

VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

WEDNESDAY, 22 MARCH, 1848.

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

Reply to opening Address:—The Council proceeded to Government House, pursuant to appointment yesterday, to present to His Excellency the Governor their Reply to His Excellency's opening Address.

The Council having returned, the Speaker read His Excellency's Answer, as follows:—

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

I thank you for this Address, and for the assurance it conveys to me, that the questions I may have to submit to you shall receive your attentive consideration.

*Government House, Sydney,
22nd March, 1848.*

CHs. A. FITZ ROY.

2. The following Messages from His Excellency the Governor received and read.

(1.) Naturalization of Aliens:—

CHs. A. FITZ ROY,
Governor.

Message No. 1.

The Governor submits to the Legislative Council, a copy of a Circular Despatch which he has recently received from Her Majesty's Secretary of State for the Colonies, on the subject of the Naturalization of Aliens, together with a copy of the Act passed in the last Session of Parliament, (10th and 11th Victoria, chap. 83,) which is referred to by His Lordship.

*Government House, Sydney,
22nd March, 1848.*

Ordered to be printed, together with the accompanying Circular Despatch and Act.

(2.) Lady Dowling's Pension:—

CHs. A. FITZ ROY,
Governor.

Message No. 2.

The Governor transmits to the Legislative Council a copy of a Despatch, dated 30th July, 1847, No. 198, from the Right Honorable the Secretary of State, enclosing an application from Lady Dowling, widow of the late Chief Justice of New South Wales, to be allowed to draw Pension from the date of her husband's death, instead of from the date from which it was voted for her by the Council; and, in obedience to the instructions contained in the Despatch, His Excellency submits to the Council, His Lordship's recommendation, that, under all the circumstances of the case, the application of Lady Dowling may be taken into their favorable consideration.

The necessary sum will be placed on the Supplementary Estimate, to be paid to Lady Dowling, if sanctioned by the Council.

*Government House, Sydney,
22nd March, 1848.*

Ordered to be printed, together with the accompanying Documents, and taken into consideration with the Supplementary Estimate of Expenditure for the present year.

(3.) Intended Appropriations, under Schedule B, in 1849:—

CHs. A. FITZ ROY,
Governor.

Message No. 3.

Agreeably to the provisions of the 39th section of the Act for the Government of this Colony, 5th and 6th Victoria, chap. 76, the Governor lays before the Legislative Council a Statement of the Sums intended to be appropriated, during the year 1849, to the several Services and Purposes named in Schedule B, to that Act annexed.

*Government House, Sydney,
22nd March, 1848.*

Ordered to be printed, together with the accompanying Statement.

(4.) Port Phillip Gunpowder Bill :—

CH^S. A. FITZ ROY,
Governor.

Message No. 4.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council the draft of a Bill, intituled "*A Bill to regulate the keeping and carriage of Gunpowder imported into that part of the Colony of New South Wales called Port Phillip.*"

Government House, Sydney,
22nd March, 1848.

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

(5.) Sydney Roads Bill :—

CH^S. A. FITZ ROY,
Governor.

Message No. 5.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council, the draft of a Bill, intituled, "*A Bill to provide for the improvement of certain Roads in the neighbourhood of the City of Sydney.*"

Government House Sydney,
22nd March, 1848.

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

(6.) Country Towns Police Bill :—

CH^S. A. FITZ ROY,
Governor.

Message No. 6.

In conformity to the provisions of the 30th clause of the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council, the draft of a Bill, intituled, "*A Bill to amend the Act for regulating the Police in the Towns of Parramatta, Windsor, Maitland, Bathurst, and other Towns respectively, and for removing and preventing nuisances and obstructions, and for the better alignment of streets therein.*"

Government House, Sydney,
22nd March, 1848.

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

(7.) Colonial Spirits Exportation Bill :—

CH^S. A. FITZ ROY,
Governor.

Message No. 7.

In conformity to the provisions of the 30th clause of the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council the draft of a Bill, intituled "*A Bill to continue an Act, intituled 'An Act to authorise and regulate for a limited time, the warehousing, under bond, and the exportation free of duty, of Spirits distilled within the Colony of New South Wales.'*"

Government House, Sydney,
22nd March, 1848.

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

(8.) Appropriation of Fines and Penalties Bill.

CH^S. A. FITZ ROY,
Governor.

Message No. 8.

In accordance with the provisions of the Act for the Government of New South Wales, 5th and 6th Victoria, cap. 76, the Governor transmits to the Legislative Council the draft of a Bill, intituled, "*A Bill to amend certain Acts of the Governor and Legislative Council of New South Wales, with respect to the appropriation of Fines and Penalties.*"

Government House, Sydney,
22nd March, 1848.

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

3. New Member sworn :—John Moore Cole Airey, Esquire, having taken the Oath prescribed by the 25th section of the Act of Parliament, 5 and 6 Victoria, chap. 76, and delivered to the Clerk of the Council the following Declaration of his Qualification to serve in the Council, prescribed by the 3rd section of the Act of Parliament, 7 and 8 Victoria, chap. 74, took his seat as a Member for the Electoral District of Port

Port Phillip, in room of John Dunmore Lang, Esquire, whose seat had become vacated by his having, for two successive Sessions, failed to give his attendance in the Council, without permission of Her Majesty or the Governor, signified to the Council by the Governor.

"I, John Moore Cole Airey, do declare and testify, that I am duly seised at Law or in Equity of an Estate in freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the yearly value of one hundred pounds sterling money, above all charges and incumbrances affecting the same, viz., "One freehold estate, consisting of five hundred and ninety-three acres, in the parish of Daneed, County of Grant, in the District of Port Phillip; also two other freeholds of three hundred and fifty, and one hundred and thirty-nine acres, in the parish of Moorpanyal, County of Grant, in the said District of Port Phillip—the whole of the rents and profits derivable from the same belonging to me absolutely: "And that I have not collusively or colorably obtained a title to or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of New South Wales."

"J. M. C. AIREY."

"Sydney, 22nd March, 1848."

4. Bank Liabilities and Assets:—The Colonial Secretary, pursuant to the requirement of the Act of Council, 4 Victoria, No. 13, laid upon the Table General Abstracts of the Sworn Returns of the Average Assets and Liabilities, and of the Capital and Profits of the several Banks in the Colony of New South Wales, for the quarters ended respectively, 30th June, 1847, 30th September, 1847, and 31st December, 1847.
Ordered to be printed.
5. Ordinance:—The Colonial Secretary laid upon the Table:—
(1.) A Return of all Monies received by or payable to the respective Officers of Her Majesty's Ordinance, under the provision of the Act 4 Victoria, No. 2.
(2.) A Return of all Messuages, Lands, Tenements, and Buildings, vested in such Officers under the said Act.
Ordered to be printed.
6. Vaccine Institution:—The Colonial Secretary laid upon the Table the first Annual Report from the Medical Officer in charge of the Vaccine Institution.
Ordered to be printed.
7. Course of the Victoria River:—The Colonial Secretary laid upon the Table, the copy of a Despatch from Mr. Assistant Surveyor Kennedy, detailing the particulars of his expedition to ascertain the course of the River Victoria.
8. Standing Orders Committee:—The Colonial Secretary moved, pursuant to notice, That the Standing Orders Committee be re-appointed.
Question put and passed; the Committee consisting of—

	The Speaker,	
Mr. McLeay,		The Colonial Secretary,
Mr. Cowper,		The Attorney General,
	Mr. Parker.	
9. Dispatch of Government business:—The Colonial Secretary moved, pursuant to notice, That Wednesdays and Thursdays be the days appointed for the dispatch of Government business during the present Session.
Question put and passed.
10. Library Committee:—Mr. Cowper moved, pursuant to notice, That the Library Committee be re-appointed.
Question put and passed; the Committee, consisting of—

	The Speaker,	
The Colonial Secretary,		Mr. Cowper,
Mr. McLeay,		Mr. Parker,
The Collector of Customs,		Mr. Lowe.

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

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MARCH 28.

NOTICE OF MOTION:—

1. MR. COWPER to move, That a Select Committee of Seven Members be appointed, to take into consideration the practicability and expediency of introducing Railways into this Colony; with instructions to take Evidence, and to Report not later than two months from this date.

WEDNESDAY,

WEDNESDAY, MARCH 29.

NOTICE OF MOTION :—

1. The COLONIAL SECRETARY to move, That a Select Committee of not less than seven Members, be appointed to resume the consideration of the best means of establishing a Steam communication between this Colony and England, with instructions to take further Evidence, and to report not later than two months from this date; and also, that the Despatch in reference to this subject laid upon the Table yesterday by command of His Excellency the Governor, be referred to that Committee.

ORDERS OF THE DAY :—

1. Consideration of Governor's Message No. 4, with Port Phillip Gunpowder Bill.
2. Consideration of Governor's Message No. 5, with Sydney Roads Bill.
3. Consideration of Governor's Message No. 6, with Country Towns Police Bill.
4. Consideration of Governor's Message No. 7, with Colonial Spirits Exportation Bill.
5. Consideration of Governor's Message No. 8, with Appropriation of Fines and Penalties Bill.

CONTINGENT ORDER OF THE DAY.

1. Consideration of Governor's Message No. 2, respecting Lady Dowling's Pension, with the Supplementary Estimate for the present year.

CHARLES NICHOLSON,

Speaker.