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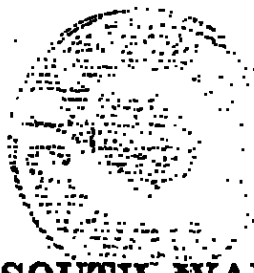
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NEW SOUTH WALES.

VOTES

AND

PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL

DURING

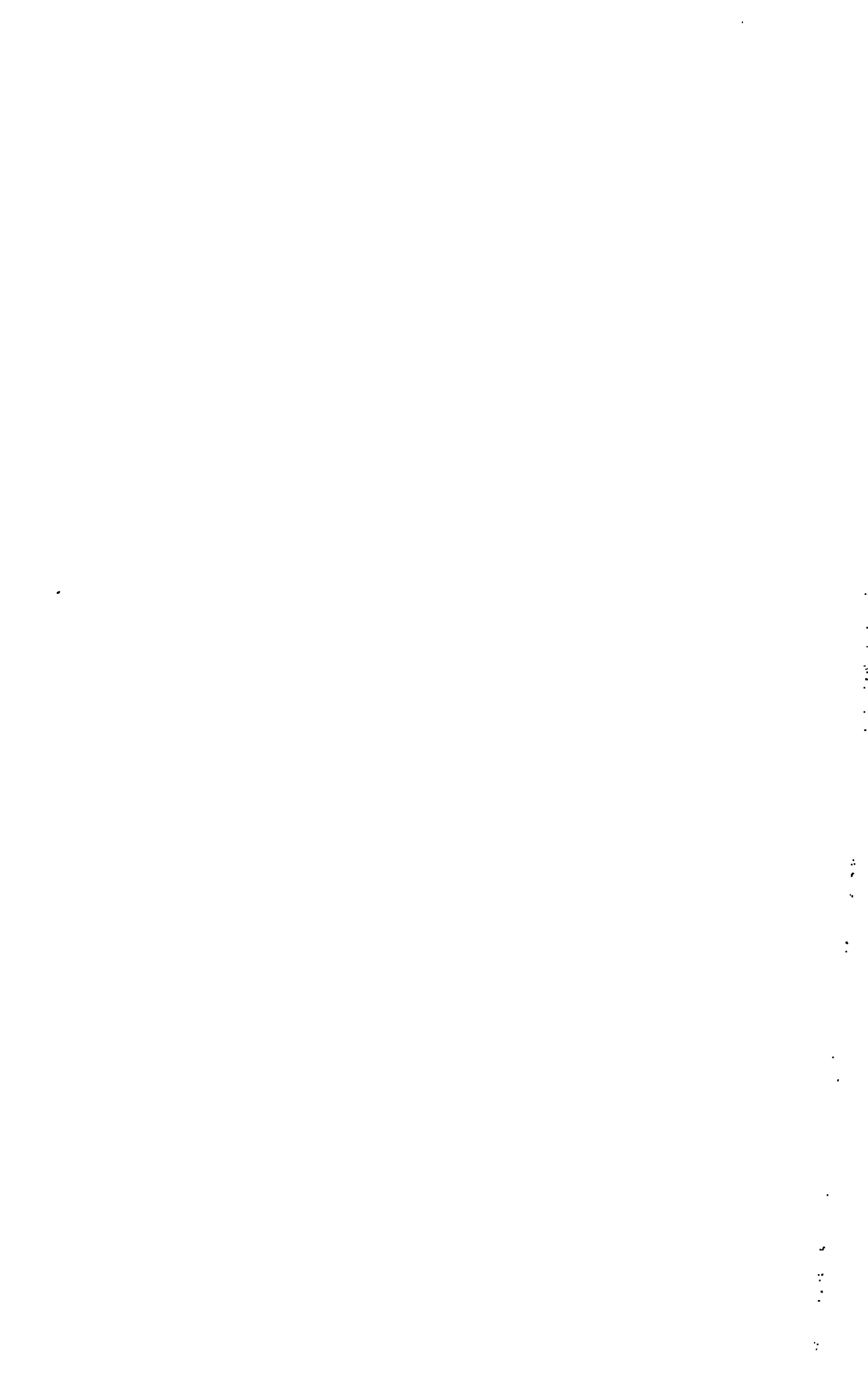
THE SESSION

1837

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

SYDNEY:

PRINTED BY E. H. STATHAM, 39, YORK-STREET.



Papers laid before the Council by the Governor, continued

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No. 1.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 29 MAY, 1833.

1. Council met, pursuant to summons; His Excellency the GOVERNOR in the chair. The oath of allegiance to Her Majesty the Queen, administered to the members present, viz.:—His Honor James Dowling, Esquire, Chief Justice of New South Wales; Colonel Kenneth Snodgrass, C. B., the Senior Officer in command of Her Majesty's Land Forces; Edward Deas Thomson, Esquire, Colonial Secretary; John Hubert Plunkett, Esquire, Attorney General; Lieutenant Colonel George Nathaniel Gibbes, Collector of Customs; William Lithgow, Esquire, Auditor General; Alexander Berry, Esquire; Richard Jones, Esquire; John Blaxland, Esquire; Edward Charles Close, Esquire; Hannibal Hawkins Macarthur, Esquire; and Sir John Jamison, Knight.
2. His Excellency the GOVERNOR then read the following Address:—

Gentlemen of the Legislative Council,

In meeting you, for the first time, I am happy to be able to congratulate you on the general tranquillity which reigns throughout the Colony, and on the success with which the efforts of industry continue to be rewarded in this rising land.

It will be my first duty to lay before you a communication from Her Majesty's Government, addressed to my predecessor, informing him of the reasons which have led to a further delay, in bringing before Parliament, the Bill for regulating the constitution of this Colony, and the consequent necessity of renewing, for a short time, the Act of 9 Geo. IV., under which it has been governed for the last nine years.

I shall have occasion, in the course of the present Session, to bring under your consideration various measures, either for the renewal of Acts which are about to expire, or for effecting such amendments in the Law as appear to be called for by the actual wants of the community. Some of these measures, I will now briefly explain to you.

The present Jury Act will expire on the 30th of the ensuing month, and I shall propose to you to renew it, though for the period only of two years, as it is a measure which, I think, ought again to be brought under consideration, as soon as the Legislature of the Colony shall have been established in its new form. The constitution of Juries is a matter of too much importance to be regarded with indifference by any persons attached to the principles of the British Constitution, or who desire to see those principles applied, as far as circumstances will allow, in this land of their adoption.

The Act for facilitating the apprehension of Transported Felons and Offenders, illegally at large, will expire on the 30th September next; and though this is a law, which I feel to be at variance with the general character of British Institutions, I have the less reluctance in proposing the renewal of it, as I am informed, that it has hitherto been carried into effect, with little inconvenience to persons of good repute, and because I believe it to be one which, in the present state of our population, is required for the security of life and property. I deem it, however, essential that it should not be rendered permanent, in order that its principles may undergo frequent revision, and that it may be dispensed with at the earliest possible period that the circumstances of the Colony will permit.

I propose, on an early day, to lay before you two Bills, for effecting an alteration in the Law, respecting Insolvent Debtors. One will be calculated to give relief to Insolvents, and to provide for the due administration of their Estates; the other will limit the Law with respect to Imprisonment for Debt, whilst it will afford the means of preventing Debtors from leaving the Colony clandestinely.

My attention has been seriously called to the present state of the Law, respecting the sale of Spirituous Liquors, and to the necessity of rendering more efficient some of its provisions. In order to reduce, in some degree, the evils which arise from the excessive use of this pernicious article, I shall propose to alter that part of the Law which

permits

permits a master to supply his free servants with spirituous liquors, in part payment of wages; and to check, as far as possible, the illicit dealing that now prevails, I shall propose to put the wholesale dealer under certain restrictions, in order that no person whatsoever, in the Colony, may be allowed to sell spirits without a license. On this subject, I caused, some time ago, circular letters to be written to the several Benches of Justices, and Police Magistrates, in the Colony, which letters, together with the answers which have been received to them, I shall speedily lay before you.

The Act for restraining the occupation of Crown Lands expiring on the 31st December next, it will be necessary to take into consideration the expediency of renewing it. I am fully impressed with the importance, in this pastoral country, of giving every facility to the occupation, under proper restrictions, of the vacant lands of the Crown, and I shall readily give my assent to any measure which, whilst it recognizes the rights of the Crown, may permit to the honest settler, the occupation of these lands on easy terms, and at the same time exclude, as far as possible, men of dissolute character, who now only seek to become occupiers of them for dishonest practices.

On the subject of Immigration, so deeply interesting to the inhabitants of this Colony, I shall lay before you, without loss of time, some important communications, which have been addressed to my Predecessor, and to myself, by Her Majesty's Principal Secretary of State for the Colonies. It will be seen, on a perusal of these Documents, that this subject continues to occupy the attention of Her Majesty's Government, and that extensive measures have been adopted, for introducing into this Colony, as large a supply as can be obtained of mechanical and agricultural labour. Fifteen large ships, with emigrants, selected by Government Agents, may be expected to reach the Colony, in the course of the next twelve months, and this supply will be independent of the emigrants, who may be expected to be introduced by private individuals, under the system of bounties. I am fully impressed with the vital importance of Immigration to this Colony, and ready to give to it every encouragement in my power; I will, moreover, freely lay before you, all the information of which I am in possession, respecting its progress. During the last Session of the Imperial Parliament, various Acts were passed, for the improvement of the Criminal Law, which I think it will be desirable to adopt in this country. A Bill, therefore, will be presented to you for this purpose.

There are several other measures of less general importance, which I shall, in the course of the Session, have occasion to bring before you.

A Bill to regulate the admission of properly qualified persons to the practice of Medicine. One to enable the principal Officers of Her Majesty's Ordnance to hold Lands in the Colony. One for the reduction of the fee on the registration of vessels; and several others, which it is scarcely necessary for me now to mention.

I have directed the usual Accounts of Revenue and Expenditure for the last year, to be laid before you, as well as Estimates for the ensuing one. The state of the Revenue continues, I am happy to say, most favourable.

I have observed, with pleasure, the progress which is making in the many Public Works commenced under the administration of my Predecessor. It is my intention, with your concurrence, to continue them with equal vigour. With a view to obtain further means, in the present scarcity of labour, for carrying on the Public Works, and to diminish the number of persons who are now unprofitably employed at the Penal Settlements, I propose to bring under your consideration, the measure which was suspended during the last Session, to enable the Governor to remit the punishment of a portion of the Convicts, now serving under sentences of Transportation to Norfolk Island and Moreton Bay, provided their conduct has been such, since their removal to those places, as to entitle them to a remission of punishment, and that they can with safety be returned to the Colony, on condition of working for a period in irons on the Public Works.

I cannot gentlemen, conclude this address, without acknowledging to you, that in a matter of far higher importance than the mere increase of wealth, I mean the moral condition of the people, a residence of three months among you, has caused me to form a far more favorable estimate of the Colony, than that which I entertained when I left England.

Of your wide agricultural and pastoral districts, I am not yet in a condition to offer an opinion, but in respect to Sydney and its immediate vicinity, I feel happy to be able to avow, that I have found a far greater degree of decorum, and propriety of conduct to prevail, than from some accounts of the Colony published in England I had been led to expect.

The numerous churches too, of all persuasions which are already in progress, and in great part paid for by voluntary contributions, afford satisfactory proofs of a general desire to supply moral and religious instruction to the people from which we may draw

draw a favorable augury for the future ; but Gentlemen, it must be conceded, that much yet remains to be done, ere the evil impressions which have been raised, respecting the operation of the Convict System amongst us, can be dissipated in quarters where it is most desirable that we should maintain a good repute ; or ere the standard of morals can be so raised, within the Colony itself, as to afford a pledge for the security and happiness of its people."

"GEORGE GIPPS."

3. The Attorney-General presented a Petition from certain Magistrates, Landholders, and other Free Inhabitants of the Colony, praying that the doors of the Council Chamber may be opened for the admission of the Public, during the deliberations of the Council, subject to such regulations as may be necessary and proper.

Motion made, and question put, that this Petition be received, and be ordered to be printed : passed without a division.

Resolved, that during the Proceedings of this Council, strangers may be admitted under such regulations as shall be hereafter adopted.

Resolved, that the following gentlemen be appointed a Committee to frame such regulations for the consideration of the Council, and to report the same on Thursday next :—

- THE CHIEF JUSTICE,
- THE ATTORNEY-GENERAL, MR. BERRY,
- MR. MACARTHUR, SIR JOHN JAMISON.

4. His Excellency the Governor laid upon the Table :—

(1) "A Bill to further continue for a limited time, 'An Act intituled an Act for regulating the Constitution of Juries, and for the trial of Issues in certain cases, in the Supreme Court of New South Wales.'", Bill read a first time ; to be printed, and read a second time on Tuesday next, June 5.

(2) "A Bill further to continue for a limited time, 'An Act intituled an Act to facilitate the apprehension of Transported Felons, and Offenders illegally at large, and of Persons

Persons found with Arms, and suspected to be Robbers." Bill read a first time ; to be printed, and read a second time on Tuesday next, June 5.

- (3). "*A Bill for giving relief to Insolvent Persons, and providing for the due Collection, Administration, and Distribution, of Insolvent Estates, within the Colony of New South Wales, and for the prevention of Frauds affecting the same.*" Bill read a first time ; to be printed, and read a second time on Tuesday, June 12.
- (4). "*A Bill for limiting and modifying the Law respecting Imprisonment for Debt, in certain cases, and for preventing Persons indebted from leaving the Colony clandestinely.*" Bill read a first time ; to be printed, and read a second time on Tuesday, June 12.
- (5). "*A Bill for the Conditional Remission of Sentences of Convicts transported to Norfolk Island and Moreton Bay; and to enforce the conditions thereof.*" Bill read a first time ; to be printed, and read a second time on Wednesday, June 6.
- (6). "*A Bill to regulate the Practice of Medicine.*" Bill read a first time ; to be printed, and read a second time on Thursday, June 7.
- (7). "*A Bill to provide for the attendance of Medical Witnesses at Coroners' Inquests, and Inquiries held by Justices of the Peace.*" Bill read a first time ; to be printed, and read a second time on Thursday, June 7.
- (8). "*A Bill for the Investment of Monies belonging to Intestate Estates, by the Supreme Court, in the Sydney Savings' Bank.*" Bill read a first time ; to be printed, and read a second time on Friday, June 8.
- (9). "*A Bill for vesting all Estates and Property in the Colony of New South Wales, occupied for the Ordnance Service, in the Principal Officers of Her Majesty's Ordnance, and for granting certain Powers to the said Principal Officers.*" Bill read a first time ; to be printed, and read a second time on Thursday, June 14.

5. His Excellency the Governor laid upon the Table, a Despatch from the Right Honorable Lord Glenelg, dated 25 August, 1837, No. 368, transmitting a copy of an Act which has been passed, to continue until 31 December, 1838, and from thence to the end of the then next Session of Parliament, an Act of the Ninth year of His Majesty King George the Fourth, for the Administration of Justice in New South Wales and Van Diemen's Land.

6. His Excellency the Governor laid upon the Table, copies of a number of Despatches from the Right Honorable Lord Glenelg, on the subject of Immigration.

- (1). Copy of a Despatch dated 20 May, 1837, No., 323, stating, that it had been judged expedient to substitute for the scale of Bounties, mentioned in a previous despatch, dated 18 September, 1836, a Free Passage to all the Emigrants by the ships *John Barry*, *Adam Lodge*, and *Augusta Jessie*; and that the same course would be adhered to for the future, in the case of ships taken up by the Government; enclosing also, a copy of a Letter, dated 8 June, 1837, addressed to Dr. Boyter, instructing him to send out useful Emigrants to the utmost extent that could be procured; but that no relaxation of the existing regulations, in respect to age and description of persons, could be admitted.
- (2). Copy of a Despatch, dated 10 November, 1837, No. 20, transmitting two printed Notices on the subject of Emigration, which had been prepared for circulation, by Mr. Elliot, the Agent-General for Emigration.
- (3). Copy of a Despatch, dated 11 December, 1837, No. 22, and its enclosure from the Agent-General for Emigration, reporting the circumstances under which the proposal to fill a ship with Emigrants from Norfolk and the adjacent Counties has failed.
- (4). Copy of a Despatch, dated 11 December 1837, No. 45, in reply to Sir Richard Bourke's Despatches reporting the arrival of the ships *John Barry* and *Adam Lodge*.
- (5). Copy of a Despatch, dated 14 December, 1837, No. 46, in reply to Sir Richard Bourke's Despatch of 17 June last, relative to the introduction of Indian labourers. To be printed.

Council adjourned, at three o'clock, until Thursday next, May 31, at twelve o'clock.

ORDERS OF THE DAY.

THURSDAY, MAY 31.

Regulations for the Admission of Strangers, to be considered.

TUESDAY, JUNE 5.

1. Jury Act Continuation Bill ; second reading.
2. Bushranging Act Continuation Bill ; second reading.

WEDNESDAY, JUNE 6.

1. Penal Settlement Bill ; second reading.

THURSDAY, JUNE 7.

1. Medical Practice Bill ; second reading.
2. Medical Witness Bill ; second reading.

— = — FRIDAY, JUNE 8.

1. Intestate Estates Investment Bill ; second reading.

TUESDAY, JUNE 12.

1. Insolvent Debtors' Bill ; second reading.
2. Imprisonment for Debt Bill ; second reading.

THURSDAY, JUNE 14.

1. Ordnance Property Bill, second reading.

WM. MACPHERSON, *Clerk of the Council.*

9
No. 2.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

THURSDAY, 31 MAY, 1838.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR in the chair.

Order of the day, Consideration of Regulations for the admission of Strangers.

Motion made, and question put, That the Resolution passed at the last meeting of the Council, for the admission of Strangers, be now reconsidered. Passed without a division.

Motion made, and question put, That the Resolution passed at the last meeting of the Council, for the admission of Strangers, subject to certain Rules and Regulations, be now confirmed. Passed without a division.

His Honor the Chief Justice, as Chairman, brought up the Report of the Committee, appointed to frame Rules and Regulations for the admission of Strangers during the proceedings of the Council, for consideration.

Motion made, and question put, That the Report of the Committee be printed, and be further considered, on Tuesday next.

Council adjourned, at three o'clock, until Tuesday next, June 5, at twelve o'clock.

ORDERS

ORDERS OF THE DAY.

TUESDAY, JUNE 5.

1. Regulations for the Admission of Strangers ; further consideration.
2. Jury Act Continuation Bill ; second reading.
3. Bushranging Act Continuation Bill ; second reading.

WEDNESDAY, JUNE 6.

1. Penal Settlement Bill ; second reading.

THURSDAY, JUNE 7.

1. Medical Witness Bill ; second reading.
2. Medical Practice Bill ; second reading.

FRIDAY, JUNE 8.

1. Intestate Estates Investment Bill ; second reading.

TUESDAY, JUNE 12.

1. Insolvent Debtors' Bill ; second reading.
2. Imprisonment for Debt Bill ; second reading.

THURSDAY, JUNE 14.

1. Ordinance Property Bill, second reading.

WM. MACPHERSON, *Clerk of the Councils.*

No. 3.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 5 JUNE, 1833.

1. Council met, pursuant to adjournment, His Excellency the Governor in the chair.

Mr. Close presented a Petition from certain Householders, Proprietors of Property, Builders, and others, representing that certain of the clauses in the Act of the Governor and Council, 9 Wm. IV. No. 6, intituled "*An Act for regulating Buildings and Party Walls, and for preventing Mischiefs by Fire, in the Town of Sydney,*" have proved burthensome and vexatious, in sundry instances, as set forth in the said Petition; and praying for the reconsideration and amendment of the same.

Motion made, and question put, That this Petition be received, and printed, and be taken into consideration, on Wednesday, June 13; *Passed.*

2. His Excellency the Governor laid upon the Table, a Petition from the Managing Directors and Cashiers of the Banks in Sydney, praying that a clause may be introduced into the Jury Act to exempt Managing Directors and Cashiers of Banks in the Colony, from serving as Jurors, in consequence of the great inconvenience and detriment frequently caused to the Public thereby;

Motion made, and question put, That this Petition be received, and printed, and be taken into consideration to-morrow, Wednesday, June 6; *Passed.*

3. Jury Act Continuation Bill; second-reading deferred until to-morrow.

4. Order of the day; Further consideration of Regulations for the Admission of Strangers.

(1). Resolved, That Strangers may be admitted to the Gallery of the Council Chamber,

on condition, that they shall there observe good order, and shall not, directly or indirectly, express any opinion on the proceedings of Council.

- (2). That no Stranger shall be admitted to the Gallery, but on producing to the Door-keeper, an order in writing, signed by a Member of Council, setting forth the name and address of the party seeking admission, which order shall not be transferable.
- (3). That His Excellency the Governor may, under his hand, authorise the admission to the Gallery, of any number of Strangers he shall think proper.
- (4). That each Member of the Council shall be restricted to the admission, by such orders, of two Strangers only.
- (5). That upon the motion of any Member of Council, Strangers shall withdraw forthwith.
- (6). That upon all Divisions, on any question submitted to the Council, Strangers shall withdraw, as of course.

Motion made, and question put, that the several Rules and Regulations, now resolved on, and adopted, stand part of the Rules and Orders of the Council; and that they be printed; *Passed.*

5. Bushranging Act Continuation Bill; second reading deferred until to-morrow.

Council adjourned at three o'clock, until to-morrow, at twelve o'clock.

ORDERS OF THE DAY.

WEDNESDAY, JUNE 6.

- 1. Jury Act Continuation Bill; second reading.
- 2. Cashiers of Banks' Petition; to be considered.
- 3. Bushranging Act Continuation Bill; second reading.
- 4. Penal Settlement Bill; second reading.

THURSDAY, JUNE 7.

- 1. Medical Witness Bill; second reading.
- 2. Medical Practice Bill; second reading.

FRIDAY,

13

FRIDAY, JUNE 8.

- 1. Intestate Estates Investment Bill ; second reading.

TUESDAY, JUNE 12.

- 1. Insolvent Debtors' Bill ; second reading.
- 2. Imprisonment for Debt Bill ; second reading.

WEDNESDAY, JUNE 13.

- 1. Building Act Petition ; to be considered.

THURSDAY, JUNE 14.

- 1. Ordnance Property Bill, second reading.

WM. MACPHERSON, *Clerk of the Councils.*

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No. 4.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 6 JUNE, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table a Petition from Mr. Nathaniel Lipscomb Kentish, praying that His Excellency, and the Council, would direct that certain Letters and a Memorial, addressed by him to their Honors the Judges of the Supreme Court, should be laid before the Council, and taken under consideration. Motion made, and question put, That this Petition be received. *Motion negatived.*
2. Jury Act Continuation Bill; read a second time; to be read a third time on Tuesday next, June 12.
3. Cashiers of Banks' Petition; Motion made, and question put, that this Petition be now considered; *Passed*; Motion made, and question put, that the previous question be now considered; *Passed.*
4. Bushrauging Act Continuation Bill; second reading deferred until to-morrow.
5. Penal Settlement Bill; read a second time; to be read a third time on Tuesday next, June 12.
6. His Excellency the Governor laid upon the Table, "*A Bill to Extend the provisions of an Act intituled 'An Act for preventing the extension of the infectious Disease commonly called the Scab in Sheep or Lambs, in the Colony of New South Wales, to the Disease commonly called Catarrh or Influenza in Sheep or Lambs;*" Bill read a first time; to be printed, and read a second time on Friday, June 15.
7. His Excellency the Governor laid upon the Table, a Despatch from the Right
Honorable

Honorable Lord Gleneig, dated 19 May, 1937, referring to His Lordship's Despatch, No. 319, signifying the King's approval of the Act relating to the Union Assurance Company, and directing provisions to be made for the enrolment of the names of the Shareholders.

Council adjourned at four o'clock, until to-morrow, Thursday, June 7, at twelve o'clock.

ORDERS OF THE DAY.

THURSDAY, JUNE 7.

1. Bushranging Act Continuation Bill; second reading.
2. Medical Witness Bill; second reading.
3. Medical Practice Bill; second reading.

FRIDAY, JUNE 8.

1. Intestate Estates Investment Bill; second reading.

TUESDAY, JUNE 12.

1. Jury Act Continuation Bill; third reading.
2. Penal Settlement Bill; third reading.
3. Insolvent Debtors' Bill; second reading.
4. Imprisonment for Debt Bill; second reading.

WEDNESDAY, JUNE 13.

1. Building Act Petition; to be considered.

THURSDAY, JUNE 14.

1. Orphanage Property Bill, second reading.

FRIDAY, JUNE 15.

1. Catarrh in Sheep Prevention Bill; second reading.

WM. MACPHERSON, *Clerk of the Councils.*

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

THURSDAY, 7 JUNE, 1888.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR in the Chair. Bushranging Act Continuation Bill; read a second time; committed and amended; to be fairly transcribed, and presented to the Governor, by the Attorney General and Sir John Jamison.
2. Medical Witness Bill; read a second time; committed and amended; to be fairly transcribed, and presented to the Governor, by Colonel Snodgrass and Mr. Berry.
3. Medical Practice Bill; Motion made, and question put, that this Bill be referred to a Sub-committee, to consider, and report their opinion upon the provisions thereof; with leave to examine Evidence if necessary.

Committee appointed:—

| | |
|---------------------------|-------------------|
| THE ATTORNEY GENERAL. | MR. BLANLAND. |
| THE COLLECTOR OF CUSTOMS. | MR. CLOSE. |
| MR. BERRY. | SIR JOHN JAMISON. |

Council adjourned at three o'clock, until to-morrow, at twelve o'clock.

ORDERS

ORDERS OF THE DAY.

FRIDAY, JUNE 8.

1. Intestate Estates Investment Bill; second reading.

TUESDAY, JUNE 12.

1. Jury Act Continuation Bill; third reading.
2. Penal Settlement Bill; third reading.
3. Insolvent Debtors' Bill; second reading.
4. Imprisonment for Debt Bill; second reading.

WEDNESDAY, JUNE 13.

1. Building Act Petition; to be considered.

THURSDAY, JUNE 14.

1. Ordnance Property Bill, second reading.

FRIDAY, JUNE 15.

1. Catarrh in Sheep, Prevention Bill; second reading.

WM. MACPHERSON, *Clerk of the Councils.*

No. 6.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

FRIDAY, 8 JUNE, 1838.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR in the Chair.
Intestate Estates Investment Bill; read a second time; committed and amended;
to be fairly transcribed, and presented to the GOVERNOR, by the Chief Justice, and
the Collector of Customs.

Council adjourned at three o'clock, until Tuesday next, June 12, at twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, JUNE 12.

1. Jury Act Continuation Bill; third reading.
2. Penal Settlement Bill; third reading.
3. Insolvent Debtors' Bill; second reading.
4. Imprisonment for Debt Bill; second reading.

WEDNESDAY, JUNE 13.

1. Building Act Petition; to be considered.

THURSDAY, JUNE 14.

1. Ordnance Property Bill, second reading.

FRIDAY, JUNE 15.

1. Catarrh in Sheep, Prevention Bill; second reading.

WM. MACPHERSON, *Clerk of the Councils.*



No. 7.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 12 JUNE, 1838.

- 1. Council met, pursuant to adjournment; His Excellency the Governor in the Chair.
Jury Act Continuation Bill; read a third time, and passed.
- 2. Penal Settlement Bill; Motion made, and question put, that this Bill be re-committed, and be further considered, to-morrow; *Passed.*
- 3. Insolvent Debtors' Bill; Motion made; and question put, that this Bill be referred to a Sub-Committee, to consider, and report their opinion upon the provisions thereof; with leave to examine Evidence, if necessary. Committee appointed:—

| | |
|-----------------------|----------------|
| THE CHIEF JUSTICE, | MR. BERRY, |
| THE ATTORNEY GENERAL, | MR. JONES, |
| THE AUDITOR GENERAL, | MR. MACARTHUR. |

- 4. Imprisonment for Debt Bill; Motion made, and question put, that this Bill be also referred to the Committee above-named, to report their opinion upon the provisions thereof, and with leave to examine Evidence, if necessary; *Passed.*
- 5. Bushranging Act Continuation Bill; presented by the Governor as amended; to be read a third time to-morrow.
- 6. Medical Witness Bill; presented by the Governor as amended; to be read a third time to-morrow.

7. Intestates' Estates Investment Bill; presented by the Governor as amended; to be read a third time to-morrow.

8. His Excellency the Governor laid upon the Table—

(1) "*Abstract of the Revenue of the Colony of New South Wales (exclusively of that arising from Crown Lands), and of its appropriation, for the Year 1837.*"

(2) "*Abstract of the Revenue arising from Crown Lands in the Colony of New South Wales, and of its appropriation, for the Year 1837.*"

(3) No. 1.—"*Statement of Expenditure on account of Immigration into New South Wales, for the Year 1837, distinguishing the Payments from the Colonial Treasury, from those made by the Colonial Agent-General in England, so far as the latter have been notified.*"

No. 2.—"*Statement of the Sums paid by the Colonial Agent-General, as Outfits and Passages to Clergymen, Missionaries, and Schoolmasters, who emigrated to New South Wales in the Year 1837, under the sanction of Her Majesty's Government in England.*"

No. 3.—"*Statement of the Expenses of the Government Establishments at Port Phillip (the Department of Customs excepted), defrayed from the Colonial Treasury of New South Wales for the Year 1837.*" To be printed.

Council adjourned at three o'clock, until to-morrow, at twelve o'clock.

ORDERS OF THE DAY.

WEDNESDAY, JUNE 13.

1. Bushranging Act Continuation Bill; third reading.

2. Medical Witness Bill; third reading.

3. Intestates' Estates Investment Bill; third reading.

4. Penal Settlement Bill; further consideration.

5. Building Act Petition; to be considered.

THURSDAY, JUNE 14.

1. Ordnance Property Bill, second reading.

FRIDAY, JUNE 15.

1. Catarrh in Sheep, Prevention Bill; second reading.

WM. MACPHERSON, Clerk of Councils.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 13 JUNE, 1838.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR in the Chair.
Bushranging Act Continuation Bill; read a third time, and passed.
2. Medical Witness Bill; read a third time, and passed.
3. Intestate Estates Investment Bill; read a third time, and passed.
4. Penal Settlement Bill; re-committed, and amended; to be fairly transcribed, and presented to the Governor, by Colonel Snodgrass and the Attorney General.
5. Building Act Petition; Motion made, and question put, that this Petition be referred to a Sub-Committee, carefully to consider the same, with reference to the several clauses and enactments of the Act of the Governor and Council, 8 Wm. IV., No. 6, complained of, with instructions to examine evidence, and to report their opinion as to the amendments (if any) which it may be desirable to make, on the Act referred to, cautiously abstaining from recommending any alterations which may tend to affect the Public safety, or to the prejudice of the general appearance and regularity of the Town of Sydney. *Passed.*

Committee appointed:—

COLONEL SNODGRASS, C. B.

MR. BERRY.

THE COLONIAL SECRETARY.

MR. BLANLAND.

THE COLLECTOR OF CUSTOMS.

SIR JOHN JAMISON.

Council adjourned at half-past one o'clock, until to-morrow, at twelve o'clock.

ORDERS

ORDERS OF THE DAY.

THURSDAY, JUNE 14.

- 1. Ordinance Property Bill, second reading.

FRIDAY, JUNE 15.

- 1. Catarrh in Sheep, Prevention Bill; second reading.

WM. MACPHERSON, *Clerk of Councils.*

No. 9.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

THURSDAY, 14 JUNE, 1833.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR in the Chair.
Ordinance Property Bill; read a second time, committed, and amended; to be further considered, Tuesday, June 26.

Council adjourned at three o'clock, until to-morrow, at twelve o'clock.

ORDERS OF THE DAY.

FRIDAY, JUNE 15.

1. Catarrh in Sheep; Prevention Bill; second reading.

TUESDAY, JUNE 26.

1. Ordinance Property Bill; to be further considered.

WM. MACPHERSON, Clerk of Councils.

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The following is a list of the names of the persons who have been
 named in the above mentioned report, together with the date of their
 appointment, and the office to which they were appointed.

| Name | Date of Appointment | Office |
|------------------|---------------------|----------------------|
| John A. Smith | Jan. 1, 1880 | Justice of the Peace |
| James B. Jones | Feb. 1, 1880 | Justice of the Peace |
| William C. Brown | Mar. 1, 1880 | Justice of the Peace |
| Thomas D. White | Apr. 1, 1880 | Justice of the Peace |
| Charles E. Green | May 1, 1880 | Justice of the Peace |
| Richard F. Black | Jun. 1, 1880 | Justice of the Peace |
| Henry G. Gray | Jul. 1, 1880 | Justice of the Peace |
| George H. White | Aug. 1, 1880 | Justice of the Peace |
| John I. Black | Sep. 1, 1880 | Justice of the Peace |
| William J. Gray | Oct. 1, 1880 | Justice of the Peace |
| Thomas K. White | Nov. 1, 1880 | Justice of the Peace |
| Charles L. Black | Dec. 1, 1880 | Justice of the Peace |

No. 10.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

FRIDAY, 15 JUNE, 1838.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR in the Chair. *Penal Settlement Bill*; presented by the Governor as amended; to be read a third time on Wednesday next, June 20.
2. *Catarrh in Sheep, Prevention Bill*; Motion made, and question put, that this Bill be referred to a Sub-Committee, carefully to consider the same, with instructions to examine Evidence, and to report their opinion thereon. *Passed.*

Committee appointed:—

| | |
|-------------------------|-------------------|
| THE COLONIAL SECRETARY. | MR. CLOSE. |
| MR. BERRY. | MR. MACARTHUR. |
| MR. JONES. | SIR JOHN JAMISON. |

Council adjourned at one o'clock, until Wednesday next, June 20, at twelve o'clock.

ORDERS OF THE DAY.

WEDNESDAY, JUNE 20.

1. *Penal Settlement Bill*; third reading.

TUESDAY, JUNE 26.

1. *Ordnance Property Bill*; to be further considered.

WM. MACPHERSON, *Clerk of Councils.*

No. 10.

NEW SOUTH WALES.

VOTES AND PROCEEDINGS.

OF

THE LEGISLATIVE COUNCIL,

15 JUNE, 1938.

Ordered, by THE COUNCIL, to be Printed.

No. 11.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL

WEDNESDAY, 20 JUNE, 1838.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR in the Chair. The Oath of Allegiance to Her Majesty the Queen, administered to Robert Campbell, Esquire.

Penal Settlement Bill; Motion made, and question put, that this Bill be again re-committed, and some verbal alterations made; *Passed*; to be read a third time on Tuesday next.

2. His Excellency the Governor laid upon the Table—

(1.) A Despatch, dated 11 November, 1836, addressed by the Right Honorable Lord Glenelg to Sir Richard Bourke, transmitting a Circular Despatch, addressed to the Governors of Colonies having Legislative Assemblies, upon the subject of vesting all Military Lands and Buildings in the Principal Officers of the Ordnance Department; and also, the Draft of a Bill, containing the Provisions necessary to meet the desired object, and directing the same to be laid before the Legislative Council of this Colony; To be printed.

(2.) A List of Lands, and Buildings, transferred to the Ordnance, by the Board of Works, 1st January, 1836; To be printed.

(3.) Maps, and Plans, of the Lands, and Buildings, referred to in the List above mentioned.

(4.) Estimate of the Cost of erecting Military Barracks at Sydney, and at Newcastle; To be printed.

Council adjourned at two o'clock, until Tuesday next, June 26, at twelve o'clock.

ORDERS

ORDERS OF THE DAY.

TUESDAY, JUNE 26.

- 1. Penal Settlement Bill; third reading.
- 2. Ordinance Property Bill; to be further considered.

WM. MACPHERSON, *Clerk of Councils.*

No. 11.

NEW SOUTH WALES.

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL,

20 JUNE, 1839.

Ordered, by THE COUNCIL, to be Printed.

No. 12.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 26 JUNE, 1839.

1. Council met, pursuant to adjournment; His Excellency the Governor in the Chair. The Oath of Allegiance to Her Majesty the Queen, administered to the Right Reverend William Grant Broughton, Lord Bishop of Australia.

Penal Settlement Bill; read a third time; and passed.

2. Ordinance Property Bill; committed, and amended; to be further considered, Tuesday, July 17. His Excellency the Governor laid upon the Table, an amended Preamble, and first Clause, proposed to be substituted for those printed with the Bill in the first instance; To be printed.

3. His Excellency the Governor laid upon the Table, "A Bill to amend an Act, intituled, "An Act to enable the Proprietors of a certain Company carried on in the Town of Sydney, in the Colony of New South Wales, under the Name, Style, and Firm of the 'Union Assurance Company of Sydney,' to sue, and be sued, in the name of the Chairman of the said Company for the time being, and for other purposes therein mentioned;" Bill read a first time; to be printed, and read a second time, Tuesday, July 17.

4. The Governor laid upon the Table; a Petition, addressed to His Excellency, by certain Magistrates, Landholders, and other Colonists of New South Wales, representing, that an impression unfavourable to the Systems of Transportation, and Assignment, has been produced in England, both by Evidence given before a Committee of the House of Commons, and by other Statements respecting the condition of this Colony, which, the Petitioners believe, will be found to be erroneous; and praying, that His Excellency

Excellency will cause the evidence of competent witnesses with respect to the actual condition of the Colony, and the working of the Systems of Transportation and Assignment, to be taken before a Committee of the Legislative Council.

Upwards of three hundred Signatures attached to the above mentioned Petition, of Persons residing in, or near to, the Towns under-named, viz.:—Sydney, 55; Liverpool, 19; Campbell Town, 117; Parramatta, 24; and Windsor, 90.

His Excellency also laid upon the Table, the Reply which he had made to the Deputation presenting the above mentioned Petition.

Motion made, and question put, That this Petition be received; and that the same, and His Excellency's reply thereto, be printed; *Passed.*

Motion made, and question put, That this Petition be referred to a Sub-Committee, to consider the same, and examine evidence on the allegations thereof, and to report their opinion thereupon.

Amendment moved, and question put, that this Petition be taken into consideration on Tuesday next, July 3.

Strangers ordered to withdraw, upon the anticipated Division; *Amendment passed* unanimously.

Council adjourned at half-past four o'clock, until Tuesday next, July 3, at twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, JULY 3.

1. Transportation and Assignment Systems Inquiry Petition; to be considered.

TUESDAY, JULY 17.

1. Ordnance Property Bill; further consideration.
2. Union Assurance Company Amendment Bill; second reading.

WM. MACPIERSON, *Clerk of Councils.*

No. 13.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 3 JULY, 1839.

1. Council met, pursuant to adjournment; His Excellency the Governor in the Chair. The Governor informed the Council, in reference to a difference of opinion which had occurred at a previous Meeting, as to the precedence of the Lord Bishop of Australia, or the Officer in command of Her Majesty's Troops, that upon a case submitted to the Attorney-General by His Excellency's direction, that Officer had replied, that as it appears in the Queen's instructions to His Excellency, that in the enumeration of the Members of this Council, the Lord Bishop is placed before the Officer in command of the Troops, he is of opinion that at the Meetings of this Council, the Lord Bishop is entitled to occupy the senior place.
2. Transportation, and Assignment Systems, Inquiry Petition; considered in Committee; Motion made, and question put, that the following Resolutions be adopted; viz:
 - (1.) That although this Council is fully sensible of the respect due to the opinion and representation of the numerous and respectable body of Colonists who signed the Memorial to His Excellency the Governor, and admit that the unfavourable statements which have lately been published in England, with respect to this Colony, may operate prejudicially to its interests, they are of opinion, that it would be premature to commence an Inquiry here, until the Committee of the House of Commons on Transportation now sitting, has closed its labours.
 - (2.) That the Council is strongly impressed with the persuasion, that no measure will be passed by the British Parliament, affecting the interests of this Colony, without the fullest, and most impartial Inquiry, and consideration.

(3.)

(3.) That by the accounts received from England subsequent to the presentation of the Memorial to His Excellency the Governor, there is reason to believe that the Act for regulating the new Constitution of the Colony, will have passed long before the result of any Inquiry here, which, to effect the object desired by the Memorialists, would require to be conducted at very considerable length, could reach England.

(4.) That in declining to comply with the prayer of the Memorial, the Council deem it due to the Colonists who signed it, thus to record their reasons.

Amendment moved, and question put; that the further consideration of the "Transportation and Assignment Systems Inquiry Petition," be deferred until Tuesday next; *Amendment passed.*

3. His Excellency the Governor laid upon the Table, a Letter dated 22 March 1833, from the Agent-General for Emigration, Thomas Frederick Elliot, Esq., giving an account of the principal proceedings, in matters of Emigration, which have taken place since the date of his last communication. To be Printed.

Council adjourned at Four o'Clock, until Tuesday next, 10 July, at Twelve o'Clock.

ORDERS OF THE DAY.

TUESDAY, JULY 10.

- 1. Transportation and Assignment Systems Inquiry Petition; further consideration.

TUESDAY, JULY 17.

- 1. Ordnance Property Bill; further consideration.
- 2. Union Assurance Company Amendment Bill; second reading.

WM. MACPHERSON, Clerk of Councils.

No. 14.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 10 JULY, 1839.

1. Council met, pursuant to adjournment; His Excellency the Governor took the Chair And laid upon the Table, several copies of the Petition for Inquiry into the systems of Transportation, and Assignment, with additional signatures attached to them, to the number of two hundred and eighty, and upwards, of persons residing in, or near to, the Towns under named; viz. Bathurst, 55; Wellington, 38; Hassan's Walls, 19; Newcastle, 24; Maitland, 50; Paterson, 16; Hinton, 28; Port Macquarie, 17; Goulburn, 14; Bungonia, 20; Yass, 6.

Transportation and Assignment Systems Inquiry Petition; further considered in Committee.

Motion made, and question put, That, in the opinion of this Council, it is expedient, on the present occasion, to proceed by way of Resolution, and not by the appointment of a Sub-Committee of Inquiry, with instructions to examine Witnesses; *Passed.*

Motion made, and question put, That a Sub-Committee be appointed to frame Resolutions in reference to the subject of the Petition under consideration, and to report the same to the Council on Tuesday next; *Passed.*

Committee appointed:

COLONEL SNODGRASS, C. B.
THE COLONIAL SECRETARY.
THE AUDITOR-GENERAL.
MR. BERRY.

MR. JONES.
MR. BLAXLAND.
MR. M-ARTHUR.
SIR JOHN JAMISON.

2. His Excellency the Governor laid upon the Table, "*A Bill to regulate the Temporal Affairs, of the Religious Societies denominated Wesleyan Methodists, Independents, and Baptists.*" Bill read a first time; to be printed, and read a second time, on Wednesday, July 18.

Council adjourned at Three o'Clock, until Tuesday next, 17 July, at Twelve o'Clock.

ORDERS OF THE DAY.

TUESDAY, JULY 17.

1. Resolutions in reference to Inquiry Petition; to be considered.
2. Ordinance Property Bill; further consideration.
3. Union Assurance Company Amendment Bill; second reading.

WEDNESDAY, JULY 18.

1. Religious Societies' Temporalities Bill; second reading.

WM. MACPHERSON, *Clerk of Councils.*

No. 15.

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL

TUESDAY, 17 JULY, 1838.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR took the Chair, and laid upon the Table a Memorial addressed to His Excellency, and this Council, by "Certain Landholders residing on the North Shore of Port Jackson, and other Proprietors of Land in Lane Cove, Pennant Hills, &c." praying that, in any Act or Deed which may be made, conveying to the Ordnance Department any portions of Land in the Town of Sydney, the free and open use may be reserved, to the Public at large, of the Road by Dawes' Point, which has been open as a Public Road, ever since the origin of the Colony, and has become the principal point of communication between Sydney and the Districts to the Northward of the Harbour of Port Jackson. Upwards of ninety Signatures attached to this Memorial. Motion made, and question put, That this Memorial be received, and be printed.—
Passed.
2. His Excellency the Governor laid upon the Table a Memorial, addressed to His Excellency and this Council, by "Certain Inhabitants of New South Wales," representing that they have learned, with much concern, that a Bill has been brought under the consideration of the Council; the object of which, is stated by the Memorialists to be, to vest in the Principal Officers of Her Majesty's Ordnance for the time-being, independently of the sanction or controul of the Council, or of any Legislative Body, the whole of the Crown Lands now in the occupation of, or which may hereafter be granted to, or which may come into the possession of that Department, thus diverting from the promotion of Immigration (so essential to the prosperity of the Colony) immense sums of money derivable from the Sale of such valuable Lands, and rendering a Branch of the Public Service independent of
the

the Legislature for support, which cannot fail to prove highly detrimental to the best interests of the Community; and praying that the Council will not sanction the passing of the Bill in question. Upwards of three hundred and seventy Signatures attached to this Memorial. Motion made, and question put, that this Memorial be received, and be printed.—*Passed.*

3. The Order of the Day, for the further consideration of the "*Bill for vesting all Estates and Property in the Colony of New South Wales, occupied for the Ordnance Service, in the Principal Officers of Her Majesty's Ordnance, and for granting certain Powers to the said Principal Officers,*" being moved, His Excellency the Governor stated, that in compliance with the request which had had been preferred to him by several Members of the Council, and moreover on account of His Excellency considering it expedient to communicate with Her Majesty's Government, on the subject of the disposal of the Land in Sydney, on which the Military Barracks stand, and in reference to the site, to which they may be removed, it was not His Excellency's intention to propose to the Council to proceed any further with this Bill during the present Session; and it would, therefore, stand over until the next Session.

4. The Order of the Day being moved for the consideration of the Resolutions to be adopted, in reference to the Petition from "certain Magistrates, Landholders, and other Colonists, of New South Wales," representing that an impression, unfavourable to the Systems of Transportation and Assignment, had been produced in England, both by evidence given before a Committee of the House of Commons, and by other statements respecting the condition of this Colony, which the Petitioners believed would be found erroneous, and praying that the evidence of competent Witnesses, with respect to the actual condition of this Colony, and the working of those Systems, might be taken before a Committee of this Council, *the following Resolutions were severally moved and adopted, viz.—*

(1.) Resolved, That this Council concurs in the opinion expressed by the numerous and respectable body of Colonists who have signed the Memorial to His Excellency the Governor, that the character of this Colony, in as far as the social and moral condition of its Inhabitants is concerned, has unjustly suffered by the misrepresentations put forth in certain recent publications in the Mother Country, and especially in portions of the Evidence taken before a Committee of the House of Commons.

- (2) Resolved, That in the opinion of this Council, this would not only be made clearly to appear, from such an investigation as the Memorialists solicit, but is in itself already sufficiently evident to every impartial observer acquainted with the true circumstances of the Colony.
- (3) Resolved, That being satisfied of this fact, and deeply impressed with the belief, that it will also be brought home to the conviction of the British Nation, and Parliament, in the further progress of the Enquiry before the Committee of the House of Commons now sitting, the Council is reluctant to enter upon an investigation, which to attain the objects sought by the Memorialists, must naturally be inquisitorial in its character; more especially when it is probable, that the great questions, which materially affect the interests of this Colony, will be settled in England, before the results of such an investigation, could be received there.
- (4) Resolved, That, in the opinion of this Council, the numerous Free Emigrants of character and capital, including many Officers of the Army and Navy, and East India Company's Service, who have settled in the Colony, with their families, together with a rising generation of Native-born Subjects, constitute a body of Colonists, who, in the exercise of the social and moral relations of life, are not inferior to the Inhabitants of any other Dependency of the British Crown, and are sufficient to impress a character of respectability upon the Colony at large.
- (5) Resolved, That, in the opinion of this Council, the rapid and increasing advance of this Colony, in the short space of fifty years from its first establishment, in Rural, Commercial, and Financial prosperity, proves indisputably the activity, the enterprise, and industry of the Colonists, and is wholly incompatible with the state of Society represented to exist here.
- (6) Resolved, That, in the opinion of this Council, the strong desire manifested by the Colonists generally, to obtain Moral and Religious Instruction, and the liberal contributions, which have been made from private funds, towards this most essential object, abundantly testify, that the advancement of Virtue and Religion, amongst them, is regarded with becoming solicitude.
- (7) Resolved, That, in the opinion of this Council, if Transportation and Assignment have hitherto failed to produce all the good effects anticipated by their projectors, such failure may be traced to circumstances, many of which are no longer in existence, whilst others are in rapid progress of amendment. Amongst the most prominent causes of failure may be adduced the absence at the first Establishment of the Colony, of adequate Religious and Moral Instruction, and the want of proper means of Classification in the several Gaols throughout the Colony, as well as of a sufficient number of Free Emigrants properly qualified to become the Assignees of Convicts, and to be entrusted with their management and controul.
- (8) Resolved, That, in the opinion of this Council, the great extension which has latterly been afforded of Moral and Religious Instruction, the Classification which may in future be made

in the numerous Gaols now in progress of erection upon the most approved principles of Inspection and Separation, the more effectual Punishment and Classification of Offenders in Ironed-Gangs, according to their improved system of management—the numerous Free Emigrants now eligible as the Assignees of Convicts—and the accumulated experience of half a Century—form a combination of circumstances which renders the Colony better adapted at the present, than at any former period, to carry into effect the praiseworthy intentions of the first Founders of the system of Transportation and Assignment, which had no less for its object reformation of Character, than a just infliction of Punishment.

- (9). Resolved, That in the opinion of this Council, no system of Penal Discipline or Secondary Punishment will be found at once so cheap, so effective, and so reformatory, as that of well regulated Assignment, the good conduct of the Convict, and his continuance at labour, being so obviously the interest of the Assignee, whilst the partial solitude and privations incidental to a Pastoral or Agricultural Life in the remote districts of the Colony (which may be made the universal employment of Convicts), by effectually breaking a connexion with companions and habits of vice, is better calculated than any other system to produce Moral Reformation, when accompanied by adequate Religious Instruction.
- (10). Resolved, That in the opinion of this Council, many men who, previously to their conviction, had been brought up in habits of idleness and vice, have acquired, by means of Assignment, not only habits of industry and labour, but the knowledge of a remunerative employment, which, on becoming free, forms a strong inducement to continue in an honest course of life.
- (11). Resolved, That in the opinion of this Council, the sudden discontinuance of Transportation and Assignment, by depriving the Colonists of Convict labour, must necessarily curtail their means of purchasing Crown Lands, and consequently the supply of funds for the purposes of Immigration.
- (12.) Resolved, That in the opinion of this Council, the produce of the labour of Convicts, in Assignment, is thus one of the principal, though indirect means, of bringing into the Colony, free persons; it is obvious therefore, that the continuance of Immigration in any extended form, must necessarily depend upon the continuance of the Assignment of Convicts.
5. Motion made, and question put, That His Excellency the Governor, be requested to transmit these Resolutions to the Right Honorable the Secretary of State for the Colonies, with the recommendation of this Council, that His Lordship will be pleased, to take the usual means, for laying them before both Houses of Parliament.—*Passed.*

6. Union Assurance Company Amendment Bill; second reading; deferred until to-morrow.

Council adjourned at half-past Four o'Clock, until to-morrow, at Twelve o'Clock.

ORDERS

ORDERS OF THE DAY.

WEDNESDAY, JULY 18.

1. Union Assurance Company Act, Amendment Bill; second reading.
2. Religious Societies' Temporalities Bill; second reading.

WM. MACPHERSON, *Clerk of Councils.*

No. 16.

VOTES AND PROCEEDINGS
 OF
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 18 JULY, 1838.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR in the Chair. Union Assurance Company Act Amendment Bill; second reading further deferred until Tuesday, July 24.
2. Religious Societies' Temporalities Bill; read a second time; committed, and amended; to be fairly transcribed, and presented to the Governor, by the Auditor-General and Mr. Berry.
3. His Excellency the Governor laid upon the Table, "*A Bill for regulating the Police in the Towns of Parramatta, Windsor, Maitland, Bathurst, and Melbourne, respectively, and for removing and preventing Nuisances and Obstructions therein.*" Bill read a first time; to be printed, and read a second time on Tuesday next, July 24.
4. His Excellency the Governor laid upon the Table, "*A Bill to alter and amend an Act intituled, 'An Act for regulating the Police in the Town and Port of Sydney, and for removing and preventing Nuisances and Obstructions therein.'*" Bill read a first time; to be printed, and read a second time on Tuesday next, July 24.

Council adjourned at Two o'Clock, until Tuesday next, July 24, at Twelve o'Clock.

ORDERS OF THE DAY.

TUESDAY, JULY 24.

1. Union Assurance Company Act; Amendment Bill; second reading.
2. Country Towns' Police Bill; second reading.
3. Sydney Police Act Amendment Bill; second reading.

W^m. MACPHERSON, *Clerk of Councils.*

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

TUESDAY, 24 JULY, 1833.

1. Council met, pursuant to adjournment; His Excellency the Governor in the Chair. Memorial presented by Sir John Jamison, addressed to His Excellency and the Council by "The Synod of New South Wales," representing the circumstances under which the Ministers of the Church of Scotland, and Synod of Ulster, constituting that Ecclesiastical Court, had declined joining the Presbytery of New South Wales, and were thereby, under the provisions of the Act of the Governor and Council, 8 Wm. IV., No. 7, prevented from obtaining the "Salaries and Allowances," to which they would otherwise have been entitled, under the General Church Act, 7 Wm. IV., No. 3; and praying that His Excellency and the Council will take the subject into their favourable consideration, "and either grant to the said Ministers those "Salaries and Allowances, by including them in the Bills of Appropriation for 1833 and 1839, or will pass some Enactment authorising their payment to the said Ministers, as a body of Presbyterians holding the Standards of the Church of Scotland, but disclaiming the Ecclesiastical Jurisdiction of the Presbytery of New South Wales." To be received and printed, and be taken into consideration on Tuesday next, July 31.

2. Petition presented by Mr. Close, addressed to His Excellency and the Council, by Mr. Standish Laurence-Harris, representing that the sum of £1420 14s. 6d. awarded to him in the Year 1834, by a Special Jury, for his professional services as Government Architect, during the Years 1822, 1823, and 1824, was the amount only of the principal sum due to him; and praying, that His Excellency and the Council will entertain his further claims, viz.—

| | | | |
|--|--------|----|---|
| (1.) For Ten years Interest and upwards, | £1,221 | 4 | 0 |
| (2.) For the costs of Suit incurred by him } in establishing his claim, | 239 | 16 | 4 |
| Together | £1461 | 0 | 4 |

Motion that this Petition be received, *Negatived.*

3. Union Assurance Company Act Amendment Bill; read a second time; committed, and amended; to be fairly transcribed, and presented to the Governor, by the Attorney-General and Mr. Berry.
4. Country Towns' Police Bill; read a second time; to be further considered to-morrow.
5. Sydney Police Act Amendment Bill; second reading deferred until to-morrow.
6. His Excellency the Governor laid upon the Table; "A Bill to give further time to prepare, and settle, the Jury Lists for the District of Maitland, for the year One thousand eight hundred and thirty-eight." Bill read a first time; to be printed and read a second time on Tuesday next, July 31.

Council adjourned at Four o'Clock, until to-morrow, at Twelve o'Clock.

ORDERS OF THE DAY.

WEDNESDAY, JULY 25.

1. Country Towns' Police Bill; further consideration.
2. Sydney Police Act Amendment Bill; second reading.

TUESDAY, JULY 31.

1. Petition from "The Synod of New South Wales;" to be considered.
2. Maitland Jury Lists-preparation Bill; second reading.

G. MACPHERSON, Clerk of Councils.

No. 19.

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

WEDNESDAY, 25 JULY, 1833.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR in the Chair. Country Towns Police Bill; committed, and unended; to be fairly transcribed, and presented to the Governor, by the Attorney-General and Sir John Jamison.
2. Sydney Police Act Amendment Bill; read a second time; committed, and amended; to be fairly transcribed, and presented to the Governor, by Colonel Snodgrass and Mr. Berry.
3. His Excellency the Governor laid upon the Table, "A Bill to provide for Trial by Jury, at the Courts of Quarter Sessions, to be held at Melbourne and Port Macquarie." Bill read a first time; to be printed, and read a second time on Wednesday next, August 1.

Council adjourned at Three o'Clock, until Tuesday next, July 31, at Twelve o'Clock.

ORDERS OF THE DAY.

TUESDAY, JULY 31.

1. Memorial from the "Synod of New South Wales;" to be considered.
- 2 Maitland Jury Lists Preparation Bill; second reading.

WEDNESDAY, AUGUST 1.

1. Melbourne and Port Macquarie Jury Bill; second reading.

WM. MACPHERSON, Clerk of Councils.

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

In the second section, the author details the various methods used to collect and analyze the data. This includes both manual and automated processes. The goal is to ensure that the data is as accurate and reliable as possible.

The third part of the document focuses on the results of the analysis. It shows that there is a clear trend in the data, which is consistent with the initial hypothesis. This finding is significant and warrants further investigation.

Finally, the document concludes with a summary of the findings and a list of recommendations. It suggests that the current methods are effective but could be improved in certain areas. The author also notes that the data is still being analyzed and that a final report will be published in the near future.

No. 20.

VOTES AND PROCEEDINGS
 OF
 THE LEGISLATIVE COUNCIL.

WEDNESDAY, 1 AUGUST, 1888.

1. Council met, pursuant to adjournment; His Excellency the Governor in the Chair. Maitland Jury Lists Preparation Bill; further consideration deferred until Tuesday next, August 7.
2. Melbourne and Port Macquarie Jury Bill; read a second time; committed and amended; to be further considered on Tuesday next, August 7.
3. Bill to prevent the extension of Catarrh in Sheep; The Honorable the Colonial Secretary, as Chairman of the Committee appointed to consider the same, brought up the Report, and laid upon the Table, the Evidence taken before the Committee. To be printed.

Council adjourned at half-past Two o'clock, until Tuesday next, August 7, at Twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, AUGUST 7.

1. Maitland Jury Lists Preparation Bill; further consideration.
2. Melbourne and Port Macquarie Jury Bill; further consideration.

W^m. MACPHERSON, *Clerk of Councils.*

No. 20.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 1 AUGUST, 1838.

1. Council met, pursuant to adjournment; His Excellency the *GOVERNOR* in the Chair. Maitland Jury Lists Preparation Bill; further consideration deferred until Tuesday next, August 7.
 2. Melbourne and Port Macquarie Jury Bill; read a second time; committed and amended; to be further considered on Tuesday next, August 7.
 3. Bill to prevent the extension of Catarrh in Sheep; The Honorable the Colonial Secretary, as Chairman of the Committee appointed to consider the same, brought up the Report, and laid upon the Table, the Evidence taken before the Committee, To be printed.
- Council adjourned at half-past Two o'clock, until Tuesday next, August 7, at Twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, AUGUST 7.

1. Maitland Jury Lists Preparation Bill; further consideration.
2. Melbourne and Port Macquarie Jury Bill; further consideration.

W^M. MACPHERSON, *Clerk of Councils.*

No. 21.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 7 AUGUST, 1838.

1. Council met, pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table,

- (1.) "*The Estimates of Expenditure for the year 1839,*" together with "*A Minute explanatory of the several Heads of charge, and of Ways and Means to meet the same.*"
- (2.) "*Estimate of the Probable Expence for the year 1839, of the Establishment for the Protection of the Aborigines, and of Missions for their Civilization, and Conversion to Christianity.*"
- (3.) "*Supplementary Estimate of Expenditure for the present year.*"
- (4.) "*Estimate of the Probable Expences for the year 1839, of the Establishments at Port Phillip,*" to be defrayed in the first instance, from the Revenue arising from Crown Lands.

To be printed.

2. His Excellency the Governor laid upon the Table, the undermentioned Despatches addressed by the Right Honorable Lord Glenelg to Sir Richard Bourke K.C.B.

- (1.) Despatch dated 29 April 1837, notifying the appointment of Thomas Frederic Elliot Esq. as, Agent-General for Emigration, and requesting that Returns of the rates of wages in the Colony, of average prices, and of the demand for labour, may be transmitted to him, half-yearly.
- (2.) Despatch No. 325, dated 6 June 1837, relative to relieving the Military Chest, from the expence of the Colonial Marine Department.

(3.)

- (3.) Despatch No. 323, dated 12 June 1837, recommending a grant to Sir Francis Forbes of a retired allowance of £700 per annum.
- (4.) Despatch No. 331, dated 17 June 1837, recommending an allowance to Alexander M'Leay Esq. of £250 per annum, in addition to the Pension of £750 per annum, formerly granted to him as Secretary of the late Transport Board, for the payment of which, orders have been given by the Lords Commissioners of the Admiralty.
- (5.) Despatch No. 377, dated 29 September 1837, directing that no persons but Convicts shall be admitted into the Hospitals maintained for *them* by the British Government, unless provision for such purpose be made from the Colonial Funds.
- (6.) Despatch No. 381, dated 3 October 1837, approving of the proposed expenditure of a sum not exceeding £25,000, in the erection of a New Government House, at Sydney.

Also, the undermentioned Despatches, addressed by the Right Honorable Lord Glenelg, to His Excellency Governor Sir George Gipps.

- (7.) Despatch dated September 1837, recommending provision to be made from the Colonial Funds, for the services of an Aide-de-Camp.
- (8.) Despatch No. 3, dated 14th October 1837, stating that the Lords Commissioners of the Treasury do not disapprove of the increase of the Police Establishment at Port Macquarie, but they suggest the apportionment of the Expence, between the Colonial and Convict Funds.
- (9.) Despatch No. 4, dated 14th October 1837, communicating the resolution of the Lords Commissioners of the Treasury, that all Expences of the Mounted Police, excepting their ordinary Military Pay, and Rations, must be provided for from the Colonial Funds.

To be printed.

3. His Excellency the Governor laid upon the Table,

- (1.) A Petition addressed to His Excellency by certain "Members of Council, Magistrates, and other Free Inhabitants of New South Wales," adopted at a Public meeting held on the 25th of May last, expressing their regret that so large a portion of the Funds applicable to Immigration, have been expended in the introduction of Persons having large families of children—of Mechanics, who are far less urgently required than Farm Labourers and Shepherds—and of Emigrants whose services in either of the last mentioned capacities, have not been available to the Colonists, from the manner in which they have been settled, in fulfilment

of previously made stipulations: And praying for the adoption of prompt and energetic measures, for securing the importation of the greatest possible number of such Labourers as are peculiarly fitted for Agricultural, and Pastoral occupations, with such Mechanics only, (and their Wives) as shall introduce their young families without charge to the Public.

2) His Excellency's Reply (dated 26th June, 1833), to the above mentioned Petition expressive of his belief from recent opportunities of personal communication with the Population of the United Kingdom that the idea of procuring Young Persons only; either Married or Single, in numbers sufficiently large to meet the wants of the Colony is, he apprehends, fallacious, the pressure of a family being the main inducement that People have to Emigrate; also that he is persuaded that no increased exertions could be used by Her Majesty's Government, without an attendant expence altogether disproportioned to the good that would be derived from it.

3) A Memorial from certain Members of the Deputation appointed to present the above mentioned Petition, praying that His Excellency will be pleased to lay that Petition before the Legislative Council, and to propose that a Committee of that Body be appointed; to take into consideration the whole question of Immigration, with the view of ascertaining the means by which the present, and prospective demands of the Colonists may be most effectually met, and this Colony peopled from the Mother Country.

Motion made, and Question put, that the Memorial last referred to, and the previously mentioned Petition, and His Excellency's Reply thereto, be printed; and that a Committee be appointed to consider the question of Immigration generally, with the view of ascertaining the present, and prospective demands of the Colonists for Labour, and how the same may be most effectually, and economically met; with instructions to examine Evidence, and report. Passed.

Committee appointed:

- | | |
|--|-------------------|
| THE RIGHT REVEREND THE LORD BISHOP OF AUSTRALIA. | |
| THE AUDITOR GENERAL. | MR. MACARTHUR. |
| MR. BLAXLAND. | SIR JOHN JAMISON. |

- 1. Religious Societies Temporalities Bill; presented by the Governor as amended; to be read a third time on Friday next, August 10.
- 2. Country Towns Police Bill; presented by the Governor as amended; to be read a third time on Friday next, August 10.

6. Sydney Police Act Amendment Bill; presented by the Governor as amended; to be read a third time on Friday next, August 10.
7. His Excellency the Governor laid upon the Table, "*A Bill to authorise the Marriage of Females under the age of twenty-one years, without the consent of Parents or Guardians, in certain cases.*" Bill read a first time; to be printed, and read a second time on Wednesday, August 15.
8. His Excellency the Governor laid upon the Table, "*A Bill for the more effectual Recovery of Fines, and Enforcement of forfeited Recognizances imposed, and entered into, by, and before Justices of the Peace in New South Wales.*" Bill read a first time; to be printed, and read a second time on Wednesday, August 15.
9. Catarrh in Sheep Prevention Bill; presented by the Governor as amended by the Committee appointed to consider the same; to be printed, and read a second time on Wednesday, August 15.
10. Maitland Jury Lists Preparation Bill; re-committed, further considered, and some verbal alterations made; to be read a third time on Friday next, August 10.
11. Melbourne and Port-Macquarie Jury Bill; re-committed, further considered, and some verbal alterations made; to be read a third time on Wednesday, August 15.

Council adjourned at four o'clock, until Friday next, August 10, at twelve o'clock.

ORDERS OF THE DAY.

FRIDAY, AUGUST 10.

1. Religious Societies Temporalities Bill; third reading.
2. Country Towns Police Bill; third reading.
3. Sydney Police Act Amendment Bill; third reading.
4. Maitland Jury Lists Preparation Bill; third reading.

WEDNESDAY,

WEDNESDAY, AUGUST 15.

1. Melbourne and Port Macquarie Jury Bill ; third reading.
2. Marriage of Female Minors Bill ; second reading.
3. Fines, and Forfeited Recognizances Recovery Bill ; second reading.
4. Catarrh in Sheep Prevention Bill ; second reading.

NOTICE OF MOTION.

TUESDAY, AUGUST 14.

The Colonial Secretary. The Estimates of Expenditure for 1839.

WM. MACPHERSON, *Clerk of Councils.*

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

FRIDAY, 10 AUGUST, 1838.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR took the Chair, and laid upon the Table,
 - (1.) The Report of a Select Committee of the House of Commons, appointed (20 February 1837) "to consider what Measures ought to be adopted with regard to "the Native Inhabitants of Countries where British Settlements are made, and to "the Neighbouring Tribes, in order to secure to them the due observance of "Justice, and the protection of their Rights; to promote the spread of Civilization "among them; and to lead them to the peaceful and voluntary reception of the "Christian Religion." Printed by order of the House, 26 June 1837, with the Minutes of Evidence and Appendix.
 - (2.) A Despatch from the Right Honorable Lord Glenelg, No. 72, dated 31 January 1838, referring to former communications on the subject of the better Protection and Civilization of the Native Tribes within the Limits of the Government of this Colony, and intimating that with a view towards the accomplishment of those objects, Mr. G. A. Robinson, who has been for some time past in charge of the Aboriginal Establishment at Flinders Island, has been appointed to fill the Office of Chief Protector of Aborigines; whose principal station is proposed to be at Port Phillip, with the aid of four Assistant Protectors, Messrs. Sievwright, Thomas, Dredge, and Parker; two of whom it is deemed should occupy the Country to the Northward and Eastward, and two, the Country to the Northward, and as far Westward as the Boundaries of South Australia; the Salary proposed to be assigned to the Chief Protector being £500 per annum, and to each of the Assistants £250; the latter to have also an allowance of £100 each, on account of their outfit and passage,

passage, and to receive half salary from the date of their embarkation; in providing for which charges, and for the other necessary expenses of the Establishment, Her Majesty's Government anticipate the cheerful co-operation of the Colonial Legislature. To be printed.

- (3.) Copy of a Despatch, No 83, dated 3 August 1837, addressed by Sir John Franklin, to Lord Glenelg, (being an Enclosure of his Lordship's Despatch above referred to.)
- (4.) Copy of a Report from Mr. Robinson to Sir John Franklin, dated 24 June 1837, (being an Enclosure of Sir John's Despatch above referred to,) giving an account of the state, at that date, of the Aborigines at Flinders Island, under Mr. Robinson's charge; and in consequence of the great Mortality prevailing among them, urgently recommending their removal to New Holland: Lord Glenelg is of opinion that important advantages might be anticipated; from the formation in New Holland, of an Aboriginal Settlement comparatively so far advanced in Civilization.
- (5.) The Annual Report for the year 1837, of the Aboriginal Mission at Lake Macquarie; To be printed.
- (6.) The Annual Report for the year 1837, of the Aboriginal Mission at Wellington Valley; To be printed.

2. His Excellency the Governor laid upon the Table, a Despatch addressed by the Right Honorable Lord Glenelg to Sir Richard Bourke K.C.B., No. 327, dated 10 June 1837, recommending a temporary allowance until re-employed, to John Kinchela Esq. LL.D., late Acting Puisne Judge of the Supreme Court. To be printed.

3. His Excellency the Governor laid upon the Table, "*A Bill to authorize the Abolition of certain Fees heretofore paid on the Registration of Vessels in the Colony of New South Wales.*" Bill read a first time; to be printed, and read a second time on Thursday, August 16.

4. His Excellency the Governor laid upon the Table, "*A Bill for Adopting certain Acts of Parliament, passed in the First year of the Reign of Her Majesty Queen Victoria, in the Administration of Justice in New South Wales, in like manner as other Laws of England are applied therein.*" Bill read a first time; to be printed, and read a second time on Tuesday, August 21; the Acts to be adopted referred to therein, to be also printed.

5. Religious Societies Temporalities Bill; third reading deferred until Tuesday next, August 19.

- 6. Country Towns Police Bill ; read a third time, and Passed.
- 7. Sydney Police Act Amendment Bill ; read a third time, and Passed.
- 8. Maitland Jury Lists Preparation Bill ; read a third time, and Passed.
- 9. Union Assurance Company Amendment Bill ; presented by the Governor as amended, to be read a third time on Friday next, August 17.

Council adjourned until Tuesday next, August 14, at twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, AUGUST 14.

- 1. Religious Societies Temporalities Bill ; third reading.

WEDNESDAY, AUGUST 15.

- 1. Melbourne and Port Macquarie Jury Bill ; third reading.
- 2. Marriage of Female Minors Bill ; second reading.
- 3. Fines, and Forfeited Recognizances Recovery Bill ; second reading.
- 4. Catarrh in Sheep Prevention Bill ; second reading.

THURSDAY, AUGUST 16.

- 1. Ship Registration Fees Abolition Bill ; second reading.

FRIDAY, AUGUST 17.

- 1. Union Assurance Company Amendment Bill ; third reading.

TUESDAY, AUGUST 21.

- 1. English Acts Adoption Bill ; second reading.

NOTICES OF MOTIONS.

The Colonial Secretary ; The Estimates of Expenditure for 1839.

Mr. Macarthur ; Consideration of the Report of the Committee of the House of Commons on the Aborigines of British Colonies, and Lord Glenelg's Despatch and its Enclosures, relative to the Aborigines of this Colony, and those now at Flinders Island.

W^m. MACPHERSON, Clerk of Councils.

No. 23.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 14 AUGUST, 1839.

1. Council met, pursuant to adjournment; His Excellency the GOVERNOR took the Chair, and laid upon the Table, "*A Bill, to enable the Governor of New South Wales to order the issuing of Licenses to retail Fermented and Spirituous Liquors for the present year, in certain cases.*" Bill read a first time; to be printed, and read a second time, to-morrow, Wednesday 15.
2. His Excellency the Governor laid upon the Table, "*A Bill to facilitate the Apprehension of Offenders escaping from the Island of Van Diemen's Land to the Colony of New South Wales.*" Bill read a first time; to be printed, and read a second time on Wednesday, August 22.
3. Estimates of Expenditure for 1839; Motion made, and Question put, that the consideration thereof be deferred until Tuesday next, August 21. *Passed.*
4. Aborigines' Question; Motion made, and Question put, that a Committee be appointed, to inquire into the present State of the Aborigines, and to take Evidence, particularly as to the consequences of their intercourse with the Colonists, and the results of the efforts that have been made to introduce Civilization, Education, and Christianity amongst them; and to inquire into the state, progress, and effects, of the several Missions now employed amongst the Aboriginal Tribes. *Passed.*

Moved,

Moved, that the various documents relative to the subject of the intercourse with the Aborigines, laid by the Governor before the Council, on Friday last, be referred to the Committee. *Passed.*

Committee appointed:

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| THE RIGHT REVEREND THE LORD BISHOP OF AUSTRALIA, | |
| THE COLLECTOR OF CUSTOMS, | MR. BLANLAND, |
| THE AUDITOR GENERAL, | MR. MARTIN. |

5. Religious Societies Temporalities Bill; Motion made and Question put, that this Bill be re-committed, and farther considered on Thursday next, August 16. *Passed.*

Council adjourned at two o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

WEDNESDAY, AUGUST 15.

1. Publicans' Licenses for 1838 and 9 Bill; second reading.
2. Melbourne and Port Macquarie Jury Bill; third reading.
3. Marriage of Female Miners Bill; second reading.
4. Fines, and Forfeited Recognizances Recovery Bill; second reading.
5. Catach in Sheep Prevention Bill; second reading.

THURSDAY, AUGUST 16.

1. Ship Registration Fees Abolition Bill; second reading.
2. Religious Societies Temporalities Bill; re-committed and farther consideration.

FRIDAY, AUGUST 17.

1. Union Assurance Company Act Amendment Bill; third reading.

THURSDAY, AUGUST 21.

1. English Acts Adoption Bill; second reading.
2. The Estimates of Expenditure for 1839; to be considered.

WEDNESDAY, AUGUST 22.

1. Van Dieman's Land Offenders Apprehension Bill; second reading.

W^m. MACPHERSON, *Clerk of Councils.*

No. 24.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 15 AUGUST, 1838.

- 1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Publicans' Licenses for 1838 and 9 Bill; read a second time; to be read a third time on Friday next, August 17.
- 2. Melbourne and Port Macquarie Jury Bill; re-committed, and some verbal alterations made; after which, it was read a third time, and passed.
- 3. Marriage of Female Minors Bill; second reading deferred until to-morrow.
- 4. Fines and Forfeited Recognizances Recovery Bill; read a second time; to be read a third time on Tuesday next, June 21.
- 5. Catarrh in Sheep Prevention Bill; second reading deferred until to-morrow.

Council adjourned at two o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

THURSDAY, AUGUST 16.

- 1. Marriage of Female Minors Bill; second reading.
- 2. Catarrh in Sheep Prevention Bill; second reading.
- 3. Ship Registration Fees Abolition Bill; second reading.
- 4. Religious Societies Temporalities Bill; re-committal, and further consideration.

FRIDAY,

FRIDAY, AUGUST 17.

1. Union Assurance Company Act Amendment Bill ; third reading.
2. Publicans' Licenses for 1838 and 9 Bill ; third reading.

TUESDAY, AUGUST 21.

1. English Acts Adoption Bill ; second reading.
2. Fines, and Forfeited Recognizances Recovery Bill ; third reading.
2. The Estimates of Expenditure for 1839 ; to be considered.

WEDNESDAY, AUGUST 22.

1. Van Dieman's Land Offenders Apprehension Bill ; second reading.

WM. MACPHERSON, *Clerk of Councils.*

No. 25.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

THURSDAY, 16 AUGUST, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Marriage of Female Minors Bill; read a second time; to be further considered on Wednesday next, August 23.
2. Catarrh in Sheep Prevention Bill; second reading deferred until Tuesday next, August 21.
3. Ship Registration Fees Abolition Bill; read a second time; to be read a third time on Wednesday next, August 22.
4. Religious Societies Temporalities Bill; re-committed, and further amended; to be fairly transcribed, and presented to the Governor by the Auditor-General and Mr. Berry.

Council adjourned at two o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

FRIDAY, AUGUST 17.

1. Union Assurance Company Act Amendment Bill; third reading.
2. Publicans' Licenses for 1838 and 9 Bill; third reading.

TUESDAY,

TUESDAY, AUGUST 21.

1. Catarah in Sheep Preveation Bill ; second reading.
2. English Acts Adoption Bill ; second reading.
3. Fines, and Forfeited Recognizances Recovery Bill ; third reading.
4. *The Estimates of Expenditure for 1859* ; to be considered.

WEDNESDAY, AUGUST 22.

1. Marriage of Female Minors Bill ; further consideration.
2. Ship Registration Fees Abolition Bill ; third reading.
3. Van Dieman's Land Offenders Apprehension Bill ; second reading.

WM. MACPHERSON, *Clerk of Councils.*

No. 26.

VOTES AND PROCEEDINGS
 OF
 THE LEGISLATIVE COUNCIL.

FRIDAY, 17 AUGUST, 1838.

1. Council met pursuant to adjournment; His Excellency the GOVERNOR in the Chair. Union Assurance Company Act Amendment Bill; read a third time, and *Passed*.
2. Publican's Licenses for 1838 and 9 Bill; read a third time, and *Passed*.
3. Religious Societies Temporalities Bill; presented by the Governor as amended; read a third time and *Passed*.

Council adjourned at one o'clock, until Tuesday next, August 21, at twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, AUGUST 21.

1. Catarrh in Sheep Prevention Bill; second reading.
2. English Acts Adoption Bill; second reading.
3. Fines, and Forfeited Recognizances Recovery Bill; third reading.
4. The Estimates of Expenditure for 1839; to be considered.

WEDNESDAY, AUGUST 22.

1. Marriage of Female Minors Bill; further consideration.
2. Ship Registration Fees Abolition Bill; third reading.
3. Van Dieman's Land Offenders Apprehension Bill; second reading.

WM. MACPHERSON, Clerk of Councils.

No. 27.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 21 AUGUST, 1838.

1. Council met: pursuant to adjournment; His Excellency the GOVERNOR in the Chair. Catarrh in Sheep-Prevention Bill; read a second time; committed, and amended; to be fairly transcribed, and presented to the Governor, by the Attorney-General and Sir John Jamison.
2. English Acts Adoption Bill; second reading deferred until Thursday next, August 23.
3. Fines and Forfeited Recognizances Bill; read a third time, and *Passed*.
4. The Estimates of Expenditure for 1839; consideration thereof deferred until to-morrow.

Council adjourned at five o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

WEDNESDAY, AUGUST 22.

1. The Estimates of Expenditure for 1839; to be considered.
2. Marriage of Female Minors Bill; further consideration.
3. Ship Registration Fees Abolition Bill; third reading.
4. Van Dieman's Land Offenders Apprehension Bill; second reading.

THURSDAY, AUGUST 23.

1. English Acts Adoption Bill; second reading.

WM. MACPHERSON, *Clerk of Councils.*

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No. 28.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 22 AUGUST, 1838.

1. Council met pursuant to adjournment, His Excellency the Governor in the Chair. The Estimates of Expenditure for 1839: Motion made and question put, that they be now considered in Committee; *Passed.*

(1.) Resolved, that a sum not exceeding £533 2s. 6d., be appropriated to defray the expence of the Establishment of His Excellency the Governor for the year 1839.

(2.) Resolved, that a sum not exceeding £1,005 18s. 9d. be appropriated to defray the expence of the Executive and Legislative Councils for the year 1839.

Motion made and Question put, that His Excellency the Governor be respectfully requested to amend the Estimate for the Department of the Colonial Secretary, by adding Fifty pounds to the proposed yearly salary of the Assistant Colonial Secretary, thus making the salary of that Officer £600 per annum, instead of £550, as stated in the Estimates now before the Council: to which His Excellency was pleased to accede.

(3.) Resolved,

- (3.) Resolved, that a sum not exceeding £6,764 10s. 2d. be appropriated to defray the expence of the Colonial Secretary's Department for the year 1839.
- (4.) Resolved, that a sum not exceeding £1,762 6s. 3d. be appropriated to defray the expence of the Department of the Colonial Architect and Surveyor of Buildings for the year 1839.
- (5.) Resolved, that a sum not exceeding £345 12s. 6d. be appropriated to defray the expence of the Department of the Commissioner for the Assignment of Convict Servants for the year 1839.
- (6.) Resolved, that a sum not exceeding £3,545 11s. 8d. be appropriated to defray the expence of the Colonial Treasurer's Department for the year 1839.
- (7.) Resolved, that a sum not exceeding £2,215 8s. 9. be appropriated to defray the expence of the Auditor-General's Department for the year 1839.
- (8.) Resolved, that a sum not exceeding £3,271 12s. 1d. be appropriated to defray the expence of the Customs Department at Sydney, and at Newcastle, for the year 1839.
- (9.) Resolved, that a sum not exceeding £10,440 6s. 3d. be appropriated to defray the expence of the Postmaster-General's Department for the year 1839.
- (10.) Resolved, that a sum not exceeding £300, be appropriated to defray the Salary of the Surveyor of Colonial Distilleries for the year 1839.
- (11.) Resolved, that a sum not exceeding £200, be appropriated to defray the Salary and Allowance to the Inspector of Slaughter Houses for the District of Sydney, for the year 1839.
- (12.) Resolved, that a sum not exceeding £1,024, be appropriated to defray the expence of the Department of the Colonial Botanist for the year 1839.
- (13.) Resolved, that a sum not exceeding £952 18s. 4d., be appropriated to defray the expence of the Government Domain, Parramatta, for the year 1839.
- (14.) Resolved, that a sum not exceeding £1,660 10s. 5d., be appropriated to defray the expence of the Department of the Harbour Master, at Sydney, for the year 1839.
- (15.) Resolved, that a sum not exceeding £405 6s. 3d. be appropriated to defray the expence of the Light House, South Head, for the year 1839.
- (16.) Resolved, that a sum not exceeding £442 17s. 6d. be appropriated to defray the expence of the Floating Light Vessel near the entrance of Port Jackson for the year 1839.
- (17.) Resolved, that a sum not exceeding £255 16s. 9d. be appropriated to defray the expence of the Department of the Harbour Master at Newcastle for the year 1839.
- (18.) Resolved,

- 18. Resolved, that a sum not exceeding £416 9s. 7d. be appropriated to defray the expence of the Department of the Harbour Master at Port Macquarie, for the year 1839.
- 19. Resolved, that a sum not exceeding £248, be appropriated to defray the expence of the Telegraph Stations, for the year 1839.
- 20. Resolved, that the consideration of the Estimate of the expence of the Colonial Storekeeper's Department for the year 1839, be deferred.
- 21. Resolved, that a sum not exceeding £200, be appropriated to defray the expence of the Australian Museum, for the year 1839.
- 22. Resolved, that a sum not exceeding £950, be appropriated to defray the Salaries of the Colonial Agent-General, and of the British Resident at New Zealand; and the expence of Donations of Provisions and Clothing to New Zealand Chiefs and Natives, for the year 1839.

Further consideration of the Estimates deferred until to-morrow.

- 2. Marriage of Female Minors Bill; further considered in Committee; to be still further considered; on Friday next, August 24.
- 3. Ship Registration Fees Abolition Bill; read a third time, and *Passed*.
- 4. Van Diemen's Land Offenders Apprehension Bill; read a second time; committed, and amended; to be fairly transcribed; and presented to the Governor, by the Attorney-General and the Collector of Customs.

Council adjourned at a quarter past five o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

THURSDAY, AUGUST 23.

- 1. The Estimates of Expenditure for 1839; further consideration.
- 2. English Acts Adoption Bill; second reading.

FRIDAY, AUGUST 24.

- 1. Marriage of Female Minors Bill; further consideration.

W^m. MACPHERSON, Clerk of Councils.

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No. 29.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

THURSDAY, 23 AUGUST, 1838.

1. Council met pursuant to adjournment; His Excellency the GOVERNOR took the Chair, and laid upon the Table; "*A Bill for Consolidating, and Amending, the Laws relating to the Licensing of Public Houses, and for further regulating the Sale, and Consumption, of Fermented, and Spirituous Liquors, in New South Wales.*" Bill read a first time; to be printed, and read a second time; on Thursday next, August 30.
2. The Estimates of Expenditure for 1839, further considered, in Committee.
(23.) Resolved, that a sum not exceeding £18,139 10s., be appropriated to defray the expence of the Surveyor General's Department, for the year 1839.
(24.) Resolved, that a sum not exceeding £21,787 11s. 3d. be appropriated to defray the expence of the Road Branch of the Colonial Royal Engineer's Department, for the year 1839.
Motion made, and Question put; That this Council will appropriate such a sum as may be necessary, to meet whatever expence may be incurred, in providing those Soldiers who are employed at Stockades, and do not receive any extra pay, or emolument, with such addition to their rations as His Excellency the Governor may deem proper. *Passed.*
(25.) Resolved, that a sum not exceeding £4,182 11s. 3d. be appropriated to defray the expence of the Department of the Town-Surveyor of Sydney, for the year 1839.
Further consideration of the Estimates deferred until to-morrow.
3. English Acts Adoption Bill; read a second time; to be read a third time on Tuesday next, August 29.

Council adjourned at half-past three o'clock, until to-morrow at twelve o'clock.

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ORDERS OF THE DAY.

FRIDAY, AUGUST 24.

1. The Estimates of Expenditure for 1839; further consideration.
2. Marriage of Female Minors Bill; further consideration.

TUESDAY, AUGUST 28.

1. English Acts Adoption Bill; third reading.

THURSDAY, AUGUST 30.

1. Publican's Licensing Acts Consolidation Bill; second reading.

WM. MACPHERSON, *Clerk of Councils.*

No. 30.

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

FRIDAY, 24 AUGUST, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Van Diemen's Land Offenders Apprehension Bill; presented by the Governor as amended; to be read a third time on Wednesday next, August 29.

2. The Estimates of Expenditure for 1839, further considered, in Committee.

(26.) Resolved, that a sum not exceeding £8,179 11s. 8d., be appropriated to defray the expence of the Supreme Court, for the year 1839.

(27.) Resolved, that a sum not exceeding £3,553 17s. 6d., be appropriated to defray the expence of the Law Officers of the Crown, for the year 1839.

(28.) Resolved, that a sum not exceeding £2,981 18s. 9d., be appropriated to defray the expence of Courts of Requests, for the year 1839.

(29.) Resolved, that a sum not exceeding £4,256, be appropriated to defray the expence of Courts of Quarter Sessions, for the year 1839.

(30.) Resolved, that a sum not exceeding £2,921 18s. 9d., be appropriated to defray the expence of the Sheriff's Department, for the year 1839.

(31.) Resolved, that a sum not exceeding £1,620, be appropriated to defray the Salaries of Coroners, and the expence of Inquests, for the year 1839.

Further consideration of the Estimates, deferred until Monday next, August 27.

3. Marriage of Female Minors Bill; further considered, committed and amended; to be fairly transcribed, and presented to the Governor, by Colonel Snodgrass, and the Attorney-General.

Council adjourned at six o'clock, until Monday next, at twelve o'clock.

ORDERS

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ORDERS OF THE DAY.

MONDAY, AUGUST 27.

- 1. The Estimates of Expenditure for 1859; further consideration.

TUESDAY, AUGUST 28.

- 1. English Acts Adoption Bill; third reading.

WEDNESDAY, AUGUST 29.

- 1. Van Diemen's Land Offenders Apprehension Bill; third reading.

THURSDAY, AUGUST 30.

- 1. Publican's License and Age of Sale Regulation Bill; second reading.

W. MACHERSON, Clerk of Council.

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No. 31.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

MONDAY, 27 AUGUST, 1838.

- 1. Council met pursuant to adjournment; His Excellency the GOVERNOR in the Chair. The Estimates of Expenditure for 1839, further considered in Committee.
 - (32.) Resolved, that a sum not exceeding £14,377 19s. 2d., be appropriated to defray the expence of the Police, for the Town of Sydney, for the year 1839.
 - (33.) Resolved, that a sum not exceeding £30,490 18s. 9d., be appropriated to defray the expence of Police for the Country Districts, for the year 1839.
 - (34.) Resolved, that a sum not exceeding £12,276 15s., be appropriated to defray the expence of the Mounted Police, for the year 1839.
 - (35.) Resolved, that a sum not exceeding £4,589 17s. 6d., be appropriated to defray the expence of the Sydney Gaol, for the year 1839.
 - (36.) Resolved, that a sum not exceeding £701 11s. 3d., be appropriated to defray the expence of the Debtors' Prison, Sydney, for the year 1839.
 - (37.) Resolved, that a sum not exceeding £5,619 5s., be appropriated to defray the expence of Gaols in the Country Districts, for the year 1839.
- Further consideration of the Estimates, deferred until tomorrow.

- 2. Catarrh in Sheep-Prevention Bill; presented by the Governor as amended; to be read a third time, on Wednesday next, August 29.
- 3. Marriage of Female Minors Bill; presented by the Governor, as amended; to be read a third time on Wednesday next, August 29.

Council adjourned at half-past four o'clock, until to-morrow, at twelve o'clock.

ORDERS

ORDERS OF THE DAY.

TUESDAY, AUGUST 28.

1. The Estimates of Expenditure for 1839; further consideration.
2. English Acts Adoption Bill; third reading.

WEDNESDAY, AUGUST 29.

1. Van Diemen's Land Offenders Apprehension Bill; third reading.
2. Catarrh in Sheep Prevention Bill; third reading.
3. Marriage of Female Minors Bill; third reading.

THURSDAY, AUGUST 30.

1. Publican's Licensing Acts Consolidation Bill; second reading.

NOTICE OF MOTION.

WEDNESDAY, AUGUST 29.

Mr. Macarthur; "That this Council are of opinion, that notwithstanding the *et cetera* and
 "satisfactory manner in which Mr. Commissioner *et cetera* has administered the
 "Duties of his Office, economy would be observed, and much advantage secured,
 "in the Administration of Justice in the Districts in which, from the rapid exten-
 "sion of the Colony, it may now be found expedient to establish Courts of
 "Requests, if similar powers to those vested in the Commissioner, were given to
 "the several Benches of Magistrates; so that the facilities afforded by *et cetera*
 "the Poorer Classes of Suitors, may be more generally attainable in the distant
 "Districts of the Colony."

WM. MACPHERSON, Clerk of Council.

VOTES AND PROCEEDINGS

OF
THE LEGISLATIVE COUNCIL

TUESDAY, 28 AUGUST, 1838.

1. Council met pursuant to adjournment; His Excellency the GOVERNOR in the Chair.
The Estimates of Expenditure for 1839, further considered in Committee.

(38.) Resolved, that a sum not exceeding £17,743 10s., be appropriated to defray the
expence of the Episcopalian Clergy, for the year 1839.

(39.) Resolved, that a sum not exceeding £1,050, be appropriated to defray the
expence of the Presbyterian Clergy, for the year 1839.

(40.) Resolved, that a sum not exceeding £5,500, be appropriated to defray the
expence of the Roman Catholic Clergy, for the year 1839.

(41.) Resolved, that a sum not exceeding £3,300, be appropriated to defray the
expence of the Male Orphan School, for the year 1839.

(42.) Resolved, that a sum not exceeding £3,270, be appropriated to defray the
expence of the Female Orphan School, for the year 1839.

(43.) Resolved, that a sum not exceeding £2,950, be appropriated towards the support
of the Parochial Schools of the Church of England at present established in the
Colony; for the year 1839.

(44.) Resolved, that a sum not exceeding £1,100, be appropriated towards the support
of Roman Catholic Schools at present established in the Colony, and also in aid
of additional Schools, for the year 1839, on condition of sums to an equal amount
being raised by Private Contributions.

(45.) Resolved, that a sum not exceeding £1,000, be appropriated towards the support
of destitute Roman Catholic Children, for the year 1839.

(46.) Resolved, that a sum not exceeding £1,275, be appropriated towards the support,
and

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and establishment, of Presbyterian Schools, for the year 1839, in sums not exceeding the amount of Private Contributions.

Further consideration of the Estimates, deferred until to-morrow.

- 2. English Acts Adoption Bill; read a third time, and *Passed*.

Council adjourned at five o'clock, until to-morrow, at twelve o'clock.

ORDERS OF THE DAY.

WEDNESDAY, AUGUST 29.

- 1. The Estimates of Expenditure for 1839; further consideration.
- 2. Van Diemen's Land Offenders Apprehension Bill; third reading.
- 3. Catastroph in Sheep Prevention Bill; third reading.
- 4. Marriage of Female Minors Bill; third reading.

THURSDAY, AUGUST 30.

- 1. Publican's Licensing Act; Consideration; second reading.

NOTICES OF MOTIONS.

WEDNESDAY, AUGUST 29.

Mr. Macarthur; "That this Council are of opinion, that notwithstanding the able and satisfactory manner in which Mr. Commissioner Therry has administered the Duties of his Office, some improvement would be observed, and much advantage derived, in the Administration of Justice in the Districts in which, from the rapid extension of the Colony, it may now be found expedient to establish Courts of Requests, if similar powers to those vested in the Commissioner, were given to the several Branches of Magistrates; so that the Justice intended by this Court to the Poorer Classes of Subjects, may be more generally attainable in the Districts of the Colony."

FRIDAY, AUGUST 31.

The Attorney-General; "That in the opinion of this Council, it is expedient to provide
" that

" means for appropriating funds, for the erection of Presbyterian Churches, and
 " also, for the payment of salaries for the year 1839, to Clergymen in connection
 " with the Synod of New South Wales ; and that for that purpose, His Excellency
 " the Governor be respectfully requested, to introduce a temporary Bill, which shall
 " invest the Governor and the Executive Council, with power to grant the same,
 " under the Act 7 Wm. IV., No. 3, without the sanction of the Presbytery, as now
 " required by the 8 Wm. IV., No. 7, without in any other manner altering the last-
 " mentioned Act.

WM. MACPHERSON, *Clerk of Councils.*

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VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 29 AUGUST, 1838.

1. Council met pursuant to adjournment; His Excellency the GOVERNOR in the Chair.
Motion made, and Question put, that the following Resolution be adopted:—

That this Council are of opinion, that notwithstanding the able and satisfactory manner in which Mr. Commissioner Therry has administered the Duties of his Office, economy would be observed, and much advantage secured, in the Administration of Justice in the Districts in which, from the rapid extension of the Colony, it may now be found expedient to establish Courts of Requests, if the duties of the Commissioner were confined to the County of Cumberland, and similar powers to those vested in him, were given to the several Benches of Magistrates in the other Counties; so that the facilities afforded by this Court to the Poorer Classes of Suitors, may be more generally attainable in the distant Districts of the Colony.
Council divided; Ayes nine, Noes four.

2. The Estimates of Expenditure for 1839, further considered in Committee.

(47.) Resolved, that a sum not exceeding £320, be appropriated to defray the charge on the Colonial Treasury, for Pensions payable in England, for the year 1839.

Further consideration of the Estimates, deferred until to-morrow.

3. Van Diemen's Land Offenders Apprehension Bill; read a third time, and *Passed*.

4. Catarrh in Sheep Prevention Bill; read a third time, and *Passed*.

5. Marriage of Female Minors Bill; read a third time, and *Passed*.

Council adjourned at five o'clock, until to-morrow, at twelve o'clock.

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ORDERS OF THE DAY.

TUESDAY, AUGUST 30.

1. The Estimates of Expenditure for 1839; further consideration.
2. Publican's Licensing Acts Consolidation Bill; second reading.

NOTICE OF MOTION.

FRIDAY, AUGUST 31.

The Attorney-General; "That in the opinion of this Council, it is expedient to provide
" means for appropriating funds, for the erection of Presbyterian Churches, and
" also, for the payment of salaries for the year 1839, to Clergymen in connection
" with the Synod of New South Wales; and that for that purpose, His Excellency
" the Governor be respectfully requested, to introduce a temporary Bill, which shall
" invest the Governor and the Executive Council, with power to grant the same,
" under the Act 7 Wm. IV., No. 3, without the sanction of the Presbytery, as now
" required by the 8 Wm. IV., No. 7, but without in any other manner altering the
" last-mentioned Act.

WM. MACPHERSON, *Clerk of Council.*

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

THURSDAY, 30 AUGUST, 1838.

i. Council met pursuant to adjournment; His Excellency the Governor in the Chair.

The Estimates of Expenditure for 1839, further considered in Committee.

- (48.) Resolved, that the consideration of the estimated charge on the Colonial Treasury, for the year 1839; for Pensions payable in the Colony, be deferred until Tuesday next.
- (49.) Resolved, that a sum not exceeding £250, be appropriated to defray the rent of the House in Macquarie Place, occupied as Public Offices, for the year 1839.
- (50.) Resolved, that a sum not exceeding £11,500, be appropriated to meet Drawbacks on the re-exportation of Foreign Goods, and the restitution of Duty on Spirits issued to the Troops by the several Contractors, for the year 1839.
- (51.) Resolved, that a sum not exceeding £1,000, be appropriated to defray the expence for the year 1839, of the Commission for hearing and determining on Claims to Grants of Land.
- (52.) Resolved, that a sum not exceeding £360, be appropriated to defray the expence of the Management of the Church and School Estates, for the year 1839.
- (53.) Resolved, that a sum not exceeding £54 15s. be appropriated to defray the expence of Forage allowance to the Military Commandant at Bathurst, at 3s. per diem, for the year 1839.
- (54.) Resolved, that a sum not exceeding £200, be appropriated towards the support of the Sydney School of Arts, for the year 1839.
- (55.) Resolved, that a sum not exceeding £3,000, be appropriated to defray the expence of Stationery, Printing, Bookbinding, Gazettes, and Almanacks, for the several Colonial Departments, for the year 1839.
- (56.) Resolved, that a sum not exceeding £1,000, be appropriated to defray the expence for the year 1839, of Furniture for Government Houses and Public Offices.

- (57.) Resolved, that a sum not exceeding £350, be appropriated to defray the expence for the year 1839, of Fuel and Light for the several Colonial Departments.
- (58.) Resolved, that a sum not exceeding £400, be appropriated to defray the expence for the year 1839, of lighting the Public Lamps in Sydney.
- (59.) Resolved, that a sum not exceeding £105, be appropriated to defray the expence for the year 1839, of Firemen to work the Engines in Sydney, when required.
- (60.) Resolved, that a further sum not exceeding £5,000, for the year 1839, be appropriated to defray in part, the expence of building a New Government House at Sydney.
- (61.) Resolved, that a further sum not exceeding £5,000, for the year 1839, be appropriated towards defraying the expence of building a New Gaol at Darlinghurst, Sydney.
- (62.) Resolved, that a sum not exceeding £1,500, for the year 1839, be appropriated towards defraying the expence of erecting additional Offices, Record Rooms, Carriage Sheds, and Out-Offices, at the New Criminal Court House, at Darlinghurst, Sydney.
- (63.) Resolved, that a further sum not exceeding £2,500, for the year 1839, be appropriated towards the expence of erecting a Gaol, at Parramatta.
- (64.) Resolved, that a sum not exceeding £2,500, for the year 1839, be appropriated towards the expence of erecting a Gaol, at Maitland.
- (65.) Resolved, that a sum not exceeding £1,500, for the year 1839, be appropriated towards the expence of erecting a Court House, at Quambayan.
- (66.) Resolved, that a further sum not exceeding £1,000, for the year 1839, be appropriated towards the expence of erecting a Court House, in the Police District of Raymond Terrace, Butterwick, and Seaham.
- (67.) Resolved, that a sum not exceeding £2,000, for the year 1839, be appropriated to defray the expence of casual Repairs, to Government Houses, Courts of Justice, and other Colonial Public Buildings.
- (68.) Resolved, that a sum not exceeding £7,500, for the year 1839, be appropriated to meet the amount of Contracts, for conveying stone from Pennant Hills for metalling Sydney streets, for curbing the Footways, and for constructing Drains and Sewers.
- (69.) Resolved, that a sum not exceeding £10,000, for the year 1839, be appropriated to meet the amount of Contracts for repairing Roads and the conveyance of metal.
- (70.) Resolved, that a sum not exceeding £8,000, for the year 1839, be appropriated to meet the amount of Contracts, for constructing New Bridges and Drains.
- (71.) Resolved, that a sum not exceeding £2,000, for the year 1839, be appropriated to defray the expence of repairing Bridges and Drains.

- (72.) Resolved; That a sum not exceeding £2,000, for the year 1839, be appropriated to defray the expence of erecting Fencing on new Lines of Road, and elsewhere as may be required.
- (73.) Resolved, that a sum not exceeding £2,844 12s. 6d., for the year 1839, be appropriated towards the expence of constructing an Embankment at the head of the Tunnel; of repairing the Tunnel; and of erecting Fountains for supplying Sydney with Water.
- (74.) Resolved; that a sum not exceeding £6,977, for the year 1839, be appropriated towards the expence of forming a Circular Quay in Sydney Cove.
- (75.) Resolved; that a sum not exceeding £1,200, for the year 1839, be appropriated towards the expence of forming a Basin at the Breakwater at Wollongong.
- (76.) Resolved, that a further sum not exceeding £625 15s., for the year 1839, be appropriated towards the expence of completing the clearing of the Parramatta River.
- (77.) Resolved, that a further sum not exceeding £1,203 18s. 4d., for the year 1839, be appropriated towards the expence of completing the Breakwater at Newcastle.
- (78.) Resolved, that a sum not exceeding £3,000, be appropriated to defray the expence, for the year 1839, of supporting Free Paupers in the Colonial Hospitals.
- (79.) Resolved, that a sum not exceeding £500, be appropriated to defray the expence, for the year 1839, of supporting Free Paupers in the Lunatic Asylum.
- (80.) Resolved, that a sum not exceeding £4,000, for the year 1839, be appropriated to meet unforeseen expences on occasions of emergency, to be hereafter accounted for.

Further consideration of the Estimates of Expenditure for 1839; deferred until Tuesday next, September 4.

- 2. Publicans' Licensing Acts Consolidation Bill; second reading deferred until to-morrow.

Council adjourned at four o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

FRIDAY, AUGUST 31.

- 1. Publicans' Licensing Acts Consolidation Bill; second reading.

TUESDAY, SEPTEMBER 4.

- 1. The Estimates of Expenditure for 1839; further consideration.

NOTICES OF MOTIONS.

FRIDAY, AUGUST 31.

1. The Attorney-General; "That in the opinion of this Council, it is expedient to provide
" means for appropriating funds, for the erection of Presbyterian Churches, and
" also, for the payment of salaries for the year 1839, to Congregational Ministers
" with the Synod of New South Wales; and that for that purpose, His Excellency
" the Governor be respectfully requested, to introduce a temporary Bill, which shall
" invest the Governor and the Executive Council, with power to grant the same,
" under the Act 7 Wm. IV., No. 3, without the sanction of the Presbytery, as now
" required by the 8 Wm. IV., No. 7, but without in any other manner altering the
" last mentioned Act.

2. The Colonial Secretary; the consideration of the Supplementary Estimate of Expenditure, for the year 1839.

WM. MACPHERSON, Clerk of Councils.

No. 35.

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

FRIDAY, 31 AUGUST, 1838.

1. Council met pursuant to adjournment; His Excellency the GOVERNOR took the Chair, and laid upon the Table,

(1.) An Abstract of the Revenue of the Colony of New South Wales, for the period of Fourteen years, from the first of January 1824, to the thirty-first of December 1837, inclusively.

(2.) A Supplementary Statement to the Abstract of the Revenue of the Colony of New South Wales, from the first of January 1824, to the thirty-first of December 1837, shewing the particulars of the heads, "Rents of Gardens, Mills, and Government Premises," and "Miscellaneous, and Incidental Receipts."

(3.) A Statement of the Amount appropriated by the Legislative Council, for the service of the year 1837, which will not be required.

To be printed.

2. Motion made, and Question put, that the consideration of the Motion of which the Attorney-General gave notice, be deferred until Wednesday next, September 5. Passed.

3. His Excellency the Governor laid upon the Table:—

(1.) A Memorial from the Subscribers for the erection of a Presbyterian Church at Campbell Town, addressed to His Excellency and the Council, representing that the sum of £420, and upwards, has been subscribed for the purpose above-mentioned; and praying that a sum equal to that amount may be placed upon the Estimates, and issued in aid of the erection of the Church in question, under the provisions of the Church Act, without waiting for the decision of the Home Government on the question at issue, between the Presbytery of New South Wales, and the Synod.

(2.) A similar Memorial from the Provisional Committee of a Congregation now forming,

forming, with a view towards the erection of a Presbyterian Place of Worship in the Southern part of Sydney, the Subscriptions for which amount to £500, and upwards.

Motion made, and Question put, that those Memorials be received, and be printed: *Passed.*

4. His Excellency the Governor laid upon the Table, a Despatch from the Right Honorable Lord Glenelg, No. 99, dated 5 April 1838, enclosing copies of a correspondence shewing the arrangement which has been made, for apportioning the charges attending the Office of the Agent-General for Emigration.
5. The Supplementary Estimates of Expenditure, for the year 1838; Motion made, and Question put, that they be now considered in Committee; *Passed.*
 - (1.) Resolved, that a sum not exceeding £191 7s. 6d., be appropriated to defray the Supplementary expence, for the year 1838, of the Establishment of His Excellency the Governor.
 - (2.) Resolved, that a sum not exceeding £785, be appropriated to defray the Supplementary expence, for the year 1838, of the Establishment of the Colonial Exchequer for the Salaries of additional Clerks.
 - (3.) Resolved, that a sum not exceeding £220, be appropriated to defray the Supplementary expence, for the year 1838, of the Department of the Auditor-General, for the Salaries of additional Clerks.
 - (4.) Resolved, that a sum not exceeding £100 0s., be appropriated to defray the Supplementary expence, for the year 1838, of the Department of Customs.
 - (5.) Resolved, that a sum not exceeding £3,386 18s. 6d., be appropriated to defray the Supplementary expence, for the year 1838, of the Postmaster-General's Department: including the expence of the establishment of an Overseas Mail to Melbourne.
 - (6.) Resolved, that a sum not exceeding £717 15s., be appropriated to defray the Supplementary expence, for the year 1838, of the Harbour Master's Department.
 - (7.) Resolved, that the consideration of the Supplementary charge on the Colonial Treasury, for the year 1838, for Pensions payable in the Colony, be deferred until Tuesday next, September 4.
 - (8.) Resolved, that a sum not exceeding £334 10s., be appropriated to defray the Supplementary expence, for the year 1838, of the Supreme Court and its Officers, including £500, for the Salary of Dr. Kinchela, as Chamberlain to the Government.

- (9.) Resolved, that a sum not exceeding £317. 16s. 2d., be appropriated to defray the Supplementary expence, for the year 1838, of the Police Department, for the Salaries of Police Magistrates appointed to the Districts of Queanbeyan, Liverpool, Penrith, and Wellington.
- (10.) Resolved, that a sum not exceeding £2,909 1s. 10d., be appropriated towards defraying the Supplementary charge on the Colonial Treasury, for the year 1838, for sums to be issued in aid of Private Contributions to an equal amount, for the erection of Churches and Chapels and Ministers' Dwellings.
- (11.) Resolved, that a sum not exceeding £2,180, be appropriated towards defraying the Supplementary charge on the Colonial Treasury, for the year 1838, for sums to be issued in aid of Private Contributions to an equal amount, for the establishment of Schools.
- (12.) Resolved, that a sum not exceeding £471 2s 8d., be appropriated to the under-mentioned Public Institutions, in aid of Private Contributions to an equal amount received for each respectively, in the year ended 31st December, 1837; viz.,

| | | | |
|--|-------|----|----|
| The Wesleyan Sunday School, Parramatta..... | £14 | 13 | 0 |
| The Wesleyan Methodist Sunday Schools, Sydney..... | 24 | 19 | 8 |
| The Australian School Society..... | 178 | 0 | 11 |
| The Sydney Dispensary..... | 201 | 9 | 1 |
| The Sydney Strangers' Friend Society..... | 52 | 0 | 0 |
| | <hr/> | | |
| | £471 | 2 | 8 |

- (13.) Resolved, that a further sum for the year 1838, not exceeding £789 3s. 10d., be appropriated towards the support of the Australian Museum; being the unexpended Balance of the amount authorised by the Right Honorable the Secretary of State to be applied to the support of that Institution, at the rate of £200 per annum, from 16th of June 1829; to 31st December 1837.
- (14.) Resolved, that a further sum for the year 1838, not exceeding £500, be appropriated to defray the expence of casual repairs to Government Houses, Courts of Justice, and other Colonial Public Buildings.
- (15.) Resolved, that a further sum for the year 1838, not exceeding £500, be appropriated to defray the expence of Furniture for Government Houses and Public Offices.
- (16.) Resolved, that a sum not exceeding £1000, for the year 1838, be appropriated towards defraying the expence of constructing Drains and Sewers at the New Lunatic Asylum.

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- (17.) Resolved, that a sum not exceeding £750, for the year 1838, be appropriated towards defraying the expence of erecting a Light House, at Port Macquarie.
- (18.) Resolved, that a further sum, for the year 1838, not exceeding £1,500, be appropriated towards defraying the expence of erecting a Court and Watch house, at Parramatta.
- (19.) Resolved, that a further sum, for the year 1838, not exceeding £1,500, be appropriated towards defraying the expence of erecting a New Gaol, at Parramatta.
- (20.) Resolved, that a sum not exceeding £750, for the year 1838, be appropriated towards defraying the expence of erecting a Court House, at Queanbeyan.
- (21.) Resolved, that a sum not exceeding £750, for the year 1838, be appropriated towards defraying the expence of erecting a Court House in the Police District of Raymond Terrace, Butterwick, and Seaham.
- (22.) Resolved, that a sum not exceeding £150, for the year 1838, be appropriated towards defraying the expence of erecting a Watch-house, at Bathurst.
- (23.) Resolved, that a sum not exceeding, £1,400, for the year 1838, be appropriated towards defraying the expence of building Wing-walls to the Bridge at Rushcutters' Bay.
- (24.) Resolved, that a sum not exceeding £9,000, be appropriated to meet the expence of the Mounted Police Establishment, for the period from the 1st of April, to the 31st of December, 1838.
- (25.) Resolved, that a sum not exceeding £1,700, for the year 1838, be appropriated towards defraying the expence of repairs of the Mounted Police Barracks.
- (26.) Resolved, that a sum not exceeding £2,025, be appropriated towards the support of Free Paupers in the Colonial Hospitals and Lunatic Asylum, for the period from 1 April, to 31 December, 1838.

Further consideration of the Supplementary Estimates of Expenditure for 1838, deferred until Tuesday next, September 4.

6. Publicans' Licensing Acts Consolidation Bill, second reading further deferred until Monday next, September 3.

Council adjourned at half-past three o'clock, until Monday next, September 3, at twelve o'clock.

ORDERS OF THE DAY.

MONDAY, SEPTEMBER 3.

1. Publicans' Licensing Acts Consolidation Bill; second reading.

TUESDAY, SEPTEMBER 4.

1. The Estimates of Expenditure for 1839; further consideration.
2. The Supplementary Estimates of Expenditure, for the year 1838; further consideration.

NOTICES OF MOTIONS.

TUESDAY, SEPTEMBER 4.

The Colonial Secretary; "That out of the excess of the amount appropriated for the Service of the year One thousand eight hundred and thirty-seven, there shall and may be issued, and applied, any sum or sums of money not exceeding £19,211 15s. 2d., to supply the deficiencies in the amount appropriated for certain Departments, for that year."

WEDNESDAY, SEPTEMBER 5.

The Attorney-General; "That in the opinion of this Council, it is expedient to provide means for appropriating funds, for the erection of Presbyterian Churches, and also, for the payment of salaries, for the year 1839, to Clergymen in connection with the Synod of New South Wales; and that for that purpose, His Excellency the Governor be respectfully requested, to introduce a temporary Bill, which shall invest the Governor and the Executive Council, with power to grant the same, under the Act 7 Wm. IV., No. 3, without the sanction of the Presbytery, as now required by the 8 Wm. IV., No. 7, but without in any other manner altering the last-mentioned Act."

Wm. MACPHERSON, Clerk of Councils.

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No. 36.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

MONDAY, 3 SEPTEMBER, 1838.

1. Council met pursuant to adjournment; His Excellency the GOVERNOR in the Chair. Publicans' Licensing Acts Consolidation Bill; read a second time; committed, and amended; to be further considered to-morrow.

Council adjourned at a quarter past five o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

TUESDAY, SEPTEMBER 4.

1. The Estimates of Expenditure for 1839; further consideration.
2. The Supplementary Estimates of Expenditure, for the year 1838; further consideration.
3. Publicans' Licensing Acts Consolidation Bill; further consideration.

NOTICES OF MOTIONS.

TUESDAY, SEPTEMBER 4.

The Colonial Secretary; "That out of the excess of the amount appropriated for the Service of the year One thousand-eight hundred and thirty-seven, there shall and may be issued, and applied, any sum or sums of money not exceeding £19,211. 15s. 2d., to supply the deficiencies in the amount appropriated for certain Departments, for that year."

WEDNESDAY,

WEDNESDAY, SEPTEMBER 3.

The Attorney-General; "That in the opinion of this Council, it is expedient to provide
 " means for appropriating funds, for the erection of Presbyterian Churches, and
 " also, for the payment of salaries for the year 1850, to Clergymen in connection
 " with the Synod of New South Wales; and that for that purpose His Excellency
 " the Governor be empowered, by warrant, to invest the Governor and the Executive Council, with power to grant the same,
 " under the Act 7 Wm. IV., No. 3, without the sanction of the Presbytery, as now
 " required by the 3 Wm. IV., No. 7, but without in any way amending the
 " last-mentioned Act."

W. M. MACGIBSON, Secy. of Council.

No. 37.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 4 SEPTEMBER, 1838.

1. Council met pursuant to adjournment; His Excellency the GOVERNOR in the Chair.
The Estimates of Expenditure for 1839; further considered in Committee.

(81.) Resolved, that a sum not exceeding £1,873 2s. 11d., be appropriated to defray the expence of the Colonial Storekeeper's Department for the year 1839.

(82.) Resolved, that a sum not exceeding £700, be appropriated to defray the charge of a Pension for the year 1839, to Sir Francis Forbes, late Chief Justice of the Colony.

Motion made, and Question put, that the following Resolution be adopted; That this Council, impressed with the value of the Public Services for a period of upwards of ten years, of Alexander M'Leay, Esquire, late Colonial Secretary of the Colony, are of opinion, that the Pension of Two hundred and fifty pounds per annum, proposed by Her Majesty's Principal Secretary of State for the Colonies, is totally inadequate as a compensation for his loss of Office; and therefore they respectfully request, that His Excellency the Governor will be pleased to communicate to the Secretary of State, the recommendation of this Council, that instead of the proposed Pension, a Gratuity equal to the amount of two years' Salary of his late Office; be paid to Mr. M'Leay. *Passed.*

(83.) Resolved, that a sum of £1,750, be granted to Alexander M'Leay, Esquire, as the present value of a Pension, at the rate of £250 per annum commencing from 1st January 1837; and that this sum shall be regarded as an advance in part payment of the larger remuneration above recommended, if the same be approved by the Right Honourable the Secretary of State.

(84.)

(84.) Resolved, that a sum not exceeding £120, be appropriated to defray the charge of the undermentioned Pensions for the year 1839: viz.—

| | | | |
|---|-------|---|---|
| To Mrs. King, Widow of Governor King..... | £20 | 0 | 0 |
| To Mrs. Mideham, Widow of Sergeant Mideham..... | 10 | 0 | 0 |
| To Mr. Thomas Taber, Sen., late Master of the Public School, and Clerk of St. Philip's Church, Sydney..... | 50 | 0 | 0 |
| To Mr. Joseph Harper, late Master of the Public School Windsor..... | 40 | 0 | 0 |
| | <hr/> | | |
| | £120 | 0 | 0 |

(85.) Resolved, that a sum not exceeding £500, be appropriated to defray the salary for the year 1839, of John Kinchela, Esq., LL.D., as Chairman of the Board of Government.

2. The Supplementary Estimates of Expenditure for the year 1838; further considered in Committee.

(27.) Resolved, that a sum not exceeding £1,050, be appropriated to defray the charge of a Pension to Sir Francis Forbes, at the rate of £700 per annum, for the period from 1st July 1837, to 31 December 1837.

3. Motion made, and Question put, that the following Resolution be adopted: That out of the excess of the amount appropriated for the service of the year One thousand eight hundred and thirty-seven, there shall and may be issued, and applied, any sum or sums of money not exceeding £15,211 15s. 2d. to supply the deficiencies in the amount of capital to be applied to the service of the year 1837.
Passed.

4. Publicans' Licensing Acts Consolidation Bill; further considered and amended; to be further considered to-morrow.

Council adjourned at five o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 5

1. Publicans' Licensing Acts Consolidation Bill; further considered and amended.

NOTICE

NOTICE OF MOTION.

WEDNESDAY, SEPTEMBER 5.

The Attorney-General; "That in the opinion of this Council, it is expedient to provide
 " means for appropriating funds, for the erection of Presbyterian Churches, and
 " also, for the payment of salaries for the year 1839, to Clergymen in connection
 " with the Synod of New South Wales; and that for that purpose, His Excellency
 " the Governor be respectfully requested, to introduce a temporary Bill, which shall
 " invest the Governor and the Executive Council, with power to grant the same,
 " under the Act 7 Wm. IV., No. 3, without the sanction of the Presbytery, as now
 " required by the 8 Wm. IV., No. 7, but without in any other manner altering the
 " last-mentioned Act."

WM. MACPHERSON, Clerk of Councils.

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No. 38.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 5 SEPTEMBER, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Motion made, and Question put, that the following Resolution be adopted; That in the opinion of this Council; it is expedient to provide means for appropriating funds for the erection of Presbyterian Churches, and also, for the payment of salaries for the year 1839, to Presbyterian Clergymen who disclaim the Jurisdiction of the Presbytery of New South Wales; and that for that purpose, His Excellency the Governor be respectfully requested, to introduce a temporary Bill, which shall invest the Governor and the Executive Council, with power to grant the same, under the Act 7 Wm. IV. No. 3, without the sanction of the Presbytery, as now required by the 8 Wm. IV. No. 7, but without in any other manner altering the last-mentioned Act. *Passed.*
2. Publicans' Licensing Acts Consolidation Bill; further considered and amended; to be further considered, to-morrow.
3. His Excellency the Governor laid upon the Table, A Return, dated 31 August 1838, of the number of Mechanics, Farm Labourers, &c., proposed to be brought out, for whom Bounties are promised, if in conformity with the regulations established by the Government Notice dated 25 September 1837. To be printed, and to be referred to the Committee on Immigration.
4. His Excellency the Governor laid upon the Table, a letter from John Montague, Esq., Colonial Secretary of Van Diemen's Land, dated 22 ultimo, stating that Mr. G. A. Robiison is empowered to make arrangements for the removal to New Holland, of
the

the Aboriginal Natives at Flinders Island, now eighty six in number, with their property, consisting of about 1500 sheep, and various articles; and that Sir John Franklin is prepared to meet in a liberal manner, the question of the expence of their future support, and to co-operate in every measure for their welfare. To be printed, along with the Enclosures, consisting of various Reports and Returns, and to be referred to the Committee appointed to consider the "Aboriginal Question."

5. His Excellency the Governor laid upon the Table, a Memorial from certain Inhabitants of the Districts of Windsor and Richmond, representing that the sum of £400, and upwards, has been subscribed towards the expence of erecting a Presbyterian Church and School House, and praying that a sum equal to that amount may be placed upon the Estimates, and issued in aid of the erection of the Buildings in question, notwithstanding the subsisting disagreements among the Members of that Religious Body, which they feel assured will not be of long continuance. To be received, and printed.

Council adjourned at half-past four o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 6.

1. Publicans' Licensing Acts Amendment Bill; for their consideration.

WM. MACPHERSON, *Clerk of Councils.*

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

THURSDAY, 6 SEPTEMBER, 1833.

1. Council met pursuant to adjournment; His Excellency the GOVERNOR took the Chair, and laid upon the table, " *A Bill to authorise the payment of Monies for the year 1833, to certain Presbyterians in New South Wales, under the provisions of an Act, intituled 'An Act to promote the building of Churches and Chapels, and to provide for the maintenance of Ministers of Religion in New South Wales.'*" Bill read a first time; to be printed, and read a second time on Tuesday next, September 11.
2. His Excellency the Governor laid upon the table, " *A Bill to alter and amend, and except in as far as so altered and amended, to revive and continue for a limited time an Act passed in the Second year of the Reign of His late Majesty King William the Fourth, intituled 'An Act for the Relief of Debtors, in Execution for 'Debts which they are unable to pay.'*" Bill read a first time; to be printed, and read a second time on Tuesday next, September 11.
3. Publicans' Licensing Acts Consolidation Bill; further considered and amended; to be fairly transcribed, and presented to the Governor by the Attorney-General and Sir John Jamison.
4. Building Act Petition; The Honorable Colonel Snodgrass, as Chairman of the Committee appointed to consider the same, brought up the Report, and laid upon the Table, the Evidence taken before the Committee. To be printed.

Council adjourned at half-past three o'clock, until Tuesday next, September 11, at twelve o'clock.

ORDERS

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ORDERS OF THE DAY.

Today, September 11.

1. Payments to certain Proprietors 300, second reading.
2. Debtors in Execution Relief Bill, second reading.

W. M. MACPHERSON, *Clerk of Councils.*

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 11 SEPTEMBER, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table, "A Bill for applying certain Sums arising from the Revenue receivable in New South Wales, to the Services thereof, for the Year One thousand eight hundred and thirty-nine, and for further appropriating the said Revenue." Bill read a first time; to be printed, and read a second time, on Thursday next.
2. His Excellency the Governor laid upon the table, A Bill to amend an Act, intituled "An Act to provide for the Conveyance and Postage of Letters." Bill read a first time; to be printed, and read a second time, on Thursday next.
3. Publicans' Licensing Acts Consolidation Bill; presented by the Governor as amended; His Excellency the Governor laid upon the Table,
 - (1.) A Memorial addressed to His Excellency, and this Council, by "Certain Licensed Publicans of the Town and District of Sydney," representing, that if certain enactments, in the "Bill (now before the Council) for consolidating and amending the Laws relating to the Licensing of Public Houses, and for further regulating the Sale, and Consumption of Fermented, and Spirituous Liquors in New South Wales" be carried into a Law, that it will be seriously injurious to the interests of many of the Memorialists, and ruinous to those of others; and praying to be afforded an opportunity of tendering Evidence, or that they be heard by Counsel in support of their objections; signed by 118 persons.
 - (2.) A Memorial from "Certain Merchants of New South Wales," representing that in the Licensing Act, now under the consideration of the Council, the Town of Windsor is omitted as being a place in which Wines and Spirits may be sold by Merchants, without a Publican's License, and praying that this may be remedied, and that the Memorialists may be heard by Counsel in support of their Petition. Signed by 14 Mercantile Firms.

(3.) A

(3.) A Petition from "Certain Licensed Innkeepers residing within the District of Maitland," representing that the proposed Licensing Bill contains clauses which would materially injure them in their business, and diminish the comforts of Travellers, and praying that the Council will not hastily pass a Bill so deeply affecting their interests, without giving it that due consideration which it merits; signed by 15 persons.

Motion made, and Question put, that these Petitions be received; *Carried.*

Motion made, and Question put, that the Memorialists be heard by Council in accordance with the prayer of their Petitions; Council divided; Ayes six; Noes five. Thursday next, at Ten o'clock, appointed for the admission of Counsel, and the Clerk directed to give notice to the Petitioner, accordingly.

4. His Excellency the Governor laid upon the Table, a Memorial from the District of "John McGarvie Moderator of the Presbytery of New South Wales, connected with the Established Church of Scotland," in the name of the Presbytery, and of the Presbyterian Inhabitants of the Colony, deprecating the recognition of any Body of Ministers professing to be connected with, but acting in opposition to the discipline of the Scottish Church, and praying, that no alteration of, or infringement upon, the Colonial Church Acts may be made. To be received, and printed.

5. Payments to certain Presbyterians Bill; read a second time, committed and amended; to be fairly transcribed, and presented to the Governor, by the Attorney-General, and Sir John Jamison.

6. Debtors in Execution Relief Bill; second reading; deferred till tomorrow.

Council adjourned at four o'clock, until to-morrow, at twelve o'clock.

ORDERS OF THE DAY

WEDNESDAY, SEPTEMBER 12.

1. Debtors in Execution Relief Bill; second reading.

THURSDAY, SEPTEMBER 13.

- 1. Publicans' Licensing Acts Consolidation Bill; Counsel to be heard in support of the Petitions presented, against certain of the enactments of this Bill.
- 2. Appropriation Bill; second reading.
- 3. Post Office Act Amendment Bill; second reading.

WM. MACPIERSON, Clerk of Councils.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 12 SEPTEMBER, 1838.

1. Council met pursuant to adjournment; His Excellency the GOVERNOR took the Chair and laid upon the table, A Petition addressed to His Excellency and this Council, by "*David Lennox, Superintendent of Bridges*" purporting, that from the terms of the Reply made by the late Governor Sir Richard Bourke, to an Address presented to His Excellency with a painting of Lansdowne Bridge, in May 1836, he had been led to hope that a gratuity would be allowed to him for his exertions as Superintendent of the workmen employed in the erection of that Bridge; and praying that his case may be taken under consideration, and such a gratuity as may appear equitable awarded to him. To be considered to-morrow.
2. Debtors in Execution Relief Bill; read a second time; to be read a third time on Wednesday next, September 19.
3. Publicans' Licensing Acts Consolidation Bill; Motion made, and Question put, that the following Resolution be adopted; That the Clerk inform the Council to be heard on behalf of certain Petitioners against the Licensing Bill, that he will be required to specify the particular clauses of that Bill to which he intends to object, in order that he may confine his Arguments to them; and that these, must be those particularly alluded to by the Petitioners themselves.

Council adjourned at three o'clock, until to-morrow at ten o'clock.

ORDERS,

ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 18.

1. Publicans' Licensing Acts Consolidation Bill; Council to be heard in support of the Petitions presented, against certain of the enactments of the Bill.
2. David Leomas's Petition; to be considered.
3. Appropriation Bill; second reading.
4. Post Office Act Amendment Bill; second reading.

WEDNESDAY, SEPTEMBER 19.

1. Debtors in Execution Relief Bill; third reading.

WM. MACPHERSON, *Clerk of Councils.*

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

THURSDAY, 13 SEPTEMBER, 1838.

1. Council met pursuant to adjournment; His Excellency the GOVERNOR in the Chair. Publicans' Licensing Acts Consolidation Bill; Counsel admitted, and heard in support of the Petitions against the Bill which have been presented; Certain of the Clauses re-committed, and amended; to be further considered to-morrow.
2. David Lennox's Petition; consideration of, deferred until to-morrow.
3. Appropriation Bill; second reading deferred until to-morrow.
4. Post Office Act Amendment Bill; second reading deferred until to-morrow.

Council adjourned at four o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 14.

1. Publicans' Licensing Acts Consolidation Bill; further consideration of re-committed Clauses.
2. David Lennox's Petition; to be considered.
3. Appropriation Bill; second reading.
4. Post Office Act Amendment Bill; second reading.

WEDNESDAY, SEPTEMBER 19.

1. Debtors in Execution Relief Bill; third reading.

WAL. MACPIERSON, *Clerk of Councils.*

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 18 SEPTEMBER, 1838.

1. The Meeting of the Council appointed for Friday last the 14th Instant, having been adjourned, until this day, at twelve o'clock, The Council met pursuant to that adjournment; His Excellency the GOVERNOR took the Chair, and informed the Council, that before proceeding to the second reading of the Appropriation Bill, which stood on the Orders for this day, it would be necessary to provide for certain payments, no provisions for which had yet been made; His Excellency stated that these observations were applicable.
 - (1.) To Mr. David Lennox's Petition; into all the circumstances of whose case His Excellency having inquired, he is of opinion that Mr. Lennox's application for some further remuneration for his services in the erection of Lansdowne Bridge, is well founded.
 - (2.) To provision for payments to be made to certain Presbyterian Clergymen, both in reference to a Memorial which had been presented, and the proceedings which followed thereon at a previous period of the Session, and also, to the provisions of the Bill for their relief, now before the Council.
 - (3.) To meet the payments which would become necessary in pursuance of an Act recently passed, to regulate the Temporal affairs of certain Religious Societies.
2. The Supplementary Estimates of Expenditure for the year 1838; Motion made, and Question put, that they be now further considered in Committee. *Passed.*
 - (28.) Resolved, that a sum of £200, be granted to Mr. David Lennox, as a Gratuity for his services in the erection of Lansdowne Bridge over Prospect Creek, on the road from Sydney to Liverpool.
 - (29.) Resolved, that a sum not exceeding £1,350 be appropriated to provide Salaries for the year 1838, for certain Presbyterian Ministers disclaiming the Jurisdiction of the Presbytery of New South Wales, but professing to hold the Standards of the Church of Scotland.

3. The Estimates of Expenditure for 1839; Motion made and question put, that they be now further considered in Committee. *Passed.*
- (86.) Resolved, that a sum not exceeding £1,200, be appropriated to defray the expenses for the year 1839, of certain Presbyterian Clergy, disclaiming the Jurisdiction of the Presbytery of New South Wales, but professing to hold the Standards of the Church of Scotland.
- (87.) Resolved, that a sum not exceeding £1,800 be appropriated to defray the expenses for the year 1839, of the Clergy of the Religious Societies denominated Wesleyan Methodists, Independents, and Baptists.
- (88.) Resolved, that a sum not exceeding £200 be appropriated for the year 1839, towards the support and establishment of Schools of the Religious Societies denominated Wesleyan Methodists, Independents, and Baptists, in sums not exceeding the amount of private contributions.
4. Publicans' Licensing Acts Consolidation Bill; re-committed clause further considered and amended; to be fairly transcribed, and presented to the Governor by the Attorney-General and Sir John Junison.
5. Appropriation Bill; read a second time; to be read a third time on Thursday next.
6. Post Office Act Amendment Bill; read a second time; committed and amended; to be fairly transcribed, and presented to the Governor by the Attorney-General and Mr. Berry.
7. Payments to certain Presbyterians Bill; presented by the Governor as amended; to be read a third time on Thursday next.
8. Debtors in Execution Relief Bill; third reading completed for to-morrow, postponed until Thursday next.

Council adjourned at half-past two o'clock, until Thursday next, at twelve o'clock.

ORDERS OF THE DAY.

THURSDAY, SEPTEMBER 20.

1. Debtors in Execution Relief Bill; third reading.
2. Appropriation Bill; third reading.
3. Payments to certain Presbyterians Bill; third reading.

WM. BULLOCK, *Clerk of Councils.*

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

THURSDAY, 20 SEPTEMBER, 1888.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Publicans' Licensing Acts Consolidation Bill; presented by the Governor as amended; to be read a third time on Tuesday next, September 25.
2. Post Office Act Amendment Bill; presented by the Governor as amended; to be read a third time on Tuesday next.
3. His Excellency the Governor laid upon the Table, "A Bill to Continue, and Amend, an Act intituled *An Act to restrain the unauthorised occupation of Crown Lands;*" Bill read a first time; to be printed, and read a second time, on Tuesday next.
4. Debtors in Execution Relief Bill; Schedule re-committed, and amended; Bill read a third time, and *Passed*.
5. Appropriation Bill; read a third time, and *Passed*.
6. Payments to certain Presbyterians Bill; Motion made and Question put, that this Bill be re-committed, and the last clause expunged or amended; Motion negatived; Bill read a third time and *Passed*.
7. His Excellency the Governor laid upon the Table, the following Protest against certain Items of the Estimates of Expenditure.

"1 protest against the proposed sum of £250 being granted as a Salary for the Colonial Agent General, on the same grounds as hitherto; there being no duties for that appointment.

"2nd.—I protest against the sum of £250 being granted as a Salary to the British Resident at New Zealand; I also object the continuing expense of that appointment, amounting to £250, on the same grounds as hitherto; the sum being in my opinion, entirely uncalled for; and even if it should be considered probable that it may indirectly promote the interests of this Colony, it is without that Van Diemen's Land must be benefited by a proportional degree; and it can only, that a fair proportion of the expense of the appointment should be borne by that Colony.

"3d.—I protest against the sum of £37,731 to be paid being granted in room of Social Revenue for the Police and the Courts, being of opinion that the advantages derived are participated, as explained in my former Protest in a correct manner, upon that item, and consequently that some portion of the expense should be defrayed by the Parent Country; I am further of opinion, that exclusively of these equitable considerations, I am in an especial manner called upon to make this Protest, from the consideration that this Colony is already overburdened with the heavy obligations of Her Majesty's Donations; and that the sum of £37,731 to be granted for the ensuing year, will be the total of the sum of £37,731, and that the amount of the expenditure

"4th.—I protest against the annual sum of £250 being granted as a Pension, and to the sum of £1,750, or any other sum, being granted in room of such Pension, to Alexander McLeay, Esq., late Colonial Secretary. The grant of pensions to public Civil Officers, being a most highly objectionable and unbecoming instance of peculiar claims—more especially where the services rendered in the appointment has been large, and as in the present instance, of the most liberal description, but larger than was ever before. It is also the only pension granted in this Colony, and one further objection which I have to make is, that I, in an especial manner consider it my duty to make this Protest, from the consideration that during the whole period (upwards of 10 years) the said Secretary held his official appointment, he enjoyed a Salary of £1,750, and that the salary proposed by the High Commissioner was only £250, which is less than the Salary of his successor, the present incumbent, and consequently, that Mr. McLeay in that item, has already received the sum of £10,000 and upwards of the Colonial

money

money beyond what he was justly entitled to. 2dly.—That Mr. McLeay had the use of a House from the Colonial Government worth the annual rent of at least £200, for above 10 years, by which he has consequently in this item received an equivalent of about £2000 of the money of the Colony to which he was not entitled. 3rd.—That Mr. McLeay was in the receipt of £750 a year, as a Pension for services alleged to have been performed in England, entirely unconnected with this Colony, during the period of ten years for which he held office here, producing a sum of about £7,500, to which he *not merely* was not entitled, but which he received in direct violation of an Act of Parliament prohibiting the enjoyment of Pensions of any amount to persons at the same time holding office, with a Salary of such an amount as that enjoyed by Mr. McLeay. 4th.—That Mr. McLeay, exclusively of the full amount of free Grants of Land given to other individuals, obtained during the period he held office, a Grant of Land of 51 acres at Elizabeth Bay—not merely contiguous to the Town, but possessing an extent of water frontage forbidden under such circumstances by an order of the King in Council to be granted to any individual; which Grant, if valued at £1000 per acre agreeably to the Government valuation of Land in its neighbourhood even less favourably situated, is worth £51,000, making altogether, with the other items above enumerated, an aggregate sum of £68,500, to which Mr. McLeay was not entitled: and in addition to the above, Mr. McLeay is now in the enjoyment of a Pension of £750 a-year from England, for services alleged to have been performed there.

“5th.—I protest against the sum of £20000 being granted for the support of Free Paupers in the Colonial Hospitals; many of those Paupers having come to this Colony late in life, infirm, and diseased; and who consequently have never been able to benefit the Colony by their labour; those Individuals, I am therefore of opinion, ought in justice to be provided for at the expense of the Parent Country.

“6th.—I protest also against the sum of £5000 being granted for the support of Free Paupers in the Lunatic Asylum, being of opinion that a proportion of the expenses of that Institution ought in justice to be borne by the Parent Country—on the same principle which I have explained in my preceding Protest No. 5.

“7th.—I protest against the sum of £90000 being granted to meet the expenses of the Mounted Police Establishment from the 1st of April, and against the additional sum of £1,700 being granted for repairs of the Mounted Police Barracks, making together with the sums previously proposed in the Estimates for the ensuing year, an aggregate amount of, £22,970 for this one Department, the expenses of which have

have never before been charged to the Colony. My objection to the above sums being charged to the Colony, is founded on the grounds—that in equity, a part of the expense ought obviously to be charged to the Parent Country, which is relieved of so much direct expense, by our maintenance and custody of so large a portion of her Criminal Population, the more irremediable portion of which is comparatively uncommensurate to the Colony, and is at the same time, the principal cause of our necessity for incurring this large item of expense; a just proportion of which, ascertainable by proper examination of the subject, ought in fairness therefore in my opinion to be defrayed by the Home Government. I am indeed the more strongly to urge the above objections, not only from consideration of the highly important principle of equity which it involves, and which can never with due regard to the mutual permanent interests of the Mother Country, and this Colony be neglected, but from consideration of the fact before referred to in my Protest No. 3, viz., that this Colony is more largely taxed, in proportion to its Wealth and Population, than any other part of Her Majesty's Dominions—while, according to the Estimates for the ensuing year, the annual income of the Colony will fall short of its Expenditure to an appalling amount, in consequence of the immense accumulation of expenses now for the first time created, or left exclusively to its charge.

“*Sch.*—I protest against the sum of £2025, in the Supplementary Estimates, being granted for the support of Free Prisons in this Colony and the Lunatic Asylum from the 1st of April—being of opinion that a part of this sum ought to be defrayed by the Mother Country, for the reasons assigned in my Protest No. 3 and 6.

“And I request that the several grounds of my dissent from the Estimates may be recorded on the Minutes of the Council, and that an extract copy of such minutes together with a copy of the Petition may be transmitted to the Right Honourable the Secretary of State for the Colonies, for the consideration of Her Majesty's Government.

JOHN BLANLAND.”

Council adjourned at three o'clock, on the preceding day, at twelve o'clock.

ORDERS OF THE DAY.

Thursday, 21st December.

1. Publicans' Licensing Acts Consolidation Bill; third reading.
2. Post Office Act Amendment Bill; third reading.
3. Crown Land Ordinance Bill; second reading.

W. M. MANNING, *Clock of Councils.*

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 25 SEPTEMBER, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table, " *A Bill to amend an Act intituled, 'An Act for regulating Buildings and Party Walls, and for preventing Mischiefs by Fire in the Town of Sydney;'*" Bill read a first time; to be printed, and read a second time on Friday next, September 28.
2. His Excellency the Governor laid upon the Table, " *A Bill to amend an Act intituled, 'An Act for preventing the Mischiefs arising from the Printing and Publishing Newspapers, and Papers of a like Nature, by Persons not known, and for regulating the Printing and Publication of such Papers in other respects; and also restraining the Abuses arising from the Publication of Blasphemous and Seditious Libels;'*" Bill read a first time; to be printed, and read a second time on Friday next.
3. His Excellency the Governor laid upon the Table, " *A Bill to indemnify the Officers of Customs and Others, for having permitted the Importation of Liqueurs, Cordials, and Spirituous Syrups, on payment of less than the accustomed Duty;'*" Bill read a first time; to be printed, and read a second time on Friday next.
4. His Excellency the Governor laid upon the Table, " *A Bill to regulate the Distillation of Spirits, in the Colony of New South Wales;'*" Bill read a first time; to be printed, and read a second time on Friday next.
5. Post Office Act Amendment Bill; read a third time, and *Passed.*

6. Crown Lands Occupation Bill, read a second time; committed and amended; to be further considered on Friday next.

7. Publicans' Licensing Acts Consolidation Bill, third reading deferred until to-morrow.

Council adjourned at four o'clock, until to-morrow at twelve o'clock.

ORDERS OF THE DAY.

WEDNESDAY, SEPTEMBER 26.

1. Publicans' Licensing Acts Consolidation Bill; third reading.

FRIDAY, SEPTEMBER 28.

1. Crown Lands Occupation Bill; further consideration.
2. Betting Act Amendment Bill; second reading.
3. Newspaper Act Amendment Bill; second reading.
4. Gilbeed of O. to Int. Society Bill; second reading.
5. Distillation Regulation Bill; second reading.

WM. MACPHERSON, *Clerk of Councils.*

No. 45.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 25 SEPTEMBER, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair.

Publicans' Licensing Acts Consolidation Bill; read a third time and *passed*.

Council adjourned at three o'clock, until Friday next, at twelve o'clock.

ORDERS OF THE DAY.

FRIDAY, SEPTEMBER 28.

1. Crown Lands Occupation Bill; further consideration.
2. Building Act Amendment Bill; second reading.
3. Newspaper Act Amendment Bill; second reading.
4. Officers of Customs Indemnity Bill; second reading.
5. Distillation Regulation Bill; second reading.

WM. MACPHERSON, *Clerk of Councils.*

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

FRIDAY, 29 SEPTEMBER, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Mr. Jones presented a Memorial, addressed by "Certain Inhabitants and House-holders of Sydney," to His Excellency the Governor, and this Council, purporting, that the Act passed by the Governor and Council in the Eighth year of the Reign of His late Majesty King William the Fourth, intituled, "An Act for regulating Buildings and Party-walls, and for preventing Mischiefs by Fire in the Town of Sydney," as at present framed, is highly injurious to the interests of the Memorialists and others interested in Buildings in Sydney; and that the proposed enactments of the Bill now before the Council, intituled, "A Bill to amend" the Act above recited, are insufficient to remedy the grievances complained of; and praying that the further consideration of the said Bill may be deferred, in order to allow time to the Memorialists to prepare a Statement of such amendments as would meet the objects desired by them, and would, in their opinion, give general satisfaction to the Public. Signed by upwards of 380 persons.

Motion made and Question put, that this Memorial be received, and that the same, together with the Statement of amendments desired by the Memorialists, be taken into consideration on Tuesday next, *Passed*; and the Clerk directed to give notice accordingly, to the Memorialists.

2. The Governor laid upon the Table, a Petition addressed to His Excellency by "Certain Editors, Printers, Publishers, and Proprietors of Newspapers published in Sydney," representing that certain of the enactments of the Act of the Governor and Council, 8 George IV. No. 2, for regulating the Printing and Publishing

lishing of Newspapers, and other purposes, are burthensome, and more so than the Law of England; and praying that the Law in this Colony, may be assimilated to that of England.

Motion made and Question put, that this Petition be taken into consideration on Tuesday next; *Passet.*

3. Crown Lands Occupation Bill; further considered, and some verbal amendments made; to be read a third time on Tuesday next.
4. Building Act Amendment Bill; second reading deferred until Tuesday next.
5. Newspaper Act Amendment Bill; read a second time; to be read a third time on Tuesday next.
6. Officers of Customs' Indemnity Bill; read a second time; to be read a third time on Tuesday next.
7. Distillation Regulation Bill; second reading deferred until Tuesday next.
8. His Excellency the Governor laid upon the Table, "A Bill for the more effectual Appropriation of Fines and Penalties, in relation to rates, in the Colony of New South Wales;" Bill read a first time; to be printed, and read a second time on Tuesday next.

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

ORDERS OF THE DAY.

TUESDAY, OCTOBER 2.

1. Building Act Amendment Petition; to be considered.
2. Building Act Amendment Bill; second reading.
3. Newspaper Act Amendment Petition; to be considered.
4. Crown Lands Occupation Bill; third reading.
5. Newspaper Act Amendment Bill; first reading.
6. Officers of Customs' Indemnity Bill; first reading.
7. More effectual Appropriation of Fines and Penalties Bill; second reading.
8. Distillation Regulation Bill; second reading.

WM. MACPHERSON, *Clerk of Council.*

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

TUESDAY, 2 OCTOBER, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair.
Bill to regulate the Practice of Medicine; The Attorney General, as Chairman of the Committee appointed to consider this Bill, reported progress, and laid upon the Table, the Evidence taken before the Committee. To be printed. The Attorney General stated, that in consequence of the very advanced period of the Session, and the Evidence not being yet printed and in the hands of the Members, and the difference of opinion which existed on some portions of the Bill in its printed form, he proposed moving that such clauses only of this Bill should now be passed, as were necessary to enable the Act to be properly carried into effect, which had been passed at an early period of the Session, "To provide for the Attendance of Medical Witnesses at Coroners' Inquests, and Inquiries held by Justices of the Peace;" he then moved, that the Standing Orders of the Council be dispensed with, and the "Bill to regulate the Practice of Medicine" be read a second time to-morrow. *Passed.*
2. Crown Lands Occupation Bill; read a third time, and *Passed.*
3. Newspaper Act Amendment Bill; read a third time and *Passed.*
4. Officers of Customs Indemnity Bill; read a third time, and *Passed.*
5. More effectual Appropriation of Fines and Penalties Bill; read a second time, to be read a third time on Friday next.

6. Building Act Amendment Petition; considered in Committee; to be further considered on Thursday next.
7. Building Act Amendment Bill; read a second time; to be further considered on Thursday next.
8. Newspaper Act Amendment Petition; considered in Committee; further consideration deferred.
9. The Governor laid upon the Table:-

(1.) A Petition addressed to His Excellency and the Council by Henry Fisher, of Sydney, Rectifier of Colonial Spirits, praying, that the proposed "Bill to regulate the Distillation of Spirits in New South Wales" may not pass into a law, because (in his opinion) the imposition of a large additional Duty on Colonial Spirits, as is proposed by the Bill, would render the licensed Distillers unable to compete with the Smuggler; because also, the size of the still proposed by the Bill to be allowed is much too small, the same being thereby necessarily concealed, and thus encouragement afforded to illicit Distillation; because further, after having expended upwards of £2000 in establishing himself in business, if passed in its present form, he will be ruined; and for other reasons set forth in the Petition.

(2.) A Memorial from Robert Campbell, and William Macintosh and Company, both of Sydney, licensed Distillers, addressed to His Excellency and the Council, representing that the contemplated increase of Duty from three shillings to seven shillings and sixpence per barrel gallon, will render the licensed Distiller utterly unable to compete with the Smuggler; that this rate of Duty is higher than the rates respectively payable to the United Kingdom; for which, and for other reasons set forth in their Memorial, praying that they may be heard by Council against the proposed Bill to regulate Distillation, or in person before a Committee.

Both Petitions read; and ordered to lie upon the Table.

10. Distillation Regulation Bill; read a second time, to be further considered to-morrow.

Council adjourned at half past six o'clock, until to-morrow, at twelve o'clock.

ORDERS OF THE DAY.

WEDNESDAY, OCTOBER 3.

1. Distillation Regulation Bill; further consideration.
2. Medical Practice Bill; second reading.

THURSDAY, OCTOBER 4.

1. Building Act Amendment Petition; further consideration.
2. Building Act Amendment Bill; further consideration.

FRIDAY, OCTOBER 5.

1. More effectual Appropriation of Fines and Penalties Bill; third reading.

WM. MACPIERSON, *Clerk of Councils.*

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

WEDNESDAY, 3 OCTOBER, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair.
Distillation Regulation Bill; further considered in Committee, and amended.

Upon Motion made and passed, Mr. Robert Cooper, of Sydney, Distiller, called in and examined:—

I have been a Distiller for 40 years and upwards; if a Duty of 7s. 6d. per Imperial gallon on all Spirits distilled in the Colony is imposed, I shall be compelled to give up business; I could not afford to give 4s. per gallon on Spirits distilled from grain, unless the Duty on Foreign Spirits is increased; I would rather pay an agreed on yearly sum, than pay Duty on the number of gallons made; I would engage to pay £5000 annually; I can make about 500 gallons per week; a regular made Still containing 1000 gallons, would take about 8 hours to work off; but a flat bottomed Still of the same dimensions, might be worked off in a much shorter time; it would be possible perhaps to work it off in as many minutes; the present price of Colonial made Spirits is 9s. 6d. per gallon; Foreign Rum is at present 5s. per gallon, but has been imported so low as 2s. 6d.; I distil sometimes from Sugar, and sometimes from grain; grain will not malt in Summer, Hot winds are particularly injurious, and will often spoil a Malting; Sugar is less liable to be injured; Sugar is sometimes mixed with grain; when the Malt worts are weak, a little Sugar makes them work better; but Rye might be used for that purpose; I occasionally use Potatoes in distilling; the Spirit from Wheat and Maize, is harsh, and very inferior to that from Barley; but the Barley here is inferior to English Barley; a bushel will not yield more than a gallon of Spirits; in England about

two gallons and a half can be obtained; the price of Barley varies from 2s. 6d. to 4s. per bushel; I purchased a considerable quantity lately at 3s.; the average price of Sugar is about £25 per ton; when Grain is at 3s. per bushel, and Sugar at £25 per ton, a gallon of Spirits can be produced at a cheaper rate from Sugar than from Grain; In a Distillery working sometimes from Grain, and sometimes from Sugar, a fine should be given to the Inspector of the Intention to work from either article; two days notice would be sufficient, I am aware that much illicit distillation goes on; I know of a large Still at Parramatta which distils two hundred, or above 200 gallons per week; there is also a Still at Windsor, Bill to be further considered to-morrow.

2. Medical Practice Bill; second reading deferred until to-morrow.

Council adjourned at five o'clock, to sit to-morrow at ten o'clock.

ORDERS OF THE DAY.

Thursday, December 4.

1. Distillation Regulation Bill; further consideration.
2. Medical Practice Bill; second reading.
3. Building Act Amendment Bill; further consideration.
4. Building Act Amendment Bill; further consideration.

Friday, December 5.

1. More effectual Application of the Act of Councils Bill; third reading.

W.M. MACARTHUR, Clerk of Councils.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

THURSDAY, 4 OCTOBER, 1833.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table, a letter from Colonel Snodgrass, enclosing a copy of a letter dated 10 August 1836, addressed at his request, by Sir Richard Bourke to the Right Honorable the Secretary of State, transmitting a Memorial of Services distinct from the duties of his Military Appointment, rendered by him to the Colony, consisting chiefly, of the Command of the Mounted Police for a period of one year and ten months, and the charge of the Colonial Ordnance for seven years, and soliciting that some remuneration for those services may be allowed him; the amount suggested by Sir Richard Bourke being £1000, and that the same may be granted as a remission out of the purchase money of Land. Accompanying the above, is a copy of a letter, dated 19 April 1837, from A. G. Spearman, Esq., to James Stephen, Esq., stating it to be the opinion of the Lords Commissioners of the Treasury, that the proposed mode of remuneration is objectionable, as virtually charging upon the Land Fund the remuneration for services not immediately connected with that Branch of the Colonial Administration; but that their Lordships will be prepared to take under consideration any special proposition for remuneration to Colonel Snodgrass, which may be recommended by the Governor and the Legislative Council. To be printed, and taken into consideration on Monday next, October 8.

2. Medical Practice Bill; read a second time; committed and amended, and the title changed to "*A Bill to define the Qualifications of Medical Witnesses at Coroners' Inquests, and Inquiries held before Justices of the Peace, in the Colony of New South Wales.*"

"*Wales*;" to be fairly transcribed, and presented to the Governor by the Attorney-General and Sir John Jackson.

3. Building Act Amendment Bill; further considered in reference to the prayer of the Building Act Amendment Bill, now committed and the whole to be fairly transcribed, and presented to the Governor by the Attorney-General and Mr. Campbell.
4. Distillation Regulation Bill.

Upon Motion made and passed Mr. Henry Fisher, of Sydney, Rectifier, called in and examined;

I have carried on the business of a Rectifier of Colonial Spirit, and of making Cordials and Compounds, in Sydney, for four years; I exercised the same business in London before I came here; English Act of Parliament have been passed which regulate the business of a Rectifier; a Distiller is not allowed to rectify; passing the Spirit a second, or third time through the Still, is not rectifying; Distillers are prohibited from rectifying under a penalty; Rectifiers take out a License, for which a duty of £25 is payable; but they do not pay a duty on the Cordials and Compounds made by them, any on the Spirit, except in making the same, such Spirit having previously paid duty; their premises are open to the inspection of Excise Officers; their premises are required to be distant not less than two miles from any Distillery, but they are not prohibited from being situated in towns from apprehension of danger from fire, or from their bursting, although they certainly are liable to burst if care is not used; but it is customary to have wet blankets always at hand to extinguish such a fire; the Spirit is not water free; a Rectifier is not allowed to have a less Still than one to contain one hundred gallons; Rectifiers in a large way, have Stills up to 500 gallons perhaps; the ordinary size of Stills in England is 100 to 150 gallons; Spirits or Rectified Liquors cannot be remore'd in England by the Land; I believe there are other Rectifiers in the Colony besides me, but there are none who carry on the business so largely as I do; some of the regular Distillers make Compounds; I make about 300 gallons weekly; Peppermint and Cloves chiefly, but other Cordials also, and imitations of English Cordials, such as Cherry Brandy; there is a loss of about seven or eight per cent in rectifying; a Charge of 120 gallons put in, will come out about 90 or 70 gallons; a charge takes about 12 hours to work off; when worked off, water is mixed with it to save the strength of Cordials

is under Hydrometer proof; it is about 75 per cent; from the Spirits purchased by me, I make Spirits of Wine; it is a flavourless Spirit, the flavour wanted is added afterwards; Druggists sometimes apply to me for Spirits, but not often; they can get them cheaper than I can afford them; I have never bought any Spirits but from Licensed Distillers, and Foreign Spirits; I use Rum occasionally; I am aware that illicit Distillation is carried on to a considerable extent; it has been so during all the time that I have been in the Colony; I have latterly refused to admit the Inspector of Distilleries into my Premises, since I learned that he had no right to enter them; I used to admit him formerly; the size of the Still I use is about 100 gallons; when I commenced, I used one of 40 gallons; Spirits from Sugar may be bought at about 10s. per gallon; I do not know the cost of making it; probably about 5s.; Spirit from Grain is dearer; my reason for applying to Your Excellency and the Council, is, because by the new Distillation Act I should not be allowed to keep a Still; I am willing to pay £25 for a License, as Rectifiers in England do; I do not think I can afford to pay more, but if more is insisted for, I must submit, and try what I can do; but illicit rectifying must be prevented; I expect, and have no objection to my premises being open to the inspection of the appointed Officers; and that no Liquors shall be brought in, or go out without a Permit; the Still should be under the lock and key of the Inspecting Officer, but it is not the practice in England that the Store should be so; no duty should be imposed on the Liquors manufactured by me, as no Spirits would be used by me, but such as the duties had been paid upon. Rectifiers should be restricted from selling less than two gallons, but if the minimum is fixed at a larger quantity, little would be sold, as Cordials and Compounds are perishable articles and will not keep long.

Bill to be further considered to-morrow.

Council adjourned at half-past four o'clock, until to-morrow, at twelve o'clock.

ORDERS

ORDERS OF THE DAY.

FRIDAY, OCTOBER 1.

- 1. Distillation Regulation Bill; further consideration.
- 2. More effectual Appropriation of Fines and Penalties Bill; third reading.

MONDAY, OCTOBER 3.

- 1. Colonel Snodgrass' application for remuneration for services; to be considered.

WM. BALDWIN, *Clerk of Council.*

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

FRIDAY, 5 OCTOBER, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair.
Building Act Amendment Bill; presented by the Governor as amended; to be read a third time on Thursday next, October 11.
2. Medical Practice Bill; presented by the Governor as amended; to be read a third time on Friday next, October 12.
3. Distillation Regulation Bill;

Upon Motion made and passed, Mr. Robert Cooper again called in, and further examined;

If this Bill is passed in its present shape, I cannot work under it; I have consulted with Mr. Abercrombie, and he is of the same opinion; and it has been agreed upon by us, to offer to pay the Government £5000 annually, each, if we are allowed to distil how, and when, we please, and as much, or as little, as suits our convenience, without being subjected to the annoyance of visits from Inspecting Officers: If the Government doubt the fairness of the offer made, if an officer is placed in charge of my Still for one month, for the purpose of ascertaining the greatest number of charges which can be worked off in that time, I shall readily afford every facility and assistance in my power towards his accomplishment of that object, and will willingly pay a proportionate yearly sum to the amount of duty which may be so ascertained to become payable; but the duty must be calculated at four shillings per gallon; I cannot afford to pay five shillings; it would take eight or ten days before the backs would be ready to work; but the Officer might, and ought to be present during the wetting process; the month to be calculated only from the time when the Still commences working; a hundred weight of Sugar will produce eight Imperial gallons of Spirit, Hydrometer proof; it will not produce more; eight bushels of barley will produce the same quantity of Spirit;

from

from the warmth of this Climate, and the inequality of the temperature, the same produce can not be obtained as in England; the expence of working off a hundred weight of sugar is 10s. for men's labour, firing, and yeast; casks, cartage, rent, and other items may be reckoned at 1s. per gallon more, or 15s., cost of sugar 25s., duty at 4s. per gallon, 32s., in all 52 15s.; the selling price of Spirits made from Sugar is 8s. 6d. per gallon according to 37 15s., which shows how small a profit would be left to me; I can not afford to pay a higher duty than four shillings per gallon; for Spirits made from Sugar, I occasionally make Compounds; no still is necessary for that purpose; I was a Brewer in London.

The Bill re-committed, further considered, and amended, and the Title altered to, "A Bill to regulate the Distillation of Spirits in the Colony of New South Wales, and for the issue of Licenses for Distilling, Rectifying, or Compounding Spirits therein;" to be fairly transcribed, and presented to the Governor by the Collector of Customs, and Sir John Jamieson.

4. More effectual Appropriation of Fines and Penalties Bill; third reading deferred until Friday next.
5. Colonel Seedgrass' application for remuneration for services; appointed yesterday for consideration on Monday next, to be postponed until Thursday next; as the Council will not meet on Tuesday.

Council adjourned at five o'clock, until Thursday next, at twelve o'clock.

ORDERS OF THE DAY.

Thursday, October 11.

1. Colonel Seedgrass' application for remuneration for services; to be considered.
2. Building Act Amendment Bill; third reading.

Friday, October 12.

1. "Medical Practice Bill," or more properly, "Qualifications of Medical Witnesses' definition Bill;" third reading.
2. More effectual Appropriation of Fines and Penalties Bill; third reading.

Memo.—It is probable that the Discharge Regulation Bill, will be read a third time on one or other of the above two days, and that the Session will close on the latter day.

WM. MACFARLSON, *Clk of Councils.*

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

THURSDAY, 11 OCTOBER, 1853.

1. Council met pursuant to adjournment; His Excellency the Governor in the chair. Distillation Regulation Bill; presented by the Governor as amended; Bill re-committed and some amendments made; to be read a third time to-morrow.
2. His Excellency the Governor laid upon the Table, Colonel Snodgrass' "Memorial of Services distinct from the duties of his Military appointment rendered by him to the Colony," referred to in the Proceedings of the Council on the 4th Instant, which was omitted to be included with the documents then laid before the Council. The Memorial read, and to be printed.

Colonel Snodgrass' application for remuneration for the Services above referred to, considered in Committee;

Motion made, and Question put, that the following Resolution be adopted;

That this Council express to His Excellency the Governor their opinion, that Colonel Snodgrass is entitled to special remuneration for duties not properly attaching to his Appointment as Brigade Major in New South Wales, requesting it may at the same time be intimated to the Lords of Her Majesty's Treasury, that those services were rendered at a time when the remuneration which was due to them would chiefly have been chargeable upon the Military Chest; and that according

to

to this view, a due proportion of the remuneration recommended by Sir Richard Bourke, should now be derived from that source, and the residue only from the Colonial Funds. *Passed.*

3. Building Act Amendment Bill: third reading deferred until tomorrow.

Committee adjourned to 11.15 p.m. on 10th, with a meeting at twelve o'clock.

ORDERS OF THE DAY.

Friday, 10th March 1871.

1. "Medical Practice Bill," or now more properly, "Qualifications of Medical Witnesses definition Bill;" third reading.
2. More effectual Appropriation of Town and Counties Bill; third reading.
3. Distillation Regulation Bill; third reading.
4. Building Act Amendment Bill; third reading.

WM. A. McFERRISON, *Chief of Council.*

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

FRIDAY, 12 OCTOBER, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor in the Chair. Immigration Committee; The Right Reverend the Lord Bishop of Australia as Chairman of the Committee appointed to consider the subject of Immigration, brought up the Report, and laid upon the Table, the Evidence taken before the Committee. To be printed.
 2. Aborigines Question; The Right Reverend the Lord Bishop of Australia as Chairman of the Committee appointed to consider the subject of the intercourse with the Aborigines, and their present state, brought up the Report, and laid upon the Table, the Evidence taken before the Committee. To be printed.
 3. Memorial presented by Mr. Jones, addressed to His Excellency the Governor and this Council by Thomas Walker, Esq., complaining that portions of the evidence given by him before the Committee on Emigration, had been omitted in the Minutes of the Evidence now in course of being printed; Motion that this Memorial be received. *Negatived*, on the ground that the Member presenting the same, could not say that this Memorial was respectfully worded.
 4. Qualifications of Medical Witnesses definition Bill; read a third time and *Passed*.
 5. More effectual Appropriation of Fines and Penalties Bill; read a third time and *Passed*.
 6. Distillation Regulation Bill; read a third time and *Passed*.
 7. Building Act Amendment Bill; read a third time and *Passed*.
- Council adjourned at three o'clock, until Tuesday October 23 at twelve o'clock.

WM. MACPHERSON, Clerk of Councils.

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No. 51.

VOTES AND PROCEEDINGS
OF
THE LEGISLATIVE COUNCIL.

TUESDAY, 23 OCTOBER, 1838.

1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table, " *A Bill to exempt from Duty and Wharfage Rates, for a certain time, Flour, and Meal, and Wheat, and other Grain, and Pulse, imported into New South Wales;*" Bill read a first time; Motion made and Question put, that the Standing Orders of the Council be suspended, and that this Bill be now read a second time; *Passed*; Bill read a second time accordingly; to be read a third time on Friday next, October 26.

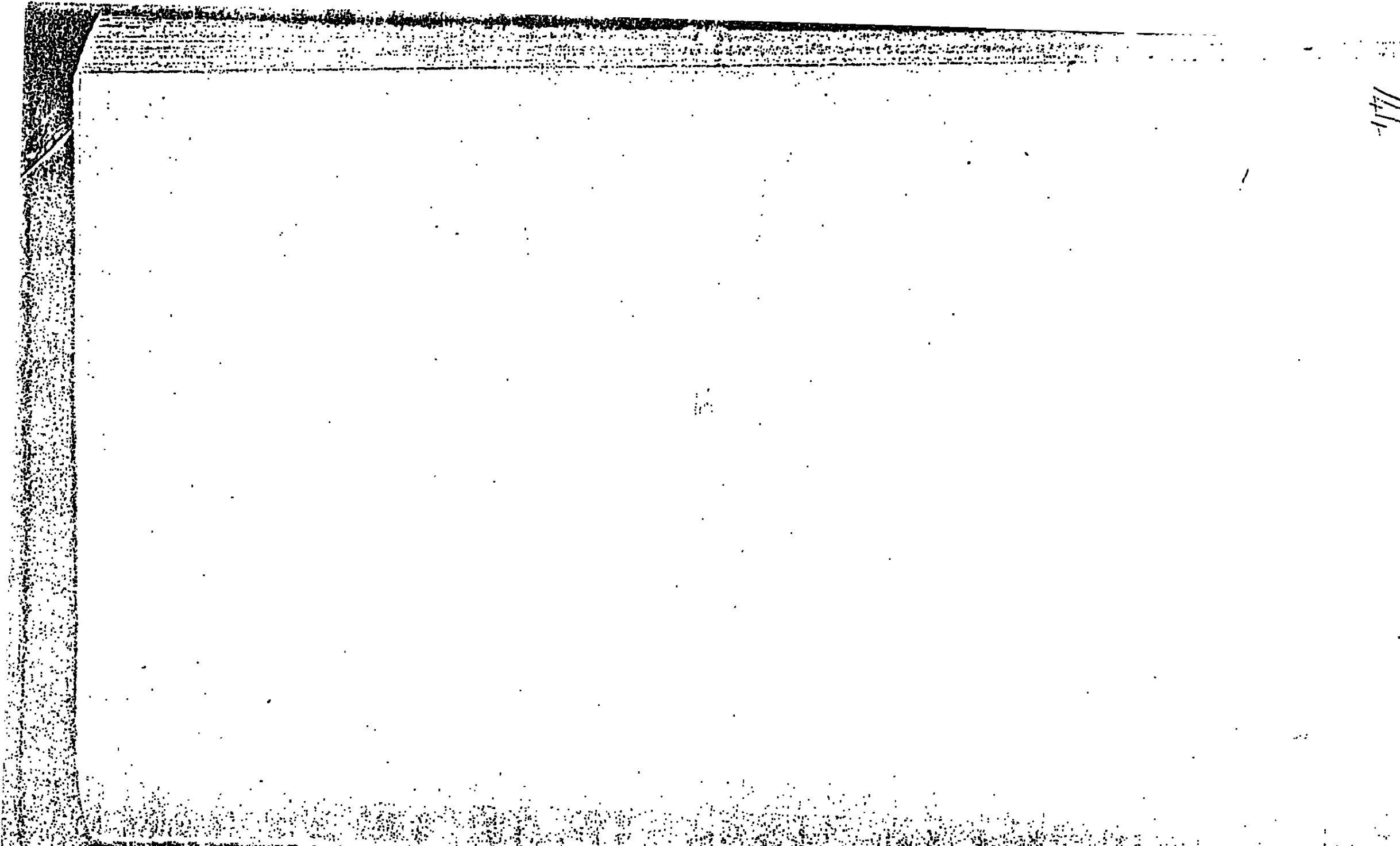
Council adjourned at One o'clock, until Friday next, at twelve o'clock.

ORDERS OF THE DAY.

FRIDAY, OCTOBER 26.

1. Flour, and Grain, exemption from Duty Bill; third reading.

WM. MACPHERSON, *Clerk of Councils.*



No. 55.

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

FRIDAY, 25 OCTOBER, 1838.

- 1. Council met pursuant to adjournment; His Excellency the Governor took the Chair, and laid upon the Table,

Lists of the vessels which visited the Bay of Island, New Zealand,

- (1.) During the six months ended 30 June 1837— 71 vessels.
- (2.) Ditto do. 31 December—103 ditto.
- (3.) Ditto do. 30 June 1838— 86 ditto.

To be printed.

- 2. Flour, and Grain, exemption from Duty Bill; read a third time, and *Passed*.

Council adjourned at two o'clock, *sine die*.

WM. MACPHERSON, Clerk of Councils.

