's subjects, if one of Her Majesty's ships of war on this station was directed to make periodical visits to the different islands of the Pacific, connected by trade with the Australian Colonies.
 - (2.) That the officers and crews of Her Majesty's ships so employed are entitled to receive the Colonial allowance now paid to the officers and crews lying in Port.
 - (3.) That an Address embodying the above resolutions be presented to His Excellency the Governor.
5. MR. DENICHEY to move, That in the opinion of this House the conduct of the Attorney General in leaving the recent criminal prosecutions at Maitland in the hands of a Mr. Somerville, and thereby bringing the administration of justice, even in the superior Courts of Law, into ridicule and contempt, deserves the censure of this House.

6. MR. LORD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £1,500, to defray the expense of Police Magistrates for Molong, Wellington, and Dubbo.
7. MR. PLUNKETT to move, That the Debate on his motion,—“That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Brown, and A. B. Cox, Esqrs, and the Evidence taken by him in those cases respectively, resolves,—
 - “(1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only ‘*indiscreet and injudicious*’ (as Mr. Hargrave reports), but highly censurable.
 - “(2.) That, taken in connection with the last-mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates (which are reported to be wholly unfounded), is considerably aggravated, and is deserving of the most severe reprehension.
 - “(3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
 - “(4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House,”—which lapsed by the House being counted out on the 18th instant, be now resumed.
8. MR. THORNTON to move, That the Petition presented by him from certain Landholders and Residents in Wynyard-square, on the 24th instant, be printed.
9. MR. DENIEHY to move, That copies of all Correspondence between the Government and the Bench of Magistrates at Armidale, in connection with the inquiry into the conduct of Mr. Bligh, Clerk of Petty Sessions at Armidale, be laid upon the Table of this House.

ORDERS OF THE DAY:—

1. Undue Expenses at Elections Prevention Bill; second reading.
2. Compulsory Vaccination Bill; second reading.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Supply; resumption of the Committee.

Questions:—

1. MR. WILLIAMSON to ask THE HONORABLE FINANCE MINISTER,—
 - (1.) If it is the case that the coxswains and crews of the Pilot Boats stationed at Watson's Bay recently appointed under the new system of Pilotage introduced by the Government on the 1st instant, are without residence, although residence is to be provided for them under the 30th section of the Regulations of the 27th of January?
 - (2.) What is the reason that the iron house belonging to the Government and situated at Watson's Bay, which was intended to be used as a barrack for those men, has not been placed at the disposal of the Harbour Master for their use?
2. MR. BYRNES to ask THE COLONIAL SECRETARY,—
 - (1.) Whether the Government are aware that Insolvency Schedules, Affidavits, and other Documents are prepared by the Chief Clerk in the Insolvency Department?
 - (2.) Whether the fees derived therefrom are retained by the Chief Clerk for his own use or paid into the Treasury?
3. MR. PLUNKETT to ask THE COLONIAL SECRETARY,—
 - (1.) Why the Returns moved for and ordered by this House on the 15th February last, including the Copies of Correspondence between the Government and the gentlemen appointed as Judges, Chairmen, Crown Prosecutors, Clerks of the Peace, and Registrars in the District Courts and Courts of General and Quarter Sessions respectively
 - (2.) Also, Copies of commissions or appointments issued to those officers respectively
 - (3.) Also, all instructions or directions given by the Attorney General to the above mentioned officers or any of them,—have not been produced in compliance with such order?
4. MR. EGAN to ask THE COLONIAL SECRETARY,—
 - (1.) The name of the Gentleman who tendered to remove the Silt, by steam, and whose tender was not accepted?
 - (2.) Whether that Gentleman had notice that his tender was not accepted?
 - (3.) And whether application had been made to him, or to any other persons, to perform the service at the same rate as last year, and if so, state the names of such persons?

TUESDAY, MARCH 29.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. HODGSON to move, That the Debate of his amended motion,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,—which lapsed by the House being counted out on the 7th January last, be now resumed.

2. MR. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
3. MR. PLUNKETT to move, That the Report of the Select Committee appointed "to inquire into and report upon the circumstances relating to the acceptance of the office of District Court Judge by Robert Owen, Esq., (late a Member for East Camden) in so far as they affect his votes on the 23rd February last, in reference to the proposed new arrangements of the Ministerial Departments of the Government," and which was brought up and laid on the Table of the House on the 23rd instant, be now taken into consideration and adopted.

ORDER OF THE DAY :—

1. Police Magistrate for Tamworth ; consideration in Committee of an Address for Salary.

GOVERNMENT BUSINESS :—ORDER OF THE DAY :—

1. Ways and Means ; resumption of the Committee.

Question.

1. MR. ROTTON to ask THE COLONIAL SECRETARY,—
 - (1.) Has a Postal Inspector yet been appointed ?
 - (2.) If so, the name of the gentleman, and the date of his appointment ?
 - (3.) How and where employed since his appointment ?

DANIEL COOPER,
Speaker.

No. 56.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 25 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Adjournments and Counts Out for want of a Quorum:—Mr. Plunkett moved, pursuant to amended notice,—
- (1.) That a Return be prepared enumerating the number of days on which this House has been adjourned for want of a Quorum during the present Session.
 - (2.) Also the number of times the House and the Committees of the whole House have been counted out during the same period.
 - (3.) The number of times on which they have been so counted out at the instance of the member for the Sydney Hamlets (Mr. John Campbell) and of any other members of this House.
- Debate ensued.
Mr. Piddington moved, That the Question be amended by the omission of section (3), with a view to the insertion in its place of the section following:—
“ (3.) The names of those Members who were absent on each occasion when the House was adjourned for want of a Quorum at the ordinary hour for meeting.”
Debate continued.
Question,—That the section proposed to be omitted stand part of the Question—put and negatived.
Question,—That the section proposed to be inserted in place of the section omitted be so inserted—put and passed.
Whereupon Question put,—
- (1.) That a Return be prepared enumerating the number of days on which this House has been adjourned for want of a Quorum during the present Session.
 - (2.) Also the number of times the House and the Committees of the whole House have been counted out during the same period.
 - (3.) The names of those members who were absent on each occasion when the House was adjourned for want of a Quorum at the ordinary hour for meeting.
- The House divided.
- | | |
|---|---|
| <p>Ayes, 12.</p> <p>Mr. Murray,
Mr. Martin,
Mr. Weekes,
Mr. Hodgson,
Mr. Macarthur,
Mr. Taylor,
Mr. Forster,
Mr. Jenkins,
Mr. Plunkett,
Mr. Denichy,
Mr. Piddington,
Mr. W. Macleay, } Tellers.</p> | <p>Noes, 10.</p> <p>Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. W. B. Tooth,
Mr. Hay,
Mr. Williamson,
Mr. Jones,
Mr. Richardson,
Mr. Dickson, } Tellers.
Mr. Suttor, }</p> |
|---|---|
2. Mr. Joseph Rowsell:—Mr. Williamson moved, pursuant to notice, That the Petition of Joseph Rowsell, relative to a right of road through certain land on the Upper Wilson River, in the District of Port Macquarie, presented by him on the 22nd instant, be printed.
Question put and passed.
Ordered to be printed.
3. Expenditure upon Railway between the Terminus at Cleveland and that at Pymont:—
Mr. Williamson moved, pursuant to notice, That there be laid upon the Table of this House,—
- (1.) A Return, shewing what amount of public money has been expended in the present uncompleted continuation of the Railway, between the present Terminus at Cleveland, and that originally contemplated at Pymont—whether in the cost of work thereon, or in the acquisition of land for the continued line and intended Terminus;—and if the purchase

purchase money of any such land has been reduced, in consideration of the estimated improvement in value to be conferred on adjacent property by the proposed works, specifying the amount of any such reduction.

(2.) Copies of any Petitions or other applications to the Government, urging completion of the continued line to Pyrmont and Terminus, and of any answers thereto. Question put and passed.

4. Postponement:—Mr. Williamson, by leave, postponed the motion standing in his name fourth on the Notice Paper for to-day, until the next following motion on the same Paper shall have been disposed of.

5. Proposed Vote of Censure on the Attorney General:—Mr. Deniehy moved, pursuant to notice, "That" in the opinion of this House the conduct of the Attorney General in leaving the recent criminal prosecutions at Maitland in the hands of Mr. Somerville, and thereby bringing the administration of justice, even in the superior Courts of Law, into ridicule and contempt, deserves the censure of this House.

Debate ensued.

Mr. Martin moved, That the Question be amended by the omission of all the words thereof following the word "That" at the commencement, with a view to the insertion in their place, of the words, "a Select Committee be appointed to inquire into and report upon the conduct of the Attorney General in leaving the recent criminal prosecutions at Maitland in the hands of Mr. Somerville, with power to send for persons and papers, and leave to sit on Mondays and Saturdays."

(2.) That such Committee consist of the following Members, viz.:—Mr. Deniehy, Mr. Murray, Mr. Plunkett, Mr. Faucett, Mr. Macarthur, and the Mover."

Debate continued.

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

And Mr. Weekes having required that the proposed Committee be appointed by Ballot.

Question,—That, in place of the words omitted, there be inserted the words "a Select Committee be appointed to inquire into, and report upon, the conduct of the Attorney General in leaving the recent Criminal prosecutions at Maitland in the hands of Mr. Somerville, with power to send for persons and papers, and leave to sit on Mondays and Saturdays,"—put and passed;—

Whereupon Question,—That a Select Committee be appointed to inquire into, and report upon, the conduct of the Attorney General in leaving the recent Criminal prosecutions at Maitland in the hands of Mr. Somerville, with power to send for persons and papers, and leave to sit on Mondays and Saturdays,—put and passed;—

Upon which the House proceeded to the Ballot, and the Speaker declared the following Members to be, with the Mover, the Committee duly appointed, viz.:—Mr. Deniehy, Mr. Jones, Mr. Macarthur, Mr. Murray, and Mr. Plunkett.

6. Postponement:—Mr. Williamson further postponed the motion standing in his name fourth on the Notice Paper for to day, until Tuesday next.

7. Motion dropped:—Mr. Lord not moving the motion standing in his name sixth on the Notice Paper for to-day, it dropped.

8. Dr. Harris:—The Debate on Mr. Plunkett's motion,—That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Brown, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—

(1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only '*indiscreet and injudicious*' (as Mr. Hargrave reports), but highly censurable.

(2.) That, taken in connection with the last-mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates (which are reported to be wholly unfounded), is considerably aggravated, and is deserving of the most severe reprehension.

(3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.

(4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House,—which lapsed by the House being counted out on the 18th instant, being resumed, on motion of Mr. Plunkett,—

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

Debate continued.

Question put, on the motion for adjournment of the Debate until Tuesday next.

The House divided,—

And notice being taken that three Members, namely, Mr. Weekes, Mr. J. Campbell, and Mr. Rotton, had left the House after the Question was put,—

And a Debate arising thereupon;

And the House continuing to sit till after midnight,—

SATURDAY, 26 MARCH, 1859,

And the Speaker ruling that until the doors are locked Members have a right of ingress and egress which may not be challenged by him,—

And

And the Tellers reporting the numbers as follows:—

Ayes, 5.	Noes, 14.
Mr. Cowper, Mr. Robertson, Mr. Hargrave, Mr. Egan, } Tellers. Mr. Arnold, }	Mr. Forster, Mr. Murray, Mr. Martin, Mr. Macarthur, Mr. Piddington, Mr. Taylor, Mr. Jenkins, Mr. Suttor, Mr. W. B. Tooth, Mr. Denichy, Mr. Hay, Mr. Plunkett, Mr. Faucett, } Tellers. Mr. W. Macleay, }

And it appearing by the said report that there was not a Quorum present, the Speaker adjourned the House at a quarter after Twelve o'clock, A.M., until Tuesday next, at Three o'clock, P.M.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MARCH 29.

OTHER BUSINESS—NOTICES OF MOTION:—

1. Mr. HODGSON to move, That the Debate of his amended motion,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,—which lapsed by the House being counted out on the 7th January last, be now resumed.
2. Mr. HODGSON to move, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
3. Mr. PLUNKETT to move, That the Report of the Select Committee appointed "to inquire into and report upon the circumstances relating to the acceptance of the office of District Court Judge by Robert Owen, Esq., (late a Member for East Camden) in so far as they affect his votes on the 23rd February last, in reference to the proposed new "arrangements of the Ministerial Departments of the Government," and which was brought up and laid on the Table of the House on the 23rd instant, be now taken into consideration and adopted.
4. Mr. WILLIAMSON to move,—
 - (1). That in the opinion of this House, it would be advantageous to the commerce of this Colony, and a safeguard to the lives and property of Her Majesty's subjects, if one of Her Majesty's ships of war on this station was directed to make periodical visits to the different islands of the Pacific, connected by trade with the Australian Colonies.
 - (2). That the officers and crews of Her Majesty's ships so employed are entitled to receive the Colonial allowance now paid to the officers and crews lying in Port.
 - (3). That an Address embodying the above resolutions be presented to His Excellency the Governor.
5. Mr. LORD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £1,500, to defray the expense of Police Magistrates for Molong, Wellington, and Dubbo.
6. Mr. THORNTON to move, That the Petition presented by him from certain Landholders and Residents in Wynyard-square, on the 24th instant, be printed.
7. Mr. DENICHEY to move, That copies of all Correspondence between the Government and the Bench of Magistrates at Armidale, in connection with the inquiry into the conduct of Mr. Bligh, Clerk of Petty Sessions at Armidale, be laid upon the Table of this House.

ORDERS OF THE DAY:—

1. Police Magistrate for Tamworth; consideration in Committee of an Address for Salary.
2. Undue Expenses at Elections Prevention Bill; second reading.
3. Compulsory Vaccination Bill; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

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

Questions:—

Questions :—

1. MR. ROTTON *to ask* THE COLONIAL SECRETARY,—
 - (1.) Has a Postal Inspector yet been appointed?
 - (2.) If so, the name of the gentleman, and the date of his appointment?
 - (3.) How and where employed since his appointment?
2. MR. PIDDINGTON *to ask* THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Has the Executive received any Copy of the New Postal Contract between the Imperial Government and the Peninsular and Oriental Steam Navigation Company; and, if they have, will a copy of the Contract be laid upon the Table of this House?
 - (2.) Has the Government considered the question of a protest against this objectionable Contract?
 - (3.) If the Ministers have not yet taken the subject of a protest into consideration, when do they intend to do so?*
3. MR. PIDDINGTON *to ask* THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Has the Government received any account of sales of New South Wales Debentures authorised to be issued during the last Session of Parliament for the Extension of Railways?
 - (2.) What is the amount of the proceeds of sales to the latest date?
 - (3.) How, and in what mode, are the proceeds invested; and, if invested, at what rate of interest?
 - (4.) What is the net amount of the proceeds realized per centum?
4. MR. FAUCETT *to ask* THE HONORABLE THE COLONIAL SECRETARY,—What defects in the District Courts Act have rendered it impossible to bring that Act into operation?
5. MR. JENKINS *to ask* THE HONORABLE THE COLONIAL SECRETARY,—When the Copies of all Correspondence and Documents relating to all sums lent to the City Corporation, or raised for the benefit thereof, on the credit of the Colony, will be laid on the Table, as ordered by the House on the 8th instant?

DANIEL COOPER,
Speaker.

No. 57.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 29 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers:—
 1. Mr. Cowper laid upon the Table the undermentioned Papers:—
 - (1.) Return to the Address, in reference to Appointments under the District Courts Act of 1858, adopted, on motion of Mr. Plunkett, on the 15th ultimo.
Ordered to be printed.
 - (2.) Return to the Address, in reference to the Inquest on the late Percival Hindmarsh, Esquire, adopted, on motion of Mr. Denichy, on the 8th instant.
Ordered to be printed.
 2. The Speaker laid upon the Table the undermentioned Paper, presented by the Clerk:—
 - (3.) Return to the Order, in reference to Adjournments and Counts out for want of a Quorum, made by this House, on motion of Mr. Plunkett, on the 25th instant.
Ordered to be printed.
2. Attendance of Members of Legislative Council:—
 - (1.) Mr. Martin moved, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee "to inquire into the conduct of the Honorable the Attorney General, in leaving the recent criminal prosecutions at Maitland in the hands of Mr. Somerville," and that Committee being desirous to examine the Honorable Lyttleton Holyoake Bayley, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,
Sydney 29 March, 1859.*

Speaker.

Question put and passed.

- (2.) Mr. Martin moved, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee "to inquire into the conduct of the Honorable the Attorney General, in leaving the recent criminal prosecutions at Maitland in the hands of Mr. Somerville," and that Committee being desirous to examine the Honorable Edward Wise, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,
Sydney, 29 March, 1859.*

Speaker.

Question put and passed.

- (3.) Mr. Martin moved, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

The Legislative Assembly having appointed a Select Committee "to inquire into the conduct of the Honorable the Attorney General, in leaving the recent criminal prosecutions at Maitland in the hands of Mr. Somerville," and that Committee being desirous to examine the Honorable Robert McIntosh Isaacs, Esquire, in reference thereto, begs to request that the Legislative Council will give leave to its said Member to attend accordingly, on such day and days as shall be arranged between him and the said Committee.

*Legislative Assembly Chamber,
Sydney, 29 March, 1859.*

Speaker.

Question put and passed.

3.

3. Prosecutions for Libel Amendment Bill, on motion of Mr. Plunkett, read a first time; ordered to be printed, and read a second time on Friday next.
4. Police Magistrate for Darling Downs:—Motion made by Mr. Hodgson, pursuant to notice, and Question put,—That the Debate of his amended motion,—That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs,—which lapsed by the House being counted out on the 7th January last, be now resumed. The House divided.

Ayes, 16.	Noes, 11.
Mr. Arnold,	Mr. Cowper,
Mr. Murray,	Mr. Robertson,
Mr. Deniehy,	Mr. Hargrave,
Mr. Suttor,	Mr. Jones,
Mr. W. B. Tooth,	Mr. Rotton,
Mr. Forster,	Mr. Thornton,
Mr. Plunkett,	Mr. Flood,
Mr. Hart,	Mr. Byrnes,
Mr. W. Macleay,	Mr. Gordon,
Mr. Taylor,	Mr. Marks,
Mr. Macarthur,	Mr. Weekes, } Tellers.
Mr. Lord,	
Mr. Hay,	
Mr. Piddington,	
Mr. Jenkins, } Tellers.	
Mr. Hodgson, }	

Whereupon Debate resumed.

Question put,—That this House will, on Friday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for the District of Darling Downs.

The House divided.

Ayes, 11.	Noes, 15.
Mr. Deniehy,	Mr. Cowper,
Mr. Jenkins,	Mr. Robertson,
Mr. Piddington,	Mr. Hargrave,
Mr. Forster,	Mr. Jones,
Mr. W. Macleay,	Mr. Egan,
Mr. Lord,	Mr. Thornton,
Mr. Taylor,	Mr. Weekes,
Mr. W. B. Tooth,	Mr. Rotton,
Mr. Murray,	Mr. Marks,
Mr. Hay,	Mr. Flood,
Mr. Hodgson, } Tellers.	Mr. Arnold,
	Mr. Plunkett,
	Mr. J. Campbell,
	Mr. Byrnes, } Tellers.
	Mr. Gordon, }

5. Attendance of Members of Legislative Council:—The Speaker reported that whilst the House was in Debate of the Question last before it, the following Message was received from the Legislative Council,—

MR. SPEAKER,

In answer to the Messages from the Legislative Assembly, dated the 29th instant, requesting leave for the Honorable Lyttleton Holyoake Bayley, the Honorable Robert McIntosh Isaacs, and the Honorable Edward Wise, Members of the Legislative Council, to attend and be examined before a Select Committee of the Legislative Assembly, appointed to inquire into "the conduct of the Honorable Lyttleton Holyoake Bayley in leaving the recent criminal prosecutions at Maitland in the hands of Mr. Somerville," the Council acquaints the Legislative Assembly that leave has been granted to Messrs. Bayley, Isaacs, and Wise, to attend and be examined by the said Committee, if they think fit.

Legislative Council Chamber,

Sydney, 29 March, 1859.

W. W. BURTON,

President.

6. Parliamentary Accommodation:—Mr. Cowper, on behalf of the Speaker, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before, the Select Committee, to whom, on the 17th instant, it was referred, to inquire into and report upon the nature of the arrangements which it will be desirable to make for the accommodation of the increased number of Members of the Legislative Assembly, to be elected under the Electoral Act of 1858.
- Ordered to be printed, together with the Minutes of Proceedings.
7. Paper:—Mr. Cowper laid upon the Table the Return to the Address in reference to the Roman Catholic Orphan School Board, adopted, on motion of Mr. Deniehy, on the 8th instant.
- Ordered to be printed.
8. Police Magistrate for Grafton:—Mr. Hodgson moved, pursuant to notice, That this House will, on Friday next, resolve itself into a Committee of the whole, to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimate for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate at Grafton.
- Debate ensued.
- Question put.

The House divided.

Ayes, 10.
 Mr. Hart,
 Mr. Jenkins,
 Mr. Murray,
 Mr. Taylor,
 Mr. W. Macleay,
 Mr. Forster,
 Mr. Piddington,
 Mr. Hay,
 Mr. Hodgson, } Tellers.
 Mr. Suttor, }

Noes, 16.
 Mr. Cowper,
 Mr. Robertson,
 Mr. Hargrave,
 Mr. Gordon,
 Mr. Egan,
 Mr. J. Campbell,
 Mr. Plunkett,
 Mr. Rotton,
 Mr. Flood,
 Mr. Macarthur,
 Mr. Byrnes,
 Mr. Marks,
 Mr. Jones,
 Mr. Thornton,
 Mr. Deniehy, } Tellers.
 Mr. Arnold, }

9. Vacant Seat—Question of Privilege:—Mr. Plunkett moved, pursuant to notice, That the Report of the Select Committee appointed “to inquire into and report upon the circumstances relating to the acceptance of the office of District Court Judge by Robert Owen, Esq., (late a Member for East Camden) in so far as they affect his votes on the 23rd February last, in reference to the proposed new arrangements of the Ministerial Departments of the Government,” and which was brought up and laid on the Table of the House on the 23rd instant, be now taken into consideration and adopted.

Debate ensued,—

And exception being taken to certain words used by Mr. Cowper,—
 And it being moved, That the said words be taken down, the Clerk, by direction of the Speaker, took down the said words as follows:—“The Honorable Member for the North Riding stated that the vote for the abolition of the Law Officers Department was carried by a majority of one,—and that statement was not true.”

And Mr. Cowper having been heard in his place and withdrawn,—

Mr. Plunkett moved, That the words taken down are unparliamentary and disorderly, and ought to be withdrawn.

Debate ensued.

And Mr. Plunkett having by leave withdrawn the Question of Order,—

And Mr. Cowper having been recalled to his place,—

And the Speaker having acquainted Mr. Cowper with the withdrawal of the Question of Order, upon the understanding that he desired to withdraw the words excepted to,—

And Mr. Cowper having thereupon withdrawn the said words,—

Debate of the Original Question continued;—

And the House continuing to sit till after midnight.

WEDNESDAY 30 MARCH, 1859.

Debate continued.

Mr. Hargrave moved, That this Debate be adjourned until “Friday next.”

Debate continued.

Mr. Forster moved, That the Question for adjournment of the Debate be amended by the omission of the words “Friday next,” with a view to the insertion in their place of the word “to-morrow.”

Debate continued.

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

The House divided.

Ayes, 15.
 Mr. Cowper,
 Mr. Robertson,
 Mr. Jones,
 Mr. Rotton,
 Mr. Hart,
 Mr. Richardson,
 Mr. Byrnes,
 Mr. Thornton,
 Mr. Marks,
 Mr. Weekes,
 Mr. Flood,
 Mr. J. Campbell,
 Mr. Hargrave,
 Mr. Gordon, } Tellers.
 Mr. Arnold, }

Noes, 14
 Mr. Macarthur,
 Mr. Piddington,
 Mr. Martin,
 Mr. Murray,
 Mr. Taylor,
 Mr. Hodgson,
 Mr. Deniehy,
 Mr. Forster,
 Mr. Suttor,
 Mr. W. Macleay,
 Mr. Hay,
 Mr. Plunkett,
 Mr. Faucett, } Tellers.
 Mr. Jenkins, }

Whereupon Question,—That this Debate be adjourned until Friday next—put and passed.

10. Motions Dropped:—

(1.) Mr. Williamson not moving the motion standing in his name fourth on the Notice Paper for to-day, it dropped.
 (2.) Mr. Lord not moving the motion standing in his name fifth on the Notice Paper for to-day, it dropped.

11. Wynyard Square:—Mr. Thornton moved, pursuant to notice, That the Petition presented by him from certain Landholders and Residents in Wynyard-square, on the 24th instant, be printed.
Question put and passed.
Ordered to be printed.
12. Inquiry into conduct of Clerk of Petty Sessions at Armidale:—Mr. Deniehy moved, pursuant to notice, That copies of all Correspondence between the Government and the Bench of Magistrates at Armidale, in connection with the inquiry into the conduct of Mr. Bligh, Clerk of Petty Sessions at Armidale, be laid upon the Table of this House.
Question put and passed.
13. Postponements:—
(1.) The consideration in Committee of an Address for Salary for Police Magistrate for Tamworth postponed, on motion of Mr. Jenkins, until Friday next.
(2.) The second reading of the Undue Expenses at Elections Prevention Bill postponed, on motion of Mr. Forster, until Friday next.
(3.) The second reading of the Compulsory Vaccination Bill postponed, on motion of Mr. Jenkins, until Friday next.
(4.) The Orders of the Day on the Paper of Government Business for to-day postponed on motion of Mr. Cowper, until to-morrow.
The House adjourned at twenty-five minutes before One o'clock A.M., until this day, at Three o'clock P.M.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MARCH 30.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

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

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PLUNKETT to move,—
1. That the Sessional Order of the 10th December last, which gives precedence to Government Business on Wednesdays and Thursdays, be rescinded, in so far as it prevents the House from first disposing of the resolutions in reference to the case of Dr. Harris and the Bench at Mudgee; and which are still undisposed of, in consequence of the House being counted out *twice*, namely, on the 18th and 25th instant, while they were under discussion, and under extraordinary circumstances.
2. That the Debate on Mr. Plunkett's motion,—That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Brown, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
(1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only '*indiscreet and injudicious*' (as Mr. Hargrave reports), but highly censurable.
(2.) That, taken in connection with the last-mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates (which are reported to be wholly unfounded), is considerably aggravated, and is deserving of the most severe reprehension.
(3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
(4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House,—which lapsed by the House being counted out on the 18th and 25th instant, be now resumed.
2. MR. COWPER to move, That the Report of the Select Committee on "Parliamentary Accommodation," laid upon the Table of the House on the 29th instant, be now adopted.

Questions:—

1. MR. DENIERY to ask THE HONORABLE THE SOLICITOR GENERAL,—Under what circumstances of public engagement or other business on the part of the Law Officers of the Crown, and the three Public Prosecutors already appointed and salaried in connection with the Criminal jurisdiction of the District Courts, it was found necessary by the Government specially to send, at the public expense, a private Barrister of the Supreme Court to Bathurst, to prosecute for the Crown there in criminal matters?
2. MR. DENIEHY to ask THE HONORABLE THE COLONIAL SECRETARY,—
(1.) Whether, on the consolidation of the two Parliamentary Draftsmanships, it was not understood as a Government arrangement that the recipient of the new office should not accept, and should not be suffered to take any business whatsoever requiring his presence at the Bar in any jurisdiction of the Supreme Court?
(2.) What the circumstances are, which induced the Government to deviate from this understanding, in sending Mr. C. K. Murray to Bathurst as Crown Prosecutor on Special Retainer?

3. MR. FORSTER to ask THE HONORABLE THE COLONIAL SECRETARY,—Was the dismissal of Mr. Charles Lockyer from the Customs Department in any way connected with the late cases of fraud upon the revenue or for any conduct involving moral delinquency?
4. MR. THORNTON to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether it is intended by the Government to take any measures to avenge the murder of Captain Prout and part of the crew of the schooner "Maid of Australia," stated to have been committed by the natives of one of the South Sea Islands?
5. MR. MURRAY to ask THE HONORABLE THE COLONIAL SECRETARY,—When the Correspondence between the Government and the Bench of Magistrates of Berrima, moved for by Mr. Murray on the 11th instant, will be laid on the Table of this House?

THURSDAY, MARCH 31.

Question :—

1. MR. JENKINS to ask THE HONORABLE THE COLONIAL SECRETARY,—
 - (1) If the Report for 1858 from the Medical Adviser to the Government on the state of Vaccination in the Colony has been under the consideration of the Executive Council, more especially the alarming statements contained in the third paragraph of said report, viz. :—" That four-fifths of the community are left unprotected, (by vaccination), and as these are probably of the classes most liable to infection, it is equally clear that if small-pox were introduced so as to become epidemic, a very fearful tribute of lives would be exacted, not less perhaps than *five thousand* in Sydney alone?"
 - (2) If the Government purpose taking any active steps towards the encouragement or enforcement of the practice of Vaccination throughout the Colony?

FRIDAY, APRIL 1.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ARNOLD to move, That the Debate on Mr. Plunkett's motion,—That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Brown, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
 - (1). That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only '*indiscreet and injudicious*,' (as Mr. Hargrave reports), but highly censurable.
 - (2). That, taken in connection with the last mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates (which are reported to be wholly unfounded), is considerably aggravated, and is deserving of the most severe reprehension.
 - (3). That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of Proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
 - (4). That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House,—which lapsed by the House being counted out on the 25th instant, be now resumed.
2. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of all Correspondence betwixt Charles Muller, of Sydney, Doctor of Medicine, and the Government, respecting certain alleged misconduct of the City Coroner for Sydney, whereof complaint was by the said Charles Muller formally made to the proper authorities in that behalf.
3. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Regulations promulgated by the Government for the preparation of Jury Lists in the several Districts in which District Courts are to be held.
4. MR. LORD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimates for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Wellington and Dubbo.
5. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid on the Table of this House, Copies of the Depositions and of the proceedings generally in the case of Sergeant Heywood, recently tried before Joseph Walford, Esq., J.P., and Assistant Commissioner Johnson, under the Vagrant Act, at Sofala.

ORDERS OF THE DAY :—

1. Prosecutions for Libel Amendment Bill; second reading.
2. Resumption of the Adjourned Debate on Mr. Plunkett's motion, "That the Report of the Select Committee appointed 'to inquire into and report upon the circumstances relating to the acceptance of the office of District Court Judge by Robert Owen, Esq., (late a Member for East Camden) in so far as they affect his votes on the 23rd February last, in reference to the proposed new arrangements of the Ministerial Departments of the Government,' and which was brought up and laid on the Table of the House on the 23rd instant, be now taken into consideration and adopted."

3. Police Magistrate for Tamworth ; consideration in Committee of an Address for Salary.
4. Undue Expenses at Elections Prevention Bill ; second reading.
5. Compulsory Vaccination Bill ; second reading.

Questions:—

1. MR. THORNTON *to ask* THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Whether the late Commissioners for the City of Sydney laid before the Governor and the Executive Council the Rules and Regulations required under the 6th clause of the 17th Victoria, No. 34, viz.:—“ *An Act for the better Sewerage and Cleansing the City of Sydney and portions of the Suburbs thereof;*” and, if so, when?
 - (2.) Whether the said Rules and Regulations were approved of by the Governor and the Executive Council?
 - (3.) Whether the said Rules and Regulations were laid before the Parliament as prescribed by the said 6th clause of the said Act, viz., 17 Victoria, No. 34—with dates of above?

TUESDAY, APRIL 5.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. MARTIN *to move*, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Copy of the Depositions in the case Regina v. Doherty and Peckham, committed by the Goulburn Bench, for cattle stealing, in which case the Attorney General has declined to prosecute; as well as Copies of any Correspondence between the Bench and the Attorney General, in reference to such case.

DANIEL COOPER,
Speaker.

No. 58.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 30 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers:—
 1. Mr. Cowper laid upon the Table the undermentioned Papers:—
 - (1.) Return to the Address, in reference to Mr. Walsh and the Magistrates of Berrima, adopted, on motion of Mr. Murray, on the 11th instant.
 - (2.) Return to the Address, in reference to Electric Communication between Australia and Europe, adopted, on motion of Mr. Hay, on the 22nd instant.
 - (3.) Letter, dated London, 15 January, 1859, from C. Peel, Esq., Secretary to the Red Sea and India Telegraph Company, to the Honorable the Secretary to the Government of New South Wales, relative to Telegraphic Communication between England and Australia.
Ordered to be printed.
 2. Mr. Robertson laid upon the Table the undermentioned Paper:—
Correspondence, in the cases of Mr. I. Garrick and Mr. H. C. Sempill, respectively, relating to encroachments upon High-street, West Maitland.
Ordered to be printed.
2. Postponement:—The resumption of the Committee of Ways and Means postponed, on motion of Mr. Cowper, until the next following Order of the Day shall have been disposed of.
3. Supply:—Mr. Cowper moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty for the service of the year 1858-9.
Mr. Plunkett moved that the consideration of this Order of the Day be postponed until a later hour of the evening.
Debate ensued.
4. Death of the Honorable Robert Campbell, Esq.:—Mr. Cowper moved, That, in consequence of the melancholy intelligence, just received, of the death of the Honorable Robert Campbell, Esq., Colonial Treasurer, the proceedings of this House be now adjourned until to-morrow, at Three o'clock.
Question put and passed.
The House adjourned accordingly at twenty-five minutes before Five o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MARCH 31.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

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

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. PLUNKETT to move,—
 1. That the Sessional Order of the 10th December last, which gives precedence to Government Business on Wednesdays and Thursdays, be rescinded, in so far as it prevents the House from first disposing of the resolutions in reference to the case of Dr. Harris and the Bench at Mudgec; and which are still undisposed of, in consequence of the House being counted out *twice*, namely, on the 18th and 25th instant, while they were under discussion, and under extraordinary circumstances.
 2. That the Debate on Mr. Plunkett's motion,—That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Brown, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
 - (1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only '*indiscreet and injudicious*' (as Mr. Hargrave reports), but highly censurable.

(2.)

- (2.) That, taken in connection with the last-mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates (which are reported to be wholly unfounded), is considerably aggravated, and is deserving of the most severe reprehension.
- (3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
- (4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House,—which lapsed by the House being counted out on the 18th and 25th instant, be now resumed.
2. MR. COWPER to move, That the Report of the Select Committee on "Parliamentary Accommodation," laid upon the Table of the House on the 29th instant, be now adopted.

Question :—

1. MR. JENKINS to ask THE HONORABLE THE COLONIAL SECRETARY,—
- (1.) If the Report for 1858 from the Medical Adviser to the Government on the state of Vaccination in the Colony has been under the consideration of the Executive Council, more especially the alarming statements contained in the third paragraph of said report, viz. :—" That four-fifths of the community are left unprotected, (by vaccination), and as these are probably of the classes most liable to infection, it is equally clear that if small-pox were introduced so as to become epidemic, a very fearful tribute of lives would be exacted, not less perhaps than *five thousand* in Sydney alone?"
- (2.) If the Government purpose taking any active steps towards the encouragement or enforcement of the practice of Vaccination throughout the Colony?

FRIDAY, APRIL 1.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. ARNOLD to move, That the Debate on Mr. Plunkett's motion,—That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Brown, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
- (1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only '*indiscreet and injudicious*,' (as Mr. Hargrave reports), but highly censurable.
- (2.) That, taken in connection with the last mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates (which are reported to be wholly unfounded), is considerably aggravated, and is deserving of the most severe reprehension.
- (3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of Proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
- (4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House,—which lapsed by the House being counted out on the 25th ultimo, be now resumed.
2. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of all Correspondence betwixt Charles Muller, of Sydney, Doctor of Medicine, and the Government, respecting certain alleged misconduct of the City Coroner for Sydney, whereof complaint was by the said Charles Muller formally made to the proper authorities in that behalf.
3. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Regulations promulgated by the Government for the preparation of Jury Lists in the several Districts in which District Courts are to be held.
4. MR. LORD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimates for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Wellington and Dubbo.
5. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid on the Table of this House, Copies of the Depositions and of the proceedings generally in the case of Sergeant Heywood, recently tried before Joseph Walford, Esq., J.P., and Assistant Commissioner Johnson, under the Vagrant Act, at Sofala.

ORDERS OF THE DAY:—

1. Prosecutions for Libel Amendment Bill; second reading.
2. Resumption of the Adjourned Debate on Mr. Plunkett's motion, "That the Report of the Select Committee appointed to inquire into and report upon the circumstances relating to the acceptance of the office of District Court Judge by Robert Owen, Esq., (late a Member for East Camden) in so far as they affect his votes on the 23rd February last, in reference to the proposed new arrangements of the Ministerial Departments of the Government, and which was brought up and laid on the Table of the House on the 23rd ultimo, be now taken into consideration and adopted."
3. Police Magistrate for Tamworth; consideration in Committee of an Address for Salary.
4. Undue Expenses at Elections Prevention Bill; second reading.
5. Compulsory Vaccination Bill; second reading.

Questions:—

1. MR. THORNTON to ask THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Whether the late Commissioners for the City of Sydney laid before the Governor and the Executive Council the Rules and Regulations required under the 6th clause of the 17th Victoria, No. 34, viz.:—"An Act for the better Sewerage and Cleansing the City of Sydney and portions of the Suburbs thereof;" and, if so, when?
 - (2.) Whether the said Rules and Regulations were approved of by the Governor and the Executive Council?
 - (3.) Whether the said Rules and Regulations were laid before the Parliament as prescribed by the said 6th clause of the said Act, viz., 17 Victoria, No. 34—with dates of above?
2. MR. ROTTON to ask THE MINISTER FOR LANDS AND WORKS,—In the event of the present Government being in office when the New Parliament meets, do they intend to introduce a new Land Bill; if so, have they any objection now or at some more convenient time previous to the dissolution of the present Assembly, to state the principles of the Bill?

TUESDAY, APRIL 5.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Copy of the Depositions in the case Regina v. Doherty and Peckham, committed by the Goulburn Bench, for cattle stealing, in which case the Attorney General has declined to prosecute; as well as Copies of any Correspondence between the Bench and the Attorney General, in reference to such case.

DANIEL COOPER,
Speaker.

No. 59.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 31 MARCH, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Supply:—On motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Supply to be granted to Her Majesty, for the service of the year 1858–9.
The Chairman obtained leave to sit again at a later hour, and reported the following words of heat, which had been taken down in the Committee—"Mr. Deniehy, in reference to Mr. Hodgson, who was retiring from the House into the Library, said, "The Honorable Gentleman is going—the thorough snob he is—he cannot stay to "hear me.""
Mr. Hay moved, That the words used by the Honorable Member for Argyle are disorderly and unparliamentary, and ought to be withdrawn,—
Debate ensued.
Motion by leave withdrawn.
And Mr. Deniehy being recalled to his place,—
And the Speaker acquainting Mr. Deniehy that the House had left the matter in his hands; that the Honorable Member for Darling Downs had expressed his regret for using the word "impertinence," and also the word "personal;" and that he had no hesitation in saying that the words used by Mr. Deniehy were disorderly and unparliamentary, and ought to be withdrawn,—
Mr. Deniehy withdrew the said words,—
Whereupon the Committee resumed.

And the Committee continuing to sit till after midnight.

FRIDAY, 1 APRIL, 1859.

The Chairman reported that the Committee had gone through the whole of the Items in the Estimates and Supplementary Estimates for the year 1858–9, and brought up the following Resolutions:—

SUPPLEMENTARY ESTIMATE FOR 1859.

II.—EXECUTIVE AND LEGISLATIVE.

- (103.) Resolved, that there be granted to Her Majesty, a sum not exceeding £25, to defray the Supplementary Charge of the Legislative Assembly Establishment, for the year 1859.
(104.) Resolved, that there be granted to Her Majesty, a sum not exceeding £150, to defray the Supplementary Charge of the Joint-Establishment of the Legislative Council and Assembly, for the year 1859.

III.—THE PRINCIPAL SECRETARY.

- (105.) Resolved, that there be granted to Her Majesty, a sum not exceeding £1,383, to defray the Supplementary Charge of the Post Office Establishment, for the year 1859.
(106.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,000, to meet the Supplementary Charge of Conveyance of Mails, for the year 1859.
(107.) Resolved, that there be granted to Her Majesty, as a Supplementary Charge for the year 1859, a sum not exceeding £4,954 14s., to meet deficiency in amount voted for the year 1858 for Assisted Emigration from the United Kingdom.
(108.) Resolved, that there be granted to Her Majesty, a sum not exceeding £208, to defray the Supplementary Charge of the Shipping Master, for the year 1859,—being for two Runners, at £104 each.
(109.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,137, to defray the Supplementary Charge of Police in Country Districts, for the year 1859.
(110.) Resolved, that there be granted to Her Majesty, as a Supplementary Charge for the Sydney Gaol Establishment, for the year 1859, a sum not exceeding £708 14s. 9d., to meet deficiency in amount voted for Stores and Contingencies for 1858.
(111.)

- (111.) Resolved, that there be granted to Her Majesty, as a Supplementary Charge for the Goulburn Gaol Establishment, for the year 1859, a sum not exceeding £98 3s. 10d., to meet deficiency in the amount voted for Provisions for 1858.
- (112.) Resolved, that there be granted to Her Majesty, as a Supplementary Charge for the Printing Office Department, for the year 1859, a sum not exceeding £1,823 8s. 1d., to meet deficiency in the sum voted for Wages to Workmen and Apprentices and for the purchase of Additional Type for 1858.
- (113.) Resolved, that there be granted to Her Majesty, a sum not exceeding £67 3s. 2d., to defray the Supplementary Charge of the Observatory Establishment, for the year 1859,—being a further sum of £19 0s. 8d., for repairs to the Great Circle of the Transit Instrument; and £48 2s. 6d., Allowance in lieu of House-rent for the Astronomer, from 1 January to 15 April, 1858.
- (114.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,650, to defray the Supplementary Charge of Charitable Allowances, for the year 1859,—being the further sum of £3,000 in support of the Establishment of the Benevolent Society at Sydney; and £650 in aid of the erection of an Hospital at Carcoar, on condition of an equal amount being raised by private subscriptions.
- (115.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,600, to defray the Supplementary Charge of Grants in Aid of Public Institutions, for the year 1859,—being £2,000 in aid of the Building Fund of the Sydney School of Arts, on condition of an equal sum being raised by private subscriptions; £500 in aid of the erection of the Newtown School of Arts, on like condition; £100 in aid of the Ipswich School of Arts, on like condition, until a Building be erected; and £1,000 in aid of the erection of the Temperance Hall, Sydney, on the like condition.
- (116.) Resolved, that there be granted to Her Majesty, as a Supplementary Charge for the Aborigines, for the year 1859, a sum not exceeding £255 2s. 3d., to meet deficiency in amount voted for 1858.
- (117.) Resolved, that there be granted to Her Majesty, a sum not exceeding £10,408 6s. 8d., to defray the Supplementary Charge of Miscellaneous Services for the year 1859,—being £5,658 6s. 8d., Compensation for the loss of the addition to the Stipends of the Ministers of Religion provided for under Schedule (C) to Schedule (1) of the Act of the Imperial Parliament, 18 and 19 Vict., cap. 54; £3,650, compensation for the loss of Stipends to the Ministers of Religion, not provided for under Schedule (C) to Schedule (1) of the Act of the Imperial Parliament 18 and 19 Vict., cap. 54; £100 for the purchase of Specimens of Silver Ores for the Australian Museum; and £1,000, Salary and Allowance of the Agent of the Government of New South Wales in England for negotiating a Steam Postal Service *via* Panama, *viz.* :—Salary at £600 per annum, Passage Money, and Travelling Expenses.

IV.—ADMINISTRATION OF JUSTICE.

- (118.) Resolved, that there be granted to Her Majesty, a sum not exceeding £658, to defray the Supplementary Charge of the Moreton Bay Court Establishment, for the year 1859.
- (119.) Resolved, that there be granted to Her Majesty, a sum not exceeding £150, to defray the Supplementary Charge of Miscellaneous Services for the year 1859,—being Allowance to Chinese Interpreter for the various Courts of Justice.

V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

- (120.) Resolved, that there be granted to Her Majesty, as a Supplementary Charge for the Customs Establishment, for the year 1859, a sum not exceeding £38 10s. 10d., to defray the Salary of an additional Clerk at Newcastle, from 10 September, 1858, at £125.
- (121.) Resolved, that there be granted to Her Majesty, as a Supplementary Charge for the year 1859, a sum not exceeding £887 10s. to defray Stationery and Stores, being £787 10s. to meet deficiency in the amount voted for 1858 for Paper for Printing for the Public Service generally; and £100 for Stamps and Seals for New Post Offices.
- (122.) Resolved, that there be granted to Her Majesty a sum not exceeding £200, to defray the Supplementary charge of the Department of the Harbor Master at Sydney, for the year 1859.
- (123.) Resolved, that there be granted to Her Majesty a sum not exceeding £27 10s., to defray the Supplementary charge of the Steam Navigation Board at Brisbane, for the year 1859.

VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

- (124.) Resolved, that there be granted to Her Majesty, in the year 1859, a sum not exceeding £8,724 2s. 5d., to defray the Supplementary Charge of Internal Communications, *viz.* :—£3,327 4s. 7d., for the Railway Branch, being inclusive of £627 4s. 7d., Compensation and Medical and Incidental Expenses consequent upon the Railway Accident of 10 July, 1858; £3,216 14s. 5d. for the Electric Telegraph Branch, being inclusive of £1,690 16s., Salaries of Officers and Servants working the Line in 1858; and £2,180 3s. 5d., for the Road Branch, as follows:—£1,465 3s. 5d., Rents of Tolls from Toll-bars on Main Roads from the 7th June to 31st December, 1858, to be expended on the Roads where levied; £215, Rent of Tolls at Toll-bar near Drayton for 1858, to be expended on the Road; and £500, Salary of the Surveyor of the Moreton Bay Road for 1859 in substitution of £400 placed, in error, on the Estimates in chief.

(125.)

(125.) Resolved, that there be granted to Her Majesty, a sum not exceeding £11,043, to defray the Supplementary Charge of the Department of Harbors and River Navigation, for the year 1859,—being £5,250, for the new Wharf at Newcastle; £5,293, for the Steam Dredge "Hunter"; and £500, for the removal of the Sand Bank at the junction of the Brisbane and Bremer Rivers, Moreton Bay.

(126.) Resolved, That there be granted to Her Majesty, a sum not exceeding £4,175., to defray the Supplementary Charge of Public Works and Buildings, for the year 1859,—being £2,000 for the erection of a Court House at Kiama, in substitution of previous vote of £800; £800 for the erection of Court and Watch House at Lang's Crossing-place; £800 for the like at Callandoon; £450 for the erection of a Watch House at Toowoomba; and £125 for Painting the exterior of the Macquarie Light House, South Head.

(127.) Resolved, that there be granted to Her Majesty, a sum not exceeding £2,820, to defray the Supplementary Charge of Miscellaneous Services for the year 1859,—being £1,020 for the Dry Dock at Cockatoo Island, to meet the expense of docking vessels, and salary of Task-work Clerk; £300 for fencing a Farm in connexion with the Lunatic Asylum, Parramatta, and the erection of necessary buildings; and £1,500 to remunerate Capt. Cadell for expenses incurred in introducing Steam Navigation on Australian Rivers.

ADDITIONAL SUPPLEMENTARY ESTIMATE FOR 1859.

III.—THE PRINCIPAL SECRETARY.

(128.) Resolved, that there be granted to Her Majesty, a sum not exceeding £375, to defray the additional Supplementary Charge of the Judicial Department of Police in Country Districts for the year 1859,—being for the Salary of a Police Magistrate for Armidale.

(129.) Resolved, that there be granted to Her Majesty, a sum not exceeding £700, to defray the additional Supplementary Charge of Grants in aid of Public Institutions for the year 1859,—being for the Salary of a Curator for the Australian Museum.

(130.) Resolved, that there be granted to Her Majesty, a sum not exceeding £145 19s. 4d., to defray the additional Supplementary Charge of Charitable Allowances for the year 1859,—being to meet Deficiency in the amount voted in aid of the Sydney Infirmary and Dispensary, 1858.

IV.—ADMINISTRATION OF JUSTICE.

(131.) Resolved, that there be granted to Her Majesty, a sum not exceeding £350, to defray the additional Supplementary Charge of the Establishment of the Law Officers of the Crown, for the year 1859.

V.—TREASURER AND SECRETARY FOR FINANCE AND TRADE.

(132.) Resolved, that there be granted to Her Majesty, a sum not exceeding £296 13s. 2d., to defray the additional Supplementary Charge of the Customs Establishment, for the year 1859.

VI.—SECRETARY FOR LANDS AND PUBLIC WORKS.

(133.) Resolved, that there be granted to Her Majesty, a sum not exceeding £3,300, to defray the additional Supplementary Charge of Public Works and Buildings, for the year 1859,—being £100 for the employment of Prisoners in the Streets of Brisbane; £2,200 for repayment to Mr. O'Neill Breuan of the purchase money for a Quarry near Darlinghurst Gaol; and £1,000 for Premiums for Designs for new Houses of Parliament and Offices for the Government Departments generally.

(134.) Resolved, that there be granted to Her Majesty, a sum not exceeding £15,000, to defray the additional Supplementary Charge of Miscellaneous Services for the year 1859,—being to meet the Expense of Special Improvements on the Main Southern Road.

Mr. Cowper then moved, That this House do now adopt these Resolutions.

Debate ensued.

Question put and passed.

2. Ways and Means :—On motion of Mr. Cowper the Speaker left the Chair, and the House resolved itself into a Committee of the whole, further to consider the Ways and Means to meet the Supply granted to Her Majesty for the service of the year 1858-9.

The Chairman reported the following Resolutions :—

4. Resolved, that towards making good the Supply granted to Her Majesty, for the Supplementary Service of the year 1858, the sum of £12,116 10s. 3d. be granted out of the Consolidated Revenue Fund of New South Wales.
5. Resolved, that towards making good the Supply granted to Her Majesty, for the Supplementary Service of the year 1859, the further sum of £81,359 18s. 6d. be granted out of the Consolidated Revenue Fund of New South Wales.

Mr. Cowper then moved, This this House do now adopt these Resolutions.

Question put and passed.

3. Postponements :—

(1.) Mr. Plunkett postponed the motion standing in his name first on the Notice Paper for to-day, until to-morrow.

(2.) Mr. Cowper postponed the motion standing in his name second on the Notice Paper for to-day, until to-morrow.

The House adjourned at twenty-five minutes before Two o'clock, A.M., until this day, at Three o'clock, P.M.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, APRIL 1.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. ARNOLD to move, That the Debate on Mr. Plunkett's motion,—That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Brown, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
 - (1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only '*indiscreet and injudicious*,' (as Mr. Hargrave reports), but highly censurable.
 - (2.) That, taken in connection with the last mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates (which are reported to be wholly unfounded), is considerably aggravated, and is deserving of the most severe reprehension.
 - (3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of Proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
 - (4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House,—which lapsed by the House being counted out on the 25th ultimo, be now resumed.
2. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of all Correspondence betwixt Charles Muller, of Sydney, Doctor of Medicine, and the Government, respecting certain alleged misconduct of the City Coroner for Sydney, whercof complaint was by the said Charles Muller formally made to the proper authorities in that behalf.
3. MR. MURRAY to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Regulations promulgated by the Government for the preparation of Jury Lists in the several Districts in which District Courts are to be held.
4. MR. LORD to move, That this House will, on Tuesday next, resolve itself into a Committee of the whole to consider of an Address to the Governor General, praying that His Excellency will cause to be placed upon the Supplementary Estimates for 1859, a sum not exceeding £500, to defray the expense of a Police Magistrate for Wellington and Dubbo.
5. MR. DENIEHY to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid on the Table of this House, Copies of the Depositions and of the proceedings generally in the case of Sergeant Heywood, recently tried before Joseph Walford, Esq., J.P., and Assistant Commissioner Johnson, under the Vagrant Act, at Sofala.
6. MR. FORSTER to move,—
 - (1.) That this House at its rising adjourn until Three o'clock on Monday, April 4.
 - (2.) That thereafter to the end of the Session, Saturday and Monday be added to the ordinary days of sitting.
7. MR. PLUNKETT to move,—
 1. That the Sessional Order of the 10th December last, which gives precedence to Government Business on Wednesdays and Thursdays, be rescinded, in so far as it prevents the House from first disposing of the resolutions in reference to the case of Dr. Harris and the Bench at Mudjee; and which are still undisposed of, in consequence of the House being counted out *twice*, namely, on the 18th and 25th ultimo, while they were under discussion, and under extraordinary circumstances.
 2. That the Debate on Mr. Plunkett's motion,—That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Brown, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
 - (1.) That the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only '*indiscreet and injudicious*,' (as Mr. Hargrave reports), but highly censurable.
 - (2.) That, taken in connection with the last-mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates (which are reported to be wholly unfounded), is considerably aggravated, and is deserving of the most severe reprehension.
 - (3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
 - (4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House,—which lapsed by the House being counted out on the 18th and 25th ultimo, be now resumed.
8. MR. COWPER to move, That the Report of the Select Committee on "Parliamentary Accommodation," laid upon the Table of the House on the 29th ultimo, be now adopted.

ORDERS

ORDERS OF THE DAY:—

1. Prosecutions for Libel Amendment Bill; second reading.
2. Resumption of the Adjourned Debate on Mr. Plunkett's motion, "That the Report of the Select Committee appointed 'to inquire into and report upon the circumstances relating to the acceptance of the office of District Court Judge by Robert Owen, Esq., (late a Member for East Camden) in so far as they affect his votes on the 23rd February last, in reference to the proposed new arrangements of the Ministerial Departments of the Government,' and which was brought up and laid on the Table of the House on the 23rd ultimo, be now taken into consideration and adopted."
3. Police Magistrate for Tamworth; consideration in Committee of an Address for Salary.
4. Undue Expenses at Elections Prevention Bill; second reading.
5. Compulsory Vaccination Bill; second reading.

Questions:—

1. MR. THORNTON to ask THE HONORABLE THE COLONIAL SECRETARY,—
 - (1.) Whether the late Commissioners for the City of Sydney laid before the Governor and the Executive Council the Rules and Regulations required under the 6th clause of the 17th Victoria, No. 34, viz.:—"*An Act for the better Sewerage and Cleansing the City of Sydney and portions of the Suburbs thereof;*" and, if so, when?
 - (2.) Whether the said Rules and Regulations were approved of by the Governor and the Executive Council?
 - (3.) Whether the said Rules and Regulations were laid before the Parliament as prescribed by the said 6th clause of the said Act, viz., 17 Victoria, No. 34—with dates of above?
2. MR. ROTTON to ask THE MINISTER FOR LANDS AND WORKS,—In the event of the present Government being in office when the New Parliament meets, do they intend to introduce a new Land Bill; if so, have they any objection now or at some more convenient time previous to the dissolution of the present Assembly, to state the principles of the Bill?
3. MR. W. B. TOOTH to ask THE MINISTER FOR LANDS AND WORKS,—Whether the Government is yet in possession of the opinion of the Crown Law Officers with reference to the claims of Mr. Haly and others for remission of assessment, claimed under the second Clause of the Assessment Act of 1858; and, if so, what is the intention of the Government with respect to such claims?
4. MR. PLUNKETT to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether the Government have as yet decided on the particular line to be adopted for the continuation of Railway communication to Butlurst?

TUESDAY, APRIL 5.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Copy of the Depositions in the case Regina v. Doherty and Peckham, committed by the Goulburn Bench, for cattle stealing, in which case the Attorney General has declined to prosecute; as well as Copies of any Correspondence between the Bench and the Attorney General, in reference to such case.
2. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Civil and Criminal Crown Solicitors and the Government, relative to the contemplated changes in that Department.
3. MR. THORNTON to move for leave to introduce a Bill to amend the "City, Port, and Hamlets Act, of 1853."

DANIEL COOPER,
Speaker.

No. 60.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 1 APRIL, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Appropriation Bill for 1858-9:—Mr. Cowper having *presented* this Bill, Bill intituled, "*A Bill to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain sums to make good the Supplies granted for the service of the year 1858-9,*" read a first time; Ordered to be printed, and read a second time on Tuesday next.
2. Loan Bill for 1859:—Mr. Cowper having *presented* this Bill, Bill intituled, "*A Bill to enable the Government to raise Loans for certain Public Works and to explain a former Loan Act,*" read a first time; Ordered to be printed, and read a second time on Tuesday next.
3. Dr. Harris:—The Debate on Mr. Plunkett's motion, That this House having considered the Report of Mr. Commissioner Hargrave in the cases of Dr. Harris, W. Brown, and A. B. Cox, Esqrs., and the Evidence taken by him in those cases respectively, resolves,—
 - (1.) "That" the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only '*indiscreet and injudicious*' (as Mr. Hargrave reports), but highly censurable.
 - (2.) That, taken in connection with the last-mentioned case, the conduct of Dr. Harris, in making grave charges against his brother Magistrates (which are reported to be wholly unfounded), is considerably aggravated, and is deserving of the most severe reprehension.
 - (3.) That the conduct of the Government in merely reprimanding Dr. Harris, is a mode of proceeding (in regard to an unpaid Magistrate), novel in practice, mischievous in effect, unsuited to the circumstances of the case, and calculated to weaken the administration of justice.
 - (4.) That the conduct of the Government, on a review of the whole case, merits the marked disapproval of this House,—
which lapsed by the House being counted out on the 25th ultimo,—resumed, *by consent*, on motion of Mr. Plunkett, pursuant to notice given by Mr. Arnold.
Mr. Hay moved, That the Question be amended by the omission of all the words thereof following the word "That," in section (1.) with a view to the insertion in their place of the words,—
"the conduct of Dr. Harris, in reference to the case in which he adjudicated, and in which he was personally interested, was not only '*indiscreet and injudicious,*' (as Mr. Hargrave reports,) but opposed to the first principles of justice.
" (2.) That, taken in connexion with the last mentioned case, the conduct of Dr. Harris in making grave charges against his brother Magistrates (which are reported to be wholly unfounded,) is deserving of the most severe reprehension.
" (3.) That the conduct of the Government throughout this case has been calculated to impair the dignity of the Magistracy, and the purity of the administration of justice."

Debate continued.

And the House continuing to sit till after midnight,—

SATURDAY, 2 APRIL, 1859.

Debate continued.

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

The

The House divided.

Ayes, 17.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Rotton,
Mr. Dickson,
Mr. Gordon,
Mr. Richardson,
Mr. Egan,
Mr. Marks,
Mr. Plunkett,
Mr. Macarthur,
Mr. Martin,
Mr. Flood,
Mr. Oakes,
Mr. Jones,
Mr. Weekes,
Mr. Arnold, } Tellers.

Noes, 7.

Mr. Hay,
Mr. Denichy,
Mr. Forster,
Mr. Piddington,
Mr. Taylor,
Mr. Hodgson,
Mr. W. Macleay. } Tellers.

Whereupon Original Question put.
The House divided.

Ayes, 10.

Mr. Denichy,
Mr. Hodgson,
Mr. Forster,
Mr. Martin,
Mr. Taylor,
Mr. Macarthur,
Mr. Plunkett,
Mr. Piddington,
Mr. W. Macleay, } Tellers.
Mr. Hay,

Noes, 14.

Mr. Cowper,
Mr. Robertson,
Mr. Arnold,
Mr. Gordon,
Mr. Jones,
Mr. Egan,
Mr. Marks,
Mr. Richardson,
Mr. Rotton,
Mr. Oakes,
Mr. Flood,
Mr. Hargrave,
Mr. Dickson, } Tellers.
Mr. Weekes, }

4. Messages:—The Speaker reported that whilst the House was in Debate of the Question last before it, the following Messages were received from the Legislative Council:—

(1.) Treasury Bills Act Repeal Bill:—

MR. SPEAKER,

The Legislative Council having this day agreed to the Bill, intituled, "*An Act to repeal the Treasury Bills Act of 1857,*" returns the same to the Legislative Assembly without Amendment.

*Legislative Council Chamber,
Sydney, 1 April, 1859.*

W. W. BURTON,
President.

(2.) District Courts Act Amendment Bill:—

MR. SPEAKER,

The Legislative Council having had under consideration the Legislative Assembly's Message, dated the 24th instant, requesting its concurrence in certain Amendments made by the Assembly in the District Courts Act Amendment Bill,—Agrees to so much of the Amendment in page 1 as proposes to omit Clause 3. Disagrees from so much thereof as proposes to insert new Clause 3.

1. Because the Clause is unnecessary for the proper working of the District Courts Act of 1858.
2. Because it takes away from the Magistrates all powers of adjudication in Civil and other matters heretofore decided by the Chairman of General and Quarter Sessions in conjunction with the Magistrates on the Bench; and because it affirms an amendment, rejected after full deliberation during the discussion of the original measure in this House, and the Council considers it undesirable now to open a question which has been so recently decided.
3. Because it abolishes all the powers of Courts of General and Quarter Sessions without referring particularly to the various Statutes on the subject.
4. Because it is undesirable to abolish indiscriminately all Statutes or Acts regulating or in any way relative to such Courts.
5. Because, by a reasonable interpretation, it may be held to abolish Trials by Jury, and to vest in the Judges of the District Courts the powers of a Jury in Criminal matters.

Agrees to so much of the Amendment in page 2 as proposes to omit Clause 4. Disagrees from so much thereof as proposes to insert new Clause 4:—

1. Because the Clause is unnecessary for the proper working of the District Courts Act of 1858.
2. Because it gives power to Judges of the District Courts to grant criminal informations, and to adjudicate upon other matters wholly foreign to the main objects of the District Courts Act.
3. Because it is inexpedient to grant to such Judges an extension of the powers vested in them by the said Act, until experience has been obtained of the operation of the powers already vested in such Judges.

*Legislative Council Chamber,
Sydney, 1 April, 1859.*

W. W. BURTON,
President.

Amendment, on motion of Mr. Cowper, ordered to be considered in Committee on Tuesday next.

5. Dr. Muller :—Mr. Deniehy moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, Copies of all Correspondence betwixt Charles Muller, of Sydney, Doctor of Medicine, and the Government, respecting certain alleged misconduct of the City Coroner for Sydney, whereof complaint was by the said Charles Muller formally made to the proper authorities in that behalf.
Question put and passed.
6. Motions Withdrawn :—
(1.) Mr. Lord withdrew the motion standing in his name fourth on the Notice Paper for to-day.
(2.) Mr. Deniehy withdrew the motion standing in his name fifth on the Notice Paper for to-day.
7. Days for Dispatch of Business :—Mr. Forster moved, pursuant to notice,—
(1.) That this House at its rising adjourn until Three o'clock on Monday, April 4.
(2.) That thereafter to the end of the Session, Saturday and Monday be added to the ordinary days of sitting.
Debate ensued.
Question put—That this House at its rising adjourn until Three o'clock on Monday, April 4.
The House divided.

Ayes, 11.

Mr. Lord,
Mr. Jones,
Mr. W. Macleay,
Mr. Piddington,
Mr. Plunkett,
Mr. Macarthur,
Mr. Forster,
Mr. Deniehy,
Mr. Arnold,
Mr. Suttor,
Mr. Hay, } Tellers.

Noes, 15.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Dalley,
Mr. Egan,
Mr. Weekes,
Mr. Richardson,
Mr. Marks,
Mr. Flood,
Mr. Rotton,
Mr. Hodgson,
Mr. Oakes,
Mr. Byrnes,
Mr. Gordon,
Mr. Dickson, } Tellers.

Whereupon Question—That thereafter to the end of the Session, Saturday and Monday be added to the ordinary days of sitting—put and negatived.

8. Motion dropped :—Mr. Plunkett not moving the motion standing in his name seventh on the Notice Paper for to-day, it dropped.
9. Postponements :—
(1.) Mr. Cowper postponed the motion standing in his name eighth on the Notice Paper for to-day, until Tuesday next.
(2.) The second reading of the Prosecutions for Libel Amendment Bill postponed, on motion of Mr. Plunkett, until Tuesday next.
(3.) The Resumption of the Adjourned Debate on Mr. Plunkett's motion—"That the Report of the Select Committee appointed 'to inquire into and report upon the circumstances relating to the acceptance of the office of District Court Judge by Robert Owen, Esq., (late a Member for East Camden) in so far as they affect his votes on the 23rd February last, in reference to the proposed new arrangements of the Ministerial Departments of the Government,' and which was brought up and laid on the Table of the House on the 23rd ultimo, be now taken into consideration and adopted,"—postponed, on motion of Mr. Plunkett, until Tuesday next, with precedence over all Other Business on the Paper for that day.
(4.) The consideration in Committee of an Address for Salary for Police Magistrate at Tamworth postponed, on motion of Mr. Suttor, until Tuesday next.
(5.) The second reading of the Undue Expenses at Elections prevention Bill postponed, on motion of Mr. Forster, until Tuesday next.
(6.) The second reading of the Compulsory Vaccination Bill postponed, on motion of Mr. Suttor, until Tuesday next.

The House adjourned at five minutes before One o'clock A.M., until Tuesday next, at Three o'clock P.M.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, APRIL 5.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Resumption of the Adjourned Debate on Mr. Plunkett's motion, "That the Report of the Select Committee appointed 'to inquire into and report upon the circumstances relating to the acceptance of the office of District Court Judge by Robert Owen, Esq., (late a Member for East Camden,) in so far as they affect his votes on the 23rd February last, in reference to the proposed new arrangements of the Ministerial Departments of the Government,' and which was brought up and laid on the Table of the House on the 23rd ultimo, be now taken into consideration and adopted."

NOTICES

NOTICES OF MOTION :—

1. MR. MARTIN to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Copy of the Depositions in the case Regina v. Doherty and Peckham, committed by the Goulburn Bench, for cattle stealing, in which case the Attorney General has declined to prosecute; as well as Copies of any Correspondence between the Bench and the Attorney General, in reference to such case.
2. MR. HODGSON to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Correspondence between the Civil and Criminal Crown Solicitors and the Government, relative to the contemplated changes in that Department.
3. MR. THORNTON to move for leave to introduce a Bill to amend the "City, Port, and Hamlets of Sydney Police Act, of 1853."
4. MR. MACARTHUR to move, That this House will, to-morrow, resolve itself into a Committee of the whole to consider of an Address to the Governor General, requesting that His Excellency will be pleased to cause to be placed on an Additional Supplementary Estimate for the year 1859, a sum not exceeding £200 to compensate the Brigade Major for loss of quarters for the year 1859.
5. MR. HAY to move, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, a Copy of the opinion of the Crown Law Officers respecting the interpretation of the Second Clause of the Assessment Act.
6. MR. PLUNKETT to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Regulations promulgated by the Government for the preparation of Jury Lists in the several Districts in which District Courts are to be held.
7. MR. COWPER to move, That the Report of the Select Committee on "Parliamentary Accommodation," laid upon the Table of the House on the 29th ultimo, be now adopted.

ORDERS OF THE DAY :—

1. Prosecutions for Libel Amendment Bill; second reading.
2. Police Magistrate for Tamworth; consideration in Committee of an Address for Salary.
3. Undue Expenses at Elections Prevention Bill; second reading.
4. Compulsory Vaccination Bill; second reading.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Appropriation Bill for 1858-9; second reading.
2. Loan Bill for 1859; second reading.
3. District Courts Act Amendment Bill; consideration in Committee of Legislative Council's Amendments.

Question :—

1. MR. GORDON to ask THE HONORABLE THE COLONIAL SECRETARY,—Whether all the Licensed Squatters have paid their Assessment in accordance with the provisions of the Act; and, if not, what steps the Government has taken or intends to take in order to enforce payment in compliance with the Act.

DANIEL COOPER,
Speaker.

No. 61.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 5 APRIL, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers:—Mr. Cowper laid upon the Table the undermentioned Papers:—
 - (1.) Report from the Immigration Agent for the year 1858.
 - (2.) Despatch and Papers relative to Coinage at the Sydney Branch of the Royal Mint.
 - (3.) Despatches and Papers respecting Pensions and Gratuities to Officers in the Colonial Civil Service, on superannuation, reduction, or abolition of office.
 Ordered to be printed.
2. Vacant Seat:—Question of Privilege—The Adjourned Debate on Mr. Plunkett's motion, "That the Report of the Select Committee appointed 'to inquire into and report upon the circumstances relating to the acceptance of the office of District Court Judge by Robert Owen, Esq., (late a Member for East Camden,) in so far as they affect his votes on the 23rd February last, in reference to the proposed new arrangements of the Ministerial Departments of the Government,' and which was brought up and laid on the Table of the House on the 23rd ultimo, be now taken into consideration and adopted"—resumed, on motion of Mr. Plunkett.

And the House continuing to sit till after Midnight,—

WEDNESDAY, 6 APRIL, 1858.

Debate continued.

Question put.

The House divided.

Ayes, 8.

Mr. Plunkett,
Mr. Forster,
Mr. Piddington,
Mr. Martin,
Mr. Macarthur,
Mr. Wild,
Mr. Fancett, } Tellers.
Mr. Hay, }

Noes, 19.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Oakes,
Mr. Gordon,
Mr. Scott,
Mr. Thornton,
Mr. Richardson,
Mr. Egan,
Mr. Flood,
Mr. Marks,
Mr. Rotton,
Mr. Dalley,
Mr. Arnold,
Mr. Williamson,
Mr. Byrnes,
Mr. Jones,
Mr. Dickson, } Tellers.
Mr. Weekes, }

3. Regina v. Doherty and Peckham:—Mr. Martin moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid on the Table of this House, a Copy of the Depositions in the case Regina v. Doherty and Peckham, committed by the Goulburn Bench, for cattle stealing, in which case the Attorney General has declined to prosecute; as well as Copies of any Correspondence between the Bench and the Attorney General, in reference to such case.
Question put and passed.
4. Motion Dropped:—Mr. Hodgson not moving the motion standing in his name second on the Notice Paper for to-day, it dropped.
5. City, Port, and Hamlets Police Act of 1853:—Mr. Thornton moved, pursuant to notice, for leave to introduce a Bill to amend the "City, Port, and Hamlets of Sydney Police Act, of 1853."
Debate ensued.
Question put.

The

The House divided.

Ayes, 6.
Mr. Weekes,
Mr. Gordon,
Mr. Byrnes,
Mr. Faucett,
Mr. Dalley,
Mr. Thornton, } Tellers.

Noes, 16.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Hay,
Mr. Macarthur,
Mr. Oakes,
Mr. Rotton,
Mr. Flood,
Mr. Piddington,
Mr. Marks,
Mr. Jones,
Mr. Forster,
Mr. Arnold,
Mr. Plunkett,
Mr. Scott, } Tellers.
Mr. Suttor, }

6. Compensation to Brigade Major for loss of Quarters :—Mr. Macarthur moved, pursuant to notice, That this House will, to-morrow, resolve itself into a Committee of the whole to consider of an Address to the Governor General, requesting that His Excellency will be pleased to cause to be placed on an Additional Supplementary Estimate for the year 1859, a sum not exceeding £200 to compensate the Brigade Major for loss of quarters for the year 1859.

Debate ensued.

Question put.

The House divided.

Ayes, 8.
Mr. Suttor,
Mr. Faucett,
Mr. Macarthur,
Mr. Jones,
Mr. Plunkett,
Mr. Flood,
Mr. Hay,
Mr. Dalley, } Tellers.

Noes, 13.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Oakes,
Mr. Gordon,
Mr. Rotton,
Mr. Thornton,
Mr. Weekes,
Mr. Scott,
Mr. Arnold,
Mr. Forster,
Mr. Marks, } Tellers.
Mr. Byrnes, }

7. Assessment Act ;—Interpretation of Clause 2 :—Mr. Hay moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will cause to be laid upon the Table of this House, a Copy of the opinion of the Crown Law Officers respecting the interpretation of the Second Clause of the Assessment Act.

Question put and passed.

8. Preparation of District Courts Jury Lists :—Mr. Plunkett, moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all Regulations promulgated by the Government for the preparation of Jury Lists in the several Districts in which District Courts are to be held.

Question put and passed.

9. Postponements :—

(1.) Mr. Cowper postponed the motion standing in his name seventh on the Notice Paper for to-day, until to-morrow, with the understanding that it be placed on the Paper of Government Business for that Day.

(2.) The second reading of the Prosecutions for Libel Amendment Bill postponed, on motion of Mr. Plunkett, until to-morrow.

(3.) The consideration in Committee of an Address for Salary for Police Magistrate for Tamworth postponed, on motion of Mr. Suttor, until to-morrow.

10. Undue Expenses at Elections Prevention Bill.—Mr. Forster moved, That this Bill be “now” read a second time.

Debate ensued.

Mr. Flood moved, That the Question be amended by the omission of the word “now,” with a view to add at the end the words “this day six months.”

Debate continued.

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

The House divided.

Ayes, 8.
Mr. Robertson,
Mr. Rotton,
Mr. Byrnes,
Mr. Macarthur,
Mr. Plunkett,
Mr. Forster,
Mr. Marks, } Tellers.
Mr. Dalley, }

Noes, 12.

Mr. Cowper,
Mr. Hargrave,
Mr. Gordon,
Mr. Jones,
Mr. Suttor,
Mr. Arnold,
Mr. Flood,
Mr. Weekes,
Mr. Oakes,
Mr. Scott,
Mr. Hay, } Tellers.
Mr. Faucett, }

Question,—That the words proposed to be added at the end of the Question be there added,—put and passed ;—

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

11. Compulsory Vaccination Bill :—Mr. Suttor, on behalf of Mr. Jenkins, moved, That the second reading of this Bill be postponed until to-morrow.
Question put.
The House divided.
- | | | |
|--|--|---|
| <p style="text-align: center;">Ayes, 8.</p> <p>Mr. Hay,
Mr. Macarthur,
Mr. Gordon,
Mr. Plunkett,
Mr. Forster,
Mr. Marks,
Mr. Suttor,
Mr. Faucett, } Tellers.</p> | | <p style="text-align: center;">Noes, 12.</p> <p>Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Jones,
Mr. Rotton,
Mr. Byrnes,
Mr. Flood,
Mr. Weekes,
Mr. Oakes,
Mr. Scott,
Mr. Dalley,
Mr. Arnold, } Tellers.</p> |
|--|--|---|
12. Appropriation Bill for 1858-9, having been read a second time, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.
13. Loan Bill for 1859, having been read a second time, on motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole for consideration thereof.
The Chairman having reported the Bill without amendment, the House adopted the same, and ordered the Bill, as so reported, to be read a third time to-morrow.
14. Postponement :—The remaining Order of the Day postponed, on motion of Mr. Cowper, until to-morrow.
The House adjourned at a quarter before Two o'clock a.m., until this day, at Three o'clock, p.m.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, APRIL 6.

Contingent Notice of Motion :—

1. MR. COWPER to move, That so much of the Standing Orders be suspended as will admit of the Appropriation Bill for 1858-9, and the Loan Bill for 1859, being passed through all their remaining stages to-day.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move, That the Report of the Select Committee on "Parliamentary Accommodation," laid upon the Table of the House on the 29th ultimo, be now adopted.

ORDERS OF THE DAY :—

1. Appropriation Bill for 1858-9; third reading.
2. Loan Bill for 1859; third reading.
3. District Courts Act Amendment Bill; consideration in Committee of Legislative Council's Amendments.

OTHER BUSINESS—ORDERS OF THE DAY :—

1. Prosecutions for Libel Amendment Bill; second reading.
2. Police Magistrate for Tamworth; consideration in Committee of an Address for Salary.

Question :—

1. MR. WILD to ask THE HONORABLE THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is probable that the Correspondence relating to the dismissal of Mr. F. Gorton, applied for by him some five weeks ago, will be laid upon the Table of the House during the continuance of the present Parliament?

THURSDAY, APRIL 7.

GOVERNMENT BUSINESS—NOTICE OF MOTION :—

1. MR. COWPER to move the following Resolution,—
Resolved, That with a view to prevent the re-exportation of the Alpacas recently introduced into the Colony by Mr. Ledger, it is advisable that the Government should arrange for their purchase at a cost not exceeding £15,000, and undertake measures for their management at an expense not exceeding £1000 per annum.

DANIEL COOPER,
Speaker.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 6 APRIL, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Proposed Vote of Censure on the Attorney General :—Mr. Martin, as Chairman, brought up the Report from, and laid upon the Table the Evidence taken before the Select Committee appointed on the 25th March last, to inquire into and report upon the conduct of the Attorney General in leaving the recent Criminal Prosecutions at Maitland, in the hands of Mr. Somerville, with power to send for persons and papers, and leave to sit on Mondays and Saturdays,—
And a Debate arising on a point of Order in reference to payment of the expenses of the Witnesses examined before the Committee.
And the Speaker ruling that, under the 44th Standing Order, and a former ruling, it was not in the power of any Officer of the House to pay the expenses of any but Witnesses professionally employed, but suggesting that the Government might, in this case, probably feel at liberty to pay these expenses, trusting to the next Parliament for a vote for the amount,—
Report, Evidence, and Minutes of Proceedings, on motion of Mr. Martin,—
Ordered to be printed.
2. City Sewerage Act of 1853 :—Mr. Thornton presented a Petition from certain Citizens of Sydney, praying a Commission of inquiry into the operation of the City Sewerage Act of 1853.
Petition received:
3. Motion dropped :—Mr. Cowper not moving the *Contingent Notice* standing in his name on the Notice Paper for to-day, it dropped.
4. Postponement :—Mr. Cowper postponed the motion standing in his name on the Notice Paper of Government Business for to-day, until the Orders on the Paper of Government Business for to-day shall have been disposed of.
5. Appropriation Bill for 1858-9, on motion of Mr. Cowper, read a third time, and passed.
Mr. Cowper then moved, That the Title of this Bill be, "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the Year 1858-9.*"
Question put and passed ;—
Whereupon, Mr. Cowper moved, That this Bill be carried to the Legislative Council, with the following Message :—
MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled, "*A Bill to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain Sums to make good the Supplies granted for the Service of the Year 1858-9,*" presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 6 April, 1859. Speaker.
6. Loan Bill for 1859, on motion of Mr. Cowper, read a third time, and passed.
Mr. Cowper then moved, That the Title of this Bill be, "*An Act to enable the Government to raise Loans for certain Public Works and to explain a former Loan Act*"
Question put and passed ;—
Whereupon, Mr. Cowper moved, That this Bill be carried to the Legislative Council, with the following Message :—
MR. PRESIDENT,
The Legislative Assembly having this day passed a Bill, intituled, "*A Bill to enable the Government to raise Loans for certain Public Works and to explain a former Loan Act,*" presents the same to the Legislative Council for its concurrence.
Legislative Assembly Chamber,
Sydney, 6 April, 1859. Speaker.
7. District Courts Act Amendment Bill :—On motion of Mr. Cowper, the Speaker left the Chair, and the House resolved itself into a Committee of the whole, for consideration of the Legislative Council's Message in reference to the Assembly's Amendments in this Bill.
The Chairman brought up the following Report,—
The Committee does not insist upon the Assembly's Amendments in this Bill disagreed to by the Legislative Council's Message, dated the 1st instant.

The

The Committee recommends that the Council's attention be invited to the circumstance that there is, in the Message, no intimation of agreement or disagreement to the proposed new Clauses 5, 6, and 7.

The Committee recommends that exception be taken to that part of the Council's second reason for disagreement to the proposed new Clause 3, which reads as follows,—“ And because it affirms an amendment, rejected after full deliberation “ during the discussion of the original measure in this House, and the Council considers “ it undesirable now to open a question which has been so recently decided,”—because it believes it to be untenable as a reason for one House declining the consideration of any Amendment proposed by the other, inasmuch as the House proposing any such Amendment cannot constitutionally be aware of any discussions which may have previously taken place on a question not coming to it from the other

Mr. Cowper then moved, That this House do now adopt this Report.

Question put and passed;—

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

MR. PRESIDENT,

The Legislative Assembly having had under consideration the Legislative Council's Message dated the 1st instant, agreeing in part to some and disagreeing in part to other of the Amendments made by the Assembly in the District Courts Act Amendment Bill, does not insist upon its Amendments so disagreed to by the Legislative Council.

The Assembly invites the Council's attention to the circumstance that there is in that Message no intimation of agreement or disagreement to the proposed new clauses 5, 6, and 7.

The Assembly takes exception to that part of the Council's second reason for disagreement to the proposed new clause 3, which reads as follows,—“ And because “ it affirms an Amendment, rejected after full deliberation during the discussion of “ the original measure in this House, and the Council considers it undesirable now “ to open a question which has been so recently decided,”—because it believes it to be untenable as a reason for one House declining the consideration of any Amendment proposed by the other, inasmuch as the House proposing any such Amendment cannot constitutionally be aware of any discussions which may have previously taken place on a question not coming to it from the other.

Legislative Assembly Chamber,

Sydney, 6 April, 1859.

Speaker.

Question put and passed.

8. Messages:—The Speaker reported that whilst the House was in consideration of the matter last before it, the following Messages were received from the Legislative Council:—

(1.) District Courts Act Amendment Bill:—

MR. SPEAKER,

The Legislative Council, referring to its Message to the Legislative Assembly, dated the 1st instant, on the subject of the Amendments of the Legislative Assembly in the District Courts Act Amendment Bill, informs that House that the reference to its Message therein made as dated “ the 24th instant,” should have been “ the 24th “ ultimo,” and that the words “ *And agrees to the remaining Amendments* ” should have been inserted at the end of such Message, and requests that the Legislative Assembly will cause these corrections to be made therein accordingly.

Legislative Council Chamber,

Sydney, 6 April, 1859.

W. W. BURTON,

President.

(2.) Letters of Registration Act Amendment Bill:—

MR. SPEAKER,

The Legislative Council having this day passed a Bill, intituled, “ *An Act to amend the Law respecting the granting of Letters of Registration for Inventions and Improvements in the Arts or Manufactures,* ” presents the same to the Legislative Assembly for its concurrence.

Legislative Council Chamber,

Sydney, 6 April, 1859.

W. W. BURTON,

President.

9. District Courts Act Amendment Bill:—Mr. Cowper moved, That the following Message be carried to the Legislative Council:—

MR. PRESIDENT,

In answer to the Legislative Council's Message of this date, referring to its previous Message of the 1st instant respecting the District Courts Act Amendment Bill, the Legislative Assembly refers the Council to a Message from the Assembly this day.

Legislative Assembly Chamber,

Sydney, 6 April, 1859.

Speaker.

Question put and passed.

10. Parliamentary Accommodation:—Mr. Cowper moved, pursuant to notice, “ That ” the Report of the Select Committee on “ Parliamentary Accommodation,” laid upon the Table of the House on the 29th ultimo, be now adopted.

Mr. Hay moved, That the Question be amended by the omission of all the words thereof following the word “ That ” at the commencement, with a view to the insertion in their place of the words, “ This House having considered the evidence taken before “ the Select Committee appointed on the 17th March last to inquire into, and report “ upon, the nature of the arrangements which it will be desirable to make for the “ accommodation of the increased number of Members of the Legislative Assembly, “ to be elected under the Electoral Act of 1858, is of opinion,—

“ (1.)

“(1.) That arrangements should be made by which the sittings of the Legislative Assembly may be held in the Chamber now appropriated to those of the Legislative Council.

“(2.) That the whole cost of the alterations in that Chamber ought not to exceed £700.

“(3.) That an Address be presented to His Excellency the Governor General embodying the above resolutions.”

Debate ensued;—

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

The House divided.

Ayes, 8.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Weekes,
Mr. Hart,
Mr. Jones,
Mr. Arnold, } Tellers.
Mr. Marks, }

Noes, 16.

Mr. Dickson,
Mr. Gordon,
Mr. Jenkins,
Mr. Wild,
Mr. Dalley,
Mr. Faucett,
Mr. W. Macleay,
Mr. Hodgson,
Mr. Macarthur,
Mr. Taylor,
Mr. Rotton,
Mr. Forster,
Mr. Deniehy,
Mr. Piddington,
Mr. Hay, } Tellers.
Mr. Suttor, }

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

Whereupon Question,—That this House having considered the Evidence taken before the Select Committee appointed on the 17th March last, to inquire into, and report upon, the nature of the arrangements which it will be desirable to make for the accommodation of the increased number of Members of the Legislative Assembly, to be elected under the Electoral Act of 1858, is of opinion,—

(1.) That arrangements should be made by which the sittings of the Legislative Assembly may be held in the Chamber now appropriated to those of the Legislative Council.

(2.) That the whole cost of the alterations in that Chamber ought not to exceed £700.

(3.) That an Address be presented to His Excellency the Governor General embodying the above Resolutions,—put and passed.

11. Prosecutions for Libel Amendment Bill:—Mr. Plunkett moved, That this Bill be now read a second time.

Debate ensued.

Question put.

The House divided.

Ayes, 12.

Mr. Deniehy,
Mr. Faucett,
Mr. Taylor,
Mr. Forster,
Mr. Flood,
Mr. Jenkins,
Mr. Macarthur,
Mr. Suttor,
Mr. W. Macleay,
Mr. Plunkett,
Mr. Wild, } Tellers.
Mr. Hay, }

Noes, 9.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Arnold,
Mr. Dalley,
Mr. Rotton,
Mr. Marks,
Mr. Williamson, } Tellers.
Mr. Hart, }

Whereupon, Bill read a second time.

Mr. Plunkett then moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, for consideration of this Bill.

Question put.

The House divided,—

And the Tellers reporting the numbers as follows,—

Ayes, 13.

Mr. Wild,
Mr. Deniehy,
Mr. Taylor,
Mr. Forster,
Mr. Hay,
Mr. Flood,
Mr. Jenkins,
Mr. Macarthur,
Mr. Suttor,
Mr. W. Macleay,
Mr. Plunkett,
Mr. Arnold, } Tellers.
Mr. Faucett, }

Noes, 5.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Rotton, } Tellers.
Mr. Hart, }

And it appearing by the said report that there was not a Quorum present, the Speaker adjourned the House, at a quarter after Seven o'clock, until to-morrow, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, APRIL 7.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. COWPER to move the following Resolution,—
Resolved, That with a view to prevent the re-exportation of the Alpacas recently introduced into the Colony by Mr. Ledger, it is advisable that the Government should arrange for their purchase at a cost not exceeding £15,000, and undertake measures for their management at an expense not exceeding £1000 per annum.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. FORSTER to move, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of the House,—
(1.) Return of all proceedings before the Bench of Magistrates at Grafton, Clarence River, in or about the month of May, 1857, when and whereat, were present, Richard Bligh, Esq., then Commissioner of Crown Lands for the District of Clarence River; C. J. Walker, Esq.; and Alexander Frederick Bundock, Esq., having reference to certain charges made by the said Richard Bligh, Esq., against Michael Finucane, then Chief Constable for the Police District of Grafton, for having unwarrantably and under color of his office obtained money from certain individuals, and to the subsequent removal or resignation of the said Michael Finucane.
(2.) Copies of all Correspondence between the Executive Government and any person or persons having reference to the same subject.
(3.) Copies of all Correspondence between the Executive Government and the said Bench of Magistrates or any other person or persons, having reference to the dismissal of W. C. B. Wilson, Esq., from the office of Clerk of Petty Sessions for the Police District abovenamed.
2. MR. THORNTON to move, That the Petition of certain Citizens of Sydney, relative to the Sewerage Act of 1853, presented by him on the 6th instant, be printed.

ORDER OF THE DAY:—

1. Police Magistrate for Tamworth; consideration in Committee of an Address for Salary.

Questions:—

1. MR. HODGSON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
(1.) Whether any action has yet taken place on the part of the Government authorities at Moreton Bay, as to the removal of the obstructions at the juncture of the Brisbane and Bremer Rivers?
(2.) Whether any information has reached the Government from Mr. Surveyor Roberts as to the improvements at the Seventeen Mile Rocks in the Brisbane River?
(3.) What amount has been expended up to December 31st, 1858, in clearing these rocks, and when it is probable that the work will be completed?
2. MR. WEEKES to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—
(1.) For what length of time was it arranged that the steam dredge "Hunter" should work at Newcastle, preparatory to commencing the important river deepening improvements so urgently required at the Flats on the Hunter?
(2.) Has that time already elapsed; and, if so, when may the Dredge be expected to work up the river?
3. MR. DICKSON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—If he is aware that the Northern Road, from Campbell's Hill through Maitland to Morpeth, is in a most dilapidated and unpassable state; and notwithstanding the heavy tolls that are exacted thereon, no repairs have been done for the last ten months, in consequence of the Maitland Road Trust suspending operations; and that the tenders and specifications for repairs, from the Department of Internal Communications, advertised for, are not commensurate with the requirements of the great traffic on the road in question?
4. MR. DICKSON to ask THE SECRETARY FOR LANDS AND PUBLIC WORKS,—Whether it is the intention of Government to extend the Electric Telegraph to Morpeth; and, if so, will it be completed at the same time as the Maitland and Newcastle line?

DANIEL COOPER,
Speaker.

No. 63.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

THURSDAY, 7 APRIL, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Papers :—
 1. Mr. Cowper laid upon the Table the undermentioned Papers :—
 - (1.) Return to the Order, in reference to the inquiry into the conduct of the Clerk of Petty Sessions at Armidale, made by this House, on motion of Mr. Deniehy, on the 29th ultimo.
 - (2.) Return to the Address, in reference to Loans to the Corporation of the City of Sydney, adopted, on motion of Mr. Jenkins, on the 8th ultimo.
 - (3.) Return to the Address, in reference to Dr. Muller, adopted, on motion of Mr. Deniehy, on the 2nd instant.
Ordered to be printed.
 2. Mr. Robertson laid upon the Table the undermentioned Papers :—
 - (4.) Return to the Order, in reference to the dismissal of Mr. Charles Frederick Gorton, made by this House, on motion of Mr. Wild, on the 8th ultimo.
 - (5.) Return to the Address, in reference to the interpretation of Clause 2 of the Assessment Act, adopted, on motion of Mr. Hay, on the 5th instant.
 - (6.) Papers respecting the Expedition in search of Dr. Leichhardt.
 - (7.) Return to the Address, in reference to laying out Townships at Currawong, or Nelligan, on the Clyde River, adopted, on motion of Mr. Murray, on the 4th February last.
Ordered to be printed.
2. Letters of Registration Act Amendment Bill :—Mr. Plunkett moved, That this Bill be now read a first time.
Question put and passed,—
And Bill, intituled, "*An Act to amend the Law respecting the granting of Letters of Registration for Inventions and Improvements in the Arts or Manufactures,*" read a first time; ordered to be printed, and read a second time to-morrow.
3. Proposed purchase of Alpacas :—Mr. Cowper moved, pursuant to notice, "That" with a view to prevent the re exportation of the Alpacas recently introduced into the Colony by Mr. Ledger, it is advisable that the Government should arrange for their purchase at a cost not exceeding "£15,000," and undertake measures for their management at an expense not exceeding £1,000 "per annum."
Debate ensued.
Mr. Gordon moved, That the Question be amended by the omission of all the words thereof following the figures "£15,000."
Debate continued.
Mr. Jones moved, That the Question be amended by the omission of all the words following the word "That" at the commencement, with a view to the insertion in their place of the words "a bonus not exceeding £7,500 be given to Mr. Ledger, towards reimbursing him for his outlay in introducing his flock of Alpacas, providing that the adjoining Colonies of Victoria and South Australia will jointly or severally give an equal sum, and that Mr. Ledger will consent to retain the management of the flock for five years, and undertake not to export any of the animals beyond the three Colonies."
Debate continued.
Question put,—That the words proposed to be omitted after the word "That," stand part of the Question.

The

The House divided.

Ayes, 15.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Taylor,
Mr. Hart,
Mr. Piddington,
Mr. Suttor,
Mr. Wild,
Mr. Hodgson,
Mr. Byrnes,
Mr. Weekes,
Mr. Plunkett,
Mr. Thornton,
Mr. Gordon, } Tellers.
Mr. Rotton, }

Noes, 11.

Mr. Scott,
Mr. Dickson,
Mr. Jones,
Mr. Marks,
Mr. Forster,
Mr. Arnold,
Mr. Deniehy,
Mr. Williamson,
Mr. Richardson,
Mr. Hay, } Tellers.
Mr. Jenkins, }

Question,—That the words proposed to be omitted after the figures “£15,000” stand part of the Question,—put and passed.

Motion made by Mr. Plunkett and Question put,—That the Question be amended, by adding after the words “per annum,” at the end, the words “and that the Government be authorized to invite the adjoining Colonies of Victoria and South Australia “ jointly or severally to give an equal sum, so as to share in the advantages that may “ accrue from the purchase, and that Mr. Ledger will consent to retain the manage- “ ment of the flock for five years, and undertake not to export any of the animals “ beyond the three Colonies.”

The House divided.

Ayes, 11.

Mr. Deniehy,
Mr. Richardson,
Mr. Forster,
Mr. Marks,
Mr. Williamson,
Mr. Hart,
Mr. Arnold,
Mr. Flood,
Mr. Plunkett,
Mr. Hay, } Tellers.
Mr. Jones, }

Noes, 17.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Gordon,
Mr. Hart,
Mr. Byrnes,
Mr. Thornton,
Mr. Taylor,
Mr. Weekes,
Mr. Egan,
Mr. Suttor,
Mr. Piddington,
Mr. Dickson,
Mr. Scott,
Mr. Hodgson,
Mr. Rotton, } Tellers.
Mr. Wild, }

Whereupon Original Question put,—
The House divided.

Ayes, 18.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Rotton,
Mr. Gordon,
Mr. Hart,
Mr. Taylor,
Mr. Wild,
Mr. Byrnes,
Mr. Plunkett,
Mr. Weekes,
Mr. Dalley,
Mr. Flood,
Mr. Thornton,
Mr. Piddington,
Mr. Egan,
Mr. Suttor, } Tellers.
Mr. Hodgson, }

Noes, 11.

Mr. Hay,
Mr. Jones,
Mr. Jenkins,
Mr. Williamson,
Mr. Richardson,
Mr. Marks,
Mr. Arnold,
Mr. Forster,
Mr. Deniehy,
Mr. Scott, } Tellers.
Mr. Dickson, }

4. Charges by Mr. Bligh against Michael Finucane:—Mr. Forster moved, pursuant to notice, That an Address be presented to the Governor General, praying that His Excellency will be pleased to cause to be laid upon the Table of the House,—
- (1.) Return of all proceedings before the Bench of Magistrates at Grafton, Clarence River, in or about the month of May, 1857, when and whereat, were present, Richard Bligh, Esq., then Commissioner of Crown Lands for the District of Clarence River; C. J. Walker, Esq.; and Alexander Frederick Bundock, Esq., having reference to certain charges made by the said Richard Bligh, Esq., against Michael Finucane, then Chief Constable for the Police District of Grafton, for having unwarrantably and under color of his office obtained money from certain individuals, and to the subsequent removal or resignation of the said Michael Finucane.
 - (2.) Copies of all Correspondence between the Executive Government and any person or persons having reference to the same subject.
 - (3.) Copies of all Correspondence between the Executive Government and the said Bench of Magistrates, or any other person or persons, having reference to the dismissal of W. C. B. Wilson, Esq., from the office of Clerk of Petty Sessions for the Police District abovenamed.
- Question put and passed.

5. City Sewerage Act of 1853 :—Mr. Thornton moved, pursuant to notice, That the Petition of certain Citizens of Sydney, relative to the Sewerage Act of 1853, presented by him on the 6th instant, be printed.
Question put and passed.
Ordered to be printed.
6. Police Magistrate for Tamworth :—Mr. Jenkins moved, That the Speaker do now leave the Chair, and the House resolve itself into a Committee of the whole, to consider of an Address to the Governor General, requesting that His Excellency will be pleased to cause a sum of money to be placed upon the Supplementary Estimates for the year 1859, for a salary of a Police Magistrate at Tamworth.
Question put.
The House divided.

Ayes, 14.

Mr. Hart,
Mr. Denichy,
Mr. Taylor,
Mr. Wild,
Mr. Faucett,
Mr. Hodgson,
Mr. Plunkett,
Mr. Forster,
Mr. Williamson,
Mr. Taylor,
Mr. W. Macleay,
Mr. Suttor,
Mr. Jenkins, } Tellers.
Mr. Thornton, }

Noes, 15.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Arnold,
Mr. Scott,
Mr. Rotton,
Mr. Jones,
Mr. Byrnes,
Mr. Dickson,
Mr. Egan,
Mr. Weekes,
Mr. Richardson,
Mr. Marks, } Tellers.
Mr. Gordon, }
Mr. Dalley, }

7. Adjournment :—Mr. Cowper moved, That this House do now adjourn "until" to-morrow at Seven o'clock P.M.

Mr. Gordon moved, That the Question be amended by the omission of all the words thereof following the word "until," with a view to the insertion in their place of the words "Saturday next at Twelve o'clock, noon."

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.

The House divided.

Ayes, 25.

Mr. Cowper,
Mr. Robertson,
Mr. Hargrave,
Mr. Scott,
Mr. Weekes,
Mr. Thornton,
Mr. Jenkins,
Mr. Rotton,
Mr. Byrnes,
Mr. Williamson,
Mr. Egan,
Mr. Piddington,
Mr. Taylor,
Mr. Wild,
Mr. Marks,
Mr. Flood,
Mr. Jones,
Mr. Richardson,
Mr. Hodgson,
Mr. Plunkett,
Mr. Denichy,
Mr. Suttor,
Mr. Dickson,
Mr. Gordon, } Tellers.
Mr. Hart, }

Noes, 4.

Mr. W. Macleay,
Mr. Hay,
Mr. Forster, } Tellers.
Mr. Faucett, }

Whereupon Question,—That this House do now adjourn until Saturday next at Twelve o'clock, noon—put and passed.

The House accordingly adjourned at twenty minutes after Eight o'clock, until Saturday next at Twelve o'clock, noon.

ORDER OF THE DAY.

SATURDAY, APRIL 9.

OTHER BUSINESS—ORDER OF THE DAY :—

1. Letters of Registration Act Amendment Bill ; second reading.

DANIEL COOPER,
Speaker.

No. 64.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

SATURDAY, 9 APRIL, 1859.

1. The House met pursuant to adjournment; the Speaker took the Chair.
Paper:—Mr. Cowper laid upon the Table part Return to the Address, in reference to the case of Johnson and Ross v. Isaacs, Postmaster, Kempsey, adopted, on motion of Mr. Williamson, on the 22nd ultimo.

Ordered to be printed.

2. Letters of Registration Act Amendment Bill, on motion of Mr. Plunkett, discharged from the paper.

3. Messages:—The following Messages received from the Legislative Council:—

(1.) Loan Bill for 1859:—

MR. SPEAKER,

The Legislative Council, having this day agreed to the Bill intituled, "*An Act to enable the Government to raise Loans for certain Public Works and to explain a former Loan Act,*" returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 8 April, 1859.

W. W. BURTON,
President.

(2.) Appropriation Bill for 1858-9:—

MR. SPEAKER,

The Legislative Council, having this day agreed to the Bill intituled, "*An Act to appropriate and apply out of the Consolidated Revenue Fund of New South Wales certain sums to make good the supplies granted for the service of the year 1858-9,*" returns the same to the Legislative Assembly without amendment.

Legislative Council Chamber,
Sydney, 8 April, 1859.

W. W. BURTON,
President.

4. Assent to Bills:—The Usher of the Black Rod was admitted, and having delivered a Message "That it is the pleasure of the Governor General that this Honorable House do attend His Excellency in the Legislative Council Chamber forthwith,"—the House attended accordingly, and the Speaker having presented to the Governor General for the Royal Assent the Loan Bill for 1859 and the Appropriation Bill for 1858-9,—

His Excellency was pleased to declare, in the name and on the behalf of Her Majesty, that he assented to the following Bills:—

- (1.) Graduates of British Universities Bill.
- (2.) Treasury Bills Act Repeal Bill.
- (3.) District Courts Acts Amendment Bill.
- (4.) Loan Bill for 1859.
- (5.) Appropriation Bill for 1858-9.

5. Prorogation Speech; After which, His Excellency was pleased to make to both Houses of Parliament the following Speech:—

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, AND
GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

The business for which I called you together having been concluded, I am now enabled to release you from your Parliamentary duties, and to close the Session.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

I thank you for the Supplies you have voted, and assure you that the funds placed at the disposal of the Government shall be administered with due regard to economy and the efficiency of the Public Service.

HONORABLE

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, AND
GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

It is my intention to dissolve the Assembly immediately, and to summon without loss of time, a new Parliament in accordance with the provisions of the Electoral Act recently passed.

I earnestly pray that Divine Providence may so direct the choice of the Electors that, under the operation of the new law, Representatives may be returned to Parliament endowed with those qualifications which are essential to secure the moral and material welfare of the Colony, and prepared to enter upon their duty as Legislators with a due sense of its importance.

I now declare this Parliament to stand prorogued to Monday, the 11th instant.

W. DENISON,
Governor General.

DANIEL COOPER,
Speaker.

“PROCLAMATION.

“ *By His Excellency SIR WILLIAM THOMAS DENISON, Knight Commander of the Most Honorable Order of the Bath, Governor General in and over all Her Majesty's Colonies of New South Wales, Tasmania, Victoria, South Australia, and Western Australia, and Captain General and Governor-in-Chief of the Territory of New South Wales, and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.*

“ Whereas by the Bill passed by the Governor and Legislative Council of New South Wales, in the seventeenth year of the reign of Her Majesty the Queen, intituled, ‘ *An Act to confer a Constitution on New South Wales, and to grant a Civil List to Her Majesty,*’ and assented to by Her Majesty under the authority of the Act of the Imperial Parliament, passed in the session of the eighteenth and nineteenth years of the said reign, intituled, ‘ *An Act to enable Her Majesty to assent to a Bill as amended of the Legislature of New South Wales, to confer a Constitution on New South Wales, and to grant a Civil List to Her Majesty,*’ it was amongst other things enacted, that it should be lawful for the Governor of New South Wales to dissolve the Legislative Assembly whenever he should deem it expedient: And whereas it is expedient that the said Assembly, which stands prorogued to this day, should be now dissolved: Now therefore I, SIR WILLIAM THOMAS DENISON, the Governor aforesaid, in pursuance of the power and authority so vested in me, do hereby dissolve the said Legislative Assembly, and the same stands dissolved accordingly.

“ Given under my Hand and Seal at Government House, Sydney, this eleventh day of April, in the year of our Lord one thousand eight hundred and fifty-nine, and in the twenty-second year of Her Majesty's Reign.

“(L.S.) W. DENISON.

“ *By His Excellency's Command,*

“ CHARLES COWPER.

“GOD SAVE THE QUEEN!”
