









NEW SOUTH WALES.

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VOTES.

AND

PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL,

DURING THE

FIRST SESSION OF THE YEAR

1846,

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

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Sydney,

PRINTED BY W. W. DAVIES, GOVERNMENT PRINTING OFFICE, BENT-STREET.

1846.

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# SELECT COMMITTEES

## APPOINTED DURING SESSION 1 OF 1846.

### REPLY TO GOVERNOR'S OPENING SPEECH.

Mr. ALLEN, Mr. WENTWORTH, Mr. BRADLEY, THE COLONIAL SECRETARY,	} Appointed 12th May, 1846.	} Mr. COWPER, Mr. DARVALL, DR. NICHOLSON.
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### SUPREME COURT LEGISLATION AND TAXATION.

Mr. COWPER, Mr. LAMB, Mr. ALLEN, Mr. DARVALL, Mr. LOWE,	} Re-appointed 14th May, 1846.	} THE ATTORNEY GENERAL, THE COLONIAL SECRETARY, Mr. WENTWORTH, Mr. WINDEYER.
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### STANDING ORDERS.

THE SPEAKER, Mr. McLEAY, Mr. COWPER,	} Re-appointed 20th May, 1846.	} THE COLONIAL SECRETARY, THE ATTORNEY GENERAL.
Added 12th June:		
Mr. PARKER,		Mr. WINDEYER.

### LIBRARY.

THE SPEAKER, THE COLONIAL SECRETARY, Mr. McLEAY,	} Re-appointed 21st May, 1846.	} THE COLLECTOR OF CUSTOMS Mr. COWPER,
Added 12th June:		
Mr. PARKER,		Mr. LOWE.

### ROADS AND BRIDGES.

Mr. WENTWORTH, Mr. LORD, Mr. COWPER, Mr. DANGAR,	} Appointed 22nd May, 1846.	} Mr. MURRAY, CAPTAIN DUMARESQ, CAPTAIN O'CONNELL.
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### LUNATIC ASYLUM, TARBAN CREEK.

Mr. COWPER, Mr. MACARTHUR, Mr. ALLEN, DR. BLAND,	} Appointed 26th May, 1846.	} THE COLONIAL SECRETARY, Mr. PARKER, Mr. ROBINSON.
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### JURY LAWS CONSOLIDATION BILL.

THE ATTORNEY GENERAL, Mr. COWPER, Mr. WENTWORTH, Mr. WINDEYER, Mr. LOWE,	} Appointed 28th May, 1846.	} Mr. BREWSTER, Mr. DANGAR, Mr. DARVALL, THE COLONIAL SECRETARY, Mr. PARKER.
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### ADMINISTRATION OF THE COLONIAL DEPARTMENT OF GOVERNMENT.

Mr. LOWE, Mr. LORD, Mr. WINDEYER, Mr. WENTWORTH,	} Appointed 12th June, 1846.	} DR. LANG, CAPTAIN DUMARESQ, Mr. COWPER, Mr. WILD.
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### MR. HOPE'S BILL TO AMEND THE CROWN LAND SALES ACT, 5 & 6 VIC., c. 36.

Mr. COWPER, Mr. ROBINSON, Mr. LOWE, Mr. WENTWORTH,	} Appointed 12th June, 1846.	} CAPTAIN O'CONNELL, THE COLONIAL SECRETARY, Mr. DANGAR.
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### ABORIGINES.

Mr. WINDEYER, Mr. ROBINSON, Mr. BRADLEY, Mr. LORD,	} Re-appointed 12th June, 1846.	} Mr. SUTTON, DR. LANG, Mr. BOWMAN, THE ATTORNEY GENERAL.
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**SUMMARY OF PROCEEDINGS ON BILLS INTRODUCED DURING THE FIRST SESSION OF THE YEAR 1846.**

SHORT TITLES OF BILLS.	HOW AND WHEN INITIATED		PROGRESS.								REMARKS.	
			1st Reading.	2nd Reading.	Committal.	Report.	Amendments proposed by the Governor.	Re-committal.	Report after re-committal.	Passing.		Assent.
Coal Act amendment Bill - - - - -	By Mr. Lowe - -	13 May.	14 May	20 May.	20 May.	20 May.	20 May.	12 June.	23 May.	22 May.	22 May.	
Auctioneers Licensing Bill- - - - -	By Mr. Cowper - -	14 May.	14 May.	22 May.								
Crown Lands' Occupation and Border Police Act continuation Bill	By Messago - -	15 May.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Savings' Banks Act amendment Bill - - - - -	By Messago - -	15 May.	20 May.	28 May.	28 May.	28 May.	.....	.....	.....	10 June.	12 June.	
Desertion of Foreign Seamen Prevention Bill - - - - -	By Messago - -	15 May.	21 May.	28 May.	28 May.	10 June.	.....	.....	.....	.....	.....	
Lunatic's Act amendment Bill - - - - -	By Messago - -	15 May.	21 May.	11 June.	11 June.	11 June.	.....	.....	.....	12 June.	13 June.	
Gunpowder Sales' Bill - - - - -	By Messago - -	15 May.	21 May.	28 May.			.....	.....	.....	.....	.....	
Publicans Licensing Bill - - - - -	By Mr. Wentworth -	20 May.	20 May.	26 May.	26 May.		.....	.....	.....	.....	.....	
Bushranging Act continuation Bill - - - - -	By the Colonial Secretary.	20 May.	20 May.	21 May.	21 May.	21 May.	.....	.....	.....	28 May.	11 June.	
Jury Laws consolidation Bill - - - - -	By the Attorney General	20 May.	20 May.	.....	.....	.....	.....	.....	.....	.....	.....	Referred to a Select Committee, 28th May.
Small Debts Bill - - - - -	By Mr. Windeyer - -	22 May.	22 May.				.....	.....	.....	.....	.....	
Law of Libel amendment Bill - - - - -	By Mr. Windeyer - -	2 June.	2 June.	9 June.	9 June.		.....	.....	.....	.....	.....	
Jury Laws continuation Bill - - - - -	By the Attorney General	2 June.	2 June.	10 June.	10 June.	10 June.	.....	.....	.....	11 June.	12 June.	
Imprisonment for debt abolition Bill - - - - -	By Mr. Lowe - -	2 June.	2 June.	.....	.....	.....	.....	.....	.....	.....	.....	Lapsed 9th June, in consequence of the House having been counted out.
Deeds of Grant Dates Bill - - - - -	By Mr. Brewster - -	9 June.	9 June.				.....	.....	.....	.....	.....	
Estates of deceased persons better management Bill - - - - -	By the Attorney General	9 June.	9 June.				.....	.....	.....	.....	.....	
Ordinary Revenue appropriation Bill - - - - -	By Mr. Wentworth -	11 June.	11 June.	.....	.....	.....	.....	.....	.....	.....	.....	{ Introduced as an amendment on the second of the Resolutions moved by Mr. Lowe on the 11th June.
Government Officers Election prevention Bill - - - - -	By Mr. Wentworth -	12 June.	12 June.				.....	.....	.....	.....	.....	

**RECAPITULATION:**

Initiated .....		18
Passed and Assented to .....	4	
Passed, but returned for amendment and lapsed by Prorogation...	1	
Superseded by Address.....	1	
Lapsed by counting out .....	1	
Referred to Select Committee and Lapsed by Prorogation.....	1	
Lapsed by Prorogation.....	10	
	10	18

7th 6858-9  
1st 1st 1st  
1846  
7th

VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

TUESDAY, 12 MAY, 1846.

1. The Council met pursuant to Proclamation of His Excellency the Governor, bearing date the 1st April, 1846.

New Members sworn:—

(1.) Maurice Charles O'Connell, Esquire, having taken the Oath prescribed by the 25th section of the Act of Parliament, 5 & 6 Victoria, chap. 76, and delivered to the Clerk of the Council the following Declaration of his Qualification to serve in the Council, prescribed by the 3rd section of the Act of Parliament, 7 & 8 Victoria, chap. 74, took his Seat as Member for the Electoral District of Port Phillip, in room of Thomas Walker, Esquire, resigned.

" I, Maurice Charles O'Connell, do declare and testify that I am duly seised  
" at Law or in Equity, of an Estate in Freehold, for my own use and benefit, in  
" lands or tenements, in the Colony of New South Wales, of the value of two  
" thousand pounds sterling money above all charges and incumbrances affecting the  
" same, viz:—a Freehold of twenty acres of land in the County of Cumberland, being  
" part of the Camperdown Estate, and known as O'Connell Crescent; and that I  
" have not collusively or colourably obtained a title to, or become possessed of the  
" said lands or tenements, or any part thereof, for the purpose of qualifying or  
" enabling me to be returned a Member of the Legislative Council of the Colony of  
" New South Wales."

" M. C. O'CONNELL."

" May 12th, 1846."

(2.) Patrick Grant, Esquire, having taken the Oath prescribed by the 25th section of the Act of Parliament, 5 and 6 Victoria, chap. 76, and delivered to the Clerk of the Council the following Declaration of his Qualification to serve in the Council prescribed by the 3rd section of the Act of Parliament, 7 and 8 Victoria, chap. 74, took his seat as Member for the Electoral District of the Northumberland Boroughs, in room of D'Arcy Wentworth, Esquire, resigned.

" I, Patrick Grant, do declare and testify that I am duly seised at Law or in  
" Equity of an Estate in Freehold, for my own use and benefit, in lands or tenements,  
" in the Territory of New South Wales, of the value of two thousand pounds sterling  
" money above all charges and incumbrances affecting the same, that is to say:—  
" Six allotments of land at Ipswich and Kangaroo Point, in the County of Stanley,  
" and one Allotment in the Town of Sydney, together with all the houses, stores,  
" buildings, rights, members, and appurtenances upon or belonging to the said several  
" Allotments; and that I have not collusively or colorably obtained a title to, or  
" become possessed of the said lands and tenements, or any part thereof, for the pur-  
" pose of qualifying or enabling me to be returned a Member of the Legislative  
" Council of New South Wales."

" PAT. GRANT."

(3.) Henry Watson Parker, Esquire, having taken the Oath prescribed by the 25th section of the Act of Parliament, 5 and 6 Victoria, chap. 76, took his seat as a non-elective Member of the Legislative Council, in room of Edward Hamilton, Esquire, resigned.

2. Governor's Speech:—His Excellency the Governor having been announced by the Sergeant at Arms, and conducted to his Seat by the Speaker, read the following Speech:—

GENTLEMEN OF THE LEGISLATIVE COUNCIL,

The approaching expiration of some temporary, though important Laws, has compelled me to call you together somewhat earlier than it is usual for the Council to meet for the ordinary business of the Session.

The Jury Laws require your immediate attention, as they will expire on the thirtieth of June next, if not previously renewed; and there are other matters—some of them of pressing importance, which it will be my duty to bring without delay before you.

Accounts of the Receipts and Expenditure of the public money during the year 1845, have been prepared and printed; the Estimates for 1847 are also in a state of forwardness: These documents, when laid before you, will, I trust, shew that economy continues to be exercised in every department of the Government, as far as is consistent with the demands of the public service, and the advancing state of the Colony.

I am happy in being able to renew to you, the assurances of my confidence in the public resources; and to repeat the declaration which I made to you at the close of your last Session, that, in my opinion, at no time during the period for which I have held the chief administration of this Government, have the general affairs of the Colony been in a more healthy state than they are at present.

Our public Expenditure continues to be within our Income; and notwithstanding the great reduction in the duties on spirituous liquors, which was effected during your last Session, I am happy to say that the Revenue derived from the duties of Customs, has, during the first quarter of the present year, exceeded that of the corresponding quarter of 1845.

At the commencement of your last Session I remarked to you, that for the first time in the history of New South Wales, the value of the Exports of the Colony, had in the year 1844, exceeded that of its Imports: I have now the satisfaction of adding, that the excess in the value of the Exports, over that of the Imports, has been more marked in the year last past, than it was in 1844.

I cannot refrain, Gentlemen, from expressing to you the gratification I feel, that my administration of the public affairs of New South Wales, should have been sufficiently prolonged, to enable me before my departure to see the Colony restored to a state of prosperity; nor can I, Gentlemen, address you, as I now in all probability do, for the last time, without feeling awakened within me, a grateful recollection of the important changes which, under my Government, have taken place in the social and moral, as well as in the political condition of New South Wales;—changes, which will, I trust, be dwelt upon with pride and satisfaction by you and your descendants, long after the memory shall have passed away of less important events connected with the history of our times.

GEORGE GIPPS.

Sydney, 12th May, 1846.

His Excellency the Governor having been conducted to the door by the Speaker, the Council adjourned until three o'Clock.

3. Address in reply to Speech:—The Council having resumed, the Speaker read a Copy of

of His Excellency the Governor's Speech.

Moved by Mr. Allen, and seconded by Mr. Wentworth, that a Select Committee, to consist of seven Members, including the mover and seconder, be appointed to prepare an Address to His Excellency the Governor, in reply to His Excellency's Speech on opening the Council.

Question put and passed, and the following Committee appointed accordingly:—

- |                         |            |                |
|-------------------------|------------|----------------|
| Mr. W. C. Wentworth,    | Mr. Allen, | Mr. Cowper,    |
| Mr. Bradley,            |            | Mr. Darvall,   |
| The Colonial Secretary, |            | Dr. Nicholson. |

Moved by Mr. Allen, and seconded by Mr. Wentworth, that the Committee be instructed to report to-morrow.

Question put and passed.

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

INSTRUCTION AND NOTICES OF MOTION.

WEDNESDAY, MAY 13.

INSTRUCTION:—

1. The Select Committee appointed to frame an Address in reply to the Governor's opening Speech, to bring up the same.

NOTICES OF MOTION:—

1. MR. LOWE to move for leave to bring in a Bill to amend the Act for the sale and delivery of Coal.

2. MR. LOWE to move, That the Council do adopt the Address to Her Majesty, agreed to by the Select Committee appointed in the last Session of the Council, of the 6th November, 1845, and that the same Address, *mutatis mutandis*, be presented to both Houses of Parliament.

3. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place upon the Supplementary Estimate for this year, a sum of £750, to make up the Speaker's Salary to £1,500 a year; and on next year's Estimates a sum not exceeding £1,500, for the salary of Speaker; and to place on the Supplementary Estimate for this year a sum of £250, to make up the Salary of Chairman of Committees to £500 a year; and on next year's Estimates, a sum not exceeding £300, for the Salary of such Chairman; and to place on the Supplementary Estimate for this year a sum of £100, to make up the Salary of the Sergeant at Arms to £200 a year; and on next year's Estimate a sum not exceeding £200 for the Salary of such Sergeant at Arms.

THURSDAY, MAY 14.

1. MR. COWPER to move for leave to bring in a Bill to regulate the Licensing of Auctioneers and the collection of Duties on property sold by Auction.

2. MR. COWPER to move, That a Select Committee be appointed to complete the Inquiry which was commenced during last Session, into the extent and exercise of the powers of Legislation and Taxation possessed by the Judges of the Supreme Court.

ALEX. McLEAY,  
Speaker.

VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 13 MAY, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Cruelty to Animals:—Mr. Robinson presented a Petition from the Mayor, Aldermen, and Councillors of the Town of Melbourne, praying that the Act of Parliament, 5 & 6 William IV., chap. 59, may be adopted in the Administration of Justice in New South Wales; Petition read and received.
2. Address in reply to Speech:—Mr. Allen, as Chairman, brought up, pursuant to instruction, the Report from the Select Committee appointed yesterday to prepare an Address to His Excellency the Governor, in reply to His Excellency's Speech on opening the Council.  
Moved by Mr. Allen, That the Address prepared by the Select Committee be read.  
Question put and passed; and the Address read as follows:—

*" To His Excellency Sir George Gipps, Knight, Captain-General, and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.*

*" MAY IT PLEASE YOUR EXCELLENCY,*

*" We, the Members of the Legislative Council of New South Wales, in Council assembled, desire to express to your Excellency our affection and loyalty to the Person and Government of our Most Gracious Sovereign, and to offer our thanks for your Excellency's Speech to this Council.*

*" In reply to that part of your Excellency's Speech which informs us that you have been compelled to call us together somewhat earlier than is usual, we beg respectfully to express our opinion that it would be conducive to the convenience of Members, and the proper dispatch of public business, to assemble the Council in future at a period even earlier than the present.*

*" The Jury Laws shall have our earliest and best consideration; but in the absence of any precise information as to the nature of the other temporary measures alluded to in your Excellency's Speech, we can only pledge ourselves to give them such attention, when brought before us, as the public interests may appear to require.*

*" The accounts of Receipt and Expenditure for the past year, as well as the Estimates for the ensuing one, will also receive our attentive consideration, as soon as the same may be laid before us. It is with satisfaction we learn that economy has been exercised in the Public Expenditure, consistent with the demands of the Public Service, and the advancing state of the Colony.*

*" We are happy to unite with your Excellency in the expression of entire confidence in the public resources of the Colony, if duly administered; and we also concur in the belief that its general affairs are now in a more healthy and prosperous state than they have been for some time past; we cannot however omit the expression of our opinion, that there can be no guarantee that this prosperity will be permanent, until the administration of the public lands of the Colony be placed upon a proper basis.*

*" We are happy to find that the low scale of duties suggested by this Council, and assented to by your Excellency during the last Session, has had the effect contemplated, and that the Revenue derived from the Duties of Customs has exceeded in the first Quarter of the present year that of the corresponding Quarter of 1845.*

*" The anxiety expressed in our opening Address of last Session, to be informed of the answers of Her Majesty's Government to the Addresses transmitted by us on various important Questions, remains unabated; nor can the deep interest which we feel in those Questions cease, until they are settled in a satisfactory manner.*

*" We cannot close this Address without adverting to the numerous and important changes which have occurred, during the period of your Excellency's administration; in the social, moral, and political condition of New South Wales, changes, from some of which we are led, in common with your Excellency, to anticipate the most favorable results."*

Moved

Moved by Mr. Allen, That the Council do adopt this Address.  
 Debate ensued.

Question put and passed; and the Colonial Secretary and the Colonial Treasurer appointed to wait upon the Governor, to ascertain when His Excellency will be pleased to receive the Address.

3. New Member sworn:—Henry Dangar, Esquire, having taken the Oath prescribed by the 25th section of the Act of Parliament, 5 & 6 Victoria, chap. 76, and delivered to the Clerk of the Council the following Declaration of his Qualification to serve in the Council, prescribed by the 3rd section of the Act of Parliament, 7 and 8 Victoria, chap. 74, took his Seat as Member for the Electoral District of the County of Northumberland, in room of William Foster, Esquire, resigned.

"I, Henry Dangar, do declare and testify, that I am duly seised at Law of in Equity of an Estate of Freehold, for my own use and benefit, in lands and tenements, in the Colony of New South Wales, of the value of two thousand pounds sterling money, above all charges and incumbrances affecting the same; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales:—And I do farther declare, that the said lands and tenements are situated at Neotsfield, in the Parish of Whittingham, and County of Northumberland, and that the said lands and tenements contain one thousand acres, more or less."

"Given under my hand, in Sydney, this thirteenth day of May, one thousand eight hundred and forty-six."

"H. DANGAR."

4. Chairman of Committees:—Moved by Mr. Cowper, that Charles Nicholson, Esq., be the Chairman of Committees of the whole Council, during the present Session.  
 Question put and passed.
5. Coal Act amendment Bill; Mr. Lowe, pursuant to Notice, moved for and obtained leave to bring in a Bill to amend the Act for the sale and delivery of Coal.
6. Defalcation of the late Registrar of the Supreme Court; Mr. Lowe withdrew from the Paper the Motion on this subject of which he had given Notice for to-day.
7. Salaries of Speaker, Chairman, and Sergeant at Arms; Mr. Wentworth postponed until to-morrow the Motion on this subject of which he had given Notice for to-day.  
 Council adjourned at seven o'Clock, until to-morrow at three o'Clock.

#### NOTICES OF MOTION.

THURSDAY, MAY 14.

1. MR. COWPER to move for leave to bring in a Bill to regulate the Licensing of Auctioneers and the collection of Duties on property sold by Auction.
2. MR. COWPER to move, That a Select Committee be appointed to complete the Inquiry which was commenced during last Session, into the extent and exercise of the powers of Legislation and Taxation possessed by the Judges of the Supreme Court.
3. MR. LOWE to move, That the Coal Act amendment Bill be read a first time.
4. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Jury Laws.
5. MR. WENTWORTH to move, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place upon the Supplementary Estimate for this year a sum of £750, to make up the Speaker's Salary to £1,500 a year; and on next year's Estimates a sum not exceeding £1,500, for the salary of Speaker; and to place on the Supplementary Estimate for this year a sum of £250, to make up the Salary of Chairman of Committees to £500 a year; and on next year's Estimates a sum not exceeding £500, for the Salary of such Chairman; and to place on the Supplementary Estimate for this year a sum of £100, to make up the Salary of the Sergeant at Arms to £200 a year; and on next year's Estimates a sum not exceeding £200, for the Salary of such Sergeant at Arms.

TUESDAY, MAY 19.

1. MR. LOWE to move, That the Select Committee appointed during the last Session to inquire into the defalcation of the late Registrar of the Supreme Court, be re-appointed.
2. MR. LOWE to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all correspondence concerning the defalcation of the late Registrar of the Supreme Court, in order that the same may be referred to the Select Committee appointed to inquire into such defalcation.

ALEX. M<sup>c</sup> LEAY,

Speaker.

VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

THURSDAY, 14 MAY, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
William Redmond Belcher:—Mr. Robinson presented a Petition from William Redmond Belcher, Clerk of the Bench and Petty Sessions at Melbourne, and also for the County of Bourke, praying that his Salary, which, by the Estimate of the Town Council of Melbourne, has been reduced to £120, may be restored to its original amount of £150 per annum; Petition read and received.
2. Tanners and Carriers:—Mr. Wentworth presented a Petition from certain Master and Journeymen Tanners and Carriers, praying the revision of the *Ad-valorem* Duties Act, 7 Victoria, No. 18, in so far as it affects their trade with Van Diemen's Land; Petition read and received.
3. Address in reply to Speech:—The Colonial Secretary reported, That the Colonial Treasurer and himself had waited upon His Excellency the Governor to ascertain when His Excellency would be pleased to receive the Address of the Council in reply to His Excellency's opening Speech, and that His Excellency had been pleased to appoint to-morrow at half-past two o'Clock; whereupon the Speaker requested that Members would be in attendance to accompany him with it to Government House.
4. Auctioneers' Licensing Bill:—Mr. Cowper having, pursuant to notice, moved for, and obtained leave to bring in "*A Bill to regulate the licensing of Auctioneers, and the collection of Duties on property sold by Auction;*" Bill read a first time; ordered to be printed, and read a second time to-morrow week.
5. Supreme Court Legislation and Taxation:—Mr. Cowper moved, pursuant to notice, That the Select Committee appointed last Session to inquire into the extent and exercise of the powers of Legislation and Taxation possessed by the Judges of the Supreme Court, be re-appointed.  
Question put and passed.
6. Coal Act amendment Bill:—Mr. Lowe moved, pursuant to notice, That the Coal Act amendment Bill be read a first time.  
Question put and passed; and Bill, intituled, "*A Bill to amend the Act for the sale and delivery of Coal,*" read a first time; ordered to be printed, and read a second time on Tuesday next.
7. Jury Laws:—The Attorney General postponed until to-morrow, the Motion on this subject of which he had given notice for to-day.
8. Salaries of Speaker, Chairman, and Sergeant at Arms:—The Speaker said, that previously to calling on Mr. Wentworth to make the motion standing in his name next in order on the Notices for the Day, for increasing the Salaries attached to the offices of Speaker, Chairman of Committees, and Sergeant at Arms, he would, with the permission of the Council, announce to them his intention to retire from the office of Speaker, after the presentation of the opening Address to His Excellency the Governor; he would thank them for the great courtesy and consideration they had always shewn him, and particularly for the flattering and unexpected compliment which had been conveyed in the assurance given to him a few days since by some influential Members, that it was the general wish of the Council he should retain the office, and whom he informed, that as his sole reason for wishing to retire from the Office of Speaker, was his consciousness of those increasing infirmities which were natural to, and inseparable from his advanced age of eighty years, and not any consideration of a pecuniary nature, he would so far comply with the general wish of the Council, as to retain office for a short while during the present Session, but only on the distinct understanding, that no increase should be made to his Salary, as was proposed by the Motion which he should now call upon Mr. Wentworth to move, and which, if carried, would induce him instantly to resign.  
Whereupon Mr. Wentworth—having by leave of the Council altered his Motion so as that if carried it should not affect the present Speaker—moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that His Excellency will be pleased to place upon next year's Estimates a sum not exceeding £1500, for the Salary of Speaker; and to place on the Supplementary Estimate for this year a sum of £250, to make up the Salary of Chairman of Committees to £500 a year; and on next year's Estimates a sum not exceeding £500, for the Salary of such Chairman; and to place on the Supplementary Estimate for this year a sum of £100, to make up the Salary of the Sergeant at Arms to £200 a year; and on next year's Estimates a sum not exceeding £200, for the Salary of such Sergeant at Arms.  
Debate ensued.  
Motion by leave withdrawn.
9. Jury Laws:—The Attorney General further postponed his motion on this subject, until Tuesday next.  
Council adjourned at seven o'Clock, until to-morrow, at a quarter after two o'Clock.



## NOTICES OF MOTION AND ORDERS OF THE DAY.

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FRIDAY, MAY 15.

## ORDER OF THE DAY :—

1. Presentation of the Address to the Governor.
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TUESDAY, MAY 19.

## NOTICES OF MOTION :—

1. MR. LOWE to move, That the Select Committee appointed during the last Session to inquire into the defalcation of the late Registrar of the Supreme Court, be re-appointed.
2. MR. LOWE to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all correspondence concerning the defalcation of the late Registrar of the Supreme Court, in order that the same may be referred to the Select Committee appointed to inquire into such defalcation.
3. MR. WENTWORTH to move for leave to bring in a Bill to regulate the sale of fermented and spirituous liquors in New South Wales.
4. THE COLONIAL SECRETARY to move, That Wednesdays and Thursdays shall be the days for the dispatch of Government business during the present Session.
5. THE COLONIAL SECRETARY to move for leave to bring in a Bill for the renewal of the Bushranging Act.
6. THE COLONIAL SECRETARY to move, That the Standing Orders Committee of last Session be re-appointed.
7. DR. NICHOLSON to move, That the Library Committee of last Session, be re-appointed.
8. MR. COWPER, to move, That the Committee of Correspondence with the Honorable Francis Scott, M. P., be re-appointed.
9. MR. WINDEYER to move for leave to bring in a Bill to amend the law respecting the recovery of small debts in all parts of the Colony except the County of Cumberland.
10. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Jury Laws.

## ORDERS OF THE DAY :—

1. Coal Act amendment Bill; second reading.
- 

FRIDAY, MAY 22.

1. Auctioneers' Licensing Bill; second reading.

ALEX. M<sup>c</sup> LEAY,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

FRIDAY, 15 MAY, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Address in reply to Speech:—The Council proceeded to Government House to present to His Excellency the Governor, their Address in reply to His Excellency's opening Speech.

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

"MR. SPEAKER AND GENTLEMEN,"

"I thank you for this Address, and for the expressions contained in it of loyalty and attachment to the Person and Government of our Most Gracious Sovereign."

"I have received the Answers which Her Majesty has been advised to return to the Addresses from the Legislative Council, to which you have alluded; and I shall lose no time in obeying the commands which I have received from Her Majesty to lay these Answers before the Council."

"GEORGE GIPPS."

"Government House,"

"Sydney, 15th May, 1846."

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

- (1.) Answers to the Council's Addresses to Her Majesty.

*Message from His Excellency the Governor, to the Legislative Council, communicating to the Council the Answers which the Queen has been pleased to return to various Addresses from the Council to Her Majesty, forwarded by the Governor at the request of the Council, in the Year 1844.*

GENTLEMEN,

I have herewith the honor to transmit to you, Copies of five Despatches from Her Majesty's Principal Secretary of State for the Colonies, containing Her Majesty's answers to various Addresses, which, at the request of the Council, I transmitted to His Lordship for presentation to Her Majesty, towards the close of the year 1844. The Despatches are respectively dated the 18th, 19th, and 20th August, and the 1st and 5th September, 1845; and as they are addressed to me, in answer to Despatches from myself to the Secretary of State, I think it right also to transmit to the Council, Copies of these last named Despatches.

GEORGE GIPPS.

Government House,

Sydney, 15th May, 1846.

Ordered to be printed, together with its accompanying Despatches.

- (2.) Crown Lands occupation and Border Police Act continuation Bill.

*Message from His Excellency the Governor, to the Legislative Council, on presenting to the Council a Bill to continue for one year, "An Act further to restrain the unauthorised occupation of Crown Lands, and to provide the means of defraying the expense of a Border Police."*

GENTLEMEN,

Agreeably to the provisions of the 30th clause of the Act for the Government of New South Wales, 5th and 6th Victoria, chap. 76, I herewith transmit to you a project of a law, intitled, "A Bill to continue for one year, An Act further to restrain the unauthorised occupation of Crown Lands, and to provide the means of defraying the expense of a Border Police."

GEORGE GIPPS.

Government House,

Sydney, 15th May, 1846.

Ordered to be printed, and taken into consideration on Wednesday next.

(3.)

(3.) Savings' Banks Act amendment Bill.  
*Message from His Excellency the Governor, to the Legislative Council, on presenting to the Council "A Bill to amend an Act, intituled, 'An Act to amend the laws relating to the Savings' Bank of New South Wales and Port Phillip respectively.'"*

GENTLEMEN,

Agreeably to the provisions of the 30th Clause of the Act for the Government of New South Wales, 5th and 6th Victoria, chap. 76, I herewith transmit to you a project of a law intituled, "A Bill to amend an Act, intituled, 'An Act to amend the laws relating to the Savings' Bank of New South Wales and Port Phillip respectively.'"

GEORGE GIPPS.

*Government House,  
 Sydney, 15th May, 1846.*

Ordered to be printed, and taken into consideration on Wednesday next.

(4.) Defalcation of the late Registrar of the Supreme Court.

*Message from His Excellency the Governor, to the Legislative Council, communicating to the Council a Despatch which His Excellency had received from Her Majesty's Principal Secretary of State for the Colonies, on the subject of the defalcation of the late Registrar of the Supreme Court.*

GENTLEMEN,

On the 27th August, 1844, an Address was presented to me by the Council, praying that I would obtain information in respect to the proceedings which might have been adopted in England against the Sureties of Mr. John Edye Manning, late Registrar of the Supreme Court of New South Wales.

Having communicated to Her Majesty's Principal Secretary of State a Copy of that Address, and received an Answer to it from the Right Honorable Lord Stanley, I transmit to the Council herewith a Copy of that Answer, together with Copies of various Enclosures, by which it was accompanied.

GEORGE GIPPS.

*Government House,  
 Sydney, 15th May, 1846.*

Ordered to be printed, together with the accompanying Despatch, and its enclosures.

(5.) Desertion of Foreign Seamen prevention Bill.

*Message from His Excellency the Governor, to the Legislative Council, on presenting to the Council a Bill to prevent the desertion of seamen belonging to Foreign Vessels.*

GENTLEMEN,

Agreeably to the provisions of the 30th Clause of the Act for the Government of New South Wales, 5th and 6th Victoria, chap. 76, I herewith present to you a project of a Law, intituled, "A Bill to prevent the desertion of seamen belonging to Foreign Vessels."

GEORGE GIPPS.

*Government House,  
 Sydney, 15th May, 1846.*

Ordered to be printed, and taken into consideration on Thursday next.

(6.) Lunatics' Act amendment Bill.

*Message from His Excellency the Governor, to the Legislative Council, on presenting to the Council a Bill to amend An Act, intituled, "An Act to make provision for the safe custody of, and prevention of offences by, persons dangerously insane; and for the care and maintenance of persons of unsound mind."*

GENTLEMEN,

Agreeably to the provisions of the 30th Clause of the Act for the Government of New South Wales, 5th and 6th Victoria, chap. 76, I herewith transmit to you a project of a Law, intituled, "A Bill to amend an Act, intituled, 'An Act to make provision for the safe custody of, and prevention of offences by, persons dangerously insane; and for the care and maintenance of persons of unsound mind.'"

GEORGE GIPPS.

*Government House,  
 Sydney, 15th May, 1846.*

Ordered to be printed, and taken into consideration on Thursday next.

(7.)

## (7.) Gunpowder Sales Bill.

Message from His Excellency the Governor, to the Legislative Council, on presenting to the Council "A Bill to authorise the sale of certain Gunpowder deposited in Her Majesty's Powder Magazine."

GENTLEMEN,

Agreeably to the provisions of the 30th clause of the Act for the Government of New South Wales, 5th and 6th Victoria, chap. 76, I herewith present to you a project of a law, intituled, "A Bill to authorise the sale of certain Gunpowder deposited in Her Majesty's Powder Magazine."

GEORGE GIPPS.

Government House,  
Sydney, 15th May, 1846.

Ordered to be printed, and taken into consideration on Thursday next.

Council adjourned at four o'clock, until Tuesday next, at three o'clock, with the understanding that on that day the Council, before proceeding to the dispatch of other business, will receive the resignation of The Honorable Alexander McLeay, Esquire, as Speaker, and proceed to the Election of some other Member to succeed him in that Office.

### NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MAY 19.

MEMO:—It is understood that before proceeding to other business, the Council will receive the resignation of the Speaker, and proceed to the Election of his Successor.

NOTICES OF MOTION:—

1. MR. LOWE to move, That the Select Committee appointed during the last Session to inquire into the defalcation of the late Registrar of the Supreme Court, be re-appointed.
2. MR. LOWE to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all correspondence concerning the defalcation of the late Registrar of the Supreme Court, in order that the same may be referred to the Select Committee appointed to inquire into such defalcation.
3. MR. WENTWORTH to move for leave to bring in a Bill to regulate the sale of fermented and spirituous liquors in New South Wales.
4. THE COLONIAL SECRETARY to move, That Wednesdays and Thursdays shall be the days for the dispatch of Government business during the present Session.
5. THE COLONIAL SECRETARY to move for leave to bring in a Bill for the renewal of the Bushranging Act.
6. THE COLONIAL SECRETARY to move, That the Standing Orders Committee of last Session be re-appointed.
7. DR. NICHOLSON to move, That the Library Committee of last Session, be re-appointed.
8. MR. COWPER, to move, That the Committee of Correspondence with the Honorable Francis Scott, M. P.; be re-appointed.
9. MR. WINDEYER to move for leave to bring in a Bill to amend the law respecting the recovery of small debts in all parts of the Colony except the County of Cumberland.
10. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Jury Laws.

ORDERS OF THE DAY:—

1. Coal Act amendment Bill; second reading.

WEDNESDAY, MAY 20.

1. Consideration of Governor's Message with Crown Lands' Occupation and Border Police Act continuation Bill
2. Consideration of Governor's Message with Savings' Banks Act amendment Bill.

THURSDAY, MAY 21.

1. Consideration of Governor's Message with Desertion of Foreign Seamen prevention Bill.
2. Consideration of Governor's Message with Lunatics Act amendment Bill.
3. Consideration of Governor's Message with Gunpowder Sales Bill.

FRIDAY, MAY 22.

1. Auctioneers' Licensing Bill; second reading.

ALEX. McLEAY,

Speaker.

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

In the second section, the author details the various methods used to collect and analyze the data. This includes both manual and automated techniques. The goal is to ensure that the information gathered is both reliable and comprehensive.

The third part of the report focuses on the results of the analysis. It shows a clear upward trend in the data over the period studied. This suggests that the implemented measures are having a positive impact on the overall performance.

Finally, the document concludes with a series of recommendations for future work. It suggests that further research should be conducted to explore the long-term effects of the current strategies. Additionally, it recommends regular audits to maintain the integrity of the data.

VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

TUESDAY, 19 MAY, 1846.

1. **Speakership** :—The Council met pursuant to adjournment; the Speaker having taken the Chair—said—although, in consequence of the alteration made at his suggestion in the Motion of the Honorable and learned Member for Sydney, (Mr. Wentworth,) on Thursday last, he was not personally interested in the Debate which followed—yet that Debate had led to the expression of gratifying sentiments towards himself, for which he would now return his sincere thanks. He had a debt to discharge to the Honorable and learned gentleman who had brought forward that Motion, and he would do so by expressing in the warmest language he could command, his thanks for the candid and generous manner in which the Honorable and learned Member had expressed his opinion of his conduct in the Chair. He had also a debt of gratitude to discharge to Mr. Robinson and Dr. Nicholson, both of whom did their utmost to persuade him to retain office; and it was not, until after repeated assurances to Dr. Nicholson that he could not comply with his flattering solicitations, that that gentleman became himself a Candidate for the Chair of the House. He felt assured, from the subsequent courteous and conciliating conduct of those gentlemen who had opposed his election to the Chair in their first Session, that that opposition had proceeded from a conscientious conviction on their minds that the Chair would be more worthily occupied by some other Member of the House. He would proffer to the Council his best thanks for their unbounded indulgence to him while he had had the honor of occupying the Chair as their Speaker; and wishing them every success in their efforts to promote the welfare of this young and prosperous community, whoever should be their Speaker, he would now with their permission resign the Chair :—  
Whereupon Mr. M'Leay vacated the Chair, and it was proposed by Mr. Cowper, (who addressed himself to the Clerk at the head of the Table,) and seconded by Mr. Murray, That Charles Nicholson, Esquire, do take the Chair as Speaker of this Council.  
Question put by the Clerk by order of the Council, That Charles Nicholson, Esquire, do take the Chair as Speaker of this Council. Passed.  
The Speaker Elect having been conducted to the Chair by his proposer and seconder, expressed his thanks for the high honor the Council had been pleased to confer on him :—  
Mr. Windoyer having congratulated the Speaker elect, on his elevation to so highly important and honorable an office—  
Council adjourned at twenty minutes before four o'clock, until to-morrow at Three o'clock, when the proposer and seconder will communicate to the Council the Governor's pleasure, as to when he will receive the Speaker elect.

NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MAY 20.

**MEMO** : The Governor's pleasure as to when he will receive the Speaker elect will be communicated to the Council.

**NOTICES OF MOTION** :—

1. **MR. LOWE** to move, That the Select Committee appointed during the last Session to inquire into the defalcation of the late Registrar of the Supreme Court, be re-appointed.
2. **MR. LOWE** to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House, Copies of all correspondence concerning the defalcation of the late Registrar of the Supreme Court, in order that the same may be referred to the Select Committee appointed to inquire into such defalcation.
3. **MR. WENTWORTH** to move for leave to bring in a Bill to regulate the sale of fermented and spirituous liquors in New South Wales.
4. **THE COLONIAL SECRETARY** to move, That Wednesdays and Thursdays shall be the days for the dispatch of Government business during the present Session.

5. THE COLONIAL SECRETARY to move for leave to bring in a Bill for the renewal of the Bushranging Act.
6. THE COLONIAL SECRETARY to move, That the Standing Orders Committee of last Session be re-appointed.
7. DR. NICHOLSON to move, That the Library Committee of last Session, be re-appointed.
8. MR. COWPER, to move, That the Committee of Correspondence with the Honorable Francis Scott, M. P., be re-appointed.
9. MR. WINDEYER to move for leave to bring in a Bill to amend the law respecting the recovery of small debts in all parts of the Colony except the County of Cumberland.
10. THE ATTORNEY GENERAL to move for leave to bring in a Bill to consolidate and amend the Jury Laws.

ORDERS OF THE DAY:—

1. Consideration of Governor's Message with Crown Lands' Occupation and Border Police Act continuation Bill
2. Consideration of Governor's Message with Savings' Banks Act amendment Bill.
3. Coal Act amendment Bill; second reading.

THURSDAY, MAY 21.

1. Consideration of Governor's Message with Desertion of Foreign Seamen prevention Bill.
2. Consideration of Governor's Message with Lunatics Act amendment Bill.
3. Consideration of Governor's Message with Gunpowder Sales Bill.

FRIDAY, MAY 22.

1. Auctioneers' Licensing Bill; second reading.

WM. MACPHERSON,  
Clerk of Legislative Council.

13.

VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 20 MAY, 1846.

1. **Speaker Elect** :—The Council met pursuant to adjournment; and the Speaker Elect having taken the Chair, it was announced by his proposer and seconder, that they had ascertained it to be the pleasure of His Excellency the Governor to receive the Speaker Elect to-day, at half-past three o'clock.  
Whereupon the proposer and seconder, together with the Council, accompanied the Speaker Elect to the Governor.  
The Council having returned, the Speaker announced that he had presented himself to His Excellency the Governor, as the Speaker duly chosen by the Council, and that His Excellency had been pleased to confirm their choice.  
The Speaker then repeated his acknowledgments to the Council.
2. **Defalcation of the late Registrar of the Supreme Court** :—Mr. Lowe withdrew from the Paper the Motion, on this subject, of which he had given notice for to-day, and substituted therefor, the Motion of which he had given notice for Wednesday, May 13.
3. **Answer to the Council's Petition to the Queen** :—The Colonial Secretary, by command of His Excellency the Governor, laid upon the Table two Despatches from Lord Stanley, Secretary of State for the Colonies, to His Excellency Governor Sir George Gipps, dated respectively 7th August, 1845, No. 99, and 30th August, 1845, No. 102, in answer to the Council's Petition to Her Majesty on the subject of Crown Lands Grievances.  
Despatches, and accompanying Bill, ordered to be printed.
4. **Crown Lands Occupation and Border Police Act continuation Bill** :—The Colonial Secretary postponed his motion on this subject until this day week.
5. **Ordinance** :—The Colonial Secretary laid upon the Table :—  
(1.) A Return of all Monies received by, or payable to, the respective officers of Her Majesty's Ordinance, under the provisions of the Act 4 Victoria, No. 2.  
(2.) A Return of all Messuages, Lands, Tenements, and Buildings, vested in such officers under the said Act.  
Ordered to be printed.
6. **Bank Liabilities and Assets** :—The Colonial Secretary, pursuant to the requirement of the Act of Council, 4 Victoria, No. 13, laid upon the Table, the following Returns :—  
(1.) General Abstract of the sworn Returns of the average Assets and Liabilities, and of the Capital and Profits of the several Banks in the Colony of New South Wales, for the Quarter ended 31st December, 1845.  
(2.) General Abstract of the sworn Returns of the average Assets and Liabilities, and of the Capital and Profits of the several Banks in the Colony of New South Wales, for the Quarter ended 31st March, 1846.  
Ordered to be printed.
7. **Statistical Returns** :—The Colonial Secretary stated, that the annual Statistical Returns were in course of preparation, and he hoped shortly to be able to lay them upon the Table.
8. **Issue of Depasturing Licenses** :—The Colonial Secretary laid upon the Table part Return to the Address on this subject adopted on the motion of Mr. Cowper, on the 4th November, 1845, and stated that so soon as the Port Phillip portion of the Papers required should be completed, he would lay them upon the Table, in completion of the Return to the Address.  
Ordered to be printed.
9. **Passage of Henry Hovenden to New South Wales** :—The Colonial Secretary laid upon the Table, a Despatch from Lord Stanley, Secretary of State for the Colonies, to His Excellency Governor Sir George Gipps, dated 28th August, 1845, No. 93, on the subject of the expense of the passage to New South Wales of Henry Hovenden, a disabled seaman, and a Native of the Colony.  
Ordered to be printed.
9. **Publicans Licensing Bill** :—Mr. Wentworth having, pursuant to notice, moved for and obtained leave to bring in "A Bill to regulate the sale of fermented and spirituous liquors in New South Wales;" Bill read a first time; ordered to be printed, and read a second time on Tuesday next.
10. **Government Business** :—The Colonial Secretary moved, pursuant to notice, That Wednesdays and Thursdays shall be the days for the dispatch of Government business during the present Session.  
Question put and passed.



11. Bushranging Act Continuation Bill :—The Colonial Secretary having, pursuant to notice, moved for and obtained leave to bring in “ *A Bill to continue for two years “ An Act to facilitate the apprehension of transported felons and offenders illegally “ at large, and of persons found with arms and suspected to be robbers ;”* Bill read a first time ; ordered to be printed, and read a second time to-morrow.
12. Standing Orders Committee :—The Colonial Secretary moved, pursuant to notice, That the Standing Orders Committee of last Session, be re-appointed.  
Question put and passed.
13. Library Committee :—The motion on this subject standing on the notices for the day, in the name of Dr. Nicholson, lapsed in consequence of his election to the Speaker’s Chair.
14. Small Debts :—Mr. Lowe, in absence of Mr. Windeyer, postponed until to-morrow the motion on this subject standing in Mr. Windeyer’s name on the notices for to-day.
15. Correspondence Committee :—Moved by Mr. Cowper, pursuant to notice, That the Committee of Correspondence with the Honorable Francis Scott, M. P., be re-appointed.  
Debate ensued.  
Motion by leave withdrawn.
16. Jury Laws Consolidation Bill :—The Attorney General having, pursuant to notice, moved for and obtained leave to bring in “ *A Bill to consolidate and amend the laws “ relating to Juries and Jurors in New South Wales ;”* Bill read a first time, and ordered to be printed.
17. Chairman of Committees :—The Speaker reminded the Council of the necessity of shortly electing some Member to succeed him in the office of Chairman of Committees, which had become vacant by his elevation to the Speaker’s Chair.
18. Savings Banks’ Act amendment Bill :—The Governor’s Message with this Bill, dated the 15th instant, having been read, on Motion of the Colonial Secretary, Bill intituled, “ *A Bill to amend an Act, intituled, ‘ An Act to amend the Laws relating to the “ ‘ Savings’ Bank of New South Wales and Port Phillip respectively ;’*” read a first time ; ordered to be printed, and read a second time to-morrow week.
19. Coal Act amendment Bill, having, on motion of Mr. Lowe, been read a second time, the Council resolved itself into Committee for consideration thereof, with Mr. Cowper in the Chair.  
The Chairman having reported the Bill with amendments, Bill ordered to be engrossed, and read a third time on Friday next.  
Council adjourned at half-past five o’clock, until to-morrow at three o’clock.

NOTICES OF MOTION AND ORDERS OF THE DAY,

THURSDAY, MAY 21.

NOTICES OF MOTION :—

1. MR. COWPER to move, That the Library Committee of last Session be re-appointed.
2. MR. WINDEYER to move for leave to bring in a Bill to amend the law respecting the recovery of small debts in all parts of the Colony except the County of Cumberland.
3. THE COLONIAL SECRETARY to move the appointment of some Member of the Council to the Office of Chairman of Committees, vacated by the election of Dr. Nicholson to that of Speaker.

ORDERS OF THE DAY :—

1. Consideration of Governor’s Message with Desertion of Foreign Seamen prevention Bill.
2. Consideration of Governor’s Message with Lunatics Act amendment Bill.
3. Consideration of Governor’s Message with Gunpowder Sales Bill.
4. Bushranging Act Continuation Bill ; second reading.

FRIDAY, MAY 22.

NOTICES OF MOTION :—

1. MR. WENTWORTH to move, That a Select Committee be appointed to inquire into and report upon the state of the public Roads and Bridges, and the best mode of putting and keeping them in repair.
2. MR. MURRAY to move for leave to bring in a Bill to amend an Act passed in the last Session, intituled, “ *An Act to amend and consolidate the laws between masters and ser- “ vants in New South Wales.*”
3. MR. LOWE to move, That the Council do adopt the Address to Her Majesty agreed to by the Select Committee appointed in the last Session of the Council, of the 6th November, 1845 ; and that the same Address, *mutatis mutandis*, be presented to both Houses of Parliament.

ORDERS OF THE DAY :—

1. Auctioneers’ Licensing Bill ; second reading.
2. Coal Act amendment Bill ; third reading.

TUESDAY,

TUESDAY, MAY 26.

1. Publicans Licensing Bill; second reading.

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WEDNESDAY, MAY 27.

NOTICE OF MOTION:—

1. THE ATTORNEY GENERAL to move, That the Jury Laws consolidation Bill be referred to the consideration of a Select Committee.

ORDERS OF THE DAY:—

1. Consideration of Governor's Message with Crown Lands' Occupation and Border Police Act continuation Bill

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THURSDAY, MAY 28.

1. Savings' Bank Act amendment Bill; second reading.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

THURSDAY, 21 MAY, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
New Member sworn:—The Speaker having reported that he held in his hand a writ, certifying the return of Edward Jones Brewster, Esquire, as a Member of the Council for the Electoral District of Port Phillip—Edward Jones Brewster, Esquire, took the Oath prescribed by the 25th section of the Act of Parliament, 5 & 6 Victoria, chap. 76, and delivered to the Clerk of the Council, the following Declaration of his Qualification to serve in the Council, prescribed by the 3rd section of the Act of Parliament, 7 & 8 Victoria, chap. 74, and then took his Seat as Member for the Electoral District of Port Phillip, in room of Thomas Elder Boyd, Esquire, resigned.

" I, Edward Jones Brewster, do declare and testify, that I am duly seised at Law or in Equity of an Estate in Freehold, for my own use and benefit, in lands or tenements, in the Colony of New South Wales, of the value of two thousand pounds sterling, above all charges and incumbrances affecting the same, namely—Freeholds, in two hundred and thirty acres of land, in the parish of Dousta Galla—four hundred and thirty-seven acres, in the parish of Morang—twenty-two acres, in the parish of Pabran—Allotments number five of section number eight—number fourteen of section number eleven—number fourteen of section number six—number one of section number thirty-two, in the Town of Melbourne, all in the County of Bourke and District of Port Phillip; and that I have not collusively or colourably obtained a title to, or become possessed of the said lands and tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Council of the Colony of New South Wales."

" EDWD. J. BREWSTER."

" May 21st, 1846."

2. Library Committee:—Mr. Cowper moved, pursuant to notice, That the Library Committee of last Session, be re-appointed.  
Question put and passed.
3. Small Debts:—Mr. Cowper, in absence, of Mr. Windeyer, postponed until to-morrow, the Motion on this subject, standing in Mr. Windeyer's name on the Notices for to-day.
4. Chairman of Committees:—The Colonial Secretary postponed his motion on this subject, until this day week.
5. Desertion of Foreign Seamen prevention Bill:—The Governor's Message with this Bill, dated the 15th instant, read, on motion of the Colonial Secretary.  
The Colonial Secretary having laid upon the Table a statement of Foreign Whalers that have refreshed at Port Jackson during the last three years—  
Moved, that the Bill which accompanied the Governor's Message, be now read a first time.  
Debate ensued.  
Question put and passed; and Bill, intituled, "*A Bill to prevent the desertion of Seamen belonging to Foreign Vessels,*" read a first time; ordered to be printed, and read a second time on this day week.
6. Lunatics' Act amendment Bill; The Governor's Message with this Bill, dated the 15th instant, read, on motion of the Colonial Secretary.  
Moved by the Colonial Secretary, that the Bill which accompanied the Governor's Message, be now read a first time.  
Debate ensued.  
Question put and passed; and Bill intituled, "*A Bill to amend an Act intituled, 'An Act to make provision for the safe custody of, and prevention of offences by, persons dangerously insane; and for the care and maintenance of persons of unsound mind;'*" read a first time; ordered to be printed, and read a second time on this day week.
7. Gunpowder Sales' Bill; The Governor's Message with this Bill, dated the 15th instant, read, on motion of the Colonial Secretary.  
Moved by the Colonial Secretary, That the Bill which accompanied the Governor's Message, be now read a first time.  
Debate ensued.  
Question put and passed; and Bill, intituled, "*A Bill to authorise the sale of certain Gunpowder deposited in Her Majesty's Powder Magazine;*" read a first time.  
Moved by the Colonial Secretary, That the Bill be read a second time on this day week.  
Debate ensued.  
Question put and passed.

8. Bushranging Act continuation Bill having, on motion of the Colonial Secretary, been read a second time, the Council resolved itself into Committee for consideration thereof, with Mr. Cowper in the Chair.  
The Chairman having reported the Bill with amendments, Bill ordered to be engrossed, and read a third time on this day week.  
Council adjourned at five o'clock, until to-morrow at three o'clock.

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NOTICES OF MOTION AND ORDERS OF THE DAY.

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FRIDAY, MAY 22.

NOTICES OF MOTION:—

1. MR. WENTWORTH to move, That a Select Committee be appointed to inquire into and report upon the state of the public Roads and Bridges, and the best mode of putting and keeping them in repair.
2. MR. MURRAY to move for leave to bring in a Bill to amend an Act passed in the last Session, intituled, "*An Act to amend and consolidate the laws between masters and servants in New South Wales.*"
3. MR. LOWE to move, That the Council do adopt the Address to Her Majesty agreed to by the Select Committee appointed in the last Session of the Council, of the 6th November, 1845; and that the same Address, *mutatis mutandis*, be presented to both Houses of Parliament.
4. MR. WINDEYER to move for leave to bring in a Bill to amend the law respecting the recovery of small debts in all parts of the Colony except the County of Cumberland.

ORDERS OF THE DAY:—

1. Auctioneers' Licensing Bill; second reading.
2. Coal Act amendment Bill; third reading.

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TUESDAY, MAY 26.

1. Publicans Licensing Bill; second reading.

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WEDNESDAY, MAY 27.

NOTICE OF MOTION:—

1. THE ATTORNEY GENERAL to move, That the Jury Laws consolidation Bill be referred to the consideration of a Select Committee.

ORDER OF THE DAY:—

1. Consideration of Governor's Message with Crown Lands' Occupation and Border Police Act continuation Bill

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THURSDAY, MAY 28.

NOTICE OF MOTION:—

1. THE COLONIAL SECRETARY to move the appointment of some Member of the Council to the Office of Chairman of Committees, vacated by the election of Dr. Nicholson to that of Speaker.

ORDERS OF THE DAY:—

1. Savings' Bank Act amendment Bill; second reading.
2. Desertion of Foreign Seamen prevention Bill; second reading.
3. Lunatics' Act amendment Bill; second reading.
4. Gunpowder Sales Bill; second reading.
5. Bushranging Act continuation Bill; third reading.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

FRIDAY, 22 MAY, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Roads and Bridges :—Mr. Wentworth moved, pursuant to notice, seconded by Mr. Lord, That a Select Committee, to consist of seven Members, including the mover and seconder, be appointed to inquire into and Report upon the state of the public Roads and Bridges, and the best mode of putting and keeping them in repair—with an instruction to Report within two months.  
Debate ensued.  
Question put and passed, and the following Committee appointed accordingly :—

MR. WENTWORTH,

MR. LORD,  
MR. COWPER,  
MR. DANGOAR,

MR. MURRAY,  
CAPTAIN DUMARESQUÉ,  
CAPTAIN O'CONNELL.

2. Masters and Servants Act :—Mr. Murray withdrew from the Paper the Motion on this subject standing in his name on the Notices for to-day.
3. Defalcation of the late Registrar of the Supreme Court :—Mr. Lowe moved, pursuant to notice, That the Council do adopt the Address to Her Majesty agreed to by the Select Committee appointed in the last Session of the Council, of the 6th November, 1845; and that the same Address, *mutatis mutandis*, be presented to both Houses of Parliament.  
Debate ensued.  
Moved, That the Address be read.  
Question put and passed, and the Address accordingly read as follows :—

“ MOST GRACIOUS SOVEREIGN,

“ We, your Majesty's most dutiful and loyal subjects, the Legislative Council of New South Wales, in Council assembled, beg to inform your Majesty, that John Edge Manning, Esq., was, in 1828, appointed Registrar of the Supreme Court; and, as the holder of such appointment, was empowered by their Honors the Judges to collect the effects of persons dying intestate.

“ That Mr. Manning, in the year 1811, executed a deed of assignment of all his property for the benefit of his creditors; and that in 1823, upon his return from an eight years' residence on the continent, he took the benefit of the Act for the relief of Insolvent Debtors.

“ That in December, 1841, Mr. Manning was discovered to have applied to his own use £9,996 16s. 4d., the property of intestate persons, collected by him.

“ That in March, 1842, Mr. Manning was declared insolvent, and that his estate has since paid two dividends, one of 6d. and the other of 1½d. in the pound.

“ That during the whole period, from 1828 to 1841, Mr. Manning was in the habit of keeping but one account at his banker's, for monies received and paid by him in his public and private capacity; that he had neither day-book, ledger, nor cash book; and that the book of accounts left by him on his suspension is so loose, inaccurate, and unsatisfactory, as not to deserve the name of an account at all.

“ That in 1838, the Judges made Rules, requiring Mr. Manning to pass his accounts before a Judge, and pay the balance found due into the Savings' Bank.

“ That Mr. Manning remonstrated against these Rules, as threatening to take from him a source of legitimate income, on the faith of which he immigrated to the Colony; and intimated that, unless he was permitted to retain and make use of the money himself, he would use no exertions to obtain it.

“ That on the audit of Mr. Manning's proceedings, held under the abovementioned Rules, in September, 1838, the Judges discovered that this Officer had been in the habit of receiving money of intestate persons without keeping any regular or intelligible account of it; and that at this audit, Mr. Manning reported himself to be in the possession of £1,989 17s. 0½d., whereas the Court, after argument and exceptions allowed, ordered him to pay over £3,035 18s. 2d., thus increasing the amount of his liability by nearly £1,100.

That

That notwithstanding these circumstances, sufficient, it would seem, to raise a violent suspicion, Mr. Manning was allowed to remain in possession of his office, and thus, not only to appropriate to his own use the personal property of intestate persons, but also their real estate, to a much larger amount, from the facility of obtaining powers of Attorney which his highly confidential situation under government afforded.

That it appears, from the facts above stated, that Mr. Manning was a person disqualified by his previous career for situations of trust, but that, nevertheless, in his case, the most flagrant violation of duty was allowed to pass uncondemned; and that it is only just that those who sent this officer to this colony, under such circumstances, should make good to the widows and orphans of intestate persons, whom he has in too many instances reduced to poverty, the wrongs which his high official situation has enabled him to commit.

We therefore humbly pray, that your Majesty will take the premises into your favorable consideration, and take such steps for relieving the sufferers by, Mr. Manning's defalcation, as to your Majesty shall seem meet.

Original question put and passed.

Moved by Mr. Lowe, That an Address be presented to His Excellency the Governor, requesting him to forward this Address to Her Majesty.

Question put and passed; and Addresses ordered to be presented to His Excellency the Governor, by the Speaker and Mr. Lamb.

Moved by Mr. Lowe, That the Addresses to both Houses of Parliament, be forwarded by the Speaker.

Question put and passed.

4. Township of Paterson:—Mr. Windeyer presented a Petition from the Proprietors of the Township of Paterson, stating that the Burial Ground of the Church of England has been consecrated in the centre of the Township, to the great detriment of their properties, and praying protection from the loss they must sustain if such Burying Ground be used for the purposes of sepulture; Petition read and received.

5. Small Debts Bill:—Mr. Windeyer having, pursuant to notice, moved for and obtained leave to bring in "A Bill to amend the Law respecting the recovery of Small Debts, in all parts of the Colony, except the County of Cumberland;" Bill read a first time; ordered to be printed, and read a second time on this day three weeks.

6. Auctioneers' Licensing Bill, on motion of Mr. Cowper, read a second time; to be considered in Committee on Tuesday next.

7. Coal Act Amendment Bill:—Moved by Mr. Lowe that this Bill be recommitted for further consideration to a Committee of the whole Council, with Mr. Cowper in the Chair.

Question having been put and passed, the Council resolved itself into Committee accordingly.

The Chairman again reported the Bill, with an additional amendment.

Moved by Mr. Lowe that the Bill be now read a third time.

The Speaker having announced that the Chairman had certified that he had examined the engrossment, and found it to be in accordance with the Bill, as reported by the Committee; Question put and passed, and Bill read a third time.

Moved by Mr. Lowe that the Bill do now pass.

Question put and passed; Bill passed.

Moved by Mr. Lowe that the Bill be presented to His Excellency the Governor, for the Royal Assent, by the Speaker, the Colonial Secretary, and the Colonial Treasurer.

Question put and passed.

Council adjourned at half past five o'clock, until Tuesday next, at three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, MAY 26.

### NOTICES OF MOTION:—

1. MR. DANGAR to move, That an Address be presented to His Excellency the Governor, requesting that his Excellency will be pleased to cause to be laid upon the Table of this House, a Nominal Return of all Ministers of Religion receiving stipends from the Government, under the Church Act, 7 William IV., No. 3,—distinguishing the religious communion to which they belong;—the Church or District for which they are paid;—and stating the number of adult population who may have subscribed to the declaration required to entitle each Minister to his stipend,—and the period at which such declaration was made.
2. MR. COWPER to move, That a Select Committee be appointed to inquire into the management and condition of the Lunatic Asylum, Tarban Creek, with instructions to take Evidence, and report whether the system therein adopted requires modification, and how far the buildings are suitable or sufficient for the proper treatment and classification of the lunatics.

3. Mr. COWPER to move, That an Address be presented to his Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all sums of money raised by assessment upon stock beyond the Boundaries of Location, under the Act of Council 2 Vic, No. 27, specifying the amount raised and expended in each District, and distinguishing the sums paid for Salaries and Allowances (if any) to the Commissioners, from the cost of the Border Police.

ORDERS OF THE DAY:—

- 1. Publicans Licensing Bill; second reading.
- 2. Auctioneers' Licensing Bill; to be considered in Committee.

WEDNESDAY, MAY 27.

NOTICE OF MOTION:—

- 1. THE ATTORNEY GENERAL to move, That the Jury Laws consolidation Bill be referred to the consideration of a Select Committee.

ORDER OF THE DAY:—

- 1. Consideration of Governor's Message with Crown Lands' Occupation and Border Police Act continuation Bill

THURSDAY, MAY 28.

NOTICES OF MOTION:—

- 1. THE COLONIAL SECRETARY to move the appointment of some Member of the Council to the Office of Chairman of Committees, vacated by the election of Dr. Nicholson to that of Speaker.
- 2. MR. LAMB to move, when the Gunpowder Sales Bill shall have been read a second time, That Evidence be heard at the Bar of the House, as to the effect of the rent on that article now paid to the Ordnance Department.

ORDERS OF THE DAY:—

- 1. Savings' Bank Act amendment Bill; second reading.
- 2. Desertion of Foreign Seamen prevention Bill; second reading.
- 3. Lunatics' Act amendment Bill; second reading.
- 4. Gunpowder Sales Bill; second reading.
- 5. Bushranging Act continuation Bill; third reading.

FRIDAY, JUNE 5.

NOTICE OF MOTION:—

- 1. MR. GRANT to move, That the monopoly of Coal so long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.

FRIDAY, JUNE 12.

ORDER OF THE DAY:—

- 1. Small Debts Bill; second reading.

CHARLES NICHOLSON,

Speaker.





VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

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TUESDAY, 26 MAY, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Pilots, Port Phillip:—Mr. Brewster presented a Petition from the Pilots of the Port of Port Phillip, praying the grant of a sum of money to enable them to procure Boats and efficient Crews; Petition read and received.
2. Publicans Licensing Bill:—Mr. Cowper presented a Petition from certain Licensed Victuallers, residing in Sydney, praying that the Publicans Licensing Bill now before the Council for the third time, may be passed in the present Session; Petition read and received.
3. Church Act, 7 William IV., No. 3—Ministers' Stipends:—Mr. Dangar moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting that his Excellency will be pleased to cause to be laid upon the Table of this House, *Nominal Return of all Ministers of Religion receiving Stipends from the Government, under the Church Act, 7 William IV., No. 3,—distinguishing the religious communion to which they belong;—the Church or District for which they are paid;—and stating the number of adult population who may have subscribed to the declaration required to entitle each Minister to his Stipend,—and the period at which such declaration was made.*  
Debate ensued.  
Question put and passed; and Address to be presented to His Excellency the Governor, by the Speaker and the Colonial Secretary.
4. Statistics:—The Colonial Secretary laid upon the Table the following Returns, viz:—
  - (1.) Return of Coin in the Colonial Treasury, the Military Chest, and the several Banks, on the 31st December, in each year, from 1836 to 1845, inclusive.
  - (2.) Return of the Increase and Decrease of the Population of New South Wales, including the District of Port Phillip, from 1st January to 31st December, 1845, and of the Total number on the latter date.
  - (3.) Return shewing the quantity of Land in cultivation, exclusive of Gardens and Orchards, and the Population of the Colony of New South Wales, including the District of Port Phillip, from the year 1836 to 1845, inclusive.
  - (4.) Return of the number of Acres of Land planted with the Grapa Vine, and of the quantity of Wine and Brandy made from the produce thereof in the year 1846.
  - (5.) Return of Live Stock in the Colony of New South Wales, on the 1st of January, 1846.
  - (6.) Return of Live Stock Slaughtered, and the quantity of Tallow and Lard produced from the same, in the year 1845.
  - (7.) Return of the Value of Imports into the Colony of New South Wales, including the District of Port Phillip, from the Year 1836 to 1845 inclusive.
  - (8.) Return of the Value of Exports from the Colony of New South Wales, including the District of Port Phillip, from the Year 1836 to 1845 inclusive.
  - (9.) Return of the Value of the Imports into, and Exports from the Colony of New South Wales, including the District of Port Phillip, for the Years 1844 and 1845.
  - (10.) Return of the Quantity and Value of Grain, &c., Imported into the Colony of New South Wales, including the District of Port Phillip, from the Year 1836 to 1845 inclusive.
  - (11.) Return of the Quantity and Value of Grain, &c., Exported from the Colony of New South Wales, including the District of Port Phillip, from the Year 1843 to 1845 inclusive.
  - (12.) Return of the Quantity and Value of Butter and Cheese Imported into the Colony of New South Wales, including the District of Port Phillip, from the Year 1843 to 1845, inclusive.
  - (13.) Return of the Quantity and Value of Butter and Cheese Exported from the Colony of New South Wales, including the District of Port Phillip, from the Year 1843 to 1845, inclusive.
  - (14.) Return of Live Stock Imported into the Colony of New Wales, including the District of Port Phillip, from 1836 to 1845, inclusive.
  - (15.) Return of Live Stock Exported from the Colony of New South Wales, including the District of Port Phillip, from the Year 1843 to 1845, inclusive.
  - (16.) Return of the Value of Salt Meat Imported into the Colony of New South Wales, including the District of Port Phillip, from the Year 1843 to 1845, inclusive.
  - (17.)

- (17.) Return of the Quantity and Value of Salt Meat Exported from the Colony of New South Wales, including the District of Port Phillip, from the Year 1843 to 1845, inclusive.
  - (18.) Return of the Value of Hides and of Manufactured and Unmanufactured Leather Imported into the Colony of New South Wales, including the District of Port Phillip; from the Year 1843 to 1845, inclusive.
  - (19.) Return of the Value of Hides and of Manufactured and Unmanufactured Leather Exported from the Colony of New South Wales, including the District of Port Phillip, from the Year 1843 to 1845, inclusive.
  - (20.) Return of the Quantity and Value of Wool exported from the Colony of New South Wales, including the District of Port Phillip; from the Year 1836 to 1845, inclusive.
  - (21.) Return of the Quantity and Value of Tallow exported from the Colony of New South Wales, including the District of Port Phillip, from the Year 1843 to 1845, inclusive.
  - (22.) Return of the Quantity and Value of Bark and Extract of Bark, exported from the Colony of New South Wales, including the District of Port Phillip, from the Year 1843 to 1845, inclusive.
  - (23.) Return of the Quantity and Value of Timber imported into the Colony of New South Wales, from the Year 1843 to 1845, inclusive.
  - (24.) Return of the Quantity and Value of Timber exported from the Colony of New South Wales, from the Year 1836 to 1845, inclusive.
  - (25.) Return of the Quantity and Value of Oil, &c., exported from the Colony of New South Wales, from the Year 1836 to 1845, inclusive.
  - (26.) Return of the Number and Tonnage of Vessels entered Inwards, in the Colony of New South Wales, including the District of Port Phillip, from the Year 1836 to 1845, inclusive.
  - (27.) Return of the Number and Tonnage of Vessels entered Outwards, in the Colony of New South Wales, including the District of Port Phillip, from the Year 1836 to 1845, inclusive.
  - (28.) Return of the Number of Vessels Built and Registered in the Colony of New South Wales, including the District of Port Phillip, from the Year 1836 to 1845, inclusive.
  - (29.) Return of the Amounts received from the Sale of Crown Lands, in the Colony of New South Wales, including the District of Port Phillip, from the Year 1836 to 1845, inclusive.
  - (30.) Return of the Amount of Auction Duty, at 1½ per cent., paid into the Colonial Treasury, and of the Amount of Sales, subject to the said Duty, from the Year 1836 to 1845, inclusive.
- Ordered to be printed.

5. Lunatic Asylum, Tarban Creek :—Mr. Cowper moved, pursuant to notice, that a Select Committee be appointed to enquire into the management and condition of the Lunatic Asylum, Tarban Creek, with instructions to take Evidence, and report whether the system therein adopted requires modification, and how far the buildings are suitable or sufficient for the proper treatment and classification of the inmates.  
 Question put and passed; and the following Committee appointed accordingly :—

Mr. Cowper,

- |                |                         |
|----------------|-------------------------|
| Mr. Macarthur, | The Colonial Secretary, |
| Mr. Allen,     | Mr. Parker,             |
| Dr. Bland,     | Mr. Robinson.           |

The Committee to report within a month.

- 6. Assessment on Stock, under 2 Victoria, No. 27 :—Mr. Cowper moved, pursuant to notice, That an Address be presented to his Excellency the Governor, praying that His Excellency will be pleased to cause to be laid upon the Table of this House, a Return of all sums of money raised by assessment upon stock beyond the Boundaries of Location, under the Act of Council, 2 Victoria, No. 27,—specifying the amount raised and expended in each District,—and distinguishing the sums paid for Salaries and Allowances (if any) to the Commissioners, from the cost of the Border Police,  
 Question put and passed; and Address to be presented to His Excellency the Governor, by the Speaker and the Colonial Secretary.
- 7. Publicans Licensing Bill having been read a second time, on motion of Mr. Wentworth, the Council resolved itself into a Committee of the whole for consideration thereof, with the Colonial Treasurer in the Chair.  
 The Chairman reported progress, and obtained leave to sit again on Tuesday next.
- 8. Adjournment :—Moved by the Colonial Secretary, That the Council do now adjourn until to-morrow.  
 Moved, as an Amendment, by Captain O'Connell, That, at its rising, the Council do adjourn until Tuesday next.  
 Debate ensued.  
 Question put on the Amendment.

Council

Council divided.

Ayes, 7

Mr. Iealy,  
 Captain O'Connell,  
 Mr. Macarthur,  
 Mr. Robinson,  
 Mr. Wentworth,  
 Mr. Lawson,  
 The Colonial Treasurer, (Teller.)

Noes, 8.

The Colonial Secretary,  
 Mr. Allen,  
 Mr. Parker,  
 Mr. Windeyer,  
 Mr. Brewster,  
 Mr. Dangar,  
 Mr. Bowman,  
 Mr. Murray, (Teller.)

Original Question put and passed.

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

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, MAY 27.

NOTICE OF MOTION :—

1. THE ATTORNEY GENERAL to move, That the Jury Laws consolidation Bill be referred to the consideration of a Select Committee.

ORDER OF THE DAY :—

1. Consideration of Governor's Message with Crown Lands' Occupation and Border Police Act continuation Bill

THURSDAY, MAY 28.

NOTICES OF MOTION :—

1. THE COLONIAL SECRETARY to move the appointment of some Member of the Council to the Office of Chairman of Committees, vacated by the election of Dr. Nicholson to that of Speaker.
2. MR. LAMB to move, That Evidence be heard at the Bar of the House, when the Gunpowder Sales Bill shall have been read a second time, as to the effect of the rent on that article now paid to the Ordnance Department.

ORDERS OF THE DAY :—

1. Savings' Bank Act amendment Bill ; second reading.
2. Desertion of Foreign Seamen prevention Bill ; second reading.
3. Lunatics' Act amendment Bill ; second reading.
4. Gunpowder Sales Bill ; second reading.
5. Bushranging Act continuation Bill ; third reading.

FRIDAY, MAY 29.

NOTICES OF MOTION :—

1. MR. BREWSTER to move, That an Address be presented to His Excellency the Governor, requesting that his Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Despatches, Correspondence, and Evidence received by His Excellency and the Executive Council, concerning the separation of Port Phillip from New South Wales.
2. MR. LOWE to move for leave to bring in a Bill to simplify the law abolishing imprisonment for debt.
3. MR. LOWE to move for leave to bring in a Bill to amend the law relating to double costs, notices and limitations of actions, and pleas of the general issue.

ORDER OF THE DAY :—

1. Auctioneers' Licensing Bill ; to be considered in Committee.

TUESDAY, JUNE 2.

NOTICES OF MOTION :—

1. MR. WENTWORTH to move, That there be a Call of the House to-morrow.
2. MR. WINDEYER to move for leave to bring in a Bill to amend the law respecting defamatory words and libel.

ORDER OF THE DAY :—

1. Publicans Licensing Bill ; to be further considered in Committee.

FRIDAY,

FRIDAY, JUNE 5.

## NOTICE OF MOTION:—

1. MR. GRANT to move, That the monopoly of Coal so long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.

FRIDAY, JUNE 12.

## ORDER OF THE DAY:—

1. Small Debts Bill; second reading.

CHARLES NICHOLSON,  
*Speaker.*

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

WEDNESDAY, 27 MAY, 1846.

There being present only Eleven Members, exclusive of the Speaker, namely:—  
Mr. Brewster; Mr. Allen; Captain O'Connell; The Colonial Secretary; Mr. Cowper;  
Mr. Lamb; Mr. Parker; Mr. Grant; Mr. Murray; The Attorney General; and  
Mr. Windeyer; The Speaker took the Chair, and adjourned the Council at half-past  
three o'clock, until to-morrow at three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, MAY 28.

NOTICES OF MOTION:—

1. THE COLONIAL SECRETARY to move the appointment of some Member of the Council to the Office of Chairman of Committees, vacated by the election of Dr. Nicholson to that of Speaker.
2. MR. LAMB to move, That Evidence be heard at the Bar of the House, when the Gunpowder Sales Bill shall have been read a second time, as to the effect of the rent on that article now paid to the Ordnance Department.
3. THE ATTORNEY GENERAL to move, That the Jury Laws consolidation Bill be referred to the consideration of a Select Committee.

ORDERS OF THE DAY:—

1. Savings' Bank Act amendment Bill; second reading.
2. Desertion of Foreign Seamen prevention Bill; second reading.
3. Lunatics' Act amendment Bill; second reading.
4. Gunpowder Sales Bill; second reading.
5. Bushranging Act continuation Bill; third reading.
6. Consideration of Governor's Message with Crown Lands' Occupation and Border Police Act continuation Bill

FRIDAY, MAY 29.

NOTICES OF MOTION:—

1. MR. BREWSTER to move, That an Address be presented to His Excellency the Governor, requesting that his Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Despatches, Correspondence, and Evidence received by His Excellency and the Executive Council, concerning the separation of Port Phillip from New South Wales.
2. MR. LOWE to move for leave to bring in a Bill to simplify the law abolishing imprisonment for debt.
3. MR. LOWE to move for leave to bring in a Bill to amend the law relating to double costs, notices and limitations of actions, and pleas of the general issue.

ORDER OF THE DAY:—

1. Auctioneers' Licensing Bill; to be considered in Committee.

TUESDAY,

TUESDAY, JUNE 2.

NOTICES OF MOTION:

1. MR. WENTWORTH to move, That there be a Call of the House to-morrow.
2. MR. WINDEYER to move for leave to bring in a Bill to amend the law respecting defamatory words and libel.

ORDER OF THE DAY:—

1. Publicans Licensing Bill; to be further considered in Committee.

FRIDAY, JUNE 5.

NOTICE OF MOTION:—

1. MR. GRANT to move, That the monopoly of Coals long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.

FRIDAY, JUNE 12.

ORDER OF THE DAY:—

1. Small Debts Bill; second reading.

CHARLES NICHOLSON,

Speaker.

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

THURSDAY, 28 MAY, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Light Houses:—The Colonial Secretary, in answer to a question from Mr. Robinson, as to what had been done by Government towards the erection of Light Houses in Bass's Straits, laid upon the Table an Official Correspondence on the subject.  
Correspondence ordered to be printed.
2. Pensions:—The Colonial Secretary laid upon the Table, a Despatch from the Secretary of State for the Colonies, Lord Stanley, dated 30th June, 1845, in answer to applications from Lady Forbes and Lady Dowling, widows of the two last Chief Justices of New South Wales, to have Pensions granted to them in consideration of their husbands' Services.  
Ordered to be printed.
3. Separation of Port Phillip from New South Wales:—Mr. Brewster postponed the motion on this subject, standing in his name on the Notices for to-morrow, until Tuesday next.
4. Crown Lands Occupation and Border Police Act continuation Bill:—On motion of the Colonial Secretary, the consideration of the Governor's Message with this Bill, postponed from to-day, until Wednesday next.
5. Chairman of Committees:—The Colonial Secretary moved, pursuant to notice, That Henry Watson Parker, Esquire, be elected to the Office of Chairman of Committees, vacated by the Election of Dr. Nicholson to the Office of Speaker.  
Question put and Passed.
6. Gunpowder Sales Bill:—Mr. Lamb moved, pursuant to notice, That Evidence be heard at the Bar of the House as to the effect of the Rent on Gunpowder now paid to the Ordnance Department.  
Debate ensued.  
Question put and passed.  
Whereupon Mr. Lamb handed to the Clerk a list of the Witnesses he desired to have examined, on Thursday next, as follows:—Mr. Mort, George-street; Mr. Robert How, George-street; Mr. Francis Mitchell, George-street; Mr. Thomas Woolley, George-street; and Mr. Robert Sparrow, Pitt-street.
7. Jury Laws Consolidation Bill:—Moved by the Attorney General, pursuant to notice, That the Jury Laws Consolidation Bill be referred to the consideration of a Select Committee, to consist of ten Members.  
Debate ensued.  
Question put and passed; and the following Committee appointed accordingly:—

The Attorney General,

Mr. Cowper,  
Mr. Wentworth,  
Mr. Windeyer,  
Mr. Lowe,  
Mr. Brewster,

Mr. Dangar,  
Mr. Darvall,  
The Colonial Secretary,  
Mr. Parker.

- Committee to report within one month.
8. Savings' Bank Act Amendment Bill, having been read a second time, on motion of the Colonial Secretary, the Council resolved itself into a Committee of the whole, for consideration thereof.  
The Chairman having reported the Bill, without any amendment, Bill ordered to be engrossed, and read a third time this day week.
9. Desertion of Foreign Seamen Prevention Bill, having been read a second time, on motion of the Colonial Secretary, the Council resolved itself into a Committee of the whole, for consideration thereof.  
The Chairman reported progress, and obtained leave to sit again this day week.
10. Lunatics Act Amendment Bill; second reading postponed, on motion of the Colonial Secretary, until this day week.

11. Gunpowder Sales' Bill, on motion of the Colonial Secretary, read a second time; to be considered in Committee this day week.
  12. Bushranging Act Continuation Bill, on motion of the Colonial Secretary, read a third time, and *passed*; to be presented to His Excellency the Governor, for the Royal Assent, by the Speaker, the Colonial Treasurer, and the Attorney General.
  13. Imprisonment for Debt; Mr. Lowe postponed the motion on this subject, standing in his name on the Notices for to-morrow, until Tuesday next.
  14. Costs and Pleas in Actions; Mr. Lowe postponed the motion on this subject, standing in his name on the Notices for to-morrow, until Tuesday next.
  15. Auctioneers' Licensing Bill; consideration in Committee postponed, on motion of Mr. Robinson, in absence of Mr. Cowper, until Tuesday next.
- Council adjourned at six o'clock, until Tuesday next, at three o'clock.

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NOTICES OF MOTION AND ORDERS OF THE DAY.

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TUESDAY, JUNE 2.

NOTICES OF MOTION :—

1. MR. WENTWORTH to move, That there be a Call of the House to-morrow.
2. MR. WINDEYER to move for leave to bring in a Bill to amend the law respecting defamatory words and libel.
3. MR. BREWSTER to move, That an Address be presented to His Excellency the Governor; requesting that his Excellency will be pleased to cause to be laid upon the Table of this House, copies of all Despatches, Correspondence, and Evidence received by His Excellency and the Executive Council, concerning the separation of Port Phillip from New South Wales.
4. THE ATTORNEY GENERAL to move for leave to bring in a Bill to continue for a limited time the Jury Laws now in force.
5. MR. COWPER to move, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, copies of any correspondence which has taken place between the Executive Government and the Surveyor General, since the date of the last Returns, relating to the alteration in the upset price of Land: Also a copy of the Circular which has been addressed to the Commissioners of Crown Lands beyond the boundaries of Location, relative to the withdrawal of the Border Police in the event of the Crown Lands occupation Act not being renewed.
6. MR. LOWE to move for leave to bring in a Bill to simplify the law abolishing imprisonment for debt.
7. MR. LOWE to move for leave to bring in a Bill to amend the law relating to double costs, notices and limitations of actions, and pleas of the general issue.

ORDERS OF THE DAY :—

1. Publicans Licensing Bill; to be further considered in Committee.
2. Auctioneers' Licensing Bill; to be considered in Committee.

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WEDNESDAY, JUNE 3.

1. Consideration of Governor's Message with Crown Lands' Occupation and Border Police Act continuation Bill

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THURSDAY, JUNE 4.

1. Savings' Bank Act amendment Bill; third reading.
2. Desertion of Foreign Seamen prevention Bill; to be further considered in Committee.
3. Lunatics' Act amendment Bill; second reading.
4. Evidence to be heard at the Bar of the House, as to the effect of the Rent on Gunpowder now paid to the Ordnance Department.
5. Gunpowder Sales Bill; to be considered in Committee.

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FRIDAY, JUNE 5.

NOTICES OF MOTION :—

1. MR. GRANT to move, That the monopoly of Coal so long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.



2. MR. WINDEYER to move, That a Committee be appointed to draw up an Address of Thanks to Her Majesty for the change she has been graciously pleased to make in the head of the Colonial Department of her Government.
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TUESDAY, JUNE 9.

1. MR. BREWSTER to move for leave to bring in a Bill to amend the law respecting the dates of Deeds of Grant of Crown Lands.
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FRIDAY, JUNE 12.

ORDER OF THE DAY :—

1. Small Debts Bill ; second reading.

CHARLES NICHOLSON,  
*Speaker.*

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VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

TUESDAY, 2 JUNE, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Issue of Depasturing Licenses:—The Colonial Secretary laid upon the Table, a Return from the District of Port Phillip, in completion of the Return to the Address on this subject, adopted on the motion of Mr. Cowper, on the 4th November, 1845.  
Ordered to be printed.
2. Australian Agricultural Company's Coal Monopoly:—Mr. Grant postponed the motion on this subject, standing in his name on the Notices for Friday, June 5, until Friday, June 19.
3. Assessment on Stock, under 2 Victoria, No. 27:—The Colonial Secretary laid upon the Table, the Return to the Address on this subject, adopted on the motion of Mr. Cowper, on the 26th ultimo.  
Ordered to be printed.
4. Distressed Seamen:—The Colonial Secretary laid upon the Table, a Letter from G. C. Miller, Provisional Consul at Tahiti, in reference to relief afforded to distressed seamen of vessels belonging to New South Wales, in the year 1842.  
Ordered to be printed.
5. Hebrew Congregation, Sydney:—Mr. Wentworth presented a Petition from the Hebrew Congregation of the City of Sydney, in vestry assembled, praying the Council to pass an Address to His Excellency the Governor, requesting that His Excellency would place a sum of money on the Estimates for the purpose of liquidating the debt now due for building the Synagogue; and also, that His Excellency will be pleased to place a sum of money annually on the Estimates, for the support of a Jewish Minister of Religion; Petition read.  
Moved by Mr. Wentworth, that the Petition be received.  
Debate ensued.  
Question put and passed.  
Petition received.
6. Police Office Clerks:—Dr. Lang presented a Petition from certain Clerks in the Sydney Police Office, praying the Council to move His Excellency the Governor to place on the Estimates for 1846, such sum as will suffice to compensate Petitioners for their reduced rates of Salary under the Estimate formed by the City Council, in such manner as shall admit of Petitioners hereafter receiving the rates of Salary enjoyed by them previously to the reductions made by the City Council.  
Petition read.  
Moved by Dr. Lang, That the Petition be received.  
Debate ensued (on the point of order, whether Petitions should be received by the Council, which either directly or indirectly pray for a sum of money.)  
Petition by leave withdrawn, until the point of order in debate shall be determined by the House.
7. John Pearce, an Inspector of the Sydney Police:—Mr. Windeyer presented a Petition from John Pearce, an Inspector in the Sydney Police, praying the Council to recommend to His Excellency the Governor to compensate Petitioner for certain losses and inconveniences to which he has been subjected in the performance of his duty as an officer of the Government.  
Petition read.  
Moved by Mr. Windeyer that the Petition be received.  
Debate ensued (on the point of order, whether Petitions should be received by the Council, which either directly or indirectly pray for a sum of money.)  
Question put; Council divided.

Ayes, 11.

Mr. Brewster,  
Mr. Panton,  
Mr. McLeay,  
Mr. Macarthur,  
Captain Dumaresq,  
Mr. Bowman,  
Mr. Dangar,  
Mr. Lawson,  
Dr. Lang,  
Mr. Wentworth,  
Mr. Windeyer, (Teller.)

Petition received.

Noes, 10.

Captain O'Connell,  
Mr. Cowper,  
The Attorney General,  
Mr. Parker,  
Mr. Lowe,  
The Colonial Secretary,  
The Auditor General,  
Mr. Icely,  
Mr. Lamb,  
The Colonial Treasurer, (Teller.)

8. Call of the House :—Mr. Wentworth withdrew the motion on this subject standing in his name on the Notices for to-day.
9. Law of Libel Amendment Bill :—Mr. Windeyer having, pursuant to notice, moved for and obtained leave to bring in " *A Bill to amend the Law respecting defamatory words and libel* ;" Bill read a first time ; ordered to be printed, and read a second time this day week.
10. Separation of Port Phillip from New South Wales :—Mr. Brewster moved, pursuant to notice, that an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to cause to be laid upon the Table of this House, copies of all despatches, correspondence, and evidence received by His Excellency and the Executive Council, concerning the separation of Port Phillip from New South Wales. Debate ensued.  
Question put and negatived.
11. Jury Laws Continuation Bill :—The Attorney General having, pursuant to notice, moved for and obtained leave to bring in " *A Bill to 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, and further to amend ' the Law relating to trial by jury ;'*" Bill read a first time ; ordered to be printed, and read a second time on Thursday next.
12. Upset price of Land and Border Police :—Mr. Cowper moved, pursuant to notice, That an Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, copies of any correspondence which has taken place between the Executive Government and the Surveyor General, since the date of the last Returns, relating to the alteration in the upset price of Land: Also a copy of the Circular which has been addressed to the Commissioners of Crown Lands beyond the boundaries of Location, relative to the withdrawal of the Border Police in the event of the Crown Lands occupation Act not being renewed.  
Question put and passed, and Address to be presented to His Excellency the Governor, by the Speaker and the Colonial Secretary.
13. Imprisonment for Debt Abolition Bill :—Mr. Lowe having, pursuant to notice, moved for and obtained leave to bring in " *A Bill to simplify the Law abolishing Imprisonment for Debt* " ; Bill read a first time ; ordered to be printed, and read a second time on Tuesday next.
14. Costs and Pleas in Actions Bill :—Mr. Lowe moved, pursuant to notice, That he do have leave to bring in " *A Bill to amend the Law relating to double Costs, Notices and Limitations of Actions, and Pleas of the General Issue.*"  
Debate ensued.  
Question put ; Council divided.

Ayes, 9.

Mr. Brewster,  
Mr. Panton,  
Mr. Allen,  
Dr. Lang,  
Mr. Dangar,  
Mr. Windeyer,  
Mr. Lowe,  
Mr. Wentworth,  
Mr. Cowper, (Teller)

Noes, 12.

Mr. Wild,  
Mr. Lawson,  
Captain O'Connell,  
Mr. Bowman,  
Mr. Parker,  
The Attorney General,  
Mr. Lamb,  
Mr. Grant,  
The Colonial Secretary,  
Mr. Macarthur,  
The Auditor General,  
The Colonial Treasurer, (Teller.)

15. Publicans Licensing Bill :—On motion of Mr. Wentworth, the Council resolved itself into a Committee of the whole, for further consideration of this Bill.  
The Chairman reported progress, and obtained leave to sit again on Friday next.
16. Auctioneers Licensing Bill :—Consideration in Committee postponed, on motion of Mr. Cowper, until Friday next.  
Council adjourned at half-past eight o'clock, until to-morrow, at three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 3.

## ORDERS OF THE DAY:—

1. Consideration of Governor's Message with Crown Lands' Occupation and Border Police Act continuation Bill

THURSDAY, JUNE 4.

1. Savings' Bank Act amendment Bill; third reading.
2. Desertion of Foreign Seamen prevention Bill; to be farther considered in Committee.
3. Lunatics' Act amendment Bill; second reading.
4. Evidence to be heard at the Bar of the House, as to the effect of the Rent on Gunpowder now paid to the Ordnance Department.
5. Gunpowder Sales Bill; to be considered in Committee.
6. Jury Laws continuation Bill; second reading.

FRIDAY, JUNE 5.

## NOTICES OF MOTION:—

1. MR. WINDEYER to move, That a Committee be appointed to draw up an Address of Thanks to Her Majesty for the change she has been graciously pleased to make in the head of the Colonial Department of her Government.
2. MR. WESTWORTH to move, That the Petition from the Hebrew Congregation of the City of Sydney, presented by him on the 2nd instant, be printed.
3. DR. LANG to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to order to be laid upon the Table of this House, a Numerical Return of the cases of Insolvency that have taken place in the Colony, and been declared in the Commissioners' Courts of Sydney and Melbourne respectively, since the passing of the Act commonly called Judge Burton's Act; distinguishing the number of cases and the amount of Insolvency under each year, and the average dividend declared or realized in such cases of Insolvency.

## ORDERS OF THE DAY:—

1. Publicans' Licensing Bill; to be further considered in Committee.
2. Auctioneer's Licensing Bill; to be considered in Committee.

TUESDAY, JUNE 9.

## NOTICE OF MOTION:—

1. MR. BREWSTER to move for leave to bring in a Bill to amend the law respecting the dates of Deeds of Grant of Crown Lands.

## ORDERS OF THE DAY:—

1. Law of Libel amendment Bill; second reading.
2. Imprisonment for Debt Abolition Bill; second reading.

FRIDAY, JUNE 12.

1. Small Debts Bill; second reading.

FRIDAY, JUNE 19.

## NOTICE OF MOTION:—

1. MR. GRANT to move, That the monopoly of Coal so long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.

CHARLES NICHOLSON,  
Speaker.

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VOTES AND PROCEEDINGS  
OF  
**THE LEGISLATIVE COUNCIL.**

WEDNESDAY, 3 JUNE, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
 Crown Lands Occupation and Border Police Act continuation Bill:—The Governor's Message with this Bill, dated 15th ultimo, read, on motion of the Colonial Secretary. Moved by the Colonial Secretary, That the Bill which accompanied the Governor's Message, just read, intituled, "*A Bill to continue for one year, 'An Act further to restrain the unauthorised occupation of Crown Lands, and to provide the means of defraying the expense of a Border Police,'*" be now read a first time.

Debate ensued.

Moved as an amendment, by Mr. Windeyer, That the following Address to His Excellency the Governor, be adopted by this Council.

*"To His Excellency Sir George Gipps, Knight, Governor of the Colony of New South Wales, &c., &c., &c."*

"We, the Legislative Council of New South Wales, in Council assembled, beg respectfully to acquaint your Excellency that we cannot entertain the proposition laid before us to renew the Acts 2nd Victoria, No. 27, and 5th Victoria, No. 1."

"1st.—Because we are not disposed to continue summary powers which have been used to support a claim to tax by prerogative alone, the validity of which, we, as the Representatives of the People, can never recognise."

"2ndly.—Because your Excellency has repeatedly asserted that Her Majesty is the absolute owner of the Waste Lands of this Territory, and that Her prerogative is sufficient for their management—propositions which, if true, render the interference of this Council unnecessary."

"3rdly.—Because we do not feel justified in imposing any peculiar tax upon the Squatters, so long as your Excellency claims, in the name of Her Majesty, a right to tax them to any extent you may think proper."

"4thly.—Because the powers conferred by these Acts on the Commissioners of Crown Lands, are most arbitrary and unconstitutional."

"5thly.—Because these Acts were passed with the understanding that the License Fee should not be increased—an understanding which has been disregarded by your Excellency in the Regulations of April the 2nd., 1844, and in subsequent Despatches and Regulations."

"6thly.—Because your Excellency's new Regulations were made without consulting this Council, and have been carried out in spite of its most earnest remonstrance."

"Anxious however to extend to the Squatting Districts the means of securing peace and order, and to confer upon them some portion of those Civil Institutions from which your Excellency has seen fit so long to debar them, this Council is ready to co-operate with your Excellency in organising and supporting for those Districts an efficient Police, and in establishing throughout them Courts of Petty Sessions, with the understanding that the Police, so to be constituted, shall not be employed, directly or indirectly, in collecting the Revenue which your Excellency claims to derive from the Waste Lands, or in enforcing in any other manner the alleged rights of the Crown."

Debate continued.

Moved by Mr. Lamb, That the Debate be now adjourned.

Question put "That the Debate be now adjourned"; Council divided.

Ayes, 14.

Mr. McLeay,  
 Mr. Parker,  
 Mr. Macarthur,  
 Mr. Allen,  
 Mr. Icely,  
 The Auditor General,  
 Mr. Panton,  
 Mr. Bowman,  
 Mr. Darvall,  
 Mr. Berry,  
 Mr. Lamb,  
 The Attorney General,  
 The Colonial Secretary,  
 The Colonial Treasurer, (Teller.)

Noes, 13.

Mr. Brewster,  
 Dr. Bland,  
 Dr. Lang,  
 Mr. Dangar,  
 Mr. Wild,  
 Mr. Lord,  
 Captain O'Connell,  
 Captain Dumaresq,  
 Mr. Windeyer,  
 Mr. Lawson,  
 Mr. Lowe,  
 Mr. Wentworth,  
 Mr. Cowper, (Teller)

Debate adjourned.

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

## NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 4.

## ORDERS OF THE DAY:—

1. Savings' Bank Act amendment Bill; third reading.
2. Desertion of Foreign Seamen prevention Bill; to be further considered in Committee.
3. Lunatics' Act amendment Bill; second reading.
4. Evidence to be heard at the Bar of the House, as to the effect of the Rent on Gunpowder now paid to the Ordnance Department.
5. Gunpowder Sales Bill; to be considered in Committee.
6. Jury Laws continuation Bill; second reading.
7. Resumption of Debate on Motion for first reading of Crown Lands Occupation and Border Police Act continuation Bill.

FRIDAY, JUNE 5.

## NOTICES OF MOTION:—

1. MR. WINDEYER to move, That a Committee be appointed to draw up an Address of Thanks to Her Majesty for the change she has been graciously pleased to make in the head of the Colonial Department of her Government.
2. MR. WENTWORTH to move, That the Petition from the Hebrew Congregation of the City of Sydney, presented by him on the 2nd instant, be printed.
3. DR. LANG to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to order to be laid upon the Table of this House, a Numerical Return of the cases of Insolvency that have taken place in the Colony, and been declared in the Commissioners' Courts of Sydney and Melbourne respectively, since the passing of the Act commonly called Judge Burton's Act; distinguishing the number of cases and the amount of Insolvency under each year, and the average dividend declared or realized in such cases of Insolvency.

## ORDERS OF THE DAY:—

1. Publicans' Licensing Bill; to be further considered in Committee.
2. Auctioneers' Licensing Bill; to be considered in Committee.

TUESDAY, JUNE 9.

## NOTICES OF MOTION:—

1. MR. BREWSTER to move for leave to bring in a Bill to amend the law respecting the dates of Deeds of Grant of Crown Lands.
2. MR. COWPER to move, That an Address be presented to His Excellency the Governor, stating that this Council desires to record its high sense of the ability, perseverance, and intrepidity evinced by Dr. Ludwig Leichhardt in successfully performing his overland expedition from this part of the Colony to Port Essington; and intimating the willingness of this Council to vote such sum of money as His Excellency the Governor may think adequate, not exceeding £1000, as a reward for the exertion of Dr. Ludwig Leichhardt and his party in the cause of science, and for the important services rendered by them to this Colony.

## ORDERS OF THE DAY:—

1. Law of Libel amendment Bill; second reading.
2. Imprisonment for Debt Abolition Bill; second reading.

FRIDAY, JUNE 12.

1. Small Debts Bill; second reading.

FRIDAY, JUNE 19.

## NOTICE OF MOTION:—

1. MR. GRANT to move, That the monopoly of Coal so long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.

CHARLES NICHOLSON,

*Speaker.*



VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL

THURSDAY, 4 JUNE, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Resumption of Debate on motion for first reading of Crown Lands Occupation and Border Police Act continuation Bill:—The Order of the Day for the third reading of the Savings' Bank Act amendment Bill, having been called;—  
Moved by the Colonial Secretary, That the resumption of the Debate on the motion for the first reading of the Crown Lands Occupation and Border Police Act continuation Bill, do take precedence of the other Orders of the Day.  
Question put and passed.  
Debate resumed.  
Question put on the amendment; Council divided.

Ayes, 19.

Mr. Dangar,  
Captain Dumaresq,  
Mr. Murray,  
Mr. Wentworth,  
Mr. Lawson,  
Mr. Lowe,  
Mr. Cowper,  
Mr. Lord,  
Captain O'Connell,  
Mr. Robinson,  
Mr. Wild,  
Dr. Bland,  
Mr. Bowman,  
Dr. Lang,  
Mr. Brewster,  
Mr. Macarthur,  
Mr. Panton,  
Mr. McLeay,  
Mr. Windeyer, (Teller.)

Noes, 10.

The Colonial Secretary,  
Mr. Parker,  
Mr. Allen,  
Mr. Darvall,  
Mr. Lamb,  
Mr. Icely,  
The Attorney General,  
The Auditor General,  
Mr. Berry,  
The Colonial Treasurer, (Teller.)

- Address to be presented to His Excellency the Governor, by the mover, Mr. Windeyer; the secondor, Mr. Lord; and the Speaker.
2. Savings' Bank Act amendment Bill:—Third reading postponed, on motion of the Colonial Secretary, until Wednesday next.
3. Desertion of Foreign Seamen Prevention Bill:—Further consideration in Committee postponed, on motion of the Colonial Secretary, until Wednesday next.
4. Lunatics Act amendment Bill:—Second reading postponed, on motion of the Colonial Secretary, until Wednesday next.
5. Gunpowder Sales Bill:—The hearing Evidence at the Bar of the House as to the effect of the Rent on Gunpowder now paid to the Ordnance Department postponed, on motion of Mr. Lamb, until Wednesday next.
6. Gunpowder Sales Bill:—Consideration in Committee postponed, on motion of the Colonial Secretary, until Wednesday next.
7. Jury Laws continuation Bill:—Second reading postponed, on motion of the Colonial Secretary, until Wednesday next, with the understanding that it take precedence of all other Orders for that day.  
Council adjourned at half-past ten o'clock, until to-morrow, at three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

FRIDAY, JUNE 5.

NOTICES OF MOTION :—

1. MR. WINDEYER to move, That a Committee be appointed to draw up an Address of Thanks to Her Majesty for the change she has been graciously pleased to make in the head of the Colonial Department of her Government.
2. MR. WENTWORTH to move, That the Petition from the Hebrew Congregation of the City of Sydney, presented by him on the 2nd instant, be printed.
3. DR. LANG to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to order to be laid upon the Table of this House, a Numerical Return of the cases of Insolvency that have taken place in the Colony, and been declared in the Commissioners' Courts of Sydney and Melbourne respectively, since the passing of the Act commonly called Judge Burton's Act; distinguishing the number of cases and the amount of Insolvency under each year, and the average dividend declared or realized in such cases of Insolvency.
4. THE ATTORNEY GENERAL to move for leave to bring in a Bill for the better preservation and management of the Estates of deceased persons in certain cases.

ORDERS OF THE DAY :—

1. Publicans' Licensing Bill; to be further considered in Committee.
2. Auctioneers' Licensing Bill; to be considered in Committee.

TUESDAY, JUNE 9.

NOTICES OF MOTION :—

1. MR. BREWSTER to move for leave to bring in a Bill to amend the law respecting the dates of Deeds of Grant of Crown Lands.
2. MR. COWPER to move, That an Address be presented to His Excellency the Governor, stating that this Council desires to record its high sense of the ability, perseverance, and intrepidity evinced by Dr. Ludwig Leichhardt in successfully performing his overland expedition from this part of the Colony to Port Essington; and intimating the willingness of this Council to vote such sum of money as His Excellency the Governor may think adequate, not exceeding £1000, as a reward for the exertion of Dr. Ludwig Leichhardt and his party in the cause of science, and for the important services rendered by them to this Colony.

ORDERS OF THE DAY :—

1. Law of Libel amendment Bill; second reading.
2. Imprisonment for Debt Abolition Bill; second reading.

WEDNESDAY, JUNE 10.

1. Jury Laws continuation Bill; second reading.
2. Savings' Bank Act amendment Bill; third reading.
3. Desertion of Foreign Seamen prevention Bill; to be further considered in Committee.
4. Lunatics' Act amendment Bill; second reading.
5. Evidence to be heard at the Bar of the House, as to the effect of the Rent on Gunpowder now paid to the Ordnance Department.
6. Gunpowder Sales Bill; to be considered in Committee.

FRIDAY, JUNE 12.

1. Small Debts Bill; second reading.

FRIDAY, JUNE 19.

NOTICES OF MOTION :—

1. MR. GRANT to move, That the monopoly of Coal so long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.

CHARLES NICHOLSON,  
Speaker.

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

FRIDAY, 5 JUNE, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Court for trial of disputed Elections:—The Speaker read the following letter from William Foster, Esq., resigning his Seat as a Member of the Court for the trial of disputed Elections:—

*Castlereagh-street,  
28th May, 1846.*

SIR,

In reply to your letter of the 26th instant, I have the honor to inform you, that I hereby resign my seat as a Member of the Court for the trial of disputed Elections.

I have the honor to be,

Sir,

Your obedient humble Servant,  
WILLIAM FOSTER.

THE HONORABLE THE SPEAKER,  
&c., &c., &c.

2. Registrar and Bailiffs of Court of Requests, County Bourke:—Mr. Browster presented a Petition from the Registrar and Bailiffs of the Court of Requests for the County of Bourke, in the District of Port Phillip, praying to be remunerated by fixed Salaries, instead of Fees.  
Petition read and received.
3. Change in the head of the Colonial Department:—Mr. Windeyer moved, pursuant to notice, That a Committee be appointed to draw up an Address of Thanks to Her Majesty for the change she has been graciously pleased to make in the head of the Colonial Department of her Government.  
There not being twelve Members present, exclusive of the Speaker, the Speaker adjourned the Council at half-past three o'clock, until Tuesday next, at three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JUNE 9.

NOTICES OF MOTION:—

1. MR. BREWSTER to move for leave to bring in a Bill to amend the law respecting the dates of Deeds of Grant of Crown Lands.
2. MR. COWPER to move, That an Address be presented to His Excellency the Governor, stating that this Council desires to record its high sense of the ability, perseverance, and intrepidity evinced by Dr. Ludwig Leichhardt in successfully performing his overland expedition from this part of the Colony to Port Essington; and intimating the willingness of this Council to vote such sum of money as His Excellency the Governor may think adequate, not exceeding £1000, as a reward for the exertion of Dr. Ludwig Leichhardt and his party in the cause of science, and for the important services rendered by them to this Colony.
3. MR. WENTWORTH to move, That the Petition from the Hebrew Congregation of the City of Sydney, presented by him on the 2nd instant, be printed.
4. DR. LANG to move, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to order to be laid upon the Table of this House, a Numerical Return of the cases of Insolvency that have taken place in the Colony, and been declared in the Commissioners' Courts of Sydney and Melbourne respectively, since the passing of the Act commonly called Judge Burton's Act; distinguishing the number of cases and the amount of Insolvency under each year, and the average dividend declared or realized in such cases of Insolvency.
5. THE ATTORNEY GENERAL to move for leave to bring in a Bill for the better preservation and management of the Estates of deceased persons in certain cases.

ORDERS

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ORDERS OF THE DAY :—

1. Law of Libel amendment Bill ; second reading.
2. Imprisonment for Debt Abolition Bill ; second reading.
3. Publicans' Licensing Bill ; to be further considered in Committee.
4. Auctioneers' Licensing Bill ; to be considered in Committee.

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WEDNESDAY, JUNE 10.

1. Jury Laws continuation Bill ; second reading.
2. Savings' Bank Act amendment Bill ; third reading.
3. Desertion of Foreign Seamen prevention Bill ; to be further considered in Committee.
4. Lunatics' Act amendment Bill ; second reading.
5. Evidence to be heard at the Bar of the House, as to the effect of the Rent on Gunpowder now paid to the Ordnance Department.
6. Gunpowder Sales Bill ; to be considered in Committee.

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FRIDAY, JUNE 12.

1. Small Debts Bill ; second reading.

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FRIDAY, JUNE 19.

NOTICE OF MOTION :—

1. MR. GRANT to move, That the monopoly of Coal so long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration ; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.

CHARLES NICHOLSON,

*Speaker.*

## VOTES AND PROCEEDINGS

OF

## THE LEGISLATIVE COUNCIL.

TUESDAY, 9 JUNE, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
 Address to His Excellency the Governor in reference to the Crown Lands Occupation and Border Police Act continuation Bill:—The Speaker reported that this Address had been presented to-day to His Excellency the Governor, by himself and the other Members who had been appointed a Deputation to present the same, and that His Excellency had been pleased to say "he had no reply to give to the Address."  
 The Speaker was then called on to repeat at length the answer given by His Excellency. Whereupon the Speaker stated, that according to the best of his recollection, the substance and tenor of the words used by His Excellency were as follow:—  
 "Mr. Speaker, I am happy to say that this is an Address which requires no reply, nor do I intend to give it any. I thought it right to give the Council the opportunity of passing the Bill, if they thought fit. Perhaps I thought they would not pass it, and they have not; but I do not see why, on that account, responsibility should be cast on me."  
 Whereupon Mr. Windeyer and Mr. Lord severally stated from their places, that having accompanied the Speaker with the Address, they were in a condition to bear testimony to the accuracy of the Speaker's report as to the substance and tenor of the words used by His Excellency.  
 It was then moved by Mr. Windeyer, that the answer of His Excellency the Governor, as reported by the Speaker, be entered on the Minutes.  
 Debate ensued.  
 Motion by leave withdrawn—the answer of His Excellency, as reported by the Speaker, being already noted on the Minutes, as of course, in conformity with previous practice.
2. Change in the Head of the Colonial Department:—Mr. Windeyer moved, as a point of order, That—whereas it is erroneously stated in the Votes and Proceedings of this Council on Friday, 5th June, 1846, that "Mr. Windeyer moved, pursuant to notice, That a Committee be appointed to draw up an Address of thanks to Her Majesty for the change she has been graciously pleased to make in the Head of the Colonial Department of Her Government," inasmuch as the Speaker adjourned the Council before any motion in the matter was made—it is ordered that Mr. Windeyer's said notice of motion be restored to the Paper of this-day, and do stand the third therein.  
 Question put and passed.  
 Mr. Windeyer then postponed bringing forward this motion until Friday next.
3. Publicans' Licensing Bill:—Mr. Lowe presented a Petition from Stephen Johnson, of Braidwood, Licensed Publican, praying relief for injury likely to be sustained by him, in consequence of the refusal of the Bench of Magistrates to renew his License.  
 Petition read and received.
4. Publicans' Licensing Bill:—Mr. Wentworth presented a Petition from Nathan Joseph, praying the Council to take such steps as may enable Petitioner to obtain a Publican's License for his premises at Patrick's Plains.  
 Petition read and received.
5. Abstract of Revenue and Expenditure for 1845:—The Colonial Secretary laid upon the Table, by command of His Excellency the Governor, an Abstract of the Revenue of the Colony of New South Wales, and of its Appropriation for the year 1845, together with Statements 1 to 7 therein referred to.  
 Ordered to be printed.
6. Expenditure under schedules to 5 and 6 Victoria, chap. 76, for 1845:—The Colonial Secretary laid upon the Table, by command of His Excellency the Governor, Statements of the Expenditure of the sums appropriated for defraying the expenses of the several services and purposes specified in the schedules A, B, and C, annexed to the Act 5 & 6 Victoria, chap. 76, for the year 1845.  
 Ordered to be printed.
7. Governor's Financial Minute for 1846-7:—A Message from His Excellency the Governor, accompanied by the Estimates for the year 1846-7, received and read.  
 Moved by the Colonial Treasurer, That the Message from His Excellency the Governor, just read, together with the Estimates of Expenditure which accompanied it, be printed, and taken into consideration on Wednesday, the 17th instant.  
 Question put and passed.

- 8. Light Houses:—The Colonial Secretary laid upon the Table a Letter of 31st May, 1846, addressed to himself by Mr. Charles J. Tyers, who had been appointed to select the best site for a Light House at Cape Howe.  
Ordered to be printed.
- 9. Dr. Leichhardt and Party; Mr. Cowper presented a Petition from certain inhabitants of New South Wales, praying the Council to recommend to His Excellency the Governor to appropriate out of the Colonial Revenue, such a sum of money as to the Council shall seem proper, as an acknowledgment of the valuable services rendered to the Colony by Dr. Leichhardt and his Party, by the successful result of their Overland Expedition to Port Essington, and of the assistance afforded them by Mr. M'Kenzie, the Commander of the Schooner "Heroine," in bringing them back to this Colony free of charge.  
Petition read and received.
- 10. Deeds of Grant Dates Bill; Mr. Brewster having, pursuant to notice, moved for and obtained leave to bring in "A Bill to amend the Law respecting the dates of Deeds of Grant of Crown Lands"; Bill read a first time; ordered to be printed, and read a second time this day week.
- 11. Dr. Leichhardt and his Party; Mr. Cowper moved, pursuant to notice, That an Address be presented to His Excellency the Governor; stating that this Council desires to record its high sense of the ability, perseverance, and intrepidity evinced by Dr. Ludwig Leichhardt in successfully performing his overland expedition from this part of the Colony to Port Essington; and intimating the willingness of this Council to vote such sum of money as His Excellency the Governor may think adequate, not exceeding £1000, as a reward for the exertion of Dr. Ludwig Leichhardt and his party in the cause of science, and for the important services rendered by them to this Colony.  
Moved as an amendment by Mr. Lowe, That the words "an Address be presented to His Excellency the Governor, stating, that" be omitted; that the words "and intimating the willingness of this Council to vote such sum of money as His Excellency the Governor may think adequate, not exceeding £1000, as a reward for the exertion of Dr. Ludwig Leichhardt and his party in the cause of science, and for the important services rendered by them to this Colony," be also omitted; and that in place of the latter, the following words be introduced, "and that the Speaker be requested to convey this expression of the sense of the Council to Dr. Leichhardt."  
Debate ensued.  
Amendment by leave withdrawn.  
Original motion by leave withdrawn.
- 12. Hebrew Congregation Petition:—Mr. Wentworth moved, pursuant to notice, That the Petition from the Hebrew Congregation of the City of Sydney, presented by him on the 2nd instant, be printed.  
Question put and passed.
- 13. Declared Insolvencies:—Dr. Lang moved, pursuant to notice, That an Address be presented to His Excellency the Governor, requesting that His Excellency will be pleased to order to be laid upon the Table of this House, a Numerical Return of the cases of Insolvency that have taken place in the Colony, and been declared in the Commissioners' Courts of Sydney and Melbourne respectively, since the passing of the Act commonly called Judge Burton's Act; distinguishing the number of cases and the amount of Insolvency under each year, and the average dividend declared or realized in such cases of Insolvency.  
Debate ensued.  
Motion by leave withdrawn.
- 14. Auctioneers' Licensing Bill:—Moved by Mr. Cowper, That the consideration of this Bill in Committee be postponed until Friday.  
Debate ensued, (on the point whether this motion was in order without notice, and while there were yet a motion on the Notice paper, and several prior Orders of the Day, undisposed of.)  
Motion by leave withdrawn.
- 15. Estates of deceased persons better Management Bill:—The Attorney General having, pursuant to notice, moved for, and obtained leave to introduce "A Bill for the better preservation and management of the Estates of deceased persons in certain cases"; Bill read a first time; ordered to be printed, and read a second time on this day week.
- 16. Law of Libel Amendment Bill; on motion of Mr. Windeyer, read a second time.  
Moved by Mr. Windeyer, that the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for consideration of this Bill.  
Debate ensued.  
Question put and passed; the Council resolved itself into Committee accordingly.  
The Chairman reported progress, and obtained leave to sit again on Friday next.
- 17. Imprisonment for Debt Abolition Bill; moved by Mr. Lowe that this Bill be now read a second time.  
Debate ensued.  
Question put; Council divided—but notice being taken, before Tellers were appointed, that there were not present twelve Members, exclusive of the Speaker, the House counted, and—  
There not being twelve members present, exclusive of the Speaker, the Speaker adjourned the Council at half past Eight o'clock, until to-morrow at three o'clock.

## NOTICES OF MOTION AND ORDERS OF THE DAY.

WEDNESDAY, JUNE 10.

## NOTICE OF MOTION:—

1. THE COLONIAL SECRETARY to move for leave to bring in a Bill to enable the Trustees of the Goulburn Hospital to hold Lands.

## ORDERS OF THE DAY:—

1. Jury Laws continuation Bill; second reading.
2. Savings' Bank Act amendment Bill; third reading.
3. Desertion of Foreign Seamen prevention Bill; to be further considered in Committee.
4. Lunatics' Act amendment Bill; second reading.
5. Evidence to be heard at the Bar of the House, as to the effect of the Rent on Gunpowder now paid to the Ordnance Department.
6. Gunpowder Sales Bill; to be considered in Committee.

THURSDAY, JUNE 11.

## NOTICES OF MOTION:—

1. THE COLONIAL SECRETARY to move, That John Bayley Darvall, Esquire, be appointed a Member of the Court for the Trial of disputed Elections, in room of William Foster, Esquire, resigned.

FRIDAY, JUNE 12.

1. MR. WINDEYER to move, That a Committee be appointed to draw up an Address of Thanks to Her Majesty for the change she has been graciously pleased to make in the head of the Colonial Department of Her Government.
2. MR. COWPER to move, That the names of Mr. Parker and Mr. Windeyer be added to the Standing Orders Committee.
3. MR. COWPER to move, That the names of Mr. Parker and Mr. Lowe be added to the Library Committee.
4. MR. BREWSTER to move for leave to bring in a Bill to revive and continue for a limited time an Act of the Governor and Legislative Council of New South Wales, passed in the 5th year of Her present Majesty, being "The Melbourne Auction Company's Act."
5. MR. WENTWORTH to move for leave to bring in a Bill to render certain Officers and other persons therein enumerated, incapable of being elected Members of the Legislative Council, and to make void the election of any Member who shall accept any Office of profit from the Crown.
6. MR. COWPER to move, That a Select Committee be appointed to enquire into the Bill to amend an Act for regulating the sale of waste lands belong to the Crown in the Australian Colonies, and to make further provision for the management thereof, introduced by Mr. Hope into the House of Commons at the close of the Session of Parliament, 1845, and to report on the provisions thereof, and the accompanying Despatches from Lord Stanley to Sir George Gipps, of the 7th and 30th August, 1845.

## ORDERS OF THE DAY:—

1. Small Debts Bill; second reading.
2. Law of Libel Amendment Bill; to be further considered in Committee.
3. Publicans' Licensing Bill; to be further considered in Committee.
4. Auctioneers' Licensing Bill; to be considered in Committee.

TUESDAY, JUNE 16.

1. Deeds of Grant dates Bill; second reading.
2. Estates of deceased persons better management Bill; second reading.

WEDNESDAY, JUNE 17.

1. Consideration of Governor's financial Message.

FRIDAY, JUNE 19.

## NOTICE OF MOTION:—

1. MR. GRANT to move, That the monopoly of Coal so long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is, distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.

CHARLES NICHOLSON,

Speaker.





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VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

WEDNESDAY, 10 JUNE, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Goulburn Hospital Lands:—The Colonial Secretary postponed bringing forward his motion, on this subject, until to-morrow.
2. Jury Laws continuation Bill:—On motion of the Attorney General, read a second time.  
Moved by the Attorney General, That the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for consideration of this Bill.  
Question put and passed; the Council resolved itself into Committee accordingly.  
The Chairman having reported the Bill with an amendment; Bill ordered to be engrossed, and read a third time to-morrow.
3. Savings' Bank Act amendment Bill:—The Order of the Day for the third reading of this Bill being called—  
Moved by the Colonial Secretary, That the following Rider be added to the Bill:—  
" Provided always and be it enacted, That interest shall be allowed by the Trustees  
" of the said Savings' Banks respectively, at the same rate as to other depositors, on  
" any deposit standing at the credit in the said Banks of the Trustee or Treasurer of  
" any Friendly Society established under the provisions of an Act of the said Governor  
" and Council, passed in the seventh year of the reign of Her said Majesty, intituled,  
" ' *An Act to regulate Friendly Societies in the Colony of New South Wales,* notwith-  
" standing that the amount of any such deposit shall exceed the sum of one hundred  
" pounds, anything in the said first recited Act, or any other Act to the contrary  
" notwithstanding."  
Question put and passed.  
Moved by the Colonial Secretary, That the Bill, with the Rider attached, be now read a third time.  
Question put and passed; and Bill read a third time.  
Moved by the Colonial Secretary, That the Bill, with the Rider attached, do now pass.  
Question put and passed; Bill *passed*; to be presented to His Excellency the Governor, for the Royal Assent, by the Speaker, the Colonial Treasurer, and the Attorney General.
4. Desertion of Foreign Seamen prevention Bill:—On motion of the Colonial Secretary, the Council resolved itself into a Committee of the whole, for the further consideration of this Bill.  
The Chairman having reported the Bill with amendments, Bill ordered to be engrossed, and read a third time to-morrow week.
5. Lunatics Act amendment Bill:—Second reading postponed, on motion of the Colonial Secretary, until to-morrow.
6. Rent on Gunpowder:—Moved by Mr. Lamb, that the Speaker do now leave the Chair, and the Council resolve itself into a Committee of the whole, for the purpose of taking evidence at the Bar, as to the effect of the Rent on Gunpowder now paid to the Ordnance Department.  
Question put and passed; the Council resolved itself into Committee accordingly.  
The Chairman reported, that the Committee had examined several witnesses at the Bar, as to the effect of the Rent on Gunpowder now paid to the Ordnance Department.
7. Gunpowder Sales Bill; The consideration of this Bill in Committee postponed, on motion of the Colonial Secretary, until to-morrow week, with a view to afford time for the consideration of the evidence taken at the Bar this evening, as to the effect of the Rent on Gunpowder now paid to the Ordnance Department.  
Council adjourned at a quarter before nine o'clock, until to-morrow at three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

THURSDAY, JUNE 11.

NOTICES OF MOTION:—

1. THE COLONIAL SECRETARY to move, That John Bayley Darvall, Esquire, be appointed a Member of the Court for the Trial of disputed Elections, in room of William Foster, Esquire, resigned.
2. THE COLONIAL SECRETARY to move for leave to bring in a Bill to enable the Trustees of the Goulburn Hospital to hold Lands.

3. Mr. Lowe to move, That this Council do adopt the following Resolutions:—
- (1.) That, subject to the three Schedules, A, B, and C, it is the undoubted right of this Council, and of Her Majesty's subjects within the Colony of New South Wales, to have all taxes, rates, duties, and imposts, levied on the said subjects, whether with the advice and consent of this or any former Council, appropriated to the public service within the said Colony, by Ordinances to be for that purpose enacted by the Governor, with the advice and consent of this Council, and in no other manner.
  - (2.) That, nevertheless, the Governor has, without being authorised so to do by any such Ordinance as aforesaid, appropriated, according to his own pleasure, the sum of £1,085 8s, 4d. in 1844, and also the sum of £1,005 in 1845, and several other sums, being part of Her Majesty's said Revenue within the said Colony, arising from taxes, duties, rates, and imposts, on the ground that these sums had been previously appropriated by Ordinances of the Governor and former Legislative Council.
  - (3.) That the Governor and former Legislative Council were required, by the 25th section of the 9th George IV., ch. 83, to state distinctly and particularly, in the body of any Law or Ordinance, the purposes to or towards which the amount of such tax or duty was to be appropriated and applied, and therefore that this claim, if acted upon, will place at the absolute disposal of the Executive, in addition to the Casual and Territorial Revenue, and to the three Schedules, all such part of Her Majesty's Revenue within the said Colony, arising from taxes, rates, duties, and imposts, as is not levied under Ordinances of the Governor and present Legislative Council, that is to say, a sum considerably exceeding £100,000.
  - (4.) That a Select Committee be appointed to prepare an humble Address to Her Majesty, praying that She will be pleased to direct the Officer administering Her Government in this Colony, to respect the Constitutional rights of the Council in this matter, and also to prepare Petitions to the Houses of Lords and Commons, praying that they will be pleased to secure to this Council those powers and privileges which they have so solemnly conceded to it.
  - (5.) That an Address be presented to His Excellency the Governor, containing the above Resolutions.

ORDERS OF THE DAY:—

- 1. Jury Laws continuation Bill; third reading.
- 2. Lunatics' Act amendment Bill; second reading.

FRIDAY, JUNE 12.

NOTICES OF MOTION:—

- 1. Mr. WINDEYER to move, That a Committee be appointed to draw up an Address of Thanks to Her Majesty for the change she has been graciously pleased to make in the head of the Colonial Department of Her Government.
- 2. Mr. COWPER to move, That the names of Mr. Parker and Mr. Windeyer be added to the Standing Orders Committee.
- 3. Mr. COWPER to move, That the names of Mr. Parker and Mr. Lowe be added to the Library Committee.
- 4. Mr. BREWSTER to move for leave to bring in a Bill to revive and continue for a limited time an Act of the Governor and Legislative Council of New South Wales, passed in the 5th year of Her present Majesty, being "The Melbourne Auction Company's Act."
- 5. Mr. WENTWORTH to move for leave to bring in a Bill to render certain Officers and other persons therein enumerated, incapable of being elected Members of the Legislative Council, and to make void the election of any Member who shall accept any Office of profit from the Crown.
- 6. Mr. COWPER to move, That a Select Committee be appointed to enquire into the Bill to amend an Act for regulating the sale of waste lands belong to the Crown in the Australian Colonies, and to make further provision for the management thereof, introduced by Mr. Hope into the House of Commons at the close of the Session of Parliament, 1845, and to report on the provisions thereof, and the accompanying Despatches from Lord Stanley to Sir George Gipps, of the 7th and 30th August, 1845.
- 7. Mr. WINDEYER to move, that this Council do renew their Address to His Excellency the Governor, in reference to the Defalcation of the late Sheriff, adopted on the 23rd August, 1844.

ORDERS OF THE DAY:—

- 1. Small Debts Bill; second reading.
- 2. Law of Libel Amendment Bill; to be further considered in Committee.
- 3. Publicans' Licensing Bill; to be further considered in Committee.
- 4. Auctioneers' Licensing Bill; to be considered in Committee.

TUESDAY, JUNE 16.

- 1. Deeds of Grant dates Bill; second reading.
- 2. Estates of deceased persons better management Bill; second reading.

WEDNESDAY,

WEDNESDAY, JUNE 17.

1. Consideration of Governor's Financial Message.

THURSDAY, JUNE 18.

- 1. Deserion of Foreign Seamen prevention Bill; third reading.
- 2. Gunpowder Sales Bill; to be considered in Committee.

FRIDAY, JUNE 19.

NOTICE OF MOTION:—

1. Mr. GRANT to move, That the monopoly of Coal so long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.

CHARLES NICHOLSON,

Speaker.

FOR THE RECORD

THE BUREAU OF INVESTIGATION

The following information was obtained from the files of the Bureau of Investigation on the subject of [Name] [Address] [City] [State] [Country] [Date]

[Name] was born on [Date] at [Place] [State] [Country]. He is a [Nationality] and is currently residing at [Address] [City] [State] [Country].

[Name] is a [Occupation] and has been employed by [Company] since [Date]. He is a [Religion] and a [Political Party] member.

[Name] has been married to [Name] on [Date] at [Place] [State] [Country]. They have [Number] children, [Name] and [Name].

[Name] has no criminal record and is not currently under any legal restrictions.

[Name] is a [Nationality] and is currently residing at [Address] [City] [State] [Country].

[Name] is a [Occupation] and has been employed by [Company] since [Date]. He is a [Religion] and a [Political Party] member.

[Name] has been married to [Name] on [Date] at [Place] [State] [Country]. They have [Number] children, [Name] and [Name].

[Name] has no criminal record and is not currently under any legal restrictions.

[Name] is a [Nationality] and is currently residing at [Address] [City] [State] [Country].

[Name] is a [Occupation] and has been employed by [Company] since [Date]. He is a [Religion] and a [Political Party] member.

[Name] has been married to [Name] on [Date] at [Place] [State] [Country]. They have [Number] children, [Name] and [Name].

[Name] has no criminal record and is not currently under any legal restrictions.

[Name] is a [Nationality] and is currently residing at [Address] [City] [State] [Country].

[Name] is a [Occupation] and has been employed by [Company] since [Date]. He is a [Religion] and a [Political Party] member.

[Name] has been married to [Name] on [Date] at [Place] [State] [Country]. They have [Number] children, [Name] and [Name].

[Name] has no criminal record and is not currently under any legal restrictions.

VOTES AND PROCEEDINGS

OF

THE LEGISLATIVE COUNCIL.

THURSDAY, 11 JUNE, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
 Court for Trial of disputed Elections:—The Colonial Secretary moved, pursuant to notice, That John Bayley Darvall, Esquire, be appointed a Member of the Court for the Trial of disputed Elections, in room of William Foster, Esquire, resigned.  
 Moved, as an amendment, by Mr. Lowe, That the name of John Bayley Darvall, Esquire, be omitted, and the name of William Charles Wentworth, Esquire, be inserted in its place.  
 Debate ensued.  
 Question on the amendment put and passed.
2. Goulbura Hospital Lands:—The Colonial Secretary postponed bringing forward his motion on this subject until Thursday next.
3. Appropriation of Ordinary Revenue:—Mr. Lowe having risen to move the motion standing in his name, next in order on the Notices for the Day—  
 Debate ensued—(on the point of order whether it was competent to Mr. Lowe, under the 103 Standing Order of the House, to proceed with his motion on a day set apart for Government business, until after the Government business on the Paper for that day should be disposed of.)  
 The Speaker directed the Clerk to read the first Order of the Day.
4. Jury Laws Continuation Bill:—on motion of the Attorney General, read a third time, and *passed*; to be presented to His Excellency the Governor, for the Royal Assent, by the Speaker, the Colonial Treasurer, and the Attorney General.
5. Lunatic's Act amendment Bill:—having been read a second time, on motion of the Colonial Secretary, the Council resolved itself into a Committee of the whole, for consideration thereof.  
 The Chairman having reported the Bill with an amendment:—Bill ordered to be engrossed, and, by permission of the House, read a third time to-morrow.
6. Appropriation of Ordinary Revenue:—The Government business on the Paper having been disposed of, Mr. Lowe moved, pursuant to notice, That this Council do adopt the following Resolution:—  
 (1.) That, subject to the three Schedules, A, B, and C, it is the undoubted right of this Council, and of Her Majesty's subjects within the Colony of New South Wales, to have all taxes, rates, duties, and imposts, levied on the said subjects, whether with the advice and consent of this or any former Council, appropriated to the public service, within the said Colony, by Ordinances to be for that purpose enacted by the Governor, with the advice and consent of this Council, and in no other manner.  
 Debate ensued.  
 Question put and passed.  
 Moved by Mr. Lowe, That this Council do adopt the following Resolution:—  
 (2.) That, nevertheless, the Governor has, without being authorised so to do by any such Ordinance as aforesaid, appropriated, according to his own pleasure, the sum of £1,085 8s. 4d. in 1844, and also the sum of £1,005 in 1845, and several other sums, being part of Her Majesty's said Revenue within the said Colony, arising from taxes, duties, rates, and imposts, on the ground that these sums had been previously appropriated by Ordinances of the Governor and former Legislative Council.  
 Moved as an amendment by Mr. Wentworth, That all the words following the word "That," at the commencement of the proposed Resolution, be omitted, and the following words inserted in their place, "leave be now given to bring in 'A Bill to repeal so much of all local Ordinances now in existence, as assumes to vest the Appropriation of the Ordinary Revenue elsewhere than in the Legislative Council.'"  
 Question put and passed; Bill presented.  
 Moved by Mr. Wentworth, That the Bill be now read a first time.  
 Question put and passed; Bill read a first time.  
 Moved by Mr. Wentworth, That the Bill be read a second time, on Tuesday, the 21st of July next.  
 Question put and passed.  
 Council adjourned at half past Ten o'clock, until to-morrow at Three o'clock.

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NOTICES OF MOTION AND ORDERS OF THE DAY.

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FRIDAY, JUNE 12.

NOTICES OF MOTION :—

1. MR. WINDEYER to move, That a Committee be appointed to draw up an Address of Thanks to Her Majesty for the change she has been graciously pleased to make in the head of the Colonial Department of Her Government.
2. MR. COWPER to move, That the names of Mr. Parker and Mr. Windeyer be added to the Standing Orders Committee.
3. MR. COWPER to move, That the names of Mr. Parker and Mr. Lowe be added to the Library Committee.
4. MR. BREWSTER to move for leave to bring in a Bill to revive and continue for a limited time an Act of the Governor and Legislative Council of New South Wales, passed in the 5th year of Her present Majesty, being "The Melbourne Auction Company's Act."
5. MR. WENTWORTH to move for leave to bring in a Bill to render certain Officers and other persons therein enumerated, incapable of being elected Members of the Legislative Council, and to make void the election of any Member who shall accept any Office of profit from the Crown.
6. MR. COWPER to move, That a Select Committee be appointed to enquire into the Bill to amend an Act for regulating the sale of waste lands belong to the Crown in the Australian Colonies, and to make further provision for the management thereof, introduced by Mr. Hope into the House of Commons at the close of the Session of Parliament, 1845, and to report on the provisions thereof, and the accompanying Despatches from Lord Stanley to Sir George Gipps, of the 7th and 30th August, 1845.
7. MR. WINDEYER to move, that this Council do renew their Address to His Excellency the Governor, in reference to the Defalcation of the late Sheriff, adopted on the 23rd August, 1844.
8. MR. COWPER to move, That the Petition presented by him on the 9th instant, in reference to Dr. Leichhardt's expedition to Port Essington, be printed.
9. MR. WENTWORTH to move, That this House at its rising do adjourn to Tuesday, the 21st day of July next.
10. MR. LAMB to move, That the evidence taken at the Bar of this House on the 10th instant, as to the effect of the Rent on Gunpowder now paid to the Ordnance Department, be printed.
11. MR. WINDEYER to move, That the Select Committee of last Session, on Aborigines, be re-appointed.

ORDERS OF THE DAY :—

1. Small Debts Bill ; second reading.
  2. Law of Libel Amendment Bill ; to be further considered in Committee.
  3. Publicans' Licensing Bill ; to be further considered in Committee.
  4. Auctioneers' Licensing Bill ; to be considered in Committee.
  5. Lunatics' Act amendment Bill ; third reading.
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TUESDAY, JUNE 16.

1. Deeds of Grant dates Bill ; second reading.
  2. Estates of deceased persons better management Bill ; second reading.
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WEDNESDAY, JUNE 17.

1. Consideration of Governor's Financial Message.
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THURSDAY, JUNE 18.

NOTICE OF MOTION :—

1. THE COLONIAL SECRETARY to move for leave to bring in a Bill to enable the Trustees of the Goulburn Hospital to hold Lands.

ORDERS OF THE DAY :—

1. Desertion of Foreign Seamen prevention Bill ; third reading.
  2. Gunpowder Sales Bill ; to be considered in Committee.
- 

FRIDAY,

FRIDAY, JUNE 19.

NOTICE OF MOTION :—

1. MR. GRANT to move, That the monopoly of Coal so long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.

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TUESDAY, JULY 21.

ORDER OF THE DAY :—

1. Ordinary Revenue appropriation Bill; second reading.

CHARLES NICHOLSON,

*Speaker.*

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PROCEEDINGS OF THE

THE HOUSE OF REPRESENTATIVES

IN SENATE, Monday, February 1, 1943.

REPORT OF THE

COMMISSIONERS OF THE

GENERAL LAND OFFICE

U.S. GOVERNMENT PRINTING OFFICE



VOTES AND PROCEEDINGS  
OF  
THE LEGISLATIVE COUNCIL.

FRIDAY, 12 JUNE, 1846.

1. Council met pursuant to adjournment; the Speaker took the Chair.  
Assent to Bills :—The Speaker reported that His Excellency the Governor had been pleased to give the Royal Assent to the following Bills :—  
(1.) Bushranging Act continuation Bill.  
(2.) Jury Laws continuation Bill.  
(3.) Savings' Bank Act amendment Bill.
2. Coal Act amendment Bill :—The following Message from His Excellency the Governor received and read :—

*Message from His Excellency the Governor, to the Legislative Council, proposing an amendment in a Bill, which has been passed by the Council and presented to His Excellency for the Royal assent, intituled " An Act to amend the Act for the sale " and delivery of Coal."*

GENTLEMEN,

Having reason to suppose, that an error has been committed in the Preamble, and in the first enacting clause of this Bill, I have to propose to the Council the adoption of the following amendments :—

That in the Preamble, and also in the first enacting clause, the following words be struck out; viz., " sixth and seventh," and that instead of the words so struck out, the following words be inserted. " fifth and sixth."

GEORGE GIPPS,  
Governor.

*Government House,  
Sydney, 12th June, 1846.*

To be taken into consideration on Wednesday next.

3. Upset price of Land, and Border Police :—The Colonial Secretary laid upon the Table, part Return to the Address, on this subject, adopted on the 2nd instant, on motion of Mr. Cowper.  
Ordered to be printed.
4. Change in the Head of the Colonial Department :—Mr. Windeyer moved; pursuant to notice, That a Committee be appointed to draw up an Address of Thanks to Her Majesty for the change she has been graciously pleased to make, in the head of the Colonial Department of Her Government.  
Debate ensued.  
Moved as an amendment, by Mr. Lowe, That all the words following the word " Address " be omitted; and the following words inserted in their place :—" to Her Majesty, and Petitions to both Houses of Parliament, that they will be pleased " to reform the system upon which the Colonial Department of Government is administered."  
Debate continued.  
Question put on the amendment; Council divided.

Ayes, 17.

Mr. Windeyer,  
Mr. Lowe,  
Mr. Cowper,  
Mr. Suttor,  
Mr. Bowman,  
Mr. Lord,  
Mr. Lawson,  
Captain Dumaresq,  
Captain O'Connell,  
Mr. Macarthur,  
Mr. Brewster,  
Mr. Dangar,  
Mr. Wentworth,  
Mr. Wild,  
Dr. Lang,  
Dr. Bland,  
Mr. Robinson, (Teller.)

Noes, 5.

The Auditor General,  
The Attorney General,  
Mr. Parker,  
The Colonial Secretary,  
The Colonial Treasurer, (Teller.)

Moved

Moved by Mr. Lowe, That the Committee do consist of six Members, exclusive of the mover, (himself) and the seconder, (Mr. Lord.)

Question put and passed; the following Committee appointed accordingly.

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|----------------|-------------------|
| Mr. Lowe,      | Captain Dumaresq, |
| Mr. Lord,      | Mr. Cowper,       |
| Mr. Windeyer,  | Mr. Wild.         |
| Mr. Wentworth, |                   |
| Dr. Lang,      |                   |

Committee to Report on the 21st July next.

5. Standing Orders Committee:—Moved by Mr. Cowper, pursuant to notice, That the names of Mr. Parker and Mr. Windeyer be added to the Standing Orders Committee. Question put and passed.

6. Library Committee:—Mr. Cowper moved, pursuant to notice, That the names of Mr. Parker and Mr. Lowe be added to the Library Committee. Question put and passed.

7. Melbourne Auction Company's Act:—Mr. Brewster moved, pursuant to notice, That he do now have leave to bring in a Bill to revive and continue for a limited time, an Act of the Governor and Legislative Council of New South Wales, passed in the 5th year of Her present Majesty, being "The Melbourne Auction Company's Act." Debate ensued.

Question put; Council divided.

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|-------------------------|-----------------------------------|
| Ayes 9.                 |                                   |
| Mr. Macarthur,          | Mr. Lord,                         |
| Mr. Bowman,             | Dr. Bland,                        |
| Mr. Brewster,           | Mr. Wentworth,                    |
| Dr. Lang,               | Captain Dumaresq,                 |
| Mr. Wild,               | Mr. Lawson,                       |
| Mr. Suttar,             | Mr. Windeyer,                     |
| Mr. Dangar,             | Mr. Lowe,                         |
| Captain O'Connell,      | Mr. Cowper,                       |
| Mr. Robinson, (Teller.) | Mr. Parker,                       |
|                         | Mr. Allen,                        |
|                         | The Auditor General,              |
|                         | The Attorney General,             |
|                         | The Colonial Secretary,           |
|                         | The Colonial Treasurer, (Teller.) |

8. Government Officers Election prevention Bill:—Mr. Wentworth having, pursuant to notice, moved for and obtained leave to bring in "A Bill to render certain persons therein enumerated incapable of being elected Members of the Legislative Council, and to make void the election of any Member who shall accept any office of profit from the Crown;" Bill read a first time, ordered to be printed, and read a second time on Tuesday, July 21.

9. Mr. Hope's Bill to amend the Crown Land Sales Act, 5 & 6 Victoria, c. 36:—Mr. Cowper moved, pursuant to notice, That a Select Committee, be appointed to enquire into the Bill to amend an Act for regulating the sale of waste land belonging to the Crown in the Australian Colonies, and to make further provision for the management thereof; introduced by Mr. Hope into the House of Commons at the close of the Session of Parliament, 1845; and to report on the provisions thereof, and the accompanying Despatches from Lord Stanley to Sir George Gipps, of the 7th & 30th August, 1845. Debate ensued.

Question put and passed; the following Committee appointed accordingly.

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|----------------|-------------------------|
| Mr. Cowper,    | Captain O'Connell,      |
| Mr. Robinson,  | The Colonial Secretary, |
| Mr. Lowe,      | Mr. Dangar.             |
| Mr. Wentworth, |                         |

Committee to Report on the 21st July next.

10. Defalcation of the late Sheriff:—Mr. Windeyer withdrew from the paper the motion on this subject, of which he had given notice for to-day.

11. Dr. Leichhardt and Party:—Mr. Cowper moved, pursuant to notice, That the Petition presented by him on the 9th instant, in reference to Dr. Leichhardt's expedition to Port Essington, be printed. Question put and passed; Petition ordered to be printed.

12. Adjournment of the House; Mr. Wentworth moved, pursuant to notice, That this House at its rising do adjourn to Tuesday, the 21st day of July next. Debate ensued.

Question

Question put; Council divided: noes 18, yeas 18.  
 (broadly) The Attorney General, The Auditor General,  
 Mr. Robinson, The Colonial Secretary,  
 Mr. Suttor, Mr. Allen,  
 Mr. Macarthur, Mr. Parker,  
 Dr. Lang, The Colonial Treasurer, (Teller.)  
 Mr. Bowman, Captain O'Connell,  
 Mr. Bradley, Mr. Dangar,  
 Captain Dumaresq, Mr. Brewster,  
 Mr. Lawson, Mr. Wentworth,  
 Dr. Bland, Mr. Windeyer,  
 Mr. Cowper, Mr. Wild,  
 Mr. Lowe, Mr. Lord, (Teller.)

13. Rent on Gunpowder.—Moved by Mr. Windeyer, (in absence of Mr. Lamb) pursuant to notice given by Mr. Lamb, That the Evidence taken at the Bar of this House on the 10th instant, as to the effect of the Rent on Gunpowder now paid to the Ordnance Department, be printed.  
 Question put and passed; Evidence ordered to be printed.
14. Aborigines:—Moved by Mr. Windeyer, pursuant to notice, That the Select Committee of last Session, on Aborigines, be re-appointed.  
 Question put and passed.
15. Small Debts Bill:—Second reading postponed, on motion of Mr. Windeyer, until Tuesday, the 21st July.
16. Law of Libel amendment Bill:—Further consideration in Committee postponed, on motion of Mr. Windeyer, until Tuesday, the 21st July.
17. Publicans Licensing Bill:—Further consideration in Committee postponed, on motion of Mr. Wentworth, until Tuesday, the 21st July.
18. Auctioneers Licensing Bill:—Consideration in Committee postponed, on motion of Mr. Cowper, until Tuesday, the 21st July.
19. Lunatics' Act Amendment Bill; on motion of the Colonial Secretary, read a third time, and passed; to be presented to His Excellency the Governor, for the Royal Assent, by the Speaker, the Colonial Treasurer, and the Attorney General.  
 Council adjourned at a quarter after Ten o'clock, until Tuesday, the 21st day of July next ensuing, at Three o'clock.

NOTICES OF MOTION AND ORDERS OF THE DAY.

TUESDAY, JULY 21.

NOTICES OF MOTION:—

1. MR. LOWE to move for leave to bring in a Bill to give Clergymen a Freehold in their Benefices.
2. CAPTAIN O'CONNELL to move for leave to bring in a Bill further to amend the Act to incorporate the Inhabitants of the Town of Melbourne.
3. MR. LOWE to move, That the Bill to simplify the law abolishing Imprisonment for Debt, be read a second time on Friday, 24th July.
4. THE COLONIAL SECRETARY to move for leave to bring in a Bill to enable the Trustees of the Goulburn Hospital to hold Lands.
5. MR. GRANT to move, That the monopoly of Coal so long enjoyed by the Australian Agricultural Company, is highly prejudicial to the interests of the Colony, and is distinctly opposed to all the recognised principles of good government and political science. That as now, owing to various circumstances, this monopoly has almost ceased to be profitable even to the Company themselves, a Select Committee be appointed to take this subject into consideration; and that they be directed to ascertain, as far as possible, the present profits of the Company from this source, and the probable rate of the rapidly descending scale of the same, with a view to a proposal, upon equitable terms, for the surrender of the obnoxious privilege during the unexpired term of the Company's Charter.

ORDERS OF THE DAY:—

1. Ordinary Revenue appropriation Bill; second reading.
2. Government Officers Election prevention Bill; second reading.
3. Small Debts Bill; second reading.
4. Law of Libel Amendment Bill; to be further considered in Committee.
5. Publicans' Licensing Bill; to be further considered in Committee.
6. Auctioneers' Licensing Bill; to be considered in Committee.
7. Deeds of Grant dates Bill; second reading.
8. Estates of deceased persons better management Bill; second reading.
9. Consideration of Governor's Financial Message.
10. Consideration of Governor's Message proposing amendment on Coal Act amendment Bill.
11. Desertion of Foreign Seamen prevention Bill; third reading.
12. Gunpowder Sales Bill; to be considered in Committee.

CHARLES NICHOLSON,  
 Speaker.

MEMORANDUM

**MEMORANDUM—SELECT COMMITTEES.**

Supreme Court .....	Appointed, 14 May ...	To Report.....	
Roads and Bridges.....	Appointed, 22 May ...	To Report.....	21 July
Lunatic Asylum.....	Appointed, 26 May ...	To Report.....	21 July
Jury Laws.....	Appointed, 28 May ...	To Report.....	21 July
Colonial Department...	Appointed, 12 June ...	To Report.....	21 July
Mr. Hope's Bill.....	Appointed, 12 June ...	To Report.....	21 July
<i>Aborigines.....</i>	<i>Appointed, 12 June ...</i>		