

Votes

New South Wales.

No. 1.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 18 OCTOBER, 1864.

1. Opening of the Session :—The House met at Twelve o'clock at noon, pursuant to Proclamation of His Excellency the Governor, bearing date the 30th day of August last, of which a copy was read by the Clerk, as follows :—

“ PROCLAMATION.

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

“ Whereas the Parliament of New South Wales now stands prorogued to
“ Tuesday, the sixth day of September next: Now I, SIR JOHN YOUNG, in pur-
“ suance of the power and authority in me vested, as Governor of the said Colony,
“ do hereby further prorogue the said Parliament to Tuesday, the eighteenth day
“ of October next ensuing; and I do hereby further announce and proclaim, that
“ the said Parliament shall assemble for the despatch of business on the aforesaid
“ eighteenth day of October 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
“ thirtieth day of August, in the year of Our Lord one thousand
“ eight hundred and sixty-four, and in the twenty-eighth year of
“ Her Majesty's Reign.

“ (L.S.) JOHN YOUNG.

“ *By His Excellency's Command,*

“ WILLIAM FORSTER.

“ GOD SAVE THE QUEEN!”

2. New Writ issued to fill Vacancy :—The Speaker reported that in pursuance of the direction of the Electoral Act of 1858, he had issued a Writ for the election of a Member to serve in this present Parliament for the Electoral District of “East Macquarie,” in the room of William Henry Suttor, Esquire, resigned; and that this Writ had been duly returned to him, with the certificate of the Returning Officer endorsed thereon, of the election of David Buchanan, Esquire, to serve as a Member for “East Macquarie.”
3. Member Sworn :—David Buchanan, Esquire, having taken the Oath and subscribed the Roll, took his seat as a Member for the Electoral District of East Macquarie.
4. Message from His Excellency the Governor :—The Usher of the Black Rod, being admitted, delivered a Message, “That it is the pleasure of the Governor that this “Honorable House do attend His Excellency immediately in the Legislative “Council Chamber.”

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

The House resumed pursuant to adjournment.

5. Papers :—

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

- (1.) Abstracts of the Public Accounts of the Colony of New South Wales, for the year 1863.
- (2.) Report from Commissioners of National Education, for 1863.
- (3.) Report of University of Sydney, for 1863.
- (4.) Report, dated 30 August, 1864, respecting By-laws, St. Paul's College.
- (5.) Report, dated 6 October, 1864, respecting By-laws, St. John's College.
- (6.) Report, dated 22 June, 1864, respecting Sydney Grammar School.
- (7.) Report from Trustees of Australian Museum, for 1863.
- (8.) Eighth Annual Report from Registrar General, (being for 1863).
- (9.) Report, dated 4 August, 1864, respecting Operation of Real Property Act.
- (10.) List of Office-bearers and Directors of Destitute Children's Society, for 1864.
- (11.) Despatch (dated 19 May, 1864) respecting Colonial Hospitals and Lunatic Asylums (with Enclosures).
- (12.) Return to Address, in reference to "Juvenile Offenders and Witnesses," adopted by the Legislative Assembly, on motion of Mr. Sadleir, on 12th February, 1864.
- (13.) Return to Order, in reference to "Naval Brigade," made by the Legislative Assembly, on motion of Mr. Dalglish, on 20th April, 1864.

Ordered to be printed.

(2.) Mr. Eagar laid upon the Table the undermentioned Papers :—

- (1.) Improved System of conducting the Business of the Treasury.
- (2.) Re-modelling of the Pilot Service of Port Jackson.
- (3.) Re-organization of the Stores' Service.
- (4.) Border Customs Duties.
- (5.) Abattoirs (Reduction in the Scales of Slaughtering Fees and Bridge Tolls.)
- (6.) Increased Postage on Letters to and from the United Kingdom.
- (7.) English Banking Agency.
- (8.) New Post Office (Proposing Extension of Building Site.)
- (9.) Bank Liabilities and Assets for Quarters ended, respectively, 31st March, and 30th June, 1864.
- (10.) Transactions of Sydney Mint during half-year ended 31st December, 1863.
- (11.) Escort Fees.

Ordered to be printed.

6. Member Sworn :—Henry Parkes, Esquire, having taken the Oath, and subscribed the Roll, took his Seat as Member for the Electoral District of Kiama.
7. Increased Postage Rate to Europe :—Mr. Parkes presented the undermentioned Petitions against the recent increase of the Postage Rate by Mail Steamers to Europe :—
 - (1.) From certain Inhabitants of Sydney.
 - (2.) From certain Inhabitants of Yass.
 - (3.) From the Inhabitants of Parramatta.
 Petitions received.
8. Ordnance Land Act Amendment Bill :—Mr. Martin having presented this Bill, Bill intituled, "*A Bill for confirming the transfer to the Secretary at War in England from the Principal Officers of Ordnance there of certain Lands in New South Wales and for amending the Ordnance Land Act of Council, 1840,*" read a first time.
9. The Governor's Opening Speech :—The Speaker reported that the House had this day attended the Governor in the Legislative Council Chamber, when his Excellency was pleased to deliver 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, as follows :—

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

1. The late period at which a Session of unusual length closed its labours, and the time obviously required, not only for your reasonable relaxation, but for the accomplishment by the Government of important departmental changes and economical reforms, as well as the preparation of those measures which are to be laid before you, have prevented my calling you together at an earlier date.

2. During the recess, a beneficial alteration has been made in the mode of keeping the Public Accounts, and in conducting the business of the Treasury. An intelligible system has been initiated, and is now in successful operation, by which, among other advantages, the state of the Public Finances can be readily and accurately shewn, at any moment, by an inspection of the Treasurer's Books.

3. In accordance with a pledge to that effect, in Committee of Supply, during the late Session, the Pilot Service of Port Jackson has been remodelled, and arrangements have been made by which that service is now being performed as efficiently and with greater economy than heretofore.

4. Under a like pledge, during the same Session, in reference to the Colonial Stores' Establishment,—the extravagant practice of purchasing and keeping on hand large quantities of stores, greatly in excess of the current requirements of the various departments, has been abolished, and a considerable saving is effected by a corresponding reduction of the staff.

5. The difficult question of the Border Customs Duties has occupied the serious and continued attention of the Government. Negotiations had been commenced with the Government of Victoria, having for their object the settlement of the question on a fair and equitable basis; but the refusal of that Government to deal with the matter, until their claim to co-ordinate jurisdiction over a portion of the territory secured to this Colony by law, had been recognized, brought these negotiations abruptly to a close, and it has been found necessary to collect the duties by means of our own Revenue Officers. With the Government of South Australia, a satisfactory arrangement has been made for the collection of duties on goods arriving from that Province, by way of the River Murray, for consumption in New South Wales. A Bill will be submitted to you for the purpose of giving effect to this arrangement.

6. At the invitation of the Imperial Government, an increased Postal rate has been established on letters by the Mail Contract Steamers to the United Kingdom. A temporary suspension of their part in this arrangement has been since notified by the Imperial Authorities; but, pending their final decision, it has been considered inexpedient by the Government of this Colony to revert to the former rate.

7. Documents explanatory of the action of the Government in these various matters, will be laid before you without delay.

8. For some time past, the propriety of issuing a new Commission of the Peace had been generally acknowledged. Such Commission has been at length issued; and it is hoped that the change thereby accomplished will not tend in any way to impair the Administration of Justice, or to diminish that respect for the Magistracy which it is so essential to preserve.

9. The important question of a Trust in the Church and School Lands for purposes of Religion and Education has been submitted to the Supreme Court, and judgment given affirming the existence of the Trust. But, on a question of this magnitude, it is considered desirable to obtain the decision of the highest legal tribunal, and an appeal to the Privy Council has accordingly been determined upon.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

10. The Estimates of Expenditure for the ensuing year, and such measures as may be necessary to provide for a large estimated deficit on the operations of the present year, will be immediately submitted to you. The disastrous floods which have prevailed throughout the Colony since the year commenced,—unexampled in their character, and almost universal in their extent,—have prostrated for a time the industrial energies of the Colony, and have had a corresponding effect upon the Revenue. The failure of last year's harvest has also assisted in impoverishing the agricultural class; and that portion of the public receipts which is derived from sources indicating the comfort and prosperity of the people, has accordingly suffered a considerable diminution. I rely, with confidence, on your support of the Government, in their endeavour to maintain the public credit, and to meet the public engagements,—which all-important objects are best attained by a prudent economy in expenditure, concurrently with the necessary enlargement of our income.

11. It is also hoped that the financial difficulties under which the Colony labours, will eventually be in some degree relieved, by such an extension of the principle of Municipal Institutions, as will enable the central Government to impose upon local resources, a greater share of the burden of the general expenditure than at present exists. You will be invited to consider a measure framed for this object.

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

12. Although I am unable to congratulate you on the entire cessation of crime in the interior, I have the satisfaction to state that the efforts of the Police, aided by praiseworthy co-operation on the part of private individuals, have diminished the number of those outrages upon life and property, which marked so unhappily the past year. Until crime is effectually put down, the maintenance of a large Police Establishment is still considered necessary; and although the steps taken by the Government have not been attended with complete success, their partial failure may be attributed in some degree to the reduction in the strength of the Police Force, which has been effected for economical reasons, and in compliance with wishes generally expressed.

13. Railway extension—so essential to the progress of the country—has had the careful consideration of the Government; and propositions will be submitted to you, having for their object a more rapid construction and completion of the works than has hitherto prevailed. Before the year ends, it is expected that the line from Blacktown to Windsor and Richmond will be open for traffic, and other extensions are in a state of forwardness. Further provision by loan is proposed for the Great Northern and the Great Western lines. The changes which have been made in the traffic arrangements, and the re-adjustment of rates, have had a beneficial effect upon the railway receipts,—the revenue from which is largely increasing.

14. The desirability of securing for the Sydney sovereign a legalized currency throughout the British Dominions, daily becomes more apparent. Late advices from India point to the early introduction and use of a gold coinage in that important part of the Imperial Possessions; and should such a course be sanctioned by Her Majesty's Advisers, a new source of profit will probably be added to the present operations of our local establishment. In accordance with the sixth recommendation of the Select Committee of the House of Commons on the Sydney Branch Mint,—“that the charge for the Branch Mint should be provided for by permanent appropriation by the Legislature of New South Wales, rather than by annual vote,” the Imperial Parliament have guaranteed, by the Act 26 and 27 Vic., cap. 74, the proclamation of our gold coinage as a legal tender throughout Her Majesty's Territories, when such permanent appropriation is made; and a Bill will be laid before you, having the required object in view.

15. Among the various measures which you will be invited to consider, will be included Bills for amending the Impounding Laws—for the improvement of Prison Discipline—for the protection and reformation of Neglected Children—for the regulation of the Volunteer Force—for the further prevention of the sale of Diseased Meat—and for the better management of the Gold Fields.

16. The visitations of Providence, to which I have before alluded, have imposed upon the Government the responsibility, during the recess, of affording relief to the sufferers, out of the Public Funds. The liberality of Parliament will, I am assured, afford the necessary sanction to whatever expenditure has been found necessary for this purpose.

17. The questions of Public Works and the Administration of Justice in the South and South-western Districts, have been under the consideration of the Government; and during the Session, propositions in reference to these important matters will be brought before you.

18. Notwithstanding the year of calamity through which we are passing, and the temporary stagnation of trade and industry which attends it,—I have confidence in the extent, the variety, and the permanence of our resources. The accounts of the coming harvest are generally favourable; and should the wheat crop be spared the devastating influence of rust, the labours of the farmer may yet be crowned with a fruitful reward. Let me hope that your deliberations may be so guided that, under Divine favour, they may result in the advancement of that which is the great end of all good government—the welfare and contentment of the people.

Mr. Lackey then moved, and Mr. Milford seconded the motion,—

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

(2.) That such Committee consist of the following Members:—Mr. Lackey, Mr. Milford, Mr. Gordon, Mr. Piddington, Mr. Emanuel, Mr. Cunneen, and Mr. J. N. Ryan.

Question put and passed.

And the Committee retired to prepare the Address.

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

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

“MAY IT PLEASE YOUR EXCELLENCY,—

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

“2. The Papers explanatory of the various departmental changes which have been made during the recess, when laid before us, will receive our attentive consideration.

“3. While regretting the failure of negotiations with the Government of Victoria, on the subject of the Border Customs Duties, and the necessity for their collection by our own Revenue Officers—we are gratified to learn that a favourable arrangement has been made with the Government of South Australia, for the collection of duties on goods arriving from that Province, by way of the River Murray, for consumption in New South Wales.

“4. The propriety of maintaining an increased Postal Rate on letters transmitted by the Mail Contract Steamers to the United Kingdom, pending the final decision of the Imperial Government, will be carefully considered.

“5. The disastrous floods which have prevailed since the commencement of the current year—following on the failure of last year's harvest—prepared us for the announcement of a deficiency in the Revenue. Measures which may be submitted to us, having in view a prudent economy in expenditure concurrently with an enlargement of our income, will have our most serious attention.

“6. We regret to learn that the state of crime in the interior is such, that the maintenance of a large Police force is still considered necessary.

“7.

" 7. Our attention will be carefully bestowed upon propositions that may be laid before us to facilitate railway extension, and to provide permanently for the Sydney Branch of the Royal Mint, as well as upon the various Bills which your Excellency informs us we shall be invited to consider.

" 8. The action of the Government in providing out of the Public Funds for the relief of sufferers by the floods, will meet with our ready sanction, where the expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legitimate requirements of the Southern and South-western Districts, in the matter of Public Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech, will meet with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable Harvest.

" 12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people."

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

Mr. Cowper moved, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words—

" We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

" We beg also to express our regret that Your Excellency's Ministers should, during the recess, have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

" We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House."

Debate ensued.

Motion made by Mr. Darvall, and Question—That this Debate be now adjourned until To-morrow,—put and passed.

The House adjourned, on motion of Mr. W. Forster, at a quarter after Eleven o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

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

WEDNESDAY, OCTOBER 19.

Questions :—

1. MR. LAYCOCK *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether the route chosen by the Government for a Main Road from the Clarence River to the Table Land, is to go from South Grafton by way of Newton Boyd?
 - (2.) Are the other Roads now in use to be kept in repair by the Government, or otherwise?
2. MR. LAYCOCK *to ask* THE HONORABLE THE PREMIER,—
 - (1.) Are the Judges of the Southern District Courts overtasked?
 - (2.) Is it required that they should display unusual hurry in the dispatch of business?
 - (3.) Is it absolutely necessary that they should initiate fresh cases after six o'clock in the evening?
3. MR. LAYCOCK *to ask* THE COLONIAL SECRETARY,—
 - (1.) Is it true that one of the Warders of the Parramatta Gaol was fined lately at the instance of the Chief Warden?
 - (2.) Was the charge substantiated on oath?
 - (3.) Was it the first offence?
 - (4.) The nature of the offence, and the amount of fine inflicted?
 - (5.) Is it allowable to accuse a Warden and fine him, without the charge being clearly established, on oath, before a Magistrate?
 - (6.) Is there a Visiting Magistrate appointed for Parramatta Gaol, and did he inflict this fine?

NOTICES OF MOTION :—

1. MR. W. FORSTER *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.
2. MR. W. FORSTER *to move*, That on Wednesday and Thursday in each week, unless otherwise ordered, Government Business take precedence of all other Business.
3. MR. W. FORSTER *to move*, That on Tuesday and Friday in each week, unless otherwise ordered, Private Business shall take precedence of Government Business; and that on Fridays, Private Orders of the Day shall take precedence of Motions.
4. MR. W. FORSTER *to move*, That it be a Sessional Order of this House for the present Session,—
 - (1.) That every Motion, or Order of the Day for the third reading of a Bill, to which, on the Question being put from the Chair—"Whether there is any objection to its being a 'formal' Motion or Order of the Day?"—no objection shall be taken, shall be deemed to be a "formal" Motion or Order of the Day.
 - (2.) That before the Ordinary Business of each day shall be entered upon, the Speaker shall call over the various Notices of Motions, and Orders of the Day for third reading of Bills; and on any such Motion or Order being called, it shall be competent for the Member, otherwise entitled to move it, to have the above question put with reference thereto; and such "formal" Motions or Orders of the Day shall be disposed of in the relative order in which they stand on the Business Paper, taking precedence of all the other Motions and Orders of the Day.
 - (3.) That no debate shall be allowed upon any of such "formal" Motions or Orders of the Day, or upon the further proceedings consequent on the reading of such Orders, but the House may proceed to division thereupon, without amendment or debate, as in the case of the motion for the first reading of a Bill.
 - (4.) That in consequence of any such "formal" Orders of the Day having been disposed of as aforesaid, it shall not be held that the House has proceeded to the Orders of the Day upon the Business Paper, so as to exclude thereafter the presentation of Petitions, or the reception of Notices of Motion.
5. MR. W. FORSTER *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.
6. MR. W. FORSTER *to move*, That, unless otherwise ordered, the Resumption of the Committee of Ways and Means stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.
7. MR. W. FORSTER *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.
8. MR. W. FORSTER *to move*, That with a view to more effectually carrying out the 41st Standing Order, the following Rules be observed as a Sessional Order of this House for the present Session :—
 - (1.) Members balloting for a Select Committee shall place the Balloting Papers after completion, in the hands of the Clerk of the House (or in his absence the Officer acting in his stead) giving time for him to note one paper (as hereinafter mentioned) before another is presented,
 - (2.)

- (2.) The Clerk shall have before him a complete printed list of the Members of the House, and on the presentation of any Balloting Paper, shall place his initials against the entry in such list of the name of the Member presenting such Balloting Paper, and the Clerk shall place such list so initialed on record, with the other proceedings of the Ballot.
9. MR. W. FORSTER to move, That the Clerk of the House shall enter upon the Minutes of the Votes and Proceedings the Questions, of which formal notice shall have been given, put to the Members representing the Government in this House, and the Answers returned to the same.
 10. MR. W. FORSTER to move, That the Chairman of a Select Committee on a Private Bill be entitled to vote on all questions in the same way as other Members of such Committee; and, in case of an equality of votes, exercise a second or casting vote.
 11. MR. W. FORSTER to move, That the Standing Orders Committee for the present Session consist of the following Members, viz.:—The Speaker, Mr. Cowper, Mr. Arnold, Mr. Hart, Mr. Dalley, Mr. Weekes, Mr. Piddington, Mr. Samuel, Mr. Smart, and Mr. Wisdom, with leave to sit during any adjournment, and authority and power to send for persons, papers, and records, and to examine witnesses in any matter or thing referred to, or pending before the said Committee, and to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.
 12. MR. W. FORSTER to move, That the Library Committee for the present Session consist of the following Members, viz.:—The Speaker, Mr. Cowper, Mr. Arnold, Mr. Cunneen, Mr. Dalley, Dr. Lang, Mr. Faucett, Mr. Wilson, Mr. Wisdom, and Mr. Hart, with leave to sit during any adjournment.
 13. MR. W. FORSTER to move, That it be an Order of this House for the present Session, that no New Business be entered upon after Eleven o'clock P.M.
 14. MR. W. FORSTER to move, That Robert Wisdom, Esquire, be Chairman of Committees of the whole House during the present Session.
 15. MR. W. FORSTER to move for leave to introduce a Bill to regulate the Volunteer Forces.
 16. MR. W. FORSTER to move for leave to introduce a Bill to contribute towards the cost of Her Majesty's Military Forces in New South Wales.
 17. MR. W. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund.
 18. MR. W. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.
 19. MR. WILSON to move for leave to introduce a Bill to regulate Impounding.
 20. MR. EAGAR to move for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.
 21. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
 22. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz. :—

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

" MAY IT PLEASE YOUR EXCELLENCY,—

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

" 2. The Papers explanatory of the various departmental changes which have
 " been made during the recess, when laid before us, will receive our attentive
 " consideration.

" 3. While regretting the failure of negotiations with the Government of
 " Victoria, on the subject of the Border Customs Duties, and the necessity for their
 " collection by our own Revenue Officers—we are gratified to learn that a favourable
 " arrangement has been made with the Government of South Australia, for the
 " collection of duties on goods arriving from that Province, by way of the River
 " Murray, for consumption in New South Wales.

" 4. The propriety of maintaining an increased Postal Rate on Letters
 " transmitted by the Mail Contract Steamers to the United Kingdom, pending the
 " final decision of the Imperial Government, will be carefully considered.

" 5. The disastrous floods which have prevailed since the commencement of
 " the current year—following on the failure of last year's harvest, prepared us for
 " the announcement of a deficiency in the Revenue. Measures which may be
 " submitted to us, having in view a prudent economy in expenditure concurrently
 " with an enlargement of our income, will have our most serious attention.

" 6. We regret to learn that the state of crime in the interior is such, that
 " the maintenance of a large Police force is still considered necessary.

" 7.

" 7. Our attention will be carefully bestowed upon propositions that may be laid before us to facilitate railway extension, and to provide permanently for the Sydney Branch of the Royal Mint, as well as upon the various Bills which your Excellency informs us we shall be invited to consider.

" 8. The action of the Government in providing out of the Public Funds for the relief of sufferers by the floods, will meet with our ready sanction, where the expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legitimate requirements of the Southern and South-western Districts, in the matter of Public Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech will meet with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and, while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable harvest.

" 12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people."

Upon which Mr. Cowper had moved, by way of amendment, That all the words after the first paragraph be omitted, with a view to insert in their place the words:—

" We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

" We beg also to express our regret that Your Excellency's Ministers should during the recess have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

" We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House."

THURSDAY, OCTOBER 20.

NOTICE OF MOTION:—

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

FRIDAY, OCTOBER 21.

Questions:—

1. MR. SHEPHERD to ask THE SECRETARY FOR LANDS,—
 - (1.) Have instructions been given to Surveyors (who are intrusted to survey Crown Lands) to report to the Surveyor General, for the information of the Government, defaulters who conditionally purchased Crown Land on the 14th day of January, 1862, and who have failed to comply with the 25th Clause of the Land Regulation?
 - (2.) Has any report been made to the Surveyor General of persons who have not complied with the regulations?
 - (3.) If so, how many defaulters are there who selected Land in the District of Goulburn?
 - (4.) What is the intention of the Government with regard to the Land conditionally purchased, on which the purchasers have failed to comply with the 25th Clause of the Regulation?
 - (5.) Have the Government done any thing with reference to the matter, and what?
2. MR. BURDEKIN to ask THE COLONIAL SECRETARY,—What arrangement has been made for the performance of Magisterial duties at Nundle and Hanging Rock, consequent on the removal of Captain Douglas to Bathurst?

NOTICES OF MOTION:—

1. MR. LAYCOCK to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
2. MR. PIDDINGTON to move, That there be laid on the Table of this House, a Tabular Return, shewing the names of all persons who have purchased land conditionally under the Land Alienation Act of 1861, from the 31st of October, 1863, to 30th September, 1864; the quantity of land in each purchase; the name and class of district wherein the land is situated; the amount of money received on each lot; the balance remaining to be received; the date when the balance of the purchase money shall be payable. Also, shewing the total quantity of land, in the Settled or Unsettled Districts, selected in each year, from 1861, and the aggregate amount of the balances of the purchase money payable in each year.

TUESDAY,

TUESDAY, OCTOBER 25.

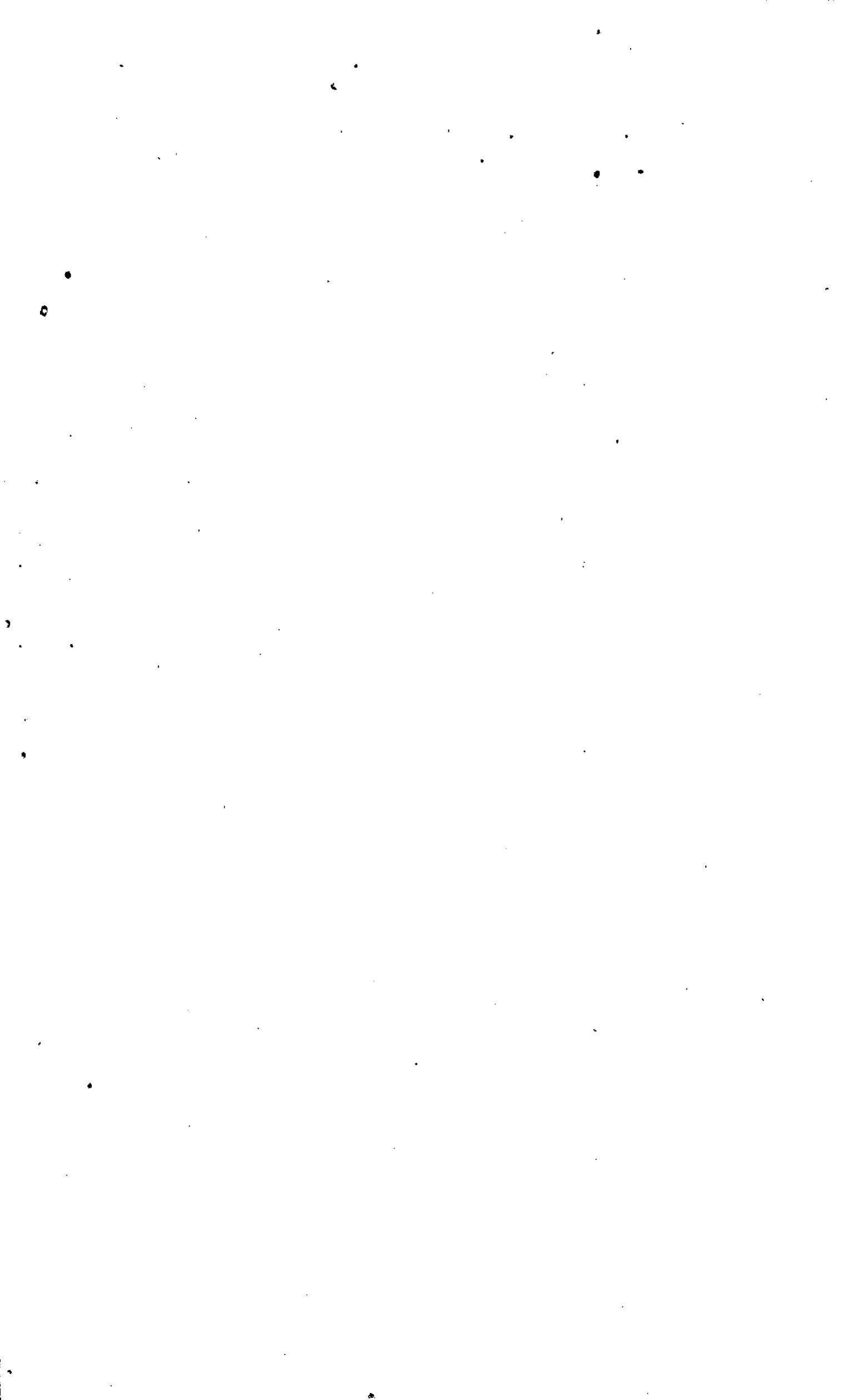
NOTICES OF MOTION:—

1. MR. D. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.
2. MR. D. BUCHANAN to move, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
3. MR. D. BUCHANAN to move, That in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
4. MR. D. BUCHANAN to move, That in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
5. MR. D. BUCHANAN to move, That in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
6. MR. D. BUCHANAN to move, That in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
7. MR. D. BUCHANAN to move, That in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
8. MR. D. BUCHANAN to move, That in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
9. MR. D. BUCHANAN to move, That in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
10. MR. D. BUCHANAN to move, That in the opinion of this House, the tax upon Newspapers has an injurious tendency, and ought to be repealed.
11. MR. D. BUCHANAN to move, That in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
12. MR. STEWART to move,—
 - (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 - (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 - (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 - (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.

TUESDAY, NOVEMBER 15.

NOTICE OF MOTION:—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments in this Colony to three years.



New South Wales.

No. 2.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 19 OCTOBER, 1864.

1. The House met pursuant to adjournment; The Speaker took the Chair.
Increased Postage Rate to Europe :—Mr. Samuel presented a Petition from certain Inhabitants of Goulburn, against the recent increase of the Postage Rate by Mail Steamers to Europe.
Petition received.
2. Representatives of Samuel Clift—"Wallalla" Run :—Mr. Darvall presented a Petition from Edward Denny Day and Frederick Nainby, of East Maitland, Executors and Trustees under the Will of Samuel Clift, late of East Maitland aforesaid, Esquire, setting forth certain circumstances under which a Run at Liverpool Plains, called "Wallalla," was contemporaneously occupied by the said Samuel Clift (and one William Nowland, whose right he purchased) on the one hand, and by one John Eales on the other, whereby (it is alleged) the Government, who recently decided in Eales' favour, had received rent for many years from both parties; and praying consideration and the order of the House in the matter.
Petition received.
3. Hinton :—Mr. Close presented a Petition from certain Inhabitants of Hinton and the vicinity, setting forth certain disadvantages sustained by Hinton, in connection with the present Maitland District Council, and praying consideration of the claims of Hinton in any new measure respecting the management of Local Roads.
Petition received.
4. Drainage of Lands on the Hunter :—Mr. Darvall presented a Petition from certain Farmers and others concerned in the alluvial lands of the River Hunter Districts, praying for the passing of a law for the Promotion of Drainage.
Petition received.
5. Business Days—(*Sessional Order*) :—Mr. W. Forster 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.
Debate ensued.
Question put and passed.
6. Days for the precedence of Government Business—(*Sessional Order*) :—Mr. W. Forster moved, pursuant to notice, That on Wednesday and Thursday in each week, unless otherwise ordered, Government Business take precedence of all other Business.
Question put and passed.
7. Days for precedence of Private Business, and relative precedence of Private Orders (*Sessional Order*) :—
Mr. W. Forster moved, pursuant to notice, That on Tuesday and Friday in each week, unless otherwise ordered, Private Business shall take precedence of Government Business; and that on Fridays, Private Orders of the Day shall take precedence of Motions.
Question put and passed.
8. Formal Motions and Orders of the Day—(*Sessional Order*) :—Mr. W. Forster moved, pursuant to notice, That it be a Sessional Order of this House for the present Session,—
(1.) That every Motion, or Order of the Day for the third reading of a Bill, to which, on the Question being put from the Chair—"Whether there is any objection to its being a 'formal' Motion or Order of the Day?"—no objection shall be taken, shall be deemed to be a "formal" Motion or Order of the Day.

(2.)

(2.) That before the Ordinary Business of each day shall be entered upon, the Speaker shall call over the various Notices of Motions, and Orders of the Day for third reading of Bills; and on any such Motion or Order being called, it shall be competent for the Member, otherwise entitled to move it, to have the above question put with reference thereto; and such "formal" Motions or Orders of the Day shall be disposed of in the relative order in which they stand on the Business Paper, taking precedence of all the other Motions and Orders of the Day.

(3.) That no debate shall be allowed upon any of such "formal" Motions or Orders of the Day, or upon the further proceedings consequent on the reading of such Orders, but the House may proceed to division thereupon, without amendment or debate, as in the case of the motion for the first reading of a Bill.

(4.) That in consequence of any such "formal" Orders of the Day having been disposed of as aforesaid, it shall not be held that the House has proceeded to the Orders of the Day upon the Business Paper, so as to exclude thereafter the presentation of Petitions, or the reception of Notices of Motion.

Question put and passed.

9. Resumption of Committee of Supply—(*Sessional Order*):—Mr. W. Forster 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.

10. Resumption of Committee of Ways and Means—(*Sessional Order*):—Mr. W. Forster moved, pursuant to notice, That, unless otherwise ordered, the Resumption of the Committee of Ways and Means stand an Order of the Day, as of course, on each day on which Government Business shall have precedence.

Question put and passed.

11. Transmission of Messages between the two Houses—(*Sessional Order*):—Mr. W. Forster 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.

12. Balloting for Select Committees—(*Sessional Order*):—Mr. W. Forster moved, pursuant to notice, That with a view to more effectually carrying out the 41st Standing Order, the following Rules be observed as a Sessional Order of this House for the present Session:—

(1.) Members balloting for a Select Committee shall place the Balloting Papers after completion, in the hands of the Clerk of the House (or in his absence the Officer acting in his stead) giving time for him to note one paper (as hereinafter mentioned) before another is presented,

(2.) The Clerk shall have before him a complete printed list of the Members of the House, and on the presentation of any Balloting Paper, shall place his initials against the entry in such list of the name of the Member presenting such Balloting Paper, and the Clerk shall place such list so initialed on record, with the other proceedings of the Ballot.

Question put and passed.

13. Entry of Questions and Answers on Votes—(*Sessional Order*):—Mr. W. Forster moved, pursuant to notice, That the Clerk of the House shall enter upon the Minutes of the Votes and Proceedings the Questions, of which formal notice shall have been given, put to the Members representing the Government in this House, and the Answers returned to the same.

Question put and passed.

14. Vote of Chairman of Select Committee on Private Bill—(*Sessional Order*):—Mr. W. Forster moved, pursuant to notice, That the Chairman of a Select Committee on a Private Bill be entitled to vote on all questions in the same way as other Members of such Committee; and, in case of an equality of votes, exercise a second or casting vote.

Question put and passed.

15. Standing Orders Committee—(*Sessional Order*):—Mr. W. Forster moved, pursuant to notice, That the Standing Orders Committee for the present Session consist of the following Members, viz.:—The Speaker, Mr. Cowper, Mr. Arnold, Mr. Hart, Mr. Dalley, Mr. Weekes, Mr. Piddington, Mr. Samuel, Mr. Smart, and Mr. Wisdom, with leave to sit during any adjournment, and authority and power to send for persons, papers, and records, and to examine witnesses in any matter or thing referred to, or pending before the said Committee, and to confer upon subjects of mutual concernment with any Committee appointed for similar purposes by the Legislative Council.

Question put and passed.

16. Library Committee—(*Sessional Order*):—Mr. W. Forster moved, pursuant to notice, That the Library Committee for the present Session consist of the following Members, viz.:—The Speaker, Mr. Cowper, Mr. Arnold, Mr. Cunneen, Mr. Dalley, Dr. Lang, Mr. Faucett, Mr. Wilson, Mr. Wisdom, and Mr. Hart, with leave to sit during any adjournment.

Question put and passed.

17. Motions Withdrawn:—Mr. W. Forster withdrew the Motions standing in his name, Nos. 13 and 14 on the Notice Paper for to-day.

18. Volunteer Bill;—Mr. W. Forster moved, pursuant to notice, for leave to introduce a Bill to regulate the Volunteer Forces.

Question put and passed.

19. **Military Contribution Bill**:—Mr. W. Forster moved, pursuant to notice, for leave to introduce a Bill to contribute towards the cost of Her Majesty's Military Forces in New South Wales.
Question put and passed.
20. **Motions Withdrawn**:—
(1.) Mr. W. Forster withdrew the Motions standing in his name, Nos. 17 and 18 on the Notice Paper for to-day.
(2.) Mr. Wilson withdrew the Motion standing in his name, No. 19 on the Notice Paper for to-day.
(3.) Mr. Eagar withdrew the Motion standing in his name, No. 20 on the Notice Paper for to-day.
(4.) Mr. Leary, on behalf of Mr. Driver, withdrew the Motions standing in the name of Mr. Driver, Nos. 21 and 22 on the Notice Paper for to-day.
21. **Volunteer Bill**:—Mr. W. Forster having *presented* this Bill, Bill intituled, "*A Bill to regulate the Volunteer Forces*," read a first time.
Ordered to be printed, and read a second time to-morrow.
22. **Address in Reply to the Governor's Opening Speech**:—The adjourned Debate, on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz, :—

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

" MAY IT PLEASE YOUR EXCELLENCY,—

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

" 2. The Papers explanatory of the various departmental changes which
" have been made during the recess, when laid before us, will receive our attentive
" consideration.

" 3. While regretting the failure of negotiations with the Government of
" Victoria, on the subject of the Border Customs Duties, and the necessity for
" their collection by our own Revenue Officers—we are gratified to learn that a
" favourable arrangement has been made with the Government of South Australia,
" for the collection of duties on goods arriving from that Province, by way of the
" River Murray, for consumption in New South Wales.

" 4. The propriety of maintaining an increased Postal Rate on letters
" transmitted by the Mail Contract Steamers to the United Kingdom, pending the
" final decision of the Imperial Government, will be carefully considered.

" 5. The disastrous floods which have prevailed since the commencement
" of the current year—following on the failure of last year's harvest—prepared us
" for the announcement of a deficiency in the Revenue. Measures which may be
" submitted to us, having in view a prudent economy in expenditure concurrently
" with an enlargement of our income, will have our most serious attention.

" 6. We regret to learn that the state of crime in the interior is such, that
" the maintenance of a large Police force is still considered necessary.

" 7. Our attention will be carefully bestowed upon propositions that may
" be laid before us to facilitate railway extension, and to provide permanently for
" the Sydney Branch of the Royal Mint, as well as upon the various Bills which
" your Excellency informs us we shall be invited to consider.

" 8. The action of the Government in providing out of the Public Funds
" for the relief of sufferers by the floods, will meet with our ready sanction,
" where the expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legiti-
" mate requirements of the Southern and South-western Districts, in the matter
" of Public Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech, will meet
" with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent,
" variety, and permanence of our resources; and while lamenting the year of
" calamity through which we are passing, and its attendant stagnation of trade
" and industry, we look forward hopefully to the prospect of a favourable Harvest.

" 12. We unite with your Excellency, in the hope that our deliberations
" may be so guided that, under Divine favour, they may result in measures
" calculated to advance the welfare and contentment of the people."

Upon which Mr. Cowper had moved, by way of Amendment, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words—

" We

“ We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

“ We beg also to express our regret that Your Excellency's Ministers should, during the recess, have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

“ We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House.”—

Resumed and continued.

Motion made by Mr. Wilson, *with the concurrence of the House*, and Question,—That this Debate be now adjourned until To-morrow, then to take precedence of all other business,—put and passed.

The House adjourned, on motion of Mr. Martin, at a quarter after Eleven o'clock, until To-morrow at Three o'clock.

JOHN HAY,
Speaker.

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

THURSDAY, OCTOBER 20.

Questions :—

1. MR. TERRY *to ask* THE SECRETARY FOR PUBLIC WORKS,—If it is the intention of the Government to place a sum of money on the Estimates for 1865, for a Trial Survey of a line of Railway to Mudgee from the Bathurst Line?
2. MR. TERRY *to ask* THE SECRETARY FOR PUBLIC WORKS,—When will the Return, ordered by this House on the 20th April last, relative to the survey of the line of Railway from Muswellbrook to Mudgee, together with the cost of such survey, be laid on the Table?
3. MR. MORRIS *to ask* THE COLONIAL SECRETARY,—If it is the intention of the Government to introduce, during the present Session of Parliament, a Bill to secure an independent Audit of the Public Accounts?

OTHER BUSINESS—ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, *viz.* :—

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

“ MAY IT PLEASE YOUR EXCELLENCY,—

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

“ 2. The Papers explanatory of the various departmental changes which have been made during the recess, when laid before us, will receive our attentive consideration.

“ 3. While regretting the failure of negotiations with the Government of Victoria, on the subject of the Border Customs Duties, and the necessity for their collection by our own Revenue Officers—we are gratified to learn that a favourable arrangement has been made with the Government of South Australia, for the collection of duties on goods arriving from that Province, by way of the River Murray, for consumption in New South Wales.

“ 4.

" 4. The propriety of maintaining an increased Postal Rate on Letters transmitted by the Mail Contract Steamers to the United Kingdom, pending the final decision of the Imperial Government, will be carefully considered.

" 5. The disastrous floods which have prevailed since the commencement of the current year—following on the failure of last year's harvest, prepared us for the announcement of a deficiency in the Revenue. Measures which may be submitted to us, having in view a prudent economy in expenditure concurrently with an enlargement of our income, will have our most serious attention.

" 6. We regret to learn that the state of crime in the interior is such, that the maintenance of a large Police force is still considered necessary.

" 7. Our attention will be carefully bestowed upon propositions that may be laid before us to facilitate railway extension, and to provide permanently for the Sydney Branch of the Royal Mint, as well as upon the various Bills which your Excellency informs us we shall be invited to consider.

" 8. The action of the Government in providing out of the Public Funds for the relief of sufferers by the floods, will meet with our ready sanction, where the expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legitimate requirements of the Southern and South-western Districts, in the matter of Public Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech will meet with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and, while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable harvest.

" 12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people."

Upon which Mr. Cowper had moved, by way of amendment, That all the words after the first paragraph be omitted, with a view to insert in their place the words:—

" We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

" We beg also to express our regret that Your Excellency's Ministers should during the recess have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

" We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House."

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. EAGAR to move, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
2. MR. W. FORSTER to move, That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session.
3. MR. W. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund.
4. MR. W. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.
5. MR. WILSON to move for leave to introduce a Bill to regulate Impounding.
6. MR. EAGAR to move for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

ORDER OF THE DAY:—

1. Volunteer Bill; second reading.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
2. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.

FRIDAY, OCTOBER 21.

Questions:—

1. MR. SHEPHERD to ask THE SECRETARY FOR LANDS,—
 - (1.) Have instructions been given to Surveyors (who are intrusted to survey Crown Lands) to report to the Surveyor General, for the information of the Government, defaulters who conditionally purchased Crown Land on the 14th day of January, 1862, and who have failed to comply with the 25th Clause of the Land Regulation?
 - (2.) Has any report been made to the Surveyor General of persons who have not complied with the regulations?
 - (3.) If so, how many defaulters are there who selected Land in the District of Goulburn?

(4.)

- (4.) What is the intention of the Government with regard to the Land conditionally purchased, on which the purchasers have failed to comply with the 25th Clause of the Regulation ?
- (5.) Have the Government done any thing with reference to the matter, and what ?
2. MR. BURDEKIN *to ask* THE COLONIAL SECRETARY,—What arrangement has been made for the performance of Magisterial duties at Nundle and Hanging Rock, consequent on the removal of Captain Douglas to Bathurst ?
3. MR. CLOSE *to ask* THE SECRETARY FOR PUBLIC WORKS,—
- (1.) Whether the Government is aware that the recent Floods on the Hunter have created many new shoals and shallows in the river, from the A. S. N. Company's Wharf downwards, which are now serious impediments to the trade and navigation, and therefore likely to prove calamitous to the public ?
- (2.) If so, will the Government take immediate steps to remove the said obstructions ?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LAYCOCK *to move*, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
2. MR. PIDDINGTON *to move*, That there be laid on the Table of this House, a Tabular Return, shewing the names of all persons who have purchased land conditionally under the Land Alienation Act of 1861, from the 31st of October, 1863, to 30th September, 1864; the quantity of land in each purchase; the name and class of district wherein the land is situated; the amount of money received on each lot; the balance remaining to be received; the date when the balance of the purchase money shall be payable. Also, shewing the total quantity of land, in the Settled or Unsettled Districts, selected in each year, from 1861, and the aggregate amount of the balances of the purchase money payable in each year.
3. MR. MACPHERSON *to move*, That there be laid on the Table of the House, a Return of all Church and School Lands which have been sold during the Administration of the present Ministry—the Return to be in a tabular form, specifying the number of lots sold, the extent and situation of each, the amount realised on each, and the name of each purchaser.

TUESDAY, OCTOBER 25.

Questions :—

1. MR. LAYCOCK *to ask* THE COLONIAL SECRETARY,—
- (1.) Is it true that one of the Warders of the Parramatta Gaol was fined lately at the instance of the Chief Warden ?
- (2.) Was the charge substantiated on oath ?
- (3.) Was it the first offence ?
- (4.) The nature of the offence, and the amount of fine inflicted ?
- (5.) Is it allowable to accuse a Warden and fine him, without the charge being clearly established on oath, before a Magistrate ?
- (6.) Is there a Visiting Magistrate appointed for Parramatta Gaol, and did he inflict this fine ?
2. MR. SADLER *to ask* THE COLONIAL TREASURER,—Will the Honorable Minister lay upon the Table a Return of all Vessels wrecked on the Coast during the years 1862, 1863, 1864, specifying names of vessels, places where wrecked, description and tonnage of vessel, particulars of casualties, number of crew and passengers, number of lives lost, description and value of property ?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. D. BUCHANAN *to move*, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.
2. MR. D. BUCHANAN *to move*, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
3. MR. D. BUCHANAN *to move*, That in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
4. MR. D. BUCHANAN *to move*, That in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
5. MR. D. BUCHANAN *to move*, That in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant; he having been absent from every sitting of this House during a whole Session.
6. MR. D. BUCHANAN *to move*, That in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.

7. MR. D. BUCHANAN to move, That in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
8. MR. D. BUCHANAN to move, That in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
9. MR. D. BUCHANAN to move, That in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
10. MR. D. BUCHANAN to move, That in the opinion of this House, the tax upon Newspapers has an injurious tendency, and ought to be repealed.
11. MR. D. BUCHANAN to move, That in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
12. MR. STEWART to move,—
 - (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 - (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 - (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 - (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.
13. MR. STEWART to move,—
 - (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 - (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 - (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.
14. MR. SADDLER to move for leave to bring in a Bill, intituled, "Acts Extension Rescinding."

TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICE OF MOTION:—

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

No. 3.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 20 OCTOBER, 1864.

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

Questions on Notice Paper for to-day:—

- (1.) Railway Trial Survey, Bathurst Line to Mudgee:—Mr. Terry asked the Secretary for Public Works, pursuant to Notice No. 1,—If it is the intention of the Government to place a sum of money on the Estimates for 1865, for a Trial Survey of a line of Railway to Mudgee from the Bathurst Line?

Mr. Holroyd answered:—A sum of £10,000 will be placed upon the Estimates for Trial Surveys, a portion of which it is intended to apply to the survey from the present Bathurst Line to Mudgee.

- (2.) Survey of Railway Line from Muswellbrook to Mudgee:—Mr. Terry asked the Secretary for Public Works, pursuant to Notice No. 2,—When will the Return, ordered by this House on the 20th April last, relative to the survey of the line of Railway from Muswellbrook to Mudgee, together with the cost of such survey, be laid on the Table?

Mr. Holroyd answered:—The Return is ready, and I will lay it on the Table of the House as soon as the questions are answered.

- (3.) Bill for Audit of Public Accounts:—Mr. Morris asked the Colonial Secretary, pursuant to Notice No. 3,—If it is the intention of the Government to introduce, during the present Session of Parliament, a Bill to secure an independent Audit of the Public Accounts?

Mr. W. Forster answered:—The Government have no such intention at present.

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

“ LEGISLATIVE ASSEMBLY.

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

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

“ William Macleay, Esquire,
“ Thomas Garrett, Esquire,
“ Augustus Morris, Esquire,
“ James Hart, Esquire,
“ William Richman Piddington, Esquire,
“ John Caldwell, Esquire,
“ Hugh Gordon, Esquire,

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

“ Given under my hand, at the Legislative Assembly Chamber,
“ Macquarie-street, Sydney, this twentieth day of October,
“ in the year of our Lord One thousand eight hundred and
“ sixty-four.

“ JOHN HAY,
“ *Speaker.*”

3. Alleged Vacancy of Seat :—Mr. D. Buchanan, moved (without notice)—That the seat of Mr. Clark Irving, Member for The Clarence, has become, and is now, declared vacant from the fact of his having been absent from every sitting of this House during an entire Session.

Debate ensued.

Motion by leave withdrawn.

4. Military Contribution Bill :—

(1.) Mr. W. Forster delivered to the Speaker the following Message, which the Speaker immediately read to the House :—

JOHN YOUNG,

Governor.

Message No. 1.

In accordance with the 54th Clause of the Constitution Act, the Governor recommends to the Legislative Assembly to make provision for contributing towards the cost of Imperial Troops on service within the Colony of New South Wales.

Government House,

Sydney, 20th October, 1864.

(2.) Mr. W. Forster having presented this Bill, Bill, intituled, "*A Bill to contribute towards the cost of Her Majesty's Military Forces in New South Wales,*" read a first time.

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

5. Paper :—Mr. Holroyd laid upon the Table, Return to Order, in reference to "Survey of Railway Line from Muswellbrook to Mudgee," made by the Legislative Assembly, on motion of Mr. Terry, on 20th April, 1864.

Ordered to be printed.

6. Address in Reply to the Governor's Opening Speech :—The adjourned Debate, on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz. :—

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

" MAY IT PLEASE YOUR EXCELLENCY,—

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

" 2. The Papers explanatory of the various departmental changes which have been made during the recess, when laid before us, will receive our attentive consideration.

" 3. While regretting the failure of negotiations with the Government of Victoria, on the subject of the Border Customs Duties, and the necessity for their collection by our own Revenue Officers—we are gratified to learn that a favourable arrangement has been made with the Government of South Australia, for the collection of duties on goods arriving from that Province, by way of the River Murray, for consumption in New South Wales.

" 4. The propriety of maintaining an increased Postal Rate on letters transmitted by the Mail Contract Steamers to the United Kingdom, pending the final decision of the Imperial Government, will be carefully considered.

" 5. The disastrous floods which have prevailed since the commencement of the current year—following on the failure of last year's harvest—prepared us for the announcement of a deficiency in the Revenue. Measures which may be submitted to us, having in view a prudent economy in expenditure concurrently with an enlargement of our income, will have our most serious attention.

" 6. We regret to learn that the state of crime in the interior is such, that the maintenance of a large Police force is still considered necessary.

" 7. Our attention will be carefully bestowed upon propositions that may be laid before us to facilitate railway extension, and to provide permanently for the Sydney Branch of the Royal Mint, as well as upon the various Bills which your Excellency informs us we shall be invited to consider.

" 8. The action of the Government in providing out of the Public Funds for the relief of sufferers by the floods, will meet with our ready sanction, where the expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legitimate requirements of the Southern and South-western Districts, in the matter of Public Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech, will meet with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable Harvest.

" 12.

“ 12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people.”

Upon which Mr. Cowper had moved, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words—

“ We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

“ We beg also to express our regret that Your Excellency's Ministers should, during the recess, have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

“ We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House.”—

Resumed and continued.

(*Words of Heat.*)—The Honorable Member for Yass Plains having, in reference to an assertion which had fallen from the Honorable Member for The Paterson in the course of Debate, used certain words, which were at once excepted to by Mr. Garrett by the expression of his desire that those words should be taken down,—The Clerk, by direction of the Speaker, took down the following words, viz. :—“ it is utterly false,” which being read, the Honorable Member for Yass Plains objected to their correctness, and stated that the words he had used were, “ I believe the statement to be utterly false.”

The Honorable Member for Yass Plains then explained in his place and withdrew. No motion being made on the subject; the Honorable Member was allowed the opportunity of further explanation, and ultimately withdrew the words excepted to,—

Whereupon the matter was permitted to drop, and the Debate on the main Question proceeded.

Motion made by Mr. Morris, and Question,—That this Debate be now adjourned until Tuesday next,—put and passed.

7. Privilege :—Mr. Arnold made the following charge against the Honorable the Secretary for Public Works, Mr. Holroyd :—“ The charge I make is,—the Secretary of Public Works procured the nomination of Dr. Hamilton to the New Commission of the Peace, in consideration of a pecuniary accommodation.”

And the House continuing to sit until after Midnight,—

FRIDAY, 21 OCTOBER, 1864. A.M.

Mr. Arnold moved :—

That the House do *forthwith* enter upon the consideration of the charge preferred against Mr. Holroyd,—

That Mr. Lenehan and Dr. Hamilton be *forthwith* summoned to attend and be examined at the Bar of this House,—and

That the Short-hand Writer be instructed to take down the Evidence.

Debate ensued.

Mr. Terry moved, That the Question be amended by omitting the word *forthwith*, with a view to inserting in its place the words “ at Three o'clock p.m. this day.”

Debate continued.

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

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

Whereupon Question,—That the House do, at Three o'clock p.m. this day, enter upon the consideration of the charge preferred against Mr. Holroyd,—

That Mr. Lenehan and Dr. Hamilton be *forthwith* summoned to attend, and be examined at the Bar of this House,—and

That the Short-hand writer be instructed to take down the Evidence,—

Put and passed.

The House adjourned, on motion of Mr. Martin, at two minutes after One o'clock, A.M., until Three o'clock, p.m., This Day.

JOHN HAY,
Speaker.

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

FRIDAY, OCTOBER 21.

Questions :—

1. MR. SHEPHERD *to ask* THE SECRETARY FOR LANDS,—
 - (1.) Have instructions been given to Surveyors (who are intrusted to survey Crown Lands) to report to the Surveyor General, for the information of the Government, defaulters who conditionally purchased Crown Land on the 14th day of January, 1862, and who have failed to comply with the 25th Clause of the Land Regulation?
 - (2.) Has any report been made to the Surveyor General of persons who have not complied with the regulations?
 - (3.) If so, how many defaulters are there who selected Land in the District of Goulburn?
 - (4.) What is the intention of the Government with regard to the Land conditionally purchased, on which the purchasers have failed to comply with the 25th Clause of the Regulation?
 - (5.) Have the Government done any thing with reference to the matter, and what?
2. MR. BURDEKIN *to ask* THE COLONIAL SECRETARY,—What arrangement has been made for the performance of Magisterial duties at Nundle and Hanging Rock, consequent on the removal of Captain Douglas to Bathurst?
3. MR. CLOSE *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Whether the Government is aware that the recent Floods on the Hunter have created many new shoals and shallows in the river, from the A. S. N. Company's Wharf downwards, which are now serious impediments to the trade and navigation, and therefore likely to prove calamitous to the public?
 - (2.) If so, will the Government take immediate steps to remove the said obstructions?
4. MR. STEWART *to ask* THE ATTORNEY GENERAL,—Have the Government taken any steps in reference to a Petition recently forwarded to the Governor, signed by 284 Magistrates and other Inhabitants of the Richmond River District, praying that a District Court may be held at Casino?

ORDER OF THE DAY :—

Privilege—Consideration of Charge preferred by Mr. Arnold against the Honorable the Secretary for Public Works, Mr. Holroyd—Examination of Witnesses.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. LAYCOCK *to move*, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
2. MR. PIDDINGTON *to move*, That there be laid on the Table of this House, a Tabular Return, shewing the names of all persons who have purchased land conditionally under the Land Alienation Act of 1861, from the 31st of October, 1863, to 30th September, 1864; the quantity of land in each purchase; the name and class of district wherein the land is situated; the amount of money received on each lot; the balance remaining to be received; the date when the balance of the purchase money shall be payable. Also, shewing the total quantity of land, in the Settled or Unsettled Districts, selected in each year, from 1861, and the aggregate amount of the balances of the purchase money payable in each year.
3. MR. MACPHERSON *to move*, That there be laid on the Table of the House, a Return of all Church and School Lands which have been sold during the Administration of the present Ministry—the Return to be in a tabular form, specifying the number of lots sold, the extent and situation of each, the amount realised on each, and the name of each purchaser.
4. MR. DRIVER *to move* for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
5. MR. DRIVER *to move* for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. EAGAR *to move*, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
2. MR. W. FORSTER *to move*, That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session.
3. MR. W. FORSTER *to move* for leave to introduce a Bill to provide for a Superannuation Fund.
4. MR. W. FORSTER *to move* for leave to introduce a Bill to regulate Prison Discipline.
5. MR. WILSON *to move* for leave to introduce a Bill to regulate Impounding.
6. MR. EAGAR *to move* for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

ORDER OF THE DAY :—

1. Volunteer Bill; second reading.

TUESDAY,

TUESDAY, OCTOBER 25.

Questions:—

1. MR. LAYCOCK to ask THE COLONIAL SECRETARY.—
 - (1.) Is it true that one of the Warders of the Parramatta Gaol was fined lately at the instance of the Chief Warden?
 - (2.) Was the charge substantiated on oath?
 - (3.) Was it the first offence?
 - (4.) The nature of the offence, and the amount of fine inflicted?
 - (5.) Is it allowable to accuse a Warden and fine him, without the charge being clearly established on oath, before a Magistrate?
 - (6.) Is there a Visiting Magistrate appointed for Parramatta Gaol, and did he inflict this fine?
2. MR. SADLER to ask THE COLONIAL TREASURER.—Will the Honorable Minister lay upon the Table a Return of all Vessels wrecked on the Coast during the years 1862, 1863, 1864, specifying names of vessels, places where wrecked, description and tonnage of vessel, particulars of casualties, number of crew and passengers, number of lives lost, description and value of property?

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. D. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.
2. MR. D. BUCHANAN to move, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
3. MR. D. BUCHANAN to move, That in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
4. MR. D. BUCHANAN to move, That in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
5. MR. D. BUCHANAN to move, That in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
6. MR. D. BUCHANAN to move, That in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
7. MR. D. BUCHANAN to move, That in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
8. MR. D. BUCHANAN to move, That in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
9. MR. D. BUCHANAN to move, That in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
10. MR. D. BUCHANAN to move, That in the opinion of this House, the tax upon Newspapers has an injurious tendency, and ought to be repealed.
11. MR. D. BUCHANAN to move, That in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
12. MR. STEWART to move,—
 - (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 - (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 - (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 - (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.
13. MR. STEWART to move,—
 - (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 - (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 - (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.
14. MR. SADLER to move for leave to bring in a Bill, intituled, "Acts Extension Rescinding."

15. MR. MORRIS to move, That there be laid upon the Table of this House,—
 (1.) A Return, showing the names of the 670 persons in whose favor Credits were opened under the Bank Credit System.
 (2.) A Return of the several persons to whom Cash Advances were made for the months of July, August, and September; the Amounts; the periods in which those Advances should have been adjusted; and shewing those Advances which remained unadjusted at the periods fixed for adjustment.

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz. :—

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

"MAY IT PLEASE YOUR EXCELLENCY,—

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

"2. The Papers explanatory of the various departmental changes which have been made during the recess, when laid before us, will receive our attentive consideration.

"3. While regretting the failure of negotiations with the Government of Victoria, on the subject of the Border Customs Duties, and the necessity for their collection by our own Revenue Officers—we are gratified to learn that a favourable arrangement has been made with the Government of South Australia, for the collection of duties on goods arriving from that Province, by way of the River Murray, for consumption in New South Wales.

"4. The propriety of maintaining an increased Postal Rate on Letters transmitted by the Mail Contract Steamers to the United Kingdom, pending the final decision of the Imperial Government, will be carefully considered.

"5. The disastrous floods which have prevailed since the commencement of the current year—following on the failure of last year's harvest, prepared us for the announcement of a deficiency in the Revenue. Measures which may be submitted to us, having in view a prudent economy in expenditure concurrently with an enlargement of our income, will have our most serious attention.

"6. We regret to learn that the state of crime in the interior is such, that the maintenance of a large Police force is still considered necessary.

"7. Our attention will be carefully bestowed upon propositions that may be laid before us to facilitate railway extension, and to provide permanently for the Sydney Branch of the Royal Mint, as well as upon the various Bills which your Excellency informs us we shall be invited to consider.

"8. The action of the Government in providing out of the Public Funds for the relief of sufferers by the floods, will meet with our ready sanction, where the expenditure has been a matter of necessity.

"9. We shall be glad to learn, and to support as far as possible, the legitimate requirements of the Southern and South-western Districts, in the matter of Public Works, and the Administration of Justice.

"10. The other matters referred to in your Excellency's Speech will meet with our careful consideration.

"11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and, while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable harvest.

"12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people."

Upon which Mr. Cowper had moved, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words:—

"We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

"We beg also to express our regret that Your Excellency's Ministers should during the recess have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

"We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House."

WEDNESDAY, OCTOBER 26.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. W. FORSTER to move for leave to introduce a Bill to amend the law relating to Patents.

ORDER OF THE DAY:—

1. Military Contribution Bill ; second reading.
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TUESDAY, NOVEMBER 1.

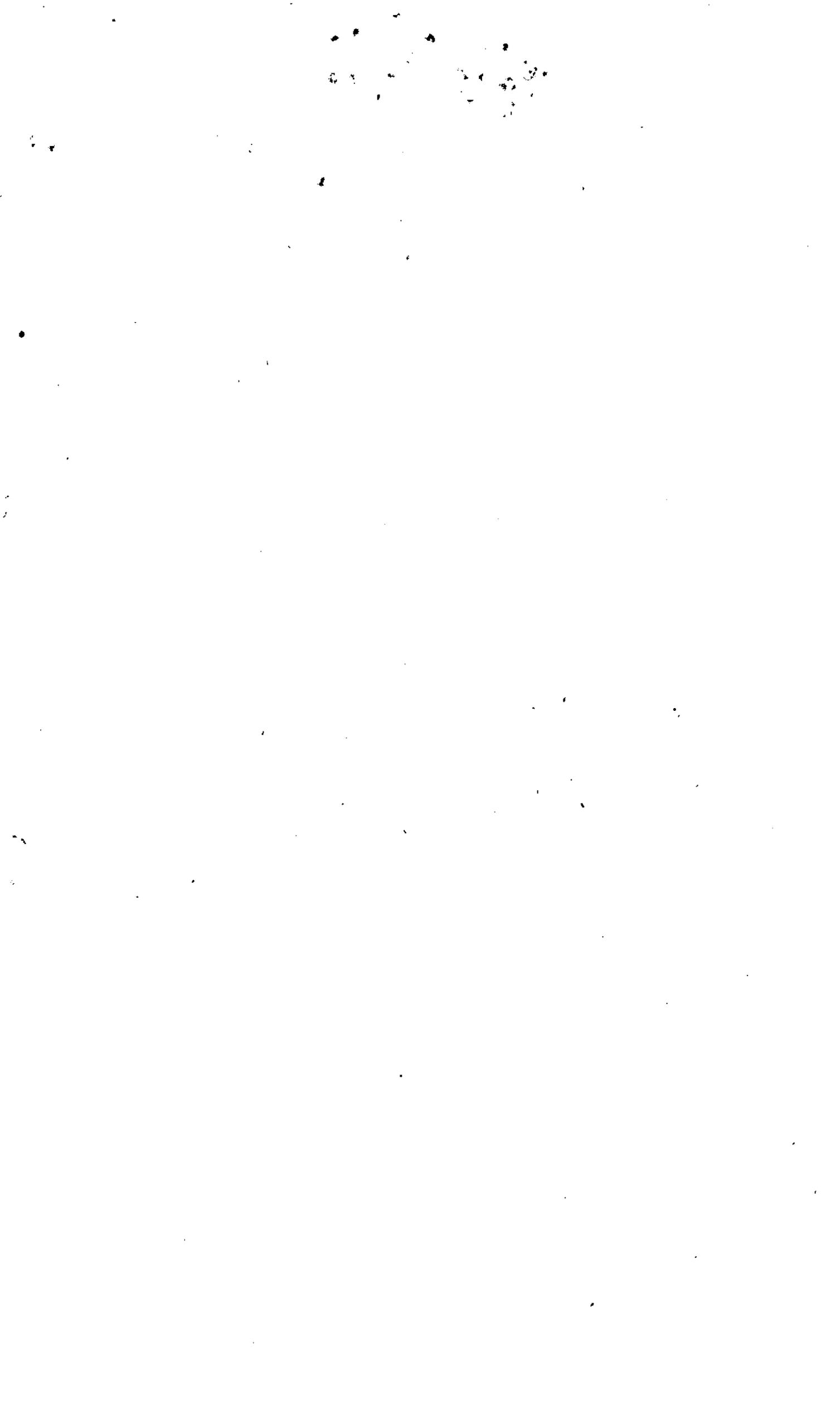
OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. TERRY to move, That there be laid upon the Table of this House, all the Plans made by Mr. Peter Brown of the proposed line of Railway from Muswellbrook to Mudgee.
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TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICE OF MOTION:—

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

No. 4.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 21 OCTOBER, 1864.

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

Questions on Notice Paper for to-day :—

- (1.) Defaulters under Conditional Purchases of Land :—Mr. Shepherd asked the Secretary for Lands, pursuant to Notice No. 1,—

(1.) Have instructions been given to Surveyors (who are intrusted to survey Crown Lands) to report to the Surveyor General, for the information of the Government, defaulters who conditionally purchased Crown Land on the 14th day of January, 1862, and who have failed to comply with the 25th Clause of the Land Regulation?

(2.) Has any report been made to the Surveyor General of persons who have not complied with the regulations?

(3.) If so, how many defaulters are there who selected Land in the District of Goulburn?

(4.) What is the intention of the Government with regard to the Land conditionally purchased, on which the purchasers have failed to comply with the 25th Clause of the Regulation?

(5.) Have the Government done any thing with reference to the matter, and what?

Mr. Wilson answered :—

(1.) Yes; general instructions have been given to Surveyors to report all such defaulters.

(2.) Yes; various reports.

(3.) Of those who selected in that district on the day above stated, there are nine defaulters.

(4.) To bring to auction sale the land in those cases on which the purchasers have been clearly proved to have failed to reside.

(5.) The alleged defaulters have been called upon to shew cause why their selections should not be forfeited.

- (2.) Magisterial Duties, Nundle and Hanging Rock :—Mr. Burdekin asked the Colonial Secretary, pursuant to Notice No. 2,—What arrangement has been made for the performance of Magisterial duties at Nundle and Hanging Rock, consequent on the removal of Captain Douglas to Bathurst?

Mr. W. Forster answered :—Captain Douglas's Magisterial duties were merely incidental to his functions as Commissioner. The subject had therefore not been brought under my notice before, but the Government will make such arrangements as may be in their power to supply the want. In the mean time Mr. Walton, who is a Magistrate, has been ordered to Nundle as a Commissioner.

- (3.) Shoals caused by Floods in Hunter River :—Mr. Close asked the Secretary for Public Works, pursuant to Notice No. 3,—

(1.) Whether the Government is aware that the recent Floods on the Hunter have created many new shoals and shallows in the river, from the A. S. N. Company's Wharf downwards, which are now serious impediments to the trade and navigation, and therefore likely to prove calamitous to the public?

(2.) If so, will the Government take immediate steps to remove the said obstructions?

Mr. Holroyd answered :—It has been reported to Government that some changes have taken place at Eales' Flat and near Morpeth since the heavy Floods of the earlier part of the year. A careful examination is now being made of the exact condition of these places, and it is intended to send the Dredge up to remove the obstructions as soon as some very pressing work in which she is at present employed at Newcastle shall have been completed.

(4.)

(4.) District Court at Casino, Richmond River District:—Mr. Stewart asked the Attorney General, pursuant to Notice No. 4,—Have the Government taken any steps in reference to a Petition recently forwarded to the Governor, signed by 284 Magistrates and other Inhabitants of the Richmond River District, praying that a District Court may be held at Casino?

Mr. Martin answered:—No steps have been taken in the matter at present beyond referring it to the Judge of the District Court for his report.

2. Mr. de Philipsthal:—Mr. Parkes presented a Petition from Paul Horace de Philipsthal, late Chief Clerk in the Department of the Inspector General of Police, setting forth that his services in that Department were dispensed with, on the abolition of his Office, on 1 January, 1863; that he has not yet received either an equivalent appointment, although promised, or compensation;—and praying Inquiry, with a view to redress.
Petition received.

3. Railway Communication with Western Districts:—Mr. Cummings presented a Petition from certain Inhabitants of the Western Districts of New South Wales, praying for justice to those Districts, as compared with the other Districts of the Colony, in the matter of Railway Extension,—

And the same having been read at length by the Clerk, by direction of the Speaker,—

Petition received.

4. Privilege—Consideration of Charge preferred by Mr. Arnold against the Honorable the Secretary for Public Works, Mr. Holroyd—Examination of Witnesses:—Mr. Arnold moved, that Mr. Andrew Lenehan be now examined at the Bar of this House.

Debate ensued.

Question put and passed.

Whereupon Mr. Lenehan was, by direction of the Speaker, conducted to the Bar of the House by the Sergeant-at-Arms, and gave Evidence, which was taken down by the Short-hand Writer.

The witness having withdrawn,—

Mr. Arnold moved, That Dr. Hamilton be now examined at the Bar of this House,—

Question put and passed.

Whereupon, by direction of the Speaker, Dr. Hamilton was conducted to the Bar by the Serjeant-at-Arms, and gave Evidence which was taken down by the Short-hand Writer.

The witness having withdrawn,—

Mr. Redman moved, That the following Question (proposed to the last Witness,) viz. :—“ Did you resign the Appointment of Postmaster at Wollongong in consequence of any complaint that was made in regard to your conduct in that Office, or in consequence of any action taken by the Government?”—be not put.
Debate ensued.

The House divided.

Ayes, 11.

Mr. Harpur,
Mr. Milford,
Mr. Allen,
Mr. Gordon,
Mr. Raper,
Mr. Macleay,
Mr. Walker,
Mr. Buchanan,
Mr. Lackey,

Tellers.

Mr. Hart,
Mr. Redman.

Noes, 37

Mr. Driver,	Mr. Sadleir,
Mr. Garrett,	Mr. Shepherd,
Mr. Morris,	Mr. W. Forster,
Mr. Rotton,	Mr. Haworth,
Mr. Close,	Mr. Leary,
Mr. Egan,	Mr. Eckford,
Mr. Terry,	Mr. Cowper, junr.,
Mr. Tighe,	Mr. Sutherland,
Mr. Lucas,	Mr. Piddington,
Mr. Caldwell,	Mr. R. Forster,
Mr. Cunneen,	Mr. Bell,
Mr. Smart,	Mr. Hannell,
Mr. Macpherson,	Dr. Lang,
Mr. Martin,	Mr. Laycock,
Mr. Parkes,	Mr. Arnold,
Mr. J. T. Ryan,	
Mr. Holroyd,	
Mr. Cummings,	
Mr. J. N. Ryan,	
Mr. Dangar,	

Tellers.

Mr. Robertson,
Mr. Cowper.

Witness (Dr. Hamilton) recalled.

Examination resumed.

Witness withdrew.

Mr. Redman moved, That the following Question (proposed to the last Witness,) viz. :—“ What were the names of the Members of the late Ministry, on whose bills Mr. Lenehan asked the Witness to advance money,”—shall now be put.
Debate ensued.

Question put and negatived.

Witness (Dr. Hamilton) recalled.

Examination resumed.

Witness withdrew.

Mr. Arnold then moved, That the Honorable the Secretary for Public Works, Mr. Holroyd, be examined in his place in this House.

Question put and passed.

The Honorable the Secretary for Public Works, Mr. Holroyd, examined in his place accordingly, and his Evidence taken down by the Short-hand Writer.

Mr. Holroyd's Evidence being concluded,—

Mr.

Mr. Arnold moved, That Mr. William Hanson be examined at the Bar of this House.

Question put and passed.

Whereupon Mr. Hanson was, by direction of the Speaker, conducted to the Bar of the House, by the Serjeant-at-Arms, and gave Evidence, which was taken down by the Short-hand Writer.

And the House continuing to sit until after Midnight,—

SATURDAY, 22 OCTOBER, 1864. A.M.

Witness withdrew.

Mr. Arnold moved, That the further consideration of the charge preferred by Mr. Arnold against the Honorable the Secretary for Public Works, Mr. Holroyd, stand an Order of the Day for Wednesday "week," and that in the meantime the Evidence taken thereon be printed.

Debate ensued.

Mr. C. Cowper, junr., moved, That the Question be amended by omitting the word "week," with a view to inserting in its place the word "next."

Debate continued.

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

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

Question then put,—That the further consideration of the Charge preferred by Mr. Arnold against the Honorable the Secretary for Public Works, Mr. Holroyd, stand an Order of the Day for Wednesday next, and that in the meantime the Evidence taken thereon be printed.

Division called for; but there being no Tellers for the Nocs, no Division could be had, and the Speaker declared the Question to have passed in the Affirmative.

The House adjourned, on motion of Mr. Martin, at three minutes before Two o'clock, A.M., until Tuesday next, at Three o'clock, P.M.

JOHN HAY,
Speaker.

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

TUESDAY, OCTOBER 25.

Questions:—

1. MR. LATCOCK to ask THE COLONIAL SECRETARY,—
 - (1.) Is it true that one of the Warders of the Parramatta Gaol was fined lately at the instance of the Chief Warder?
 - (2.) Was the charge substantiated on oath?
 - (3.) Was it the first offence?
 - (4.) The nature of the offence, and the amount of fine inflicted?
 - (5.) Is it allowable to accuse a Warder and fine him, without the charge being clearly established on oath, before a Magistrate?
 - (6.) Is there a Visiting Magistrate appointed for Parramatta Gaol, and did he inflict this fine?
2. MR. SADDLEIR to ask THE COLONIAL TREASURER,—Will the Honorable Minister lay upon the Table a Return of all Vessels wrecked on the Coast during the years 1862, 1863, 1864, specifying names of vessels, places where wrecked, description and tonnage of vessel, particulars of casualties, number of crew and passengers, number of lives lost, description and value of property?
3. MR. GARRETT to ask the SECRETARY FOR PUBLIC WORKS,—Is it the intention of the Government to place a sum on the Estimates for 1865, for the purpose of continuing the Electric Telegraphic Line from Kiama to the Light House at Jervis Bay.

4. MR. GARRETT *to ask* THE SECRETARY FOR PUBLIC WORKS,—Is it the intention of the Government to place a sum on the Estimates for 1865, for the purpose of continuing the Electric Telegraph Line to the Light House at Eden?
5. MR. GARRETT *to ask* THE SECRETARY FOR LANDS,—Is it the intention of the Government to introduce a Bill to reduce or abolish the duty on Gold, this Session?
6. MR. TERRY *to ask* THE SECRETARY FOR PUBLIC WORKS,—If he received a Petition from Mudgee, signed by the Mayor, Aldermen, and most of the Tradespeople of that town, asking for the removal of the Post Office to the site originally intended; if so, is it the intention of the Government to accede to the desire of the Petitioners; and if not, will the Honorable the Secretary for Works state his reasons for not adopting the prayer of the said Petition?
7. MR. TERRY *to ask* THE HONORABLE THE PREMIER,—Is it the intention of the Government to introduce a Bill relative to Public Education?
8. MR. J. BUCHANAN *to ask* THE SECRETARY FOR PUBLIC WORKS,—What steps, if any, have been taken to enlarge the Post Office at Armidale?
9. MR. DRIVER *to ask* THE ATTORNEY GENERAL.—Is it the intention of the Government to introduce, during the present Session of Parliament, any measure for the reconstruction of the Legislative Council?

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. D. BUCHANAN *to move*, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.
2. MR. D. BUCHANAN *to move*, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
3. MR. D. BUCHANAN *to move*, That in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
4. MR. D. BUCHANAN *to move*, That in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
5. MR. D. BUCHANAN *to move*, That in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
6. MR. D. BUCHANAN *to move*, That in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
7. MR. D. BUCHANAN *to move*, That in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
8. MR. D. BUCHANAN *to move*, That in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
9. MR. D. BUCHANAN *to move*, That in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
10. MR. D. BUCHANAN *to move*, That in the opinion of this House, the tax upon Newspapers has an injurious tendency, and ought to be repealed.
11. MR. D. BUCHANAN *to move*, That in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
12. MR. STEWART *to move*,—
 - (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 - (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 - (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 - (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.
13. MR. STEWART *to move*,—
 - (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 - (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 - (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.
14. MR. SABLEIR *to move* for leave to bring in a Bill, intituled; "Acts Extension Rescinding."

15. MR. MORRIS to move, That there be laid upon the Table of this House,—
 (1.) A Return, shewing the names of the 670 persons in whose favor Credits were opened under the Bank Credit System.
 (2.) A Return of the several persons to whom Cash Advances were made for the months of July, August, and September; the Amounts; the periods in which those Advances should have been adjusted; and shewing those Advances which remained unadjusted at the periods fixed for adjustment.
16. MR. SADLER to move, That there be laid upon the Table of this House, a Return of the number of Prisoners whose unexpired sentences exceed three years, confined in each of the following Gaols, viz.—Darlinghurst, Cockatoo Island, Parramatta, Berrima, Maitland, and Bathurst;—the Return to be Numerical, without regard to Crimes, Names, &c.
17. MR. SADLER to move, That the Clerk of the House have leave to return to Mr. James M'Intosh all the Papers and Documents which were laid before, or handed in by him to, the Select Committee of last Session on Mr. John Busby's Petition, the property of Mr. James M'Intosh.
18. MR. LAYCOCK to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
19. MR. PIDDINGTON to move, That there be laid on the Table of this House, a Tabular Return, shewing the names of all persons who have purchased land conditionally under the Land Alienation Act of 1861, from the 31st of October, 1863, to 30th September, 1864; the quantity of land in each purchase; the name and class of district wherein the land is situated; the amount of money received on each lot; the balance remaining to be received; the date when the balance of the purchase money shall be payable. Also, shewing the total quantity of land, in the Settled or Unsettled Districts, selected in each year, from 1861, and the aggregate amount of the balances of the purchase money payable in each year.
20. MR. MACPHERSON to move, That there be laid on the Table of the House, a Return of all Church and School Lands which have been sold during the Administration of the present Ministry—the Return to be in a tabular form, specifying the number of lots sold, the extent and situation of each, the amount realised on each, and the name of each purchaser.
21. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
22. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz. :—
 "To His Excellency the Right Honorable SIR JOHN YOUNG, Baronet, Knight
 "Commander of the most Honorable Order of the Bath, Knight Grand Cross
 "of the Most Distinguished Order of St. Michael and St. George, Captain
 "General and Governor-in-Chief of the Colony of New South Wales, and
 "Vice-Admiral of the same."
- "MAY IT PLEASE YOUR EXCELLENCY,—
 "We, Her Majesty's loyal and dutiful Subjects, the Members of the
 "Legislative Assembly of New South Wales, in Parliament assembled, desire to
 "express to Your Excellency our affection and loyalty to the Person and Govern-
 "ment of our Most Gracious Sovereign; and to offer our respectful thanks for
 "Your Excellency's Speech.
- "2. The Papers explanatory of the various departmental changes which have
 "been made during the recess, when laid before us, will receive our attentive
 "consideration.
- "3. While regretting the failure of negotiations with the Government of
 "Victoria, on the subject of the Border Customs Duties, and the necessity for their
 "collection by our own Revenue Officers—we are gratified to learn that a favourable
 "arrangement has been made with the Government of South Australia, for the
 "collection of duties on goods arriving from that Province, by way of the River
 "Murray, for consumption in New South Wales.
- "4. The propriety of maintaining an increased Postal Rate on Letters
 "transmitted by the Mail Contract Steamers to the United Kingdom, pending the
 "final decision of the Imperial Government, will be carefully considered.
- "5. The disastrous floods which have prevailed since the commencement of
 "the current year—following on the failure of last year's harvest, prepared us for
 "the announcement of a deficiency in the Revenue. Measures which may be
 "submitted to us, having in view a prudent economy in expenditure concurrently
 "with an enlargement of our income, will have our most serious attention.
- "6. We regret to learn that the state of crime in the interior is such, that
 "the maintenance of a large Police force is still considered necessary.
- "7. Our attention will be carefully bestowed upon propositions that may be
 "laid before us to facilitate railway extension, and to provide permanently for the
 "Sydney Branch of the Royal Mint, as well as upon the various Bills which your
 "Excellency informs us we shall be invited to consider.

"8.

" 8. The action of the Government in providing out of the Public Funds for the relief of sufferers by the floods, will meet with our ready sanction, where the expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legitimate requirements of the Southern and South-western Districts, in the matter of Public Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech will meet with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and, while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable harvest.

" 12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people."

Upon which Mr. Cowper had moved, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words:—

" We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

" We beg also to express our regret that Your Excellency's Ministers should during the recess have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

" We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House."

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. EAGAR to move, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
2. MR. W. FORSTER to move, That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session.
3. MR. W. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund.
4. MR. W. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.
5. MR. WILSON to move for leave to introduce a Bill to regulate Impounding.
6. MR. EAGAR to move for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

ORDER OF THE DAY:—

1. Volunteer Bill; second reading.

WEDNESDAY, OCTOBER 26.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. W. FORSTER to move for leave to introduce a Bill to amend the law relating to Patents.

ORDER OF THE DAY:—

1. Military Contribution Bill; second reading.

OTHER BUSINESS—ORDER OF THE DAY:—

1. PRIVILEGE:—Further consideration of the charge preferred by Mr. Arnold against the Honorable the Secretary for Public Works, Mr. Holroyd.

FRIDAY, OCTOBER 28.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. J. BUCHANAN to move, That the Report of the Select Committee on the Working of the Gold Fields Act, brought up by him on the 9th March, 1864, be now adopted by this House.
2. MR. RUSDEN to move, That the Report brought up from the Committee, appointed last Session to inquire into the Reservations upon Runs in Tumut District, be now adopted by this House.

TUESDAY,

TUESDAY, NOVEMBER 1.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. TERRY to move, That there be laid upon the Table of this House, all the Plans made by Mr. Peter Brown of the proposed line of Railway from Muswellbrook to Mudgee.
-

TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments in this Colony to three years.
 2. MR. RUSDEN to move, That when a Bill has been passed by Parliament, and it is found necessary for the carrying out its provisions to supplement it by Governmental Regulations, such regulations, before being acted upon, shall be submitted to Parliament for its approval.
-



New South Wales.

No. 5.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 25 OCTOBER, 1864.

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

Questions on Notice Paper for to-day:—

- (1.) Warder of Parramatta Gaol:—Mr. Laycock asked the Colonial Secretary, pursuant to Notice No. 1,—

- (1.) Is it true that one of the Warders of the Parramatta Gaol was fined lately at the instance of the Chief Warder?
- (2.) Was the charge substantiated on oath?
- (3.) Was it the first offence?
- (4.) The nature of the offence, and the amount of fine inflicted?
- (5.) Is it allowable to accuse a Warder and fine him, without the charge being clearly established on oath, before a Magistrate?
- (6.) Is there a Visiting Magistrate appointed for Parramatta Gaol, and did he inflict this fine?

Mr. W. Forster answered:—

- (1.) Yes.
- (2.) No.
- (3.) Yes.
- (4.) Being asleep at his post.—Fourteen days' pay.
- (5.) I decline entering into a discussion upon the point mooted by the Honorable Gentleman; but I am not aware of any breach of law or regulations having been committed in the course taken by the Sheriff.
- (6.) There is a Visiting Justice for Parramatta Gaol, but the fine was inflicted by the Sheriff in lieu of dismissal.

(Mr. Sadleir not asking the Question standing in his name, No. 2, it dropped.)

- (2.) Telegraphic Line from Kiama to Jervis Bay:—Mr. Garrett asked the Secretary for Public Works, pursuant to Notice No. 3.—Is it the intention of the Government to place a sum on the Estimates for 1865, for the purpose of continuing the Electric Telegraph Line from Kiama to the Light House at Jervis Bay?

Mr. Holroyd answered:—The Government have no such intention.

- (3.) Telegraphic Line to Eden:—Mr. Garrett asked the Secretary for Public Works, pursuant to Notice No. 4.—Is it the intention of the Government to place a sum on the Estimates for 1865, for the purpose of continuing the Electric Telegraph Line to the Light House at Eden?

Mr. Holroyd answered:—The Government have no such intention.

- (4.) Duty on Gold:—Mr. Garrett asked the Secretary for Lands, pursuant to Notice No. 5.—Is it the intention of the Government to introduce a Bill to reduce or abolish the duty on Gold, this Session?

Mr. Wilson answered:—I do not think any useful object would be gained by answering the question of the Honorable Member until the Debate on the Amendment to the Address in answer to His Excellency's Speech is disposed of.

- (5.) Post Office, Mudgee:—Mr. Terry asked the Secretary for Public Works, pursuant to Notice No. 6.—If he received a Petition from Mudgee, signed by the Mayor, Aldermen, and most of the Tradespeople of that town, asking for the removal of the Post Office to the site originally intended; if so, is it the intention

intention of the Government to accede to the desire of the Petitioners; and if not, will the Honorable the Secretary for Works state his reasons for not adopting the prayer of the said Petition?

Mr. Holroyd answered:—The Petition was received on the 15th August last, and was forwarded to the Finance Minister. The matter is under consideration.

- (6.) Bill for Public Education:—Mr. Terry asked the Honorable the Premier, pursuant to Notice No. 7,—Is it the intention of the Government to introduce a Bill relative to Public Education?

Mr. Martin answered:—I do not think any useful object would be gained by answering the question put by the Honorable Member till the debate on the Amendment to the Address in answer to His Excellency's Speech is disposed of.

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

- (7.) Bill for Reconstruction of Legislative Council:—Mr. Driver asked the Attorney General, pursuant to Notice No. 9,—Is it the intention of the Government to introduce, during the present Session of Parliament, any measure for the reconstruction of the Legislative Council?

Mr. Martin answered:—I do not think any useful object would be gained by answering the question put by the Honorable Member till the debate on the Amendment to the Address in answer to His Excellency's Speech is disposed of.

2. Papers:—Mr. Martin laid upon the Table the undermentioned Papers:—
 - (1.) Returns, under the 103rd Section of the District Courts Act of 1858.
Ordered to be printed.
 - (2.) Return to Address, in reference to "Defalcation of F. W. Perry," adopted by the Legislative Assembly, on motion of Mr. Lucas, on 16 February, 1864.
3. Increased Postage Rate to Europe:—Dr. Lang presented a Petition from certain Inhabitants of Queanbeyan against the recent Increase of the Postage Rate by Mail Steamers to Europe.
Petition received.
4. David Blair:—Dr. Lang presented a Petition from David Blair (formerly a Messenger in the Department of the Legislative Assembly), complaining of his dismissal from Office; and praying for either restoration to his said Office or appointment to some such Government situation.
Petition received.
5. Tender of Resignation of Office by the Honorable the Secretary for Public Works, (Mr. Holroyd):—Mr. Martin announced to the House that he had this afternoon received a Letter from the Honorable Member for Parramatta, Mr. Holroyd, tendering the resignation of his Office as Secretary for Public Works,—which letter he then read to the House, as follows:—

*" Department of Public Works,
" October 25, 1864.*

" MY DEAR MR. ATTORNEY GENERAL,

" The public disclosure which has recently taken place in reference to my private transactions, has so injuriously affected my position that I feel I can no longer continue to hold office with satisfaction to myself or advantage to the public.

" I have, therefore, to request that you will convey to His Excellency the Governor the tender of the resignation of my office.

" I need scarcely say that in taking this step I am not in any way influenced by the specific charge which has been made against me, inasmuch as the evidence brought forward in support of it has, in my opinion, entirely failed.

" And believe me to remain,

" Very sincerely yours,

" ARTHUR T. HOLROYD.

" The Hon. James Martin, Esq., M.P.,
" Attorney General, &c., &c."

6. Motions Withdrawn:—
 - (1.) Mr. D. Buchanan withdrew the Motions standing in his name, Nos. 1 to 11, inclusive, on the Notice Paper of Other Business for to-day.
 - (2.) Mr. Stewart withdrew the Motions standing in his name, Nos. 12 and 13 on the Notice Paper of Other Business for to-day.
7. Motion Dropped:—Mr. Sadleir not making the Motion standing in his name, No. 14 on the Notice Paper of Other Business for to-day, it dropped.
8. Motion Withdrawn:—Mr. Morris withdrew the Motion standing in his name, No. 15 on the Notice Paper of Other Business for to-day.
9. Motions Dropped:—Mr. Sadleir, not making the Motions standing in his name, Nos. 16 and 17 on the Notice Paper of Other Business for to-day, they dropped.
10. Motions Withdrawn:—
 - (1.) Mr. Laycock withdrew the Motion standing in his name, No. 18 on the Notice Paper of Other Business for to-day.
 - (2.) Mr. Piddington withdrew the Motion standing in his name, No. 19 on the Notice Paper of Other Business for to-day.
 - (3.) Mr. Macpherson withdrew the Motion standing in his name, No. 20 on the Notice Paper of Other Business for to-day.
 - (4.) Mr. Driver withdrew the Motions standing in his name, Nos. 21 and 22 on the Notice Paper of Other Business for to-day.

11. Address in Reply to the Governor's Opening Speech:—The adjourned Debate, on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz:—

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

“ MAY IT PLEASE YOUR EXCELLENCY,—

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

“ 2. The Papers explanatory of the various departmental changes which
“ have been made during the recess, when laid before us, will receive our attentive
“ consideration.

“ 3. While regretting the failure of negotiations with the Government of
“ Victoria, on the subject of the Border Customs Duties, and the necessity for
“ their collection by our own Revenue Officers—we are gratified to learn that a
“ favourable arrangement has been made with the Government of South Australia,
“ for the collection of duties on goods arriving from that Province, by way of the
“ River Murray, for consumption in New South Wales.

“ 4. The propriety of maintaining an increased Postal Rate on letters
“ transmitted by the Mail Contract Steamers to the United Kingdom, pending the
“ final decision of the Imperial Government, will be carefully considered.

“ 5. The disastrous floods which have prevailed since the commencement
“ of the current year—following on the failure of last year's harvest—prepared us
“ for the announcement of a deficiency in the Revenue. Measures which may be
“ submitted to us, having in view a prudent economy in expenditure concurrently
“ with an enlargement of our income, will have our most serious attention.

“ 6. We regret to learn that the state of crime in the interior is such, that
“ the maintenance of a large Police force is still considered necessary.

“ 7. Our attention will be carefully bestowed upon propositions that may
“ be laid before us to facilitate railway extension, and to provide permanently for
“ the Sydney Branch of the Royal Mint, as well as upon the various Bills which
“ your Excellency informs us we shall be invited to consider.

“ 8. The action of the Government in providing out of the Public Funds
“ for the relief of sufferers by the floods, will meet with our ready sanction,
“ where the expenditure has been a matter of necessity.

“ 9. We shall be glad to learn, and to support as far as possible, the legiti-
“ mate requirements of the Southern and South-western Districts, in the matter
“ of Public Works, and the Administration of Justice.

“ 10. The other matters referred to in your Excellency's Speech, will meet
“ with our careful consideration.

“ 11. We share your Excellency's well-grounded confidence in the extent,
“ variety, and permanence of our resources; and while lamenting the year of
“ calamity through which we are passing, and its attendant stagnation of trade
“ and industry, we look forward hopefully to the prospect of a favourable Harvest.

“ 12. We unite with your Excellency, in the hope that our deliberations
“ may be so guided that, under Divine favour, they may result in measures
“ calculated to advance the welfare and contentment of the people.”

Upon which Mr. Cowper had moved, That the Question be amended by omitting
all the words after the first paragraph, with a view to inserting in their place
the words—

“ We desire to express to Your Excellency our deep regret that Your
“ Excellency should have been advised to postpone the assembling of the Parlia-
“ ment to this late and inconvenient season of the year, notwithstanding the
“ grave reasons which have existed for an earlier Session.

“ We beg also to express our regret that Your Excellency's Ministers
“ should, during the recess, have carried out measures affecting the Public Revenue
“ and the Commercial interests of the Colony, which should not have been adopted
“ without the sanction of Parliament.

“ We further desire respectfully to state to Your Excellency, that in con-
“ sequence of our dissatisfaction with the conduct of the Government, the
“ Ministry does not possess the confidence of this House.”—

Resumed and continued.

Motion made by Dr. Lang, and Question,—That this Debate be now adjourned
until To-morrow,—put and passed (after Debate).

The House adjourned, on motion of Mr. Martin, at three minutes before Twelve
o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

NOTICES

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

WEDNESDAY, OCTOBER 26.

Questions :—

1. MR. D. BUCHANAN *to ask* THE COLONIAL SECRETARY,—What measure the Government have adopted to put an end to the numerous Mail Robberies which have spread alarm throughout the entire Country?
2. MR. ROTTON *to ask* THE SECRETARY FOR LANDS,—In what way the Government propose to administer the Church and School Lands and the funds derived and derivable therefrom, pending the appeal to the Privy Council?
3. MR. TERRY *to ask* THE COLONIAL TREASURER,—If it is the intention of the Government to remove the Post Office in the Town of Mudjee, to the site originally intended?
4. MR. D. BUCHANAN *to ask* THE COLONIAL SECRETARY,—If it is the intention of the Government to pay Stephen Jarrett, late Constable at Fort Bourke, the balance of wages due to him; if not, would the Colonial Secretary state the reason why the Government refuse to do so?
5. MR. D. BUCHANAN *to ask* THE COLONIAL SECRETARY,—If he is aware that Mr. Rose, the Police Magistrate of Gundagai, for want of occupation, has free selected five or six miles from the town, where he resides in a tent, engaged in the cultivation of his land?
6. MR. D. BUCHANAN *to ask* THE COLONIAL SECRETARY,—
 - (1.) If application had lately been made to the Government to appoint additional Polling Places in the Electorate of East Macquarie?
 - (2.) Did the Government, in reply to this application, state that it was not their intention to appoint any additional Polling Places during an election?
 - (3.) Was this rule not violated by additional Polling Places having been appointed during the last election for Orange, and also during the last election for the Southern Gold Fields?
 - (4.) Is it now the intention of the Government to appoint additional Polling Places at Palmer's Oakey, Mitchell's Creek, Wattle Flat, and Lower Turon, all of which places are in the Electorate of East Macquarie?
7. MR. LAYCOCK *to ask* THE SECRETARY FOR PUBLIC WORKS,—Will the Government favour the introduction of a measure for granting the people of North Grafton, Clarence River, a reasonable sum of money for the purpose of raising Parapets to protect life and property in North Grafton from the devastating Floods that are prevalent in that locality?
8. MR. LAYCOCK *to ask* THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) Are the Government aware that a limited right-of-way adjacent to the bank of the Clarence River, from Ulmarra to South Grafton, is indispensable?
 - (2.) Will the Government afford the public this desirable boon?
9. MR. LAYCOCK *to ask* THE SECRETARY FOR LANDS,—
 - (1.) Has any portion of Land been as yet promised or conveyed in perpetuity to the people of North Grafton, on the northern side of the Clarence River, for their use and benefit as a Common?
 - (2.) The area thereof?
 - (3.) Has any portion of land for the like purpose been promised or conveyed in perpetuity to the people of South Grafton, on the southern side of the Clarence River?

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. W. FORSTER to move for leave to introduce a Bill to amend the law relating to Patents.
2. MR. EAGAR to move, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
3. MR. W. FORSTER to move, That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session.
4. MR. W. FORSTER to move for leave to introduce a Bill to provide for a Super-annuation Fund.
5. MR. W. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.
6. MR. WILSON to move for leave to introduce a Bill to regulate Impounding.
7. MR. EAGAR to move for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

ORDERS OF THE DAY :—

1. Military Contribution Bill; second reading.
2. Volunteer Bill; second reading.

OTHER

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. MORRIS to move, That there be laid upon the Table of this House,—
 - (1.) A Return, shewing the names of the 670 persons in whose favor Credits were opened under the Bank Credit System.
 - (2.) A Return of the several persons to whom Cash Advances were made for the months of July, August, and September; the Amounts; the periods in which those Advances should have been adjusted; and shewing those Advances which remained unadjusted at the periods fixed for adjustment.

ORDERS OF THE DAY:—

1. PRIVILEGE:—Further consideration of the charge preferred by Mr. Arnold against the Honorable the Secretary for Public Works, Mr. Holroyd.
2. Resumption of the adjourned Debate on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz. :—

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

“ MAY IT PLEASE YOUR EXCELLENCY,—

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

“ 2. The Papers explanatory of the various departmental changes which have
 “ been made during the recess, when laid before us, will receive our attentive
 “ consideration.

“ 3. While regretting the failure of negotiations with the Government of
 “ Victoria, on the subject of the Border Customs Duties, and the necessity for their
 “ collection by our own Revenue Officers—we are gratified to learn that a favourable
 “ arrangement has been made with the Government of South Australia, for the
 “ collection of duties on goods arriving from that Province, by way of the River
 “ Murray, for consumption in New South Wales.

“ 4. The propriety of maintaining an increased Postal Rate on Letters
 “ transmitted by the Mail Contract Steamers to the United Kingdom, pending the
 “ final decision of the Imperial Government, will be carefully considered.

“ 5. The disastrous floods which have prevailed since the commencement of
 “ the current year—following on the failure of last year's harvest, prepared us for
 “ the announcement of a deficiency in the Revenue. Measures which may be
 “ submitted to us, having in view a prudent economy in expenditure concurrently
 “ with an enlargement of our income, will have our most serious attention.

“ 6. We regret to learn that the state of crime in the interior is such, that
 “ the maintenance of a large Police force is still considered necessary.

“ 7. Our attention will be carefully bestowed upon propositions that may be
 “ laid before us to facilitate railway extension, and to provide permanently for the
 “ Sydney Branch of the Royal Mint, as well as upon the various Bills which your
 “ Excellency informs us we shall be invited to consider.

“ 8. The action of the Government in providing out of the Public Funds for
 “ the relief of sufferers by the floods, will meet with our ready sanction, where the
 “ expenditure has been a matter of necessity.

“ 9. We shall be glad to learn, and to support as far as possible, the legitimate
 “ requirements of the Southern and South-western Districts, in the matter of Public
 “ Works, and the Administration of Justice.

“ 10. The other matters referred to in your Excellency's Speech will meet
 “ with our careful consideration.

“ 11. We share your Excellency's well-grounded confidence in the extent,
 “ variety, and permanence of our resources; and, while lamenting the year of
 “ calamity through which we are passing, and its attendant stagnation of trade and
 “ industry, we look forward hopefully to the prospect of a favourable harvest.

“ 12. We unite with your Excellency, in the hope that our deliberations may
 “ be so guided that, under Divine favour, they may result in measures calculated to
 “ advance the welfare and contentment of the people.”

Upon which Mr. Cowper had moved, That the Question be amended by omitting all
 the words after the first paragraph, with a view to inserting in their place the words:—

“ We desire to express to Your Excellency our deep regret that Your
 “ Excellency should have been advised to postpone the assembling of the Parliament
 “ to this late and inconvenient season of the year, notwithstanding the grave
 “ reasons which have existed for an earlier Session.

“ We beg also to express our regret that Your Excellency's Ministers should
 “ during the recess have carried out measures affecting the Public Revenue and the
 “ Commercial interests of the Colony, which should not have been adopted without
 “ the sanction of Parliament.

“ We further desire respectfully to state to Your Excellency, that in con-
 “ sequence of our dissatisfaction with the conduct of the Government, the Ministry
 “ does not possess the confidence of this House.”

THURSDAY,

THURSDAY, OCTOBER 27.

Questions:—

1. MR. CLOSE to ask THE SECRETARY FOR LANDS,—Whether the Government intend replacing the Bridge on the public road between Morpeth and Largs, swept away by the late Floods, referred to by him, in a letter addressed to the said Minister about April last, and to which no answer has since been received?
2. MR. LUCAS to ask THE SECRETARY FOR PUBLIC WORKS,—How many Draughtsmen are employed “either temporarily or on the permanent staff,” in the Railway Department,—their names,—and the date of their engagement?

FRIDAY, OCTOBER 28.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. J. BUCHANAN to move, That the Report of the Select Committee on the Working of the Gold Fields Act, brought up by him on the 9th March, 1864, be now adopted by this House.
2. MR. RUSDEN to move, That the Report brought up from the Committee, appointed last Session to inquire into the Reservations upon Runs in Tumut District, be now adopted by this House.

TUESDAY, NOVEMBER 1.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. TERRY to move, That there be laid upon the Table of this House, all the Plans made by Mr. Peter Brown of the proposed line of Railway from Muswellbrook to Mudgee.
2. MR. D. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.
3. MR. D. BUCHANAN to move, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
4. MR. D. BUCHANAN to move, That in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
5. MR. D. BUCHANAN to move, That in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
6. MR. D. BUCHANAN to move, That in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
7. MR. D. BUCHANAN to move, That in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
8. MR. D. BUCHANAN to move, That in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
9. MR. D. BUCHANAN to move, That in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
10. MR. D. BUCHANAN to move, That in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
11. MR. D. BUCHANAN to move, That in the opinion of this House, the tax upon Newspapers has an injurious tendency, and ought to be repealed.
12. MR. D. BUCHANAN to move, That in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
13. MR. LAYCOCK to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
14. MR. PIDDINGTON to move, That there be laid on the Table of this House, a Tabular Return, shewing the names of all persons who have purchased land conditionally under the Land Alienation Act of 1861, from the 31st of October, 1863, to 30th September, 1864; the quantity of land in each purchase; the name and class of district wherein the land is situated; the amount of money received on each lot; the balance remaining to be received; the date when the balance of the purchase money shall

shall be payable. Also, shewing the total quantity of land, in the Settled or Unsettled Districts, selected in each year, from 1861, and the aggregate amount of the balances of the purchase money payable in each year.

WEDNESDAY, NOVEMBER 2.

GOVERNMENT BUSINESS—NOTICE OF MOTION:—

1. MR. W. FORSTER to move for leave to introduce a Bill to establish District Councils.

TUESDAY, NOVEMBER 8.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. STEWART to move,—
 - (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 - (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 - (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 - (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.
2. MR. STEWART to move,—
 - (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 - (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 - (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.

TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICES OF MOTION:—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments in this Colony to three years.
2. MR. RUSDEN to move, That when a Bill has been passed by Parliament, and it is found necessary for the carrying out its provisions to supplement it by Governmental Regulations, such regulations, before being acted upon, shall be submitted to Parliament for its approval.
3. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
4. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.

TUESDAY, NOVEMBER 22.

OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move,—
 - (1.) That the Commission of the first Governor of New South Wales comprised, within the limits of that Colony, and established Colonial jurisdiction over, the whole territory extending from the South Cape of Van Diemen's Land to Cape York, and from the 129th Meridian of East Longitude to the Pacific Ocean, including the adjacent islands of that ocean, Norfolk Island and New Zealand.
 - (2.) That wherever a community of British freemen, capable of separate or self-government, has since sprung into existence within this vast territory, it has been the principle and practice of the Imperial Government to disjoin that community from New South Wales, and to erect it into a distinct Colony.
 - (3.) That, in accordance with this principle, the Colonies of Van Diemen's Land, South Australia, Victoria, New Zealand, and Queensland, have all been formed successively, at the earnest desire, and to the incalculable benefit, of their respective inhabitants, within the aforesaid original limits of New South Wales; while the portion of territory intervening between South Australia and the 129th Meridian, has since been separated from New South Wales by the Imperial Parliament, and annexed to South Australia.
 - (4.) That, notwithstanding these six successive cases of separation, the Colony of New South Wales still comprises an area of 317,896½ square miles—an extent of territory equal to that of all Great Britain and France together.

(5.)

(5.) That it is contrary to the uniform experience of British Colonization for 250 years past, that so vast a territory can ever be either well or satisfactorily governed from a single central point as one Colony; and that bad government, exhibited in the general neglect of the outlying portions of the Territory, and the consequent dissatisfaction and discontent of their inhabitants, with the prevalence of brigandage and marauding to an extent unparalleled in the Mother Country, and dangerous and destructive in the highest degree to life and property, is the necessary result of a state of things so utterly opposed to the common sense of mankind, as well as to the rights and interests of British Colonists.

(6.) That, along the Murray River, which forms the Southern boundary of New South Wales, at a distance varying from 400 to 800 miles from Sydney, a community of British freemen comprising upwards of 20,000 souls, and possessing an amount of property in houses and lands, in sheep, cattle, and horses, sufficient to form a separate and distinct Colony, with all the requisites for self-government, has sprung into existence within the past twenty years.

(7.) That, in geographical position, and in physical characteristics, as well as in all the social and commercial relations of its inhabitants, this tract of country, which, from its eastern and longest occupied portion, lying between the Murray and Murrumbidgee Rivers, has been designated Riverina, is quite unconnected, except in its compulsory political and judicial relations, with that portion of New South Wales which extends upwards of 500 miles along the Pacific Ocean, and includes all the Northern and Eastern portions of that Colony.

(8.) That, in order to secure, and to monopolize the trade of Riverina, for the Colony of Victoria, a Railway has just been completed, from Melbourne, the Capital of that Colony, to the southernmost point on the Murray River, at Echuca, being a distance of 142 miles; and that this Railway, which it is proposed to extend other forty miles, to Deniliquin, the chief town of Riverina, will necessarily concentrate the whole, or nearly the whole, commerce of that portion of the present Colony of New South Wales, in Melbourne.

(9.) That so long as the tract of country, now designated Riverina, was of difficult and uncertain access, the inhabitants, who were only few and widely scattered, were allowed by the Government of New South Wales to procure their supplies of dutiable commodities wherever they could, and that as increased facilities of communication were opened up and established with Melbourne, they obtained them almost exclusively from Victoria, thereby depriving the Colony of New South Wales of the Revenue to which it was justly entitled from the consumption of these commodities within its proper territory.

(10.) That as such a state of things could no longer be tolerated by New South Wales, when the population and trade of Riverina had increased beyond all previous anticipations, through the increased facilities of communication with Melbourne, a species of Border warfare has for some time past prevailed between the two Colonies, New South Wales insisting upon the payment of Customs duties on all goods imported into her Territory at her frontier, and Victoria, which has already received the duties in Melbourne, refusing, on various pretexts, to pay them to New South Wales: Custom House Officers and Police being now stationed to protect the rights and interests of both parties at all the more important points on the river.

(11.) That, if Riverina were a distinct and independent Colony, it could easily make arrangements, on the principle of the German Customs League, with the Colony of Victoria, to establish a common tariff for both Colonies, and to appropriate the joint Revenue according to the respective population of each, thereby removing all Custom Houses and other obstructions to the navigation of the Murray.

(12.) That, in the opinion of this House, it is therefore expedient and necessary, in order to ensure to the inhabitants of Riverina the benefits and blessings of self-government, to which they are justly entitled as British subjects, and which they can never hope to obtain as a mere remote appendage of New South Wales, as well as to ensure the maintenance of peace and harmony for all future time along the banks of the Murray, that Her Majesty should be solicited to take the requisite steps for the separation of Riverina from New South Wales, and for its erection into a distinct and independent Colony.

(13.) That an Address be presented to His Excellency the Governor, with the foregoing Resolutions, and a request that His Excellency will be pleased to transmit a copy of them to the Right Honorable the Secretary of State for the Colonies.

New South Wales.

No. 6.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

WEDNESDAY, 26 OCTOBER, 1864.

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

Questions on Notice Paper for to-day :—

(*Mr. D. Buchanan withdrew the Question standing in his name, No. 1.*)

(*Mr. Rolton withdrew the Question standing in his name, No. 2.*)

- (1.) Post Office, Mudgee :—Mr. Terry asked the Colonial Treasurer, pursuant to Notice No. 3,—If it is the intention of the Government to remove the Post Office in the Town of Mudgee, to the site originally intended?

Mr. Eagar answered :—I am not prepared at this moment to state the intention of the Government.

- (2.) Stephen Jarrett, late Constable at Fort Bourke :—Mr. D. Buchanan asked the Colonial Secretary, pursuant to Notice No. 4,—If it is the intention of the Government to pay Stephen Jarrett, late Constable at Fort Bourke, the balance of wages due to him; if not, would the Colonial Secretary state the reason why the Government refuse to do so?

Mr. W. Forster answered :—The Government do not admit that any balance of wages is due to Stephen Jarrett, and for this reason the Government refuse the payment in question.

- (3.) Mr. Rose, Police Magistrate at Gundagai :—Mr. D. Buchanan asked the Colonial Secretary, pursuant to Notice No. 5,—If he is aware that Mr. Rose, the Police Magistrate of Gundagai, for want of occupation, has free selected five or six miles from the town, where he resides in a tent, engaged in the cultivation of his land?

Mr. W. Forster answered :—I am not aware that Mr. Rose is in want of occupation, or that he is a Free Selector, or that he resides in a tent, or that he is engaged in the cultivation of land.

- (4.) Additional Polling Places :—Mr. D. Buchanan asked the Colonial Secretary, pursuant to Notice No. 6,—

(1.) If application had lately been made to the Government to appoint additional Polling Places in the Electorate of East Macquarie?

(2.) Did the Government, in reply to this application, state that it was not their intention to appoint any additional Polling Places during an election?

(3.) Was this rule not violated by additional Polling Places having been appointed during the last election for Orange, and also during the last election for the Southern Gold Fields?

(4.) Is it now the intention of the Government to appoint additional Polling Places at Palmer's Oakey, Mitchell's Creek, Wattle Flat, and Lower Turon, all of which places are in the Electorate of East Macquarie?

Mr. W. Forster answered :—

(1.) Yes, for the appointment of Polling Places at Bathurst, Mitchell's Creek, and Wattle Flat, after issue of the Writ for the last election.

(2.) The reply was to the effect that the application was too late, and that such appointments would be best made at any other time.

(3.) No such rule has been actually laid down, otherwise than has been already intimated. There was however no such rule in existence at the time of the elections.

elections specified by the Honorable Gentleman. The question was then considered for the first time; and it was found that the practice which had prevailed under preceding Governments, of authorizing the appointment of Polling Places during an election, frequently involved an illegality, particularly where the time was short, because, in such cases, the necessary legal authority of the Government and Executive Council had to be anticipated, and it was doubtful whether the Polling Place could be legally constituted by telegram or by a mere fiat of the Colonial Secretary. The length of the elections specified by the Honorable Member admitted of this difficulty being got over; but, in the case of the late election for East Macquarie, it was not practicable, owing to the shortness of the time, and the absence of His Excellency. In fact, in this latter case, the main objection was the lateness of the application.

(*Mr. Laycock withdrew the Question standing in his name, No. 7.*)

(5.) Right-of-Way adjacent to bank of Clarence River:—Mr. Laycock asked the Secretary for Public Works, pursuant to Notice No. 8,—

(1.) Are the Government aware that a limited right-of-way adjacent to the bank of the Clarence River, from Ulmarra to South Grafton, is indispensable?

(2.) Will the Government afford the public this desirable boon?

Mr. Wilson answered:—

(1.) The road might be desirable, but as roads are laid out at the rear of the farms fronting the river, it is not indispensable.

(2.) Under present Legislation on roads, the opening of a road following the bank of the river would not only entail serious cost in fencing, but would inflict a much greater injury upon the occupiers of the farms, by virtually depriving them of their frontage, in interposing lines of fencing, and a public road, which could not legally be obstructed, even temporarily.

(6.) Lands dedicated for Commons at Clarence River:—Mr. Laycock asked the Secretary for Lands, pursuant to Notice No. 9,—

(1.) Has any portion of Land been as yet promised or conveyed in perpetuity to the people of North Grafton, on the northern side of the Clarence River, for their use and benefit as a Common?

(2.) The area thereof?

(3.) Has any portion of land for the like purpose been promised or conveyed in perpetuity to the people of South Grafton, on the southern side of the Clarence River?

Mr. Wilson answered:—Temporary Reserves have been authorized both at North and South Grafton, but no land has been permanently reserved or conveyed in perpetuity, at either, as Commons.

2. Increased Postage Rate to Europe:—Mr. Samuel presented a Petition from certain Inhabitants of Tumut, against the recent increase of the Postage Rate by Mail Steamers to Europe.

Petition received.

3. Papers:—Mr. W. Forster laid upon the Table the undermentioned Papers:—

(1.) Return, shewing the Number of Electors on the Roll of each Electoral District for 1863-4.

(2.) Return, shewing the Estimated Number of Electors entitled to Vote in the several Gold Fields Electoral Districts for 1863-4.

(3.) Business of the Treasury and Audit Office:—(Documents supplementary to the Papers laid before the Legislative Assembly on 18 October, 1864.) (*See Votes and Proceedings, No. 1, Entry 5, (2) (3)*)

Ordered to be printed.

4. Motion for Adjournment:—Mr. Buchanan moved, That this House do now adjourn. Debate ensued.

Question put and negatived.

5. Mr. John Busby (Petition of Mr. James M'Intosh):—Mr. Sadleir, *with the concurrence of the House*, moved (without notice), That the Clerk of the House have leave to return to Mr. James M'Intosh all the Papers and Documents which were laid before, or handed in by him to, the Select Committee of last Session on Mr. John Busby's Petition, the property of Mr. James M'Intosh.

Question put and passed.

6. Motions Withdrawn:—

(1.) Mr. W. Forster withdrew the Motion standing in his name, No. 1 on the Notice Paper of Government Business for to-day.

(2.) Mr. Eagar withdrew the Motion standing in his name, No. 2 on the Notice Paper of Government Business for to-day.

7. Chairmanship of Committees:—Mr. W. Forster moved, pursuant to notice, That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session.

Motion made by Mr. Egan, and Question,—That the Debate on this Question be postponed until a later hour to-day,—put and passed.

8. Motions Withdrawn:—

(1.) Mr. W. Forster withdrew the Motions standing in his name, Nos. 4 and 5 on the Notice Paper of Government Business for to-day.

(2.) Mr. Wilson withdrew the Motion standing in his name, No. 6 on the Notice Paper of Government Business for to-day.

(3.) Mr. Eagar withdrew the Motion standing in his name, No. 7 on the Notice Paper of Government Business for to-day.

9. Postponements:—The Orders of the Day for the second reading of the Military Contribution Bill, and the second reading of the Volunteer Bill, postponed, respectively, on motion of Mr. Wilson, until Tuesday next.
10. Motion Withdrawn:—Mr. Morris withdrew the Motion standing in his name, No. 1 on the Notice Paper of Other Business for to-day.
11. Privilege:—On the Order of the Day for the further consideration of the Charge preferred by Mr. Arnold against the Honorable the Secretary for Public Works, Mr. Holroyd, being read:—Mr. Arnold moved that this Order of the Day be postponed until "Friday next."
- Debate ensued—in the course of which—
Mr. Martin intimated that His Excellency the Governor had accepted the resignation tendered by the Honorable Member for Parramatta, Mr. Holroyd, of his Office as Secretary for Public Works.
Mr. Wilson moved,—That the Question be amended by omitting the words "Friday next," with a view to inserting in their place the word "To-morrow."
Debate continued.
Question put,—That the words proposed to be omitted stand part of the Question. The House divided,—

Ayes, 29.		Noes, 30.	
Mr. Burdekin,	Mr. Parkes,	Mr. Wilson,	Mr. Stewart,
Mr. Arnold,	Mr. Laycock,	Mr. Haworth,	Mr. Allen,
Mr. Cowper,	Mr. Morrice,	Mr. Burns,	Mr. Raper,
Mr. Lucas,	Mr. Dangar,	Mr. Lackey,	Mr. Gordon,
Mr. Bell,	Mr. Alexander,	Mr. Eagar,	Mr. W. Forster,
Mr. Close,	Mr. Sadleir,	Mr. Macpherson,	Mr. Leary,
Mr. Garrett,	Mr. Cowper, junr.,	Mr. Hannell,	Mr. Walker,
Mr. R. Forster,	Mr. Rotton,	Mr. Piddington,	Mr. J. T. Ryan,
Mr. D. Buchanan,	Mr. Cummings,	Mr. Holt,	Mr. Macleay,
Mr. Egan,	Mr. Caldwell,	Mr. Redman,	Mr. J. N. Ryan,
Mr. Terry,	Mr. Cunneen,	Mr. Morris,	Mr. Harpur,
Mr. Sutherland,		Mr. Dalgleish,	Mr. Rusden,
Mr. Darvall,	Tellers.	Mr. Love,	Tellers.
Mr. Eckford,	Mr. Robertson,	Mr. Wisdom,	
Dr. Lang,	Mr. Driver,	Mr. J. Buchanan,	Mr. Holroyd,
Mr. Weekes,		Mr. Emanuel,	Mr. Martin,

- Question,—That the word proposed to be inserted in the place of the words omitted, be there inserted,—put and passed.
- Whereupon, Question,—That this Order of the Day be postponed until To-morrow,—put and passed.
12. Address in Reply to the Governor's Opening Speech:—The Order of the Day for the resumption of the adjourned Debate, on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz.:—

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

"MAY IT PLEASE YOUR EXCELLENCY,—

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

"2. The Papers explanatory of the various departmental changes which
"have been made during the recess, when laid before us, will receive our attentive
"consideration.

"3. While regretting the failure of negotiations with the Government of
"Victoria, on the subject of the Border Customs Duties, and the necessity for
"their collection by our own Revenue Officers—we are gratified to learn that a
"favourable arrangement has been made with the Government of South Australia,
"for the collection of duties on goods arriving from that Province, by way of the
"River Murray, for consumption in New South Wales.

"4. The propriety of maintaining an increased Postal Rate on letters
"transmitted by the Mail Contract Steamers to the United Kingdom, pending the
"final decision of the Imperial Government, will be carefully considered.

"5. The disastrous floods which have prevailed since the commencement
"of the current year—following on the failure of last year's harvest—prepared us
"for the announcement of a deficiency in the Revenue. Measures which may be
"submitted to us, having in view a prudent economy in expenditure concurrently
"with an enlargement of our income, will have our most serious attention.

"6. We regret to learn that the state of crime in the interior is such, that
"the maintenance of a large Police force is still considered necessary.

"7. Our attention will be carefully bestowed upon propositions that may
"be laid before us to facilitate railway extension, and to provide permanently for
"the Sydney Branch of the Royal Mint, as well as upon the various Bills which
"your Excellency informs us we shall be invited to consider.

"8. The action of the Government in providing out of the Public Funds
"for the relief of sufferers by the floods, will meet with our ready sanction,
"where the expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legitimate requirements of the Southern and South-western Districts, in the matter of Public Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech, will meet with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable Harvest.

" 12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people." Upon which Mr. Cowper had moved, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words—

" We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

" We beg also to express our regret that Your Excellency's Ministers should, during the recess, have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

" We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House,"—

Having been read,—

Motion made by Mr. Stewart, and Question,—That this Debate be now adjourned,—put and negatived.

Debate, then, on Main Question resumed and continued.

Mr. Macpherson moved, That this Debate be now adjourned.

The House divided.

Ayes, 24.

Mr. Egar,	Mr. Gordon,
Mr. Wilson,	Mr. Macleay,
Mr. Morris,	Mr. Haworth,
Mr. Leary,	Mr. Rusden,
Mr. Redman,	Mr. Holroyd,
Mr. Raper,	<i>Tellers.</i>
Mr. Milford,	
Mr. Piddington,	Mr. Macpherson,
Mr. Burns,	Mr. Martin.
Mr. Wisdom,	
Mr. J. N. Ryan,	
Mr. Harpur,	
Mr. Emanuel,	
Mr. Love,	
Mr. Stewart,	
Mr. Walker,	
Mr. Allen,	

Noes, 32.

Mr. Egan,	Mr. J. T. Ryan,
Mr. Robertson,	Mr. Laycock,
Mr. Parkes,	Mr. Morrice,
Mr. Alexander,	Mr. Bell,
Mr. Arnold,	Mr. Weekes,
Mr. D. Buchanan,	Mr. Eckford,
Mr. Cummings,	Mr. Driver,
Mr. Close,	Mr. Dangar,
Mr. Rotton,	Mr. Cowper, junr.,
Mr. Garrett,	Mr. Hannell,
Mr. R. Forster,	Mr. Dalgleish,
Mr. Caldwell,	Mr. Sutherland,
Mr. Sadleir,	Mr. Terry,
Mr. Hart,	<i>Tellers.</i>
Mr. Cunneen,	
Mr. Tighe,	Mr. Cowper,
Mr. Lucas,	Mr. Burdekin.

Debate on Main Question continued.

And the House continuing to sit until after Midnight,—

THURSDAY, 27 OCTOBER, 1864. A.M.

Motion made by Mr. Redman, and Question,—That this Debate be now adjourned until a later hour to-day,—put and passed (after Debate).

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

JOHN HAY,
Speaker.

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

THURSDAY, OCTOBER 27.

Questions :—

1. MR. CLOSE *to ask* THE SECRETARY FOR LANDS,—Whether the Government intend replacing the Bridge on the public road between Morpeth and Largs, swept away by the late Floods, referred to by him, in a letter addressed to the said Minister about April last, and to which no answer has since been received ?
2. MR. LUCAS *to ask* THE SECRETARY FOR PUBLIC WORKS,—How many Draughtsmen are employed “either temporarily or on the permanent staff,” in the Railway Department,—their names,—and the date of their engagement ?
3. MR. ROTTON *to ask* THE SECRETARY FOR LANDS,—In what way the Government propose to administer the Church and School Lands and the funds derived and derivable therefrom, pending the appeal to the Privy Council ?
4. MR. GARRETT *to ask* THE COLONIAL TREASURER,—
 - (1.) Is the Government aware that the Government moorings at Bellambi are in an insecure and unsatisfactory state ?
 - (2.) Is it true that the Pilot in charge has applied to have them put in order, and has been informed that there are no funds available for the purpose ?
 - (3.) Will the Government promise to place a sufficient sum to effect the required repairs and alterations on the Estimates for next year,—vessels being frequently compelled to leave the harbour without loading, owing to the insecurity of the moorings ?
5. MR. D. BUCHANAN *to ask* THE SECRETARY FOR LANDS,—When the Government intend to proclaim the Road, which has just been surveyed, from the Bathurst and O’Connell Plains Road, *viâ* Dirty Swamp to Junction of Fish River Creek with the Fish River ?
6. MR. DANGAR *to ask* THE COLONIAL TREASURER.—
 - (1.) Do the Government intend to pay the dishonoured cheques drawn by the late Official Postmaster at Young, who has been recently convicted of embezzlement ?
 - (2.) Are Postmasters allowed to draw cheques on the Treasury for money lodged with them, and by whom are such cheques paid ?
 - (3.) Is the Colonial Treasurer aware that the Superintendent of the Money Order Office, (Mr. Dillon), refuses to pay two claims for large sums lodged at Gundagai,—the Postmaster there having given an order on the Postmaster, Young, for want of cash; and the Postmaster’s cheque at Young, been dishonoured ?
 - (4.) Is the Colonial Treasurer aware that the owners of these cheques cannot receive any satisfaction from Mr. Dillon, and are much inconvenienced ?
 - (5.) Was any security taken from the late Postmaster at Young for the faithful discharge of his duties ?
7. MR. DANGAR *to ask* THE HONORABLE THE PREMIER,—When the Return ordered on the 1st December, 1863, of persons in the employ of Government who have surrendered their estates, will be laid on the Table of the House ?
8. MR. DANGAR *to ask* THE SECRETARY FOR LANDS,—When the Return ordered on the 1st December, 1863,—Claim of Mr. J. H. Nixon against Mr. C. A. Goodchap and Mr. F. J. Oliver,—will be laid on the Table of the House ?

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. EAGAR *to move*, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
2. MR. WILSON *to move* for leave to introduce a Bill to regulate Impounding.
3. MR. EAGAR *to move* for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

ORDER OF THE DAY :—

1. Chairmanship of Committees : Debate on the motion of Mr. W. Forster, “That “Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during “the present Session.”

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MORRIS *to move*, That there be laid upon the Table of this House,—
 - (1.) A Return, shewing the names of the 670 persons in whose favor Credits were opened under the Bank Credit System.
 - (2.) A Return of the several persons to whom Cash Advances were made for the months of July, August, and September; the Amounts; the periods in which those Advances should have been adjusted; and shewing those Advances which remained unadjusted at the periods fixed for adjustment.

ORDERS OF THE DAY :—

1. PRIVILEGE :—Further consideration of the charge preferred by Mr. Arnold against the Honorable the Secretary for Public Works, Mr. Holroyd.

2. Resumption of the adjourned Debate on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz. :—

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

" MAY IT PLEASE YOUR EXCELLENCY,—

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

" 2. The Papers explanatory of the various departmental changes which have been made during the recess, when laid before us, will receive our attentive consideration.

" 3. While regretting the failure of negotiations with the Government of Victoria, on the subject of the Border Customs Duties, and the necessity for their collection by our own Revenue Officers—we are gratified to learn that a favourable arrangement has been made with the Government of South Australia, for the collection of duties on goods arriving from that Province, by way of the River Murray, for consumption in New South Wales.

" 4. The propriety of maintaining an increased Postal Rate on Letters transmitted by the Mail Contract Steamers to the United Kingdom, pending the final decision of the Imperial Government, will be carefully considered.

" 5. The disastrous floods which have prevailed since the commencement of the current year—following on the failure of last year's harvest, prepared us for the announcement of a deficiency in the Revenue. Measures which may be submitted to us, having in view a prudent economy in expenditure concurrently with an enlargement of our income, will have our most serious attention.

" 6. We regret to learn that the state of crime in the interior is such, that the maintenance of a large Police force is still considered necessary.

" 7. Our attention will be carefully bestowed upon propositions that may be laid before us to facilitate railway extension, and to provide permanently for the Sydney Branch of the Royal Mint, as well as upon the various Bills which your Excellency informs us we shall be invited to consider.

" 8. The action of the Government in providing out of the Public Funds for the relief of sufferers by the floods, will meet with our ready sanction, where the expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legitimate requirements of the Southern and South-western Districts, in the matter of Public Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech will meet with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and, while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable harvest.

" 12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people."

Upon which Mr. Cowper had moved, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words :—

" We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

" We beg also to express our regret that Your Excellency's Ministers should during the recess have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

" We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House."

FRIDAY, OCTOBER 28.

Question :—

1. MR. CLOSE to ask THE SECRETARY FOR PUBLIC WORKS,—
(1.) When the very pressing work in which the Dredge is now engaged in Newcastle will be completed?
(2.) Whether it is the intention of the Government to furnish the said Dredge with the requisite buckets to insure its proper working?

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. J. BUCHANAN to move, That the Report of the Select Committee on the Working of the Gold Fields Act, brought up by him on the 9th March, 1864, be now adopted by this House.
2. MR. RUSDEN to move, That the Report brought up from the Committee, appointed last Session to inquire into the Reservations upon Runs in Tumut District, be now adopted by this House.

TUESDAY, NOVEMBER 1.

Question :—

1. MR. TERRY to ask THE COLONIAL TREASURER,—If it is the intention of the Government to remove the Post Office in the Town of Mudgee to the site originally intended?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. TERRY to move, That there be laid upon the Table of this House, all the Plans made by Mr. Peter Brown of the proposed line of Railway from Muswellbrook to Mudgee.
2. MR. D. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.
3. MR. D. BUCHANAN to move, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
4. MR. D. BUCHANAN to move, That in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
5. MR. D. BUCHANAN to move, That in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and McCrewwether, should be repealed forthwith.
6. MR. D. BUCHANAN to move, That in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
7. MR. D. BUCHANAN to move, That in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
8. MR. D. BUCHANAN to move, That in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
9. MR. D. BUCHANAN to move, That in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
10. MR. D. BUCHANAN to move, That in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
11. MR. D. BUCHANAN to move, That in the opinion of this House, the tax upon Newspapers has an injurious tendency, and ought to be repealed.
12. MR. D. BUCHANAN to move, That in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
13. MR. LAYCOCK to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
14. MR. PIDDINGTON to move, That there be laid on the Table of this House, a Tabular Return, shewing the names of all persons who have purchased land conditionally under the Land Alienation Act of 1861, from the 31st of October, 1863, to 30th September, 1864; the quantity of land in each purchase; the name and class of district wherein the land is situated; the amount of money received on each lot; the balance remaining to be received; the date when the balance of the purchase money shall be payable. Also, shewing the total quantity of land, in the Settled or Unsettled Districts, selected in each year, from 1861, and the aggregate amount of the balances of the purchase money payable in each year.
15. MR. TERRY to move, That there be laid on the Table of this House, all Petitions and Correspondence received by the Government in reference to the removal of the Post Office in the Town of Mudgee to the site originally intended.

GOVERNMENT BUSINESS—ORDERS OF THE DAY :—

1. Military Contribution Bill; second reading.
2. Volunteer Bill; second reading.

WEDNESDAY,

WEDNESDAY, NOVEMBER 2.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. W. FORSTER to move for leave to introduce a Bill to establish District Councils.
2. MR. W. FORSTER to move for leave to introduce a Bill for the protection of Destitute Children.
3. MR. W. FORSTER to move for leave to introduce a Bill to amend the law relating to Patents.
4. MR. W. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund.
5. MR. W. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.

TUESDAY, NOVEMBER 8.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. STEWART to move,—
 - (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 - (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 - (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 - (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.
2. MR. STEWART to move,—
 - (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 - (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 - (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.
3. MR. J. T. RYAN to move, That, in the opinion of this House, the Bonds required from Tenderers, called for by the Minister of Public Works for the Railway extension of the Great Western and Southern Lines, will be detrimental to the best interests of the Country, and fraught with great evil; also, ruinous to the Contractors now in existence on the above-named lines.

TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICES OF MOTION:—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments in this Colony to three years.
2. MR. RUSDEN to move, That when a Bill has been passed by Parliament, and it is found necessary for the carrying out its provisions to supplement it by Governmental Regulations, such regulations, before being acted upon, shall be submitted to Parliament for its approval.
3. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
4. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.

TUESDAY, NOVEMBER 22.

OTHER BUSINESS—NOTICE OF MOTION:—

1. DR. LANG to move,—
 - (1.) That the Commission of the first Governor of New South Wales comprised, within the limits of that Colony, and established Colonial jurisdiction over, the whole territory extending from the South Cape of Van Diemen's Land to Cape York, and from the 129th Meridian of East Longitude to the Pacific Ocean, including the adjacent islands of that ocean, Norfolk Island and New Zealand.
 - (2.) That wherever a community of British freemen, capable of separate or self-government, has since sprung into existence within this vast territory, it has been the principle and practice of the Imperial Government to disjoin that community from New South Wales, and to erect it into a distinct Colony.
 - (3.) That, in accordance with this principle, the Colonies of Van Diemen's Land, South Australia, Victoria, New Zealand, and Queensland, have all been formed successively, at the earnest desire, and to the incalculable benefit, of their respective inhabitants, within the aforesaid original limits of New South Wales; while the portion of territory intervening between South Australia and the 129th Meridian, has since been separated from New South Wales by the Imperial Parliament, and annexed to South Australia.

(4.)

(4.) That, notwithstanding these six successive cases of separation, the Colony of New South Wales still comprises an area of 317,896½ square miles—an extent of territory equal to that of all Great Britain and France together.

(5.) That it is contrary to the uniform experience of British Colonization for 250 years past, that so vast a territory can ever be either well or satisfactorily governed from a single central point as one Colony; and that bad government, exhibited in the general neglect of the outlying portions of the Territory, and the consequent dissatisfaction and discontent of their inhabitants, with the prevalence of brigandage and marauding to an extent unparalleled in the Mother Country, and dangerous and destructive in the highest degree to life and property, is the necessary result of a state of things so utterly opposed to the common sense of mankind, as well as to the rights and interests of British Colonists.

(6.) That, along the Murray River, which forms the Southern boundary of New South Wales, at a distance varying from 400 to 800 miles from Sydney, a community of British freemen comprising upwards of 20,000 souls, and possessing an amount of property in houses and lands, in sheep, cattle, and horses, sufficient to form a separate and distinct Colony, with all the requisites for self-government, has sprung into existence within the past twenty years.

(7.) That, in geographical position, and in physical characteristics, as well as in all the social and commercial relations of its inhabitants, this tract of country, which, from its eastern and longest occupied portion, lying between the Murray and Murrumbidgee Rivers, has been designated Riverina, is quite unconnected, except in its compulsory political and judicial relations, with that portion of New South Wales which extends upwards of 500 miles along the Pacific Ocean, and includes all the Northern and Eastern portions of that Colony.

(8.) That, in order to secure, and to monopolize the trade of Riverina, for the Colony of Victoria, a Railway has just been completed, from Melbourne, the Capital of that Colony, to the southernmost point on the Murray River, at Echuca, being a distance of 142 miles; and that this Railway, which it is proposed to extend other forty miles, to Deniliquin, the chief town of Riverina, will necessarily concentrate the whole, or nearly the whole, commerce of that portion of the present Colony of New South Wales, in Melbourne.

(9.) That so long as the tract of country, now designated Riverina, was of difficult and uncertain access, the inhabitants, who were only few and widely scattered, were allowed by the Government of New South Wales to procure their supplies of dutiable commodities wherever they could, and that as increased facilities of communication were opened up and established with Melbourne, they obtained them almost exclusively from Victoria, thereby depriving the Colony of New South Wales of the Revenue to which it was justly entitled from the consumption of these commodities within its proper territory.

(10.) That as such a state of things could no longer be tolerated by New South Wales, when the population and trade of Riverina had increased beyond all previous anticipations, through the increased facilities of communication with Melbourne, a species of Border warfare has for some time past prevailed between the two Colonies, New South Wales insisting upon the payment of Customs duties on all goods imported into her Territory at her frontier, and Victoria, which has already received the duties in Melbourne, refusing, on various pretexts, to pay them to New South Wales: Custom House Officers and Police being now stationed to protect the rights and interests of both parties at all the more important points on the river.

(11.) That, if Riverina were a distinct and independent Colony, it could easily make arrangements, on the principle of the German Customs League, with the Colony of Victoria, to establish a common tariff for both Colonies, and to appropriate the joint Revenue according to the respective population of each, thereby removing all Custom Houses and other obstructions to the navigation of the Murray.

(12.) That, in the opinion of this House, it is therefore expedient and necessary, in order to ensure to the inhabitants of Riverina the benefits and blessings of self-government, to which they are justly entitled as British subjects, and which they can never hope to obtain as a mere remote appendage of New South Wales, as well as to ensure the maintenance of peace and harmony for all future time along the banks of the Murray, that Her Majesty should be solicited to take the requisite steps for the separation of Riverina from New South Wales, and for its erection into a distinct and independent Colony.

(13.) That an Address be presented to His Excellency the Governor, with the foregoing Resolutions, and a request that His Excellency will be pleased to transmit a copy of them to the Right Honorable the Secretary of State for the Colonies.



New South Wales.

No. 7.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 27 OCTOBER, 1864.

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

Questions on Notice Paper for to-day :—

- (1.) Bridge between Morpeth and Largs :—Mr. Close asked the Secretary for Lands, pursuant to Notice No. 1,—Whether the Government intend replacing the Bridge on the public road between Morpeth and Largs, swept away by the late Floods, referred to by him, in a letter addressed to the said Minister about April last, and to which no answer has since been received?

Mr. Wilson answered :—Yes; and the estimate of the probable expense was this day received from the Works Department.

(*Mr. Lucas not asking the Question standing in his name, No. 2, it dropped.*)

- (2.) Church and School Lands, and Funds therefrom :—Mr. Rotton asked the Secretary for Lands, pursuant to Notice No. 3,—In what way the Government propose to administer the Church and School Lands and the funds derived and derivable therefrom, pending the appeal to the Privy Council?

Mr. Wilson answered :—I decline, in the present state of matters, to state the policy of the Government with regard to the Church and School Lands; but the proceeds of sales of these lands are in a lodgment account in the Treasury, in accordance with a resolution of the Assembly, and the annual revenue is distributed as formerly, pending the appeal to the Privy Council.

- (3.) Government Moorings at Bellambi :—Mr. Garrett asked the Colonial Treasurer, pursuant to Notice No. 4,—

(1.) Is the Government aware that the Government Moorings at Bellambi are in an insecure and unsatisfactory state?

(2.) Is it true that the Pilot in charge has applied to have them put in order, and has been informed that there are no funds available for the purpose?

(3.) Will the Government promise to place a sufficient sum to effect the required repairs and alterations on the Estimates for next year, vessels being frequently compelled to leave the harbour without loading, owing to the insecurity of the Moorings?

Mr. Eagar answered :—

(1.) The moorings are not insecure, inasmuch as they were thoroughly overhauled and repaired at a cost of £55 10s. in August, last year, and are known to be quite secure. They are, however, unsatisfactory, as nearly all the bridles have become detached from the main Moorings or from their buoys.

(2.) The Pilot has applied to have them put in order, and has been authorized to expend a sum of money for the purpose. He has already had the main buoy repaired; the other buoys are also ready, and only await the co-operation of the vessels using the Moorings to have all shackled on.

(3.) As the required repairs and alterations are now being proceeded with, it will be unnecessary to place a sum of money for that purpose on the Estimates for next year.

(4.)

- (4.) Road near Fish River, Bathurst District:—Mr. D. Buchanan asked the Secretary for Lands, pursuant to Notice No. 5,—When the Government intend to proclaim the Road, which has just been surveyed, from the Bathurst and O'Connell Plains Road, *via* Dirty Swamp to Junction of Fish River Creek with the Fish River?

Mr. Wilson answered:—The survey alluded to has not yet been received. The proclamation will follow the receipt of the survey should it be found complete and unobjectionable.

- (5.) Cheques drawn by Postmaster at Young:—Mr. Dangar asked the Colonial Treasurer, pursuant to Notice No. 6,—

(1.) Do the Government intend to pay the dishonoured cheques drawn by the late Official Postmaster at Young, who has been recently convicted of embezzlement?

(2.) Are Postmasters allowed to draw cheques on the Treasury for money lodged with them, and by whom are such cheques paid?

(3.) Is the Colonial Treasurer aware that the Superintendent of the Money Order Office, (Mr. Dillon), refuses to pay two claims for large sums lodged at Gundagai,—the Postmaster there having given an order on the Postmaster, Young, for want of cash, and the Postmaster's cheque at Young, been dishonoured?

(4.) Is the Colonial Treasurer aware that the owners of these cheques cannot receive any satisfaction from Mr. Dillon, and are much inconvenienced?

(5.) Was any security taken from the late Postmaster at Young for the faithful discharge of his duties?

Mr. Eagar answered:—

(1.) The Government have not yet arrived at a decision in the matter.

(2.) Postmasters have no such authority as that named by the Honorable Member.

(3.) The Superintendent of the Money Order Office, acting under my instructions, has declined to pay the unauthorized cheques drawn by the late Postmaster at Young, pending the decision of the Government on the several cases before them.

(4.) I am aware that the owners of these cheques are inconvenienced by the consequences of their own act in taking the cheques referred to from the late Postmaster in lieu of cash, as payment of Money Orders drawn upon his office.

(5.) I am informed that security was taken for the late Postmaster at Young; I am not at present enabled to give the particulars, but I shall be happy to do so if the Honorable Member desires it by giving farther notice.

- (6.) Persons in the Employ of Government who have surrendered their Estates:—Mr. Dangar asked the Honorable the Premier, pursuant to Notice No. 7,—When the Return ordered on the 1st December, 1863, of persons in the employ of Government who have surrendered their estates, will be laid on the Table of the House?

Mr. Martin answered:—I regret that I am not in a position to afford the Honorable Member the information he seeks, for unexpected difficulties have arisen in getting the returns the House requires, and a considerable amount of correspondence has taken place between the different offices and the Commissioner of Insolvent Estates; but I believe I shall shortly be in a position to give all the information that is available to the House.

- (7.) Claims of Mr. J. H. Nixon against Mr. C. A. Goodchap and Mr. F. L. Oliver:—Mr. Dangar asked the Secretary for Lands, pursuant to Notice No. 8,—When the Return ordered on the 1st December, 1863,—Claim of Mr. J. H. Nixon against Mr. C. A. Goodchap and Mr. F. L. Oliver,—will be laid on the Table of the House?

Mr. Wilson answered:—The Return will be laid on the Table to-day.

2. Henry William Dudley:—Mr. Dalgleish presented a Petition from Henry William Dudley, drawing attention to a former Petition from himself, presented to the Legislative Assembly, and referred to a Select Committee on Grievances, in 1861; and praying favourable consideration.
Petition received.

3. Papers:—Mr. Wilson laid upon the Table the undermentioned Papers:—

(1.) Regulations for carrying into effect the Scab in Sheep Act of 1863.

(2.) Additional Regulation, under the Gold Fields Act of 1861.

(3.) Amended Regulations under the Crown Lands Occupation Act of 1861.

(4.) Abstract of all Sites for Cities, Towns, and Villages, declared under the 4th Section of the Act, 25 Victoria, No. 1.

(5.) Abstract of Crown Lands reserved from Sale until Surveyed, for the preservation of Water Supply, or other Public purposes, in accordance with the 4th Section of the Act, 25 Victoria, No. 1.

(6.) Schedule of Crown Lands authorized to be dedicated to Religious and Public Purposes, in accordance with the 5th Section of the Act, 25 Victoria, No. 1.

(7.) Return to Address, in reference to "Claim of Mr. J. H. Nixon against Mr. C. A. Goodchap and Mr. F. L. Oliver," adopted by the Legislative Assembly, on motion of Mr. Dangar, on 1 December, 1863.

(8.) Return to Order, in reference to "Proceedings of Inspectors of Coal Fields," made by the Legislative Assembly, on motion of Mr. Tighe, on 23 February, 1864. Ordered to be printed.

4. Committee of Elections and Qualifications:—
 (1.) *Maturity of Warrant reported*:—The Speaker reported that his Warrant, appointing the Committee of Elections and Qualifications for the present Session, laid upon the Table on Thursday last, not having been disapproved by the Assembly in the course of the three next sitting days on which the Assembly met for dispatch of business, had now taken effect as an appointment of such Committee; and intimated that it was therefore open to Members of the Committee to be sworn at the Table, by the Clerk, in accordance with the 70th section of the Electoral Act of 1858.
 (2.) *Members of Committee sworn*:—Whereupon, William Macleay, Thomas Garrett, James Hart, William Richman Piddington, Augustus Morris, and Hugh Gordon, Esquires, came to the Table, and were severally sworn by the Clerk as Members of the said Committee.
5. Motions Withdrawn:—
 (1.) Mr. Eagar withdrew the Motion standing in his name, No. 1 on the Notice Paper of Government Business for to-day.
 (2.) Mr. Wilson withdrew the Motion standing in his name, No. 2 on the Notice Paper of Government Business for to-day.
 (3.) Mr. Eagar withdrew the Motion standing in his name, No. 3 on the Notice Paper of Government Business for to-day.
6. Postponement:—The Order of the Day for the Debate on the Motion of Mr. W. Forster, "That Robert Wisdom, Esquire, be Chairman of Committees of the "Whole House during the present Session," postponed, on motion of Mr. Faucett, until To-morrow.
7. Treasury Returns under Bank Credit System:—Mr. Morris moved, pursuant to notice, That there be laid upon the Table of this House,—
 (1.) A Return, shewing the names of the 670 persons in whose favor Credits were opened under the Bank Credit System.
 (2.) A Return of the several persons to whom Cash Advances were made for the months of July, August, and September; the Amounts; the periods in which those Advances should have been adjusted; and shewing those Advances which remained unadjusted at the periods fixed for adjustment.
 Question put and passed.
8. Privilege:—On the Order of the Day for the further consideration of the Charge preferred by Mr. Arnold against the Honorable the Secretary for Public Works, Mr. Holroyd, being read,—Mr. Macpherson moved:—
 "That" in the opinion of this House, the Charge made by the Honorable Member for the Paterson against the late Secretary for Public Works, Mr. Holroyd,—That he procured the nomination of Dr. Hamilton to the New Commission of the Peace in consideration of a pecuniary accommodation,—has not been sustained. The Honorable Member then resumed his Seat without addressing the House, and the motion having been duly seconded, was proposed from the Chair,—
 And Mr. Macpherson then rising to address the House, the Speaker said that the Honorable Member had waived his right to do so by resuming his Seat.
 Whereupon Mr. Darvall moved, That the Honorable Member for Central Cumberland, Mr. Macpherson, be now heard.
 Question put and passed.
 Mr. Macpherson then made his Address,—
 And Debate ensued.
 Motion made by Mr. Weekes, and Question put (after Debate), That this Debate be now adjourned until Tuesday next.
 The House divided.

Ayes, 13.

Mr. Garrett,—
 Mr. R. Forster,
 Mr. Weekes,
 Mr. Driver,
 Mr. Morris,
 Mr. Tighe,
 Mr. Sadleir,
 Mr. Robertson,
 Mr. Cowper, junr.,
 Mr. Morrice,
 Mr. Laycock.

Tellers.

Mr. Lucas,
 Mr. Arnold.

Noes, 45.

Mr. Martin,
 Mr. Wilson,
 Mr. W. Forster,
 Mr. Faucett,
 Mr. Rusden,
 Mr. Cowper,
 Mr. Rotton,
 Mr. Close,
 Mr. Parkes,
 Mr. Cummings,
 Mr. Milford,
 Mr. Hart,
 Mr. Terry,
 Mr. Macpherson,
 Mr. Redman,
 Mr. Egan,
 Mr. Raper,
 Mr. Stewart,
 Mr. Samuel,
 Mr. Leary,
 Mr. Emanuel,
 Mr. Alexander,
 Mr. Gordon,
 Mr. Allen,

Mr. Lackey,
 Mr. J. N. Ryan,
 Mr. Haworth,
 Mr. Wisdom,
 Mr. Macleay,
 Mr. Harpur,
 Mr. Cunneen,
 Mr. Dangar,
 Mr. Walker,
 Mr. Dalgleish,
 Dr. Lang,
 Mr. Burns,
 Mr. Bell,
 Mr. Eckford,
 Mr. Holt,
 Mr. Piddington,
 Mr. J. Buchanan,
 Mr. Holroyd,
 Mr. Eagar,

Tellers.

Mr. Smart,
 Mr. D. Buchanan.

Original Question stated.
 Debate continued.

And

And the House continuing to sit until after Midnight,—

FRIDAY, 28 OCTOBER, 1864. A.M.

Mr. Driver moved, That the Question be amended by omitting all the words after the first word "That," with a view to inserting in their place the words "the Order of the Day be discharged."

Debate continued.

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

Ayes, 30.

Mr. Martin,	Mr. Burdekin,
Mr. W. Forster,	Mr. Samuel,
Mr. Eagar,	Mr. Holt,
Mr. Wilson,	Mr. Harpur,
Mr. Faucett,	Mr. Allen,
Mr. Haworth,	Mr. Burns,
Mr. Raper,	Mr. Piddington,
Mr. Walker,	Mr. Wisdom,
Mr. Redman,	Mr. Rusden,
Mr. Morris,	Mr. J. Buchanan,
Mr. Lackey,	Mr. Macleay,
Mr. Gordon,	Mr. Holroyd.
Mr. J. N. Ryan,	<i>Tellers.</i>
Mr. Tighe,	Mr. Milford,
Mr. Stewart,	Mr. Macpherson.
Mr. Dalgleish,	

Noes, 19.

Mr. Arnold,	Mr. Lucas,
Mr. Close,	<i>Tellers.</i>
Mr. Rotton,	
Mr. D. Buchanan,	Mr. Smart,
Mr. Cowper, junr.,	Mr. Cowper.
Mr. Robertson,	
Mr. Garrett,	
Mr. Parkes,	
Mr. Laycock,	
Mr. Terry,	
Mr. Sadleir,	
Mr. Dangar,	
Dr. Lang,	
Mr. Driver,	
Mr. Morrice,	
Mr. Alexander,	

Original Question put. The House divided.

Ayes, 30.

Mr. Martin,	Mr. Burdekin.
Mr. W. Forster,	Mr. Terry,
Mr. Eagar,	Mr. Samuel,
Mr. Wilson,	Mr. Holt.
Mr. Faucett,	Mr. Harpur,
Mr. Haworth,	Mr. Allen,
Mr. Raper,	Mr. Burns,
Mr. Walker,	Mr. Piddington,
Mr. Redman,	Mr. Wisdom,
Mr. Morris,	Mr. Rusden,
Mr. Lackey,	Mr. J. Buchanan.
Mr. Gordon,	Mr. Macleay,
Mr. J. N. Ryan,	<i>Tellers.</i>
Mr. Tighe,	Mr. Macpherson,
Mr. Stewart,	Mr. Milford.
Mr. Dalgleish,	

Noes, 17.

Mr. Arnold,	<i>Tellers.</i>
Mr. Rotton,	
Mr. D. Buchanan,	Mr. Smart,
Mr. Cowper, junr.,	Mr. Cowper.
Mr. Robertson,	
Mr. Garrett,	
Mr. Parkes,	
Mr. Laycock,	
Mr. Sadleir,	
Mr. Dangar,	
Dr. Lang,	
Mr. Driver,	
Mr. Morrice,	
Mr. Alexander,	
Mr. Lucas,	

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

JOHN HAY,
Speaker.

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

FRIDAY, OCTOBER 28.

Questions:—

- MR. CLOSE to ask THE SECRETARY FOR PUBLIC WORKS,—
(1.) When the very pressing work in which the Dredge is now engaged in Newcastle will be completed?
(2.) Whether it is the intention of the Government to furnish the said Dredge with the requisite buckets to insure its proper working?
- MR. GARRETT to ask THE ATTORNEY GENERAL,—Is James William Abbott, who acted as special bailiff for the Crown in the matter of the estreated goods of Martin Shanahan, convicted of felony, still confined in Cooma Gaol, at the suit of the Attorney General; if so, is it intended to take any steps to allow of the release of the said James William Abbott, in accordance with applications made to that effect?

3. MR. D. BUCHANAN *to ask* THE COLONIAL SECRETARY,—If the Superannuation Act is applicable to all the servants of the Government?
4. MR. D. BUCHANAN *to ask* THE COLONIAL SECRETARY,—If he will state the reason which induced the Bench of Magistrates at Forbes to send a person named William Quick to Bathurst Gaol for a period of fifty-five days?
5. MR. D. BUCHANAN *to ask* THE SECRETARY FOR LANDS,—
 - (1.) Is it true that, at a sale of the Church and School Lands in August last, at Bathurst, the terms of such sale were, that any portion of the lands not then sold would be open to free selection?
 - (2.) That, in conformity with those terms, a Mr. Edwin Slader selected eighty-eight acres, paid the deposit, and received the receipt, which he now holds?
 - (3.) That the said Edwin Slader took possession of his land, and improved it by clearing, building, and fencing?
 - (4.) That he has now received a letter from the Government through Mr. Richards, Commissioner of Crown Lands, that the Government have disallowed his selection?
 - (5.) Under those circumstances, do the Government intend to allow Mr. Slader any compensation for his outlay in improving the land, and for the injustice it has subjected him to in first selling him land and then depriving him of it after he had fenced it and built upon it?
6. MR. WISDOM *to ask* THE SECRETARY FOR LANDS,—Has he any objection to lay upon the Table of this House the Correspondence, if any, that has passed between the Government and any person or persons relative to the boundaries of the Town of Morpeth?

OTHER BUSINESS—ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz. :—

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

" MAY IT PLEASE YOUR EXCELLENCY,—

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

" 2. The Papers explanatory of the various departmental changes which have
 " been made during the recess, when laid before us, will receive our attentive
 " consideration.

" 3. While regretting the failure of negotiations with the Government of
 " Victoria, on the subject of the Border Customs Duties, and the necessity for their
 " collection by our own Revenue Officers—we are gratified to learn that a favourable
 " arrangement has been made with the Government of South Australia, for the
 " collection of duties on goods arriving from that Province, by way of the River
 " Murray, for consumption in New South Wales.

" 4. The propriety of maintaining an increased Postal Rate on Letters
 " transmitted by the Mail Contract Steamers to the United Kingdom, pending the
 " final decision of the Imperial Government, will be carefully considered.

" 5. The disastrous floods which have prevailed since the commencement of
 " the current year—following on the failure of last year's harvest, prepared us for
 " the announcement of a deficiency in the Revenue. Measures which may be
 " submitted to us, having in view a prudent economy in expenditure concurrently
 " with an enlargement of our income, will have our most serious attention.

" 6. We regret to learn that the state of crime in the interior is such, that
 " the maintenance of a large Police force is still considered necessary.

" 7. Our attention will be carefully bestowed upon propositions that may be
 " laid before us to facilitate railway extension, and to provide permanently for the
 " Sydney Branch of the Royal Mint, as well as upon the various Bills which your
 " Excellency informs us we shall be invited to consider.

" 8. The action of the Government in providing out of the Public Funds for
 " the relief of sufferers by the floods, will meet with our ready sanction, where the
 " expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legitimate
 " requirements of the Southern and South-western Districts, in the matter of Public
 " Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech will meet
 " with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent,
 " variety, and permanence of our resources; and, while lamenting the year of
 " calamity through which we are passing, and its attendant stagnation of trade and
 " industry, we look forward hopefully to the prospect of a favourable harvest.

" 12. We unite with your Excellency, in the hope that our deliberations may
 " be so guided that, under Divine favour, they may result in measures calculated to
 " advance the welfare and contentment of the people."

Upon

Upon which Mr. Cowper had moved, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words:—

“ We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

“ We beg also to express our regret that Your Excellency's Ministers should during the recess have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

“ We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House.”

NOTICES OF MOTION:—

1. MR. J. BUCHANAN to move, That the Report of the Select Committee on the Working of the Gold Fields Act, brought up by him on the 9th March, 1864, be now adopted by this House.
2. MR. RUSDEN to move, That the Report brought up from the Committee, appointed last Session to inquire into the Reservations upon Runs in Tumut District, be now adopted by this House.
3. MR. ARNOLD to move, That Dr. Hamilton be summoned to attend at the Bar of this House, and to bring with him any Bank pass-books, books of account, memoranda, or vouchers in his possession, which relate to pecuniary transactions between himself and Mr. Holroyd, and which are necessary to enable him to determine the particulars (as to date and amount) of such transactions.
4. MR. ARNOLD to move, That the Manager of the English, Scottish, and Australian Chartered Bank be summoned to attend at the Bar of this House, for the purpose of giving evidence respecting certain promissory notes made by Mr. Holroyd and endorsed by Dr. Hamilton.
5. MR. ARNOLD to move, That a Message be sent to the Legislative Council, requesting the attendance of The Honorable John Hubert Plunkett at the Bar of this House, for the purpose of being examined respecting the recent appointment of Dr. Hamilton to the Commission of the Peace.
6. MR. ARNOLD to move, That there be laid upon the Table of this House, Copies of all Correspondence and other documents in the possession of the Government relating to any charge made against Mr. G. H. Hamilton, when holding the office of Post-master at Wollongong, or to his dismissal from or resignation of that office.
7. MR. ARNOLD to move, That there be laid upon the Table of this House, Copies of the Depositions, taken before the Bench of Magistrates at Wollongong, at the committal of Mr. G. H. Hamilton, for wilful and corrupt perjury, together with Copies of all Correspondence or Minutes of the Attorney General or other Law Officers of the Crown in reference thereto.
8. MR. CUNNEEN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing—
 - (1.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 20th January, 1861, to the 20th January, 1862.
 - (2.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the said period.
 - (3.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 18th October, 1863, to the 18th October, 1864.
 - (4.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the same period.

GOVERNMENT BUSINESS—ORDER OF THE DAY:—

1. Chairmanship of Committees: Debate on the motion of Mr. W. Forster, “ That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session.”

TUESDAY, NOVEMBER 1.

Question:—

1. MR. TERRY to ask THE COLONIAL TREASURER,—If it is the intention of the Government to remove the Post Office in the Town of Mudgee to the site originally intended?

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. TERRY to move, That there be laid upon the Table of this House, all the Plans made by Mr. Peter Brown of the proposed line of Railway from Muswellbrook to Mudgee.
2. MR. D. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.

3. MR. D. BUCHANAN to move, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
4. MR. D. BUCHANAN to move, That in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
5. MR. D. BUCHANAN to move, That in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
6. MR. D. BUCHANAN to move, That in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
7. MR. D. BUCHANAN to move, That in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
8. MR. D. BUCHANAN to move, That in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
9. MR. D. BUCHANAN to move, That in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
10. MR. D. BUCHANAN to move, That in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
11. MR. D. BUCHANAN to move, That in the opinion of this House, the tax upon Newspapers has an injurious tendency, and ought to be repealed.
12. MR. D. BUCHANAN to move, That in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
13. MR. LAYCOCK to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
14. MR. PIDDINGTON to move, That there be laid on the Table of this House, a Tabular Return, shewing the names of all persons who have purchased land conditionally under the Land Alienation Act of 1861, from the 31st of October, 1863, to 30th September, 1864; the quantity of land in each purchase; the name and class of district wherein the land is situated; the amount of money received on each lot; the balance remaining to be received; the date when the balance of the purchase money shall be payable. Also, shewing the total quantity of land, in the Settled or Unsettled Districts, selected in each year, from 1861, and the aggregate amount of the balances of the purchase money payable in each year.
15. MR. TERRY to move, That there be laid on the Table of this House, all Petitions and Correspondence received by the Government in reference to the removal of the Post Office in the Town of Mudgee to the site originally intended.

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Military Contribution Bill; second reading.
2. Volunteer Bill; second reading.

WEDNESDAY, NOVEMBER 2.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. W. FORSTER to move for leave to introduce a Bill to establish District Councils.
2. MR. W. FORSTER to move for leave to introduce a Bill for the protection of Destitute Children.
3. MR. W. FORSTER to move for leave to introduce a Bill to amend the law relating to Patents.
4. MR. W. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund.
5. MR. W. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.
6. MR. EAGAR to move, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
7. MR. WILSON to move for leave to introduce a Bill to regulate Impounding.
8. MR. EAGAR to move for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

TUESDAY,

TUESDAY, NOVEMBER 8.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. STEWART to move,—
 - (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 - (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 - (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 - (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.
2. MR. STEWART to move,—
 - (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 - (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 - (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.
3. MR. J. T. RYAN to move, That, in the opinion of this House, the Bonds required from Tenderers, called for by the Minister of Public Works for the Railway extension of the Great Western and Southern Lines, will be detrimental to the best interests of the Country, and fraught with great evil : also, ruinous to the Contractors now in existence on the above-named lines.

TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments in this Colony to three years.
2. MR. RUSDEN to move, That when a Bill has been passed by Parliament, and it is found necessary for the carrying out its provisions to supplement it by Governmental Regulations, such regulations, before being acted upon, shall be submitted to Parliament for its approval.
3. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
4. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.

TUESDAY, NOVEMBER 22.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move,—
 - (1.) That the Commission of the first Governor of New South Wales comprised, within the limits of that Colony, and established Colonial jurisdiction over, the whole territory extending from the South Cape of Van Diemen's Land to Cape York, and from the 129th Meridian of East Longitude to the Pacific Ocean, including the adjacent islands of that ocean, Norfolk Island and New Zealand.
 - (2.) That wherever a community of British freemen, capable of separate or self-government, has since sprung into existence within this vast territory, it has been the principle and practice of the Imperial Government to disjoin that community from New South Wales, and to erect it into a distinct Colony.
 - (3.) That, in accordance with this principle, the Colonies of Van Diemen's Land, South Australia, Victoria, New Zealand, and Queensland, have all been formed successively, at the earnest desire, and to the incalculable benefit, of their respective inhabitants, within the aforesaid original limits of New South Wales; while the portion of territory intervening between South Australia and the 129th Meridian, has since been separated from New South Wales by the Imperial Parliament, and annexed to South Australia.
 - (4.) That, notwithstanding these six successive cases of separation, the Colony of New South Wales still comprises an area of 317,896½ square miles—an extent of territory equal to that of all Great Britain and France together.
 - (5.) That it is contrary to the uniform experience of British Colonization for 250 years past, that so vast a territory can ever be either well or satisfactorily governed from a single central point as one Colony; and that bad government, exhibited in the general neglect of the outlying portions of the Territory, and the consequent dissatisfaction and discontent of their inhabitants, with the prevalence of brigandage and marauding to an extent unparalleled in the Mother Country, and dangerous and destructive in the highest degree to life and property, is the necessary result of a state of things so utterly opposed to the common sense of mankind, as well as to the rights and interests of British Colonists.

(6.)

(6.) That, along the Murray River, which forms the Southern boundary of New South Wales, at a distance varying from 400 to 800 miles from Sydney, a community of British freemen comprising upwards of 20,000 souls, and possessing an amount of property in houses and lands, in sheep, cattle, and horses, sufficient to form a separate and distinct Colony, with all the requisites for self-government, has sprung into existence within the past twenty years.

(7.) That, in geographical position, and in physical characteristics, as well as in all the social and commercial relations of its inhabitants, this tract of country, which, from its eastern and longest occupied portion, lying between the Murray and Murrumbidgee Rivers, has been designated Riverina, is quite unconnected, except in its compulsory political and judicial relations, with that portion of New South Wales which extends upwards of 500 miles along the Pacific Ocean, and includes all the Northern and Eastern portions of that Colony.

(8.) That, in order to secure, and to monopolize the trade of Riverina, for the Colony of Victoria, a Railway has just been completed, from Melbourne, the Capital of that Colony, to the southernmost point on the Murray River, at Echuca, being a distance of 142 miles; and that this Railway, which it is proposed to extend other forty miles, to Deniliquin, the chief town of Riverina, will necessarily concentrate the whole, or nearly the whole, commerce of that portion of the present Colony of New South Wales, in Melbourne.

(9.) That so long as the tract of country, now designated Riverina, was of difficult and uncertain access, the inhabitants, who were only few and widely scattered, were allowed by the Government of New South Wales to procure their supplies of dutiable commodities wherever they could, and that as increased facilities of communication were opened up and established with Melbourne, they obtained them almost exclusively from Victoria, thereby depriving the Colony of New South Wales of the Revenue to which it was justly entitled from the consumption of these commodities within its proper territory.

(10.) That as such a state of things could no longer be tolerated by New South Wales, when the population and trade of Riverina had increased beyond all previous anticipations, through the increased facilities of communication with Melbourne, a species of Border warfare has for some time past prevailed between the two Colonies, New South Wales insisting upon the payment of Customs duties on all goods imported into her Territory at her frontier, and Victoria, which has already received the duties in Melbourne, refusing, on various pretexts, to pay them to New South Wales: Custom House Officers and Police being now stationed to protect the rights and interests of both parties at all the more important points on the river.

(11.) That, if Riverina were a distinct and independent Colony, it could easily make arrangements, on the principle of the German Customs League, with the Colony of Victoria, to establish a common tariff for both Colonies, and to appropriate the joint Revenue according to the respective population of each, thereby removing all Custom Houses and other obstructions to the navigation of the Murray.

(12.) That, in the opinion of this House, it is therefore expedient and necessary, in order to ensure to the inhabitants of Riverina the benefits and blessings of self-government, to which they are justly entitled as British subjects, and which they can never hope to obtain as a mere remote appendage of New South Wales, as well as to ensure the maintenance of peace and harmony for all future time along the banks of the Murray, that Her Majesty should be solicited to take the requisite steps for the separation of Riverina from New South Wales, and for its erection into a distinct and independent Colony.

(13.) That an Address be presented to His Excellency the Governor, with the foregoing Resolutions, and a request that His Excellency will be pleased to transmit a copy of them to the Right Honorable the Secretary of State for the Colonies.



New South Wales.

No. 8.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

FRIDAY, 28 OCTOBER, 1864.

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

Questions on Notice Paper for to-day :—

- (1.) Steam Dredge, Newcastle:—Mr. Close asked, pursuant to Notice No. 1,—

(1.) When the very pressing work in which the Dredge is now engaged in Newcastle will be completed?

(2.) Whether it is the intention of the Government to furnish the said Dredge with the requisite buckets to insure its proper working?

Mr. Wilson answered :—

(1.) In about six weeks.

(2.) Yes.

- (2.) James William Abbott *in re* Martin Shanahan:—Mr. Garrett asked the Attorney General, pursuant to Notice No. 2,—Is James William Abbott, who acted as special bailiff for the Crown in the matter of the estreated goods of Martin Shanahan, convicted of felony, still confined in Cooma Gaol, at the suit of the Attorney General; if so, is it intended to take any steps to allow of the release of the said James William Abbott, in accordance with applications made to that effect?

Mr. Martin answered :—Abbott is confined, as stated, in Cooma Gaol. It is not intended by the Government to take any steps to allow of his release. His imprisonment took place under these circumstances:—On the 15th October, 1862, he being then bailiff of the District Court at Cooma, was specially appointed to sell certain effects that had been found by inquisition to have belonged to one Shanahan, a person convicted of felony. Abbott received certain directions in reference to the sale of these effects, which he disregarded, and he sold them for a sum much less than had been offered to the Sheriff, and could have been obtained for them. The money that he received he appropriated to his own use, but his conduct did not, as it seemed to me, make him amenable to a criminal prosecution. I, however, directed a suit to be instituted against him for the money received by him and not paid over. Judgment in that suit went against him by default. A writ was issued, and under that writ he is now in gaol.

- (3.) Superannuation Act:—Mr. D. Buchanan asked the Colonial Secretary, pursuant to Notice No. 3,—If the Superannuation Act is applicable to all the servants of the Government?

Mr. W. Forster answered,—The Question asked by the Honorable Member is a legal question which I am not called upon to decide, and on which, with all deference, I decline pronouncing an opinion.

- (4.) William Quick:—Mr. D. Buchanan asked the Colonial Secretary, pursuant to Notice No. 4,—If he will state the reason which induced the Bench of Magistrates at Forbes to send a person named William Quick to Bathurst Gaol for a period of fifty-five days?

Mr. W. Forster answered,—I have no information on the subject, but have ordered inquiry to be made, the result of which I shall have no objection to state when and so far as may be in my power.

(5.)

(5.) Church and School Lands—Mr. Edwin Slader :—Mr. D. Buchanan asked the Secretary for Lands, pursuant to Notice No. 5,—

- (1.) Is it true that, at a sale of the Church and School Lands in August last, at Bathurst, the terms of such sale were, that any portion of the lands not then sold would be open to free selection?
- (2.) That, in conformity with those terms, a Mr. Edwin Slader selected eighty-eight acres, paid the deposit, and received the receipt, which he now holds?
- (3.) That the said Edwin Slader took possession of his land, and improved it by clearing, building, and fencing?
- (4.) That he has now received a letter from the Government through Mr. Richards, Commissioner of Crown Lands, that the Government have disallowed his selection?
- (5.) Under those circumstances, do the Government intend to allow Mr. Slader any compensation for his outlay in improving the land, and for the injustice it has subjected him to in first selling him land and then depriving him of it after he had fenced it and built upon it?

Mr. Wilson answered :—

- (1.) No ; but the Agent inquiring by telegram whether the lands offered on the 23rd and 24th August were open to conditional purchase or selection, without alluding to them as Church and School Lands, was replied to in the affirmative.
 - (2.) Mr. Edwin Slader did conditionally select 88 acres of such land on the 25th August, 1864.
 - (3.) This is not known ; in fact the lapse of time would not admit of the erection of improvements of any value.
 - (4.) The Agent was informed on the 9th September, that the Church Lands so offered were not open to selection in any way, and on the 16th Slader's selection was formally cancelled and refund of deposit initiated.
 - (5.) Mr. Slader, by his Attorney, has expressed himself satisfied if the allotment be offered for sale by auction at the next sale ; which will be done.
- (6.) Boundaries of Town of Morpeth :—Mr. Wisdom asked The Secretary for Lands, pursuant to Notice No. 6,—Has he any objection to lay upon the Table of this House the Correspondence, if any, that has passed between the Government and any person or persons relative to the boundaries of the Town of Morpeth ?
- Mr. Wilson answered,—Copies already laid upon the Table on 6th January last, in pursuance of a promise made by the late Secretary for Lands.
2. Paper :—Mr. Wilson laid upon the Table, Return to Order, in reference to "Returns relative to Scab in Sheep," made by the Legislative Assembly on motion of Mr. W. Forster, on 7 July, 1863.
 3. Motion for Adjournment :—Mr. Arnold moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
 4. Committee of Elections and Qualifications :—John Caldwell, Esquire, came to the Table, and was sworn by the Clerk as a Member of the Committee of Elections and Qualifications for the present Session.
 5. Address in reply to the Governor's Opening Speech :—The Order of the Day for the resumption of the adjourned Debate, on the motion of Mr. Lackey, seconded by Mr. Milford, that the Address in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House—upon which Mr. Cowper had moved an Amendment,—having been read,—
Mr. Piddington moved,—That this Order of the Day be postponed until after the Notices of Motion.
Debate ensued.
Question put and negatived.
Motion then made by Mr. Tighe, and Question,—That this Debate be now adjourned until Tuesday next,—put and passed.
 6. Motions Withdrawn :—Mr. Arnold withdrew the Motions standing in his name, Nos. 3, 4, 5, 6, and 7, on the Notice Paper of Other Business for to-day.
- The House adjourned, on motion of Mr. Martin, at half-past Ten o'clock, until Tuesday next, at Three o'clock.

JOHN HAY,
Speaker.

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

TUESDAY, NOVEMBER 1.

Questions :—

1. MR. TERRY *to ask* THE COLONIAL TREASURER,—If it is the intention of the Government to remove the Post Office in the Town of Mudgee to the site originally intended?
2. MR. J. BUCHANAN *to ask* THE GOVERNMENT,—If any steps are being taken towards increasing the accommodation at the Post Office, Armidale?
3. MR. DANGAR *to ask* THE COLONIAL TREASURER,—
 - (1.) Was any security taken from the late official Postmaster at Young, for the faithful discharge of his duties?
 - (2.) The amount of his bond, if entered into?
 - (3.) The names of his bondsmen, and the respective amounts?
 - (4.) The dates of the bond—when executed—if any?
4. MR. DANGAR *to ask* THE COLONIAL TREASURER,—
 - (1.) If the Government paid a cheque, drawn on the Bank of New South Wales, for £65, by the late Postmaster of Young, to a firm in the City of Sydney?
 - (2.) Do the regulations allow Official or Money Order Postmasters to issue cheques on any Bank for an accumulation of Post Office orders, in lieu of the daily issues of £10 each, from time to time?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. TERRY to move, That there be laid upon the Table of this House, all the Plans made by Mr. Peter Brown of the proposed line of Railway from Muswellbrook to Mudgee.
2. MR. D. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.
3. MR. D. BUCHANAN to move, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
4. MR. D. BUCHANAN to move, That in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
5. MR. D. BUCHANAN to move, That in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
6. MR. D. BUCHANAN to move, That in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
7. MR. D. BUCHANAN to move, That in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
8. MR. D. BUCHANAN to move, That in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
9. MR. D. BUCHANAN to move, That in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
10. MR. D. BUCHANAN to move, That in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
11. MR. D. BUCHANAN to move, That in the opinion of this House, the tax upon Newspapers has an injurious tendency, and ought to be repealed.
12. MR. D. BUCHANAN to move, That in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
13. MR. LAYCOCK to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
14. MR. PIDDINGTON to move, That there be laid on the Table of this House, a Tabular Return, shewing the names of all persons who have purchased land conditionally under the Land Alienation Act of 1861, from the 31st of October, 1863, to 30th September, 1864; the quantity of land in each purchase; the name and class of district wherein the land is situated; the amount of money received on each lot; the balance remaining to be received; the date when the balance of the purchase money shall

- shall be payable. Also, shewing the total quantity of land, in the Settled or Unsettled Districts, selected in each year, from 1861, and the aggregate amount of the balances of the purchase money payable in each year.
15. MR. TERRY to move, That there be laid on the Table of this House, all Petitions and Correspondence received by the Government in reference to the removal of the Post Office in the Town of Mudjee to the site originally intended.
 16. MR. GARRETT to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence and other Documents as to the case of James William Abbott, confined in Cooma Gaol, at the instance of the Attorney General.
 17. MR. HARPUR to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the propriety of adopting an Address to the Governor, praying that His Excellency will be pleased to place upon the Supplementary Estimates for 1864, a sum not exceeding £200, as the first payment of an annual Pension of that amount to Mrs. Caroline Chisholm.
 18. MR. D. BUCHANAN to move, That a question, involving the purity of the administration of Justice in this Country, is of sufficient public importance to justify an investigation of the matter, by any Member of this House. And that circumstances of grave suspicion, criminally implicating any member of the community, while that member of the community remains unprosecuted, is a matter of sufficient public importance to justify the questioning of the Crown Law Officers on such a subject, by any Member of this House.
 19. MR. J. BUCHANAN to move, That the Report of the Select Committee on the Working of the Gold Fields Act, brought up by him on the 9th March, 1864, be now adopted by this House.
 20. MR. RUSDEN to move, That the Report brought up from the Committee, appointed last Session to inquire into the Reservations upon Runs in Tumut District, be now adopted by this House.

ORDER OF THE DAY :—

1. Resumption of the adjourned Debate on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz. :—

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

“ MAY IT PLEASE YOUR EXCELLENCY,—

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

“ 2. The Papers explanatory of the various departmental changes which have
 “ been made during the recess, when laid before us, will receive our attentive
 “ consideration.

“ 3. While regretting the failure of negotiations with the Government of
 “ Victoria, on the subject of the Border Customs Duties, and the necessity for their
 “ collection by our own Revenue Officers—we are gratified to learn that a favourable
 “ arrangement has been made with the Government of South Australia, for the
 “ collection of duties on goods arriving from that Province, by way of the River
 “ Murray, for consumption in New South Wales.

“ 4. The propriety of maintaining an increased Postal Rate on Letters
 “ transmitted by the Mail Contract Steamers to the United Kingdom, pending the
 “ final decision of the Imperial Government, will be carefully considered.

“ 5. The disastrous floods which have prevailed since the commencement of
 “ the current year—following on the failure of last year's harvest, prepared us for
 “ the announcement of a deficiency in the Revenue. Measures which may be
 “ submitted to us, having in view a prudent economy in expenditure concurrently
 “ with an enlargement of our income, will have our most serious attention.

“ 6. We regret to learn that the state of crime in the interior is such, that
 “ the maintenance of a large Police force is still considered necessary.

“ 7. Our attention will be carefully bestowed upon propositions that may be
 “ laid before us to facilitate railway extension, and to provide permanently for the
 “ Sydney Branch of the Royal Mint, as well as upon the various Bills which your
 “ Excellency informs us we shall be invited to consider.

“ 8. The action of the Government in providing out of the Public Funds for
 “ the relief of sufferers by the floods, will meet with our ready sanction, where the
 “ expenditure has been a matter of necessity.

“ 9. We shall be glad to learn, and to support as far as possible, the legitimate
 “ requirements of the Southern and South-western Districts, in the matter of Public
 “ Works, and the Administration of Justice.

“ 10. The other matters referred to in your Excellency's Speech will meet
 “ with our careful consideration.

“ 11.

" 11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and, while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable harvest.

" 12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people."

Upon which Mr. Cowper had moved, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words:—

" We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

" We beg also to express our regret that Your Excellency's Ministers should during the recess have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

" We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House."

GOVERNMENT BUSINESS—ORDERS OF THE DAY:—

1. Military Contribution Bill; second reading.
2. Volunteer Bill; second reading.
3. Chairmanship of Committees; Debate on the motion of Mr. W. Forster, "That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session."

WEDNESDAY, NOVEMBER 2.

Question:—

1. MR. TYGHE to ask THE COLONIAL SECRETARY,—Whether the Government intend to comply with the application made by him some months since, for establishing Polling Places at those populous Towns in the Electorate of Northumberland, viz.:—Minmi, Wallsend, Waratah, Pit Town, &c., which are situated at distances varying from about $1\frac{1}{2}$ to 7 miles from any Polling Place?

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. W. FORSTER to move for leave to introduce a Bill to establish District Councils.
2. MR. W. FORSTER to move for leave to introduce a Bill for the protection of Destitute Children.
3. MR. W. FORSTER to move for leave to introduce a Bill to amend the law relating to Patents.
4. MR. W. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund.
5. MR. W. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.
6. MR. EAGAR to move, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
7. MR. WILSON to move for leave to introduce a Bill to regulate Impounding.
8. MR. EAGAR to move for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

FRIDAY, NOVEMBER 4.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. CUNNEEN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing—
 - (1.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 20th January, 1861, to the 20th January, 1862.
 - (2.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the said period.
 - (3.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 18th October, 1863, to the 18th October, 1864.
 - (4.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the same period.

TUESDAY,

TUESDAY, NOVEMBER 8.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. STEWART to move,—
 - (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 - (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 - (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 - (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.
2. MR. STEWART to move,—
 - (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 - (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 - (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.
3. MR. J. T. RYAN to move, That, in the opinion of this House, the Bonds required from Tenderers, called for by the Minister of Public Works for the Railway extension of the Great Western and Southern Lines, will be detrimental to the best interests of the Country, and fraught with great evil; also, ruinous to the Contractors now in existence on the above-named lines.

TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments in this Colony to three years.
2. MR. RUSDEN to move, That when a Bill has been passed by Parliament, and it is found necessary for the carrying out its provisions to supplement it by Governmental Regulations, such regulations, before being acted upon, shall be submitted to Parliament for its approval.
3. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
4. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.

TUESDAY, NOVEMBER 22.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move,—
 - (1.) That the Commission of the first Governor of New South Wales comprised, within the limits of that Colony, and established Colonial jurisdiction over, the whole territory extending from the South Cape of Van Diemen's Land to Cape York, and from the 129th Meridian of East Longitude to the Pacific Ocean, including the adjacent islands of that ocean, Norfolk Island and New Zealand.
 - (2.) That wherever a community of British freemen, capable of separate or self-government, has since sprung into existence within this vast territory, it has been the principle and practice of the Imperial Government to disjoin that community from New South Wales, and to erect it into a distinct Colony.
 - (3.) That, in accordance with this principle, the Colonies of Van Diemen's Land, South Australia, Victoria, New Zealand, and Queensland, have all been formed successively, at the earnest desire, and to the incalculable benefit, of their respective inhabitants, within the aforesaid original limits of New South Wales; while the portion of territory intervening between South Australia and the 129th Meridian, has since been separated from New South Wales by the Imperial Parliament, and annexed to South Australia.
 - (4.) That, notwithstanding these six successive cases of separation, the Colony of New South Wales still comprises an area of 317,896½ square miles—an extent of territory equal to that of all Great Britain and France together.
 - (5.) That it is contrary to the uniform experience of British Colonization for 250 years past, that so vast a territory can ever be either well or satisfactorily governed from a single central point as one Colony; and that bad government, exhibited in the general neglect of the outlying portions of the Territory, and the consequent dissatisfaction and discontent of their inhabitants, with the prevalence of brigandage and marauding to an extent unparalleled in the Mother Country, and dangerous and destructive in the highest degree to life and property, is the necessary result of a state of things so utterly opposed to the common sense of mankind, as well as to the rights and interests of British Colonists.

(6.)

(6.) That, along the Murray River, which forms the Southern boundary of New South Wales, at a distance varying from 400 to 800 miles from Sydney, a community of British freemen comprising upwards of 20,000 souls, and possessing an amount of property in houses and lands, in sheep, cattle, and horses, sufficient to form a separate and distinct Colony, with all the requisites for self-government, has sprung into existence within the past twenty years.

(7.) That, in geographical position, and in physical characteristics, as well as in all the social and commercial relations of its inhabitants, this tract of country, which, from its eastern and longest occupied portion, lying between the Murray and Murrumbidgee Rivers, has been designated Riverina, is quite unconnected, except in its compulsory political and judicial relations, with that portion of New South Wales which extends upwards of 500 miles along the Pacific Ocean, and includes all the Northern and Eastern portions of that Colony.

(8.) That, in order to secure, and to monopolize the trade of Riverina, for the Colony of Victoria, a Railway has just been completed, from Melbourne, the Capital of that Colony, to the southernmost point on the Murray River, at Echuca, being a distance of 142 miles; and that this Railway, which it is proposed to extend other forty miles, to Deniliquin, the chief town of Riverina, will necessarily concentrate the whole, or nearly the whole, commerce of that portion of the present Colony of New South Wales, in Melbourne.

(9.) That so long as the tract of country, now designated Riverina, was of difficult and uncertain access, the inhabitants, who were only few and widely scattered, were allowed by the Government of New South Wales to procure their supplies of dutiable commodities wherever they could, and that as increased facilities of communication were opened up and established with Melbourne, they obtained them almost exclusively from Victoria, thereby depriving the Colony of New South Wales of the Revenue to which it was justly entitled from the consumption of these commodities within its proper territory.

(10.) That as such a state of things could no longer be tolerated by New South Wales, when the population and trade of Riverina had increased beyond all previous anticipations, through the increased facilities of communication with Melbourne, a species of Border warfare has for some time past prevailed between the two Colonies, New South Wales insisting upon the payment of Customs duties on all goods imported into her Territory at her frontier, and Victoria, which has already received the duties in Melbourne, refusing, on various pretexts, to pay them to New South Wales: Custom House Officers and Police being now stationed to protect the rights and interests of both parties at all the more important points on the river.

(11.) That, if Riverina were a distinct and independent Colony, it could easily make arrangements, on the principle of the German Customs League, with the Colony of Victoria, to establish a common tariff for both Colonies, and to appropriate the joint Revenue according to the respective population of each, thereby removing all Custom Houses and other obstructions to the navigation of the Murray.

(12.) That, in the opinion of this House, it is therefore expedient and necessary, in order to ensure to the inhabitants of Riverina the benefits and blessings of self-government, to which they are justly entitled as British subjects, and which they can never hope to obtain as a mere remote appendage of New South Wales, as well as to ensure the maintenance of peace and harmony for all future time along the banks of the Murray, that Her Majesty should be solicited to take the requisite steps for the separation of Riverina from New South Wales, and for its erection into a distinct and independent Colony.

(13.) That an Address be presented to His Excellency the Governor, with the foregoing Resolutions, and a request that His Excellency will be pleased to transmit a copy of them to the Right Honorable the Secretary of State for the Colonies.



New South Wales.

No. 9.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

TUESDAY, 1 NOVEMBER, 1864.

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

Questions on Notice Paper for to-day :—

- (1.) Post Office, Mudgee :—Mr. Terry asked the Colonial Treasurer, pursuant to Notice No. 1.—If it is the intention of the Government to remove the Post Office in the Town of Mudgee to the site originally intended?

Mr. Eagar answered :—There is not, at present, sufficient accommodation for the Post Office at the site originally intended, but the Government see no objection to increase the accommodation as soon as provision for the purpose is made consequent on which the suggested removal could take place.

- (2.) Post Office, Armidale :—Mr. J. Buchanan asked the Government, pursuant to Notice No. 2.—If any steps are being taken towards increasing the accommodation at the Post Office, Armidale?

Mr. Wilson answered :—Yes. Tenders were invited, to be opened on the 19th ultimo, for additions to the Post Office, Armidale. No tender was received. Fresh tenders have been invited, to be opened on the 15th instant.

- (3.) Postmaster, at Young :—

- (1.) Mr. Dangar asked the Colonial Treasurer, pursuant to Notice No. 3,—

(1.) Was any security taken from the late Official Postmaster at Young, for the faithful discharge of his duties?

(2.) The amount of his bond, if entered into?

(3.) The names of his bondsmen, and the respective amounts?

(4.) The dates of the bond—when executed—if any?

Mr. Eagar answered :—

(1.) Yes.

(2.) Himself in £200, and two sureties of £100 each. Total amount, £400.

(3.) W. Deane, Auctioneer, Sydney, £100; J. N. Emanuel, Storekeeper, Young, £100.

(4.) 1st July, 1862.

- (2.) Mr. Dangar asked the Colonial Treasurer, pursuant to Notice No. 4,—

(1.) If the Government paid a cheque, drawn on the Bank of New South Wales, for £65, by the late Postmaster of Young, to a firm in the City of Sydney?

(2.) Do the regulations allow Official or Money Order Postmasters to issue cheques on any Bank for an accumulation of Post Office Orders, in lieu of the daily issues of £10 each, from time to time?

Mr. Eagar answered :—

(1.) I am not aware of such a transaction.

(2.) No.

2. Reply to Addresses of Congratulation to the Queen and to the Prince and Princess of Wales :—The following Message from His Excellency the Governor was delivered by Mr. Martin, and read by the Speaker :—

JOHN YOUNG,

Message No.

Governor.

The Governor transmits to the Legislative Assembly a copy of a Despatch, dated the 23rd May, 1864, which His Excellency has received from the Right Honorable the Principal Secretary of State for the Colonies, in reply to the Addresses of Congratulation to Her Majesty the Queen and to the Prince and Princess of Wales, on the Birth of a Son to their Royal Highnesses, which were agreed to by the Assembly on the 18th of March last.

Government House,

Sydney, 18th October, 1864.

Ordered, on motion of Mr. Martin, to be printed, together with the accompanying Despatch.

3. Paper :—Mr. W. Forster laid upon the Table, Return (in part) to Order, in reference to "Products of the Colony approved at Great Exhibition in London," made by the Legislative Assembly, on motion of Mr. Garrett, on 23 March, 1864.
Ordered to be printed.
4. Conditional Purchases under Crown Lands Alienation Act of 1861, ("Formal Motion") :—Mr. Piddington moved, pursuant to Notice, That there be laid on the Table of this House, a Tabular Return, shewing the names of all persons who have purchased land conditionally under the Land Alienation Act of 1861, from the 31st of October, 1863, to 30th September, 1864; the quantity of land in each purchase; the name and class of district wherein the land is situated; the amount of money received on each lot; the balance remaining to be received; the date when the balance of the purchase money shall be payable. Also, shewing the total quantity of land, in the Settled or Unsettled Districts, selected in each year, from 1861, and the aggregate amount of the balances of the purchase money payable in each year.
Question put and passed.
5. Removal of Post Office, Mudgee, ("Formal Motion") :—Mr. Terry moved, pursuant to Notice, That there be laid on the Table of this House, all Petitions and Correspondence received by the Government in reference to the removal of the Post Office in the Town of Mudgee to the site originally intended.
Question put and passed.
6. James William Abbott, (Administration of Justice), ("Formal Motion") :—Mr. Garrett moved pursuant to Notice, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Correspondence and other Documents as to the case of James William Abbott, confined in Cooma Gaol, at the instance of the Attorney General.
Question put and passed.
7. Licensed Watermen :—Mr. Parkes presented a Petition from certain Licensed Watermen plying for hire at the Circular Quay, in the Port of Sydney, representing that they suffer certain inconveniences as therein set forth, arising out of the state of the law; and praying for leave to sue as well as to be sued, and for other relief in the premises.
Petition received.
8. Motions Withdrawn :—The undermentioned Motions on the Notice Paper of Other Business for to-day were withdrawn, by the Members respectively named, viz. :—
(1.) Mr. Terry, No. 1.
(2.) Mr. D. Buchanan, Nos. 2 to 12 inclusive, and 18.
(3.) Mr. Laycock, No. 13.
(4.) Mr. Harpur, No. 17.
(5.) Mr. J. Buchanan, No. 19.
(6.) Mr. Rusden, No. 20.
9. Mr. N. L. Kentish :—Mr. Rusden presented a Petition from Nathaniel Lipscombe Kentish, gentleman, relative to his dismissal from the office of Clerk of Petty Sessions at Molong,—which formed the subject of former Petitions—praying consideration of his case.
Petition received.
10. Address in Reply to the Governor's Opening Speech :—The adjourned Debate, on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz. :—
"To His Excellency the Right Honorable SIR JOHN YOUNG, Baronet, Knight
"Commander of the most Honorable Order of the Bath, Knight Grand Cross
"of the Most Distinguished Order of St. Michael and St. George, Captain
"General and Governor-in-Chief of the Colony of New South Wales, and
"Vice-Admiral of the same.
"MAY IT PLEASE YOUR EXCELLENCY,—
"We, Her Majesty's loyal and dutiful Subjects, the Members of the
"Legislative Assembly of New South Wales, in Parliament assembled, desire to
"express to Your Excellency our affection and loyalty to the Person and Govern-
"ment of our Most Gracious Sovereign; and to offer our respectful thanks for
"Your Excellency's Speech.

" 2. The Papers explanatory of the various departmental changes which have been made during the recess, when laid before us, will receive our attentive consideration.

" 3. While regretting the failure of negotiations with the Government of Victoria, on the subject of the Border Customs Duties, and the necessity for their collection by our own Revenue Officers—we are gratified to learn that a favourable arrangement has been made with the Government of South Australia, for the collection of duties on goods arriving from that Province, by way of the River Murray, for consumption in New South Wales.

" 4. The propriety of maintaining an increased Postal Rate on letters transmitted by the Mail Contract Steamers to the United Kingdom, pending the final decision of the Imperial Government, will be carefully considered.

" 5. The disastrous floods which have prevailed since the commencement of the current year—following on the failure of last year's harvest—prepared us for the announcement of a deficiency in the Revenue. Measures which may be submitted to us, having in view a prudent economy in expenditure concurrently with an enlargement of our income, will have our most serious attention.

" 6. We regret to learn that the state of crime in the interior is such, that the maintenance of a large Police force is still considered necessary.

" 7. Our attention will be carefully bestowed upon propositions that may be laid before us to facilitate railway extension, and to provide permanently for the Sydney Branch of the Royal Mint, as well as upon the various Bills which your Excellency informs us we shall be invited to consider.

" 8. The action of the Government in providing out of the Public Funds for the relief of sufferers by the floods, will meet with our ready sanction, where the expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legitimate requirements of the Southern and South-western Districts, in the matter of Public Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech, will meet with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable Harvest.

" 12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people."

Upon which Mr. Cowper had moved, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words—

" We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

" We beg also to express our regret that Your Excellency's Ministers should, during the recess, have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

" We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House,"—

Resumed and continued.

Motion made by Mr. Rusden, and Question put (after Debate),—That this Debate be now adjourned until To-morrow.

The House divided.

Ayes, 24.

Noes, 32.

Mr. Martin,
Mr. W. Forster,
Mr. Eagar,
Mr. Wilson,
Mr. Faucett,
Mr. Macpherson,
Mr. Morris,
Mr. Milford,
Mr. Raper,
Mr. Lord,
Mr. Piddington,
Mr. Lackey,
Mr. Wisdom,
Mr. J. N. Ryan,
Mr. Walker,
Mr. Holroyd,
Mr. Harpur,

Mr. Burns,
Mr. Gordon,
Mr. Haworth,
Mr. Rusden,
Mr. Macleay,
Tellers.
Mr. Redman,
Mr. J. Buchanan.

Mr. Cowper,
Mr. Darvall,
Mr. Egan,
Mr. Eckford,
Mr. D. Buchanan,
Mr. Terry,
Mr. Alexander,
Mr. Close,
Mr. Parkes,
Dr. Lang,
Mr. Smart,
Mr. R. Forster,
Mr. Sadleir,
Mr. Hannell,
Mr. Cummings,
Mr. Leary,
Mr. Dalgleish,
Mr. Emanuel,
Mr. Rotton,
Mr. Bell,
Mr. Cowper, junr.,
Mr. Dangar,
Mr. J. T. Ryan,
Mr. Weekes,
Mr. Tighe,
Mr. Cunneen,
Mr. Laycock,
Mr. Morrice,
Mr. Sutherland,
Mr. Driver,
Tellers.
Mr. Arnold,
Mr. Garrett.

Debate on Main Question continued,

Motion

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

Ayes, 30.

Mr. Martin,	Mr. Laycock,
Mr. W. Forster,	Mr. Cummings,
Mr. Eagar,	Mr. Sutherland,
Mr. Faucett,	Mr. Cunneen,
Mr. Wilson,	Mr. Walker,
Mr. Macpherson,	Mr. Harpur,
Mr. Milford,	Mr. Holroyd,
Mr. Morris,	Mr. Lackey,
Mr. Burns,	Mr. Rusden,
Mr. Piddington,	Mr. Haworth,
Mr. Raper,	Mr. Gordon,
Mr. Lord,	Mr. J. Buchanan,
Mr. Dalgleish,	<i>Tellers.</i>
Mr. R. Forster,	
Mr. Terry,	Mr. Macleay,
Mr. Leary,	Mr. Redman.

Noes, 25.

Mr. Cowper,	Mr. Weekes,
Mr. Arnold,	Mr. Close,
Mr. Darvall,	Mr. Morrice,
Mr. D. Buchanan,	Mr. Tighe,
Mr. Dangar,	Mr. Bell,
Mr. Driver,	Mr. Burdekin,
Mr. Alexander,	Mr. Robertson,
Dr. Lang,	<i>Tellers.</i>
Mr. Parkes,	
Mr. Smart,	Mr. Eckford,
Mr. Egan,	Mr. Hannell.
Mr. Sadleir,	
Mr. Rotton,	
Mr. Emanuel,	
Mr. Cowper, junr.,	
Mr. Garrett,	

And the House continuing to sit until after Midnight,—

WEDNESDAY, 2 NOVEMBER, 1864. A. M.

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

JOHN HAY,
Speaker.

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

WEDNESDAY, NOVEMBER 2.

Questions :—

1. MR. TIGHE to ask THE COLONIAL SECRETARY,—Whether the Government intend to comply with the application made by him some months since, for establishing Polling Places at those populous Towns in the Electorate of Northumberland, viz. :—Minmi, Wallsend, Waratah, Pit Town, &c., which are situated at distances varying from about 1½ to 7 miles from any Polling Place?
2. MR. DALGLEISH to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) When Captain Galton gave up the commission for the purchase of railway materials, did he report on that, or any other occasion, that one per cent. was not sufficient remuneration for such services?
 - (2.) Did the Executive Council of New South Wales appoint Mr. John Fowler to inspect the rolling stock for our railways, and agree to pay him a commission of two and a half per cent. for such services?
 - (3.) Did the Executive Council of New South Wales authorize Captain Galton to appoint Mr. John Fowler to inspect the rolling stock for our railways, and to agree on the part of this Government to pay two and a half per cent. for such services?
 - (4.) Has the attention of the Honorable the Minister for Works been called to the impracticable character of the Government specification for rails for which public tenders were lately invited?
 - (5.) Is it the intention of the Government to continue to invite the public to tender for the supply of Elm keys for railway purposes, or to invite tenders for the supply of the same made from Colonial hardwood?
 - (6.) Has any report been received from the Engineer-in-Chief for Railways respecting the quality of the iron in the railway bars supplied to the Government?
 - (7.) Have the railway bars already received been weighed and otherwise tested when taken into stock at the Railway Station?
 - (8.) What tests have the railway bars been subjected to in this Colony before being put into actual use.

(9.)

(9.) Was public competition invited in England for the supply of rails for the railways of this Colony; and if so, in what manner, and in what newspapers were such tenders advertised?

(10.) In what manner were tenders invited for the supply of rails for this Government, and who were the persons appointed to decide on the most eligible tender?

(11.) Have copies of the contracts for the supply of rails for this Colony been received by the Government?

3. MR. EGAN *to ask* THE ACTING SECRETARY FOR PUBLIC WORKS,—

(1.) Whether the necessary repairs to the Wharf at Tathra have been completed?

(2.) Have the Government placed any sum of money on the Estimates for 1865 to erect a new Wharf at Tathra?

4. MR. EGAN *to ask* THE COLONIAL TREASURER,—Whether the Moorings at the Port of Tathra have been laid down and finally completed for use?

5. MR. D. BUCHANAN *to ask* THE COLONIAL SECRETARY,—If it is the intention of the Government to retain in the Commission of the Peace the Magistrates at Penrith, who so grossly committed themselves in ordering the imprisonment, for three months, of a boy named Millar, and which boy the Executive instantly liberated on the matter being brought under their notice?

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. W. FORSTER to move for leave to introduce a Bill to establish District Councils.

2. MR. W. FORSTER to move for leave to introduce a Bill for the protection of Destitute Children.

3. MR. W. FORSTER to move for leave to introduce a Bill to amend the law relating to Patents.

4. MR. W. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund.

5. MR. W. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.

6. MR. EAGAR to move, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.

7. MR. WILSON to move for leave to introduce a Bill to regulate Impounding.

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

ORDERS OF THE DAY:—

1. Military Contribution Bill; second reading.

2. Volunteer Bill; second reading.

3. Chairmanship of Committees; Debate on the motion of Mr. W. Forster, "That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session."

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. TERRY to move, That there be laid upon the Table of this House, all the Plans made by Mr. Peter Brown of the proposed line of Railway from Muswellbrook to Mudgee.

2. MR. DALGLEISH to move, That the Petition of Henry William Dudley, presented by him on 27th October, be printed.

3. MR. CUMMINGS to move, That the Petition presented by him on 21st October, relative to the Great Western Line of Railroad, be printed.

ORDER OF THE DAY:—

1. Resumption of the adjourned Debate on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor's Opening Speech, as read by the Clerk, be now adopted by this House, viz. :—

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

"MAY IT PLEASE YOUR EXCELLENCY,—

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

"2. The Papers explanatory of the various departmental changes which have been made during the recess, when laid before us, will receive our attentive consideration.

"3. While regretting the failure of negotiations with the Government of Victoria, on the subject of the Border Customs Duties, and the necessity for their collection by our own Revenue Officers—we are gratified to learn that a favourable arrangement has been made with the Government of South Australia, for the collection of duties on goods arriving from that Province, by way of the River Murray, for consumption in New South Wales.

"4.

" 4. The propriety of maintaining an increased Postal Rate on Letters transmitted by the Mail Contract Steamers to the United Kingdom, pending the final decision of the Imperial Government, will be carefully considered.

" 5. The disastrous floods which have prevailed since the commencement of the current year—following on the failure of last year's harvest, prepared us for the announcement of a deficiency in the Revenue. Measures which may be submitted to us, having in view a prudent economy in expenditure concurrently with an enlargement of our income, will have our most serious attention.

" 6. We regret to learn that the state of crime in the interior is such, that the maintenance of a large Police force is still considered necessary.

" 7. Our attention will be carefully bestowed upon propositions that may be laid before us to facilitate railway extension, and to provide permanently for the Sydney Branch of the Royal Mint, as well as upon the various Bills which your Excellency informs us we shall be invited to consider.

" 8. The action of the Government in providing out of the Public Funds for the relief of sufferers by the floods, will meet with our ready sanction, where the expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legitimate requirements of the Southern and South-western Districts, in the matter of Public Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech will meet with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and, while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable harvest.

" 12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people."

Upon which Mr. Cowper had moved, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words:—

" We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

" We beg also to express our regret that Your Excellency's Ministers should during the recess have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

" We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House."

FRIDAY, NOVEMBER 4.

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. CUNNEEN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing—
 - (1.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 20th January, 1861, to the 20th January, 1862.
 - (2.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the said period.
 - (3.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 18th October, 1863, to the 18th October, 1864.
 - (4.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the same period.
2. MR. LAYCOCK to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
3. MR. J. BUCHANAN to move, That the Report of the Select Committee on the Working of the Gold Fields Act, brought up by him on the 9th March, 1864, be now adopted by this House.
4. MR. RUSDEN to move, That the Report brought up from the Committee, appointed last Session to inquire into the Reservations upon Runs in Tumut District, be now adopted by this House.

TUESDAY.

TUESDAY, NOVEMBER 8.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. STEWART to move,—
 - (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 - (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 - (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 - (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.
2. MR. STEWART to move,—
 - (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 - (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 - (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.
3. MR. J. T. RYAN to move, That, in the opinion of this House, the Bonds required from Tenderers, called for by the Minister of Public Works for the Railway extension of the Great Western and Southern Lines, will be detrimental to the best interests of the Country, and fraught with great evil; also, ruinous to the Contractors now in existence on the above-named lines.
4. DR. LANG to move, That the Petition presented by him on the 25th October, from David Blair, formerly one of the Messengers of this House, be printed.
5. MR. D. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.
6. MR. D. BUCHANAN to move, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
7. MR. D. BUCHANAN to move, That in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
8. MR. D. BUCHANAN to move, That in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
9. MR. D. BUCHANAN to move, That in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
10. MR. D. BUCHANAN to move, That in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
11. MR. D. BUCHANAN to move, That in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
12. MR. D. BUCHANAN to move, That in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
13. MR. D. BUCHANAN to move, That in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
14. MR. D. BUCHANAN to move, That in the opinion of this House, the tax upon Newspapers has an injurious tendency, and ought to be repealed.
15. MR. D. BUCHANAN to move, That in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
16. MR. D. BUCHANAN to move, That a question, involving the purity of the administration of Justice in this Country, is of sufficient public importance to justify an investigation of the matter, by any Member of this House. And that circumstances of grave suspicion, criminally implicating any member of the community, while that member of the community remains unprosecuted, is a matter of sufficient public importance to justify the questioning of the Crown Law Officers on such a subject, by any Member of this House.
17. MR. HARPUR to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the propriety of adopting an Address to the Governor, praying that His Excellency will be pleased to place upon the Supplementary Estimates for 1864, a sum not exceeding £200, as the first payment of an annual Pension of that amount to Mrs. Caroline Chisholm.

TUESDAY,

TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments in this Colony to three years.
2. MR. RUSDEN to move, That when a Bill has been passed by Parliament, and it is found necessary for the carrying out its provisions to supplement it by Governmental Regulations, such Regulations, before being acted upon, shall be submitted to Parliament for its approval.
3. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
4. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.

TUESDAY, NOVEMBER 22.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move,—
 - (1.) That the Commission of the first Governor of New South Wales comprised, within the limits of that Colony, and established Colonial jurisdiction over, the whole territory extending from the South Cape of Van Diemen's Land to Cape York, and from the 129th Meridian of East Longitude to the Pacific Ocean, including the adjacent islands of that ocean, Norfolk Island and New Zealand.
 - (2.) That wherever a community of British freemen, capable of separate or self-government, has since sprung into existence within this vast territory, it has been the principle and practice of the Imperial Government to disjoin that community from New South Wales, and to erect it into a distinct Colony.
 - (3.) That, in accordance with this principle, the Colonies of Van Diemen's Land, South Australia, Victoria, New Zealand, and Queensland, have all been formed successively, at the earnest desire, and to the incalculable benefit, of their respective inhabitants, within the aforesaid original limits of New South Wales; while the portion of territory intervening between South Australia and the 129th Meridian, has since been separated from New South Wales by the Imperial Parliament, and annexed to South Australia.
 - (4.) That, notwithstanding these six successive cases of separation, the Colony of New South Wales still comprises an area of 317,896½ square miles—an extent of territory equal to that of all Great Britain and France together.
 - (5.) That it is contrary to the uniform experience of British Colonization for 250 years past, that so vast a territory can ever be either well or satisfactorily governed from a single central point as one Colony; and that bad government, exhibited in the general neglect of the outlying portions of the Territory, and the consequent dissatisfaction and discontent of their inhabitants, with the prevalence of brigandage and marauding to an extent unparalleled in the Mother Country, and dangerous and destructive in the highest degree to life and property, is the necessary result of a state of things so utterly opposed to the common sense of mankind, as well as to the rights and interests of British Colonists.
 - (6.) That, along the Murray River, which forms the Southern boundary of New South Wales, at a distance varying from 400 to 800 miles from Sydney, a community of British freemen comprising upwards of 20,000 souls, and possessing an amount of property in houses and lands, in sheep, cattle, and horses, sufficient to form a separate and distinct Colony, with all the requisites for self-government, has sprung into existence within the past twenty years.
 - (7.) That, in geographical position, and in physical characteristics, as well as in all the social and commercial relations of its inhabitants, this tract of country, which, from its eastern and longest occupied portion, lying between the Murray and Murrumbidgee Rivers, has been designated Riverina, is quite unconnected, except in its compulsory political and judicial relations, with that portion of New South Wales which extends upwards of 500 miles along the Pacific Ocean, and includes all the Northern and Eastern portions of that Colony.
 - (8.) That, in order to secure, and to monopolize the trade of Riverina, for the Colony of Victoria, a Railway has just been completed, from Melbourne, the Capital of that Colony, to the southernmost point on the Murray River, at Echuca, being a distance of 142 miles; and that this Railway, which it is proposed to extend other forty miles, to Deniliquin, the chief town of Riverina, will necessarily concentrate the whole, or nearly the whole, commerce of that portion of the present Colony of New South Wales, in Melbourne.
 - (9.) That so long as the tract of country, now designated Riverina, was of difficult and uncertain access, the inhabitants, who were only few and widely scattered, were allowed by the Government of New South Wales to procure their supplies of dutiable commodities wherever they could, and that as increased facilities of communication were opened up and established with Melbourne, they obtained them almost exclusively from Victoria, thereby depriving the Colony of New South Wales of the Revenue to which it was justly entitled from the consumption of these commodities within its proper territory.

(10.)

(10.) That as such a state of things could no longer be tolerated by New South Wales, when the population and trade of Riverina had increased beyond all previous anticipations, through the increased facilities of communication with Melbourne, a species of Border warfare has for some time past prevailed between the two Colonies, New South Wales insisting upon the payment of Customs duties on all goods imported into her Territory at her frontier, and Victoria, which has already received the duties in Melbourne, refusing, on various pretexts, to pay them to New South Wales: Custom House Officers and Police being now stationed to protect the rights and interests of both parties at all the more important points on the river.

(11.) That, if Riverina were a distinct and independent Colony, it could easily make arrangements, on the principle of the German Customs League, with the Colony of Victoria, to establish a common tariff for both Colonies, and to appropriate the joint Revenue according to the respective population of each, thereby removing all Custom Houses and other obstructions to the navigation of the Murray.

(12.) That, in the opinion of this House, it is therefore expedient and necessary, in order to ensure to the inhabitants of Riverina the benefits and blessings of self-government, to which they are justly entitled as British subjects, and which they can never hope to obtain as a mere remote appendage of New South Wales, as well as to ensure the maintenance of peace and harmony for all future time along the banks of the Murray, that Her Majesty should be solicited to take the requisite steps for the separation of Riverina from New South Wales, and for its erection into a distinct and independent Colony.

(13.) That an Address be presented to His Excellency the Governor, with the foregoing Resolutions, and a request that His Excellency will be pleased to transmit a copy of them to the Right Honorable the Secretary of State for the Colonies.



New South Wales.

No. 10.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

WEDNESDAY, 2 NOVEMBER, 1864.

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

Questions on Notice Paper for to-day :—

- (1.) Polling Places in Northumberland Electorate :—Mr. Tighe asked the Colonial Secretary pursuant to Notice No. 1,—Whether the Government intend to comply with the application made by him some months since, for establishing Polling Places at those populous Towns in the Electorate of Northumberland, viz. :—Minmi, Wallsend, Waratah, Pit Town, &c., which are situated at distances varying from about 1½ to 7 miles from any Polling Place?

Mr. W. Forster answered :—It is intended to appoint a Polling Place at Wallsend in accordance with the Honorable Member's suggestion, but the same course has not been decided on in regard to Minmi, Waratah, and Pit Town, because the Returning Officer has reported against the proposal in these cases; and when a conflict of opinion arises on such a question, between the Returning Officer and an Honorable Gentleman who has been, and may be again, a candidate for the constituency, it appears to the Government safer, in general, to rely on the opinion of the Returning Officer as being directly responsible to the Government, and probably the least interested party. However, further enquiry has been ordered, and every endeavour will be made to meet the convenience of the electors generally.

(*Mr. Dalgleish withdrew the Question standing in his name, No 2.*)

- (2.) Wharf at Tathra :—Mr. Egan asked, pursuant to Notice No. 3,—

(1.) Whether the necessary repairs to the Wharf at Tathra have been completed?

(2.) Have the Government placed any sum of money on the Estimates for 1865 to erect a new Wharf at Tathra?

Mr. Wilson answered :—

(1.) I believe not. On the 5th July last, the Bench of Magistrates at Bega represented to the Government that the Wharf at Tathra had been severely injured by the recent gales, and that £100 would be required at once to repair the damage. On the 25th of that month £100 was placed at the disposal of the Bench, with a request that they would undertake the necessary repairs. On the 16th August, a further letter was received from the Bench, stating that £200 would be required for the work in question. The additional £100 was authorized to be placed on the Supplementary Estimates for 1864, and the Bench informed accordingly.

(2.) No.

- (3.) Moorings at Tathra :—Mr. Egan asked the Colonial Treasurer, pursuant to Notice No. 4,—Whether the Moorings at the Port of Tathra have been laid down and finally completed for use?

Mr. Egan answered :—The Moorings have been laid down, and made use of by vessels trading to Tathra, for some time past.

(4.)

- (4.) Certain Magistrates at Penrith *in re* Millar:—Mr. D. Buchanan asked the Colonial Secretary, pursuant to Notice No. 5,—If it is the intention of the Government to retain in the Commission of the Peace the Magistrates at Penrith, who so grossly committed themselves in ordering the imprisonment, for three months, of a boy named Millar, and which boy the Executive instantly liberated on the matter being brought under their notice?
Mr. W. Forster answered:—I cannot, upon the information before me, admit that the Magistrates in the case referred to, “grossly committed themselves,” nor is it the intention of the Government to remove these Magistrates from the Commission of the Peace.
2. Paper:—Mr. W. Forster laid upon the Table, Revised Rules, established under the Police Regulation Act of 1862, for the general management and discipline of the Members of the Police Force of New South Wales.
Ordered to be printed.
3. Henry William Dudley (“*Formal*” *Motion*):—Mr. Dalgleish moved, pursuant to notice, That the Petition of Henry William Dudley, presented by him on 27th October, be printed.
Question put and passed.
Ordered to be printed.
4. Motion for Adjournment:—Mr. Harpur moved, That this House do now adjourn.
Debate ensued.
Question put and negatived.
5. Motions Withdrawn:—The undermentioned Motions, on the Notice Paper of Government Business for to-day, were withdrawn by the Members respectively named, viz. :—
(1.) Mr. W. Forster, Nos. 1 to 5 inclusive.
(2.) Mr. Eagar, No. 6.
(3.) Mr. Eagar, on behalf of Mr. Wilson, No. 7.
(4.) Mr. Eagar, No. 8.
6. Postponements:—The Orders of the Day, Nos. 1, 2, and 3, of Government Business, postponed respectively, on motion of Mr. W. Forster, until to-morrow.
7. Motion Withdrawn:—Mr. Terry withdrew the Motion standing in his name, No. 1 on the Notice Paper of Other Business for to-day.
8. Railway Communication with Western Districts:—Mr. Cummings moved, pursuant to notice, That the Petition presented by him on 21st October, relative to the Great Western Line of Railroad, be printed.
Question put and passed.
Ordered to be printed.
9. Address in Reply to the Governor’s Opening Speech:—The adjourned Debate, on the Motion of Mr. Lackey, seconded by Mr. Milford, that the Address, in reply to the Governor’s Opening Speech, as read by the Clerk, be now adopted by this House, viz. :—
“*To His Excellency the Right Honorable SIR JOHN YOUNG, Baronet, Knight Commander of the most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Captain General and Governor-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.*”
“MAY IT PLEASE YOUR EXCELLENCY,—
“We, Her Majesty’s loyal and dutiful Subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express to Your Excellency our affection and loyalty to the Person and Government of our Most Gracious Sovereign; and to offer our respectful thanks for Your Excellency’s Speech.
“2. The Papers explanatory of the various departmental changes which have been made during the recess, when laid before us, will receive our attentive consideration.
“3. While regretting the failure of negotiations with the Government of Victoria, on the subject of the Border Customs Duties, and the necessity for their collection by our own Revenue Officers—we are gratified to learn that a favourable arrangement has been made with the Government of South Australia, for the collection of duties on goods arriving from that Province, by way of the River Murray, for consumption in New South Wales.
“4. The propriety of maintaining an increased Postal Rate on letters transmitted by the Mail Contract Steamers to the United Kingdom, pending the final decision of the Imperial Government, will be carefully considered.
“5. The disastrous floods which have prevailed since the commencement of the current year—following on the failure of last year’s harvest—prepared us for the announcement of a deficiency in the Revenue. Measures which may be submitted to us, having in view a prudent economy in expenditure concurrently with an enlargement of our income, will have our most serious attention.
“6. We regret to learn that the state of crime in the interior is such, that the maintenance of a large Police force is still considered necessary.
“7. Our attention will be carefully bestowed upon propositions that may be laid before us to facilitate railway extension, and to provide permanently for the Sydney Branch of the Royal Mint, as well as upon the various Bills which your Excellency informs us we shall be invited to consider.

" 8. The action of the Government in providing out of the Public Funds for the relief of sufferers by the floods, will meet with our ready sanction, where the expenditure has been a matter of necessity.

" 9. We shall be glad to learn, and to support as far as possible, the legitimate requirements of the Southern and South-western Districts, in the matter of Public Works, and the Administration of Justice.

" 10. The other matters referred to in your Excellency's Speech, will meet with our careful consideration.

" 11. We share your Excellency's well-grounded confidence in the extent, variety, and permanence of our resources; and while lamenting the year of calamity through which we are passing, and its attendant stagnation of trade and industry, we look forward hopefully to the prospect of a favourable Harvest.

" 12. We unite with your Excellency, in the hope that our deliberations may be so guided that, under Divine favour, they may result in measures calculated to advance the welfare and contentment of the people."

Upon which Mr. Cowper had moved, That the Question be amended by omitting all the words after the first paragraph, with a view to inserting in their place the words—

" We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

" We beg also to express our regret that Your Excellency's Ministers should, during the recess, have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

" We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House,"—

Resumed and continued.

And the House continuing to sit until after Midnight,—

THURSDAY, 3 NOVEMBER, 1864. A.M.

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

Ayes, 29.

Mr. Martin,	Mr. Redman,
Mr. W. Forster,	Mr. Raper,
Mr. Eagar,	Mr. Walker,
Mr. Wilson,	Mr. Rusden,
Mr. Faucett,	Mr. Wisdom,
Mr. Holroyd,	Mr. Gordon,
Mr. Holt,	Mr. Lackey,
Mr. Macpherson,	Mr. Morris,
Mr. Milford,	
Mr. Burns,	<i>Tellers.</i>
Mr. Stewart,	Mr. J. Buchanan,
Mr. Harpur,	Mr. Macleay.
Mr. Piddington,	
Mr. Lord,	
Mr. J. N. Ryan,	
Mr. Dalgleish,	
Mr. Love,	
Mr. Haworth,	
Mr. Allen,	

Noes, 36.

Mr. Cowper,	Mr. Emanuel,
Mr. Robertson,	Mr. Leary,
Mr. Arnold,	Mr. Smart,
Mr. Lucas,	Mr. Eckford,
Mr. Parkes,	Mr. Sadleir,
Mr. D. Buchanan,	Mr. Dangar,
Mr. Alexander,	Mr. Hannell,
Mr. Burdekin,	Mr. J. T. Ryan,
Mr. Cummings,	Mr. Tighe,
Mr. Rotton,	Mr. Sutherland,
Mr. Close,	Mr. Laycock,
Mr. Cunneen,	Mr. Bell,
Mr. Darvall,	Mr. Morrice,
Mr. Egan,	Dr. Lang,
Mr. R. Forster,	Mr. Caldwell,
Mr. Samuel,	<i>Tellers.</i>
Mr. Weekes,	
Mr. Cowper, junr.,	Mr. Driver,
Mr. Terry,	Mr. Garrett.

Question put, That the words proposed to be inserted in the place of the words omitted be there inserted. The House divided.

Ayes, 36.

Mr. Cowper,	Mr. Leary,
Mr. Robertson,	Mr. Sutherland,
Mr. Lucas,	Mr. Cowper, junr.,
Mr. Burdekin,	Mr. Alexander,
Mr. Egan,	Mr. Emanuel,
Mr. Hannell,	Mr. Sadleir,
Mr. R. Forster,	Mr. Eckford,
Mr. Tighe,	Dr. Lang,
Mr. Arnold,	Mr. Cunneen,
Mr. Rotton,	Mr. Morrice,
Mr. Parkes,	Mr. Bell,
Mr. Cummings,	Mr. Caldwell,
Mr. D. Buchanan,	Mr. J. T. Ryan,
Mr. Terry,	Mr. Close,
Mr. Darvall,	Mr. Smart,
Mr. Samuel,	<i>Tellers.</i>
Mr. Weekes,	
Mr. Dangar,	Mr. Garrett,
Mr. Laycock,	Mr. Driver.

Noes, 29.

Mr. Martin,	Mr. Stewart,
Mr. W. Forster,	Mr. J. N. Ryan,
Mr. Eagar,	Mr. Allen,
Mr. Wilson,	Mr. Raper,
Mr. Faucett,	Mr. Harpur,
Mr. Holroyd,	Mr. Walker,
Mr. Macpherson,	Mr. Macleay,
Mr. Burns,	Mr. J. Buchanan,
Mr. Piddington,	<i>Tellers.</i>
Mr. Redman,	
Mr. Morris,	Mr. Lackey,
Mr. Milford,	Mr. Rusden.
Mr. Holt,	
Mr. Gordon,	
Mr. Wisdom,	
Mr. Love,	
Mr. Lord,	
Mr. Dalgleish,	
Mr. Haworth,	

Whereupon

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

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

MAY IT PLEASE YOUR EXCELLENCY,—

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

We desire to express to Your Excellency our deep regret that Your Excellency should have been advised to postpone the assembling of the Parliament to this late and inconvenient season of the year, notwithstanding the grave reasons which have existed for an earlier Session.

We beg also to express our regret that Your Excellency's Ministers should during the recess have carried out measures affecting the Public Revenue and the Commercial interests of the Colony, which should not have been adopted without the sanction of Parliament.

We further desire respectfully to state to Your Excellency, that in consequence of our dissatisfaction with the conduct of the Government, the Ministry does not possess the confidence of this House.

The House divided.

Ayes, 36.

Mr. Cowper,	Mr. Leary,
Mr. Lucas,	Mr. Sutherland,
Mr. Robertson,	Mr. Cowper, junr.,
Mr. Burdekin,	Mr. Alexander,
Mr. Egan,	Mr. Emanuel,
Mr. Hannell,	Mr. Sadleir,
Mr. R. Forster,	Mr. Eckford,
Mr. Tighe,	Dr. Lang,
Mr. Arnold,	Mr. Cunneen,
Mr. Rotton,	Mr. Morrice,
Mr. Parkes,	Mr. Caldwell,
Mr. Cummings,	Mr. Bell,
Mr. D. Buchanan,	Mr. J. T. Ryan,
Mr. Terry,	Mr. Close,
Mr. Darvall,	Mr. Smart,
Mr. Samuel,	
Mr. Weekes,	<i>Tellers.</i>
Mr. Dangar,	Mr. Garrett,
Mr. Laycock,	Mr. Driver.

Noes, 29.

Mr. Martin,	Mr. Stewart,
Mr. W. Forster,	Mr. J. N. Ryan,
Mr. Eagar,	Mr. Allen,
Mr. Wilson,	Mr. Raper,
Mr. Faucett,	Mr. Harpur,
Mr. Helroyd,	Mr. Walker,
Mr. Macpherson,	Mr. Macleay,
Mr. Burns,	Mr. J. Buchanan,
Mr. Piddington,	
Mr. Redman,	<i>Tellers.</i>
Mr. Morris,	Mr. Rusden,
Mr. Milford,	Mr. Lackey.
Mr. Holt,	
Mr. Gordon,	
Mr. Wisdom,	
Mr. Love,	
Mr. Lord,	
Mr. Dalglish,	
Mr. Haworth,	

10. Adjournment :—Mr. Martin,—intimating that he had it in Command from the Governor, to state that His Excellency would be pleased to receive the Address of the Assembly in reply to his Opening Speech, at half-past Three o'clock To-morrow,—moved, That this House do now adjourn, until To-morrow, at Three o'clock, for the purpose of proceeding to Government House, there at half-past Three o'clock, to present to the Governor their Address in reply to His Excellency's Opening Speech.

Question put and passed.

Whereupon the Speaker left the Chair, and the House stood adjourned, at a quarter before One o'clock, A.M., until Three o'clock, P.M., This Day.

JOHN HAY,
Speaker.

THURSDAY, NOVEMBER 3.

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

NOTICES

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

THURSDAY, NOVEMBER 3.

Questions :—

1. MR. DALGLEISH to ask THE SECRETARY FOR PUBLIC WORKS,—
 - (1.) When Captain Galton gave up the commission for the purchase of railway materials, did he report on that, or any other occasion, that one per cent. was not sufficient remuneration for such services?
 - (2.) Did the Executive Council of New South Wales appoint Mr. John Fowler to inspect the rolling stock for our railways, and agree to pay him a commission of two and a half per cent. for such services?
 - (3.) Did the Executive Council of New South Wales authorize Captain Galton to appoint Mr. John Fowler to inspect the rolling stock for our railways, and to agree on the part of this Government to pay two and a half per cent. for such services?
 - (4.) Has the attention of the Honorable the Minister for Works been called to the impracticable character of the Government specification for rails for which public tenders were lately invited?
 - (5.) Is it the intention of the Government to continue to invite the public to tender for the supply of Elm keys for railway purposes, or to invite tenders for the supply of the same made from Colonial hardwood?
 - (6.) Has any report been received from the Engineer-in-Chief for Railways respecting the quality of the iron in the railway bars supplied to the Government?
 - (7.) Have the railway bars already received been weighed and otherwise tested when taken into stock at the Railway Station?
 - (8.) What tests have the railway bars been subjected to in this Colony before being put into actual use.
 - (9.) Was public competition invited in England for the supply of rails for the railways of this Colony; and if so, in what manner, and in what newspapers were such tenders advertised?
 - (10.) In what manner were tenders invited for the supply of rails for this Government, and who were the persons appointed to decide on the most eligible tender?
 - (11.) Have copies of the contracts for the supply of rails for this Colony been received by the Government?
2. MR. BURNS to ask THE SECRETARY FOR LANDS,—If he intends to lay upon the Table of the House, the Report of Mr. Moriarty on his late survey of the River Hunter?
3. MR. ROTTON to ask THE COLONIAL SECRETARY,—
 - (1.) Whether it is true, as is publicly alleged, that Captain Mayne, the Auditor General, has resigned his office, and been appointed to the office of Colonial Agent in London, in the room of Edward Hamilton, Esquire?
 - (2.) Whether any successor to Captain Mayne has been appointed, and if so, whether such appointment has been made unconditionally, or subject to any modification the Parliament may see fit to make?
4. MR. D. BUCHANAN to ask THE COLONIAL SECRETARY,—If it is the intention of the Government to appoint additional Polling Places at Falmer's Oakey and the Lower Turon, in the Electorate of East Macquarie, both of which places are upwards of fifteen miles from any Polling Place?
5. MR. ROTTON to ask THE COLONIAL TREASURER,—Has any portion of the Funds derived from the sale and leases of the Church and School Lands been paid to or set apart for the Colonies of Victoria and Queensland, which were portions of New South Wales at the time the Trust (if any) was first created?

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. W. FORSTER to move for leave to introduce a Bill to establish District Councils.
2. MR. W. FORSTER to move for leave to introduce a Bill for the protection of Destitute Children.
3. MR. W. FORSTER to move for leave to introduce a Bill to amend the law relating to Patents.
4. MR. W. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund.
5. MR. W. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.
6. MR. EAGAR to move, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
7. MR. WILSON to move for leave to introduce a Bill to regulate Impounding.
8. MR. EAGAR to move for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

ORDERS OF THE DAY :—

1. Military Contribution Bill; second reading.
2. Volunteer Bill; second reading.
3. Chairmanship of Committees; Debate on the motion of Mr. W. Forster, "That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session."

OTHER

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. RUSDEN to move, That the Petition presented by him on 1st November, from Mr. N. L. Kentish, be printed.
2. MR. TERRY to move, That there be laid upon the Table of this House, all the Plans made by Mr. Peter Brown of the proposed line of Railway from Muswellbrook to Mudgee.

FRIDAY, NOVEMBER 4.

Question :—

1. MR. TIGHE to ask THE COLONIAL TREASURER,—Is it the intention of the Government to extend the Money Order System to the Minmi Post Office, and if so, when will it be done ?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. CUNNEEN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing—
 - (1.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 20th January, 1861, to the 20th January, 1862.
 - (2.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the said period.
 - (3.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 18th October, 1863, to the 18th October, 1864.
 - (4.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the same period.
2. MR. LAYCOCK to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
3. MR. J. BUCHANAN to move, That the Report of the Select Committee on the Working of the Gold Fields Act, brought up by him on the 9th March, 1864, be now adopted by this House.
4. MR. RUSDEN to move, That the Report brought up from the Committee, appointed last Session to inquire into the Reservations upon Runs in Tumut District, be now adopted by this House.

TUESDAY, NOVEMBER 8.

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. STEWART to move,—
 - (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 - (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 - (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 - (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.
2. MR. STEWART to move,—
 - (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 - (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 - (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.
3. MR. J. T. RYAN to move, That, in the opinion of this House, the Bonds required from Tenderers, called for by the Minister of Public Works for the Railway extension of the Great Western and Southern Lines, will be detrimental to the best interests of the Country, and fraught with great evil; also, ruinous to the Contractors now in existence on the above-named lines.
4. DR. LANG to move, That the Petition presented by him on the 25th October, from David Blair, formerly one of the Messengers of this House, be printed.
5. MR. D. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.

6. MR. D. BUCHANAN to move, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
7. MR. D. BUCHANAN to move, That in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
8. MR. D. BUCHANAN to move, That in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
9. MR. D. BUCHANAN to move, That in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
10. MR. D. BUCHANAN to move, That in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
11. MR. D. BUCHANAN to move, That in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
12. MR. D. BUCHANAN to move, That in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
13. MR. D. BUCHANAN to move, That in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
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15. MR. D. BUCHANAN to move, That in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
16. MR. D. BUCHANAN to move, That a question, involving the purity of the administration of Justice in this Country, is of sufficient public importance to justify an investigation of the matter, by any Member of this House. And that circumstances of grave suspicion, criminally implicating any member of the community, while that member of the community remains unprosecuted, is a matter of sufficient public importance to justify the questioning of the Crown Law Officers on such a subject, by any Member of this House.
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FRIDAY, NOVEMBER 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MORRIS to move for leave to introduce a Bill to provide for the collection and payment of the Public Moneys, and the protection and recovery of the Public Property, for the Audit of Public Accounts, and the presentation to Parliament of annual statements of the receipts and expenditure of the Public Revenues.

TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments in this Colony to three years.
2. MR. RUSDEN to move, That when a Bill has been passed by Parliament, and it is found necessary for the carrying out its provisions to supplement it by Governmental Regulations, such Regulations, before being acted upon, shall be submitted to Parliament for its approval.
3. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.

4. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.
5. MR. RUSDEN to move, That the report of the Select Committee, in the case of Mr. N. L. Kentish, laid on the Table of the House, by Mr. Dick, the Chairman of the Committee, be adopted.

TUESDAY, NOVEMBER 22.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move,—
 - (1.) That the Commission of the first Governor of New South Wales comprised, within the limits of that Colony, and established Colonial jurisdiction over, the whole territory extending from the South Cape of Van Diemen's Land to Cape York, and from the 129th Meridian of East Longitude to the Pacific Ocean, including the adjacent islands of that ocean, Norfolk Island and New Zealand.
 - (2.) That wherever a community of British freemen, capable of separate or self-government, has since sprung into existence within this vast territory, it has been the principle and practice of the Imperial Government to disjoin that community from New South Wales, and to erect it into a distinct Colony.
 - (3.) That, in accordance with this principle, the Colonies of Van Diemen's Land, South Australia, Victoria, New Zealand, and Queensland, have all been formed successively, at the earnest desire, and to the incalculable benefit, of their respective inhabitants, within the aforesaid original limits of New South Wales; while the portion of territory intervening between South Australia and the 129th Meridian, has since been separated from New South Wales by the Imperial Parliament, and annexed to South Australia.
 - (4.) That, notwithstanding these six successive cases of separation, the Colony of New South Wales still comprises an area of 317,896½ square miles—an extent of territory equal to that of all Great Britain and France together.
 - (5.) That it is contrary to the uniform experience of British Colonization for 250 years past, that so vast a territory can ever be either well or satisfactorily governed from a single central point as one Colony; and that bad government, exhibited in the general neglect of the outlying portions of the Territory, and the consequent dissatisfaction and discontent of their inhabitants, with the prevalence of brigandage and marauding to an extent unparalleled in the Mother Country, and dangerous and destructive in the highest degree to life and property, is the necessary result of a state of things so utterly opposed to the common sense of mankind, as well as to the rights and interests of British Colonists.
 - (6.) That, along the Murray River, which forms the Southern boundary of New South Wales, at a distance varying from 400 to 800 miles from Sydney, a community of British freemen comprising upwards of 20,000 souls, and possessing an amount of property in houses and lands, in sheep, cattle, and horses, sufficient to form a separate and distinct Colony, with all the requisites for self-government, has sprung into existence within the past twenty years.
 - (7.) That, in geographical position, and in physical characteristics, as well as in all the social and commercial relations of its inhabitants, this tract of country, which, from its eastern and longest occupied portion, lying between the Murray and Murrumbidgee Rivers, has been designated Riverina, is quite unconnected, except in its compulsory political and judicial relations, with that portion of New South Wales which extends upwards of 500 miles along the Pacific Ocean, and includes all the Northern and Eastern portions of that Colony.
 - (8.) That, in order to secure, and to monopolize the trade of Riverina, for the Colony of Victoria, a Railway has just been completed, from Melbourne, the Capital of that Colony, to the southernmost point on the Murray River, at Echuca, being a distance of 142 miles; and that this Railway, which it is proposed to extend other forty miles, to Deniliquin, the chief town of Riverina, will necessarily concentrate the whole, or nearly the whole, commerce of that portion of the present Colony of New South Wales, in Melbourne.
 - (9.) That so long as the tract of country, now designated Riverina, was of difficult and uncertain access, the inhabitants, who were only few and widely scattered, were allowed by the Government of New South Wales to procure their supplies of dutiable commodities wherever they could, and that as increased facilities of communication were opened up and established with Melbourne, they obtained them almost exclusively from Victoria, thereby depriving the Colony of New South Wales of the Revenue to which it was justly entitled from the consumption of these commodities within its proper territory.
 - (10.) That as such a state of things could no longer be tolerated by New South Wales, when the population and trade of Riverina had increased beyond all previous anticipations, through the increased facilities of communication with Melbourne, a species of Border warfare has for some time past prevailed between the two Colonies, New South Wales insisting upon the payment of Customs duties on all goods imported into her Territory at her frontier, and Victoria, which has already received the duties in Melbourne, refusing, on various pretexts, to pay them to New South Wales: Custom House Officers and Police being now stationed to protect the rights and interests of both parties at all the more important points on the river.

(11.)

(11.) That, if Riverina were a distinct and independent Colony, it could easily make arrangements, on the principle of the German Customs League, with the Colony of Victoria, to establish a common tariff for both Colonies, and to appropriate the joint Revenue according to the respective population of each, thereby removing all Custom Houses and other obstructions to the navigation of the Murray.

(12.) That, in the opinion of this House, it is therefore expedient and necessary, in order to ensure to the inhabitants of Riverina the benefits and blessings of self-government, to which they are justly entitled as British subjects, and which they can never hope to obtain as a mere remote appendage of New South Wales, as well as to ensure the maintenance of peace and harmony for all future time along the banks of the Murray, that Her Majesty should be solicited to take the requisite steps for the separation of Riverina from New South Wales, and for its erection into a distinct and independent Colony.

(13.) That an Address be presented to His Excellency the Governor, with the foregoing Resolutions, and a request that His Excellency will be pleased to transmit a copy of them to the Right Honorable the Secretary of State for the Colonies.



New South Wales.

No. 11.

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY.

THURSDAY, 3 NOVEMBER, 1864.

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

Address in Reply to the Governor's Opening Speech:—On motion of Mr. Martin (*at twenty-five minutes after Three o'clock*), the Assembly proceeded to Government House, there to present to the Governor their Address in reply to His Excellency's Opening Speech:—

And, being returned, the Speaker reported that the Assembly had been to Government House, and there presented to the Governor their Address in reply to His Excellency's Opening Speech, and that His Excellency had been pleased to make the following answer:—

MR. SPEAKER, AND GENTLEMEN OF THE
LEGISLATIVE ASSEMBLY.

I acknowledge with much satisfaction the loyal and dutiful terms in which your Address is couched.

I am fully sensible of the weight to be attached to the advice you tender as the Representatives of the people in Parliament, and shall lose no time in devoting my consideration to the course which in view to the public interests it may be deemed advisable to pursue.

JOHN YOUNG.

*Government House,
Sydney, 3rd November, 1864.*

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

(1.) Particulars respecting Railway Materials:—Mr. Dalgleish asked, pursuant to amended Notice No. 1,—

(1.) When Captain Galton gave up the commission for the purchase of railway materials, did he report on that, or any other occasion, that one per cent. was not sufficient remuneration for such services, and where such report, if any, can be seen?

(2.) Did the Executive Council of New South Wales appoint Mr. John Fowler to inspect the rolling stock for our railways, and agree to pay him a commission of two and a half per cent. for such services?

(3.) Did the Executive Council of New South Wales authorize Captain Galton to appoint Mr. John Fowler to inspect the rolling stock for our railways, and to agree on the part of this Government to pay two and a half per cent. for such services?

(4.) Has the attention of the Honorable the Minister for Works been called to the impracticable character of the Government specification for rails for which public tenders were lately invited?

(5.) Is it the intention of the Government to continue to invite the public to tender for the supply of Elm keys for railway purposes, or to invite tenders for the supply of the same made from Colonial hardwood?

(6.) Has any report been received from the Engineer-in-Chief for Railways respecting the quality of the iron in the railway bars supplied to the Government?

(7.) Have the railway bars already received been weighed and otherwise tested when taken into stock at the Railway Station?

(8.)

(8.) What tests have the railway bars been subjected to in this Colony before being put into actual use.

(9.) Was public competition invited in England for the supply of rails for the railways of this Colony; and if so, in what manner, and in what newspapers were such tenders advertised?

(10.) In what manner were tenders invited for the supply of rails for this Government, and who were the persons appointed to decide on the most eligible tender?

(11.) Have copies of the contracts for the supply of rails for this Colony been received by the Government?

Mr. Wilson answered:—

(1.) With respect to the Honorable Member's first question, if he will give notice of it as amended, I will reply to it on a future occasion.

(2.) No.

(3.) No.

(4.) Objections have been made to the specifications, which are now under the consideration of the Government.

(5.) This also is receiving attention from the Government.

(6.) The Engineer-in-Chief has not been called upon for such report in writing, but his opinion is that they are of the best quality.

(7.) No; except by counting and measuring.

(8.) None; as such tests were considered unnecessary.

(9.) There is no record of the required information in the Railway Office.

(10.) The information in the Railway Office is not sufficient to enable me to answer that part of the Question which relates to the tenders. Captain Galton was the person originally employed to see the specifications properly carried out; but he appears to have delegated his duty in that respect to Mr. Fowler, who latterly has acted under the direction of the Colonial Agent, without reference to Captain Galton.

(11.) In the case of one indent only.

(2.) Mr. Moriarty's Report of Survey of River Hunter:—Mr. Burns asked the Secretary for Lands, pursuant to Notice No. 2,—If he intends to lay upon the Table of the House, the Report of Mr. Moriarty on his late survey of the River Hunter?

Mr. Wilson answered:—The Government have no objection to lay the Report upon the Table of the House.

(3.) Captain Mayne, Auditor General:—Mr. Rotton asked the Colonial Secretary, pursuant to Notice No. 3,—

(1.) Whether it is true, as is publicly alleged, that Captain Mayne, the Auditor General, has resigned his office, and been appointed to the office of Colonial Agent in London, in the room of Edward Hamilton, Esquire?

(2.) Whether any successor to Captain Mayne has been appointed, and if so, whether such appointment has been made unconditionally, or subject to any modification the Parliament may see fit to make?

Mr. W. Forster answered:—

(1.) Yes.

(2.) No.

(4.) Additional Polling Places in Electorate of East Macquarie:—Mr. D. Buchanan asked the Colonial Secretary, pursuant to Notice No. 4,—If it is the intention of the Government to appoint additional Polling Places at Palmer's Oaky and the Lower Turon, in the Electorate of East Macquarie, both of which places are upwards of fifteen miles from any Polling Place?

Mr. W. Forster answered:—The Government have no such intention at present, having no information on the subject beyond what is afforded by the Honorable Member's question.

(5.) Church and School Land Funds:—Mr. Rotton asked the Colonial Treasurer, pursuant to Notice No. 5,—Has any portion of the Funds derived from the sale and leases of the Church and School Lands been paid to or set apart for the Colonies of Victoria and Queensland, which were portions of New South Wales at the time the Trust (if any) was first created?

Mr. Eagar answered:—I am not aware that any portion of the Funds referred to has been paid or set aside in the way suggested.

3. Adjournment:—Mr. Martin moved, That this House do now adjourn until Tuesday next.

Debate ensued.

Question, *as by consent amended*, That this House do now adjourn until To-morrow,—put (after debate) and passed.

Whereupon the Speaker left the Chair, and the House stood adjourned, at Six o'clock, until To-morrow, at Three o'clock.

JOHN HAY,
Speaker.

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

FRIDAY, NOVEMBER 4.

Question :—

1. MR. TIGHE to ask THE COLONIAL TREASURER,—Is it the intention of the Government to extend the Money Order System to the Minmi Post Office, and if so, when will it be done?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. CUNNEEN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing—
 - (1.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 20th January, 1861, to the 20th January, 1862.
 - (2.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the said period.
 - (3.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 18th October, 1863, to the 18th October, 1864.
 - (4.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the same period.
2. MR. LAYCOCK to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
3. MR. J. BUCHANAN to move, That the Report of the Select Committee on the Working of the Gold Fields Act, brought up by him on the 9th March, 1864, be now adopted by this House.
4. MR. RUSDEN to move, That the Report brought up from the Committee, appointed last Session to inquire into the Reservations upon Runs in Tumut District, be now adopted by this House.
5. MR. ROTTON to move,—
 - (1.) Resolved, that, in the present state of the Treasury and Audit Departments, it is highly inexpedient and improper that W. C. Mayne, Esq., should be permitted to resign his office, and be suddenly removed from the Colony to fill another office in London.
 - (2.) That no alteration ought to be made in the nature of the appointment of Representative Agent of the Colony in London, until the Assembly has been informed of such intended alterations, and time has been afforded for an expression of opinion upon the subject.
 - (3.) That the foregoing Resolutions be presented by Address to His Excellency the Governor-in-Chief.
6. MR. RUSDEN to move, That the Petition presented by him on 1st November, from Mr. N. L. Kentish, be printed.
7. MR. TERRY to move, That there be laid upon the Table of this House, all the Plans made by Mr. Peter Brown of the proposed line of Railway from Muswellbrook to Mudgee.

GOVERNMENT BUSINESS—NOTICES OF MOTION :—

1. MR. W. FORSTER to move for leave to introduce a Bill to establish District Councils.
2. MR. W. FORSTER to move for leave to introduce a Bill for the protection of Destitute Children.
3. MR. W. FORSTER to move for leave to introduce a Bill to amend the law relating to Patents.
4. MR. W. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund.
5. MR. W. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.
6. MR. EAGAR to move, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
7. MR. WILSON to move for leave to introduce a Bill to regulate Impounding.
8. MR. EAGAR to move for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

ORDERS OF THE DAY :—

1. Military Contribution Bill; second reading.
2. Volunteer Bill; second reading.
3. Chairmanship of Committees; Debate on the motion of Mr. W. Forster, "That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session."

TUESDAY,

TUESDAY, NOVEMBER 8.

Question :—

1. MR. J. BUCHANAN *to ask* THE COLONIAL TREASURER,—Has the attention of the Government been drawn to the errors that have been discovered and made public in the mode of keeping the Accounts of the Bank of New South Wales, that Bank being the Institution through which the Government business is transacted?

OTHER BUSINESS—NOTICES OF MOTION :—

1. MR. STEWART *to move*,—
 - (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 - (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 - (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 - (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.
2. MR. STEWART *to move*,—
 - (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 - (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 - (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.
3. MR. J. T. RYAN *to move*, That, in the opinion of this House, the Bonds required from Tenderers, called for by the Minister of Public Works for the Railway extension of the Great Western and Southern Lines, will be detrimental to the best interests of the Country, and fraught with great evil; also, ruinous to the Contractors now in existence on the above-named lines.
4. DR. LANG *to move*, That the Petition presented by him on the 25th October, from David Blair, formerly one of the Messengers of this House, be printed.
5. MR. D. BUCHANAN *to move*, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.
6. MR. D. BUCHANAN *to move*, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
7. MR. D. BUCHANAN *to move*, That in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
8. MR. D. BUCHANAN *to move*, That in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
9. MR. D. BUCHANAN *to move*, That in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
10. MR. D. BUCHANAN *to move*, That in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
11. MR. D. BUCHANAN *to move*, That in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
12. MR. D. BUCHANAN *to move*, That in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
13. MR. D. BUCHANAN *to move*, That in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
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15. MR. D. BUCHANAN *to move*, That in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
16. MR. D. BUCHANAN *to move*, That a question, involving the purity of the administration of Justice in this Country, is of sufficient public importance to justify an investigation of the matter, by any Member of this House. And that circumstances of grave suspicion, criminally implicating any member of the community, while that member of the community remains unprosecuted, is a matter of sufficient public importance to justify the questioning of the Crown Law Officers on such a subject, by any Member of this House.

17. MR. HARPUR to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the propriety of adopting an Address to the Governor, praying that His Excellency will be pleased to place upon the Supplementary Estimates for 1864, a sum not exceeding £200, as the first payment of an annual Pension of that amount to Mrs. Caroline Chisholm.
18. MR. GARRETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £8,000, for the purpose of extending the line of Telegraph from the proposed Terminus at Cooma *via* Bombala, Pambula, and Merrimbula, to the Light House at Eden.
19. MR. GARRETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum of money not exceeding £4,000, for the purpose of extending the coast line of Telegraph from the present Terminus at Kiama, to the Light House at Jervis Bay.

FRIDAY, NOVEMBER 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MORRIS to move for leave to introduce a Bill to provide for the collection and payment of the Public Moneys, and the protection and recovery of the Public Property, for the Audit of Public Accounts, and the presentation to Parliament of annual statements of the receipts and expenditure of the Public Revenues.

TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments in this Colony to three years.
2. MR. RUSDEN to move, That when a Bill has been passed by Parliament, and it is found necessary for the carrying out its provisions to supplement it by Governmental Regulations, such Regulations, before being acted upon, shall be submitted to Parliament for its approval.
3. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
4. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.
5. MR. RUSDEN to move, That the report of the Select Committee, in the case of Mr. N. L. Kentish, laid on the Table of the House, by Mr. Dick, the Chairman of the Committee, be adopted.

TUESDAY, NOVEMBER 22.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move,—
 - (1.) That the Commission of the first Governor of New South Wales comprised, within the limits of that Colony, and established Colonial jurisdiction over, the whole territory extending from the South Cape of Van Diemen's Land to Cape York, and from the 129th Meridian of East Longitude to the Pacific Ocean, including the adjacent islands of that ocean, Norfolk Island and New Zealand.
 - (2.) That wherever a community of British freemen, capable of separate or self-government, has since sprung into existence within this vast territory, it has been the principle and practice of the Imperial Government to disjoin that community from New South Wales, and to erect it into a distinct Colony.
 - (3.) That, in accordance with this principle, the Colonies of Van Diemen's Land, South Australia, Victoria, New Zealand, and Queensland, have all been formed successively, at the earnest desire, and to the incalculable benefit, of their respective inhabitants, within the aforesaid original limits of New South Wales; while the portion of territory intervening between South Australia and the 129th Meridian, has since been separated from New South Wales by the Imperial Parliament, and annexed to South Australia.
 - (4.) That, notwithstanding these six successive cases of separation, the Colony of New South Wales still comprises an area of 317,896½ square miles—an extent of territory equal to that of all Great Britain and France together.
 - (5.) That it is contrary to the uniform experience of British Colonization for 250 years past, that so vast a territory can ever be either well or satisfactorily governed from a single central point as one Colony; and that bad government, exhibited in the general neglect of the outlying portions of the Territory, and the consequent dissatisfaction and discontent of their inhabitants, with the prevalence of brigandage and marauding to an extent unparalleled in the Mother Country, and dangerous and destructive in the highest degree to life and property, is the necessary result of a state of things so utterly opposed to the common sense of mankind, as well as to the rights and interests of British Colonists.

(6.)

(6.) That, along the Murray River, which forms the Southern boundary of New South Wales, at a distance varying from 400 to 800 miles from Sydney, a community of British freemen comprising upwards of 20,000 souls, and possessing an amount of property in houses and lands, in sheep, cattle, and horses, sufficient to form a separate and distinct Colony, with all the requisites for self-government, has sprung into existence within the past twenty years.

(7.) That, in geographical position, and in physical characteristics, as well as in all the social and commercial relations of its inhabitants, this tract of country, which, from its eastern and longest occupied portion, lying between the Murray and Murrumbidgee Rivers, has been designated Riverina, is quite unconnected, except in its compulsory political and judicial relations, with that portion of New South Wales which extends upwards of 500 miles along the Pacific Ocean, and includes all the Northern and Eastern portions of that Colony.

(8.) That, in order to secure, and to monopolize the trade of Riverina, for the Colony of Victoria, a Railway has just been completed, from Melbourne, the Capital of that Colony, to the southernmost point on the Murray River, at Echuca, being a distance of 142 miles; and that this Railway, which it is proposed to extend other forty miles, to Deniliquin, the chief town of Riverina, will necessarily concentrate the whole, or nearly the whole, commerce of that portion of the present Colony of New South Wales, in Melbourne.

(9.) That so long as the tract of country, now designated Riverina, was of difficult and uncertain access, the inhabitants, who were only few and widely scattered, were allowed by the Government of New South Wales to procure their supplies of dutiable commodities wherever they could, and that as increased facilities of communication were opened up and established with Melbourne, they obtained them almost exclusively from Victoria, thereby depriving the Colony of New South Wales of the Revenue to which it was justly entitled from the consumption of these commodities within its proper territory.

(10.) That as such a state of things could no longer be tolerated by New South Wales, when the population and trade of Riverina had increased beyond all previous anticipations, through the increased facilities of communication with Melbourne, a species of Border warfare has for some time past prevailed between the two Colonies, New South Wales insisting upon the payment of Customs duties on all goods imported into her Territory at her frontier, and Victoria, which has already received the duties in Melbourne, refusing, on various pretexts, to pay them to New South Wales: Custom House Officers and Police being now stationed to protect the rights and interests of both parties at all the more important points on the river.

(11.) That, if Riverina were a distinct and independent Colony, it could easily make arrangements, on the principle of the German Customs League, with the Colony of Victoria, to establish a common tariff for both Colonies, and to appropriate the joint Revenue according to the respective population of each, thereby removing all Custom Houses and other obstructions to the navigation of the Murray.

(12.) That, in the opinion of this House, it is therefore expedient and necessary, in order to ensure to the inhabitants of Riverina the benefits and blessings of self-government, to which they are justly entitled as British subjects, and which they can never hope to obtain as a mere remote appendage of New South Wales, as well as to ensure the maintenance of peace and harmony for all future time along the banks of the Murray, that Her Majesty should be solicited to take the requisite steps for the separation of Riverina from New South Wales, and for its erection into a distinct and independent Colony.

(13.) That an Address be presented to His Excellency the Governor, with the foregoing Resolutions, and a request that His Excellency will be pleased to transmit a copy of them to the Right Honorable the Secretary of State for the Colonies.

New South Wales.

No. 12.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

FRIDAY, 4 NOVEMBER, 1864.

1. The House met pursuant to adjournment; The Speaker took the Chair.
Mr. Cowper moved, That this House do now adjourn until Tuesday next.
Debate ensued.
Question put and passed.
Whereupon the Speaker left the Chair, and the House stood adjourned, at twenty-one minutes before Four o'clock, until Tuesday next, at Three o'clock.

JOHN HAY,
Speaker.

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

TUESDAY, NOVEMBER 8.

Questions:—

1. MR. J. BUCHANAN *to ask* THE COLONIAL TREASURER,—Has the attention of the Government been drawn to the errors that have been discovered and made public in the mode of keeping the Accounts of the Bank of New South Wales, that Bank being the Institution through which the Government business is transacted?
2. MR. FIGHE *to ask* THE COLONIAL TREASURER,—Is it the intention of the Government to extend the Money Order System to the Minmi Post Office, and if so, when will it be done?

OTHER BUSINESS—NOTICES OF MOTION:—

1. MR. STEWART *to move*,—
(1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
(2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
(3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
(4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.

2. MR. STEWART to move,—
 - (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 - (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 - (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.
3. MR. J. T. RYAN to move, That, in the opinion of this House, the Bonds required from Tenderers, called for by the Minister of Public Works for the Railway extension of the Great Western and Southern Lines, will be detrimental to the best interests of the Country, and fraught with great evil; also, ruinous to the Contractors now in existence on the above-named lines.
4. DR. LANG to move, That the Petition presented by him on the 25th October, from David Blair, formerly one of the Messengers of this House, be printed.
5. MR. D. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.
6. MR. D. BUCHANAN to move, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
7. MR. D. BUCHANAN to move, That, in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
8. MR. D. BUCHANAN to move, That, in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
9. MR. D. BUCHANAN to move, That, in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
10. MR. D. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
11. MR. D. BUCHANAN to move, That, in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
12. MR. D. BUCHANAN to move, That, in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
13. MR. D. BUCHANAN to move, That, in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
14. MR. D. BUCHANAN to move, That, in the opinion of this House, the tax upon Newspapers has an injurious tendency, and ought to be repealed.
15. MR. D. BUCHANAN to move, That, in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
16. MR. D. BUCHANAN to move, That a question, involving the purity of the administration of Justice in this Country, is of sufficient public importance to justify an investigation of the matter, by any Member of this House. And that circumstances of grave suspicion, criminally implicating any member of the community, while that member of the community remains unprosecuted, is a matter of sufficient public importance to justify the questioning of the Crown Law Officers on such a subject, by any Member of this House.
17. MR. HARPUR to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the propriety of adopting an Address to the Governor, praying that His Excellency will be pleased to place upon the Supplementary Estimates for 1864, a sum not exceeding £200, as the first payment of an annual Pension of that amount to Mrs. Caroline Chisholm.
18. MR. GARRETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £8,000, for the purpose of extending the line of Telegraph from the proposed Terminus at Cooma *via* Bombala, Pambula, and Merrimbula, to the Light House at Eden.
19. MR. GARRETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum of money not exceeding £4,000, for the purpose of extending the coast line of Telegraph from the present Terminus at Kiama, to the Light House at Jervis Bay.

20. MR. CUNNEEN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing—
 (1.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 20th January, 1861, to the 20th January, 1862.
 (2.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the said period.
 (3.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 18th October, 1863, to the 18th October, 1864.
 (4.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the same period.
21. MR. LAYCOCK to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
22. MR. J. BUCHANAN to move, That the Report of the Select Committee on the Working of the Gold Fields Act, brought up by him on the 9th March, 1864, be now adopted by this House.
23. MR. RUSDEN to move, That the Report brought up from the Committee, appointed last Session to inquire into the Reservations upon Runs in Tumut District, be now adopted by this House.
24. MR. ROTTON to move,—
 (1.) Resolved, that, in the present state of the Treasury and Audit Departments, it is highly inexpedient and improper that W. C. Mayne, Esq., should be permitted to resign his office, and be suddenly removed from the Colony to fill another office in London.
 (2.) That no alteration ought to be made in the nature of the appointment of Representative Agent of the Colony in London, until the Assembly has been informed of such intended alterations, and time has been afforded for an expression of opinion upon the subject.
 (3.) That the foregoing Resolutions be presented by Address to His Excellency the Governor-in-Chief.
25. MR. RUSDEN to move, That the Petition presented by him on 1st November, from Mr. N. L. Kentish, be printed.
26. MR. TERRY to move, That there be laid upon the Table of this House, all the Plans made by Mr. Peter Brown of the proposed line of Railway from Muswellbrook to Mudgee.

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. MR. W. FORSTER to move for leave to introduce a Bill to establish District Councils.
2. MR. W. FORSTER to move for leave to introduce a Bill for the protection of Destitute Children.
3. MR. W. FORSTER to move for leave to introduce a Bill to amend the law relating to Patents.
4. MR. W. FORSTER to move for leave to introduce a Bill to provide for a Superannuation Fund.
5. MR. W. FORSTER to move for leave to introduce a Bill to regulate Prison Discipline.
6. MR. EAGAR to move, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
7. MR. WILSON to move for leave to introduce a Bill to regulate Impounding.
8. MR. EAGAR to move for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

ORDERS OF THE DAY:—

1. Military Contribution Bill; second reading.
2. Volunteer Bill; second reading.
3. Chairmanship of Committees; Debate on the motion of Mr. W. Forster, "That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session."

FRIDAY, NOVEMBER 11.

OTHER BUSINESS—NOTICE OF MOTION:—

1. MR. MORRIS to move for leave to introduce a Bill to provide for the collection and payment of the Public Moneys, and the protection and recovery of the Public Property, for the Audit of Public Accounts, and the presentation to Parliament of annual statements of the receipts and expenditure of the Public Revenues.

TUESDAY,

TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments in this Colony to three years.
2. MR. RUSDEN to move, That when a Bill has been passed by Parliament, and it is found necessary for the carrying out its provisions to supplement it by Governmental Regulations, such Regulations, before being acted upon, shall be submitted to Parliament for its approval.
3. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
4. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.
5. MR. RUSDEN to move, That the report of the Select Committee, in the case of Mr. N. L. Kentish, laid on the Table of the House, by Mr. Dick, the Chairman of the Committee, be adopted.

TUESDAY, NOVEMBER 22.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move,—
 - (1.) That the Commission of the first Governor of New South Wales comprised, within the limits of that Colony, and established Colonial jurisdiction over, the whole territory extending from the South Cape of Van Diemen's Land to Cape York, and from the 129th Meridian of East Longitude to the Pacific Ocean, including the adjacent islands of that ocean, Norfolk Island and New Zealand.
 - (2.) That wherever a community of British freemen, capable of separate or self-government, has since sprung into existence within this vast territory, it has been the principle and practice of the Imperial Government to disjoin that community from New South Wales, and to erect it into a distinct Colony.
 - (3.) That, in accordance with this principle, the Colonies of Van Diemen's Land, South Australia, Victoria, New Zealand, and Queensland, have all been formed successively, at the earnest desire, and to the incalculable benefit, of their respective inhabitants, within the aforesaid original limits of New South Wales; while the portion of territory intervening between South Australia and the 129th Meridian, has since been separated from New South Wales by the Imperial Parliament, and annexed to South Australia.
 - (4.) That, notwithstanding these six successive cases of separation, the Colony of New South Wales still comprises an area of 317,896½ square miles—an extent of territory equal to that of all Great Britain and France together.
 - (5.) That it is contrary to the uniform experience of British Colonization for 250 years past, that so vast a territory can ever be either well or satisfactorily governed from a single central point as one Colony; and that bad government, exhibited in the general neglect of the outlying portions of the Territory, and the consequent dissatisfaction and discontent of their inhabitants, with the prevalence of brigandage and marauding to an extent unparalleled in the Mother Country, and dangerous and destructive in the highest degree to life and property, is the necessary result of a state of things so utterly opposed to the common sense of mankind, as well as to the rights and interests of British Colonists.
 - (6.) That, along the Murray River, which forms the Southern boundary of New South Wales, at a distance varying from 400 to 800 miles from Sydney, a community of British freemen comprising upwards of 20,000 souls, and possessing an amount of property in houses and lands, in sheep, cattle, and horses, sufficient to form a separate and distinct Colony, with all the requisites for self-government, has sprung into existence within the past twenty years.
 - (7.) That, in geographical position, and in physical characteristics, as well as in all the social and commercial relations of its inhabitants, this tract of country, which, from its eastern and longest occupied portion, lying between the Murray and Murrumbidgee Rivers, has been designated Riverina, is quite unconnected, except in its compulsory political and judicial relations, with that portion of New South Wales which extends upwards of 500 miles along the Pacific Ocean, and includes all the Northern and Eastern portions of that Colony.
 - (8.) That, in order to secure, and to monopolize the trade of Riverina, for the Colony of Victoria, a Railway has just been completed, from Melbourne, the Capital of that Colony, to the southernmost point on the Murray River, at Echuca, being a distance of 142 miles; and that this Railway, which it is proposed to extend other forty miles, to Deniliquin, the chief town of Riverina, will necessarily concentrate the whole, or nearly the whole, commerce of that portion of the present Colony of New South Wales, in Melbourne.
 - (9.) That so long as the tract of country, now designated Riverina, was of difficult and uncertain access, the inhabitants, who were only few and widely scattered, were allowed by the Government of New South Wales to procure their supplies of dutiable commodities wherever they could, and that as increased facilities of communication were opened up and established with Melbourne, they obtained them almost exclusively from Victoria, thereby depriving the Colony of New South Wales of the Revenue to which it was justly entitled from the consumption of these commodities within its proper territory.

(10.)

(10.) That as such a state of things could no longer be tolerated by New South Wales, when the population and trade of Riverina had increased beyond all previous anticipations, through the increased facilities of communication with Melbourne, a species of Border warfare has for some time past prevailed between the two Colonies, New South Wales insisting upon the payment of Customs duties on all goods imported into her Territory at her frontier, and Victoria, which has already received the duties in Melbourne, refusing, on various pretexts, to pay them to New South Wales: Custom House Officers and Police being now stationed to protect the rights and interests of both parties at all the more important points on the river.

(11.) That, if Riverina were a distinct and independent Colony, it could easily make arrangements, on the principle of the German Customs League, with the Colony of Victoria, to establish a common tariff for both Colonies, and to appropriate the joint Revenue according to the respective population of each, thereby removing all Custom Houses and other obstructions to the navigation of the Murray.

(12.) That, in the opinion of this House, it is therefore expedient and necessary, in order to ensure to the inhabitants of Riverina the benefits and blessings of self-government, to which they are justly entitled as British subjects, and which they can never hope to obtain as a mere remote appendage of New South Wales, as well as to ensure the maintenance of peace and harmony for all future time along the banks of the Murray, that Her Majesty should be solicited to take the requisite steps for the separation of Riverina from New South Wales, and for its erection into a distinct and independent Colony.

(13.) That an Address be presented to His Excellency the Governor, with the foregoing Resolutions, and a request that His Excellency will be pleased to transmit a copy of them to the Right Honorable the Secretary of State for the Colonies.



New South Wales.

No. 13.

VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY.

TUESDAY, 8 NOVEMBER, 1864.

1. The House met pursuant to adjournment; The Speaker took the Chair.
Questions on Notice Paper for to-day :—
 - (1.) Errors in Bank Account-Keeping :—Mr. J. Buchanan asked the Colonial Treasurer, pursuant to Notice No. 1,—Has the attention of the Government been drawn to the errors that have been discovered and made public in the mode of keeping the Accounts of the Bank of New South Wales, that Bank being the Institution through which the Government business is transacted?
Mr. Eagar answered :—In answer to the Honorable Member, I beg to state that I am not aware of any error in the accounts between the Bank of New South Wales and the Government, save that to which my attention was directed by the Bank itself, on the 8th April last, respecting an omission to credit a sum of interest on the public deposits—which omission was at once rectified, and precautions taken to prevent a recurrence of the error.
 - (2.) Extension of Money Order System to Minmi :—Mr. Tighe asked the Colonial Treasurer, pursuant to Notice No. 2,—Is it the intention of the Government to extend the Money Order System to the Minmi Post Office, and if so, when will it be done?
Mr. Eagar answered :—The proposed Money Order Office will be established on the 1st of December next.
2. Present State and Management of Lunatic Asylums :—Mr. Wilson, *with the concurrence of the House*, moved (without notice), That the Clerk have leave to restore to the Colonial Architect the Plan of Tarban Creek Lunatic Asylum, which was handed in by him to the Committee of last Session, on "Present State and Management of Lunatic Asylums."
Question put and passed.
3. Papers :—
 - (1.) Mr. W. Forster laid upon the Table the undermentioned Papers,—
 - (1.) Statistical Register of New South Wales for the year 1863.
 - (2.) Further Despatch (dated 23 July, 1864, from Secretary of State for the Colonies) respecting Colonial Hospitals and Lunatic Asylums.
 - (3.) Further Correspondence relating to Agent for the Colony.
 Ordered to be printed.
 - (2.) Mr. Wilson laid upon the Table the undermentioned Papers,—
 - (1.) Return (in part) to Order, in reference to "Formation of Great South Road, through North Gundagai," made by the Legislative Assembly, on motion of Mr. Macleay, on 29 December, 1863.
 - (2.) Report of the Immigration Agent for the year 1863, with Appendices.
 - (3.) Road Trust Accounts for 1863 and 1864.
 Ordered to be printed.
 - (4.) Return to Order, in reference to "Flock of Alpacas and Mr. C. Ledger," made by the Legislative Assembly, on motion of Mr. Wilson, on 9th July, 1863.
 - (5.) Correspondence in continuation of Return to Address, in reference to "Flock of Alpacas and Claims of Mr. Ledger," laid upon the Table of the Legislative Assembly on 27th November, 1862.

4. **Adjournment**:—Mr. Martin moved, That this House do now adjourn (intimating that he made the motion for the purpose of stating the intentions of the Government, in consequence of the Vote arrived at by the Assembly during the sitting of Wednesday last.)
 Debate ensued.
 Question put and passed.
 Whereupon the Speaker left the Chair, and the House stood adjourned, at one minute after Eleven o'clock, until To-morrow at Three o'clock.

JOHN HAY,
Speaker.

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

WEDNESDAY, NOVEMBER 9.

Question:—

1. **MR. MACPHERSON** to ask THE SECRETARY FOR PUBLIC WORKS,—
 (1.) Is it true that a Special Train from Sydney to Liverpool, was ordered by one of the late Ministry on the day of the Nomination for Central Cumberland, on or about 3rd June, 1863?
 (2.) If so, by whom was this Special Train ordered?
 (3.) Was an account rendered to any one for this Train; and if so, to whom?
 (4.) Has that account been paid; and, if so, when and by whom?

GOVERNMENT BUSINESS—NOTICES OF MOTION:—

1. **MR. W. FORSTER** to move for leave to introduce a Bill to establish District Councils.
2. **MR. W. FORSTER** to move for leave to introduce a Bill for the protection of Destitute Children.
3. **MR. W. FORSTER** to move for leave to introduce a Bill to amend the law relating to Patents.
4. **MR. W. FORSTER** to move for leave to introduce a Bill to provide for a Superannuation Fund.
5. **MR. W. FORSTER** to move for leave to introduce a Bill to regulate Prison Discipline.
6. **MR. EAGAR** to move, That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider the expediency of introducing a Bill to make permanent provision for the Sydney Mint.
7. **MR. WILSON** to move for leave to introduce a Bill to regulate Impounding.
8. **MR. EAGAR** to move for leave to bring in a Bill to regulate, for a limited time, the exportation of Gunpowder and Warlike Stores from the Colony of New South Wales.

ORDERS OF THE DAY:—

1. Military Contribution Bill; second reading.
2. Volunteer Bill; second reading.
3. Chairmanship of Committees; Debate on the motion of Mr. W. Forster, "That Robert Wisdom, Esquire, be Chairman of Committees of the Whole House during the present Session."

OTHER BUSINESS—NOTICES OF MOTION:—

1. **MR. STEWART** to move,—
 (1.) That in the opinion of this House, all unalienated lands forming part of the Watershed from which Sydney and its suburbs are now supplied, should be permanently reserved for public purposes.
 (2.) That the land recently sold by the Government at Randwick forms part of the Watershed from which Sydney is supplied, and should be resumed by the Government, to prevent the injury likely to arise to the health of the Citizens by the drainage of occupants of this land flowing into the water.
 (3.) That steps should be taken to prevent the drainage from Randwick Cemetery injuring the Water Supply of the City.
 (4.) That the foregoing Resolutions be presented by Address to His Excellency the Governor.
2. **MR. STEWART** to move,—
 (1.) That, in the opinion of this House, the extensive Electorate of the Clarence should return two Members to Parliament.
 (2.) That, in the opinion of this House, the extensive Electorate of the Hastings should return two Members to Parliament.
 (3.) That, in the opinion of this House, the extensive Electorate of Wollombi should return two members to Parliament.

3. MR. J. T. RYAN to move, That, in the opinion of this House, the Bonds required from Tenderers, called for by the Minister of Public Works for the Railway extension of the Great Western and Southern Lines, will be detrimental to the best interests of the Country, and fraught with great evil; also, ruinous to the Contractors now in existence on the above-named lines.
4. DR. LANG to move, That the Petition presented by him on the 25th October, from David Blair, formerly one of the Messengers of this House, be printed.
5. MR. D. BUCHANAN to move, That an Address be presented to the Governor, praying that His Excellency would cause the instant release of the prisoners Bow and Fordyce, found guilty of robbing the Gold Escort from Forbes, and sentenced to death, but reprieved by His Excellency, against the advice of his Ministers, on the ground that it was contrary to the practice of English Judges to convict on the unsupported testimony of an approver.
6. MR. D. BUCHANAN to move, That in consequence of the alarming prevalence of crime in the country, in the opinion of this House, a Bill should be introduced to constitute the crime of highway robbery with arms a capital offence.
7. MR. D. BUCHANAN to move, That, in the opinion of this House, the Despatch of the Duke of Newcastle, which commands that the Clergy of the Church of England shall take precedence of all other Clergy on public occasions, is an invasion of the principle of religious equality, and should not be tolerated in this Country.
8. MR. D. BUCHANAN to move, That, in the opinion of this House, that Clause of the Constitution Act which grants pensions to Messrs. Deas Thomson, Manning, Plunkett, and Merewether, should be repealed forthwith.
9. MR. D. BUCHANAN to move, That, in the opinion of this House, the seat of Mr. Clark Irving, the Member for the Clarence, should now be declared vacant, he having been absent from every sitting of this House during a whole Session.
10. MR. D. BUCHANAN to move, That, in the opinion of this House, the Duty on Gold is an unjust and therefore impolitic impost, and should be repealed forthwith.
11. MR. D. BUCHANAN to move, That, in the opinion of this House, the dilatory conduct of the present Government, in not carrying on the Railway Works to Bathurst with sufficient energy, is most prejudicial to the best interests of the Inhabitants of the Western Districts, and that justice, as well as the best interests of the Colony, demands that those works shall in future be prosecuted with reasonable expedition.
12. MR. D. BUCHANAN to move, That, in the opinion of this House, a Bill should be introduced to limit the granting of new Trials in Civil Cases.
13. MR. D. BUCHANAN to move, That, in the opinion of this House, the fact of referring the question as to whether the Church and School Lands are waste lands of the Crown, which has already been so repeatedly decided by large majorities of this House, to the Supreme Court for decision, is highly unconstitutional, an insult to representative institutions, and a degradation to the representatives of the people.
14. MR. D. BUCHANAN to move, That, in the opinion of this House, the tax upon Newspapers has an injurious tendency, and ought to be repealed.
15. MR. D. BUCHANAN to move, That, in the opinion of this House, the Government should appoint Guards to accompany all the Western Mails to and from Sydney.
16. MR. D. BUCHANAN to move, That a question, involving the purity of the administration of Justice in this Country, is of sufficient public importance to justify an investigation of the matter, by any Member of this House. And that circumstances of grave suspicion, criminally implicating any member of the community, while that member of the community remains unprosecuted, is a matter of sufficient public importance to justify the questioning of the Crown Law Officers on such a subject, by any Member of this House.
17. MR. HARPUR to move, That this House will, on Friday next, resolve itself into a Committee of the Whole to consider the propriety of adopting an Address to the Governor, praying that His Excellency will be pleased to place upon the Supplementary Estimates for 1864, a sum not exceeding £200, as the first payment of an annual Pension of that amount to Mrs. Caroline Chisholm.
18. MR. GARRETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £8,000, for the purpose of extending the line of Telegraph from the proposed Terminus at Cooma *via* Bombala, Pambula, and Merrimbula, to the Light House at Eden.
19. MR. GARRETT to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum of money not exceeding £4,000, for the purpose of extending the coast line of Telegraph from the present Terminus at Kiama, to the Light House at Jervis Bay.
20. MR. CUNNEEN to move, That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return shewing—
 - (1.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 20th January, 1861, to the 20th January, 1862.
 - (2.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the said period.
 - (3.) The number of Highway Robberies and other Robberies under Arms reported to the Police of the Colony, from the 18th October, 1863, to the 18th October, 1864.
 - (4.) The number of persons apprehended by the Police for, and found guilty by a Jury of, such Offences, during the same period.

21. MR. LAYCOCK to move, That this House will, on Friday next, resolve itself into a Committee of the Whole, to consider of an Address to the Governor, praying that His Excellency will be pleased to cause to be placed on the Estimates for 1865, a sum not exceeding £500, for the purpose of removing impediments to navigation in the Clarence River.
22. MR. J. BUCHANAN to move, That the Report of the Select Committee on the Working of the Gold Fields Act, brought up by him on the 9th March, 1864, be now adopted by this House.
23. MR. RUSDEN to move, That the Report brought up from the Committee, appointed last Session to inquire into the Reservations upon Runs in Tumut District, be now adopted by this House.
24. MR. ROTTON to move,—
 - (1.) Resolved, that, in the present state of the Treasury and Audit Departments, it is highly inexpedient and improper that W. C. Mayne, Esq., should be permitted to resign his office, and be suddenly removed from the Colony to fill another office in London.
 - (2.) That no alteration ought to be made in the nature of the appointment of Representative Agent of the Colony in London, until the Assembly has been informed of such intended alterations, and time has been afforded for an expression of opinion upon the subject.
 - (3.) That the foregoing Resolutions be presented by Address to His Excellency the Governor-in-Chief.
25. MR. RUSDEN to move, That the Petition presented by him on 1st November, from Mr. N. L. Kentish, be printed.
26. MR. TERRY to move, That there be laid upon the Table of this House, all the Plans made by Mr. Peter Brown of the proposed line of Railway from Muswellbrook to Mudgee.

FRIDAY, NOVEMBER 11.

OTHER BUSINESS—NOTICE OF MOTION :—

1. MR. MORRIS to move for leave to introduce a Bill to provide for the collection and payment of the Public Moneys, and the protection and recovery of the Public Property, for the Audit of Public Accounts, and the presentation to Parliament of annual statements of the receipts and expenditure of the Public Revenues.

TUESDAY, NOVEMBER 15.

OTHER BUSINESS—NOTICES OF MOTION :—

1. DR. LANG to move for leave to bring in a Bill to limit the duration of Parliaments in this Colony to three years.
2. MR. RUSDEN to move, That when a Bill has been passed by Parliament, and it is found necessary for the carrying out its provisions to supplement it by Governmental Regulations, such Regulations, before being acted upon, shall be submitted to Parliament for its approval.
3. MR. DRIVER to move for leave to introduce a Bill to amend the law and practice in Lunacy, and to regulate Lunatic Asylums.
4. MR. DRIVER to move for leave to introduce a Bill to amend the Law of Evidence in Criminal Cases.
5. MR. RUSDEN to move, That the report of the Select Committee, in the case of Mr. N. L. Kentish, laid on the Table of the House by Mr. Dick, the Chairman of the Committee, be adopted.

TUESDAY, NOVEMBER 22.

OTHER BUSINESS—NOTICE OF MOTION :—

1. DR. LANG to move,—
 - (1.) That the Commission of the first Governor of New South Wales comprised, within the limits of that Colony, and established Colonial jurisdiction over, the whole territory extending from the South Cape of Van Diemen's Land to Cape York, and from the 129th Meridian of East Longitude to the Pacific Ocean, including the adjacent islands of that ocean, Norfolk Island and New Zealand.
 - (2.) That wherever a community of British freemen, capable of separate or self-government, has since sprung into existence within this vast territory, it has been the principle and practice of the Imperial Government to disjoin that community from New South Wales, and to erect it into a distinct Colony.
 - (3.) That, in accordance with this principle, the Colonies of Van Diemen's Land, South Australia, Victoria, New Zealand, and Queensland, have all been formed successively, at the earnest desire, and to the incalculable benefit, of their respective inhabitants, within the aforesaid original limits of New South Wales; while the portion of territory intervening between South Australia and the 129th Meridian, has since been separated from New South Wales by the Imperial Parliament, and annexed to South Australia.

(4.)

(4.) That, notwithstanding these six successive cases of separation, the Colony of New South Wales still comprises an area of 317,896½ square miles—an extent of territory equal to that of all Great Britain and France together.

(5.) That it is contrary to the uniform experience of British Colonization for 250 years past, that so vast a territory can ever be either well or satisfactorily governed from a single central point as one Colony; and that bad government, exhibited in the general neglect of the outlying portions of the Territory, and the consequent dissatisfaction and discontent of their inhabitants, with the prevalence of brigandage and marauding to an extent unparalleled in the Mother Country, and dangerous and destructive in the highest degree to life and property, is the necessary result of a state of things so utterly opposed to the common sense of mankind, as well as to the rights and interests of British Colonists.

(6.) That, along the Murray River, which forms the Southern boundary of New South Wales, at a distance varying from 400 to 800 miles from Sydney, a community of British freemen comprising upwards of 20,000 souls, and possessing an amount of property in houses and lands, in sheep, cattle, and horses, sufficient to form a separate and distinct Colony, with all the requisites for self-government, has sprung into existence within the past twenty years.

(7.) That, in geographical position, and in physical characteristics, as well as in all the social and commercial relations of its inhabitants, this tract of country, which, from its eastern and longest occupied portion, lying between the Murray and Murrumbidgee Rivers, has been designated Riverina, is quite unconnected, except in its compulsory political and judicial relations, with that portion of New South Wales which extends upwards of 500 miles along the Pacific Ocean, and includes all the Northern and Eastern portions of that Colony.

(8.) That, in order to secure, and to monopolize the trade of Riverina, for the Colony of Victoria, a Railway has just been completed, from Melbourne, the Capital of that Colony, to the southernmost point on the Murray River, at Echuca, being a distance of 142 miles; and that this Railway, which it is proposed to extend other forty miles, to Deniliquin, the chief town of Riverina, will necessarily concentrate the whole, or nearly the whole, commerce of that portion of the present Colony of New South Wales, in Melbourne.

(9.) That so long as the tract of country, now designated Riverina, was of difficult and uncertain access, the inhabitants, who were only few and widely scattered, were allowed by the Government of New South Wales to procure their supplies of dutiable commodities wherever they could, and that as increased facilities of communication were opened up and established with Melbourne, they obtained them almost exclusively from Victoria, thereby depriving the Colony of New South Wales of the Revenue to which it was justly entitled from the consumption of these commodities within its proper territory.

(10.) That as such a state of things could no longer be tolerated by New South Wales, when the population and trade of Riverina had increased beyond all previous anticipations, through the increased facilities of communication with Melbourne, a species of Border warfare has for some time past prevailed between the two Colonies, New South Wales insisting upon the payment of Customs duties on all goods imported into her Territory at her frontier, and Victoria, which has already received the duties in Melbourne, refusing, on various pretexts, to pay them to New South Wales: Custom House Officers and Police being now stationed to protect the rights and interests of both parties at all the more important points on the river.

(11.) That, if Riverina were a distinct and independent Colony, it could easily make arrangements, on the principle of the German Customs League, with the Colony of Victoria, to establish a common tariff for both Colonies, and to appropriate the joint Revenue according to the respective population of each, thereby removing all Custom Houses and other obstructions to the navigation of the Murray.

(12.) That, in the opinion of this House, it is therefore expedient and necessary, in order to ensure to the inhabitants of Riverina the benefits and blessings of self-government, to which they are justly entitled as British subjects, and which they can never hope to obtain as a mere remote appendage of New South Wales, as well as to ensure the maintenance of peace and harmony for all future time along the banks of the Murray, that Her Majesty should be solicited to take the requisite steps for the separation of Riverina from New South Wales, and for its erection into a distinct and independent Colony.

(13.) That an Address be presented to His Excellency the Governor, with the foregoing Resolutions, and a request that His Excellency will be pleased to transmit a copy of them to the Right Honorable the Secretary of State for the Colonies.





PROCLAMATION.

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

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 Con-
stitution 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 prorogue the Legislative Council and Assembly thereof from
time to time: And whereas it is expedient to prorogue the said
Council and Assembly: Now therefore I, SIR JOHN YOUNG, the
Governor aforesaid, in pursuance of the power and authority so vested
in me, do hereby prorogue the said Legislative Council and Assembly,
until Tuesday, the twentieth day of December next, and the same
stand so prorogued accordingly.

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

(L.S.) JOHN YOUNG.

By His Excellency's Command,
WILLIAM FORSTER.

GOD SAVE THE QUEEN!



PROCLAMATION.

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

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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
should be now dissolved: Now therefore I, SIR JOHN YOUNG, 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 tenth day of November, in the year of Our
Lord one thousand eight hundred and sixty-four, and in
the twenty-eighth year of Her Majesty's Reign.

(L.S.) JOHN YOUNG.

By His Excellency's Command,

WILLIAM FORSTER.

GOD SAVE THE QUEEN!

